

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 26 day of July, 1979, and the last publication being on the 2 day of August, 1979;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.


PUBLISHER

Subscribed and sworn to before me this 2 day of Aug, 1979.


NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

RECEIVED
AUG 6 1979

Department of Water Resources
Western Regional Office

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

57 - 4040

NETTLETON, JOE &/or EDITH

MURPHY, ID 83650

Source: GROUNDWATER

Priority Date: 07/01/1952

Amount: 0.19 CFS

Diversion Point: NENE Sec. 36 T 02S R 02W, OWYHEE Co.

Use: STOCKWATER (0.19 CFS) from 01/01 to 12/31

Place of Use: NENE Sec 36 T 02S R 02W

Diversion Means: WELL

57 - 4041

NETTLETON, JOE &/or EDITH

MURPHY, ID 83650

Source: SPRING tributary to RABBIT CREEK

Priority Date: 07/01/1955

Amount: 0.19 CFS

Diversion Point: NESW Sec 02 T 03S R 03W, OWYHEE Co.

Use: STOCKWATER (0.19 CFS) from 01/01 to 12/31

Place of Use: NESW Sec 02 T 03S R 03W

57 - 4042

NETTLETON, JOE &/or EDITH

MURPHY, ID 83650

Source: GROUNDWATER

Priority Date: 07/01/1900

Amount: 0.04 CFS

Diversion Point: SWSW Sec 21 T 01S R 02W, OWYHEE Co.

USE: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 21 T 01S R 02W

Diversion Means: WELL

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED,
Director.

Published 7/26 and 8/2/79, in the Owyhee Nugget, Marsing, Owyhee County, Idaho.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Joe/or Edith Nettleton and
(Name of Claimant)
Murphy, ID 83650 Telephone No 495-2560
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows

(1) Date of priority (When was the water first applied to a beneficial use) 7/1/52

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)
Groundwater tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.19 CFS</u>	Use <u>Livestock</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
(4)	<u>.19 CFS</u>	TOTAL QUANTITY USED.		

(5) A) Point of diversion (Location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 36 Twp 2S Rge. 2W B.M., County of Owyhee
Additional points of diversion: _____

B) Describe means of diversion of water (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	2W	36	X																

