

[illegible]

MAR 03 1988

- Point of Diversion

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3578

JUNE 1, 1981

HOWARD R. CUTLER
P.O. BOX 298
CHALLIS

ID 83226

RE: Claim No. 72-4083

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,


LOREN O. HOLMES
Southern Region Supervisor

Enclosure

MICROFILMED
MAR 03 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

72-4083
RECEIVED
MAY 4 1981
Department of Water Resources
Southern District Office

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 Howard R. Cutler (Name of Claimant)
Box 298 Challis, Idaho 83226 (Mailing Address) Telephone No. 838-2366 (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) April 15, 1889

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)
Salmon River tributary to Snake River

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

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>6.0</u>		Use <u>irrigation</u>		Period of Use From <u>Apr 1</u>	To <u>Nov 1</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) 6.0 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
Lt8 (SE ¼ SW) ¼, Sec. 19 Twp. 12N Rge. 19E B.M., County of Custer
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. rock wing dam earth ditches and tunnels to place of use

(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	
12N	19E	18	Lt1	Lt1	Lt6					Lt6	Lt7								47
			2	11	14					9	11								

No. of acres 47

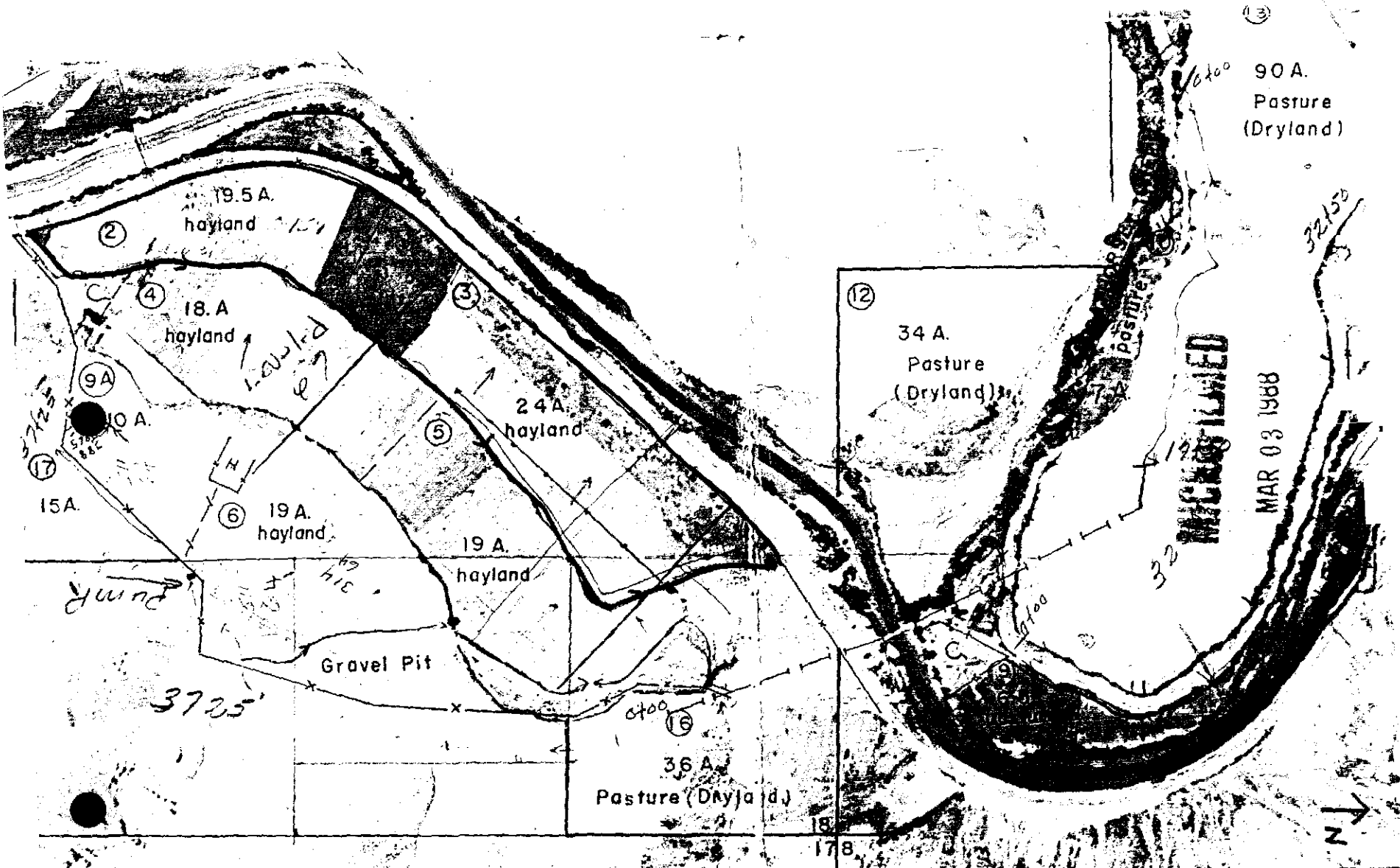
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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: _____

