

Not applicable.

b. Do you get water through a ditch owned by several users? Not applicable. If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered Not applicable.

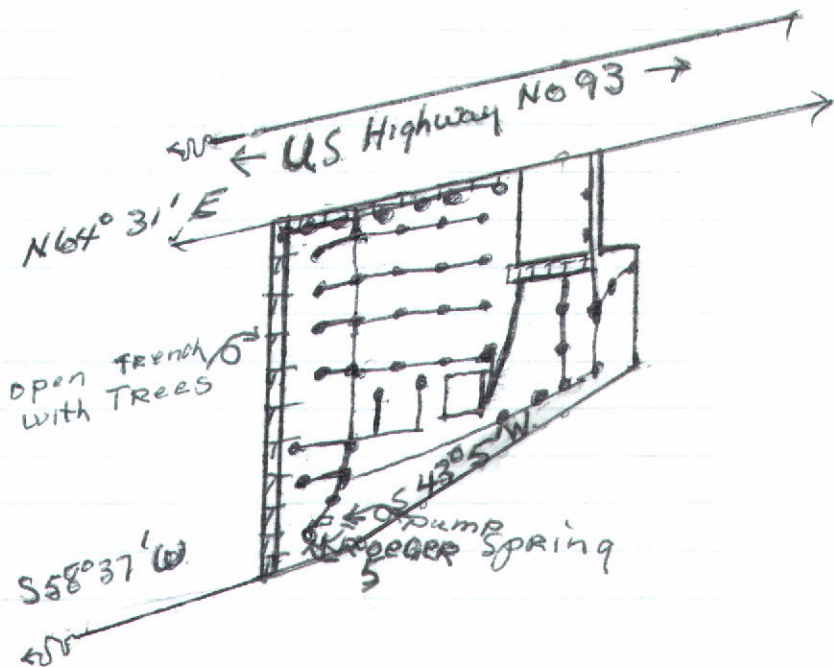
7. Where water is used for domestic or municipal purposes give number of families served :One family. name of town supplied Not applicable.

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities Not applicable.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

EXHIBIT "A"

72 4006



State of Idaho

County of Custer

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.

Max P. Kroger
Claimant

Sworn to before me this 1st day of December, 19 71.

Jack B. Zurey
Notary Public

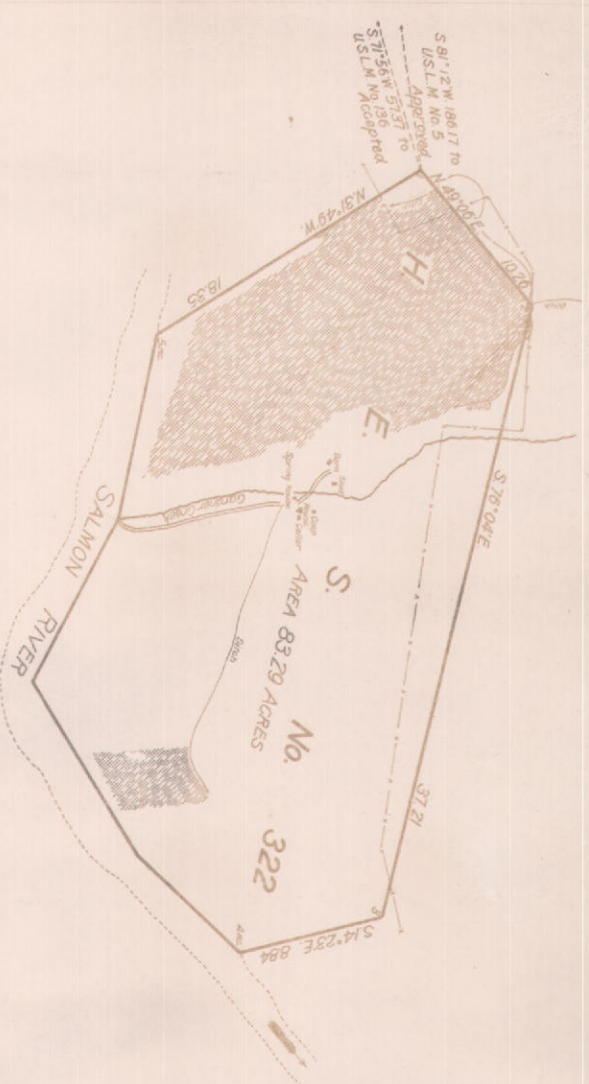
Residing at P.O. Address: Challis, Ida.

