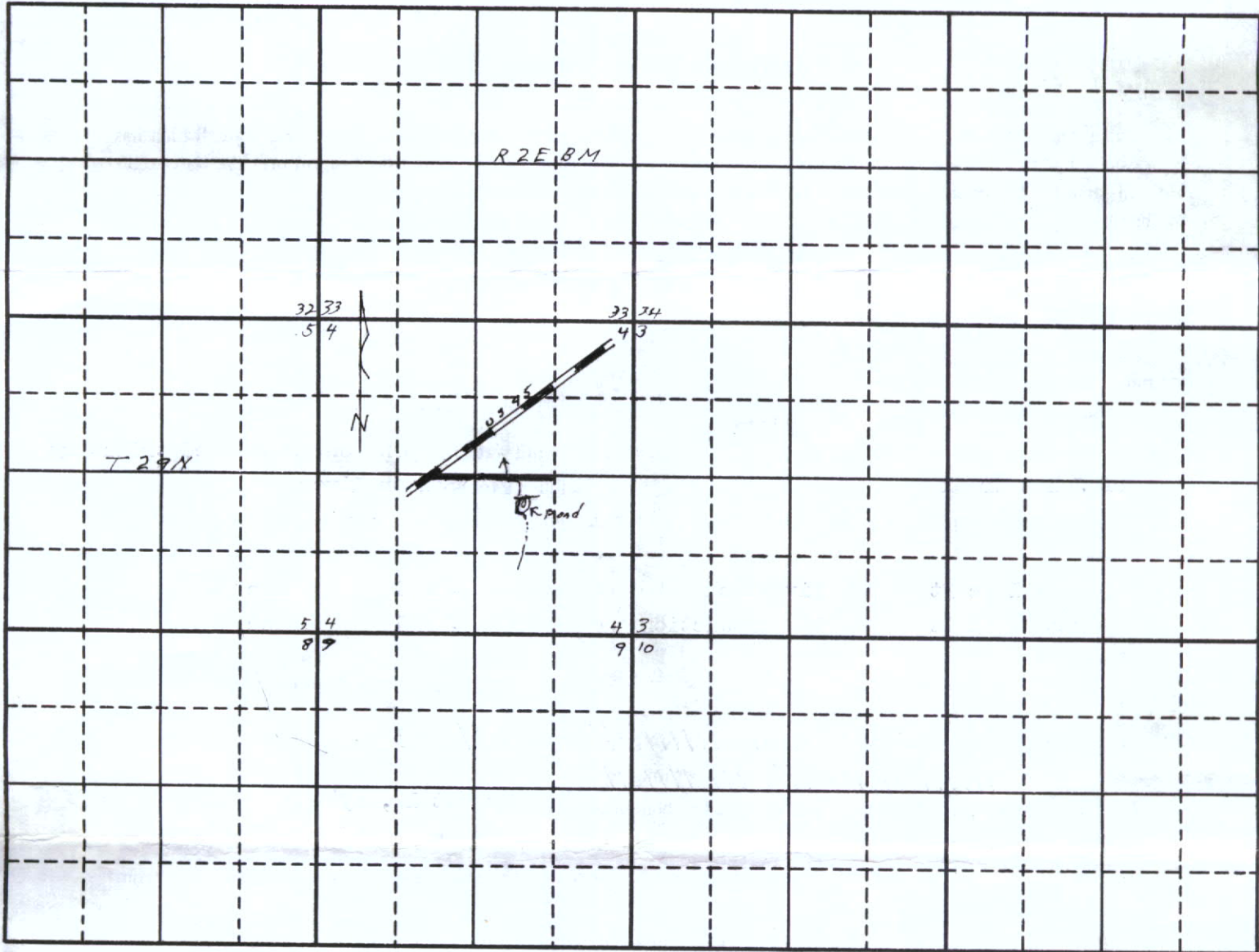


(8) Remarks Pond was cleaned and enlarged slightly during the fall of 1974.



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 affiants knowledge.

