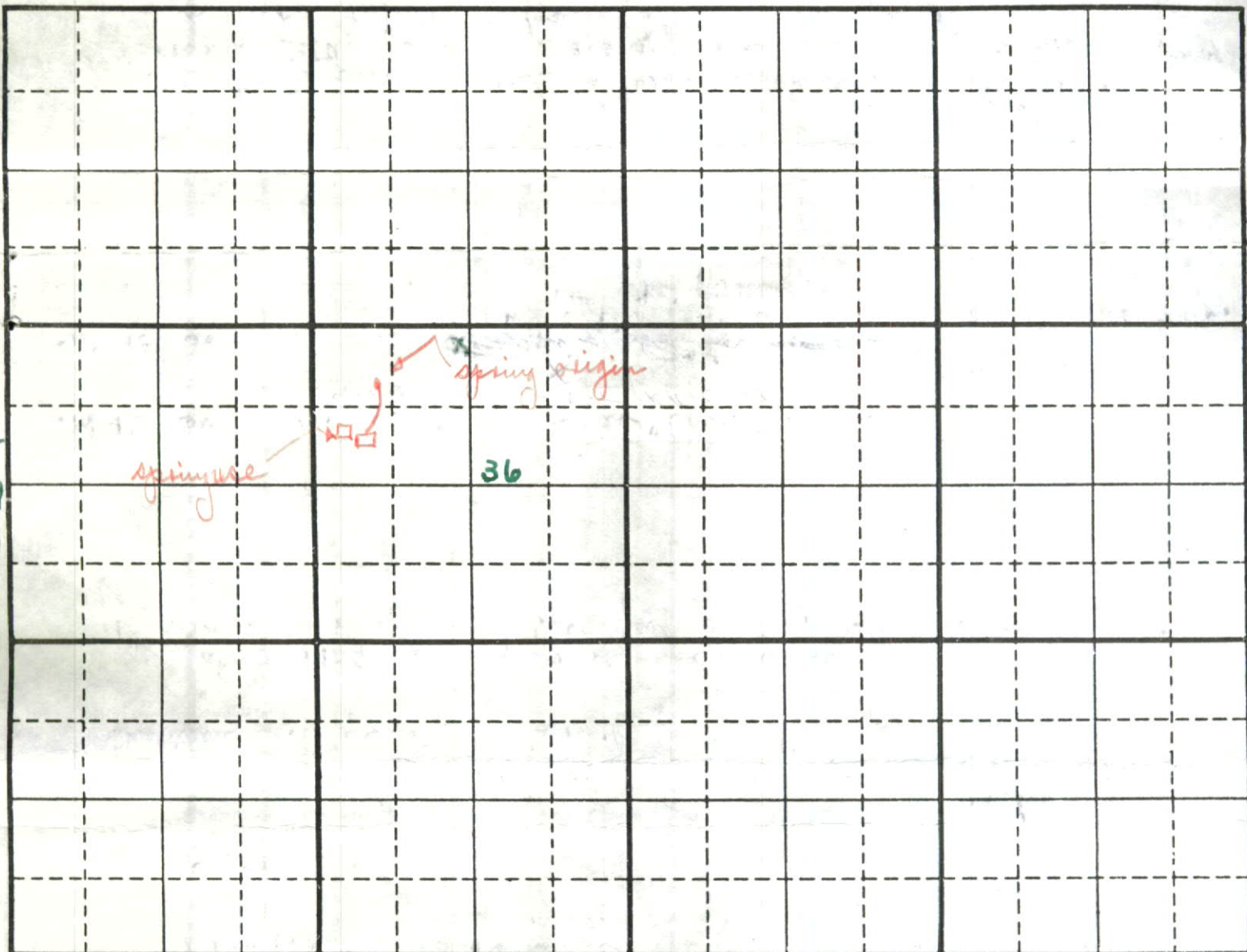


(8) Remarks no diversion from stream at present.

T
27
N



Scale: 2 inches equal 1 mile.

R9E

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 affiant's knowledge.

Donald E. Thomas

(Claimant)

Sworn to before me this 7th day of February, 1983.

Frances M. W. Kalmick

Notary Public
Residing at Boise, Idaho

My commission expires 3/30/84

7-12-83 FOR DEPARTMENT USE ONLY

Received by SAC Date 2/25/83 Exception filed by: _____ Date _____
Prelim. check by jc Date 8/2/83
\$30.00 fee received by JP Date 3/1/83 # 27821
Published in Idaho County Free Press
Dates 9/28 & 10/5/83 & 12/29 & 1/5/84

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 77-4189 in the name of Harold E. Thomas was published in error on 9-28 and 10-5-83.

The point of diversion was advertised as being within the NENW Sec 36 T 27N R 9E.

WHEREAS, the actual point of diversion is within the NWNW Sec 36 T 27N R9 E.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, ID 83720.

Ken Dunn, Director
Published in the Idaho County Free Press on 12-29 and 1-5-84.

D28J4x

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 28 day of December, 1983, and the last publication on the 4 day of January, 1984; 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 4 day
of January, 1984

[Signature], Notary Public
for State of Idaho, residing at Grangeville, Idaho.



MICROFILMED

RECEIVED
JAN 9 1984

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUL 12 1983

Department of Water Resources
Western Regional Office

CLAIM TO A WATER RIGHT

FEB 25 1983

Department of Water Resources

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

HAROLD E. THOMAS

(Name of Claimant)

5727 Hill Road Boise, Idaho

83703

(Mailing Address)

(Zip Code)

Telephone No. 208/344-0951

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) when homesteaded about (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, HARRISON CK, BIG MALLARD CK tributary to BIG MALLARD CK & SALMON R.

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

DOMESTIC
STOCKWATER

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>.08 cfs</u>	Use <u>Two residences</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u></u>	Use <u>(DOMESTIC)</u>	Period of Use From <u></u>	To <u></u>
Quantity <u>.05 cfs</u>	Use <u>Cows & horses</u>	Period of Use From <u>5-1</u>	To <u>11-1</u>
Quantity <u></u>	Use <u>(STOCKWATER)</u>	Period of Use From <u></u>	To <u></u>
Quantity <u></u>	Use <u></u>	Period of Use From <u></u>	To <u></u>

- (4) 0.13 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 NW 1/4, Sec. 36 Twp. 27N Rge. 9E B.M., County of Idaho

Additional points of diversion: Domestic water from spring, stockwater from both Harrison Cr. and Big Mallard.

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.

about 1980 we dug up old line from spring & installed new 1" plastic pipe of about 1,000 foot length, passing to residences. CATTLE DRINK FROM CREEKS.

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
27N	9E	36																	
27N	9E	36																	

No. of acres 240

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

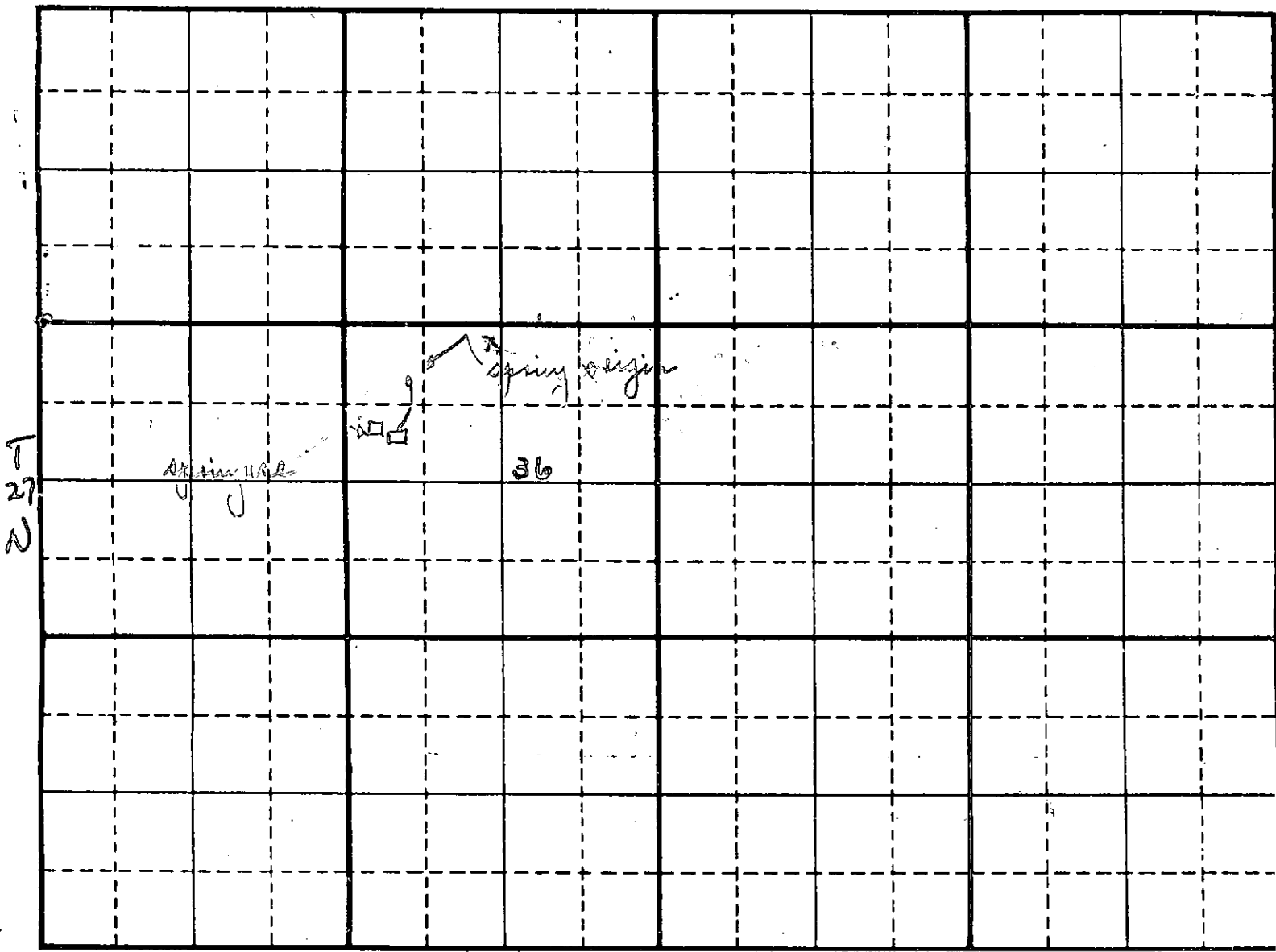
signed to two residences for year round use. Water dig 120
feet of cattle plus 20 head of horses from May 1 to Nov 1 approx
each year. Future development of land for sub division
planned at some point in time.

NOTE: Include here the type and number of stock watered: 120 cows/horses, 20 head horses

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

MICROFILMED

(8) Remarks No diversion from stream at present.



Scale: 2 inches equal 1 mile.

R9E

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 affiant's knowledge.

Donald E. Thomas
(Claimant)

Sworn to before me this 7th day of February, 1983

Frances M. W. Kalmick
Notary Public
Residing at Boise, Idaho

My commission expires 3/30/84

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\$30.00 fee received by JP Date 3/1/83 #27821
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WHEREAS, the actual point of diversion is within the NWNW Sec 36 T 27N R 9 E.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, ID 83720.

Ken Dunn, Director
Published in the Idaho
County Free Press on 12-29
and 1-5-84.

D28J4x

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 28 day of December, 1983,
and the last publication on the 4 day of
January, 1984, 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 4 day
of January, 1984

[Signature], Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECEIVED
JAN 9 1984

Department of Water Resources
Western Regional Office

PUBLIC NOTICES

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

77-4189
THOMAS, HAROLDE.
27 HILL RD., BOISE, ID.
83703

Source: SPRING trib. to BIG MALLARD CREEK;
HARBISON CREEK trib. to BIG MALLARD CREEK;
BIG MALLARD CREEK trib. to SALMON RIVER.
Priority Date: 01/01/1900
Diversion Pt: NENW Sec 36 T 27N R 09E
Use: STOCKWATER (0.05 CFS) DOMESTIC (0.08 CFS)
In: SWNW Sec 36 T 27N R 09E.

78-4278

U.S. DEPT. OF INTERIOR
BUREAU OF LAND
MGMT., COEUR D'ALENE
DIST., 1808 N. THRD,
COEUR D'ALENE, ID 83814
Source: SPRING trib. to
LITTLE ELK CREEK
Priority Date: 01/07/1969
Diversion Pt: NWNE Sec 24
T 22N R 01E
Use: STOCKWATER (0.01
CFS) WILDLIFE (0.01 CFS)
In: NWNE Sec 24 T 22N R
01E.

PUBLIC NOTICES

FOR 154 ACRES.

79-4385

BICANDI, TOM &/or
LORRAINE
P.O. BOX 198, RIGGINS, ID
83549

Source: BEAN CREEK trib.
to RACE CREEK, WEST
FORK

Priority Date: 01/01/1880

Diversion Pt: SENE Sec 32
T 25N R 01E

Use: IRRIGATION (0.40
CFS) STOCKWATER (0.07
CFS)

In: SENE Sec 32 T 25N R 01E
SWNW NWSW Sec 33 T 25N
R 01E FOR 20 ACRES.

79-4386

LAURINO, M.D., JAMES A.
P.O. BOX 85, KEUTER-
VILLE, ID 83538

Source: SPRING trib. to
ROCK CREEK

Priority Date: 01/01/1936

Diversion Pt: SWNE Sec 24
T 30N R 01W

Use: IRRIGATION (0.04
CFS) STOCKWATER (0.04
CFS) DOMESTIC (0.04 CFS)

In: SENE Sec 24 T 30N R

PUBLIC NOTICES

01W FOR 1 ACRES.

79-4387

HITCHCOCK, M.G.
P.O. BOX 431, WHITE
SWAN, WA 98952

Source: SPRING trib. to
CAMP CREEK

Priority Date: 08/29/1950

Diversion Pt: SWSE Sec 31 T
30N R 02W

Use: STOCKWATER (0.10
CFS)

In: SWSE Sec 31 T 30N R
02W.

79-4388

HITCHCOCK, M.G.
P.O. BOX 431, WHITE
SWAN, WA 98952

Source: SPRING trib. to
SINKS

Priority Date: 08/17/1950

Diversion Pt: NESE Sec 05 T
29N R 02W

Use: STOCKWATER (0.10
CFS)

In: NESE Sec 05 T 29N R
02W.

79-4389

HITCHCOCK, M.G.
P.O. BOX 431, WHITE
SWAN, WA 98952

PUBLIC NOTICES

Source: LITTLE SUPHER
CREEK trib. to SNAKE
RIVER

Priority Date: 06/28/1919

Diversion Pt: NENE NWNE
SWNE SENE NESW Sec 02 T

28N R 03W NESE NWSE
SWSE Sec 35 T 29N R 03W

SWSW Sec 36 T 29N R 03W

Use: STOCKWATER (0.20
CFS)

In: NENE NWNE SWNE
SENE NESW Sec 02 T 28N R

03W NESE NWSE SWSE Sec
35 T 29N R 03W SWSW Sec 36

T 29N R 03W.

79-4390

HITCHCOCK, M.G.
P.O. BOX 431, WHITE
SWAN, WA 98952

Source: UNNAMED
STREAM trib. to SNAKE
RIVER

Priority Date: 06/29/1919

Diversion Pt: NESE NWSE
SWSE SESE Sec 02 T 28N R

03W NWNE Sec 11 T 28N R

03W

Use: STOCKWATER (0.20
CFS)

In: NESE NWSE SWSE

PUBLIC NOTICES

SESE Sec 02 T 28N R 03W
NWNE Sec 11 T 28N R 03W.

79-4391

HITCHCOCK, M.G.
P.O. BOX 431, WHITE
SWAN, WA 98952

Source: SPRING trib. to
DIVIDE CREEK

Priority Date: 06/17/1950

Diversion Pt: SWNW Sec 36
T 30N R 03W

Use: STOCKWATER (0.04
CFS)

In: SWNW Sec 36 T 30N R
03W.

79-4392

HITCHCOCK, M.G.
P.O. BOX 431, WHITE
SWAN, WA 98952

Source: UNNAMED
STREAM trib. to DRY
CREEK, LEFT FORK

Priority Date: 05/21/1919

Diversion Pt: SWNW NESW
NWSW SWSW SESW Sec 30 T

29N R 02W NWNE Sec 29 T

29N R 02W NENW NWNW

Sec 31 T 29N R 02W SENE

SWNE Sec 25 T 29N R 03W

Use: STOCKWATER (0.20
CFS)

PUBLIC NOTICES

In: SWNW NESW NWSW
SWSW SESW Sec 30 T 29N R
02W NWNE NENW NWNW
Sec 31 T 29N R 02W SENE
Sec 25 T 29N R 03W.

79-4393

HITCHCOCK, M.G.
P.O. BOX 431, WHITE
SWAN, WA 98952

Source: SPRING trib. to
DOUG CREEK

Priority Date: 06/18/1919

Diversion Pt: SWSW Sec 24 T
29N R 03W

Use: STOCKWATER (0.02
CFS)

In: SWSW Sec 24 T 29N R
03W.

79-4394

HITCHCOCK, M.G.
P.O. BOX 431, WHITE
SWAN, WA 98952

Source: DIVIDE CREEK,
WEST FORK trib. to

DVIDE CREEK

Priority Date: 07/17/1950

Diversion Pt: SWNE SENW
NESW NWSW Sec 03 T 29N R

02W SWNE NESE NWSE

SWSE Sec 04 T 29N R 02W

NWNE SWNE NESW SESW

PUBLIC NOTICES

NWSE Sec 09 T 29N R 02W
Use: STOCKWATER (0.20
CFS)

In: SWNE SENW NESW
NWSW Sec 03 T 29N R 02W

SWNE NESE NWSE SWSE

Sec 04 T 29N R 02W NWNE

SWNE NESW SESW NWSE

Sec 09 T 29N R 02W.

79-4395

HITCHCOCK, M.G.
P.O. BOX 431, WHITE
SWAN WA 98952

Source: BIG SULPHUR trib.
to SNAKE RIVER; BIG

SULPHUR CREEK trib. to
SNAKE RIVER

Priority Date: 06/15/1919

Diversion Pt: NWNE NENW
SENE NESE NWSE SESE

Sec 01 T 28N R 03W NENE

SENE Sec 12 T 28N R 03W

NESW SWSE Sec 36 T 29N R

03W

Use: STOCKWATER (0.20
CFS)

In: NWNE NENW SENW

NESE NWSE SESE Sec 01 T

28N R 03W NENE SENE Sec

12 T 28N R 03W NESW SWSE

Sec 36 T 29N R 03W.

Exceptions to a claim may
be filed with the Director,
Dept. of Water Resources,
Western Region, Stathouse,
Boise, Idaho 83720.

Ken Dunn, Dir.

Published 09/28 & 10/05/83.

S28-05

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 28 day of September, 19 83, and the last publication on the 5 day of October, 1983; 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 6 day of October, 19 83

Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECORDED

DEPARTMENT OF REVENUE
IDAHO

01 WATER RIGHT NUMBER - 77-4189

02 OLD (D) NUMBER -

LAST NAME

03001 - THOMAS

FIRST NAME

04001 - HAROLD E.

ORIG. OWNER

05001 - C

06 ADD LINE 1 - 5727 HILL RD.

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BOISE

10 STATE - ID

11 ZIP - 83703

12 STAGE - S STATUTORY CLAIM

13 STATUS -

SOURCE

14001 - SPRING

14002 - HARBISON CREEK

14003 - BIG MALLARD CREEK

TRIBUTARY OF

15001 - BIG MALLARD CREEK

15002 - BIG MALLARD CREEK

15003 - SALMON RIVER

16 DIVERSION MEANS - PIPE

17 COUNTY - 49 IDAHO

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .130

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----														
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S								
22001 - NWNW	23001 - 36	24001 - 27N	25001 - 09E	26001 -	27001 -									
				28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	

29 NON-IRRIGATION USE - S/140 RANGE, 9/2 HOMES.

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 04 STOCKWATER	31001 - 27N	32001 - 09E	33001 - 36	34001 - SWNW	35001 -	36001 -
						TOTAL ACRES: 0

----- WATER USE -----			
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE
37001 - 0501	38001 - 1101	39001 - 04 STOCKWATER	40001 - 0.050
37002 - 0101	38002 - 1231	39002 - 43 DOMESTIC	40002 - 0.080
			41001 - 0.00
			41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 - SOURCES ARE SPRING & HARBISON CK, TRIB., BIG MALLARD CK.; BIG

44002 - MALLARD CK, TRIB. SALMON R.

44003 - P/U & P/D APPROX. SINCE AREA IS UNSURVEYED.

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47 PRIORITY	- 1-JAN-1900	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROCF DUE	-	56 APPL RECEIVED	-	64 DLE/CAREY ACT	-
49 PROCF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-

WRR100
77-4189

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
15-APR-1986 19:49:42

----- D A T E S ----- D A T E S ----- F L A G S -----

50 APPROVE/DENIED-
51 PROTESTED -
52 HEARING -
53 VERIFIED -
54 LAST UPDATE - 15-APR-1986

58 DECREE -
59 START WORK -
60 ORDER SHOW CAUSE -
61 DATE_1 -
62 DATE_2 -

66 FLAG_2 -
67 FLAG_3 -

VERIFIED AMS

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Grover

Right Number

477-4189

Applicant

Thomas

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. 10/14/83 1/9/84
- ☒ Claim published correctly. Idaho County Free Press
- ☒ Exceptions processed. Grangeville 30/27821
9/28 & 10/5/83
12/29 & 1/5/84

By

DBS

Date

1/16/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

DC

Date

1/18/84

MICROFILMED

RECEIVED
JAN 18 1984

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

December 22, 1983

Idaho County Free Press
Box 267
Grangeville, ID 83530

Re: 77-4189

Dear Legal Department:

Enclosed is a copy of the original notice for the above referenced application and the affidavit of publication received by our office. Note that there is a discrepancy in the two notices.

We are requesting that you publish the enclosed correction notice at your expense.

Upon receipt of an affidavit of publication for the correction notice, we will forward the bill for the first publication to our accounting section.

Your cooperation in this manner is greatly appreciated.

Sincerely,

Judy Pense
Secretary

Enc: Copy of original notice
Copy of affidavit
legal notice

MICROFILMED

ok

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water
Right No. 77-4189 in the name of
Harold E. Thomas was published in error on
 9/28 and 10/5/83.

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within the NENW Sec 36 T 27N R 9E.
WHEREAS, the actual point of diversion
is within the NWNW Sec 36 T 27N R9E.

Exceptions to a claim may be filed with the Director, Dept. of Water
Resources, Western Region, Statehouse, Boise, ID 83720

Ken Durn, Director

Published in the Idaho County Free Press
on 12/29 and 1/5/84.

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

resubmitted on 7/11/83

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 334-2190

March 14, 1983

RECEIVED
JUL 12 1983

Harold E. Thomas
5727 Hill Rd.
Boise, ID 83703

Department of Water Resources
Western Regional Office

Dear Mr. Thomas:

We have received the claims for water rights filed on Crooked, Harbison, and Big Mallard Creek. However, before any processing can be done, additional information and some changes need to be made.

On the claim for water use from Harbison and Big Mallard Creek, the springs used for domestic and their tributaries also need to be added as a source (Item #2). Also, the location of the point of diversion (springs, Item #5) and the places of use (Item #6) need to be designated by 40-acre tract (quarter-quarter), section, township, and range. For your stockwatering use, please note it has been established that a cow drinking directly from a stream does not constitute a water right. The Idaho Code states that a water right must be evidenced by the actual diversion (i.e. pump, pipeline, ditch, trough) of the water. You can include this use on the claim, but it will not be recognized as a water use unless the law is changed in the future. The cubic feet per second amount (Item #3) recommended for 120 cows and calves and 20 head of horses is 0.05 cubic feet per second which is based on 12 gallons per day per head for a 12 month period. Also, on Item 6A, unless the entire ranch is irrigated, the 240 acres need not be listed. If any acreage has been irrigated since 1900, then only the number of acres irrigated needs to be listed in the correct quarter-quarter, section, township and range. Please complete the map on the back of the form showing the location of your diversion and uses. I am enclosing copies of the topographic maps for both of these areas to help you locate your area of use.

The claim for water from Crooked Creek for the subdivision needs to be completed on an application for permit to appropriate the water as it is a proposed use. Claims are filed only on old grandfather use rights. If a new use is to be developed, then an application for permit is filed and this form can be filed after June 30, 1983. However, some portions of the development must begin in the first year and a time period of five

10/10/83

Harold E. Thomas
March 14, 1983
Page 2

years (Maximum) is given for completion. If you do not plan to develop this water for the subdivision in the next five years, then an application for permit can still be filed in the future whenever construction is begun. We are returning your claim along with an application for permit form and instructions. If you are going to develop the Crooked Creek water, then complete the application and return it to us with the appropriate fee (see instruction sheet). We will refund your \$30 filing fee for the claim as soon as possible. If no development is planned soon, then please note this when the claim for your springs is re-submitted with the additional information requested.

If you have any questions, please contact us.

Sincerely,


JAN GROVER
Senior Water Resource Agent

JG:sc

Enclosures

cc: James L. Berlin

7-11-83

Jan - thanks for your kind instructions! Hopefully I have complied with your need for more information.

I do not now plan a subdivision development within 5 years so will hold the Crooked Creek application.

*Thank you,
Harold E. Thomas*

MICROFILMED

March 14, 1983

Harold E. Thomas
5727 Hill Rd.
Boise, ID 83703

Dear Mr. Thomas:

We have received the claims for water rights filed on Crooked, Harbison, and Big Mallard Creek. However, before any processing can be done, additional information and some changes need to be made.

On the claim for water use from Harbison and Big Mallard Creek, the springs used for domestic and their tributaries also need to be added as a source (Item #2). Also, the location of the point of diversion (springs, Item #5) and the places of use (Item #6) need to be designated by 40-acre tract (quarter-quarter), section, township, and range. For your stockwatering use, please note it has been established that a cow drinking directly from a stream does not constitute a water right. The Idaho Code states that a water right must be evidenced by the actual diversion (i.e. pump, pipeline, ditch, trough) of the water. You can include this use on the claim, but it will not be recognized as a water use unless the law is changed in the future. The cubic feet per second amount (Item #3) recommended for 120 cows and calves and 20 head of horses is 0.05 cubic feet per second which is based on 12 gallons per day per head for a 12 month period. Also, on Item 6A, unless the entire ranch is irrigated, the 240 acres need not be listed. If any acreage has been irrigated since 1900, then only the number of acres irrigated needs to be listed in the correct quarter-quarter, section, township and range. Please complete the map on the back of the form showing the location of your diversion and uses. I am enclosing copies of the topographic maps for both of these areas to help you locate your area of use.

The claim for water from Crooked Creek for the subdivision needs to be completed on an application for permit to appropriate the water as it is a proposed use. Claims are filed only on old grandfather use rights. If a new use is to be developed, then an application for permit is filed and this form can be filed after June 30, 1983. However, some portions of the development must begin in the first year and a time period of five

Harold E. Thomas
March 14, 1983
Page 2

years (Maximum) is given for completion. If you do not plan to develop that water for the subdivision in the next five years, then an application for permit can still be filed in the future whenever construction is begun. We are returning your claim along with an application for permit form and instructions. If you are going to develop the Crooked Creek water, then complete the application and return it to us with the appropriate fee (see instruction sheet). We will refund your \$30 filing fee for the claim as soon as possible. If no development is planned soon, then please note this when the claim for your springs is re-submitted with the additional information requested.

If you have any questions, please contact us.

Sincerely,

JAN GROVER
Senior Water Resource Agent

JG:sc

Enclosures

cc: James L. Berlin

RECEIVED
FEB 23 1983
JANUARY 1983
J. L. EBERLE (1890-1964)
T. H. EBERLE (1922-1977)

EBERLE, BERLIN, KADING, TURNBOW & GILLESPIE,
CHARTERED

JAMES L. BERLIN
R. B. KADING, JR.
R. M. TURNBOW
JAMES R. GILLESPIE
WILLIAM J. MCKLVEEN
DALE G. HIGER
WARREN E. JONES
MARK S. GESTON
B. NEWAL SOUYRES, JR.
WILLIAM L. VASCONCELLOS
THOMAS R. LINVILLE
RICHARD A. RILEY
JAMES J. DAVIS
JOE H. UBERUAGA II
T. A. BANDUCCI
MARY S. HOBSON
JOHN MICHAEL BRASSEY
ROBERT L. BERLIN
HOWARD W. CARSMAN
SCOTT D. HESS

ATTORNEYS AND COUNSELORS AT LAW
CAPITOL PARK PLAZA
300 NORTH SIXTH STREET
POST OFFICE BOX 1368
BOISE, IDAHO 83701

February 22, 1983

Idaho Department of Water Resources
Broadbent Business Park
92 South Cole Road
Boise, Idaho 83709

RE: Harold E. Thomas
Claim to Water Rights

Gentlemen:

On behalf of our client, Harold E. Thomas, we are enclosing herewith two Claims to a Water Right, both for property in Idaho County.

We are also enclosing herewith our check in the sum of \$60.00 for filing fees.

If you have any questions concerning the claims, or if additional information is needed, please feel free to contact me.

Very truly yours,

JAMES L. BERLIN

JLB:fm
Encls.

MICROFILMED

ZZ-4189

THOMAS, HAROLD E.

5727 HILL RD., BOISE, ID 83703

Source: SPRING trib. to BIG MALLARD CREEK
HARBISON CREEK trib. to BIG MALLARD CREEK
BIG MALLARD CREEK trib. to SALMON RIVER

Priority Date: 01/01/1900

Diversion Pt: NENW Sec 36 T 27N R 09E

Use: STOCKWATER (0.05 CFS)
DOMESTIC (0.08 CFS)

In: SWNW Sec 36 T 27N R 09E

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

OCTOBER 12, 1983

HAROLD E. THOMAS
5727 HILL RD.
BOISE

ID 83703

RE: Claim No. 77-4189

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,

DAVID B. SHAW
Western Region Supervisor

Enclosure

RECORDED

