

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Washington)

ss.

Alan V. Dopf, being first duly sworn, deposes and says: That he is the editor and publisher of The Upper Country News-Reporter, a weekly newspaper published at Cambridge, Idaho, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper 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

21, 1977, and ended April
28, 1977.

Alan V. Dopf

Subscribed and sworn to before me, a Notary Public in and for the County of Washington, and the State of Idaho, this 29th day of April, 1977.
William C. Hennessey, Notary Public
My commission expires 11-29-78,
19 .

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4180

Notice is hereby given that MILFORD POTTER &/or NANCY POTTER, Rt. 1, Midvale, ID., has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from unnamed springs tributary to Hopper creek with the point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25 T14N-R4W B.M., Washington County.

The water is claimed to be used from Jan. 1 to Dec. 31 for a stockwater purpose with a priority of 1940; the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25 T14N-R4W B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho 83720.

C. STEPHEN ALLRED
Director

Published in the Upper Country News-Reporter, Cambridge, Idaho on April 21, 1977 and April 28, 1977.

Dept. of Water Resources
General Office

OK *WHS*
5-4-77

MICROFILMED

SRBA
PARTIAL DECREE 67-04180

Issued on 12-08-2000.

This is not an official copy.

Contact IDWR or the Court for a Certified Copy.

Choose Landscape Orientation when printing.

NAME AND ADDRESS: ELLEN POTTER
MILFORD POTTER
RT 1 BOX 57
MIDVALE, ID 83645

SOURCE: SPRINGS TRIBUTARY: HOPPER CREEK

QUANTITY: 0.03 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
GALLONS PER DAY.

PRIORITY DATE: 06/01/1940

POINT OF DIVERSION: T14N R04W S25 SESENW Within Washington County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTIT
Stockwater 01-01 TO 12-31 0.03 C

PLACE OF USE: Stockwater Within Washing
T14N R04W S25 SENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NO
TERMINATION OF HISTORICAL BENEFICIAL USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISION
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFIC
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN TH
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

[Return to SRBA Home Page](#)

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This
Right has been
Decreed in the
SRBA.

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 Milford Potter &/or Nancy Potter
(name of claimant)
of Route 1, Midvale, ID, 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) unnamed springs, tributary to, Hopper Creek
- (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>0.02</u> | Use <u>stockwater</u> | Period of Use: From <u>1-1</u> To <u>12-31</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 0.02 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) 1940

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)
SE ¼ NW ¼, Sec. 25 Twp. 14N Rge 4W B. M. County of Washington
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. 3 springs that have been blown out to form pond for cattle watering

- (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.

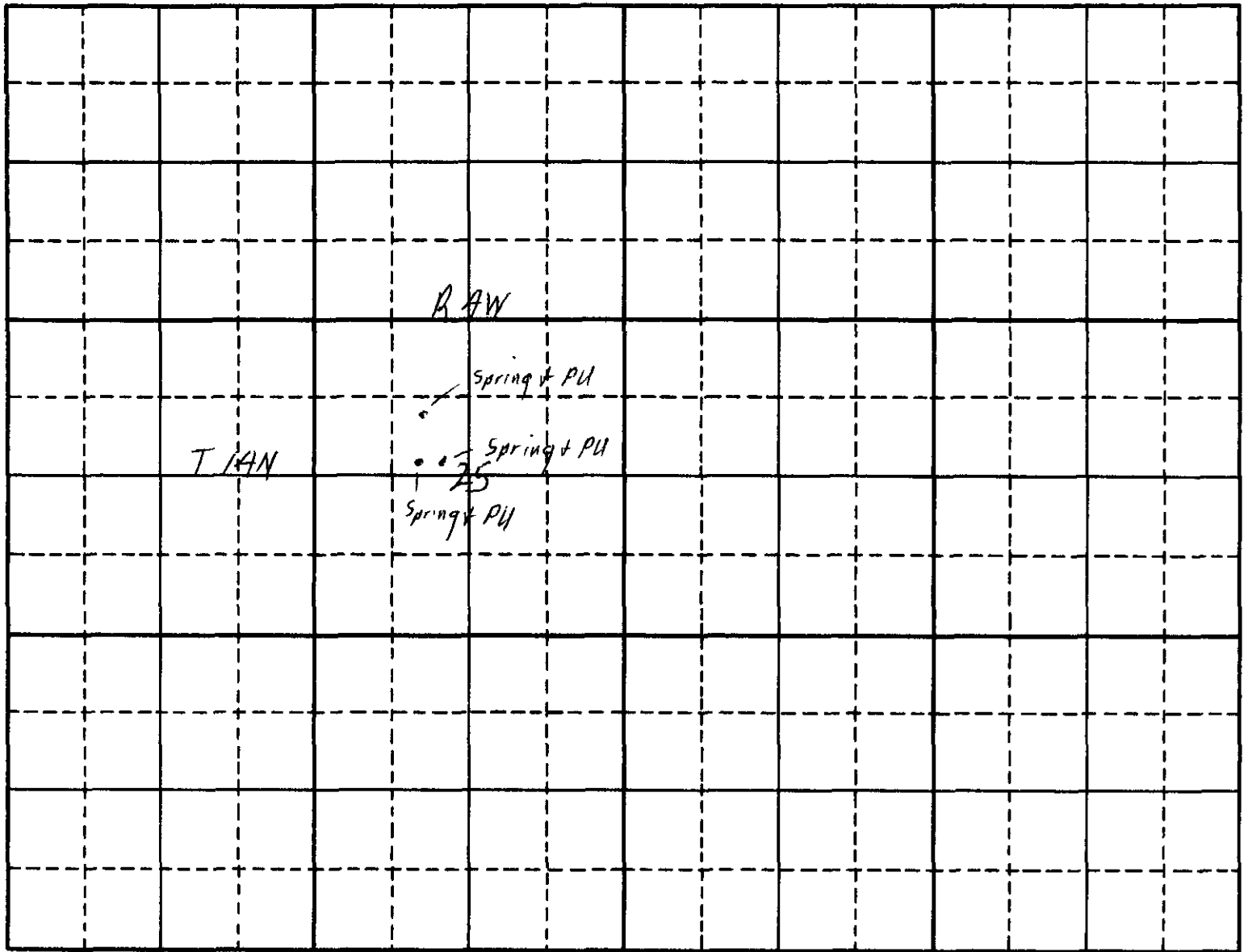
T	R	SEC	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
14N	4W	25								X									

