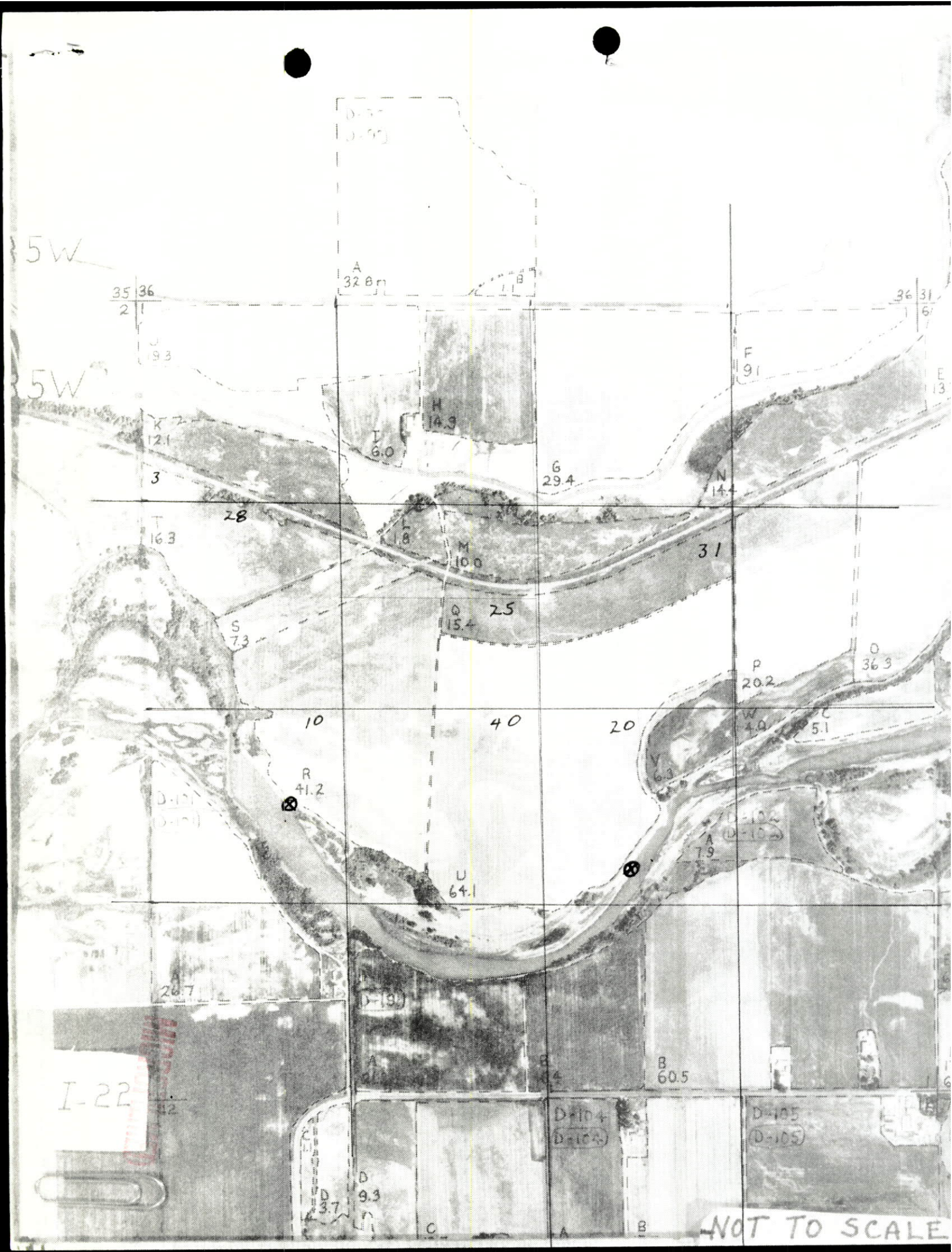
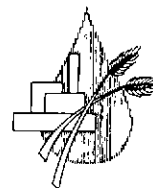




NOT TO SCALE

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

Milton Kerner

(Name of Claimant)

Attn: Box 248 Weiser Id. 83672
(Mailing Address)

Id. 83672
(Zip Code)

Telephone No. 549-2795

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) 1965

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)

Weiser River

tributary to

Snake 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.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>3.13</u>	Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</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) 3.13 TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 1 Twp. 10N Rge. 5W B.M., County of Washington
Additional points of diversion: NWSE Sec 1 T10N R5W

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.
portable pump and sprinkler system

- (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	
10N	5W	1			31			3	28	25	40	10			20				157