Sworn to before me this 17 day of May

Thomas Dale Eimers
(Claimant)

D. G. Eimers, 1977
Notary Public
Residing at Grangeville, Idaho

My commission expires 11-28-79

5-19-77
For Department Use Only

Received by <u>JD</u>	Date <u>5/9/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JD</u>	Date <u>5-19-77</u>		claimant by:	
\$10.00 fee received by <u>JD</u>	Date <u>5-19-77</u>			
Approved for publication by <u>JD</u>	Date <u>May 27, 1977</u>			
Published in <u>Idaho County Free Press</u>				
Dates <u>June 2, 1977 & June 8, 1977</u>				

AFFIDAVIT OF PUBLICATION

.....Nona Donaldson..... 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 1st..... day of June....., 1977.....,
and the last publication on the 8th..... day of
June..... 1977.....; 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.

.....Nona C. Donaldson.....

Subscribed and sworn to before me this 13th..... day
of June....., 1977.....

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

NOTICE OF CLAIM TO A WATER RIGHT

No. 79-4053

Notice is hereby given that
THOMAS DALE EIMERS
P.O. Box 232, Grangeville,
Idaho has filed a claim to a
water right established by
diversion and application to
beneficial use of 3 acre feet
of water from a pond on an
unnamed tributary of Johns
Creek tributary to Salmon
River with the point of
diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec 4 T29N-R2E B. M.,
Idaho County.

The water is claimed to be
used from Jan 1 to Dec 31 for
stockwater and fish
production purposes with a
priority date of August 10,
1944; the place of use is
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 4
T29N-R2E B.M.

Any exception to this
claim of water right may be
filed with the Director of the
Idaho Department of Water
Resources, 92 South Cole
Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published in the Idaho
County Free Press,
Grangeville ID on June 1,
1977 and June 8, 1977.

J1-8

OK
6-20-77
JH

RECEIVED

JUN 16 1977

Department of Water Resources
Western Regional Office

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 Thomas Dale Eimers

(name of claimant)

of P. O. Box 232, Grangeville, Idaho 83530, 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) A pond on an unnamed tributary of Johns Creek, tributary to, Salmon River
- (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 Ac Ft</u>	Use	<u>Livestock</u>	Period of Use:	From	<u>Jan 1</u>	To	<u>Dec 31</u>
Amount	<u>2 Ac Ft</u>	Use	<u>Fish Production</u>	Period of Use:	From	<u>Jan 1</u>	To	<u>Dec 31</u>
Amount	<u>(cfs, gpm or a/f)</u>	Use	<u>(dom., irri., stock, etc.)</u>	Period of Use:	From	<u></u>	To	<u></u>
						(both dates inclusive)		

- (3) Total quantity of water claimed: ||||| cubic feet per second, or 3 acre feet
per annum, and/or ||||| gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) August 10, 1944

~~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)

NW ¼ SE ¼, Sec. 4 Twp. 29N Rge. 2E B. M. County of Idaho

Additional points of diversion: None

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. An earthfill pond of 10 Ft height and
length of 700 Ft. with a capacity of 3 Ac Ft.

- (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.

