
A hand-drawn map on a grid. The map features a solid horizontal line across the middle. In the upper left, the text "R1E" is written. Below it, to the left, is "T23N". In the center, below the horizontal line, is the number "20". In the lower right, there is a circled "X" followed by the text "well place of use".

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 IDAHO)

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.

ffiants knowledge.

Sworn to before me this 6th day of April 19 77.

Patricia A. Spain
(Claimant)
James C. Hart

Notary Public
Residing at Chengville, Idaho

My commission expires Sept 6 commission

For Department Use Only

Received by <u>af</u>	Date <u>4-8-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>QAS</u>	Date <u>4-8-77</u>		claimant by:	
\$10.00 fee received by <u>WHM</u>	Date <u>3-24-77</u>	<u># 7065</u>		
Approved for publication by _____	_____			
Published in _____	_____			
Dates _____	_____			

**NOTICE OF CLAIM
TO A WATER RIGHT**
No. 78-4082

Notice is hereby given that Kirk J. &/or Patricia A. Spain Box 194 Pollock, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a groundwater source with the point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 20 T23N-R1E B.M., Idaho County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of April 11, 1975; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 20 T23N-R1E B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

C. STEPHEN ALLRED
Director

Published in the Idaho County Free Press, Grangeville, ID on April 20, 1977 and April 27, 1977.

A20-27

AFFIDAVIT OF PUBLICATION

Nona Donaldson

..... being first duly
Office Manager
sworn, says he is the
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^{20th} day of^{April}, 197.....⁷,
and the last publication on the^{27th} day of
.....^{April}, 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.

