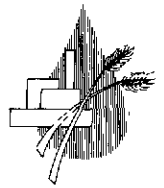


No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right

Elden W. Isaak & Vernon Miller &

Notice is hereby given that Dianne M. Isaak, husband and wife, Elaine Miller, husband and wife
(Name of Claimant)

Rt. 1, Box 245 American Falls, Idaho 83211 Telephone No 226-2249
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water The extent and nature of said claim is as follows:

- (1) Date of priority (When was the water first applied to a beneficial use) April, 15, 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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)
Upper (Big Canyon Springs) tributary to Big Canyon Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed.

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>5 G.P.M. (.01 cfs)</u>	Use <u>stock</u>	Period of Use From <u>April 15</u>	To <u>November 15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion (Location of point where water is diverted from its source)
SW ¼ NW ¼, Sec 17 Twp 11 S. Rge. 32 E. B.M., County of Power
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. Describe any changes in the system and give the date of the change. collector inserted in spring and piped by 1½" diameter pipe 120' to watering troughs

- (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	
11S	32 E.	17							X										

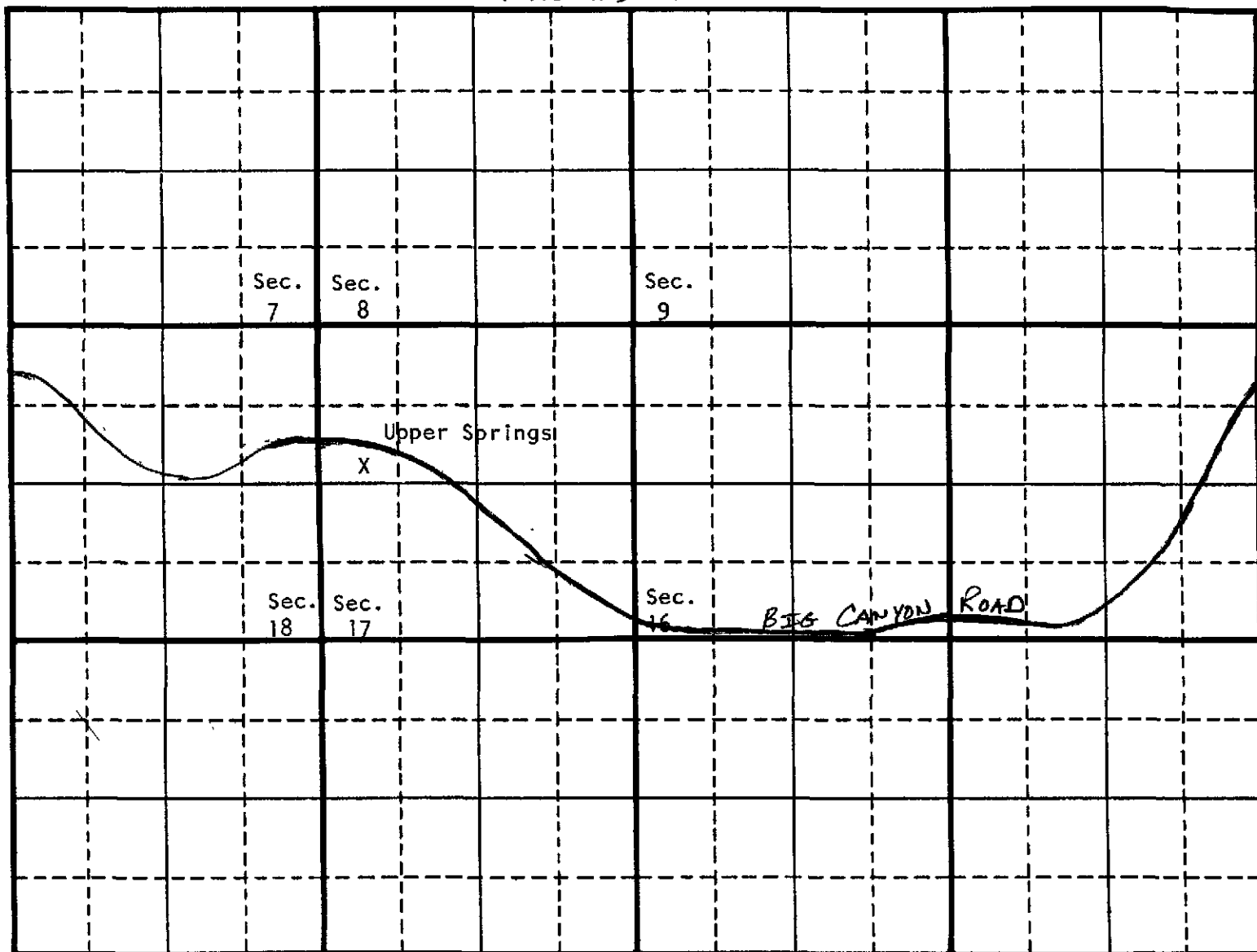
No of acres none

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: water is run into water tanks for cattle

NOTE: Include here the type and number of stock watered 300 head cattle, 6 horses
If you are claiming water as a member of an organization, list name of organization N/A

(8) Remarks land jointly owned by Elden W. Isaak and Diane M. Isaak, husband and wife,
and Vernon Miller and Elaine Miller, husband and wife

T 11S R 32 E.B.M.



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 Power) 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 affiant's knowledge.

Vernon Miller

Elden W. Isaak
Elden W. Isaak (Claimant)

