

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 7 day of Sept, 1972, and the last publication being on the 14 day of Sept, 1972;

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.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 14 day of Sept, 1972.

Leona Shuman
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

RECEIVED

SEP 18 1972

Department of Water Administration

NOTICE OF CLAIM TO A WATER RIGHT No. 57 - 4011

Notice is hereby given that ADAM H. BLACKSTOCK, Star Route, Melba, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a ground water source with the point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 1 N., R. 4 W., B. M., Owyhee County.

The water is claimed to be used from January 1 to December 31 for domestic and stock-water purposes with a priority of May 1, 1950; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T. 1 N., R. 4 W., B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget, Marsing, Idaho, on September 7, 1972, and September 14, 1972.

57 4011

Identification No. _____

Claim No. 57-4011

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Adam H. Blackstock
post office address Star Rt. Melba, Idaho 83441

2. The point of diversion is in 13 $\frac{1}{4}$ of N $\frac{1}{4}$ Section 3 Township 1 North
Range 4 West B.M. located on Squaw Creek *groundwater - see letter 8/28/72*
(name of source)
tributary to _____ in Owyhee County.

3. Dates of priority claimed. list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

<u>May 1, 1950</u>	amount: <u>0.02</u> c.f.s. or _____ acre feet
<u>May 1 1950</u>	amount: <u>0.02</u> c.f.s. or _____ acre feet
_____	amount: _____ c.f.s. or _____ acre feet
Total claimed <u>0.04</u> c.f.s. or _____ acre feet.	

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Domestic period of use from January 1 to December 31 (both dates inclusive)
use Live stock period of use from January 1 to December 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pump; depth of well is 405 feet; diameter of well is 6 inches; type of pump is Submersible
capacity of pump is 20 g.p.m.; name and address of well driller is A. E. Hosack & Son, Blampa Idaho

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch

_____ The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____
400 cattle, 2 horses, 20 sheep

7. Where water is used for domestic or municipal purposes give number of families served 1
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

water level in well is above 50 feet below surface

State of Idaho

County of Owyhee 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 affiants knowledge.

Sworn to before me this 28th day of August, 1972

Adam H. Blackstock
Claimant

[Signature]
Notary Public

Residing at Spring, Idaho

My commission expires 9/24/75

Kit # 0762

For Department Use Only

Received by ef Date 8-29-72

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim check by KHF Date 8/29/72

Fee received by ef Date 8-29-72 Fee \$ 10⁰⁰

Approved for publication by KHF 8/29/72

Published in Canyon Nugget Dates 4-7-14-72

57 4011

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed.	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s.</u>	or	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u>	or	<u> </u>	acre feet
		Total claimed.	<u>1.2 c.f.s.</u>	or	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows.

use irrigation period of use from April 1 to October 31 (both dates inclusive) If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

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STATE OF IDAHO

County of Owyhee

{ s.s.

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PUBLISHER

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Leona S. Hawes
NOTARY PUBLIC

My commission expires 6-10-76

(SEAL)

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R. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget, Marsing, Idaho, on September 7, 1972, and September 14, 1972.

4011

RECEIVED

AUG 11 1972
Department of Water Administration

Helba, Idaho.
August 29, 1972.

Department of Water Administration
Annex 2 (Statehouse)
Boise, Idaho.

Section 3:

Section 3 filed claim to water right on two domestic
wells, one in T2N, Section 3, T2N, R2E, N1E, and T2N,
Section 34, T2N, R2E, N1E.

Filed to enter a protest on any wells that are or may
be drilled in Sections 35 & 36 T2N, R2E, or sections 1 & 2 T2N,
and the will affect the flow or water level in the wells filed

sincerely,

William W. Blackitt
State Engineer
Star Bldg., Boise,
Idaho

Not a valid protest

WFF 8/29/72

*Advert in
Owyhee Nugget*

57 403

Western District Office

September 25, 1972

RE: CLAIM TO A WATER RIGHT NO. 57-4010 and 57-4011

C
Adam H. Blackstock
Star Route
Melba, Idaho 83641

Dear Mr. Blackstock:

C
The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims will be retained in our files and will be available at any time for use by you or the court.

P
As you are aware, the filing of your claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

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

V
We are enclosing, for your records, a copy of your claims. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosures

57 4011

Western District Office

August 29, 1972

RE: CLAIM TO A WATER RIGHT NOS. 57-4010 and 57-4011

Mr. Adam H. Blackstock
Star Route
Melba, Idaho 83641

Dear Mr. Blackstock:

Attached herewith is your Receipt No. 8762 in the amount of \$20.00 for Claim to a Water Right Nos. 57-4010 and 57-4011 which was received in this office August 29, 1972.

Sincerely,

KENNETH H. POIT, P.E.
Western District Engineer

KHF:mkp

Enclosure

57 4011

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 30, 1972

RE: CLAIM TO A WATER RIGHT NOS. 57-4010 Adam H. Blackstock
57-4011 Adam H. Blackstock

The Owyhee Nugget
Marsing
Idaho 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

57 4011

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with the point of diversion in the NE 1/4, Sec. 3, T. 1 N., R. 4 W., B.M.,
Owyhee County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
and stockwater purposes
with a priority of May 1, 1950 ;
the place of use is within the NE 1/4, Sec. 3, T. 1 N., R. 4 W., B.M.

Any exception to this claim of water right may be filed with the Idaho
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R. KEITH HIGGINSON
Director

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on Sept. 7, 1972 and Sept. 14, 1972