

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

(Address to James Darkwood,
McCall, Idaho)

Application No. 24130
Permit No. 17133
District No.

1. Name of Applicant: Niko Nasi.

Postoffice address: McCall,

County: Valley,

State: Idaho.

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.2 cubic feet per second.

3. Source of water supply: Lake Fork Creek, which is a tributary of North Fork of Payette River.

4. Location of point of diversion: S. 64° 42' E. 1361 feet distant from the NW 1/4 corner of Section 13, T. 18 N., R. 3 E., B. M., and is in the NW 1/4 SW 1/4 of Section 13, T. 18 N., R. 3 E., B. M., County of Valley.

5. Water is to be used for: Irrigation.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water

feet distant from

corner of Section

T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B. M., in the of Section , T. , R. , B. M.

7. Estimated cost of work: \$

8. Kind of works: See Remarks.

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water

feet; dimensions of

Diameter of pipe

inches; length of conduit

miles.

Average grade per mile

feet.

12. The time required for the completion of such work is one years.

13. The time required for the complete application of the water to the proposed use is one additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Nikolai Nasi

Applicant.

By

Jas. Darkwood

Agent.

Date of first receipt at Department of Reclamation: 9 A.M., July 20, 1929.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17133.

Recorded in Book 62, Page 17133, Approved July 24, 1929.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before September 22, 1929,

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 24, 1930.

The whole of said work to be completed on or before July 24, 1930.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 24, 1931.

Witness my hand this 24th day of July, 1929.

GEO. N. CARTER

Commissioner of Reclamation.

Remarks: Applicant will use the diversion works and canal of Lake Irrigation District to convey this water to place of use. Said District has had issued certificate of completion of works and license. No proof of construction necessary. Applicant has carrying right but no water.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
18 N.	3 E.	23																	10

This application is for flood water from Lake Fork Creek. The applicant has a right to carry this water in the main ditch of the Lake Irrigation District which crosses his land. No works of diversion are therefore necessary and no ditches except small distributaries that are to be plowed out on the lands herein described. The land is rolling. The irregular shaped pieces to be irrigated by this water aggregate not less than 10 acres.

Permit No. 17133

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Nikolai Nasi, of McCall, County of Valley, and State of Idaho, the holder of Permit No. 17133, issued upon Application No. 24150, bearing date of priority of July 20, 1929, authorizing the diversion of 0.2 second feet of the waters of Lake Fork Creek, County of Valley, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.2 second feet of the waters of Lake Fork Creek, that the point of diversion of said waters is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, Twp. 18 N., R. 3 E., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 10 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, Twp. 18 N., R. 3 E., B.M.

Witness my hand this 18th day of April, A.D. 1930.

GEO. N. CARTER
Commissioner of Reclamation

Proof of completion of works made April 16, 1930.

Certificate of completion of works issued April 18, 1930.

A-214

LEONA WRIGHT

A-182

JAMES NELSON

A-155
ART NASI

Betty
Callaghan

Division Box
from Canal

A-202

WILLIAM S. STOKES

22 23
27 26

Grazing

H 9.3

G 15.0

A-285

PAUL SILLER

A-191

A 46.3

B 36.1

C 19.2

D 22.4

B 39.0

A 50.3

C 33.2

D 15.0

E 14.7

F 21.4

65 2000

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Valley)

Donald E. McMahan

) ss.

, being first duly sworn, deposes and

says: That he is the Publisher of the Star-News, a Weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said news-

paper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began

April 1, 1971 and ended April 8, 1971

Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this 15th

day of April, 1971

Donald E. McMahan Notary Public.

My commission expires 6-2, 1974

65 4049

RECEIVED

NOTICE OF CLAIM TO A

WATER RIGHT

No. 65-4049

Notice is hereby given that Betty (Nasi) Gallagher, 7632 S.E. Flavel St., Portland, Oregon, 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 Lake Fork Creek, tributary to the Payette River with point of diversion in the NW quarter SW quarter Sec. 13, T. 18N, R. 3E, B.M., Valley County.

