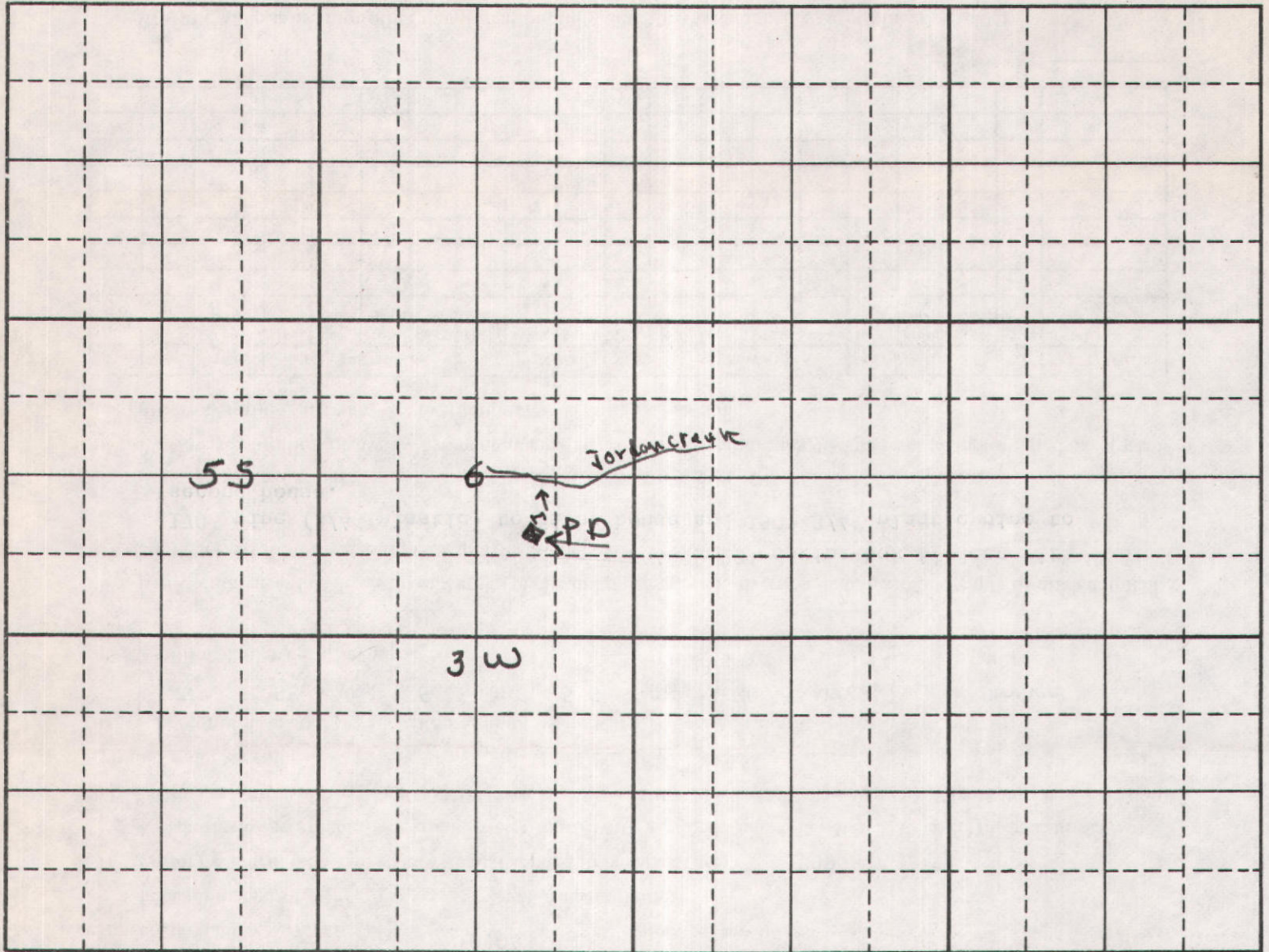


- (8) Remarks Brick spring box constructed in 1899 and has been used since that date. In 1956 the present spring box was constructed and new pipe was installed.



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 13th day of September, 1973

Gloria M. Otto
(Claimant)

Lyle Glen Taylor
Notary Public
Residing at Boise, Idaho

My commission expires

14 July 1974

For Department Use Only

Received by <u>CEB</u>	Date <u>13 Sept 73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CEB</u>	Date <u>13 Sept 73</u>		claimant by:	
\$10.00 fee received by <u>CEB</u>	Date <u>13 Sept 73</u>	# <u>12138</u>		
Approved for publication by <u>SW-10-1-73</u>				
Published in <u>Omyhee Nuggett</u>				
Dates <u>8-20, 8-27-73</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 20 consecutive weeks, the first publication being on the 20 day of Sept., 1973, and the last publication being on the 27 day of Sept., 1973;

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 27 day of Sept., 1973.

