

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

S.S.

FEB 17 1969

Department of Reclamation

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 6 day of Feb., 1969, and the last publication being on the 13 day of Feb., 1969;

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 13 day of Feb., 1969.

Leon S. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

RECL. ENGR.	
DEPUTY	
WATER RIGHTS	
ASST. DIR.	
DIR.	
ADJ.	
INVESTIGATION	
WELLS	
LANDS	
ACCOUNTING	
FILE	
RETURN TO	
INDEXED	

NOTICE OF CLAIM TO A WATER RIGHT No. 57-4003

Notice is hereby given that the City of Marsing, Marsing, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.18 cubic feet per second of water from a ground water source with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 2 N., R. 4 W., B. M., Owyhee County; the water is claimed to be used from January 1 to December 31 for municipal use with a priority of June 1, 1946; the place of use is located in the vicinity of the City of Marsing.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Owyhee Nugget, Marsing, Owyhee County, Idaho, on February 6 and February 13, 1969.

57 4003

bill sub 2-20-69

Identification No. 57-4002

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 City of Marsing
post office address Marsing, Idaho

2. The point of diversion is in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 3 Township 2N
Range 4W B.M. located on Ground water ¹⁻¹⁶⁻⁶⁹
(name of source) Cyhee ¹⁻¹⁶⁻⁶⁹
tributary to _____ in _____ 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:

June 1, 1946 amount: 0.18 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.18 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 Municipal period of use from Jan 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (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 pumped ; depth of well is 976 feet; diameter of well is 8 inches; type of pump is turbine with electric motor
capacity of pump is 80 g.p.m. , name and address of well driller is Russel Cowe,
Boise, Idaho

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

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 _____

7. Where water is used for domestic or municipal purposes give number of families served 224
name of town supplied City of Marsing

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 _____

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

1-10-69
(Date)

City of Marsing
Mayor
(Signature of Claimant)

State of Idaho
County of Boyle } ss

On this 10 day of Jan 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ralph Zahner
Notary Public residing at Marsing, Idaho

My commission expires 9-21-71

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>DMS</u>	Date <u>1-14-69</u>			
Fee received by <u>if</u>	Date <u>1-14-69</u>	Fee \$ <u>2.00</u>		
Approved for publication by <u>KD</u>	Date <u>30-69</u>			
Published in <u>Boyle</u>	Dates <u>2-6-69</u> <u>2-6-13-69</u>			

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</u> c.f.s. or	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	<u> </u> acre feet
		Total claimed:	<u>1.2</u> c.f.s. 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 Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

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

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My commission expires 9-10-72

(SEAL)

NOTICE OF CLAIM TO A WATER RIGHT No. 57-4003

Notice is hereby given that the City of Marsing, Marsing, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.18 cubic feet per second of water from a ground water source with point of diversion in the NE 1/4, Sec 8, T. 2 N., R. 4 W., B. M., Owyhee County; the water is claimed to be used from January 1 to December 31 for municipal use with a priority of June 1, 1946; the place of use is located in the vicinity of the City of Marsing.

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R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Owyhee Nugget, Marsing, Owyhee County, Idaho, on February 6 and February 13, 1969.

57 4003

will run 2-20-69

February 24, 1969

Re: Claim No. 57-4003

City of Marsing
Marsing, Idaho

Gentlemen:

Please be advised that the Department of Reclamation is in receipt of your claim ~~on~~ a water right and processed the claim. The information in your claim is filed under Claim No. 57-4003. Please refer to this number when adding or changing the information in your claim.

Enclosed is Receipt No. 2520 in the amount of \$10.00 which covers the filing fee.

You should be advised that under the Idaho Statutes, no further action is pending on the claim. Filing the claim concludes the processing until such time as you are in need of the evidence in the claim.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:KS

enclosure: Receipt No. 2520

57 4003

57-4603

January 10, 1980

Ms. Wenda Coons
City of Marsing
P.O. Box 125
Marsing, ID 83639

Dear Ms. Coons:

In researching our records for additional rights not listed in your letter of January 4, I located Claim No. 57-4003 and Permit No. 57-7237. Copies are enclosed.

If you need further assistance, please feel free to contact me.

Sincerely,

Roberta Garrett
Records Supervisor

RG:ss

Enclosures

Best
RECEIVED

JAN 7 1980

City of Marsing

P. O. Box 125

Marsing, Idaho 83639

Department of Water Resources

January 4, 1980

Dept. of Water Resources
State House
Boise, Idaho 83720

Dear Mr. Flenor:

The Association of Idaho Cities sent notice concerning the requirement that all water rights (including those for Cities) be recorded by 1983. In examining our records I find only the following permits;

Well 3	63-7738 ✓	4-24-74
Well 2	63-7171 ✓	2- -69
Well 4	63-9236 ✓	5-14-79

I can not find any permit for Well 1. Would you please check your files and see if this permit was issued to the city of Marsing. I would appreciate a copy of this permit or any other permits not listed above.

Sincerely,

Wenda Coons

Wenda Coons
City Clerk

57.1237
57.4003

RUSSELL COWE DRILLING Co.

1514 LONGMONT STREET

BOISE, IDAHO

Screen Schedule

8" Pipe	Blank	0-105
	Screen	105-110
	Pipe	110-141
	Screen	141-151
	Pipe	151-193
	Screen	193-203
	Pipe	203-219
	Screen	219-221
	Pipe	221-374
	Screen	374-379
	Pipe	379-562
	Screen	562-569
	Pipe	569-656
	Screen	656-659
	Pipe	659-744
	Screen	744-749
	Pipe	749-753
	Screen	753-758
	Pipe	758-762
	Screen	762-767
	Pipe	767-772
	Screen	772-775
	Pipe	775-785

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 57-4003**

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R. KEITH HIGGINSON,

State Reclamation Engineer

Published in the Owyhee Nugget, Marsing, Owyhee County, Idaho, on February 6 and February 13, 1969.

January 30, 1969

Re: Application No. 51-7037 -- John W. Peterson
Claim No. 57 4003 - City of Marsing

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 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 of Reclamation, 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McElldowney
Appropriation Examiner

DWM:ks

enclosure: legal notice (2)

57 4003

NOTICE OF CLAIM TO A WATER RIGHT

No. 57-4003

Notice is hereby given that the City of Marsing, Marsing,
Idaho has filed a claim to a water right
established by diversion and application to beneficial use of 0.18
cubic feet per second ~~per foot~~ of water from a ground water source
with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
sec. 3, T. 2 N, R. 4 W, B.M., Owyhee County; the water is
claimed to be used from January 1 to December 31 for municipal
use with a priority of June 1, 1946
; the place of use is located in the
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of Reclamation.

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State Reclamation Engineer

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