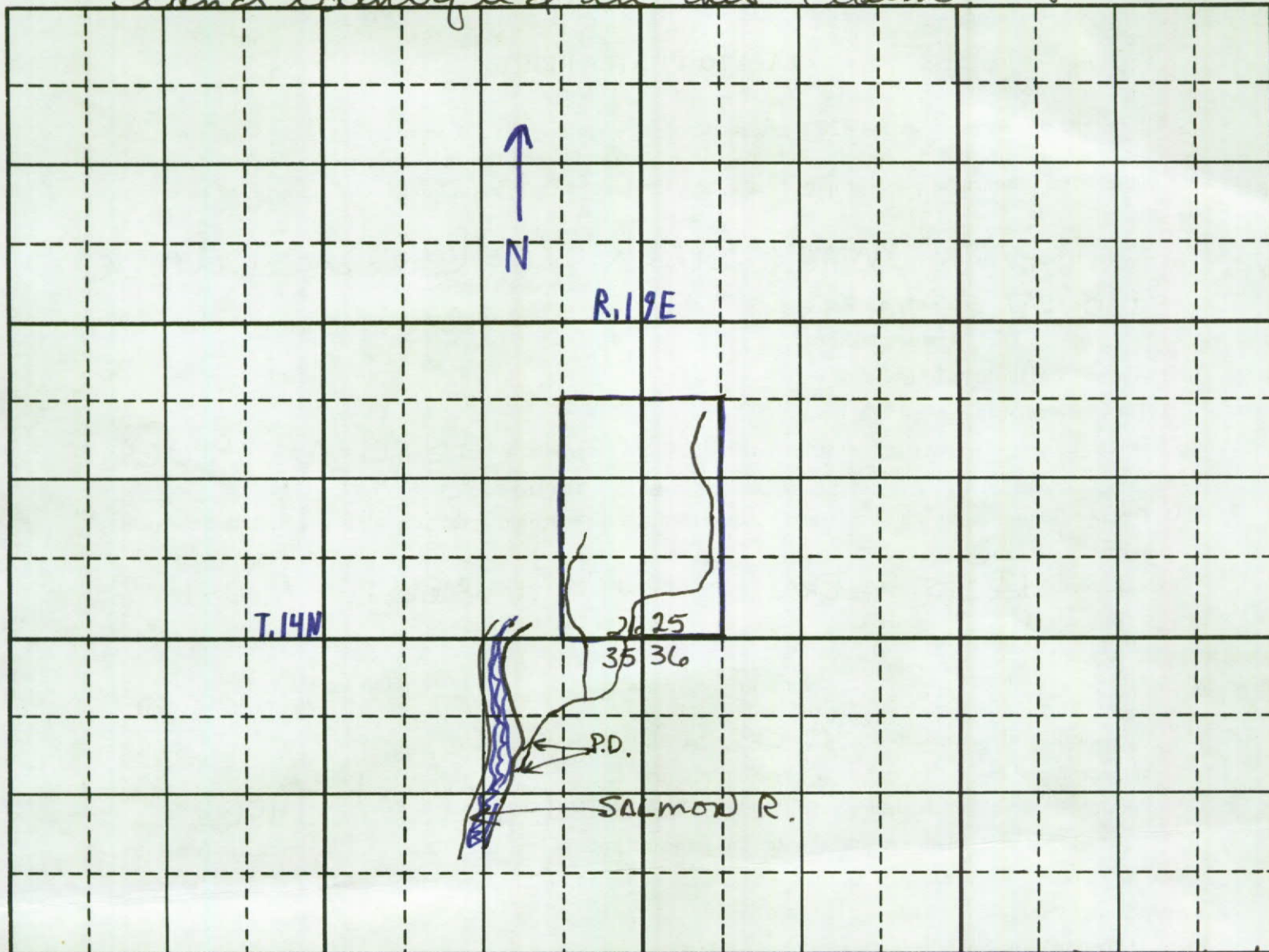


(8) Remarks the purpose of this filing is to record with the State of Idaho Dept. of Water Resources the water right recorded in the Custer County Court house in Challis Idaho pertaining to the land identified in this claim.



Scale: 2 inches equal 1 mile.

NOTE: Sept 26th 1899 Notice of Water Right attached

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 Twin Falls) 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 10th day of March, 1978.

Notary Public

Residing at Twin Falls.