Leonard S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTICE OF CLAIM TO A WATER RIGHT No. 55 - 4006

Notice is hereby given that CARL W. &/or GLORIA W. OTTO, 250 Austin Ave., Atherton, California, has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second from an unnamed spring, tributary to Jordan Creek, with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 5 S., R. 3 W., B. M., Owyhee County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use with a priority of 1899; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6, T. 5 S., R. 3 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.

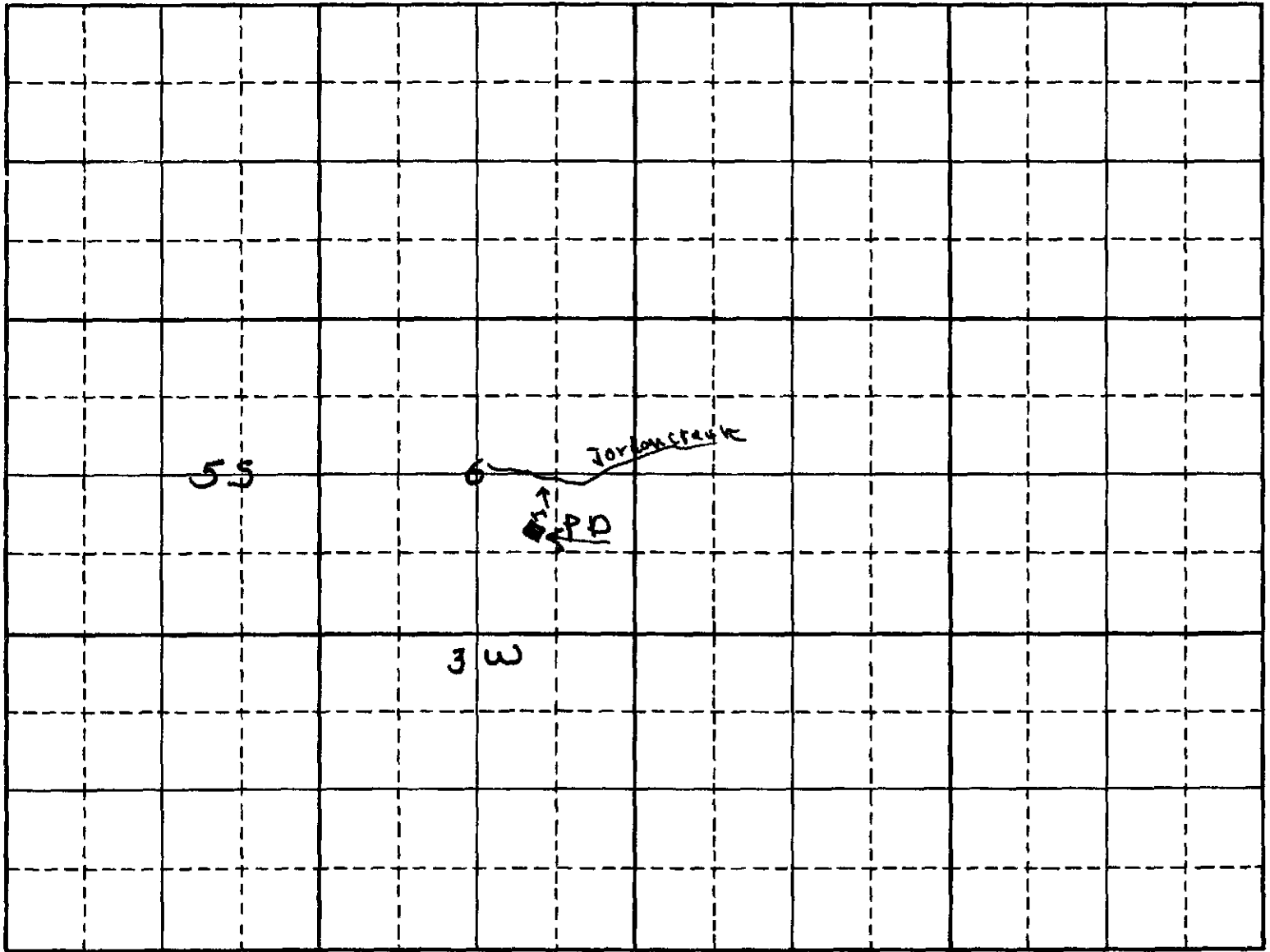
Published in the Owyhee Nugget, Marsing, Idaho, on Sept. 20, 1973, and Sept. 27, 1973.