No. of acres _____

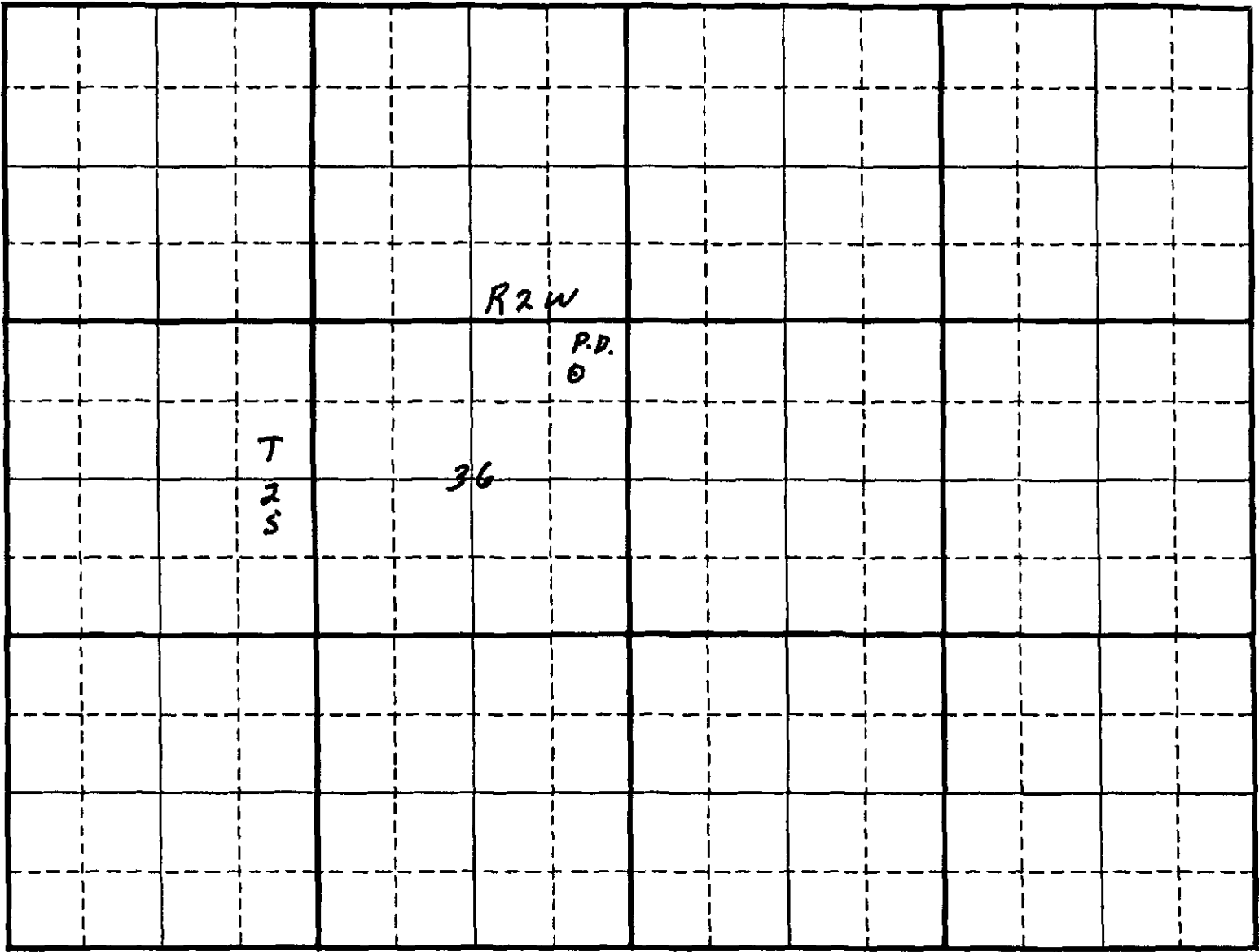
B) If water is used for other than irrigation, fully describe that use, being as specific as possible

NOTE. Include here the type and number of stock watered

(7) If you are claiming water as a member of an organization, list name of organization:

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(8) Remarks 800 head of livestock



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 13 day of July

[Signature]
(Claimant)
Rathleym A. Warner
Notary Public
Residing at Boise

My commission expires Sept

FOR DEPARTMENT USE ONLY					
Received by <u>SKN</u>	Date <u>7/13/79</u>	Exception filed by	Forwarded to	Date	
Prelim. check by <u>CWB</u>	Date <u>7/17/79</u>	<u>14448</u>	claimant by		
\$20.00 fee received by <u>K.K.</u>	Date <u>7/13/79</u>				
Published in <u>Owyhee Nugget</u>			<u>AK</u>	<u>8/12/79</u>	
Dates <u>7/26/79 - 8/2/79</u>					

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County of Owyhee

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Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 2 day of Aug, 1979.

David L. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

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Amount: 0.04 CFS

Diversion Point: SWSW Sec 21 T 01S R 02W, OWYHEE Co.

USE: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 21 T 01S R 02W

Diversion Means: WELL

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN REDD,

Published 7/2/79, in the Owyhee County Marsing, Owyhee County

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: C. W. Bryan

Right Number 57-4040 Applicant Nielsen

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By [Signature] Date 15 Aug 79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 8/21/79

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 384-2190

AUGUST 21, 1979

JOE NETTLETON
EDITH NETTLETON
MURPHY

ID 83650

RE: Claim No. 57-4040

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


WILLIAM R. GOSSETT
Acting Western Region Supervisor

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 384-2190

JULY 19, 1979

Owyhee Nusselt
Marsing, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 13, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

7/19/79

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MURPHY, ID 83650

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