Sworn to before me this 10th day of December February, 19 82.

[Signature]
Notary Public
Residing at _____

NOTARY PUBLIC
Residing in
American Falls, Idaho
My commission is for Life

My commission expires _____

FOR DEPARTMENT USE ONLY

Reviewed by [Signature] Date 2-19-82 Exception filed by: _____ Date _____
Check by T.B. Date _____
\$5.00 fee received by [Signature] Date 7/21/82 # 22173
Published in [Signature] _____
Dates 4/24 + 5/5/82 _____

RECEIVED

STATE OF IDAHO)

SS

COUNTY OF POWER)

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 affiant's knowledge.

Elaine Miller
ELAINE MILLER

Dianne M. Isaak
DIANNE M. ISAAK

Sworn to before me this 14 day of April, 1982.

Betty Joyce Scherer
Notary Public
Residing at American Falls, Idaho
My Commission is for Life

Legal Notice

Published in the Power County Press April 28, 1982 and May 5, 1982.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

41-4018

ISAAK, ELDEN W. &/or DIANNE M.
MILLER, VERNON &/or ELAINE
RT. 1 BOX 245, AMERICAN FALLS, ID 83211
Source: LOWER (BIG CANYON SPRINGS) tributary to BIG CANYON CREEK
Priority Date: 04/15/1940

Amount: 0.04 CFS
Diversion Point: SWNE Sec 18 T 11S R 32E, POWER Co.
Use: STOCKWATER (0.04 CFS)
from 04/15 to 11/15
Place of Use: SWNE Sec 18 T 11S R 32E
Diversion Means: SPRING, PIPE, TROUGHS

41-4017

ISAAK, ELDEN W. &/or DIANNE M.
MILLER, VERNON &/or ELAINE
RT. 1 BOX 245, AMERICAN FALLS, ID 83211
Source: UPPER (BIG CANYON SPRINGS) tributary to BIG CANYON CREEK
Priority Date: 04/15/1940

Amount: 0.01 CFS
Diversion Point: SWNW Sec 17 T 11S R 32E, POWER Co.
Use: STOCKWATER (0.01 CFS)
from 04/15 to 11/15
Place of Use: SWNW Sec 17 T 11S R 32E
Diversion Means: SPRING, PIPE, TROUGHS

41-4016

ISAAK, ELDEN W. &/or DIANNE M.
MILLER, VERNON &/or ELAINE
RT. 1 BOX 245, AMERICAN FALLS, ID 83211
Source: MIDDLE (BIG CANYON SPRINGS) tributary to BIG CANYON CREEK
Priority Date: 04/15/1940

Amount: 0.01 CFS
Diversion Point: SWNW Sec 17 T 11S R 32E, POWER Co.
Use: STOCKWATER (0.01 CFS)
from 04/15 to 11/15
Place of Use: SWNW Sec 17 T 11S R 32E
Diversion Means: SPRING, PIPE, TROUGHS

