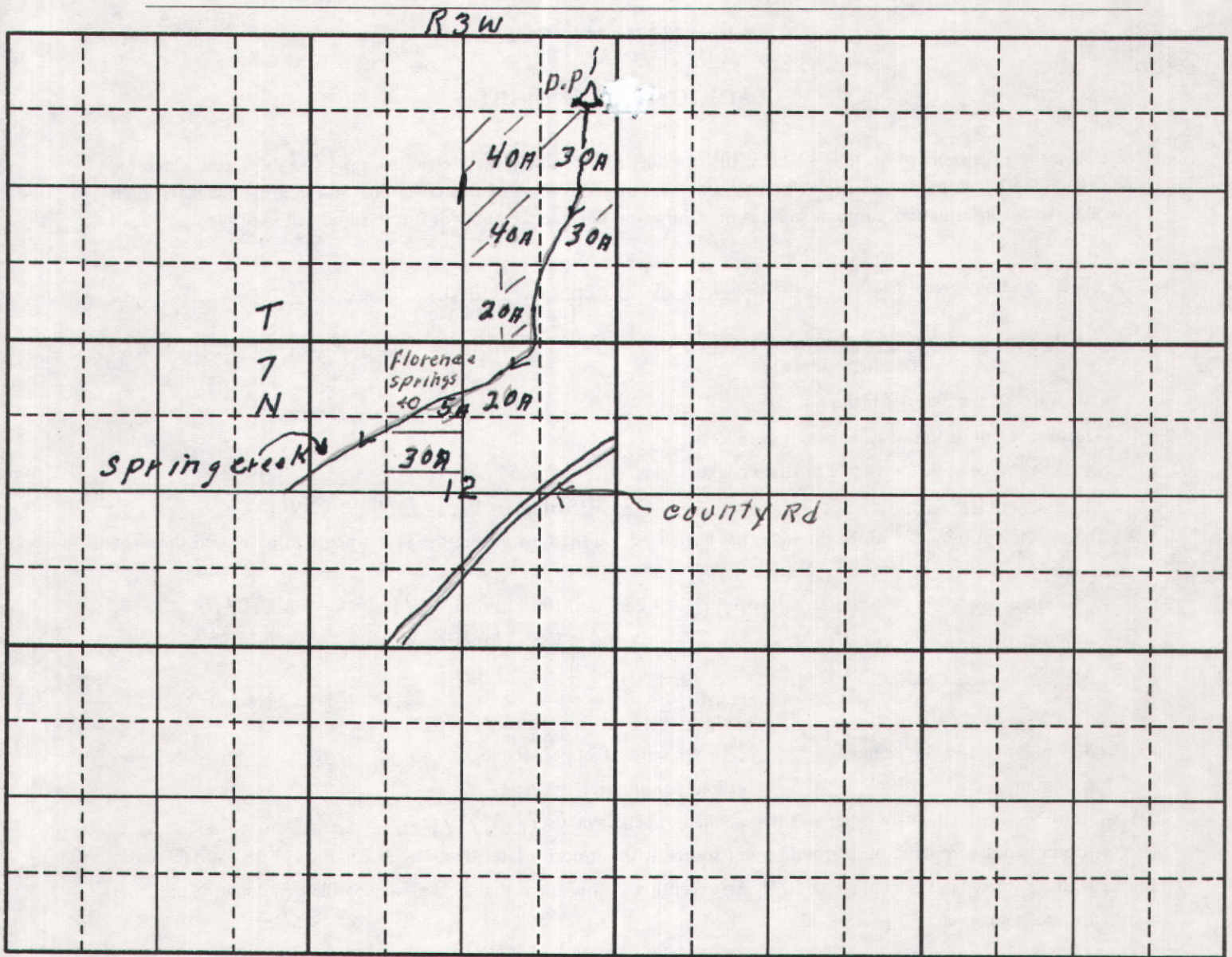


(8) Remarks _____



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 affiants knowledge.

