

NOTICE OF CLAIM
TO A WATER RIGHT
No. 78-4078

Notice is hereby given that L.E. Alberthal, P.O. Box 493 Riggins, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.0223 cubic feet per second of water from springs with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5 T23 N-R1 E B.M. Idaho County

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater with a priority of 1950; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 5 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 February 9, 1977 and February 16, 1977.
F9-26

AFFIDAVIT OF PUBLICATION

OK 2-23-77
I, 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 9th day of February, 1977, and the last publication on the 16th day of February, 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 Donaldson

Subscribed and sworn to before me this 16th day of February, 1977

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

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 L. E. ALBERTHAL
(name of claimant)
of PO Box 493 Piggins, 83549, 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) Spring
_____, 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>0.0015</u> ^{cfs.} | Use | <u>Stock</u> | Period of Use: | From | <u>Jan 1</u> | To | <u>Dec 1</u> |
| Amount | <u>0.0115</u> ^{cfs.} | Use | <u>Stock</u> | Period of Use: | From | <u>Jan 1</u> | To | <u>Dec 1</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: 0.2230 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) 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 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 ~~SE~~ ¼ SE ¼, Sec. 5 Twp. 23 N Rge. 1 E B. M. County of Idaho
 Additional points of diversion: SW ¼ & SE ¼

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. PIPELINE (gravity flow)

- (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]

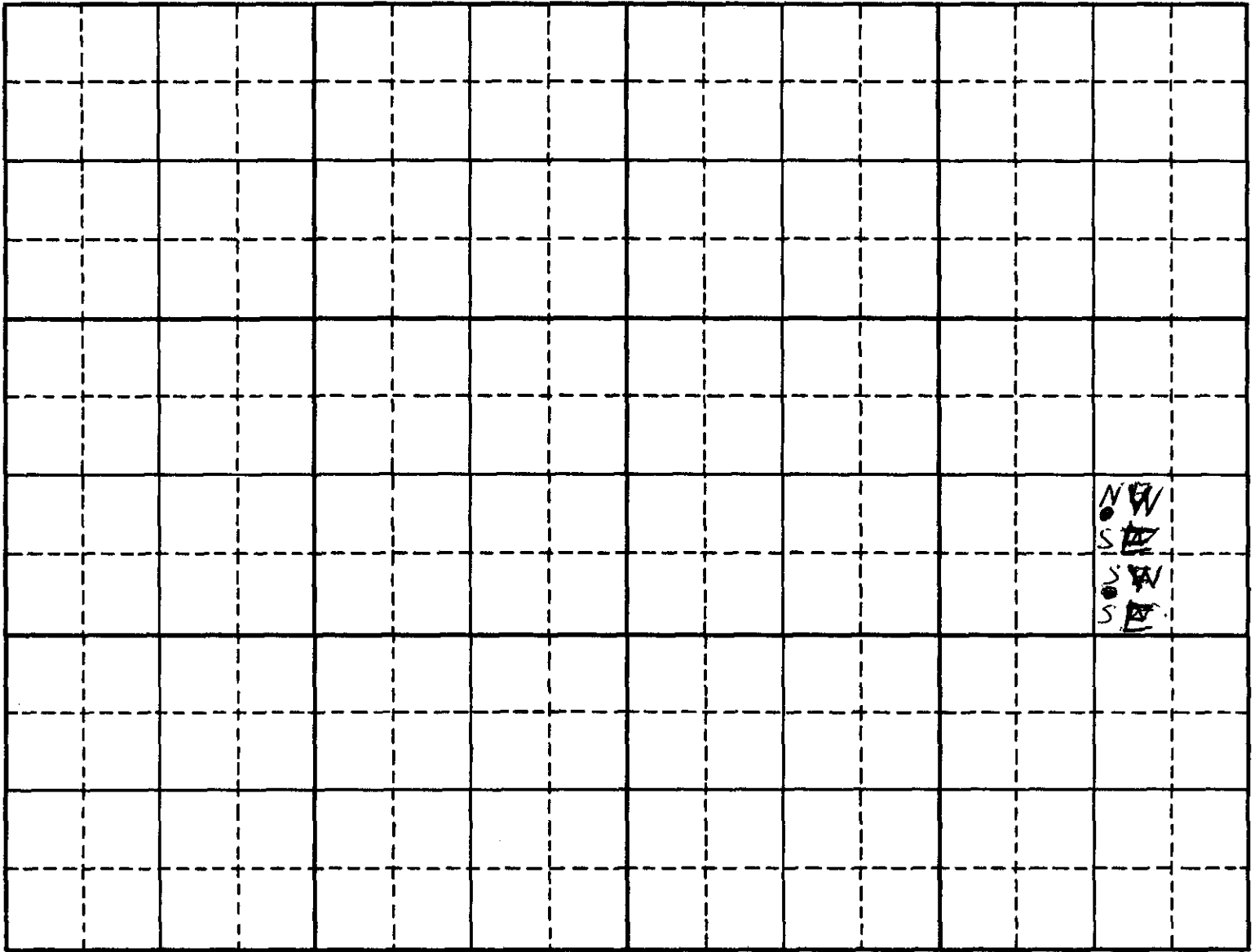
Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Stock watering 100 Beef 10 Horses