The water is claimed to be used from June 15 to August 30 for irrigation purposes with a priority of April, 1930 and June 15, 1940; The place of use is within the NW quarter SW quarter Sec. 23, T. 18N, R. 3E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho

R. KEITH HIGGINSON

Director

Pub. in the Star News April

1 & April 8, 1971.

ARTHUR JOHNSON

92,202
1241

McCALL, IDAHO, 1-18 1952 No. 187

PAY TO THE ORDER OF Art Trasi \$ 100.00

One Hundred and 00/100 DOLLARS

McCALL BRANCH
THE IDAHO FIRST NATIONAL BANK
McCALL, IDAHO

Arthur Johnson

One-half payment on 1st alter right

65 4049



Identification No. _____

Claim No. 65-4049

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 BETTY (NASI) GALLAGHER
post office address 7632 SE FLAVEL ST PORTLAND OREGON 97211
2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 13 Township 18-N Range 3E B.M. located on LAKE FORK CREEK
(name of source)
tributary to PAYETTE RIVER in VALLEY 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:

APRIL 1930 amount: .3 c.f.s. or _____ acre feet
JUNE 15, 1940 amount: .2 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 Irrigation period of use from JUNE-15 to AUG-30 (both dates inclusive)
use _____ period of use from _____ to _____ (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:

a. Surface water diversion dam and/or headgate: material is composed of SEE PARA. (9)
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works. is well flowing or pumped N.A. ; 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 _____
_____ ;

65 4049

b. Do you get water through a ditch owned by several users? YES If yes, give the name of the ditch LAKE IRRIGATION DISTRICT CANAL. The other users and their respective interests in the ditch are (if known) NOT KNOWN

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

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. N.A.

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

APPLICANT USES THE DIVERSION WORKS AND CANAL OF LAKE IRRIGATION DISTRICT TO CONVEY THIS WATER TO PLACE OF USE.
STORY

THE WATER FOR THIS CLAIM WAS FIRST APPROVED, JULY 24, 1929. THE WORKS APPROVED APRIL 18, 1930. DURING THE PERIOD APRIL 1930 TO EARLY SUMMER 1940 THE ACTUAL USE OF THIS WATER IS UNKNOWN. THE LAND WAS FARMED FOR THREE YEARS, 1940, 1941 & 1942, SINCE THEN HAS BEEN PASTURED. THE WATER IS USED FOR THIS PASTURE AND STOCK WATER.

ATTACHMENTS

PHOTOSTAT OF ORIGINAL APPLICATION (APPLICANT'S FATHER)

PHOTOSTAT OF APPROVAL OF COMMISSIONER

AFFIDAVIT: JOHN NASI - DONNELLY Idaho

AFFIDAVIT: LAKE IRRIGATION DIST

State of ~~OREGON~~ OREGON

County of MULTNOMAH

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.

Inna Betty Nasu Gallagher
Claimant

Sworn to before me this 15 day of MARCH, 1971.

Clifford J. Gorham
Notary Public

Residing at 5323 SE 136

Portland Oregon

My commission expires NOV 19 - 1974

For Department Use Only

Received by id Date 3-16-71

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by id Date 3-16-71

Fee received by id Date 3-16-71 Fee \$ 10.00

Approved for publication by id

Published in Star News Dates 4-1 & 4-8, 1971

65 4049

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. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	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.

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

(Address to James Darkwood,
McCall, Idaho)

Application No. 241 M
Permit No. 17131
District No.

1. Name of Applicant: Niko Nasi.

Postoffice address: McCall,

County: Valley,

State: Idaho.

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.2

cubic feet per second.

3. Source of water supply: Snake Fork Creek,

which is a tributary of North Fork of

4. Location of point of diversion: S. 64° 42' E. 1361

feet distant from the NW 1/4

corner of Section 13, T. 18 N., R. 3 E., B. M., and is in the NW 1/4 SW 1/4

of Section 13, T. 18 N., R. 3 E., B. M., County of Valley.

5. Water is to be used for: Irrigation.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water

feet distant from

corner of Section

T.,

R.,

B. M., in the

of Section

T.,

R.,

B. M.

(b) Amount of power generated:

H. P., under

feet head.