Sworn to before me this 30 day of June

James R. Munro
(Claimant)

Notary Public
Residing at

David R. Tuttle
Boise Id

My commission expires Sept 10, 1980

For Department Use Only

Received by <u>9KN</u>	Date <u>6/30/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>7-5-78</u>		claimant by:	
\$10.00 fee received by <u>9KN</u>	Date <u>6/30/78</u>	<u># 11158</u>		
Approved for publication by				
Published in <u>Cum gratia Nugget</u>				
Dates <u>7-13-78 & 7-20-78</u>				

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 13 day of July, 1978, and the last publication being on the 20 day of July, 1978;

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 20 day of July, 1978.

Len S. Shaver
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use:

55 - 4021

Name: JAMES R. & / OR
MARTHA J. MUNRO
Address: Route B, Box 247
Grand View, Idaho
Source: SPRING CREEK
TRIBUTARY TO OWYHEE
RIVER

Priority Date: July 1, 1907

County: Owyhee

Amount: 4.3 cfs

Point of Diversion: NE $\frac{1}{4}$ -
NE $\frac{1}{4}$ Sec. 1 T 7S-R 3W B. M.

Use: Irrigation of 215 acres
from Apr. 15 to Oct. 15

Place of Use: S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ -
SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1; NW $\frac{1}{4}$ -
NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 12, T 7S-
R 3W B. M.

Means: Dam

55 - 4020

Name: JAMES R. & / OR
MARTHA J. MUNRO
Address: Route B, Box 247
Grand View, Idaho
Source: NORTH FORK
BOULDER CREEK TRIBU-
TARY TO JORDAN CREEK

Priority Date: July 1, 1910

County: Owyhee

Amount: 4.0 cfs

Point of Diversion: NW $\frac{1}{4}$ -
NW $\frac{1}{4}$ Sec. 33 T 6S - R 3W B.
M.

Use: Irrigation of 202 acres
from Apr. 15 to Oct. 15

Place of Use: SE $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ -
SE $\frac{1}{4}$ Sec. 32; NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ -
NW $\frac{1}{4}$ Sec. 33 T 6S - R 3W B.
M.

Means: Dam

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 83705.

C. STEPHEN ALLRED,
Director

Published in the Owyhee
Nugget, Marsing, Idaho on July
13 and July 20, 1978.

RECEIVED
JUL 21 1978

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that James R. & or Martha J. Munro
(name of claimant)
of Route B- Box 247 Grand View, Id 83624, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Spring Creek, tributary to, Owyhee River

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

Amount <u>4.3</u>	Use <u>Irr.</u>	Period of Use: From <u>4/15</u> To <u>10/15</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

(3) Total quantity of water claimed: 4.3 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 7/1/1907

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 1 Twp. 7S Rge. 3W 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. Diversion storage dam of 25 acre feet

(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.

