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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 Bud Nelson (name of claimant)
of Challis, Idaho, 83226, 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
Snake River, tributary to, Snake 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>3.96 cfs</u> | Use | <u>Irriigation</u> | Period of Use: | From | <u>April 1</u> | To | <u>November 1</u> |
| Amount | <u>0.04 cfs</u> | Use | <u>Stock</u> | Period of Use: | From | <u>Jan. 1</u> | To | <u>December 31</u> |
| 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: 3.96 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 1, 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)
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26 Twp. 15N. 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. Gravity flow ditch 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.

[illegible]

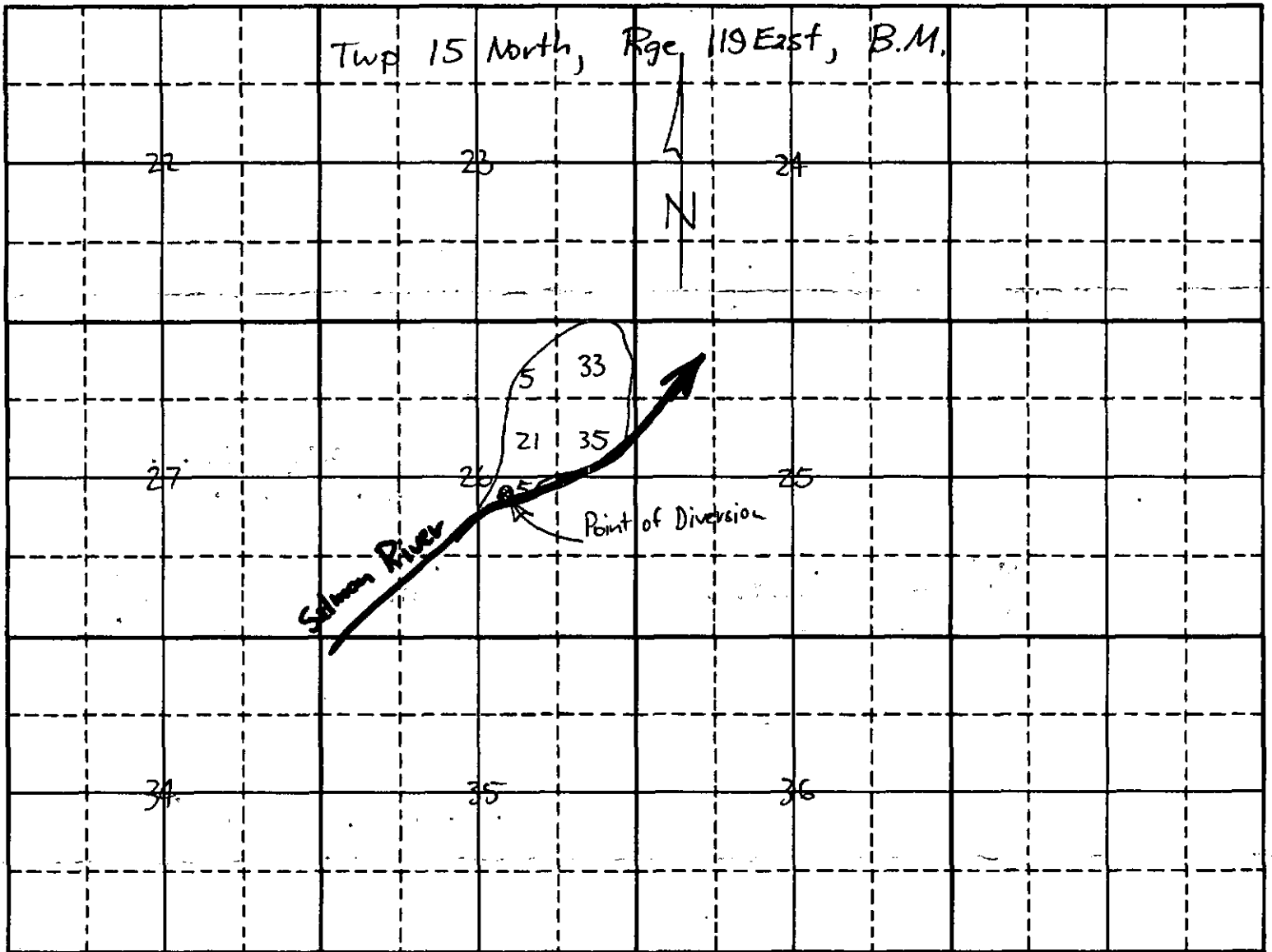
Total No. of acres 99

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater 200 head of Range Cattle

