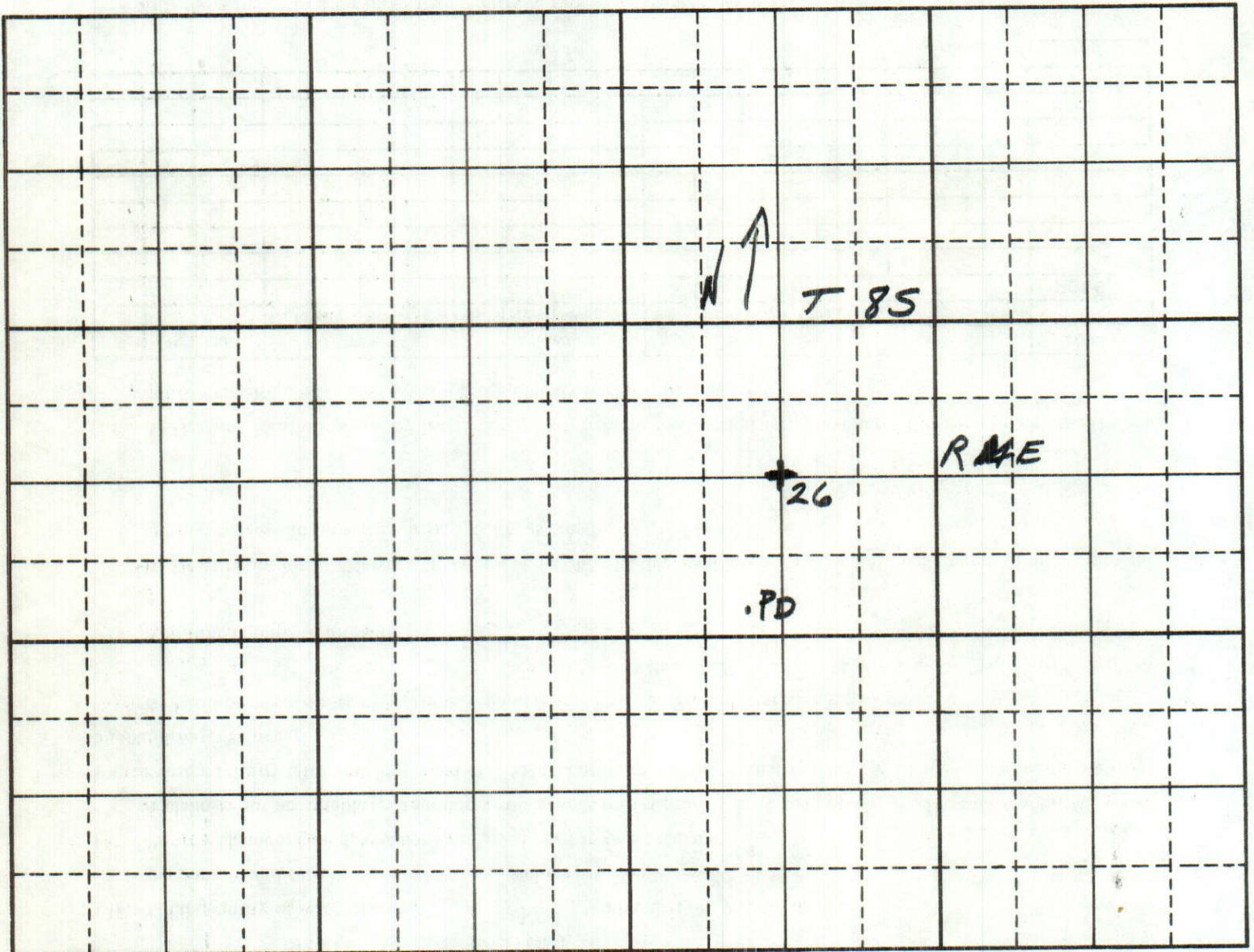


(8) Remarks _____



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 Latah 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 14th day of February, 19 74.

Robert Steacy
 (Claimant)

Paul B. Burt
 Notary Public

Residing at Bonanza, Idaho

My commission expires 2-22-77

For Department Use Only

Received by LT Date 2-14-74 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by KDF Date 2-15-74
 \$10.00 fee received by LT Date 2-14-74 (13813)
 Approved for publication by _____
 Published in Gooding Co. Leader
 Dates 2-21 & 2-28-74

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Gale Z. Brannan, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement

was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the

first publication of said advertisement was on the 21 day of February, 1974, and the date of the last publication was on the 28 day of February, 1974.