RECEIVED
OCT 1 1973
Department
Administration

OK sw
10-1-73

55 000

- (8) Remarks Brick spring box constructed in 1899 and has been used since that date. In 1956 the present spring box was constructed and new pipe was installed.



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 13th day of September, 1973

Gloria H. Otto
(Claimant)

Notary Public

Residing at

Lyle Glen Taylor
Boise, Idaho

My commission expires

14 July 1974

For Department Use Only

Received by <u>CEB</u>	Date <u>13 Sept 73</u>	Exception filed by.	Forwarded to	Date
Prelim check by <u>CEB</u>	Date <u>13 Sept 73</u>		claimant by	
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Approved for publication by <u>sw-10-1-73</u>				
Published in <u>On the Nugget</u>				
Dates <u>9-20, 9-27-73</u>				

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)			Application No. <u>55-4006</u> Name <u>Carl W. Otto</u>
(2)	<u>9-14-73</u>	<u>R.W.H.</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/I ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>9-14-73</u>	<u>R.W.H.</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>9-14-73</u>	<u>R.W.H.</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>9-14-73</u>	<u>R.W.H.</u>	In form for advertising <u>OKED</u>
(6)	<u>9-14-73</u>	<u>SW</u>	Affidavit of Publication received <u>OK</u>
(7)		<u>NA</u>	Final date for protests _____ Protests received: yes _____ no _____
(8)		<u>NA</u>	Date and Place of hearing _____ Decision reached at hearing _____
(9)		<u>NA</u>	Located within Water District No. _____
(10)		<u>NA</u>	Critical groundwater area: yes _____ no _____
(11)		<u>NA</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____ _____ _____
(13)	<u>R.W.H.</u>	<u>10-10-73</u>	Action recommended: ☒ Approve Priority <u>NA</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval <u>R.W.H. 10-10-73</u> No conditions for approval
(14)	<u>R.W.H.</u>	<u>10-10-73</u>	District <u>Weslem</u> By <u>Robert W Hamilton</u> Date <u>10-10-73</u> Title <u>Superior of Water Dist.</u>

RECOMMENDEDCONDITIONS OF APPROVAL

- ☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } s.s.

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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 27 day of Sept, 1973.

Leonard S. Hawes
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

NOTICE OF CLAIM TO A WATER RIGHT No. 55 - 4006

Notice is hereby given that CARL W. &/or GLORIA W. OTTO, 250 Austin Ave., Ather-ton, California, has filed a claim to a water right established by diversion and application to be-neficial use of 0.04 cubic feet per second from an unnamed spring, tributary to Jordan Creek, with the point of diver-sion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 5 S., R. 3 W., B. M., Owyhee County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use with a priority of 1899; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 5 S., R. 3 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 Sept. 20, 1973, and Sept. 27, 1973.

OK SW
10-1-73

October 11, 1973

Earl W. &/or Gloria W. Otto
250 Mustin Avenue
Atherton, California 94025

Re: Claim to a Water Right No. 55-4006

Dear Mr. and Mrs. Otto:

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

As you are aware, the filing of your claim does not, in itself, guarantee you a water right: it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. 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

55 4006

Enclosure

KHF:sw

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

September 14, 1973

Owyhee Nugget
Marsing
Idaho 83639

Re: Claim to a Water Right No. 55-4006 - Carl W. &/or Gloria W. Otto
Application for Water Right No. 02-7127 - James &/or Dollie Morrison

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,

*Bill submitted
10-1-73
suo*

55 4006

NOTICE OF CLAIM TO A WATER RIGHT

No. 534905c

Notice is hereby given that CARL W. &/or GLORIA W. OTTO
250 Austin Ave., Arherton, California
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~FROM JORDAN CREEK~~
from an unnamed spring, tributary to Jordan Creek
with the point of diversion in the NW 1/4, Sec. 6, T. 5 S, R. 3 W, B.M.,
Owyhee County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
use
with a priority of 1899;
the place of use is within the NW 1/4, Sec. 6, T. 5 S, R. 3 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 Nuggett, Marsing, Idaho
on Sept. 20, 1973 and Sept. 27, 1973.

55 4000