

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 5 day of Sept, 1974, and the last publication being on the 12 day of Sept, 1974;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 12 day of Sept, 1974.

Leon Schurer
NOTARY PUBLIC

My commission expires 9-10-76

(SEAL)

RECEIVED

SEP 16 1974

Department of Water Resources
SEP 16 1974

NOTICE OF CLAIM TO A WATER RIGHT No. 51 - 4004

Notice is hereby given that CLARENCE A. &/OR VIRGINIA M. MILLER, Box 168 Star Route B, Bruneau, ID has filed a claim to a water right established by diversion and application to beneficial use of 1.1 cubic feet per second from a groundwater source, trib. to Jacks Creek with the point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18, T. 7 S., R. 5 E., B. M. Owyhee County.

The water is claimed to be used from April 1 to Oct. 31 for irrigation of 240 acres with a priority of 1948; the place of use is within the NW $\frac{1}{4}$, Sec. 18, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 7, T. 7 S., R. 5 E., B. M.

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

R. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget, Marsing, Idaho, on Sept. 5, 1974 and Sept. 12, 1974.

OK
9-16-74
CW

MICROFILMED

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 Clarence A. &/or Virginia M. Miller
(name of claimant)
of Box 168 Star Route B, Bruneau, 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) Groundwater
tributary to Jacks 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>1.1</u>	Use	<u>Irrigation</u>	Period of Use	From	<u>April 1</u>	To	<u>Oct. 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: 1.1 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) 1948

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. 18 Twp 7 S Rge. 5 E B M. County of Owyhee
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. Artesian flowing well 450' deep 12" casing. Gravity irrigation.

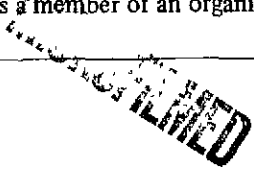
(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	5E	18					40	40	40	40			40	40					160
		7																	80

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: _____



A hand-drawn map on a grid. The grid has solid lines every 2 units and dashed lines every 1 unit. The map includes the following features:

- A vertical line at x=3.5, labeled '7' at the top.
- A point at (3.5, 4.5) marked with a circle and a cross, labeled 'Point of diversion'.
- A point at (3.5, 5.5) marked with a circle and a cross, labeled 'Place of use'.
- A point at (7.5, 5.5) labeled 'T. 75'.
- A point at (5.5, 0.5) labeled 'R 5 E. B. M.'.

Received by <u>R.W.H.</u>	Date <u>8-26-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>8-26-74</u>		claimant by:	
\$10.00 fee received by <u>R.W.H.</u>	Date <u>8-26-74</u>			
Approved for publication by <u>Cd</u>	<u>9-16-74</u>			
Published in <u>Chicago Herald</u>	<u>Oct 11-74</u>			
Dates <u>Sept 8-12</u>				

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Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 12 day of Sept, 1974.

Levin S. Shaver
NOTARY PUBLIC

My commission expires 9-16-76

(SEAL)

SL- 16 1974

NOTICE OF CLAIM TO A WATER RIGHT

No. 51 - 4004

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R. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget, Marsing, Idaho, on Sept. 5, 1974 and Sept. 12, 1974.

OK
9-16-74
OK

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

Re: Claim to a Water Right No. 51-4004

September 23, 1974

Mr. Clarence Miller
Box 168, Star Rt. B
Bruneau, ID

Dear Mr. Miller:

The Department of Water Resources has completed the processing 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.

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.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise Idaho 83707
(208) 384-2215
Western District Office



Water Right Administration
Water Resources Planning
Dam and Reservoirs
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 29, 1974

**Owyhee Nugget
Marsing, ID 83639**

**Re: Claim to a Water Right No. 51-4003 - Clarence A. &/or Virginia M. Miller
51-4004 - Clarence A. &/or Virginia M. Miller
55-4013 - William A. Bowes
55-4014 - William A. Bowes
55-4015 - William A. Bowes**

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)

Sincerely,

Bill Submitted
9-16-74
ca

NOTICE OF CLAIM TO A WATER RIGHT

No. 51-4004

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Owyhee County.

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B.M.

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R. KEITH HIGGINSON

Director

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