Gale Z. Brannan
Subscribed and sworn to before me this _____

day of March, 1974.
(SEAL)

Shirley Cannon
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho 83330

COST OF PUBLICATION

Number of Lines in Notice 34

Number of Insertions 2

Lines at 21¢ 7.14

Lines at 15¢ 5.10

TOTAL COST 12.24

COPY OF NOTICE

Title of Notice
Notice of Claim to Water Right

36-4038

Title of Notice
Robert W. Stacey

Plaintiff Attorney

Defendant

Plaintiff

Bill to

Dept. of Water Admin.
1041 Blue Lakes Blvd. No.
Twin Falls, Idaho 83301

NOTICE OF CLAIM TO A WATER RIGHT NO. 36-4038

Notice is hereby given that Robert W. Stacey Route 1, Wendell, Idaho has filed a claim to a water right established by diversion and application to beneficial use of .17 cubic feet per second of water from groundwater with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T 8S, R14E, B.M., Gooding County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater and from Jan. 1 to Dec. 31 for domestic use with a priority of 1938; the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T 8S, R14E, B.M. Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.

R. KEITH HIGGINSON
Director

Pub. 2-21,28

Idaho
7 pt.
7 pt.
7 pt.
6 pt.
6 pt.
6 pt.

No 2368 4038

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
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 Robert W. Stacey
(name of claimant)
of Route 1, Wendell, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to _____.

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

- (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>.12 cfs</u>	Use	<u>stockwater</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u>.05 cfs</u>	Use	<u>domestic</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
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: .17 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) 1938

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 $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26 Twp. 8S Rge. 14E B. M. County of Gooding
 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. pump

- (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.

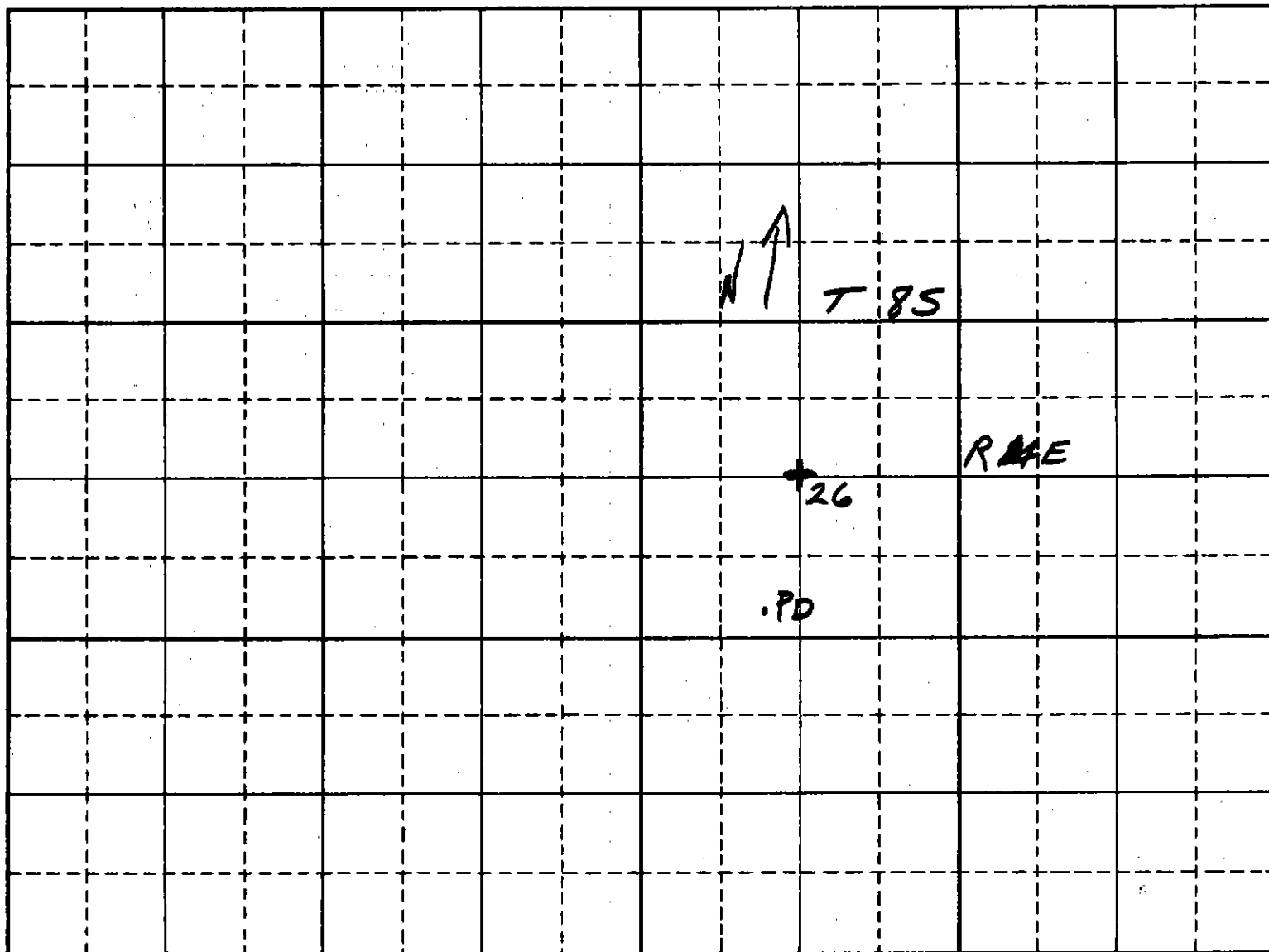
[illegible]

Total No. of acres none

- 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: _____

(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 Latah 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 14th day of February, 1974.

