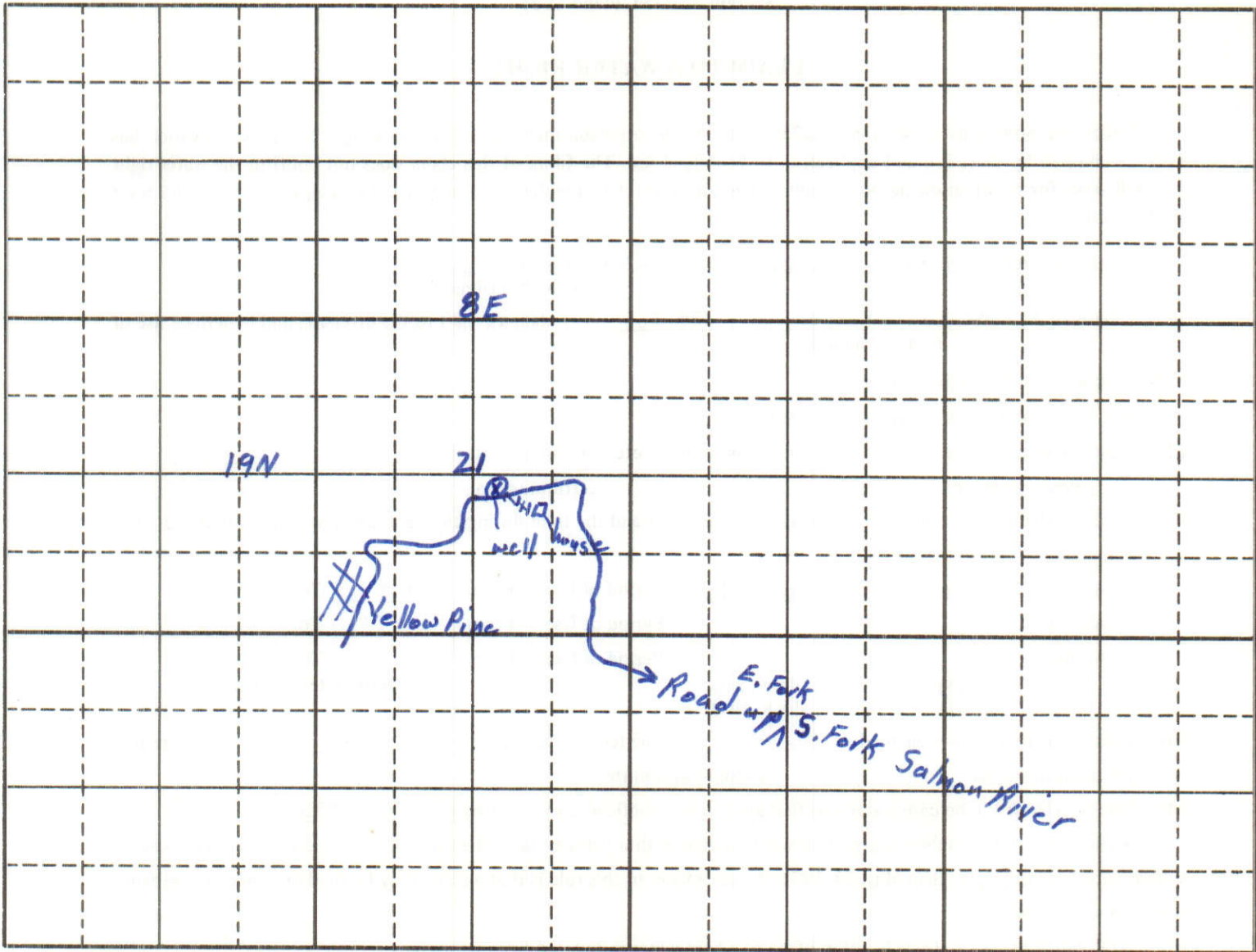


(8) Remarks _____



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 20 day of May, 19 76

J. H. Daniels
(Claimant)

Rita Bendele
Notary Public

Residing at Boise, Id

My commission expires March 8, 1980

For Department Use Only

Received by <u>GLS</u>	Date <u>5/20/76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>5/20/76</u>		claimant by:	
\$10.00 fee received by <u>GLS RB</u>	Date <u>5/20/76</u>	3793		
Approved for publication by <u>CS - 5-20-76 RB 6-11-76</u>				
Published in <u>Weiser Signal</u>				
Dates <u>May 27, 1976 + June 3, 1976</u>				

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

) ss.