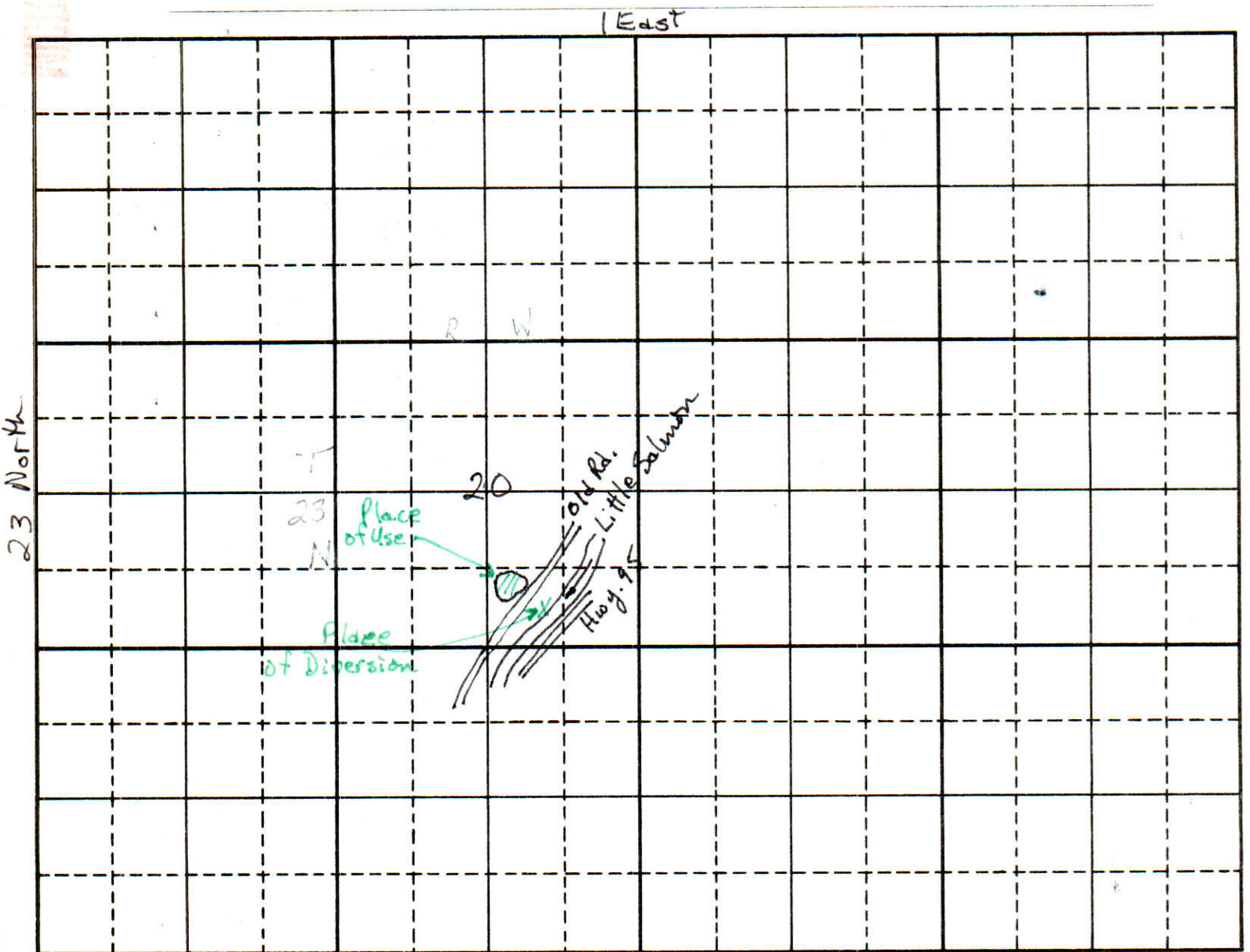
Nona C. Donaldson

Subscribed and sworn to before me this^{27th} day
April ⁷, 197.....

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

MICROFILMED

(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 21st day of

Patricia A Spain
(Claimant) March, 19 77

Lyle Glen Layton
Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>W.H.M.</u>	Date <u>3-24-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>W.H.M.</u>	Date <u>3-25-77</u>		claimant by:	
\$10.00 fee received by <u>W.H.M.</u>	Date <u>3-24-77</u> #2065			
Approved for publication by <u>CS</u>	<u>3-31-77</u>			
Published in <u>Idaho County Free Press</u>				
Dates <u>4-8-77</u> & <u>4-16-77</u>				

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 Kirk J. &/or Patricia A. Spain
(name of claimant)
of P. O. Box 194 Pollock, Idaho 83547, 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) groundwater, tributary to, _____
- (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>0.04</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 _____ |
| 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: 0.04 cubic feet per second, or 2.0 acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) April 11, 1975

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)
SW ¼ SE ¼, Sec. 20 Twp. 23N 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. well, pump, 6" casing
3/4" pipe reduced to 1/2" pipe for domestic use. One horsepower
pump with 3/4" intake. Well depth 57'.

- (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.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
23N	1E	20															X		

Total No. of acres _____

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

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

MICROFILMED

A hand-drawn map on a grid of graph paper. The map includes the following features:

- A point labeled "R1E" located at the intersection of the 4th vertical line from the left and the 3rd horizontal line from the top.
- A point labeled "T23N" located at the intersection of the 2nd vertical line from the left and the 5th horizontal line from the top.
- A point labeled "20" located at the intersection of the 4th vertical line from the left and the 5th horizontal line from the top.
- A point labeled "X well place of use" located at the intersection of the 5th vertical line from the left and the 6th horizontal line from the top.

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.

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.

My commission expires Life Commission Residing at Chamgoille, Idaho

Received by WJ Date 4-8-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by WJS Date 4-8-77 claimant by: _____
\$10.00 fee received by WJM Date 3-24-77 # 7065
Approved for publication by _____
Published in _____
Dates _____

AFFIDAVIT OF PUBLICATION

Nona Donaldson

..... being first duly
Office Manager
sworn, says he is the
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^{20th} day of^{April}, 197..⁷..
and the last publication on the^{27th} day of
.....^{April}..... 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^{27th} day
of^{April}....., 197..⁷..

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

MICROFILMED

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.

The extent and nature of said claim is as follows:

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

(3) Total quantity of water claimed: 0.04 cubic feet per second, or 5.0 acre feet per annum, and/or 50 gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) April 11, 1975

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)

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20 Twp. 23N 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. Well Pump 6 inch casing. 3/4 inch

etc.) Give sizes and capacities; be as specific as possible. Well Pump 6 inch casing, 3/4 inch pipe reduced to 1/2 inch pipe for domestic use. One horsepower pump with 3/4 inch intake. Well depth 51 feet