My commission expires 5-4-73

For Department Use Only

Received by uj Date 12-10-71 Exception filed by: _____ Forwarded to claimant by: _____ Date _____
Prelim. check by FE Date 12/10/71 _____
Fee received by uj Date 12-10-71 Fee \$ 10.00 _____
Approved for publication by S _____
Published in Challis Messenger Dates 1-13-71-20-72 _____

72 4006



Approximate
T11N, R15E.
Unserved

SCALE 5 chains to 1 inch

Survey	By whom Surveyed	Base Cont. Group	When Surveyed	Date of Approval
USL No. 136	W.B. Rice	136	July 14, 1913	July 21, 1913
USL No. 136	W.B. Rice	136	July 21, 1913	July 21, 1913
USL No. 136	W.B. Rice	136	July 21, 1913	July 21, 1913
USL No. 136	W.B. Rice	136	July 21, 1913	July 21, 1913
USL No. 136	W.B. Rice	136	July 21, 1913	July 21, 1913
USL No. 136	W.B. Rice	136	July 21, 1913	July 21, 1913
USL No. 136	W.B. Rice	136	July 21, 1913	July 21, 1913
USL No. 136	W.B. Rice	136	July 21, 1913	July 21, 1913
USL No. 136	W.B. Rice	136	July 21, 1913	July 21, 1913
USL No. 136	W.B. Rice	136	July 21, 1913	July 21, 1913

USL No. 322	Acres in Acres	Conflicts
USL No. 322	USL No. 322	USL No. 322
USL No. 322	USL No. 322	USL No. 322
USL No. 322	USL No. 322	USL No. 322
USL No. 322	USL No. 322	USL No. 322
USL No. 322	USL No. 322	USL No. 322
USL No. 322	USL No. 322	USL No. 322
USL No. 322	USL No. 322	USL No. 322
USL No. 322	USL No. 322	USL No. 322
USL No. 322	USL No. 322	USL No. 322

Act of June 11, 1906	Act of March 4, 1915
Act of June 11, 1906	Act of March 4, 1915
Act of June 11, 1906	Act of March 4, 1915
Act of June 11, 1906	Act of March 4, 1915
Act of June 11, 1906	Act of March 4, 1915
Act of June 11, 1906	Act of March 4, 1915
Act of June 11, 1906	Act of March 4, 1915
Act of June 11, 1906	Act of March 4, 1915
Act of June 11, 1906	Act of March 4, 1915
Act of June 11, 1906	Act of March 4, 1915