County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for ^{two} consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began ^{May 27} June 3, 1976, and ended

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this ²⁷ day of ^{May} 1976, Notary Public.

My commission expires ^{July 2, 1977} July 2, 1977

RECEIVED

JUN 1 1976

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT

No. 77-4027

Notice is hereby given that J. H. DANIELS & or LOUISE DANIELS Weiser, ID. has filed a claim to a water right established by diversion and application to beneficial use of 0.045 cubic feet per second from a groundwater source with the point of diversion in the NW 1/4 SE 1/4 Sec 21 T19N-R8E B.M., Valley County.

The water is claimed to be used from Jan 1 to Dec 31 for domestic purposes with a priority of August 20, 1975 the place of use is within the NW 1/4 SE 1/4 Sec 21 T19N-R8E 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 Star News, McCall, ID on May 27, 1976 and June 3, 1976.

OK
6-11-76
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 J. H. Daniels &/or Louise Daniels
(name of claimant)
of Route 1, Box 327 Weiser, ID 83672, 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>0.045</u> | Use | <u>Domestic</u> | Period of Use: | From | <u>1-1</u> | To | <u>12-31</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: 0.045 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) August 20, 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)
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21 Twp. 19N Rge. 8E B. M. County of Valley
 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. _____

- (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.

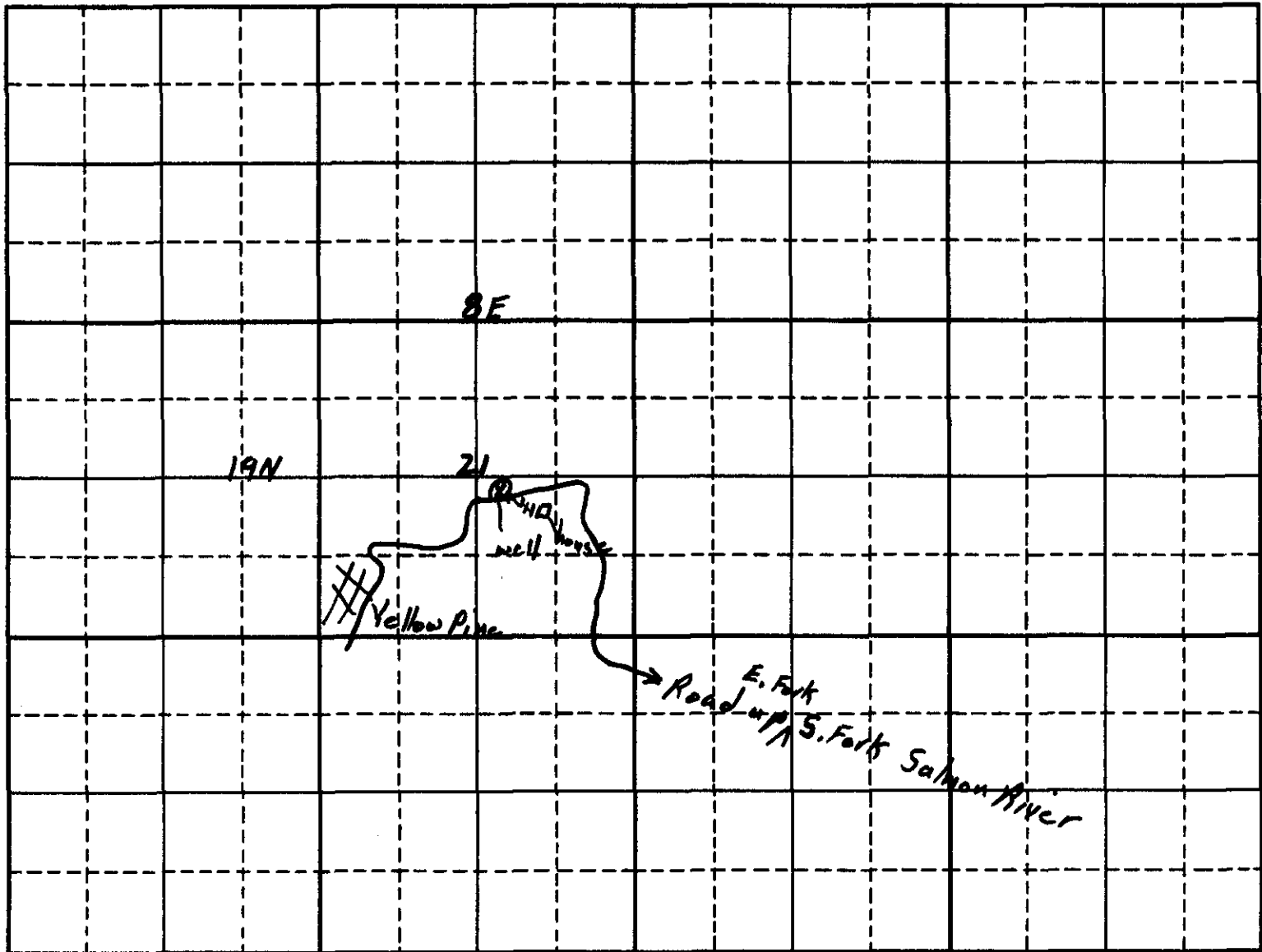
[illegible]

