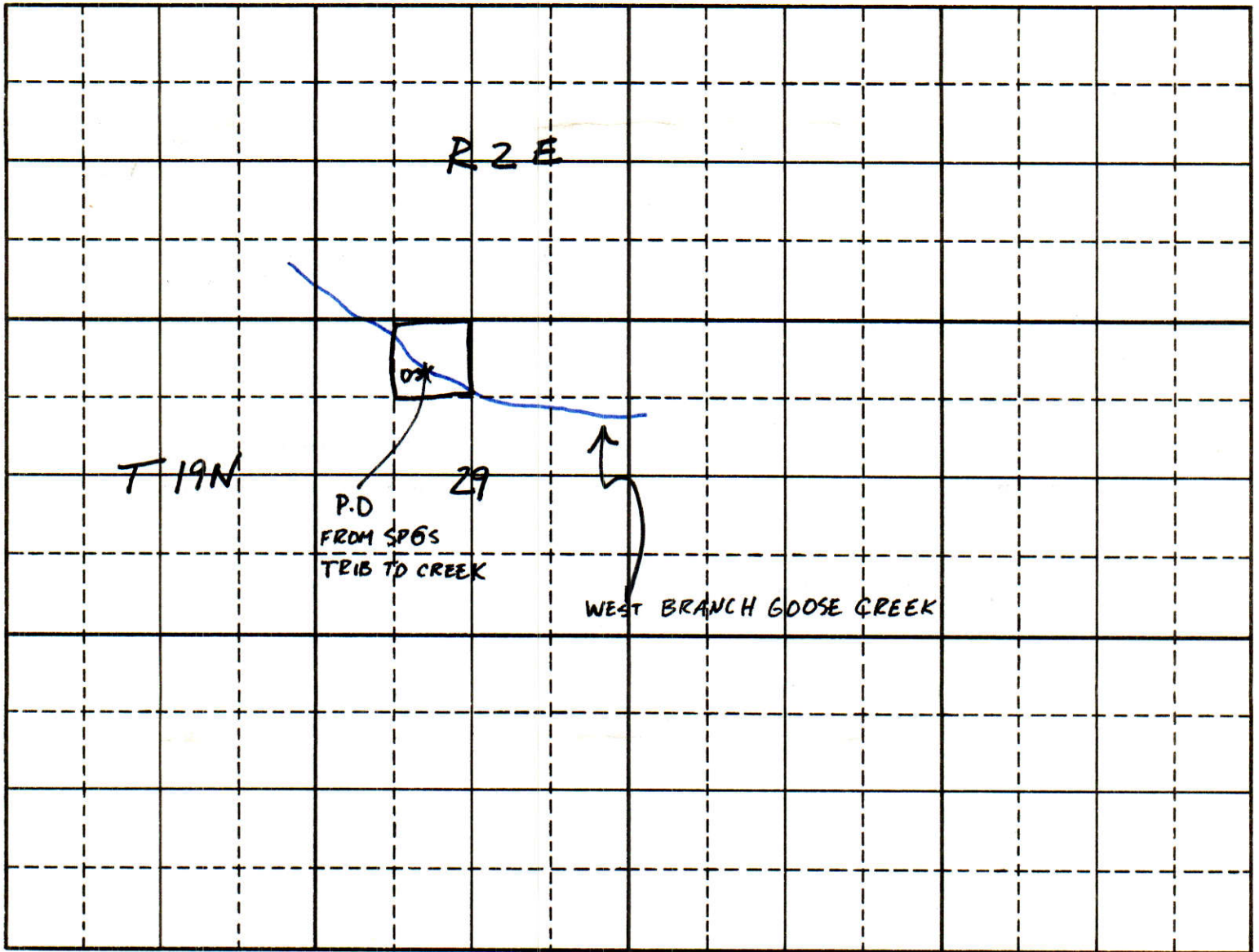


(8) Remarks \_\_\_\_\_



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 )  
 ) ss.  
County of Ada )

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 15 day of May, 19 78

Kenneth R. Malstrom  
(Claimant)