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater for 10 head of stock

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

(8) Remarks _____



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 Ada) 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 8th day of April, 19 77.

Malford Potter
(Claimant)

Beta Bendele
Notary Public
Residing at Boise, Idaho

My commission expires March 8, 1980

For Department Use Only

Received by <u>GLS</u>	Date <u>4/8/77</u>	Exception filed by _____	Forwarded to _____	Date _____
Prelim. check by <u>R.W.H.</u>	Date <u>4-8-77</u>		claimant by: _____	
\$10 00 fee received by <u>GLS</u>	Date <u>4-8-77</u>	<u>7136</u>		
Approved for publication by <u>GLS</u>	<u>4-14-77</u>			
Published in <u>Upper Country News Reporter</u>				
Dates <u>4-21-77 & 4-28-77</u>				

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Washington)

SS.

Alan V. Dopf, being first duly sworn, deposes and says: That he is the editor and publisher of The Upper Country News-Reporter, a weekly newspaper published at Cambridge, Idaho, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper 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 21, 1977, and ended April 28, 1977.

Alan C. Doff

Subscribed and sworn to before me, a
Notary Public in and for the County of Wash-
ington, and the State of Idaho, this 29th
day of April, 1977.
John C. Harrison, Notary Public
My commission expires 11-29-78,
19_____.

OK *WJ*
5-4-77



This
Right has been
Decreed in the
SRBA.

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NOV 5 1988

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 67-

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
Papers Sent

In form to receipt

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

In form for advertising

Platted on Map No. _____

Located within Water District No. _____

Critical groundwater area: yes _____ no _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

Other rights on the same place of use

Comments: _____

Affidavit of Publication received(date) 5-4-77

Final date for protests N/A

Protests received: yes _____ no ☒

All requested information received from agencies or applicant: yes _____ no _____

Action recommended:

☐ Approve ☐ Deny

☐ Proposed Priority

☐ Reason for Reduction _____

☐ Measuring device required

☐ See attached sheet for other conditions of approval

☐ No special conditions for approval

(15) District W By JFA Date 5-10-77

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

May 11, 1977

Re: Claim to a Water Right No. 67-4180

Mr. & Mrs. Nancy Potter
Route 1
Midvale, ID 83645

Dear Mr. & Mrs. Potter:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a 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.

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.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS: rf

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

April 15, 1977

Re: Notice of Claim to a Water Right No. 67-4180 -- Milford &/or Nancy Potter

Upper Country News Reporter
Box 98
Cambridge, ID 83610

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. 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)

Please send the affidavit of publication and publication billing to this office before May 9, 1977.

Sincerely,

Bill submitted
5-4-77
y

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~67-4180~~

Notice is hereby given that ~~MILFORD POTTER &/or NANCY POTTER~~
~~Rt. 1, Midvale, ID~~
has filed a claim to a water right established by diversion and application
to beneficial use of ~~0.02~~ cubic feet per second ~~some feet~~ of water
from ~~unnamed springs tributary to Hopper Creek~~
with the point of diversion in the ~~SE 1/4, Sec 25 T14N R4W B.M., Washington~~
~~County~~.

The water is claimed to be used from ~~Jan 1 to Dec 31~~
for ~~a stockwater purpose~~
with a priority of ~~1940~~;
the place of use is within the ~~SE 1/4, Sec 25 T14N R4W B.M.~~

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

B. KEITH HIGGINSON
XXXXXXXXXXXXXXXXXXXX C. STEPHEN ALLRED
Director

Published in the ~~Upper Country News Reporter, Cambridge, Idaho~~
on ~~April 21, 1977~~ and ~~April 28, 1977~~.