(c) Water is to be returned to

at a point

distant from the

corner of Section

T.,

R.,

B. M., in the

of Section

T.,

R.,

B. M.

7. Estimated cost of work: \$

8. Kind of works:

See Remarks.

9. Height of dam

feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width

feet; height

feet

11. Ditch: Width at bottom

feet; width at water line

feet; depth of water

feet; dimensions of

Diameter of pipe

inches; length of conduit

Average grade per mile

feet.

12. The time required for the completion of such work is

one

years.

13. The time required for the complete application of the water to the proposed use is

one

additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

Reservoir to be used?
Name of Reservoir and number of Storage Permit:
Date of filing of Application for Storage Permit and Name of Applicant:

IT IS KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as set forth.

Nikolai Nasid

Applicant

By

Jas. Darkwood

Agent

Date of first receipt at Department of Reclamation: 9 A.M., July 20, 1929.

Returned to applicant for correction:

Revised application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

Number of this permit is 17133.

Recorded in Book 62, Page 17133, Approved July 24, 1929.

I hereby certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Amount in the sum of \$ to be filed on or before

Work to begin on or before September 22, 1929,

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

Completion of the work above specified to be completed on or before

January 24, 1930.

Whole of said work to be completed on or before

July 24, 1930.

Actual use of water appropriated in accordance herewith, to be made on or before July 24, 1931.

Witness my hand this 24th day of July, 1929.

GEO. N. CARTER

Commissioner of Reclamation.

Applicant will use the diversion works and canal of Lake Irrigation District to carry this water to place of use. Said District has had issued certificate of completion of works and license. No proof of construction necessary. Applicant has carrying right but no water.

Section	Sub-section	NE 1/4				NW 1/4				SE 1/4				SW 1/4			
		NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4

This application is for flood water from Lake Fork Creek. The applicant has right to carry this water in the main ditch of the Lake Irrigation District which crosses his land. No works of diversion are therefore necessary and no ditches except small distributaries that are to be plowed out on the lands herein described. The land is rolling. The irregular shaped pieces to be irrigated by this water aggregate not less than 10 acres.

Permit No. 17133

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that Nikolai Nasid, of McCall, County of Valley, State of Idaho, the holder of Permit No. 17133, issued upon Application No. 24100, bearing date of priority of July 20, 1929, authorizing the diversion of 0.2 second feet of the waters of Lake Fork Creek, County of Valley, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.2 second feet of the waters of Lake Fork Creek, that the point of diversion of said waters is in the NW 1/4 SW 1/4, Sec. 13, Twp. 18 N., R. 3 E., B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 10 acres in the NW 1/4 SW 1/4, Sec. 23, Twp. 18 N., R. 3 E., B.M.

Witness my hand this 18th day of April, A.D. 1930.

GEO. N. CARTER
Commissioner of Reclamation

Proof of completion of works made April 16, 1930.

Certificate of completion of works issued April 18, 1930.

A-214

LEOMA WRIGHT

A-182
JAMES NELSON

A-155
AET NASI

A-202
WILLIAM S. STOKES

$\frac{22}{27}$
 $\frac{23}{26}$

Grazing 17.6

H 9.3

A-285

M. STILLEN

A 463

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Valley) ss

Donald E. McMahan)

, being first duly sworn, deposes and

says That he is the Publisher of the Star-News, a Weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county aforesaid and is a legal newspaper, that the advertisement, a copy of which is hereto attached, was published in said news-

paper once a week for Two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began April 1, 1971 and ended April 8, 1971

Subscribed and sworn to before me, a Notary Public in and for the County of Valley, and the State of Idaho, this 17 day of April, 1971.

My commission expires 6-2, 1974.

WATER RIGHT

No. 65-4049

Notice is hereby given that Betty (Nasi) Gallagher, 7632 S.E. Flavel St., Portland, Oregon, 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 Lake Fork Creek, tributary to the Payette River with point of diversion in the NW quarter SW quarter Sec. 13, T. 18N, R. 3E, B.M., Valley County

The water is claimed to be used from June 15 to August 30 for irrigation purposes with a priority of April, 1930 and June 15, 1940; The place of use is within the NW quarter SW quarter Sec. 23, T. 18N, R. 3E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho

R. KEITH HIGGINSON

Director

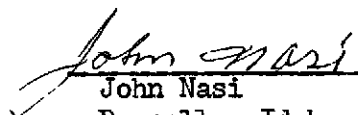
Pub in the Star News April

65-4049

AFFIDAVIT

TO WHOM IT MAY CONCERN

This to certify that I used the said waters of this claim during the years 1940, 41, & 42 while farming the said acres of this claim.



