

- (8) Remarks Record of past and present use is on file with the USDA Forest Service, Red River Ranger Station, Elk City, Idaho 83525, because the spring box, reservoir, and pipeline are on or cross Forrest Service land requiring a Special Use Permit.

T26N R8E

34

34

X-P/D & P/U

34

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 affiant's knowledge.

Sworn to before me this 10 day of April, 1988 at St. Mary Josephine Maltzen
(Claimant)

X Mary Josephine Maltzen
(Claimant)
1980
Betty J. Maltzen
Notary Public
Residing at Elk City, Id.

My commission expires Mar 01-1983

4-17-80

FOR DEPARTMENT USE ONLY

Received by Am Date 4/1/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JK Date 4/14/80 claimant by: _____
\$20.00 fee received by JK Date 4/14/80
Published in ID COUNTY FREE PRESS _____
Dates 6/4 & 11/80 _____

AFFIDAVIT OF PUBLICATION

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:

77-4060

MOLTZEN, MARY
JOSEPHINE
RED RIVER RANGER
STATION, ELK CITY, ID
83525

Source: SPRING tributary
to CROOKED CREEK

Priority Date: 06/27/1969

Amount 0.04 CFS

Diversion Point: SWSW Sec
34 T 26N R 08E, IDAHO Co.

Use: DOMESTIC (0.04 CFS)
from 01/01 to 12/31

Place of Use: SWSW Sec 34 T
26N R 08E

Diversion Means: SPRING
BOX, RESERVOIR AND
PIPELINE.

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 83709.

C. STEPHEN ALLRED

Director

Published 6/4 & 6/11/80.

Jn4-11

*b.k.
HMF*

Robert Stolley

being first duly

sworn, says he is the Publisher

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 4th day of June, 1980,
and the last publication on the 11th day of
June, 1980; 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.

Robert Stolley

Subscribed and sworn to before me this 11 day
of June, 1980.

Marilyn J. Stalley

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

RECEIVED
JUN 11 1980

Idaho Department of Water Resources
Regional Office

MILBURN LIMITED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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 Mary Josephine Moltzen

(Name of Claimant)

Red River Ranger Station, Elk City, Idaho 83525 Telephone No. 842-2255 (work)

(Mailing Address)

(Zip Code)

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) June 27, 1969

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)
Unnamed Spring tributary to Crooked Creek

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.04</u>	Use	<u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.04 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ Sec. 34 Twp. 26N Rge. 8E 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. Describe any changes in the system and give the date of the change. Spring box 2' x 3' x 1', reservoir 35 gal., plastic pipeline 1" x 232'.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
26N	8E	34											X						

No. of acres

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

NOTE: Include here the type and number of stock watered:

If you are claiming water as a member of an organization, list name of organization:

APR 17 1980

MICROFILM

AFFIDAVIT OF PUBLICATION

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:

77-4060

MOLTZEN, MARY
JOSEPHINE
RED RIVER RANGER
STATION, ELK CITY, ID
83525

Source: SPRING tributary
to CROOKED CREEK

Priority Date: 06/27/1969

Amount 0.04 CFS

Diversion Point: SWSW Sec
34 T 26N R 08E, IDAHO Co.

Use: DOMESTIC (0.04 CFS)
from 01/01 to 12/31

Place of Use: SWSW Sec 34 T
26N R 08E

Diversion Means: SPRING
BOX, RESERVOIR AND
PIPELINE.

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 83709.

C. STEPHEN ALLRED
Director

Published 6/4 & 6/11/80.

Jn4-11

O.K.
HWH

..... Robert Stolley being first duly

sworn, says he is the Publisher

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 4th day of June 19~~7~~ 80,

and the last publication on the 11th day of

..... June 19~~7~~ 80; 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.

Robert Stolley

Subscribed and sworn to before me this 11 day

of June 19~~7~~ 80.

Marilyn J. Stolley

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

RECEIVED

RECEIVED

JUN 16 1980

Department of Water Resources
Western Regional Office

01 WATER RIGHT NUMBER - 77-4060

02 OLD (O) NUMBER -

03001 - MOLTZEN ✓ LAST NAME

04001 - MARY JOSEPHINE ✓ FIRST NAME

05001 - C ✓ ORIG. OWNER

06 ADD LINE 1 - RED RIVER RANGER STATION ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - ELK CITY ✓

10 STATE - ID ✓ 11 ZIP - 83525 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

14001 - SPRING ✓ SOURCE

15001 - CROOKED CREEK ✓ TRIBUTARY OF

16 DIVERSION MEANS - SPRING BOX, RESERVOIR AND PIPELINE.

17 COUNTY - 49 IDAHO ✓

18 DIVERSION CAPACITY - .000 ✓

19 TOTAL DIVERSION RATE - .040 ✓

20 TOTAL DIVERSION VOLUME - .00 ✓

21 WATER DISTRICT -

----- DIVERSION POINTS -----												
TRACT	SEC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS				
22001 - SWSW ✓	23001 - 34 ✓	24001 - 26N ✓	25001 - 08E ✓	26001 -	27001 -							
			28001 - 0	272.0	92.0	158.0	21.0	0.0	0.0	0.0	0	0.1

29 NON-IRRIGATION USE -

----- PLACE OF USE -----							
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT	
30001 - 43 DOMESTIC ✓	31001 - 26N ✓	32001 - 08E ✓	33001 - 34 ✓	34001 - SWSW ✓	35001 -	36001 -	
							TOTAL ACRES: 0 ✓

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101 ✓	38001 - 1231 ✓	39001 - 43 DOMESTIC ✓	40001 - 0.040 ✓	41001 - 0.00 ✓

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 - REMARKS

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	- 27-JUN-1969 ✓		55 LICENSE	-		63 TRANSFER/AMENDED	-	
48 PROOF DUE	-		56 APPL RECEIVED	-		64 DLE/CAREY ACT	-	
49 PROOF MADE	-		57 FIELD EXAM MADE	-		65 FLAG_1	-	
50 APPROVE/DENIED	-		58 DECREE	-		66 FLAG_2	-	
51 PROTESTED	-		59 START WORK	-		67 FLAG_3	-	
52 HEARING	-		60 ORDER SHOW CAUSE	-				
53 VERIFIED	-		61 DATE_1	-				
54 LAST UPDATE	- 13-NOV-1981		62 DATE_2	-				

IDENT. NO. 77-4060

WATER RIGHT
DATA ENTRY LOG[illegible]

STATE IDAHO
Department of Water Resources

16924

Boise, Idaho, Apr 14, 1980

RECEIVED
FROM

M. S. Moltzen

of E/K City

20.00

Twenty and 00/100

DOLLARS

FOR

1 claim

\$ 20 00

\$

\$

\$

TOTAL - - - \$ 20 00

J Ky

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

77-4069

LOOKS LIKE PLACED
IN WRONG BASIN
ASSIGN NEW
NUMBER

INITIAL REVIEW BY: Tom W. / CWB

Right Number _____

Applicant

82-4015 MOLTZEN
77

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.

DOES NOT NEED
TO BE RE-ADVERTISED.
CWB

FINAL REGIONAL PROCESSING REVIEW: yes

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed. not

By DBS

Date 6/23/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maurice

Date 6/25/80

RECEIVED

ZZ-4060-

MOLTZEN, MARY JOSEPHINE

RED RIVER RANGER STATION, ELK CITY, ID 83525

Source: SPRING tributary to CROOKED CREEK

Priority Date: 06/27/1969

Amount: 0.04 CFS

Diversion Point: SWSW Sec 34 T 26N R 08E, IDAHO Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SWSW Sec 34 T 26N R 08E

Diversion Means: SPRING BOX, RESERVOIR AND PIPELINE.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JUNE 24, 1980

MARY JOSEPHINE MOLTZEN
RED RIVER RANGER STATION
ELK CITY ID 83525

RE: Claim No. 77-4060

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

RECEIVED
JUN 25 1980