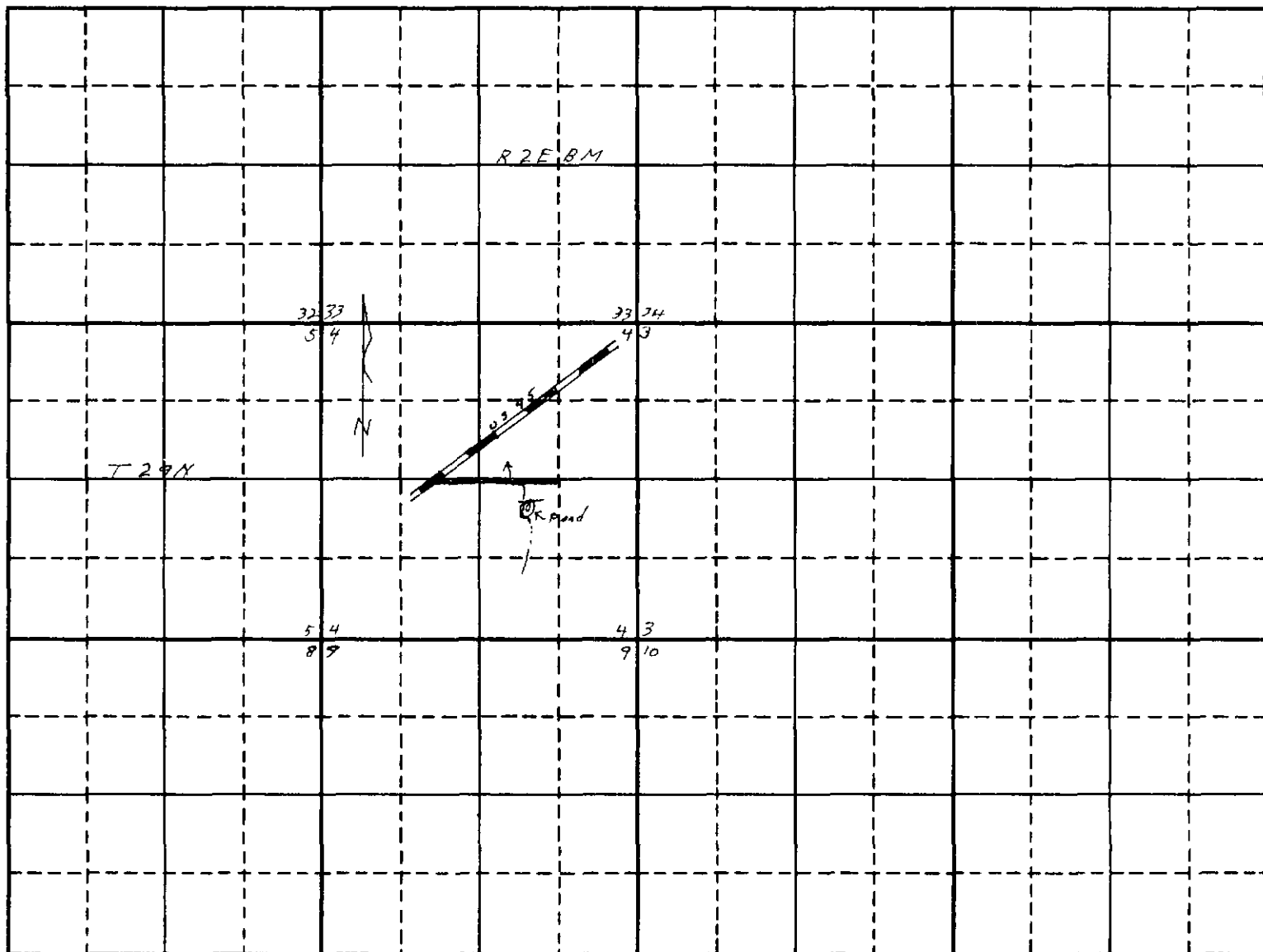
[illegible]

Total No. of acres

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water for 50 head of cattle all year and water for fish production.

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

(8) Remarks Pond was cleaned and enlarged slightly during the fall of 1974.



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 affiants knowledge.

Sworn to before me this 17 day of May

Thomas Kirk Eilers
(Claimant)

P. H. Eilers
Notary Public

Residing at Grangeville, Idaho

My commission expires 11-28-79

Received by <u>[Signature]</u>	Date <u>5-19-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>5-19-77</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>5-19-77</u>			
Approved for publication by <u>[Signature]</u>	Date <u>May 27, 1977</u>			
Published in <u>Idaho County Free Press</u>				
Dates <u>June 2, 1977 & June 8, 1977</u>				

AFFIDAVIT OF PUBLICATION

..... Nona Donaldson 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 ...1st..... day of June....., 197...7...,
and the last publication on the 8th..... day of
.....June..... 197...7...; 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.

..... Nona C. Donaldson

Subscribed and sworn to before me this 13th..... day
of June....., 197...7.....

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

NOTICE OF CLAIM TO A WATER RIGHT No. 79-4053

Notice is hereby given that
THOMAS DALE EIMERS
P.O. Box 232, Grangeville,
Idaho has filed a claim to a
water right established by
diversion and application to
beneficial use of 3 acre feet
of water from a pond on an
unnamed tributary of Johns
Creek tributary to Salmon
River with the point of
diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec 4 T29N-R2E B. M.,
Idaho County.