Part of
**HOMESTEAD
ENTRY SURVEY**
No. 322
in the
CHALLIS
NATIONAL FOREST

Approximate
T11N, R15E, unserved

of the
BOISE BASE AND MERIDIAN
IDAHO

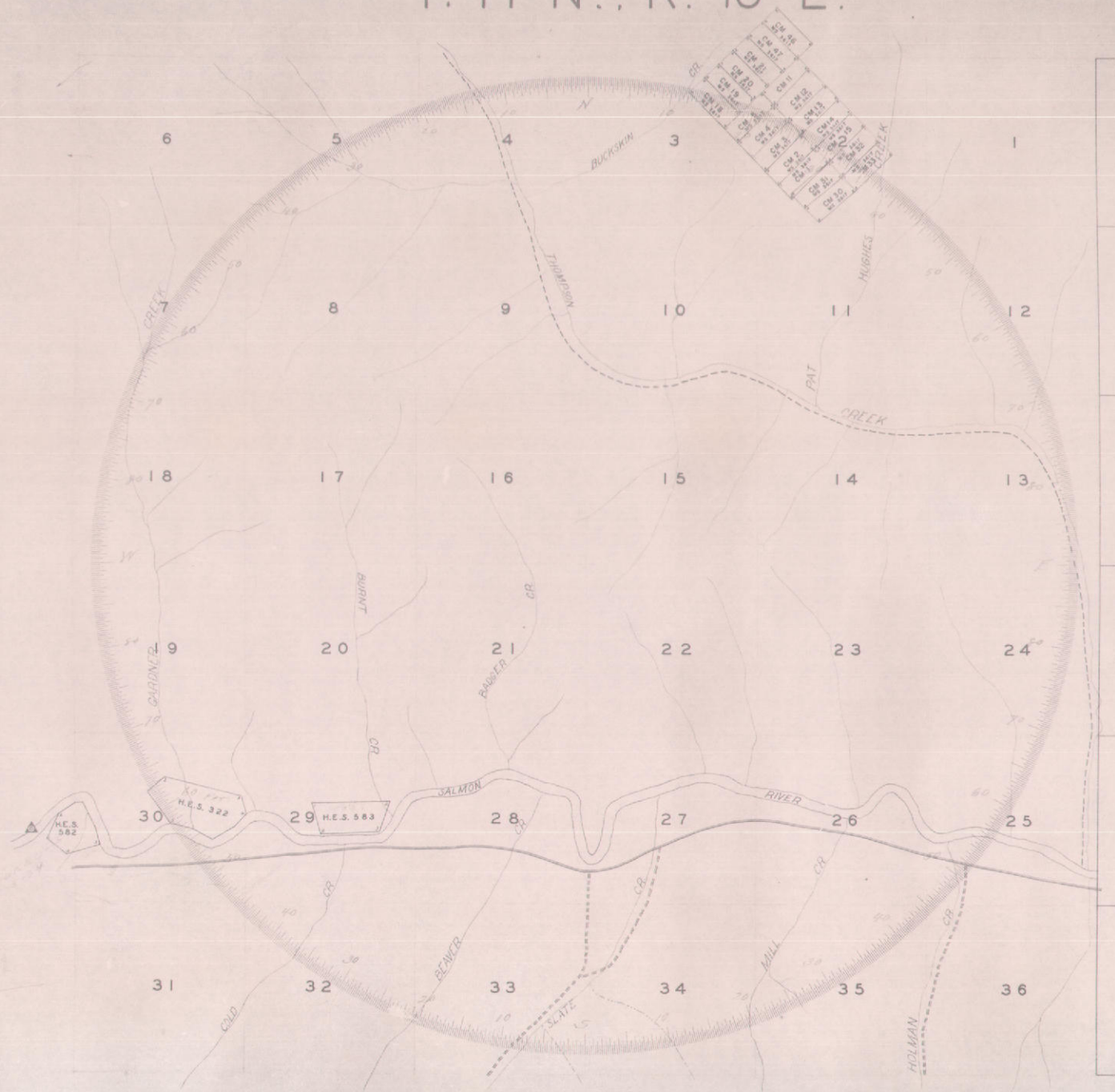
This plot of Homestead Entry Survey
No. 322 State of Idaho is hereby
conformable to the field notes thereof
on file in this office, which have been
examined and approved.

U.S. Surveyor General's Office
Boise,
October 3, 1916

Edward M. Allen
U.S. Surveyor General

Recorded June 18, 1917

T. 11 N., R. 16 E.



Identification No. 12-40061

Claim No. _____

Map No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant MAX P. KROEGER
 post office address Stanley, Idaho 83278
 The point of diversion is in approximately H.E.S #322 *See description under Item 5a.*
168? Range 15 East, Township 11 North,
B.M. located on Kroeger Spring, which is entirely on
premises of applicant hereafter described (name of source)
in Custer County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

- a. Date of priority claimed:

June 1, 1966 amount: .2 c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 Total claimed .2 c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed: Use is pasture grass irrigation and domestic household use.

use Pasture grass irrigation: period of use from June 1 to October 1 (both dates inclusive)
 use Domestic (household use) period of use from Jan. 1 to Dec. 31 (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

Spring source, which is located in Southwest corner of premises and approximately 15 feet from the North bank of Salmon River, is encased in an 18-inch, galvanized steel culvert-type casing resting on cement foundation with 5 H.P. centrifugal motor mounted to the side for forcing water into a 2-inch pipe, subsequently reduced to 1½-inch and 1-inch laterals, with 50 Rainbird sprinkler heads serviced by the underground plastic-type pipe system. (See attached Exhibit "A" under Paragraph 9.)

- b. Underground water diverting works: not applicable. is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____ capacity of pump is _____ g.p.m.; name and address of well driller is _____

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

Not applicable.