John Nasi
Donnelly, Idaho

65 4049

AFFIDAVIT

TO WHOM IT MAY CONCERN

This to certify that our records show a current assessment to _____
Est Nisula for .2 cfs of flood water use through our
system.

LAKE IRRIGATION DISTRICT

James P. Nisula

James P. Nisula
Sec. - Treas.

65 4049

January 16, 1974

Mr. Frank Gallagher
7632 S. E. Flavel St.
Portland, OR 97206

Re: Payette Adjudication

Dear Mr. Gallagher:

I have looked up your claim and find it in order except that we need it re-filed on a Payette River Adjudication form.

We have typed up a form with the information taken from Claim No. 65-4049 and ask that you sign it before a notary public and return it to us.

I am sorry for any inconvenience we may have caused you.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:def

Enclosure

65 4049

~~Barrie Calif.~~
~~Valley Co.~~

Frank Gallagher Portland
65-4049

Betty Marie Gallagher
1929

7632 SE Flavel
Portland 97206

65 4049

May 10, 1971

Re: Claim to a Water Right No. 65-4049

Mrs. Betty (Nasi) Gallagher
7632 S. E. Flavel Street
Portland, Oregon 97206

Dear Mrs. Gallagher:

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:dr

Enclosure: Copy of claim

65-4049
65-1630

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

May 3, 1971

Re: Claim to a Water Right No. 65-4049

Mr. Arthur Johnson
Route #1
McCall, Idaho 83638

Dear Mr. Johnson:

We have placed your letter of April 12, 1971 in Claim to a Water Right No. 65-4049. Under the claim provisions of Section 42-225a and 42-225b of Idaho Code, anyone may file a claim to a constitutional appropriation and file this claim with the Department of Water Administration. The statutes provide that we will publish a notice concerning the nature of the claim. Anyone who wishes to take exception to this claim may file the necessary affidavits to support their exception to the claim.

We would suggest that if you wish to file an exception to this claim, that you do so by filing the exception in an affidavit form. We will supply the claimant with a copy of your exception and the other copy will remain on public record.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

65 4049

4-12-71

Idaho 16 1371
M^{rs} Call, Idaho

RECEIVED
Department of Water Administration

R. Keith Higginson

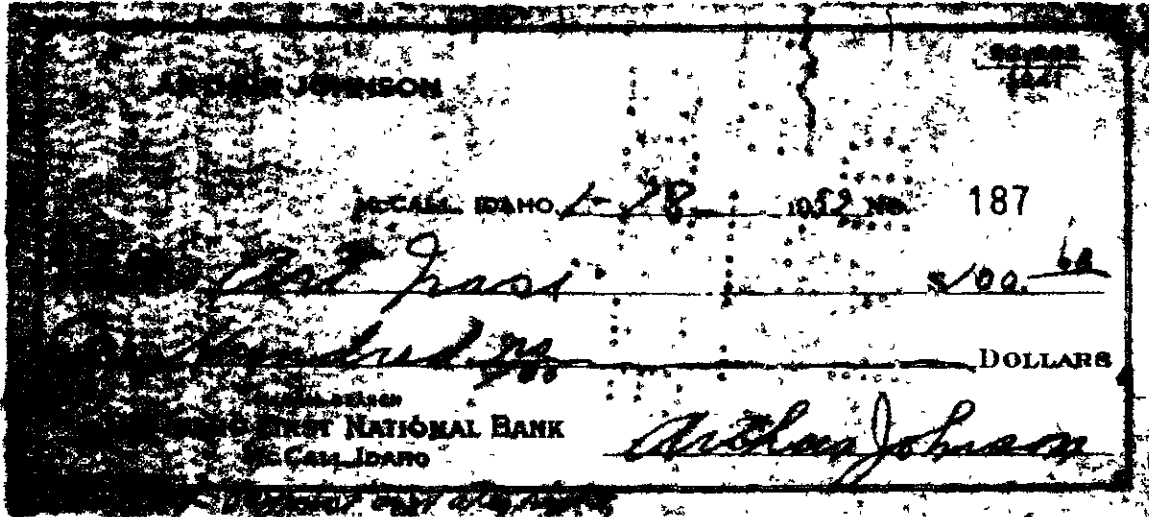
Idaho Department of Water Administration