- (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 3/4

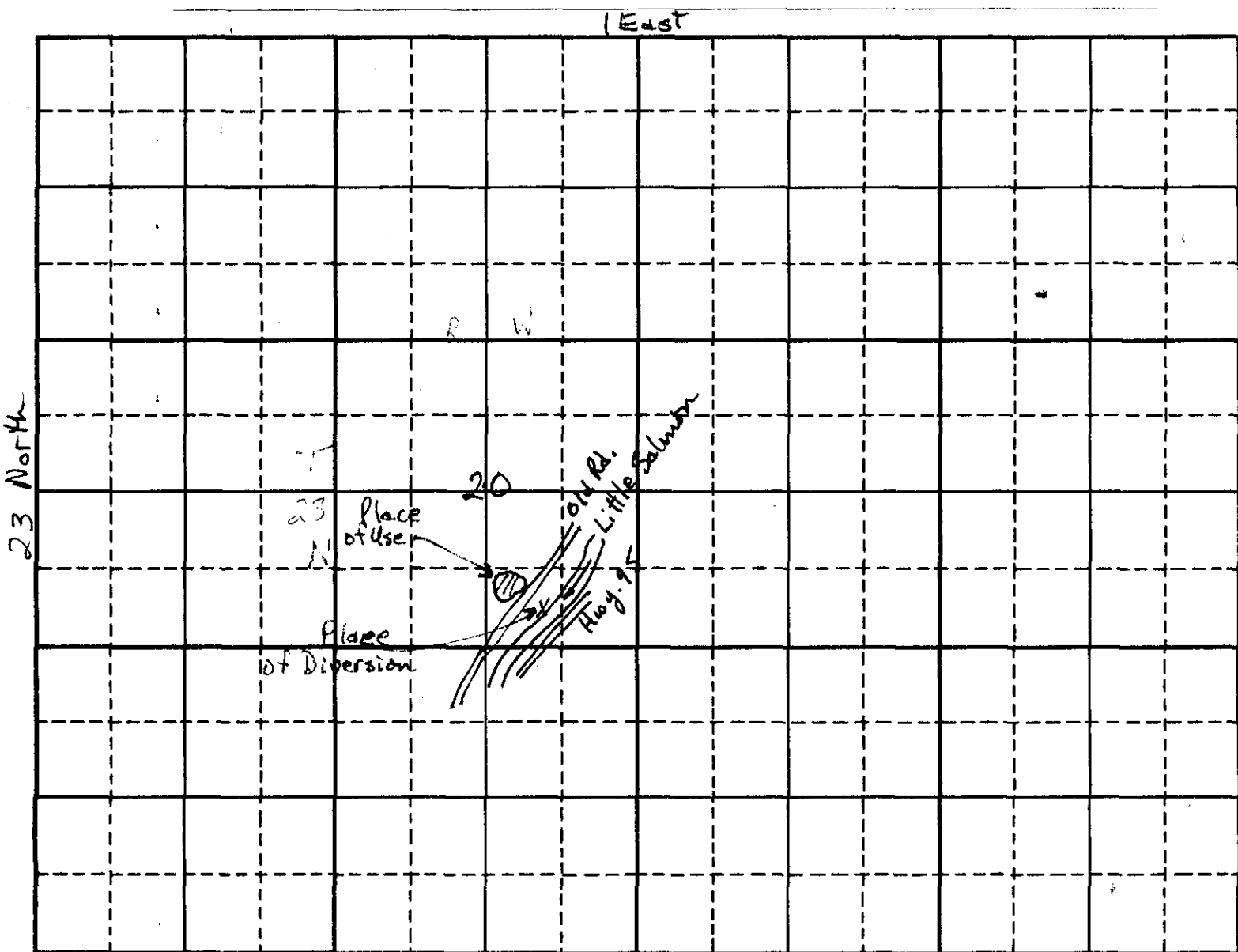
- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:** _____

Domestic use.

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

MICROFILMED

(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 21st day of March, 19 77
Patricia A Spain (Claimant)
Lyle Glen Layton Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>WAm</u>	Date <u>3-24-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>WAm</u>	Date <u>3-25-77</u>		claimant by:	
\$10.00 fee received by <u>WAm</u>	Date <u>3-24-77</u>	# <u>7065</u>		
Approved for publication by <u>CS</u>	<u>3-21-77</u>			
Published in <u>Idaho County Free Press</u>				
Dates <u>4-8-77</u> & <u>4-16-77</u>				

ACT
ION
N OWNER LAST NAME - SPAIN
N OWNER LAST NAME - SPAIN
N ADDRESS LINE 1 - P.O. BOX 194
N
N SOURCE - GROUNDWATER
N STAGE - STAIRY CLM
N TOTAL DIV. VOLUME - 2.00 AFA
N DIVERSION POINT - SWSE 20 23N 01E
N FROM - 01-01 TO - 12-31 USE - DOMESTIC
N USE - DOMESTIC
FIRST NAME - KIRK J.
FIRST NAME - PATRICIA A.
CITY - POLLOCK
STATE - ID ZIP CODE - 83547
PRIORITY - 04-11-1975 COUNTY - IDAHO TOTAL DIV. RATE - .0400CFS
USE DIV. RATE - .0400CFS USE DIV. VOLUME - 2.00 AFA
PLACE OF USE - TWN 23N RNG 01E SEC 20 TRACT SWSE