My commission expires Lifetime

For Department Use Only

Received by mls Date 3-10-78 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by DA Date 3-10-78 claimant by: _____
\$10.00 fee received by Sm Date 3/13/78 # 7564
Approved for publication by 01 4/5/78
Published in Custer Publishing Co.
Dates 3/16 + 3/23/78

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 MARK STARK &/OR Brenda Stark
(name of claimant)
of STAR RTE. CHALLIS, 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) SALMON RIVER
_____, tributary to, SNAKE R.
- (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>12 CFS.</u> | Use | <u>Irri.</u> | Period of Use: | From | <u>April - 1</u> | To | <u>Nov - 1</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: 12 cfs. 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) April 1st 1900

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)
SW 1/4 NE 1/4, Sec. 35 Twp. 14N 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. approx 3/8 mile of ditch from Salmon R. to lands under irri. system is composed of earth ditches.

- (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.

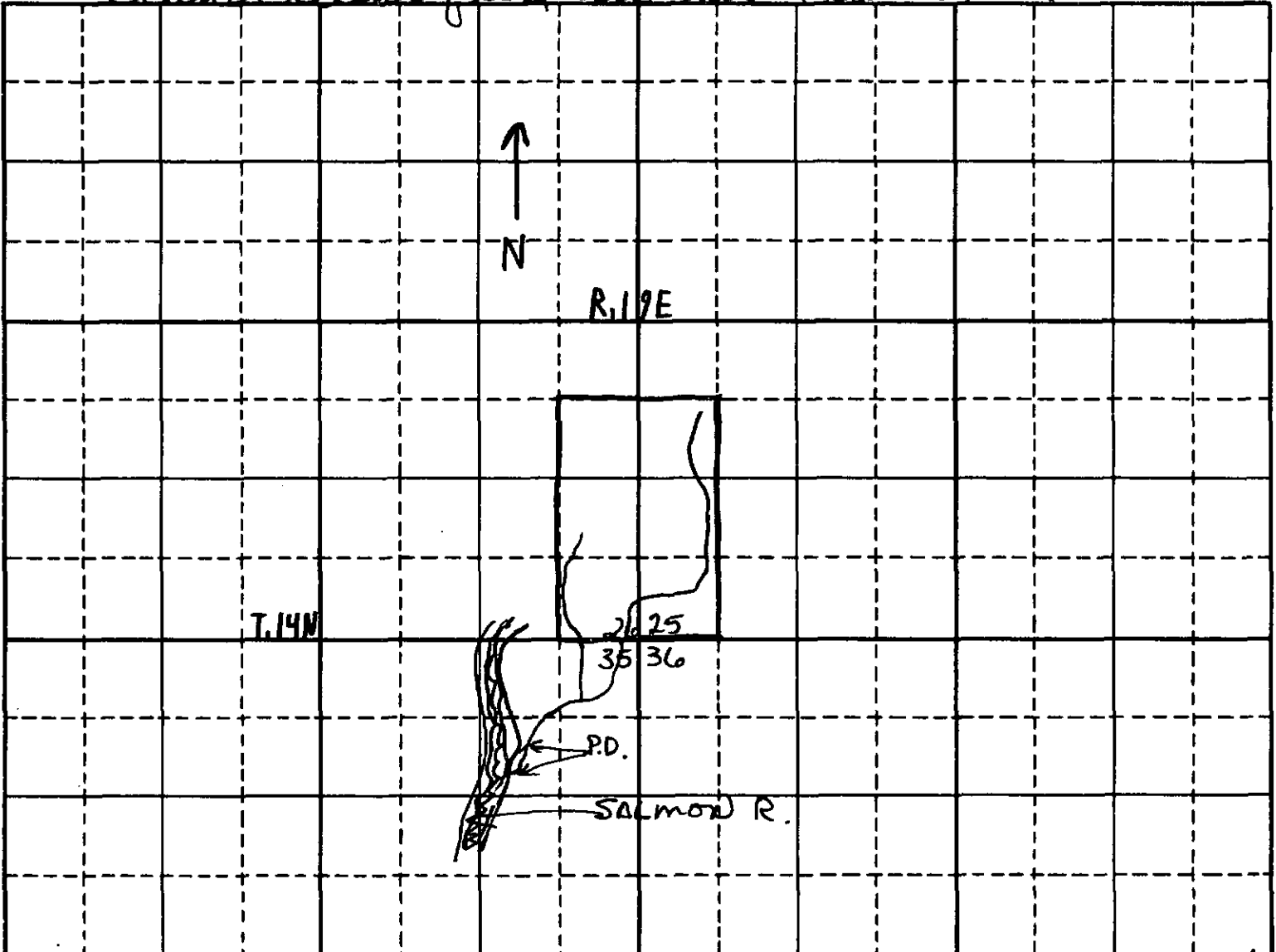
[illegible]

Total No. of acres: 240

- 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 the purpose of this filing is to record with the State of Idaho Dept. of Water Resources the water right recorded in the Custer County Court house in Challis Idaho pertaining to the land identified in this claim

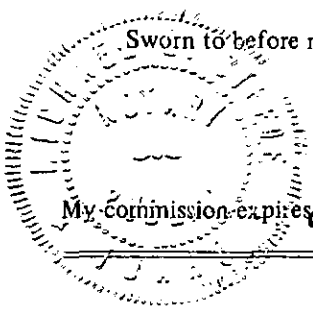


Scale: 2 inches equal 1 mile. NOTE: Sept 26th 1899 Notice of Water Right attached

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 Twin Falls) 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 10th day of March, 1978.
Brenda Stark (Claimant)
Michael L. Steele
Notary Public
Residing at Twin Falls.