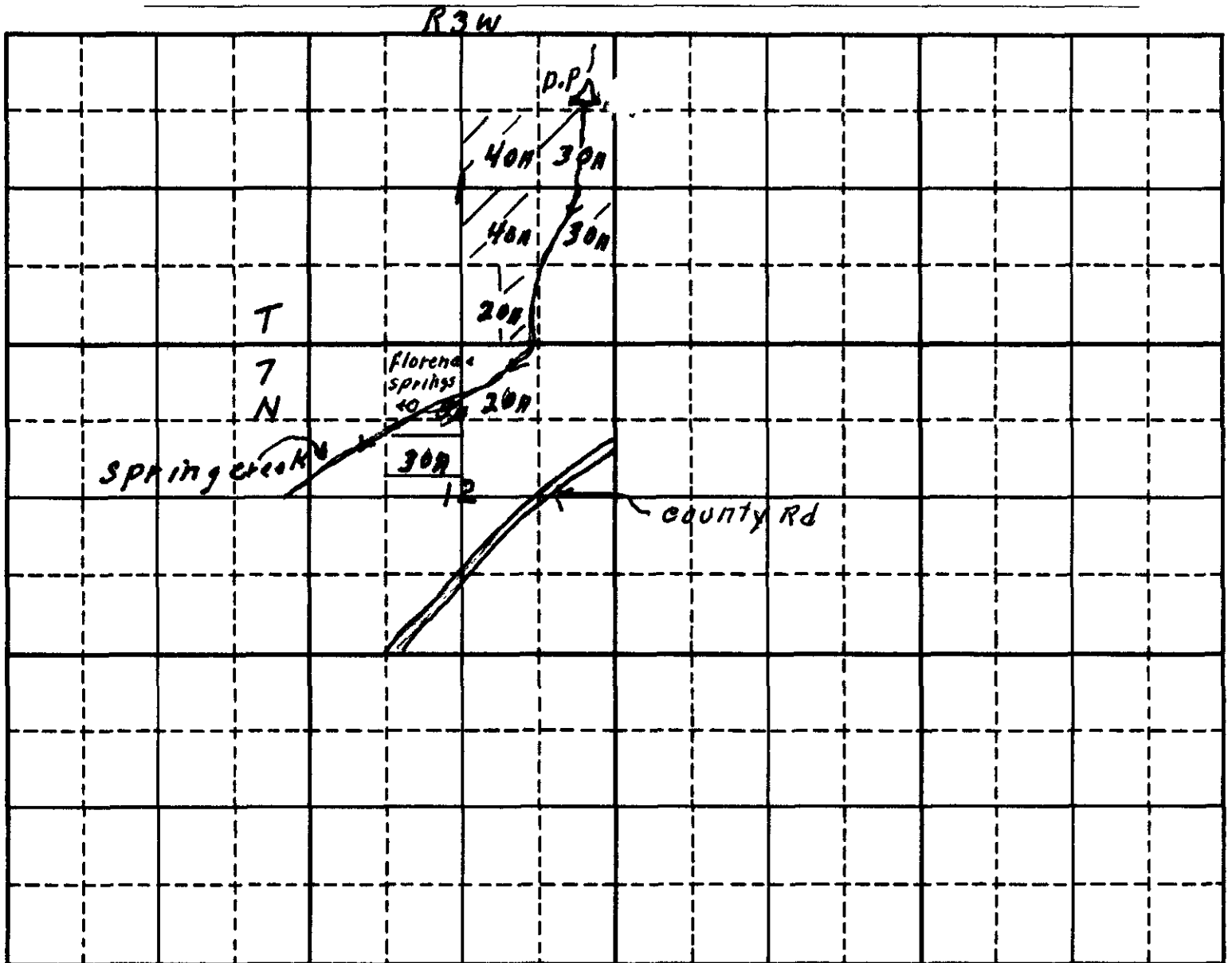
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	3W	1			40	30									30	40	20		160
7S	3W	12		20			5			30									55

Total No. of acres 215

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

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

(8) Remarks _____



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 affiants knowledge.

Sworn to before me this 30 day of June

James R. Munro
(Claimant)

Notary Public
Residing at

19 78
David R. Tuttle
Boise Id

My commission expires Sept 10, 1980

For Department Use Only

Received by <u>2 KAN</u>	Date <u>6/30/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W. 15</u>	Date <u>7-5-78</u>		claimant by:	
\$10.00 fee received by <u>2 KAN</u>	Date <u>6/30/78</u>	<u># 11158</u>		
Approved for publication by				
Published in <u>Canyon Nugget</u>				
Dates <u>7-13-78 & 7-20-78</u>				

RICHARD B. EISMANN

ATTORNEY AT LAW

112 W IDAHO AVENUE

POST OFFICE BOX 36

HOMEDALE, IDAHO 83628

ASSOCIATES
DANIEL T EISMANN
RODERICK B WOOD

TELEPHONE.
(208) 337-3135

August 24, 1978

Mr. David B. Shaw
West Regional Supervisor
State of Idaho Department of Water Resources
92 S. Cole Rd.
Boise, Idaho 83705

Re: Application Number 57-7216 E.C. and or Elsie
Brown application number.

Application number 55-4021 for James R. and or
Martha J. Monroe.

Application for permit number 55-4020 for James
R. and Martha J. Monroe.

Dear Mr. Shaw:

Please be advised that I represent South Board of Control
Owyhee Project, Homedale, Idaho. Mr. Eric Knehans, Secretary
Manager has forwarded me some information protesting the
above described permit applications.