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
Domestic for one home with lawn & garden

- (7) 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 20 day of May, 19 76

J. H. Daniels
(Claimant)
Pete Bendure
Notary Public
Residing at Boise, Id

My commission expires March 8, 1980

For Department Use Only

Received by <u>GLS</u>	Date <u>5/20/76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>5/20/76</u>		claimant by:	
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STATE OF IDAHO)
) ss.
County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for ^{two} consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement, and that publication of such notice began ^{May 27} ~~May 27~~, 19⁷⁶, and ended ~~June 3~~ ^{June 3}, 19⁷⁶.

)
Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this Thirteenth day of July, 19⁷⁷.
My commission expires July 20, 19⁷⁷.

Donald E. McMahan

Department of Water Resources



OK
6-11-76
RB

file 77-4027

May 17, 1983

Mr. J. H. Daniels
Rt. 1, Box 327
Weiser, ID 83672

Dear Mr. Daniels:

I researched our records for water rights on file with this department located in the legal description you itemized in your letter of May 4, 1983.

I could not conduct research for water rights in the Abstein Subdivision you described as item No. (1) in Valley County as Tract 3, Part Block 4. Legal descriptions can only be researched by a 40-acre tract, section, township and range. No recorded right was found in the name of the subdivision, or Yellow Pine Hillside Addition itemized No. (3).

In the legal descriptions you itemized No. (2) as the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 21, Twp. 19 (N.), Rge. 8 (E.), our records show claim No. 77-4056 for a multiple domestic water system from Boulder Creek for 100 units in the name of Yellow Pine Water Users Association. Place of use on this claim also identifies the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, Twp. 19 (N.), Rge. 8 (E.) as well as claim 77-4027 for domestic use from a well in the name of J. H. Daniels &/or Louise Daniels.

I might add that Yellow Pine Water Users Association also have permits 77-7086 for domestic use and 77-7138 for municipal use within townships of Yellow Pine.

In Washington County, item No. (1), identifying Sec. 31, Twp. 11 (N.), Rge. 5 (W.), our records show claim No. 67-4047 in your name for domestic use and stockwater from four unnamed springs.

I did not come up with any additional water rights since our telephone conversation. As discussed, if you wish to send me additional information, I will conduct further research.

J. H. Daniels
May 17, 1983
Page 2

Enclosed are copies of claims 77-4027 and 67-4047 for your review and information. Also enclosed is a copy of your letter and our leaflet entitled "Keep Your WaterTM". If you wish to keep the copies of the water rights, please remit \$1.00 to this office.