- c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.
- Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

Not applicable.

- d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11 N.	15EBM																		2 1/2 Acres
Real property served by sprinkler irrigation system and household residence utilizing domestic water supply from said system with water source from Kroeger Spring are located on two adjoining parcels of Homestead Entry Survey No. 322, in approximate Township 11 North, Range 15 E.B.M. in Custer County, Idaho, more particularly described as commencing at the intersection of the Easterly boundary of said H.E.S. No. 322 and the Southerly right-of-way line of U. S. Highway No. 93, run thence Southwesterly along the Southerly right-of-way line of said U. S. Highway No. 93 a distance of 405.0 feet to the point of beginning; continuing thence Southwesterly along said right-of-way line 150.0 feet; thence South 14° 23' East 376.0 feet to a point on the Northerly bank of the Salmon River; thence Easterly along the Northerly																			ft 13 4 1/2

bank of the Salmon River 171.0 feet to a point which lies South 14° 23' East from the point of beginning; thence North 14° 23' West 337.1 feet to the point of beginning; and

Commencing at the intersection of the Easterly boundary of said H.E.S. No. 322 and the Southerly right-of-way line of U. S. Highway No. 93, run thence South 64° 31' West along the Southerly right-of-way line of U.S. Highway No. 93 a distance of 255.0 feet to the real point of beginning of this description; continuing thence South 64° 31' West along said right-of-way line 150.0 feet; thence South 14° 23' East 337.1 feet, more or less, to a point on the Northerly bank of the Salmon River and on the Southerly boundary line of said H.E.S. 322; thence North 43° 5' East along the Northerly bank of Salmon River and the South boundary line of said H.E.S. 322 180.3 feet, more or less, to a point which is South 14° 23' East from the point of beginning; thence North 14° 23' West 288.6 feet, more or less, to the point of beginning.

Not applicable.

b. Do you get water through a ditch owned by several users? Not applicable. If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered Not applicable.

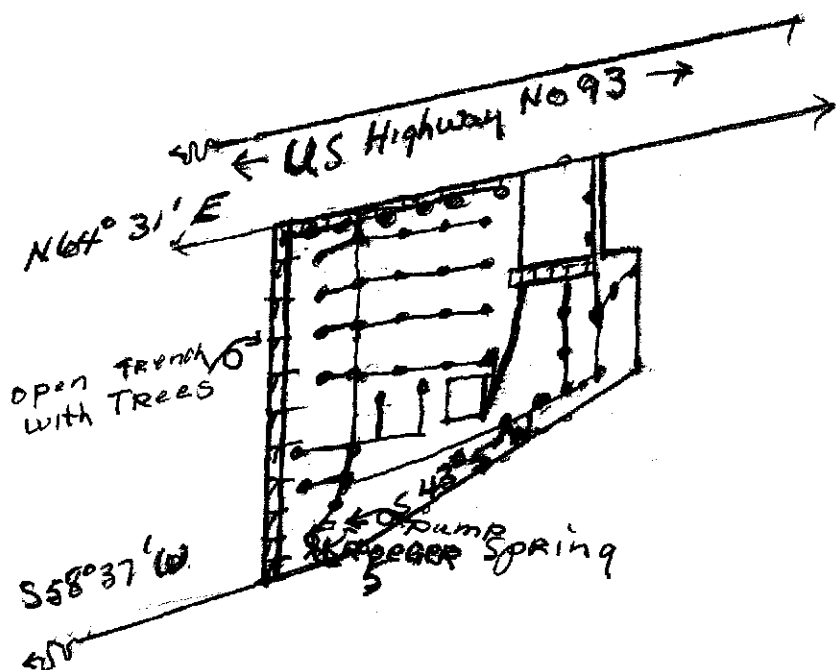
7. Where water is used for domestic or municipal purposes give number of families served: One family.
name of town supplied Not applicable.

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities. Not applicable.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

EXHIBIT "A"

72 4006



State of Idaho

County of Custer

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.

Max P. Hooger
Claimant

Sworn to before me this 1st day of December, 19 71.

Jack B. Sorey
Notary Public

Challis, P.O. Address: Challis, Ida.

