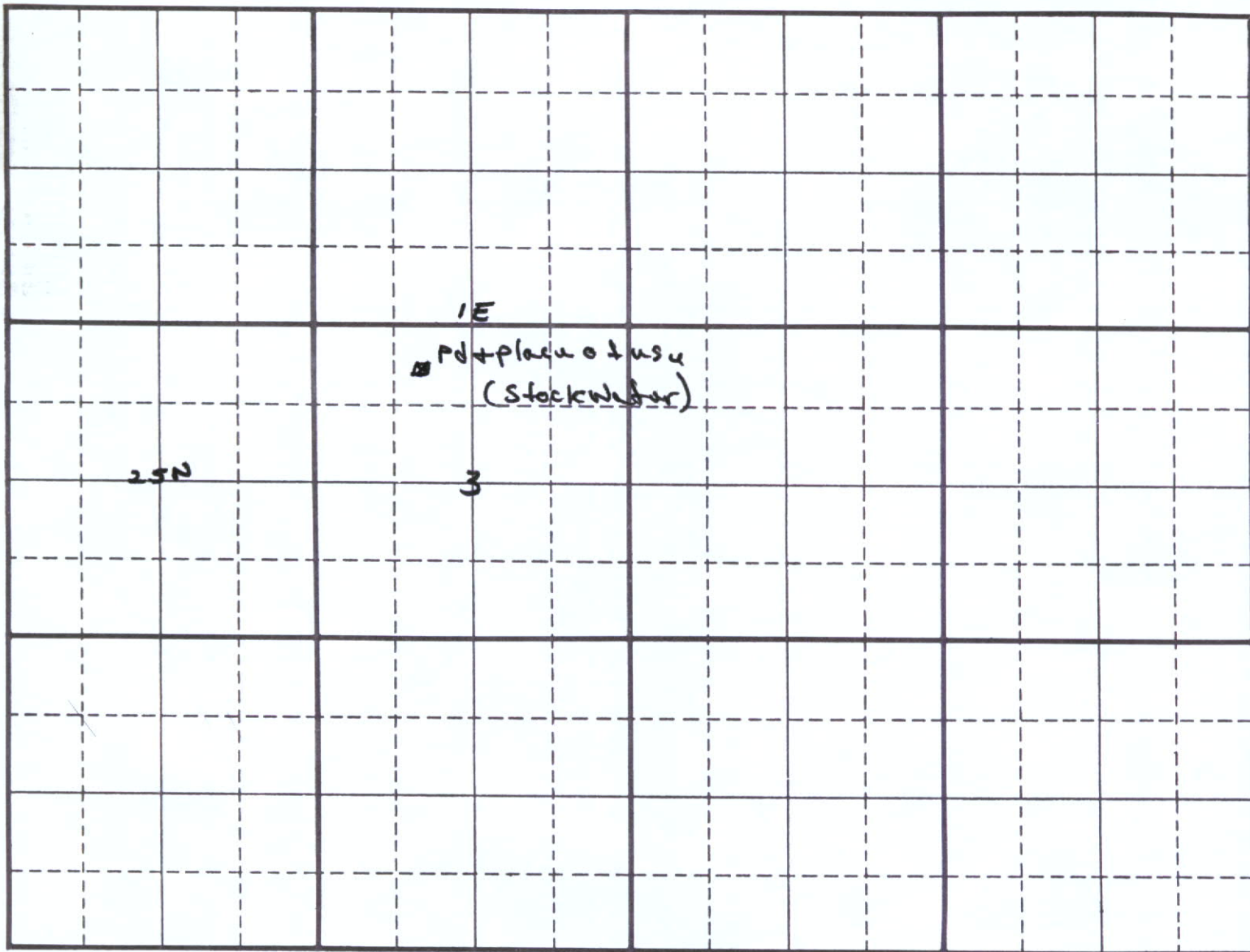


(8) Remarks _____

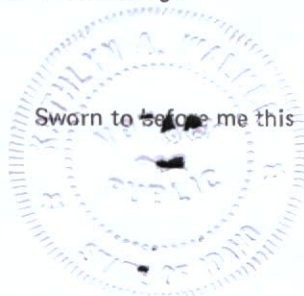


Scale: 2 inches equal 1 mile.

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 Idaho) 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.



Sworn to before me this 13 day of June, 1979.