- (7) If you are claiming water as a member of an organization, list name of organization: L. C. Albertson
owner

NOTIFIED

(8) Remarks Two small springs used for watering stock
used very close to fence



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 24th day of January, 19 77.
L. E. Albertthal
(Claimant)

Norma Breakey
Notary Public
Residing at Regina, Idaho

My commission expires July 11, 1979

For Department Use Only

Received by <u>[Signature]</u>	Date <u>2-2-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>J. R. W. H.</u>	Date <u>2-2-77</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>2-2-77</u>	# <u>6611</u>		
Approved for publication by <u>[Signature]</u>				
Published in <u>Idaho County Free Press</u>				
Dates <u>Feb 9 + 16</u>				

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AFFIDAVIT OF PUBLICATION

N ona Donaldson being first duly sworn, says he is the OfficeManager 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 9th day of February, 1977, and the last publication on the 16th day of February, 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 Donaldson

Subscribed and sworn to before me this 16th day of February 7, 1977

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

MICROFILMED

WATER RIGHT NUMBER 78-4078

WATER RIGHTS EDIT REPORT

10/05/79 PAGE 138

ACT

ION

N OWNER LAST NAME - ADRIKHAL
N ADDRESS LINE 1 - P.O. BOX 493

CITY - RIGGINS

STATE - UD ZIP CODE - 83549

N SOURCE - SPRINGS

N STAGE - STATRY CLM

N DIVERSION POINT - NWSE 05 23N 01E

N FROM - 01-01 TO - 12-31 USE - STOCKWATER

N USE - STOCKWATER

N NON IRRIG USE - S/110 RANGE.

PRIORITY - 06-01-1950 COUNTY - IDAHO

SWSE 05 23N 01E

USE DIV. RATE - .2260CFS

PLACE OF USE - 1/4N 23N R6G 01E SEC 05 TRACT NWSE

TRACT SESE

TOTAL DIV. RATE -

.0200CFS

TRACT SESE

3/79

IDENT. NO. 78-4078

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

Old No.

New No.

1 78-4078

Record

1. Original Owner: L. E. Alberthal

Present Owner: _____

2. Address: P.O. Box 4933. City: Biggins State: ID Zip: 835494. A. Source of Water: springs

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: 6-1-1950D. County: 49E. Total Diversion Rate: .02

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>NW 1/4</u>	<u>5</u>	<u>23N</u>	<u>1E</u>	_____	_____
	<u>SW 1/4</u>	<u>5</u>	<u>23N</u>	<u>1E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 1-1 to 12-31 for irrigation purposes. Amount .22
(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 _____

10379

[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-

☒ 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) RWU 2-2-77

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) RWU 2-2-77

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) rf OK

Affidavit of Publication received(date) 2-23-77

(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 PHJ Date 2-25-77

MICROFILMED



Cecil D. Andrus
Governor

R. Keith Higginson
Director

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN REGION

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

February 4, 1977

RE: Notice of Claim to a Water Right No. 78-4079 - L. E. Alberthal
 No. 78-4078 - L. E. Alberthal
 Notice of Application for Water Permit No. 79-7052 - Guy or Thelma Sherwin
 No. 79-7051 - Guy or Thelma Sherwin

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 February 28, 1977.

Sincerely,

Bill submitted

2-23-77

[Signature]

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. 73-4673

Notice is hereby given that L. E. ALBERTHAL
P. O. Box 493 Riggins, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.0023 cubic feet per second ~~XXXXXXX~~ of water
from springs
with the point of diversion in the NW1/4 Sec 5 T23N-R1E B.M.
Idaho County.

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

with a priority of 1977;
the place of use is within the NW1/4 Sec 5 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 February 3, 1977 and February 10, 1977.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

February 2, 1977

L. E. Alberthal
P. O. Box 493
Riggins, ID 83549

Dear Mr. Alberthal:

Enclosed is your Receipt No. 6611 in the amount of \$ 20.00
for 78-4078 &
~~Claims to a Water Right No. 78-4079~~ which was received in this
office on February 2, 1977.

Sincerely,

RITA BENDELE
Senior Clerk

RB

Enclosure

MICROFILMED

January 28, 1977

Re: Claim to a Water Right

L. L. Alberthal
P. O. Box 493
Riggins, ID 83549

Dear Mr. Alberthal:

We are returning your claims to water rights and check No. 1231 in the amount of \$3.00.

One claim shows the point of diversion as being in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 5 T23N-R1E B.M. and the map shows a point in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$. It should show the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the place of use in the W $\frac{1}{2}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of that section.

The fee for filing a claim to a water right is \$10.00, therefore, we will need a \$20.00 filing fee.

Please return the corrected claims to us with a check in the amount of \$20.00, and we will process your claim.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:rf

Enc.

MICROFILMED

December 7, 1976

Re: Application for Permit

L. E. Albrethal
P. O. Box 493
Riggins, ID 83549

Dear Mr. Albrethal:

We are enclosing application forms and instructions for making application for permit to appropriate public waters.

The springs can be included on one application; however, the well will need to be on a separate application. An application for water from the river will also be filed on separately.

The instructions include a fee schedule as well as information on completing the application forms.

If we can be of further assistance, please feel free to call on us.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:rf

Enc.

MICROFILMED

RECEIVED

NOV 29 1976

Department of Water Resources

RECEIVED

NOV 29 1976

November 24, 1976

P.O. Box 493

Riggins, Idaho

83549

Department of Water Administration
Statehouse
Boise, Idaho 83720

Dear Sir:

Please send me an application
for water rights on my well also
for two springs.

I would like any information
you have on river rights for
water usage.

Thank you,

Sincerely
L.C. Albrethal
P.O. Box 493
Riggins, Idaho

83549

MICROFILMED

H.E. Alberts
P.O. Box 493
Peggins, Idaho
83549



Dept. of State Administration
Statehouse
Boise, Idaho
83720

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Dec. 11, 1976

P.O. Box 493

Riggins, Idaho 83549

State of Idaho Department of Water Resources
92 South Cole Road
Boise, Idaho, 83705

Dear Sir:

Please send me two Claimants
a water Right form.

Thank you.

Sincerely,
L. C. Albertthal

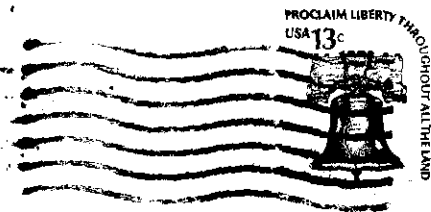
P.O. Box 493

Riggins, Idaho 83549

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Sent by rf
12-20-76

L.E. Albertal
P.O. Box 493
Riggins, Idaho



State of Idaho Dept. of Water Resources
92 South Cole Road
Boise, Idaho

83705

% Robert H. Hamilton

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