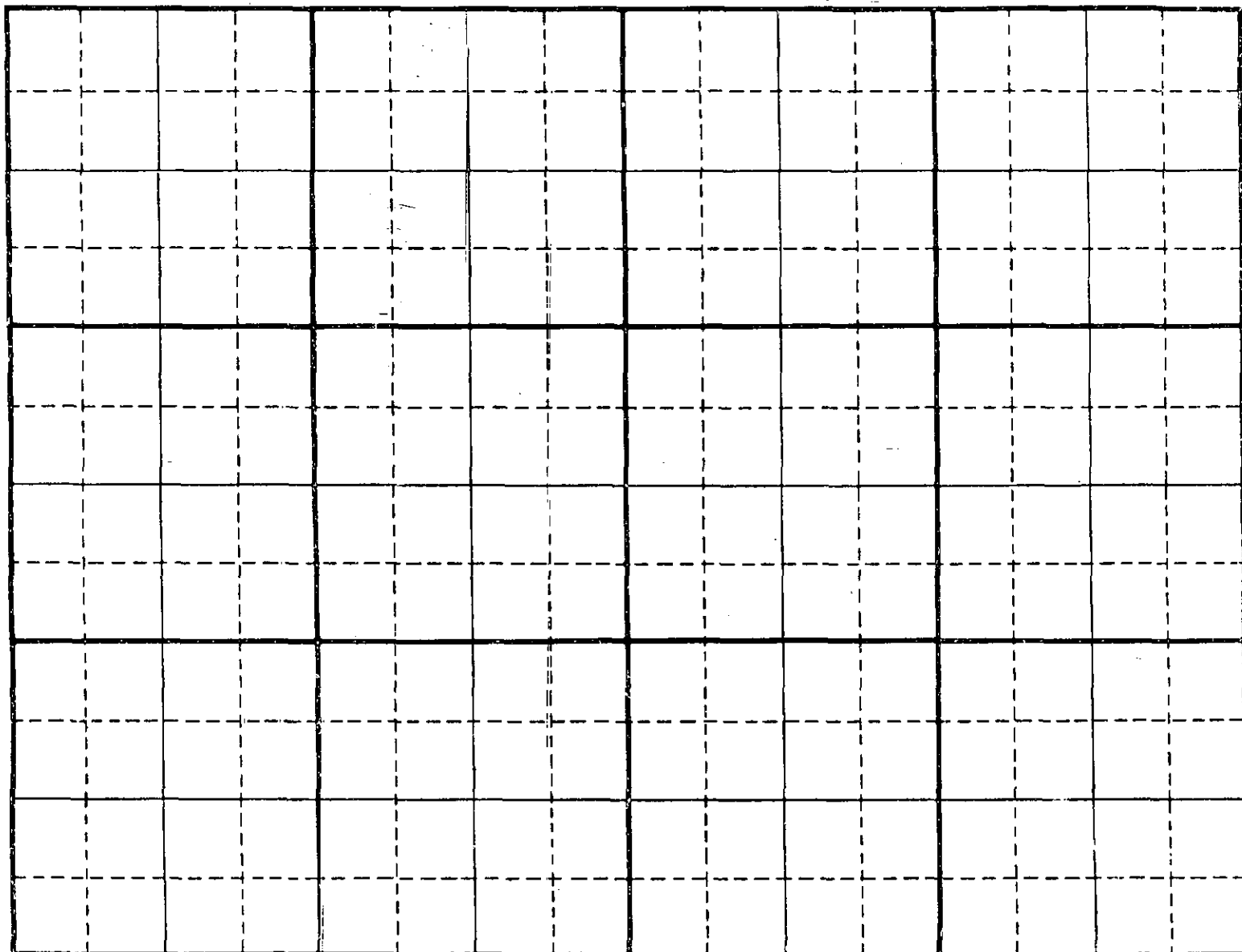
No. of acres 157

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

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

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

(8) Remarks _____

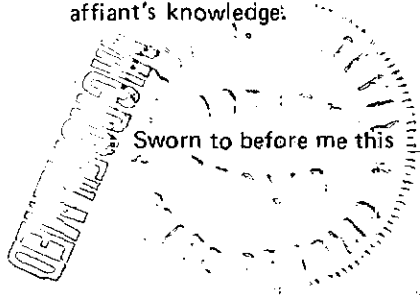


Scale: 2 inches equal 1 mile.

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 affiant's knowledge.



Sworn to before me this 11 day of January, 1983.