The water is claimed to be
used from Jan 1 to Dec 31 for
stockwater and fish
production purposes with a
priority date of August 10,
1944; the place of use is
within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 4
T29N-R2E B.M.

Any exception to this
claim of water right may be
filed with the Director of the
Idaho Department of Water
Resources, 92 South Cole
Road, Boise, Idaho 83705.

C. STEPHEN ALLRED
Director

Published in the Idaho
County Free Press,
Grangeville ID on June 1,
1977 and June 8, 1977.

7 J1-8

OK
6-20-77
JF

RECEIVED

JUN 16 1977

Department of Water Resources
Western Regional Office

RECEIVED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

~~Claim~~
Application No. 79-4053

1/1/77 Source
1/1/77 Point of Diversion
1/1/77 County
1/1/77 Quantity of Water and Period of Use
1/1/77 Description of Diverting Works
1/1/77 Time required for B/U of water
1/1/77 Place of Use or Acres Irrigated
1/1/77 Map
1/1/77 Signature
1/1/77 Fee

(1) gEB 5/19/77

In form to receipt

(2) | |

Send Copies to:

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

(3) | |

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

(4) 4EB 5/19/77

In form for advertising

(5)

Platted on Map No.

(6)

Located within Water District No.

(7)

Critical groundwater area: yes no

(8)

Groundwater levels: N/A

 Declining, Stable, Increasing

(comment)

(9) RNS

Other rights on the same place of use

(10)

Comments:

(11) M OK

Affidavit of Publication received(date) 6-20-77

(12) |

Final date for protests N/A

Protests received: yes no ✓

(13)

All requested information received from agencies or applicant: yes no

(14)

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 WJL Date 6-22-77

RECEIVED



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

June 23, 1977

Re: Claim to a Water Right No. 79-4053

Thomas Dale Eimers
P. O. Box 232
Grangeville, ID 83530

Dear Mr. Eimers:

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:

Enclosure

RECEIVED
JUN 27 1977
WATER RESOURCES
DIVISION



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andre
Governor

R. Keith Higginson
Director

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

May 27, 1977

RE: Notice of Claim to a Water Right No. 79-4053 - Thomas Dale Eimers

Notice of Application for Water Permit No. 79-7056 - Thomas Dale Eimers

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

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 20, 1977.

Sincerely,

MICROFILMED

Bill submitted
6-20-77
y

NOTICE OF CLAIM TO A WATER RIGHT

NO. 79-4053

Notice is hereby given that THOMAS DALE EIMERS
P.O. Box 232, Grangeville, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 3 ~~XXXXXXXXXXXXXXXXXXXX~~ cubic feet per second acre feet of water
from a pond on an unnamed tributary of Johns Creek tributary to Salmon River
with the point of diversion in the N1/4SE1/4 Sec 4 T29N-R2E B.M., Idaho
County.

The water is claimed to be used from Jan 1 to Dec 31
for stockwater and fish ~~XXXXXXXXXXXXXXXXXXXX~~ production purposes
with a priority date of August 10, 1944 ;
the place of use is within the N1/4SE1/4 Sec 4 T29N-R2E B.M., ~~XXXXXX~~

Any exception to this claim of water right may be filed with the Direc-
tor of the Idaho Department of Water Resources, 92 South Cole Road, Boise,
Idaho 83705.

C. STEPHEN ALLRED
Director

Published in the Idaho County Free Press, ~~XXXXXXXXXX~~ Grangeville, ID
on June 2, 1977 and June 9, 1977.

MICROFILMED

May 16, 1977

Re: Claim to a Water Right

Thomas Dale Eimers
P. O. Box 232
Grangeville, ID 83530

Dear Mr. Eimers:

I am returning the Claim to a Water Right, the Application for Permit and check #3387 as per my phone conversation with your wife on May 16.

The claim and the application appear to be in order except that the claim is unsigned. Thus all that is necessary is that you sign the claim before a notary and return the claim, the application and the filing fee to us.

If I can be of further assistance, please contact me.

Sincerely,

BILL MACALLISTER
Water Resource Agent

BM:rf

Enc.

RECEIVED
MAY 16 1977