FILED

MAR 03 1988



SOIL and CAPABILITY MAP

Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with
CUSTER S.C.D.
S.C. DISTRICT AND AGENCIES COOPERATING IN SOIL SURVEY

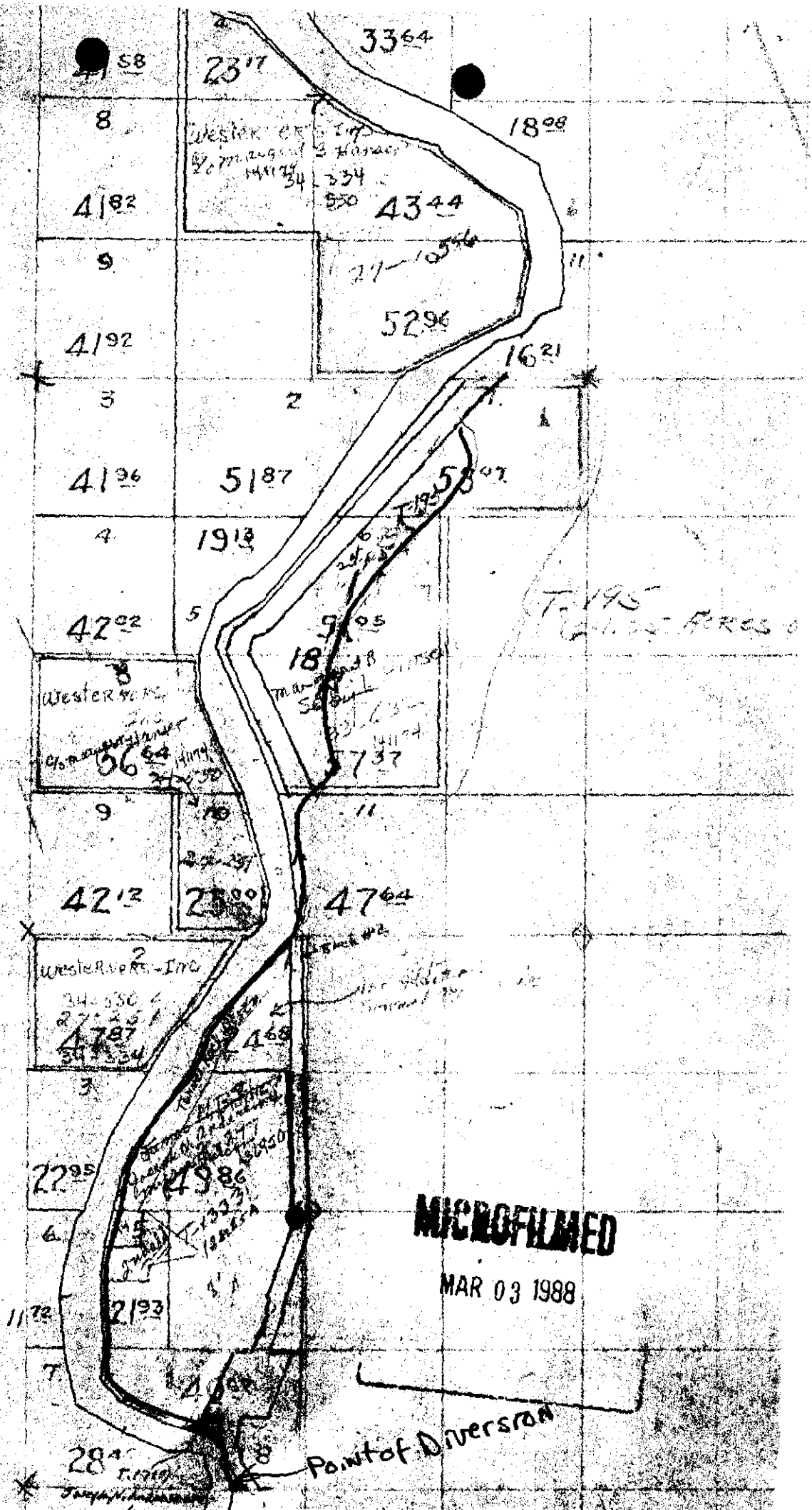
OWNER SELBY HANSEN FARM NO. 88 DATE 12-6