Request is hereby made for a more definite statement regarding
the above numbered applications for permits, so that we
may be in a better position to decide whether or not to
continue this protest. The more definite statement should
consist of the following things among others:

1. the plan;
2. the map;
3. the area of diversion;
4. the description of the beneficial use;
5. the description of all of the proposed works;
6. the area and location of lands proposed
to be irrigated.

We would further request that the hearings on these protests
be held at the Magistrate Courthouse, Homedale, Owyhee
County, Idaho.

MICROFILMED

Mr. David B. Shaw
Page 2
August 24, 1978

Further, we would request that the applications be scheduled approximately twenty minutes apart on the same day, so that they may be disposed of in an efficient manner and not consume an inordinate amount of time.

Upon receipt of the above requested materials from your office, I will then contact the above named applicants, and request that we get together prior to a hearing date to see if we can resolve this matter between ourselves.

If you have any further questions or suggestions regarding this matter, please advise.

Thank you very much for your prompt attention to this matter and your cooperation on the same.

Very truly yours,

A handwritten signature in cursive script that reads "Roderick B. Wood".

Roderick B. Wood
RBW/lm

CC: South Board of Control

063

South Board of Control, Owyhee Project

Homedale, Idaho 83628

Phone 337-3760

BEVERLY FISHER
Treasurer

ERICH KNEHANS
Secy.-Mgr.

July 24, 1978

Department of Water Resources
Bureau of Reclamation

Mr. C. Stephen Allred
Director, Idaho Dept. Water Resources
92 Cole Road
Boise, Idaho 83705

Re: Application for Permit #55-4021
and #55-4020 for James R. & / OR
Martha J. Munro, Route B, Box 247,
Grand View, Idaho.

Dear Mr. Allred:

The South Board of Control Protest's the granting of Permit #55-4021 to James R. & / OR Martha J. Munro, Route B, Box 247, Grand View, Idaho; Source: Spring Creek Tributary to Owyhee River, Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1 T. 7S-R. 3W.B.M.

Also a Protest to the granting of Permit #55-4020 for James R. & / OR Martha J. Munro, same address: Source: North Fork Boulder Creek Tributary to Jordan Creek, Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 33 T. 6S-R. 3W.B.M. Place of Use: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32; NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 33 T 6S - R.3W.B.M.

Thank you.

Sincerely,

Erich Knehans

Erich Knehans, Secy.-Mgr.
South Board of Control

RECEIVED

THE OWYHEE NUGGET

Established 1891 - "Official Newspaper of Owyhee County"

Rodney A. Hawes, Publisher - Phone 208-896-4393

MARSING, IDAHO 83639

Idaho Department of Water Resources

1978		
July 13-20	Notice of Claims to Water Rights # 55-4020 & 55-4021-Munro	\$23.40
	Notice of Application for Water 57-7221-Taylor	17.55
		<u>\$40.95</u>
	I hereby certify that the above service has been rendered as charged, the amount claimed is correct and due, and I have not received payment therefor <i>R. A. Hawes</i> publisher	

"NUGGET" Advertising Pays: Deduct This Account From Your Income Tax!

NOT REFILED

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 13 day of July, 1978, and the last publication being on the 20 day of July, 1978;

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 20 day of July, 1978.

Lenora S. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

REPRODUCED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 55-4019

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) R.W.H. 2-5-78

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) R.W.H. 2-5-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) _____

(12) _____

Final date for protests _____

Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve ☐ Deny

☒ Proposed Priority

☒ Reason for Reduction _____

☒ Measuring device required

☒ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District W By DBS Date 6/14/80

*Chamini sk
Juni
6/14/80*

MIBRGF



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

(Office at the corner of
Franklin and Cole Roads)

(208) ³³⁴~~334~~-2190

June 11, 1980

James R. &/or Martha J. Munro
Rt B, Box 247
Grand View, ID 83624

RE: Claim No. 55-4021

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,

DAVID B. SHAW
Western Region Supervisor

DBS:h1h

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

September 7, 1978

Mr. Roderick B. Wood
Attorney at Law
P.O. Box 36
Homedale, ID 83628

RE: Application No. 57-7216 - E.C. &/or Elsie Brown
Claim No. 55-4020 and 55-4021 - James R. &/or Martha J. Munro

Dear Mr. Wood:

I am in receipt of your letter of August 24, 1978 in which you requested additional information about the above-numbered files. Enclosed please find copies of each of the above-numbered documents.