41-4015

NELSON, FAROLD J.
ROCKLAND, ID 83271
Source: LANDEN CREEK tributary to ROCK CREEK SOUTH FORK
Priority Date: 03/14/1880
Amount: 0.30 CFS
Diversion Point: SENW Sec 22 T 11S R 31E, POWER Co.
Use: IRRIGATION (0.30 CFS)
from 03/01 to 10/15
Place of Use: NWNE SWNE NENW SENW Sec 04 T 11S R 31E
FOR 15 ACRES
Diversion Means: DIVERSION DAM, DITCH

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN
Director

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER

s.s.

.....Brett Crompton..... being first duly sworn

on oath, states:

That he.... is the Editor..... of the Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said County; that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said

newspaper and not in any supplement thereof for 2..... successive weekly issues thereof, the date of the first publica-

tion being the 28... day of April....., 19...82

the date of last publication being the

.....5..... day of May....., 19...82

(Signed)

Brett Crompton

Subscribed and sworn to before me this

.....5..... day of May....., 19...82

.....*Louis Foster*.....
Notary Public, residing at American Falls, Idaho.

My Commission expires the

(SEAL)

.....*Louis Foster*..... day of May....., 19...82

EIVED

7 1982

Water Resources
District Office

**THIS
RIGHT HAS BEEN
DECREED IN THE
SRBA**

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1941 Blue Lake Flood, N.
Twin Falls, Idaho 2201
(208) 734-7578

MAY 19, 1982

ELDEN M. ISAAC
DIANNE M. ISAAC
VERNON MILLER
ELAINE MILLER
PT. 1 BOX 245
AMERICAN FALLS

ID E3211

RE Claim No. 41-4017

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-242 and 42-244, 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.

Yours truly,

Aileen M. Merritt
AILEEN MERRITT
Senior Water Resource Analyst

Enclosure

RECEIVED
MAY 27 1982

Department of Water Resources

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use

41-4012-

ISAAC, ELDEN W. &/or DIANNE M.
MILLER, VERNON &/or ELAINE

RT. 1 BOX 245, AMERICAN FALLS, ID 83211

Source: UPPER (BIG CANYON SPRINGS) tributary to BIG CANYON CREEK

Priority Date: 04/15/1940

Amount: 0.01 CFS

Diversion Point: SWNW Sec 17 T 11S R 32E, POWER Co.

Use: STOCKWATER (0.01 CFS) from 04/15 to 11/15

Place of Use: SWNW Sec 17 T 11S R 32E

Diversion Means: SPRING, PIPE, TROUGHS

Any objection to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1044 Blue Lakes Blvd, North Twin Falls, Idaho 83301.

R. KENNETH DUNN

Director

Published 4/20 & 5/5/1982.

RECEIVED
MAY 11 1982
IDAHO DEPT. OF WATER RESOURCES

41-4017

ISAAK, ELDEN W. &/or DIANNE
M

MILLER, VERNON &/or ELAINE
RT 1 BOX 245, AMERICAN
FALLS, ID 83211

Source: UPPER (BIG CANYON
SPRINGS) tributary to BIG CA-
NYON CREEK

Priority Date 04/15/1940

Amount: 0.01 CFS

Diversion Point SWNW Sec 17 T
11S R 32E, POWER Co

Use STOCKWATER (0.01 CFS)
from 04/15 to 11/15

Place of Use SWNW Sec 17 T 11S R
32E

Diversion Means SPRING, PIPE,
TROUGHS

*sd
mays
4/15/40*

APR 19 1940

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-1578

APRIL 21, 1982

Power County Press
174 Idaho Street
American Falls, ID 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weeks) in your newspaper. We have allowed ample time for you to submit a sales order to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication bill to this office before MAY 17, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

MAILED
APR 22 1982

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: T. G. Blau

Right Number 41-4007 Applicant ISAAC, Elden W. & Dianne M. MILLER, Vernon, & Elaine

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. -None

By ADM Date 5/24/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By EW Date 5/27/82

RECEIVED
MAY 27 1982
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES