

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-publisher 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 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 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 19....., and ended 19.....

Donald E. McMahan
Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 30 day of March, 1972
Donald E. McMahan Notary Public.
My commission expires 6-2-79

NOTICE OF CLAIM
TO A WATER RIGHT
No. 77-4009

Notice is hereby given that Ray & Gwendolyn T. Larson P.O. Box 3071, Boise, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from Government Creek, tributary to Logan Creek with point of diversion in the SW 1/4 NW 1/4, Sec. 35, T. 21N, R. 9E, B.M. Valley County.

The water is claimed to be used from May 1 to Dec. 1 for domestic purposes with a priority of July 6, 1961 the place of use is within Plot No. 2 in SE 1/4 NW 1/4, Sec. 35, T. 21N, R. 9E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director
Published in the Star-News on March 23 and March 30, 1972.

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Identification No. 77-4009
Claim No. _____
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant RAY & GWENDOLYN T. LARSON
post office address Post Office Box #3071 Boise, Idaho 83703

2. The point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 35 Township 21 N
Range 9 E B.M. located on Government Creek
(name of source)
tributary to Logan Creek in Valley County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

July 6, 1961 amount: 0.03 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.03 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use domestic period of use from May 1 to Dec. 1 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____
2" plastic pipe laid into stream diverts water into the cabin

b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

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Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

5. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served one name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation place of use plot #2 in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 21 N, R. 9 E, Valley County _____

use is for domestic use of one cabin called Rock Pine Cabin _____

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

1

day of

March

1972

Ralph Karson, Guendolyn T. Larson
Claimant

Donald J. McElroy
Notary Public

Residing at

Dorie Idaho

My commission expires

2-18-1974

For Department Use Only

Received by AB Date 3-1-72

Exception filed by:

Forwarded to claimant by:

Date

Prelim. check by AB Date 3-1-72

Fee received by AB Date 3-1-72 Fee \$ 4000

#811

Approved for publication by _____

Published in Star News, McCall Dates 3-16 & 3-23-72

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INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
	Total claimed:		1.2 c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

PUBLISHER'S AFFIDAVIT

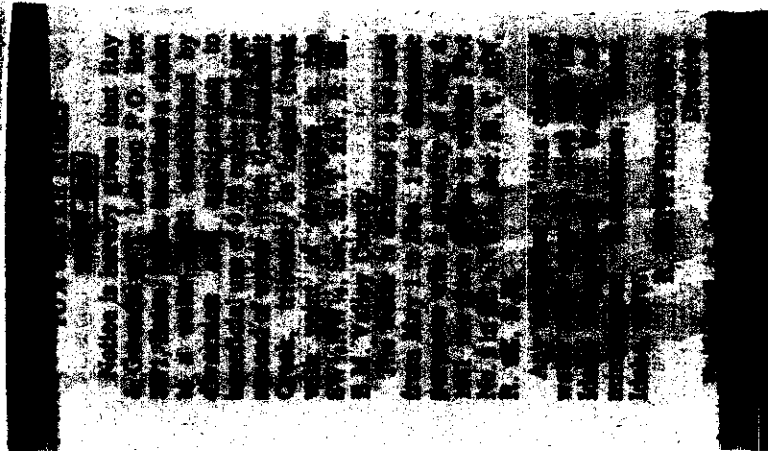
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Donald E. McMahan

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this day of 19.....

Donald E. McMahan
Notary Public.
My commission expires 19.....



April 17, 1972

Re: Claim to a Water Right No. 77-4009

Ray & Gwendolyn T. Larson
P. O. Box 3071
Boise, Idaho 83703

Dear Mr. & Mrs. Larson::

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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 your 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 can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:bb

Enclosure: Copy of Claim

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March 10, 1972

Re: Claim Nos. 77-4007, 77-4008, 77-4009, 77-4010
Application No. 65-7261 - Fred A. Lang

The Star News
Box 985
McCall, Idaho 83638

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 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)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE/BL
Enc: legal notice

Bill submitted 4-5-72. cl

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with point of diversion in the SW1/4, Sec. 35, T. 21N, R. 9E, B.M.,
Valley County.

The water is claimed to be used from May 1 to Dec. 1 for domestic
purposes
with a priority of July 6, 1961;
the place of use is within ~~the~~ Plot #2 in SE1/4, Sec. 35, T. 21N, R. 9E,
B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707,
~~xxxxxxxxxxxx~~.

R. KEITH HIGGINSON

Director

Published in the Star News, McCall, Idaho
on March 16th and March 23rd, 1972.

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