For Department Use Only

Received by <u>mls</u>	Date <u>3-10-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>DA</u>	Date <u>3-10-78</u>		claimant by:	
\$10.00 fee received by <u>Sm</u>	Date <u>3/13/78</u>	# <u>7564</u>		
Approved for publication by <u>DA</u>	Date <u>4/5/78</u>			
Published in <u>Custer Publishing Co.</u>				
Dates <u>3/16 + 3/23/78</u>				

RECEIVED

March 3, 1978

MAR 6 1978

Mr. Mike Steele,

Department of Water Resources
Southern District Office

It seems we neglected to give
you this Affidavit the day you
were here at our home.

Thank you for your time and
concern in this matter.

Sincerely
Frank Stark

Challis, Idaho 83226

MICROFILMED

RECEIVED

MAR 6 1978

Department of Water Resources
Southern District Office

STATE OF IDAHO)

County of Custer)

ss. AFFIDAVIT

RALPH HUTCHINSON, being first duly sworn upon oath deposes and says that he is 69 years of age and a resident of Challis, Custer County, Idaho; and that he has personal knowledge that the lands identified in Book B, Page 166 of the Book of Water Claims, recorded in the office of the Custer County, Idaho Recorder, a copy of which is attached hereto, have been continuously irrigated with Salmon River water since 1926.

DATED: February 28, 1978.

Ralph W. Hutchinson
Ralph Hutchinson

SUBSCRIBED AND SWORN to before me this 28th day of February, 1978.

Linda J. Horsey
Notary Public for IDAHO
Residing at Challis, Idaho
Comm Expires: 3-20-78

(SEAL)

RECEIVED

Notice of Water Right Location

To Whom it May Concern:

Notice is hereby given that I William H Leaton of Round Valley County of Custer, State of Idaho have this 26th day of September 1899 appropriated and hereby claim the use of the waters of Salmon River to the extent of twelve cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows: about one fourth of a mile below the line separating the ranches of Charles Hengsteler and McGowan and Felkner on East bank of Salmon River. That the purpose or purposes for which said water is claimed is irrigation and domestic use. That the place of intended diversion is in the S.W. 1/4 of Sec 25 Twp 14 N R 17 E and on the E 1/2 of S.E. 1/4 of Sec 26 and S.E. 1/4 of N.E. 1/4 of Sec 26 and the S.W. 1/4 of N.W. 1/4 of Sec 25 Twp 14 N R 17 E Boise Meridian. That the general course of the proposed canal or conduit is Northerly or Northeasterly. That the length of said canal or conduit is one and three fourths miles more or less. The work for diversion and use of said water has been completed and used same 1896. A copy of this Notice was duly posted at or near the point of intended diversion on the 26th day of September 1899. Witness my hand at Round Valley State of Idaho, this 26th day of September 1899. Appropriator & Claimant William H Leaton

State of Idaho } ss
County of Custer }

William H Leaton of Round Valley Not Public & Challis County of Custer, State of Idaho, being first duly sworn deposes and says that he is of lawful age and the appropriator and claimant of the Water Right described in the within and foregoing notice and whose name is subscribed thereto.

That the statements in said notice are true, and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at or near the point of intended

Division at 4¹⁵ o'clock P.M. the 26th day of
September 1899.

William H. Leaton
Subscribed & sworn to before me this 26th day of
September 1899.

Geo. E. Keyes
Ex officio Recorder

Filed for record at request of Wm H Leaton
at 4/15 o'clock P.M. this 26th day of
September 1899.
Geo. E. Keyes
Recorder

STATE OF IDAHO)
COUNTY OF CUSTER) SS

I hereby certify that the foregoing is a
full, true and correct copy of the original
on file in this office.

Mary Sullivan
By Barbara Abbott
Clerk of the District Court

Date

Notice of Notice Right Location
Given that Virginia Miner Administrator of
the Estate of James A. Miner deceased a Gold.

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 MAR 16,
1978 and ending with the issue
dated MAR 23, 1978.

Margaret Parks

Subscribed and sworn to before
me this 31 day of MARCH,
1978.