My commission expires 5-4-73

For Department Use Only

Received by 44 Date 12-10-71 Exception filed by: Forwarded to claimant by: Date

16. Prelim. check by FB Date 12/10/71

Fee received by uj Date 12-10-71 Fee \$ 10.00

Approved for publication by _____

Published in Challis Messenger Dates 1-13-71-20-72

72 4006

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s.</u> or	_____	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u> or	_____	acre feet
		Total claimed:	<u>1.2 c.f.s.</u> or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

[illegible]

STATION 1000

Approximate
TIN-RISF: unsurveyed

BOISE BASE AND PERIDIA*

1041-0

thus place a fundamental barrier between the *subconscious* and the *conscious* in order to avoid contamination by the latter and to preserve the *subconscious* which has been *incubated* and *crystallized*.

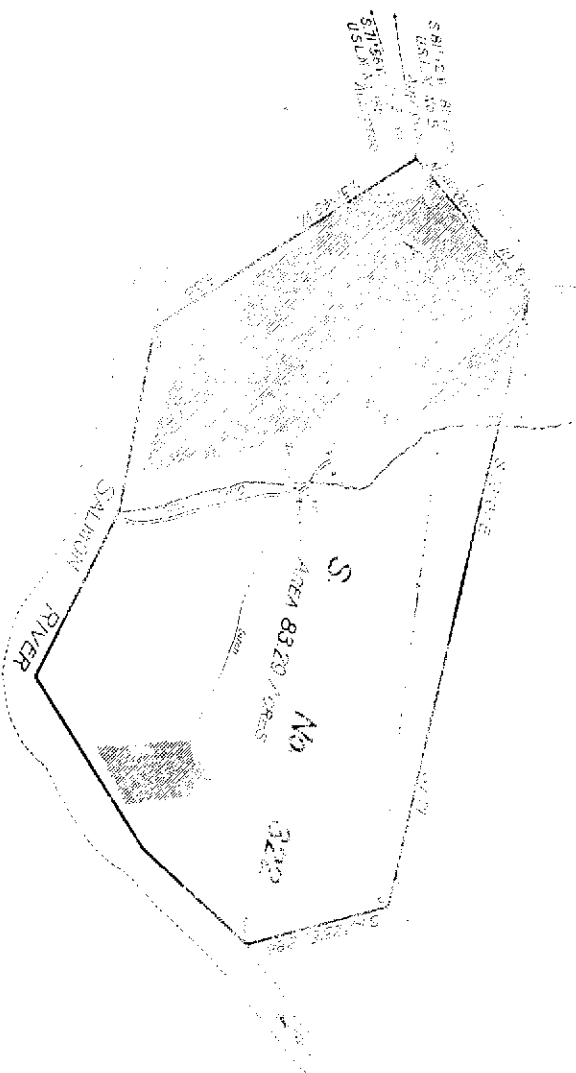
1. *Staphylococcus aureus* 1000




October 1911

Edward H. White

100



Approximate
TIN. R15E
Unsurveyed

STALEY'S

Adrian T. Brown

H. E. Niles, Jr., D.D.

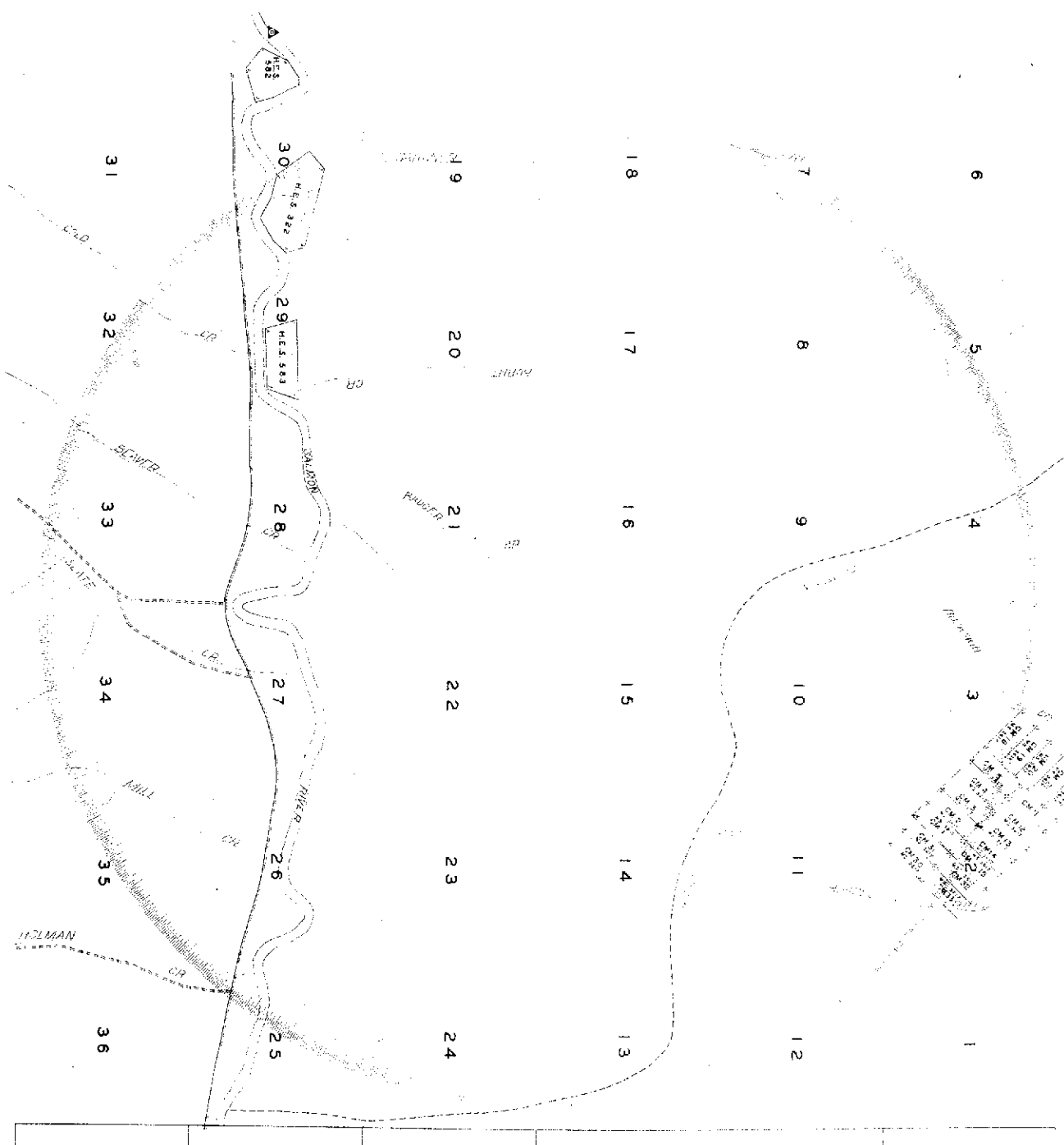
For Nibbana

100