Dear Sirs,

In reference to your Ad in the Star News
4-8-71, Please find enclosed copy of
the check I wrote to Art Nasi on
1-18-52 for One-Half Payment on the
Water right, if Betty (Nasi) Gallagher
will pay me the \$100.00 plus .057 interest
from 1-18-52, up to date, I will Waive
my claim to this Water-right.

Sincerely Yours
Arthur Johnson

65 4049



65 4049



March 24, 1971

Re: Claim No. 65-4049 - Betty (Nasi) Gallagher

The Star News
Box 985
McCall, Idaho 83638

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 our 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 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. 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,

Donald W. McEldowney
Appropriation Supervisor

DWM/DR
Enc: legal notice

*Bill submitted
4-22-71
ds*

65 4049

NOTICE OF CLAIM TO A WATER RIGHT

No. 65-4049

Notice is hereby given that Betty (Nasi) Gallagher, 7632 S.E.
Flavel St., Portland, Oregon,
has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.2 cubic feet per second ~~zero feet~~
of water from Lake Fork Creek, tributary to the Payette River
with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T. 18N, R. 3E, B.M.,
Valley County.

The water is claimed to be used from June 15 to August 30 for
irrigation purposes
with a priority of April, 1930 ~~(xxxxxx)~~ and June 15, 1940 ~~(xxxxxx)~~ ;
the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23, T. 18N, R. 3E, B.M.

Any exception to this claim of water right may be filed with the
Statehouse,
Idaho Department of Water Administration, /Boise, Idaho.

P. KEITH HIGGINSON

Director

Published in the Star News, McCall, Idaho,
on April 1 and April 8, 1971.

March 19, 1971

Mrs. Betty Nasel Gallagher
7632 S.E. Flavel Street
Portland, Oregon 97206

Dear Mrs. Gallagher:

Returned herewith is your receipt No. 5764 in the amount of \$10.00
for claim application,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

65 4049

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 20, 1971

Re: Permit No. 65-2527

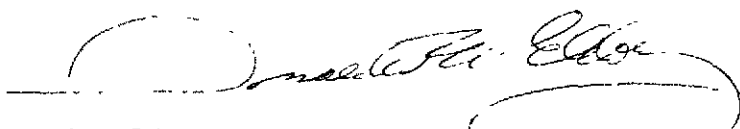
Mr. John Nasi
Donnelly,
Idaho 83615

Dear Mr. Nasi:

Permit No. 65-2527 is in the name of Nikolai Nasi, and inasmuch as he is deceased, the only person that can function under this permit is the administrator of the estate or someone to whom the administrator of the estate would assign the permit. Another problem exists in that should beneficial use proof be submitted at this time, the priority of July 20, 1929, as proposed under the application would be reduced the number of days proof of beneficial use is late. Inasmuch as the proof of beneficial use was required on or before July 24, 1931, this would mean that there would be nearly a 40 year reduction in the proposed priority. Possibly a better solution than completing this permit would be for the permit to become cancelled and have yourself or your sister file a claim to a water right under Section 42-225a of the Idaho Code. With this claim form, you may claim a priority dating back to the first date of beneficial use, and not be subjected to a reduction in priority.

We are enclosing a copy of Permit No. 65-2527, and a claim to a water right form for your use in this matter. If we may be of any further assistance in this matter, please do not hesitate to contact us.

Very truly yours,


Donald W. McEldowney
Appropriation Supervisor

DWM:cm

Enc: copy of Permit No. 65-2527
claim to a water right form

65 444