

(8) Remarks This spring was developed years ago for Domestic purposes as evident by old pipelines & structures found when improving old developments.

place of use
place of use
Point of Diversion
pipeline
28

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 Washington) 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.

Howard Sutton
(Claimant)

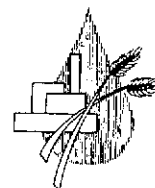
Sworn to before me this 16th day of June, 19 83.

Marion H. Sutton
Notary Public Marion H. Sutton
Residing at Midvale, Idaho 83645

My commission expires October 2, 1983

FOR DEPARTMENT USE ONLY

Received by HW Date 6/27/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JP Date 11-22-83 _____ claimant by: _____
\$30.00 fee received by JP Date 6/28/83 31195
Published in Upper County News Reporter
Dates 1/20 & 2/2/84

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

Howard Sutton

(Name of Claimant)

Rt Box 27 Midvale, ID

(Mailing Address)

83645

(Zip Code)

Telephone No. 355-2450

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) 1935

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 & Stream

tributary to Weiser River

- (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, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity <u>.02 cfs</u>	Use <u>stock water</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) .06 cfs TOTAL QUANTITY USED.
(cfs, af)

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

NW 1/4 NE 1/4, Sec. 28 Twp. 13N Rge. 3 W B.M., County of Washington

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. Small Dam & Spring Box 1100 ft of 1 1/4 pipe.

- (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	
13W	3W	28		X			X												1/2 ac
				1/2															

No. of acres 1/2 ac

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock water & Domestic use for home lawn & Garden

NOTE: Include here the type and number of stock watered: 10 Horses 400 cattle

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

(8) Remarks This spring was developed years ago for Domestic purposes as evident by old pipelines & structures found when improving old developments.

Map grid showing 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.

Labels on map: place of use, Point of Diversion, pipeline, 28

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 Washington) 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.

Howard Sutton

(Claimant)

Sworn to before me this 16th day of June

, 19 83.

Marion H. Sutton
Notary Public Marion H. Sutton
Residing at Midvale, Idaho 83645

My commission expires October 2, 1983

FOR DEPARTMENT USE ONLY

Received by NW Date 6/27/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by 36 Date 11-22-83 # _____ claimant by: _____
\$30.00 fee received by 1P Date 6/28/83 31195
Published in Idaho County News Reporter
Dates 1/26 '84 2/2/84

Public Notices

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been
filed on water rights created by
diversion and beneficial use:

67-4532

DILLON, ROBERT D. &/or
PAULINE
P.O. Box 153, CAMBRIDGE, ID
83610
Source: WEISER RIVER Trib. to
SNAKE RIVER
Priority Date: 7/1/1963
Diversion Pt: NENW Sec 11 T
14N R 3W
Use: IRRIGATION (0.30 CFS)
In: NENW Sec 11 T 14N R 3W
FOR 15 ACRES

67-4533

SUTTON, HOWARD
RT. BOX 27, MIDVALE, ID 83645
Source: SPRING Trib. to
WEISER RIVER, UNNAMED
STREAM Trib. to WEISER
RIVER
Priority Date: 1/1/1935
Diversion Pt: NWNE Sec 28 T
13N R 3W
Use: STOCKWATER (0.02 CFS)
Domestic (0.04 CFS)
In: NWNE NENW Sec 28 T 13N R
3W

67-4541

WESTBROOK, WILLIAM W.
RT. 1 BOX 82, CAMBRIDGE, ID
83610
Source: COW CREEK Trib. to
WEISER RIVER
Priority Date: 9/1/1956
Diversion Pt: SESE Sec 26 T 16N
R 3W
Use: IRRIGATION (0.36 CFS),
STOCKWATER (0.04 CFS),
DOMESTIC (0.04 CFS)
In: SESE Sec 26 T 16N R 3W FOR
18 ACRES

67-4542

WIGGINS, KERMIT L.
P.O. BOX 86, CAMBRIDGE, ID
83610
Source: RUSH CREEK Trib. to
WEISER RIVER
Priority Date: 4/15/1873
Diversion Pt: SESW Sec 3 T 15N
R 3W
Use: IRRIGATION (1.80 CFS)
In: NESW NWSE Sec. 10T 15N R
3W FOR 60 ACRES

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

KEN DUNN, Dir.
Published 1/26 & 2/2/84.