Please note that the documents numbered 55-4020 and 55-4021 in the names of James R. &/or Martha J. Munro are claims to a water right and not applications for a water right. Section 42-244, Idaho Code provides for filing exceptions to claims as Mr. Knehans did on behalf of the South Board of Control, Owyhee Project. The Code does not however provide for holding hearings or any evaluation procedure to either confirm or censor the claimed right. Mr. Knehan's exceptions to these claims will be filed with the claim document in the permanent records of the Department of Water Resources.

In the case of Application No. 57-7216 by E.C. &/or Elsie Brown, we will be glad to schedule any conference and/or hearing in Homedale. Since your letter of August 24th seems to indicate a possibility for resolving the protest without need for a conference or hearing, I will not schedule a conference for this Application until October. If you feel you may need additional time to resolve the matter, please let me know.

I hope this letter and the enclosed information provides you with the information you need. If I can be of further assistance, please feel free to contact me.

Yours truly,

David B. Shaw
Western Regional Supervisor
DBS/st
Enclosure

MICROFILMED

September 5, 1978

Mr. & Mrs. James R. Munro
Rt. B - Box 247
Grand View, Idaho 83624

RE: Claim to a Water Right No. 55-4020 and 55-4021

Dear Mr. & Mrs. Munro:

Enclosed are copies of exceptions filed by Miller Land Co., Inc. in connection with claim to a water right number 55-4020; and South Board of Control in connection with both of the above referenced claims.

The Department will not schedule a hearing in this matter or evaluate for conformation the right claimed since Section 42-244, Idaho Code states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

David B. Shaw
Western Regional Supervisor

DBS/st

Enclosure

MICROFILMED

September 6, 1978

South Board of Control
Owyhee Project
Homedale, Idaho 83628

Attention: Erich Knehans, Secy.-Mgr.

RE: Claim to a Water Right No. 55-4020 and 55-4021 filed in the name of
James R. &/or Martha J. Munro

Dear Mr. Knehans:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation the right claimed, since Section 42-244 states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

David B. Shaw
Western Regional Supervisor

DBS/st

Enclosure

MICROFILMED

July 10, 1978

RE: Notice of Claim to a Water Right No. 55-4021 - Munro

Owyhee Nugget
Clarsing
Idaho 83639

Attention: Mrs. Hawes

Gentlemen:

This letter is to confirm our telephone conversation today in regard to a number change for a Notice of Claim to a Water Right for James R. &/or Martha J. Munro from No. 55-4019 to 55-4021 to be advertised on July 13 and July 20, 1978.

Sincerely,

Anita L. Warntjes
Secretary

alw
Enc.

MICROFILMED



DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

July 6, 1978

RE: Notice of Claims to a Water Right Nos. 55-4019 - Munro
55-4020 - Munro

Owyhee Nugget
Marsing
Idaho 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. 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)

Please send the affidavit of publication and publication billing to this office before July 6, 1978.

Sincerely,

RITA FLECK
Secretary

MICROFILMED

~~55-4019~~

Name: JAMES R. &/OR MARTHA J. MUNRO

Address: Route B, Box 247, Grand View, Idaho

Source: SPRING CREEK TRIBUTARY TO OWYHEE RIVER

Priority Date: July 1, 1907

County: Owyhee

Amount: 4.3 cfs

Point of Diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 1 T 7S-R 3W B.M.

Use: irrigation of 215 acres from Apr 15 to Oct 15

Place of Use: S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 1; NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec 12
T 7S-R 3W B.M.

Means: dam

REFILMED

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:

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 83705.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nugget, Marsing, Idaho
on July 13 and July 20, 1978.

MICROFILMED