Michael M. Mofukley
(Claimant)
Kathleen A. Walker
Notary Public
Residing at Boise

My commission expires life

FOR DEPARTMENT USE ONLY

Received by <u>GGB</u>	Date <u>13 June 79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KS</u>	Date		claimant by:	
\$20.00 fee received by <u>KW</u>	Date <u>6/13/79</u>	<u>#6013 #13154</u>	<u>KK</u>	<u>7/24/79</u>
Published in <u>Idaho County Free Press</u>				
Dates <u>6/27 & 7/4/79</u>				

AFFIDAVIT OF PUBLICATION

.....Nellie McClelland..... being first duly sworn, says he is theOffice Manager..... of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for2..... weeks, being published2..... times, the first publication being on the27..... day ofJune....., 1979....., and the last publication on the4..... day ofJune..... 1979.....; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Nellie A. McClelland

Subscribed and sworn to before me this6..... day ofJune....., 1979.....

Marilyn J. Scully, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECEIVED
JUL 9 1979

Department of Water Resources
Western Regional Office

79-4069 *OK kw*
MERKLEY, MICHAEL
BOX 394, LUCILE, ID 83542
Source: Spring tributary to
Cow Creek
Priority Date: 01/01/1900
Amount: 0.04 CFS
Diversion Point: NENW Sec
03 T 25N R 01E, Idaho Co.
Use: Domestic (0.04 CFS)
from 01/01 to 12/31
Stockwater (0.04 CFS) from
01/01 to 12/31
Place of Use: NENW Sec 03
T 25N R 01E

Diversion Means: Collection
Box With Pipeline To House
& Stock Tanks

MICROFILMED

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.

Notice is hereby given that Michael Merkley
(Name of Claimant)
Box 394, Lucile, ID 83542 Telephone No. _____
(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) 1900

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)
Spring tributary to Cow 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>.04</u>	Use <u>domestic & stock</u>	Period of Use From <u>1/1</u>	To <u>12/31</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) .04 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 3 Twp. 25N Rge. 1E B.M., County of Idaho
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. Collection box with pipeline to house and stock tanks

(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	
25N	1E	3					X												

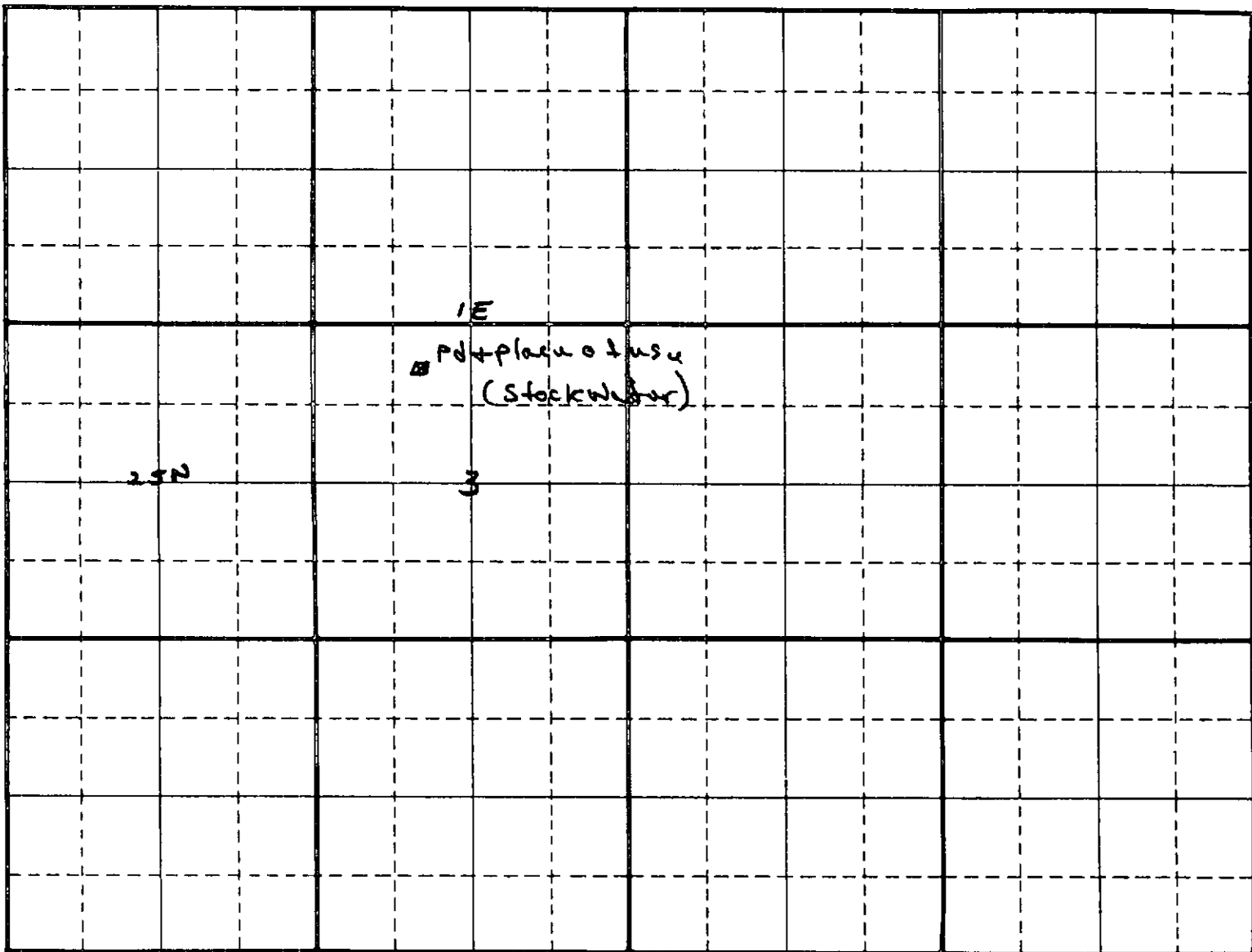
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic

NOTE: Include here the type and number of stock watered: 20 head cattle

(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 Idaho) 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.

Sworn to before me this 13 day of June, 1979.

Michael M. Morley
(Claimant)

Kathryn A. Walker
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by GCB Date 13 June 79 Exception filed by: _____ Fowarded to _____ Date _____
Prelim. check by KS Date _____ claimant by: _____
\$20.00 fee received by KW Date 6/13/79 # 6013 # 13154 KK 7/24/79
Published in Idaho County Free Press
Dates 6/27 & 7/4/79

AFFIDAVIT OF PUBLICATION

Nellie McClelland

being first duly

sworn, says he is the Office Manager
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for 2 weeks,
being published 2 times, the first publication being
on the 27 day of June, 1979,
and the last publication on the 4 day of
June, 1979; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Nellie A. McClelland

Subscribed and sworn to before me this 6 day

of June, 1979

W. J. Kelly, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

79-4069 OF KW
MERKLEY, MICHAEL
BOX 394, LUCILE, ID 83542
Source: Spring tributary to
Cow Creek
Priority Date: 01/01/1900
Amount: 0.04 CFS
Diversion Point: NENW Sec
03 T 25N R 01E, Idaho Co.
Use: Domestic (0.04 CFS)
from 01/01 to 12/31
Stockwater (0.04 CFS) from
01/01 to 12/31
Place of Use: NENW Sec 03
T 25N R 01E

Diversion Means: Collection
Box With Pipeline To House
& Stock Tanks

RECEIVED
JUL 9 1979

Department of Water Resources
Western Regional Office

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

Right Number 79-4069 Applicant Markley

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. kw
- ☐ Exceptions processed.

By [Signature] Date 20 Feb 79

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By _____ Date _____

NOTED
11/11/79

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 384-2190

JULY 25, 1979

MICHAEL MERKLEY
BOX 394
LUCILE

ID 83542

RE: Claim No. 79-4069

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 42-243 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,

WILLIAM R. GOSSETT
Acting Western Region Supervisor

Enclosure

MERKLEY, MICHAEL

BOX 394, LUCILE, ID 83542

Source: SPRING tributary to COW CREEK

Priority Date: 01/01/1900

Amount: 0.04 CFS

Diversion Point: NENW Sec 03 T 25N R 01E, IDAHO Co.

Use: DOMESTIC	(0.04 CFS)	from 01/01 to 12/31
STOCKWATER	(0.04 CFS)	from 01/01 to 12/31

Place of Use: NENW Sec 03 T 25N R 01E

Diversion Means: COLLECTION BOX WITH PIPELINE TO HOUSE & STOCK TANKS

MICROFILMED