Notary Public  
Residing at \_\_\_\_\_

My commission expires Sept 10, 1980

**For Department Use Only**

|                                         |                                       |                     |              |      |
|-----------------------------------------|---------------------------------------|---------------------|--------------|------|
| Received by <u>alw</u>                  | Date <u>6-15-78</u>                   | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>RWH</u>             | Date <u>6-15-78</u>                   |                     | claimant by: |      |
| \$10.00 fee received by <u>alw</u>      | Date <u>6-15-78</u> <sup>11/133</sup> |                     |              |      |
| Approved for publication by <u>alw</u>  | <u>7-3-78</u>                         |                     |              |      |
| Published in <u>Adams County Leader</u> |                                       |                     |              |      |
| Dates <u>6-22 &amp; 6-29-78</u>         |                                       |                     |              |      |

RECEIVED  
JUL 3 1978  
Department of Water Resources  
Western Regional Office

### Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Claims to Water

No. 78-4090

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two ( 2 ) consecutive weeks, the first publication of the

same being made in the issue dated June 22, 1978

and the last in the issue dated June 29, 1978 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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 " as aforesaid.

*Bert J. Rogers*

Subscribed and sworn to before me this

day of 6-29-78, 19...

*Dwight J. ...*

Notary Public for Idaho,  
Residing at Council, Idaho

### 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:

78-4090

Name: KENNETH R. AND/OR LORAIN HAZEL MALSTROM  
Address: Star Route, Council, Idaho

Source: SPRINGS TRIB TO WEST BRANCH GOOSE CREEK

Priority Date: 1889

County: Adams

Amount: 0.20 cfs

Point of Diversion: NE 1/4 NW 1/4 Sec 29 T 19N-R 2E B.M.

Use: irrigation of 7 acres from May 1 to Oct 1

Place of Use: NE 1/4 NW 1/4 Sec 29 T 19N-R 2E B.M.

Means: dam and flood irrigation

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

C. STEPHEN ALLRED

Director

Published in the Adams County Leader, Council, Idaho on June 22 and June 29, 1978.

OK  
alew  
7-3-78

RECEIVED

Department of the Interior  
Western Regional Office

Department of the Interior  
Western Regional Office

Notice is hereby given that Kenneth R. Malstrom and/or Loraine Hazel Malstrom  
(name of claimant)

the public water of the State of Idaho

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) \_\_\_\_\_ springs  
\_\_\_\_\_, tributary to, West Branch Goose Creek

|        |                      |     |                               |                |      |              |    |                        |
|--------|----------------------|-----|-------------------------------|----------------|------|--------------|----|------------------------|
| Amount | <u>.20 cfs</u>       | Use | <u>Irrigation</u>             | Period of Use: | From | <u>May 1</u> | To | <u>Oct. 1</u>          |
| Amount | _____                | Use | _____                         | Period of Use: | From | _____        | To | _____                  |
| Amount | _____                | Use | _____                         | Period of Use: | From | _____        | To | _____                  |
|        | (cfs, gpm<br>or a/f) |     | (dom., irri.,<br>stock, etc.) |                |      |              |    | (both dates inclusive) |

(4) Priority claimed: (the date water was first applied to beneficial use) 1889

(5) A) Point of diversion: (give location of point where water is diverted from its source)  
NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec. 29 Twp. 19N Rge. 2E B. M. County of Adams  
 Additional points of diversion: \_\_\_\_\_

(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.

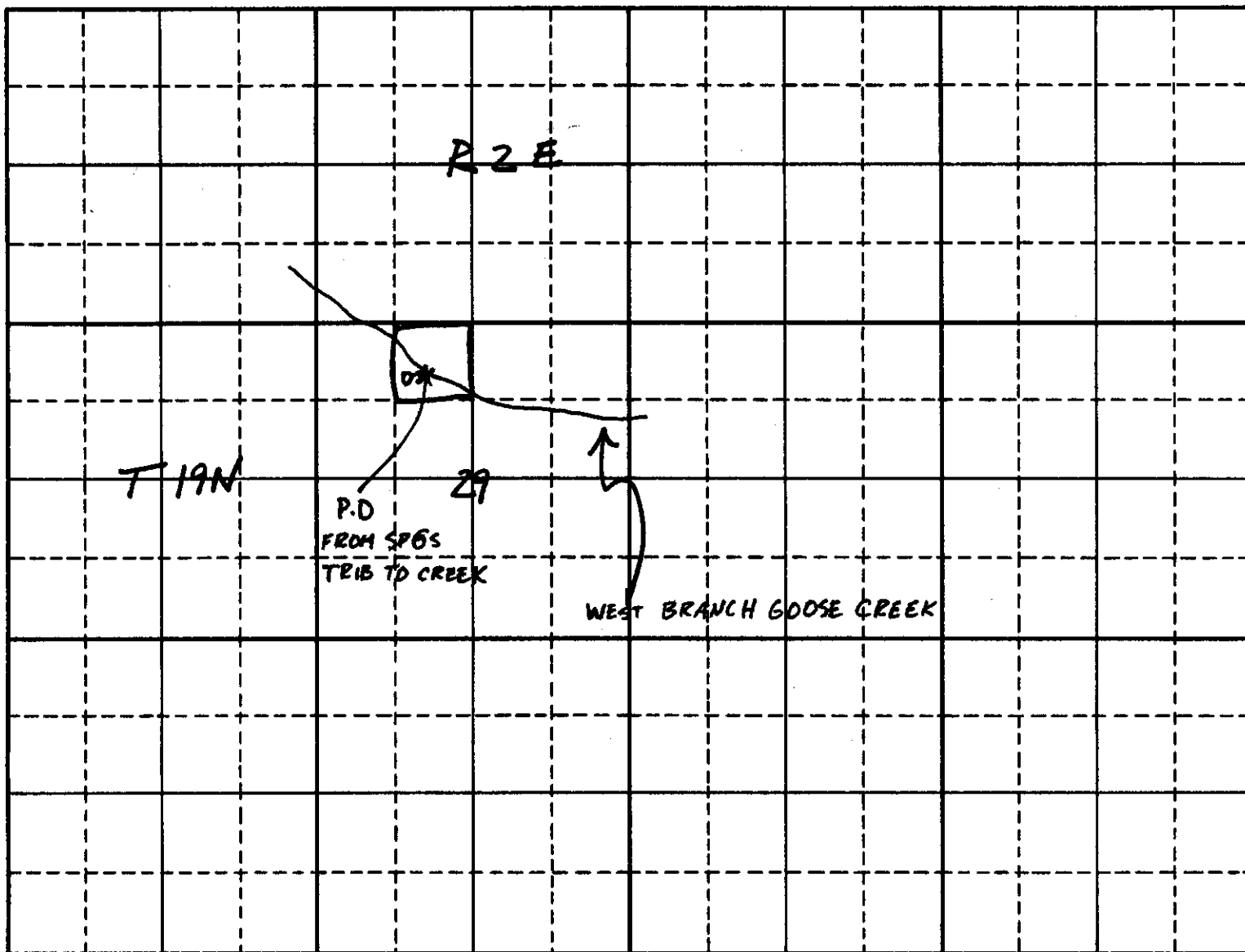
[illegible]

Total No. of acres 7

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

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 ADA ) 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 15 day of May, 19 78.

Notary Public

Residing at

My commission expires Sept 10, 1980

For Department Use Only

|                                         |                     |                     |              |      |
|-----------------------------------------|---------------------|---------------------|--------------|------|
| Received by <u>alw</u>                  | Date <u>6-15-78</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>RWH</u>             | Date <u>6-15-78</u> |                     | claimant by: |      |
| \$10.00 fee received by <u>alw</u>      | Date <u>6-15-78</u> |                     |              |      |
| Approved for publication by <u>alw</u>  | Date <u>7-3-78</u>  |                     |              |      |
| Published in <u>Adams County Leader</u> |                     |                     |              |      |
| Dates <u>6-22 &amp; 6-29-78</u>         |                     |                     |              |      |

## Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Claims to Wa

No. 78-4090 as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two ( 2 ) consecutive weeks, the first publication of the

same being made in the issue dated June 22, 1978

and the last in the issue dated June 29, 1978 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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 " as aforesaid.