OWNER LAST NAME - SPAIN
OWNER LAST NAME - SPAIN
ADDRESS LINE 1 - P.O. BOX 194
CITY - PUEBLO STATE - CO ZIP CODE - 83547
PRIORITY - 04-11-1975 COUNTY - ADAMS TOTAL DIV. RATE - .0400CFS
SOURCE - GROUNDWATER
STAGE - STAIRY CUM
TOTAL DIV. VOLUME - 2.00 AFA
DIVERSION POINT - SASH 20 23W OLE
FROM - 01-01 TO - 12-31 USE - DOMESTIC
USE - DOMESTIC
PAGE OF USE - 1W 23W PG 01E SPC 20 PAGE SWS

3/79

IDENT. NO. 78-4082

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 178-4082
Old No. New No.

Record

1. Original Owner: Kirk J. & Patricia A. Spain

Present Owner: _____

2. Address: P.O. Box 1943. City: Pollock State: Id Zip: 835474. A. Source of Water: gr

B. Tributary of: _____

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: 4-11-1975D. County: 49E. Total Diversion Rate: .04F. Total Diversion Volume: ~~2~~ 2

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>SWSE</u>	<u>20</u>	<u>23N</u>	<u>1E</u>		

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

from ~~4-1~~ to ~~12-31~~ for ~~0~~ A purposes. Amount ~~.04~~ .04
(cfs or AC-FT/yr)from ~~4-1~~ to ~~10-31~~ for ~~0~~ A purposes. Amount ~~.02~~ .02from ~~1-1~~ to ~~1-1~~ for ~~0~~ 0 purposes. Amount ~~.02~~from 1-1 to 12-31 for 0 purposes. Amount .04

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: ☐

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. ~~6. 55. 1. 75.~~
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):

USE TYPEWRITER OR
BALL POINT PEN

State law requires that this report be filed with the Director, Department of Water Resources, within 30 days after the completion or abandonment of the well.

[illegible]

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 78-4082

☒ 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

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
☐ Papers Sent

(1) 6/5 4/8/77

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) 6/5 4/8/77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) af OK

Affidavit of Publication received (date) 5-4-77

(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 5-10-77

MICROFILMED



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

May 11, 1977

Re: Claim to a Water Right No. 78-4082

Kirk J. &/or Patricia A. Spain
P. O. Box 194
Pollock, ID 83547

Dear Mr. & Mrs. Spain:

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: rf

Enclosure

MICROFILMED



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

April 15, 1977

Re: Notice of Claim to a Water Right No. 78-4082 -- Kirk J. &/or Patricia A. Spain

Idaho County Free Press
Box 267
Grangeville, ID 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 9, 1977.

Sincerely,

Bill submitted
5-4-77
J

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~78-4082~~

Notice is hereby given that ~~KIRK J. &/or PATRICIA A. SPAIN~~

~~P. O. Box 194 Pollock, Idaho~~
has filed a claim to a water right established by diversion and application
to beneficial use of ~~0.04~~ cubic feet per second ~~acre feet of water~~
from ~~a groundwater source~~
with the point of diversion in the ~~SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 20 T23N-R1E B.M., Idaho~~

~~County~~

The water is claimed to be used from ~~Jan 1 to Dec 31~~
for ~~domestic purposes~~

with a priority of ~~April 11, 1975~~;
the place of use is within the ~~SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 20 T23N-R1E B.M.~~

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the ~~Idaho County Free Press, Grangeville, ID~~
on ~~April 21, 1977~~ and ~~April 28, 1977~~

MICROFILMED

April 5, 1977

Re: Claim to a Water Right #78-4082

Kirk J. and Patricia A. Spain
P. O. Box 194
Pollock, Idaho 83547

Dear Mr. & Mrs. Spain:

I apologize for my oversight in accepting your Claim to a Water Right. I have enclosed a corrected Claim. Please sign it before a notary public and return it to us.

Thank you for your cooperation in this matter.

Sincerely,

BILL MAC ALLISTER
Water Resource Agent

BM:lp

Enclosure

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 78

☒ 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) WMM 3-25-77

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
_____ Request Dam Safety Information

(4) WMM 3-25-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) _____

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 _____ By _____ Date _____

MICROFILMED