It is not clear whether the authors intended to suggest that the use of the term "cognitive" is a necessary condition for the use of the term "cognitive" in the title of a paper. The authors also state that the term "cognitive" is not a necessary condition for the use of the term "cognitive" in the title of a paper. The authors also state that the term "cognitive" is not a necessary condition for the use of the term "cognitive" in the title of a paper.

•

[illegible]



**AFFIDAVIT
OF PUBLICATION**

State of Idaho, }
County of Custer, } ss:

I, Louis Kristan, publisher
of The Challis Messenger, a
weekly newspaper, publish-
ed at Challis, Idaho, do sol-
emnly swear that the notice
hereto attached and made a
part hereof, was published
in the regular and entire
issue of The Challis Messen-

ger for Two
consecutive weeks, com-
mencing with the issue

dated Jan. 13, 1972,
and ending with the issue

dated Jan. 20, 1972,

Louis Kristan

Subscribed and sworn to
before me this 24th

day of Jan, 1972

James R. Bennett
Notary Public, Residing at
Challis, Idaho.

My Commission expires

12-13-74

PUBLIC NOTICE

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 72-4006

Notice is hereby given that
Max P. Kroeger, Stanley, Idaho
has filed a claim to a water right
established by diversion and ap-
plication to beneficial use of 0.2
cubic feet per second of water
from Kroeger Spring with point
of diversion in Homestead En-
try No. 322 in approximately T.
11N, R. 15E, B.M., Custer Coun-
ty.