Subscribed and sworn to before me this

day of 6 29 78 , 19 . . .

*Dennis J. Swamy*

Notary Public for Idaho,  
Residing at Council, Idaho

### NOTICE OF CLAIMS TO WATER RIGHTS

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

Name: KENNETH A. AND/OR LORAIN HARRIS ELLSTROM  
Address: Star Route, Council, Idaho

Source: SPRING TRAIL TO WEST BRANCH CREEK

Priority: 7/2/78  
County: Adams  
Amount: 100 cfs

Point of Diversion: NE 1/4 Sec 29 T 18N R 2E B.M.

Use: Irrigation of 7 acres from May 1 to Oct 1

Place of Use: NE 1/4 Sec 29 T 18N R 2E B.M.

Means: dam and flood irrigation

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 82 S. Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED  
Director

Published in the Adams County Leader, Council, Idaho on June 22 and June 29, 1978.

OK  
alew  
7-3-78

RECORDED

RECEIVED  
JUN 29 1978

**Affidavit of Publication**

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of "The Adams County

"Notice of Claims to Water Rights" Leader, a newspaper; that a copy of the

No. 78-4090 as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

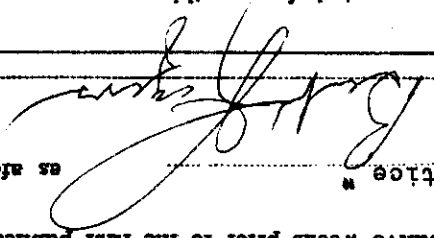
two (2) consecutive weeks, the first publication of the

same being made in the issue dated June 22, 1978

and the last in the issue dated June 29, 1978

that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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" as aforesaid.



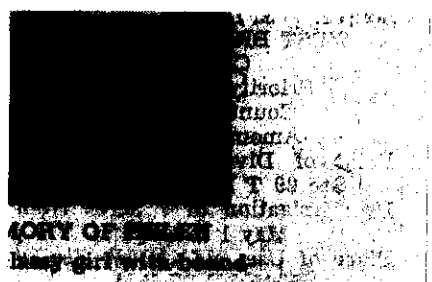
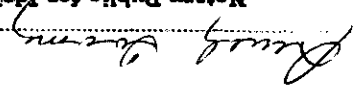
Subscribed and sworn to before me this

6 29 78

day of

19

Notary Public for Idaho,  
Residing at Council, Idaho



always spreading love  
charismatic smile  
was a virtue that we  
new

ACT  
ION

N OWNER LAST NAME - WALSTROM  
N OWNER LAST NAME - WALSTROM  
N ADDRESS LINE 1 - STAR RT.  
N  
N SOURCE - SPRINGS  
N STAGE - STATRY CLM  
N DIVERSION POINT - NEW 29 19N 02E  
N FROM - 05-01 TO - 10-01 USE - IRRIGATION  
N USE - IRRIGATION

FIRST NAME - KENNETH R.  
FIRST NAME - LORRAINE HAZEL

CITY - COUNCIL STATE - ID ZIP CODE - 83612

PRINCIPAL OF - GOOSE CREEK, WEST BRANCH

PRIORITY - 06-01-1889 COUNTY - ADAMS TOTAL DIV. RATE - .2000CFS

USE DIV. RATE - .2000CFS

PLACE OF USE - TWN 19N RNG 02E SEC 29 TRACT NEW AC 07

[illegible]

# WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 78-4090  
 Old No. New No.

## Record

1. Original Owner: Kenneth R. & Lorraine Hazel  
Malstrom

Present Owner: \_\_\_\_\_

2. Address: Star Rt.

3. City: Council State: Id Zip: 83612

4. A. Source of Water: Spring

B. Tributary of: Hoose Creek, west B & B ranch

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1889

D. County: 03

E. Total Diversion Rate: .2

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

|                          | Tract       | Sec.      | Twp.       | Rge.      | Gov't Lot | Rediv. |
|--------------------------|-------------|-----------|------------|-----------|-----------|--------|
| 6. A. Point of Diversion | <u>NENW</u> | <u>29</u> | <u>19N</u> | <u>2E</u> |           |        |
|                          |             |           |            |           |           |        |
|                          |             |           |            |           |           |        |
|                          |             |           |            |           |           |        |
|                          |             |           |            |           |           |        |