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

NOTHING

(8) Remarks The traditional use of the water has been to flood irrigate and due to the gravel nature of the soil approx. 2 inches of water per acre have been traditionally diverted.



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) ss.
County of)

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 26 day of January, 19 77

Rud. F. Nelson
(Claimant)

Richard L. Slater
Notary Public
Residing at Twinn Falls Idaho

My commission expires Lifetime

For Department Use Only

Received by ADM Date 1/26/77
Prelim. check by TGB Date 1/31/77
\$10.00 fee received by ADM Date 1/26/77
Approved for publication by ADM
Published in Custer Publishing Co.
Dates 2/10 & 2/17

Exception filed by:

Forwarded to
claimant by:

Date

#2323

RECEIVED

FEB 28 1977

Department of Water Resources
Southern District Office

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 Feb-10.....,
1977 and ending with the issue
dated Feb-17....., 1977.

Margaret Parks.....
Subscribed and sworn to before
me this 24 day of Feb.....,
1977.

Rebecca Burstedt.....
Notary Public, residing at Challis,
Idaho. My commission expires on
10-24-77

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 72-4025

Notice is hereby given that Bud Nelson, Challis, Idaho 83226 has filed a claim to a water right established by diversion and application to beneficial use of 3.96 cubic feet per second of water from Salmon River, tributary to Snake River with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 15 N., Rge. 19 E., B.M., Custer County.

The water is claimed to be used from April, to November 1 for irrigation purposes of 99 acres and Jan. 1 to Dec. 31 for Stock purposes with a priority of April 1, 1900; the place of use is within the NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 15 N., Rge. 19 E., 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.

R. KEITH HIGGINSON
Director

Published in the Challis Messenger
on 2/10 and 2/17/77

OK
AB
2/28/77

MICROFILMED

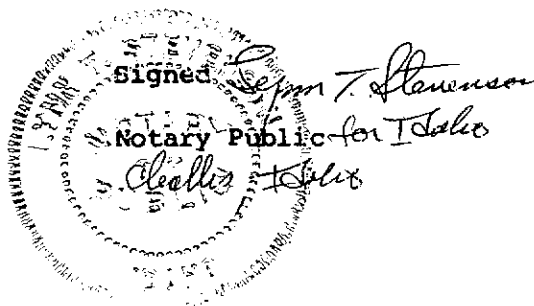
Claim No 72-4025

I hereby attest to the fact water was first used on the lands now owned R.D.H.
by Buel & Nelson in 1967 and continuously used
the lands are described as follows N 1/4 33 - NW 1/4 - 5 - SW 1/4 35 acres
total 88

the point of diversion is located in the N 1/4 31 - 4 Sec 26 R 7 - 19 E - Carter
County

I have personal knowledge these facts are true.

Ralph D. Hutchison



Claim No. 72-4025

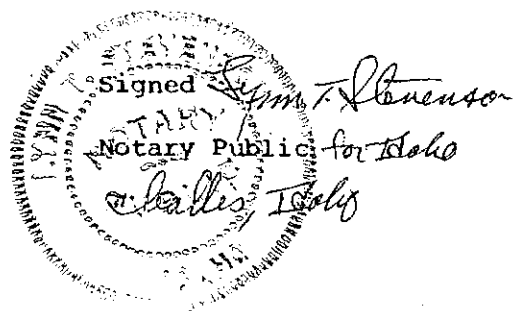
I hereby attest to the fact water was first used on the lands now owned

by Rud F Nelson in 1967 & continuously used D.H.
the lands are described as follows NE $\frac{1}{4}$ 33 and NW $\frac{1}{4}$ 5 and SW $\frac{1}{4}$ 35
Sec 88

the point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 24 Rgn 19 Eastern
county

I have personal knowledge these facts are true.