Sincerely,

ROBERTA GARRETT
Records Supervisor

RG:sc

Enclosures

J. H. & Louise Daniels
Route 1, Box 327
Weiser, ID 83672

5/4/83



MAY 4 1983

Domeliners

CITY OF LOS ANGELES CITY OF DENVER
CITY OF PORTLAND CITY OF ST. LOUIS
CITY OF SAN FRANCISCO

Greetings:

We would like to have
you check on our ^{water} filings
for the following properties to
make sure they are secure.

Valley County

① Abstein Subdivision Tract 3
Part Block 4

77-4053
77-4056
② Tax #48 in SE NW-521 T19 R8

③ Yellow Pine Hillside Addition
Tax #36 E2, Lot 1, Block 1

④ Tax. #39 in NWSE, S 21 T19 R8

17-4029
17-4056

Washington County

① TN-7 S 31 T 11 R 5
2 acres

69-4047

Please advise as soon
as possible.

Sincerely,
J. H. Daniels

Phone 549-2601

RECORDED

J. H. Daniels
Route - 1
Weiser, Idaho 83672



Box 327

MIL

State of Ida. Dept. Water Resources
450 W. State
Boise, Idaho

ACT
ION

N OWNER LAST NAME - DANIELS
N OWNER LAST NAME - DANIELS
N ADDRESS LINE 1 - RT. 1 BOX 327

FIRST NAME - J. H.
FIRST NAME - LOUISE

N
N SOURCE - GROUNDWATER

CITY - WEISER

STATE - ID ZIP CODE - 83672

N STAGE - STAIRY CLM

PRIORITY - 08-20-1975 COUNTY - VALLEY

TOTAL DIV. RATE - .0500CFS

N DIVERSION POINT - NWSE 21 19N 08E

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

USE DIV. RATE - .0500CFS

N USE - DOMESTIC

PLACE OF USE - 1WN 19N RNG 08E SEC 21 TRACT NWSE

3/79

IDENT. NO. 77-4027

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.

Old No.

New No.

1 77-4027

Record

1. Original Owner:

J. H. & Louise Daniels

Present Owner:

2. Address:

Rt. 1 Box 327

3. City:

Weiser

State: ID

Zip: 83672

4. A. Source of Water:

gw

B. Tributary of:

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

J

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

C. Priority Date: 8-20-1975

D. County: 85

E. Total Diversion Rate: .05

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):

6. A. Point of Diversion

Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
NW SE	21	19N	8E		

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

from 1-1 to 12-31 for 10 purposes. Amount .05
(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

8. Use Code: *10* *92879*

[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. 77-4027

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
N/A Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) 6LS 5/20/76

In form to receipt

(2) 6LS 5/20/76

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) 6LS 5/20/76

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) RB OK

Affidavit of Publication received(date) 6-11-76

(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 WJL

Date 6-11-76



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

June 15, 1976

Re: Claim to a Water Right No. 77-4027

J. H. &/or Louise Daniels
Route 1, Box 327
Weiser, ID 83672

Dear Mr. & Mrs. Daniels:

The Department of Water Resources has completed the processing 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.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

L. GLEN SAXTON, P.E.
Western District Engineer

LGS:

Enclosure



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

May 20, 1976

The Star News
Box 985
McCall, Idaho 83638

RE: Claim to a Water Right No. 77-4027, J. H. Daniels &/or Louise Daniels

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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)

Sincerely,

Bill submitted
6-11-76
RB

NOTICE OF CLAIM TO A WATER RIGHT

No. 77-4027

Notice is hereby given that L. H. DANIELS &/or LOUISE DANIELS

~~Weiser, ID~~

has filed a claim to a water right established by diversion and application to beneficial use of 0.045 cubic feet per second ~~apex feet of water~~ from ~~a groundwater source~~

with the point of diversion in the NW 1/4 Sec 21 T19N-R8E B.M., Valley
County

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

with a priority of August 20, 1976 ;

the place of use is within the NW-SE 1/4 Sec 21 T19N-R8E E.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 The Star News., McCall, ID
on May 27, 1976 and June 3, 1976