7. Period of Use, Use, Diversion Rate/Volume:

from 5-1 to 10-1 for A purposes. Amount .2  
 (cfs or AC-FT/yr)

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ for \_\_\_\_\_ purposes. Amount \_\_\_\_\_

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.  
B.  
C.  
D.  
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: \_\_\_\_\_

14. Diversion Means (brief narrative):

DEPARTMENT OF WATER RESOURCES  
- STAFF ANALYSIS -

Item Initial Date

Application No. 78-4090

☒ 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

(1) R.W.H. 6-15-78

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  
\_\_\_\_\_ Request Dam Safety Information

(4) R.W.H. 6-15-78

In form for advertising

(5) \_\_\_\_\_

Platted on Map No. \_\_\_\_\_

(6) \_\_\_\_\_

Located within Water District No. \_\_\_\_\_

(7) \_\_\_\_\_

Critical groundwater area: yes \_\_\_\_\_ no \_\_\_\_\_

(8) \_\_\_\_\_

Groundwater levels:

\_\_\_\_\_ Declining, \_\_\_\_\_ Stable, \_\_\_\_\_ Increasing

(comment) \_\_\_\_\_

(9) \_\_\_\_\_

Other rights on the same place of use

(10) \_\_\_\_\_

Comments: \_\_\_\_\_

(11) AW 7-3-78

Affidavit of Publication received(date) \_\_\_\_\_

(12) \_\_\_\_\_

Final date for protests \_\_\_\_\_

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 [Signature] Date 7-10-78

RECEIVED  
JUL 12 1978

Department of Water Resources

MICROFILMED



State of Idaho

## DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS  
Governor

(Office at the corner of  
Franklin and Cole Roads)

C. STEPHEN ALLRED  
Director

(208) 384-2190

July 11, 1978

RE: Claim to a Water Right No. 78-4090

Mr. & Mrs. Kenneth R. Malstrom  
Star Route  
Council, ID 83612

Dear Mr. & Mrs. Kenneth R. Malstrom:

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.

Yours truly,

DAVID B. SHAW  
Western Regional Supervisor

DBS:rf

Enclosure

Microfilm



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
WESTERN REGION

John V. Evans  
Governor

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

June 15, 1978

RE: Claim No. 78-4090

Mr. & Mrs. Kenneth Malstrom  
Star Route  
Council, ID 83612

Dear Mr. & Mrs. Malstrom:

Enclosed is your Receipt No. 11133 in the amount of \$10.00  
for Claim No. 78-4090 which was received in  
this office on June 15, 1978.

Sincerely,

RITA FLECK  
Secretary

RF

Enclosure



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
WESTERN REGION

John V. Evans  
Governor

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

June 15, 1978

RE: Application Nos. 67-7403 - Mantis  
67-7405 - Wilson

Adams County Leader  
Council  
Idaho 83612

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 July 19, 1978.

Sincerely,

RITA FLECK  
Secretary

*Bill submitted  
7-3-78 alw*

~~78-4090~~

Name: KENNETH R. AND/OR LORAIN HAZEL MALSTROM

Address: Star Route, Council, Idaho

Source: SPRINGS TRIB TO WEST BRANCH GOOSE CREEK

Priority Date: 1889

County: Adams

Amount: 0.20 cfs

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec 29 T 19N-R 2E B.M.

Use: irrigation of 7 acres from May 1 to Oct 1

Place of Use: NE $\frac{1}{4}$ NW $\frac{1}{4}$  Sec 29 T 19N-R 2E B.M.

Means: dam and flood irrigation

Microfilm

## 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:

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

C. STEPHEN ALLRED

Director

Published in the Adams County Leader, Council, Idaho  
on June 22 and June 29, 1978.