Richard M. Hughes



same line

Claim No 72-4025

I hereby attest to the fact water was first used on the lands now owned

by Buel L Nelson in 1901 A.D.

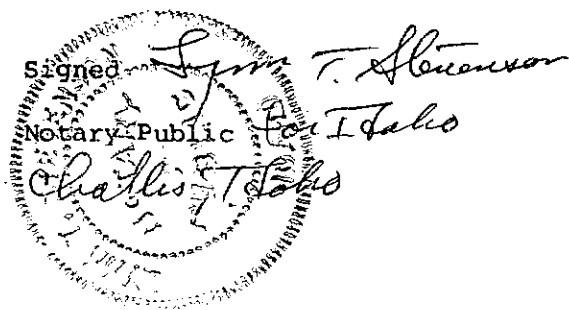
the lands are described as follows NE $\frac{1}{4}$ 33 acres NW $\frac{1}{4}$ 5 acres SW $\frac{1}{4}$ 35 acres

1st 1908

the point of diversion is located in the NW $\frac{1}{4}$ - SE $\frac{1}{4}$ Sec 26 T6N R1E - center
County

I have personal knowledge these facts are true.

Arthur Burnett



Claim 72-4025

I hereby attest to the fact water was first used on the lands now owned

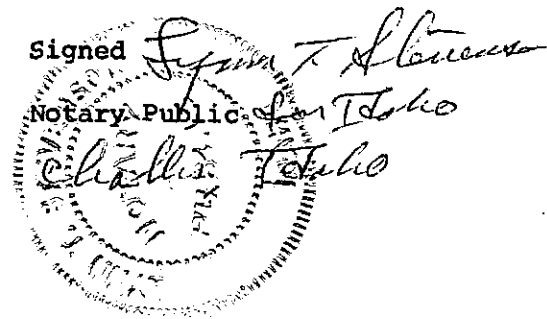
by Bud L Nelson in 1900 and continuously FB
the lands are described as follows NE 1/4 33 acres NW 1/4 5 acres SW 1/4 35 acres.

the point of diversion is located in the NW 1/4 SE 1/4 Sec 26 Rge 19E T15N.
Custer County.
I have personal knowledge these facts are true.

Floyd Bradbury

Signed

Notary Public



RECEIVED

MAR 17 1977

Department of Water Resources
Southern District Office



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN DISTRICT

Cecil D. Andrus
Governor

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

R. Keith Higginson
Director

March 1, 1977

RE: Claim to A Water Right No. 724025 & 72-4026

Mr. Bud Nelson
Challis, Idaho 83226

Dear Mr. Nelson:

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 us.

Sincerely,

Michael L. Steele

Michael L. Steele
Southern Region Supervisor

MLS:sb

Enclosure

RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 72-4025

Notice is hereby given that Bud Nelson

Challis, Idaho 83226

has filed a claim to a water right established by diversion and application
to beneficial use of 3.96 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from Salmon River, tributary to Snake River

with point of diversion in the NW $\frac{1}{4}$ Sec. 26, Twp. 15 N. Rge. 19 E., D.M.,
Custer County

The water is claimed to be used from April. to November~~1~~ for irrigation
purposes of 29 acres and Jan. 1 to Dec. 31 for Stock purposes
with a priority of April 1, 1900;
the place of use is within the NE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 26, Twp. 15 N., Rge. 19 E., D.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 ~~XXXXXXXXXXXX~~

R. KEITH HIGGINSON

Director

Published in the Custer Publishing Co.

on 2/10 and 2/17/77

MICROFILMED

cc - To Boise - 1/31/77

8k
AB
2/15/77
1
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R. KEITH HIGGINSON
Director

Published in the Challis Messenger
on 2/10 and 2/17/77 □□□

January 31, 1977

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

RE: Claim to a water right #72-4025 & 72-4026

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:sb

enclosures

Bill submitted: _____

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