Robert Steacy
(Claimant)

[Signature]
Notary Public

Residing at Bozeman, Idaho

My commission expires 2-22-77

For Department Use Only

Received by [Signature] Date 2-14-74 Exception filed by: _____ Date _____
Prelim. check by KDF Date 2-15-74 Forwarded to claimant by: _____
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36 4038

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)			<u>Claim</u> Application No. <u>36-4038</u> <u>Robert W. Stacey</u>
(2)	<u>KOF</u>	<u>2-15-74</u>	☒ 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
(3)	<u>KOF</u>	<u>2-15-74</u>	In form to receipt
	<u>KOF</u>	<u>2-15-74</u>	Send Copies to: ____ Idaho State Health Department ____ Idaho Fish and Game Department ____ Bureau of Land Management
(4)	<u>KOF</u>	<u>2-15-74</u>	____ Request Special Use Permit from U.S.F.S. ____ Request Easement from B.L.M. ____ Request Information from Applicant
(5)	<u>KOF</u>	<u>2-15-74</u>	In form for advertising
(6)			Located within Water District No. _____
(7)			Critical groundwater area: yes _____ no _____
(8)			Groundwater levels: ____ Decline (comment) _____ ____ Stable (comment) _____ ____ Increasing (comment) _____
(9)			Comments: _____ _____
(10)			Affidavit of Publication received (date) <u>3-4-74</u>
(11)			Final date for protests <u>3-11-74</u> Protests received: yes _____ no _____
(12)			Date and Place of hearing _____ Decision reached at hearing _____ _____
(13)			All requested information received from agencies or applicant yes _____ no _____
(14)			Action recommended: ____ Approve _____ Priority _____ ____ Deny _____ Reason for Reduction _____ ____ Measuring device required ____ See attached sheet for additional conditions of approval ____ No additional conditions for approval
(15)	District		By _____ Date _____

Affidavit of Publication

State of Idaho, }
County of Gooding } ss.

Gale Z. Branner, being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement

was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the

first publication of said advertisement was on the 21 day

of February, 1974, and the date of the last publication

was on the 28 day of February, 1974

Gale Z. Branner
Subscribed and sworn to before me this _____

day of March, 1974.
(SEAL)

Shirley Cammison
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho 83330
COST OF PUBLICATION

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Number of Insertions 2

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Robert W. Stacey

Plaintiff Attorney

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Plaintiff

Bill to

Dep't of Water Admin.
1041 Blue Lakes Blvd. No.
Twin Falls, Idaho 83301

CLAIM TO A WATER RIGHT NO. 36-4038

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Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.
R. KEITH HIGGINSON
Director

Pub. 2-21-28

No. 2368 4038

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
SOUTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301
(208) 734-3578

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

March 11, 1974

RE: Claim to a Water Right No. 36-4037, 36-4038

Mr. Robert W. Stacey
Route 1
Wendell, Idaho 83355

Dear Mr. Stacey:

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 of the 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 the claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Bob Haynes
Southern District Engineer

BH:lt

enc.

36 4038

February 15, 1974

RE: Application No. 36-4038 - Robert W. Stacey

Gooding County Leader
Box 56
Gooding, Idaho 83330

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,

Bill submitted 3-4-74 LT

Bob Haynes
District Engineer
Southern District

36 4038

Need Galley Proof

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 36-4038**

Notice is hereby given that Robert W. Stacey Route 1, Wendell, Idaho has filed a claim to a water right established by diversion and application to beneficial use of .17 cubic feet per second of water from groundwater with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T 8S, R14E, B.M., Gooding County.

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Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.

R. KEITH HIGGINSON
Director

Pub. 2-21,28

2-21-74
LT OK

36
4038

NOTICE OF CLAIM TO A WATER RIGHT

NO. 36-4038

Notice is hereby given that Robert W. Stacey

Route 1, Wendell, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of .17 cubic feet per second ~~above x feet x per x annum x~~

of water from groundwater

with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T 8S, R14E, B.M.,

Gooding County

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater

and from Jan. 1 to Dec. 31 for domestic use

with a priority of 1938;

the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T 8S, R14E, B.M.

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Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin
Falls, Idaho, 83301.

R. KEITH HIGGINSON

Director

Published in the Gooding County Leader

on Feb. 21 and Feb. 28, 1974

36 4038