The water is claimed to be used
from Jan. 1 to Dec. 31 for do-
mestic purposes; and from June
1 to Oct. 1 for the irrigation of
2½ acres with a priority of June
1, 1966; the place of use is within
Homestead Entry No. 322, T.
11N, R. 15E, B.M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho 83707.

R. KEITH HIGGINSON
Director

Published in the Challis Mes-
senger, Challis, Idaho on Jan.
13, & Jan. 20, 1972.

72 4006

January 26, 1972

Re: Claim to a Water Right No. 72-4006 - Max P. Kroeger

Max P. Kroeger
Stanley,
Idaho 83278

Dear Mr. Kroeger:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:bb
Enclosure: Copy of claim

72 4006

January 7, 1972

Re: Claim No. 72-4006 - Max P. Kroeger

The Challis Messenger
P.O. Box 97
Challis, Idaho, 83226

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)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cr

Enc: Legal Notice

Bill submitted 1-26-72. CR

72 4006

NO. 72-4006
called &
made
correction
1-14-72
B.B.

**NOTICE OF CLAIM TO A
WATER RIGHT**

Notice is hereby given that Max P. Kroeger, Stanley, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.2 cubic feet per second of water from Kroeger Spring with point of diversion in HOMESTEAD Entry No. 322 in approximately T. 11N, R. 15E, B.M., Custer County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes; and from June 1 to Oct. 1 for the irrigation of 2½ acres with a priority of June 1, 1966; the place of use is within Homestead Entry No. 322, T. 11N, R. 15E, 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 Challis Messenger, Challis, IDAHO on Jan. 13, & Jan. 20, 1972.

72 4006

Galley
proof

NOTICE OF CLAIM TO A WATER RIGHT
No. 72-4006

Notice is hereby given that Max P. Kroeger, Stanley, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.2 cubic feet per second of water from Kroeger Spring with point of diversion in Homestead Entry No. 322 in approximately T. 11N, R. 15E, B.M., Custer County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes; and from June 1 to Oct. 1 for the irrigation of 2½ acres with a priority of June 1, 1966; the place of use is within Homestead Entry No. 322, T. 11N, R. 15E, 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 Challis Messenger, Challis, Idaho on Jan. 13, & Jan. 20, 1972.

Stanley, Idaho
Jan. 4, 1972 -

RECEIVED

James Booker
Appropriation Examiner

Department of Water Administration

Dear Mr. Booker -

We have $2\frac{1}{2}$ acres
under irrigation,
sorry we did not have
that on our application.

Thank you

Max P. Kroeger

Re - Claim to a Water Right,
72-4006 - Max P. Kroeger

December 28, 1971

Re: Claim to a Water Right No. 72-4006 - Max P. Kroeger

Mr. Max P. Kroeger
Stanley,
Idaho 83278

Dear Mr. Kroeger:

While processing your claim, we have been unable to determine the number of acres you have actually been irrigating.

Will you please advise us of the number of acres you irrigate in order that we can include the information on your claim.

If you should have any questions regarding this matter, please feel free to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enc: copy of original claim to water right

72 4006

December 13, 1971

Jack B. Furey
Attorney at Law
P. O. Box 366
Challis, Idaho 83226

Dear Mr. Furey:

Attached herewith is your receipt No. 8574 in the amount of \$ 10.00
for the Claim application you submitted in the name of Max P. Kroeger
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

TELEPHONE
(208) 879-2421

LAW OFFICES OF
JACK B. FUREY
ATTORNEY AT LAW
CHALLIS, IDAHO 83226

P. O. BOX 388

December 7, 1971

RECEIVED
JAN 13 1972
IDAHO DEPARTMENT OF RECLAMATION

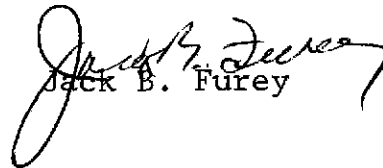
Mr. Donald W. McEldowney
Appropriation Supervisor
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. McEldowney:

I am transmitting herewith for filing with the Department the enclosed Claim to a Water Right Established by Diversion and Application to Beneficial Use being filed on behalf of Max P. Kroeger.

My check in the amount of \$10.00 for the filing fee is also enclosed.

Very truly yours,


Jack B. Furey

JBF/nf
Enclosures