OPERATOR CUSTER SCALE 660 ACRES 700

IDAHO PHOTO NO. 19 W 62

COUNTY STATE APPROXIMATE

Twp 12N
Rge 19E



AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss:

I, MARGARET PARKS

Publisher of the Challis Messenger,
a weekly newspaper, published at
Challis, Idaho, do solemnly swear
that the notice hereto attached and
made a part hereof, was published
in the regular and entire issue of
the Challis Messenger for 2
consecutive weeks, commencing with
the issue dated MAY 14
1981 and ending with the issued
dated MAY 21 1981

Margaret Parks
Subscribed and sworn to before
me this 22 day of May
1981

Charles M. James
Notary Public, residing at Challis,
Idaho. My commission expires on

7-30-82

72-4083

CUTLER, HOWARD R.
P.O. BOX ~~198~~ CHALLIS, ID
83226

Source: SALMON RIVER
tributary to SNAKE RIVER.

Priority Date: 04/15/1889.

Amount: 6.00 CFS.

Diversion Point: LOT 08
(SESW) Sec 19 T 12N R 19E,
CUSTER Co.

Use: IRRIGATION (6.00
CFS) from 04/01 to 11/01.

Place of Use: LOT 01 (NENE)
LOT 01 (NWNE) LOT 06
(SWNE) LOT 06 (SESW) LOT
07 (NESW) Sec. 18 T 12N R 19E
FOR 47 ACRES.

Diversion Means: CHECK
DAM & DITCH.

Any exception to any claim of
water right may be filed with the
Director of the Idaho
Department of Water Resources,
1041 Blue Lakes Blvd., North,
Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director Published 5/14 &
5/21/81.

Handwritten:
MAR 03 1988

RECEIVED

MAY 27 1981

Department of Water Resources
Southern District 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:

Z2-4083-

CUTLER, HOWARD R.

P.O. BOX 298, CHALLIS, ID 83226

Source: SALMON RIVER tributary to SNAKE RIVER

Priority Date: 04/15/1889

Amount: 6.00 CFS

Diversion Point: LOT 08 (SESW) Sec 19 T 12N R 19E, CUSTER Co.

Use: IRRIGATION (6.00 CFS) from 04/01 to 11/01

Place of Use: LOT 01 (NENE) LOT 01 (NWNE) LOT 06 (SWNE) LOT 06 (SENE)
LOT 07 (NESW) Sec 18 T 12N R 19E FOR 47 ACRES

Diversion Means: CHECK DAM & DITCH.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 5/14 & 5/21/81.

RECORDED

MAR 03 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

MAY 5, 1981

Custer Publishing Company
P. O. Box 405
Challis, Idaho 83226

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 JUNE 1, 1981.

Yours truly,

Mary A. Hill
Secretary

Encl.

RECEIVED

MAR 03 1988

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ADM

Right Number 72-4083 Applicant CUTLER, Howard R.

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. None

By ADM Date 6/3/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maunee Date 6/5/81