Affidavit of Publication:

STATE OF IDAHO }
County of Washington } ss.

Stuart Dopf, being duly sworn deposes
and says he is the publisher of the Upper
Country News-Reporter, a weekly newspaper
published at Cambridge, in the County of
Washington, State of Idaho; that said news-
paper is in general circulation in the county
of aforesaid and is a legal newspaper; that the
annexed, a printed copy of which is attached
hereto and made a part hereof, was published

in said newspaper once a week for 2
consecutive weeks in the regular and entire
issue of every number thereof during the
period of time of publication, and was pub-
lished in the newspaper proper and not in a
supplement; and that publication of such
notice began Jan. 26, 1984
and ended Feb. 2, 1984

Stuart Dopf

Subscribed and sworn to before me

this 3rd day of
February, 1984

B. J. Soules

Notary Public in and for the State
of Idaho, residing at Cambridge,
Idaho 83610.

RECORDED

WRR100
67-4533

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 11:50:12

01 WATER RIGHT NUMBER - 67-4533

02 OLD (D) NUMBER -

03001 - SUTTON ✓ LAST NAME

04001 - HOWARD ✓ FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - RT. BOX 27 ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - MIDVALE ✓

10 STATE - ID 11 ZIP - 83645

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - SPRING ✓
14002 - UNNAMED STREAM ✓

TRIBUTARY OF
15001 - WEISER RIVER ✓
15002 - WEISER RIVER ✓

16 DIVERSION MEANS - DAM, SPRING BOX & PIPE ✓

17 COUNTY - 87 WASHINGTON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .060 ✓

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 - NWNE	23001 - 28	24001 - 13N	25001 - 03W	26001 - 27001 -									
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0.0

29 NON-IRRIGATION USE - S/410 RANGE ✓

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 04 STOCKWATER ✓	31001 - 13N ✓	32001 - 03W ✓	33001 - 28 ✓	34001 - NWNE ✓	35001 -	36001 -
30002 - 04 STOCKWATER ✓	31002 - 13N ✓	32002 - 03W ✓	33002 - 28 ✓	34002 - NENW ✓	35002 -	36002 -
TOTAL ACRES: 0						

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101	38001 - 1231 ✓	39001 - 04 STOCKWATER ✓	40001 - 0.020 ✓	41001 - 0.00
37002 - 0101	38002 - 1231 ✓	39002 - 43 DOMESTIC ✓	40002 - 0.040 ✓	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS *[Signature]*
44001 -

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-1935 ✓	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	-

WRR100
67-4533

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 11:50:12

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

52 HEARING -
53 VERIFIED -
54 LAST UPDATE - 17-JAN-1984

60 ORDER SHOW CAUSE -
61 DATE-1 -
62 DATE-2 -

12/10/85
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Right Number

Jan Hoover
67-4533

Applicant

Sutton

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. 2/11/84
- ☒ Claim published correctly. Upper County News Reporter
- ☒ Exceptions processed. 30/31195 Vol 6 2/2/84

By

OBS

Date

2/14/84

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

PC

Date

2/22/84

RECEIVED

RECEIVED
FEB 22 1984

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

FEBRUARY 15, 1984

HOWARD SUTTON
RT. BOX 27
MIDVALE

ID 83645

RE: Claim No. 67-4533

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.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

Enclosure

RECORDED
INDEXED

62-4533-

SUTTON, HOWARD

RT. BOX 27, MIDVALE, ID 83645

Source: SPRING trib. to WEISER RIVER
UNNAMED STREAM trib. to WEISER RIVER

Priority Date: 01/01/1935

Diversion Pt: NWNE Sec 28 T 13N R 03W

Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)

In: NWNE NENW Sec 28 T 13N R 03W

MICROFILMED