Reymond Bundt
Notary Public, residing at Challis,
Idaho. My commission expires on
life

**NOTICE OF CLAIM TO
A WATER RIGHT**
NO. 72-8342

Notice is hereby given that Mark
&/or Brenda Stark, Challis, Idaho
83226 has filed a claim to a water
right established by diversion and
application to beneficial use of 12
cubic feet per second of water from
Salmon River tributary to Snake
River with point of diversion in the (2
points) SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 14N,
Rge. 19E, B.M. Custer County.

The water is claimed to be used
from Apr. 1 to Nov. 1 for irrigation
purposes of 240 acres with a priority
of April 1, 1900; the place of use is
within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,
Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26,
Twp. 14N, Rge. 19E, B.M.

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

C. STEPHEN ALLRED
Director

Published in the Challis Messenger
on 3/16 and 3/23/78

□□□

RECEIVED

APR 3 1978

Department of Water Resources
Southern District Office

RECORDED

DEPARTMENT OF WATER RESOURCES
STAFF ANALYSIS - CLAIM TO A WATER RIGHT

<u>Item</u>	<u>Initial</u>	<u>Date</u>	<u>Claim No. 72-4042 - Mark &/or Brenda Stark</u>
			☒ Name, Address, Telephone
			☒ Source
			☒ Quantity, Purpose, Period of Use
			☒ Priority (Year & Month)(Day Optional)
			☒ Point of Diversion
			☒ Description of Diverting Works
			☒ Place of Use
			☒ Map
			☒ Signature
			☒ Notarized
			☒ Fee
(1)	<u>AS</u>	<u>3-10-78</u>	In Form To Receipt
(2)	<u>WSS</u>	<u>3/10/78</u>	In Form For Advertising
(3)	_____	_____	Exceptions Filed: Yes _____ No _____
(4)	<u>Of</u>	<u>3/10/78</u>	Copy To Boise

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

April 10, 1978

Mr. Mark Stark
Box 361
Challis, Idaho 83226

Re: Claim to a Water Right No. 72-4042 - Mark &/or Brenda Stark

Dear Mr.

The Department of Water Resources has completed the processing of your Claim to a Water Right, and no further action is authorized under Sections 42-225a and 42-225b of the 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 a copy of the claim for your records. If you have any questions or if we can be of further assistance, please feel free to contact this office.

Sincerely,

Michael L. Steele

Michael L. Steele
Southern Region Supervisor

MLS:dj

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 72-4042

Notice is hereby given that Marl &/or Bronda Stark
Challis, Idaho 83326
has filed a claim to a water right established by diversion and application
to beneficial use of 12 cubic feet per second ~~acre feet per annum~~
of water from Salmon River tributary to Snake River
with point of diversion in the (2 points) SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 14N, Rge. 19E,
B.M. Custer County
The water is claimed to be used from Apr. 1 to Nov. 1 for irrigation
purposes of 240 acres
with a priority of April 1, 1900;
the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 26,
Twp. 14N, Rge. 19E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls,
Idaho, 83301 ~~or before~~ ~~XXXXXXXXXXXXXXXXXXXX~~

C. Stephen Allred

Director

Published in the Custer Publishing Co.
on 3/16 and 3/23/78

MICROFILMED

on 3/16 and 3/23/78
Published in the Challis Messenger
000

NOTICE OF CLAIM TO
A WATER RIGHT
NO. 72-4042
Notice is hereby given that Mark
& for Brenda Stark, Challis, Idaho
83226 has filed a claim to a water
right established by diversion and
application to beneficial use of 12
cubic feet per second of water from
Salmon River tributary to Snake
River with point of diversion in the (2
points) SW1/4NE1/4, Sec. 35, Twp. 14N,
Rge. 19E, B.M. Custer County.
The water is claimed to be used
from Apr. 1 to Nov. 1 for irrigation
purposes of 240 acres with a priority
of April 1, 1900; the place of use is
within the SW1/4NW1/4, W1/4SW1/4,
Sec. 25, SE1/4NE1/4, E1/4SE1/4, Sec. 26,
Twp. 14N, Rge. 19E, B.M.
Any exception to this claim of
water rights may be filed with the
Idaho Department of Water
Resources, 1041 Blue Lakes Blvd.,
North, Twin Falls, Idaho, 83301.
C. STEPHEN ALLRED
Director

Published in the Challis Messenger
on 3/16 and 3/23/78
000

March 10, 1978

Custer Publishing Co.
P. O. Box 405
Challis, Idaho 83326

Re; Claim to a Water Right No. 72-4042 - Mark &/or Brenda Stark

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:dj

MICROFILMED

Bill submitted: _____