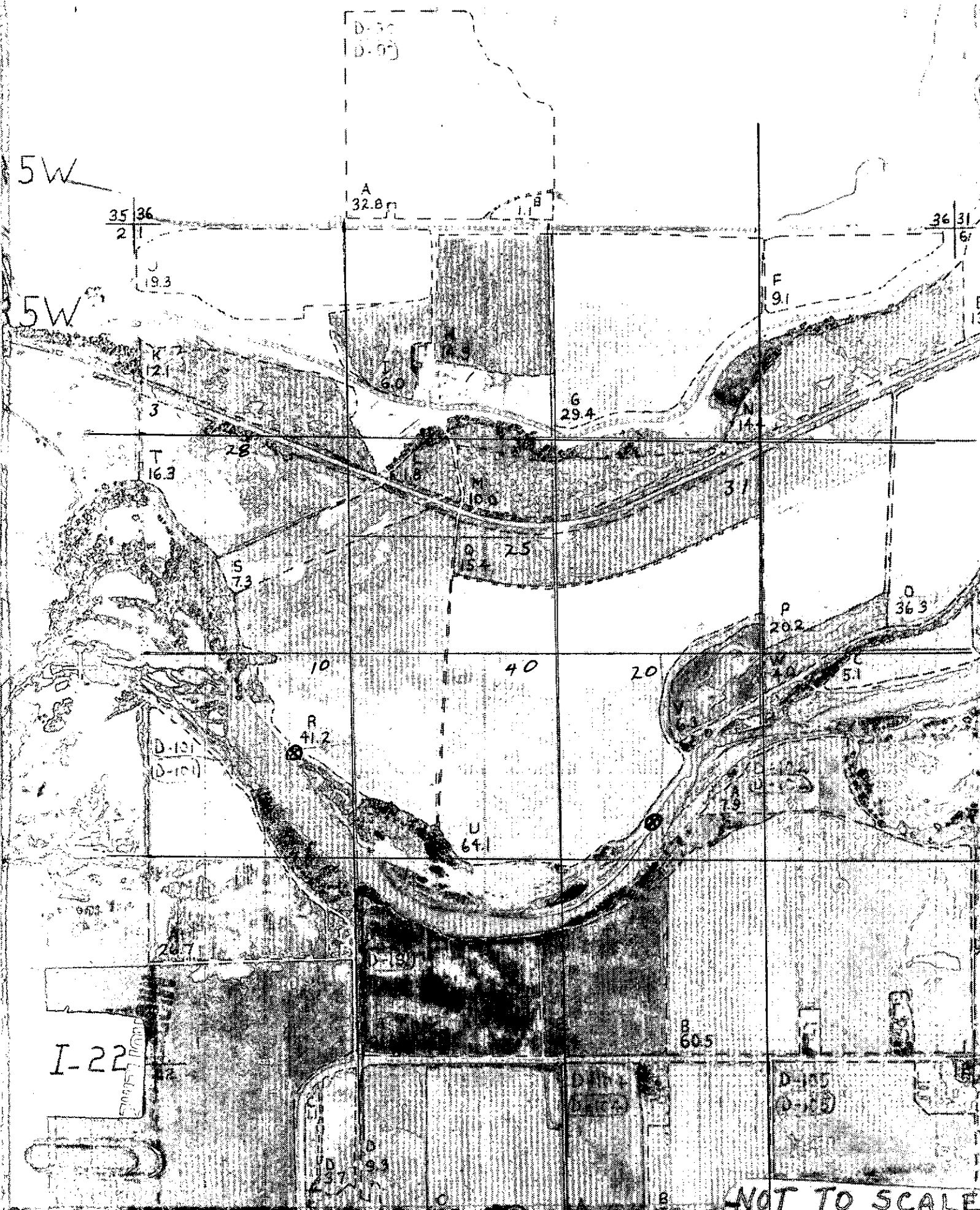
Milton Kerner
(Claimant)

Nancy M. Mathway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>GHS</u>	Date <u>1/11/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JS</u>	Date <u>1/12/83</u>		claimant by:	
\$30.00 fee received by <u>GHS</u>	Date <u>1/11/83</u>	# <u>23109</u>		
Published in <u>the Issuer Signal</u>				
Dates <u>1/27/83</u> <u>4/3/83</u>				



No 772

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Washington }

Dorothy A. Boett, being duly sworn,
deposes and says:

That he is the Clerk of
THE WEISER SIGNAL, a weekly newspaper published at
Weiser, in the County of Washington and State of Idaho; that
said paper has been and is in general circulation in the
county aforesaid, and in the vicinity of Weiser; that the ad-
vertisement, a copy of which is attached hereto, was pub-
lished in said newspaper once a week for Two consecu-
tive weeks in the regular and entire issue of said paper dur-
ing the period and time of publication, and was published in
the newspaper proper and not in a supplement; that said
paper has been established and regularly published for more
than seventy-eight consecutive weeks prior to the date of
first publication of said advertisement.

Such notice was published in the issue beginning with
January 27, 1983, and ending
with the issue of February 3, 1983

Fees, \$ 33.50

Subscribed and sworn to before me this 3rd
day of February, 1983

[Signature]
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-1, 1987

No. 772
NOTICE OF CLAIMS TO WATER RIGHTS

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

67-4469
TALLENT, R. J. &/or IRENE
RT. 2 BOX 48, WEISER, ID 83672
Source: CRANE CREEK trib. to WEISER RIVER
Priority Date: 04/01/1971
Diversion Pt: SENW Sec 07 T 11N R 03W
Use: IRRIGATION (5.00 CFS)
In: NWNW SWNW SENW NESW NWSW SWSW SESW Sec 11 T
11N R 04W NENE SENE NESE Sec 10 T 11N R 04W SESE
Sec 03 T 11N R 04W FOR 285 ACRES

67-4470 138
KERNER, MILTON
RT. 2 BOX 248, WEISER, ID 83672
Source: WEISER RIVER trib. to SNAKE RIVER
Priority Date: 01/01/1965
Diversion Pt: NWSW NWSE Sec 01 T 10N R 05W
Use: IRRIGATION (3.13 CFS)
In: SWNE NWNW SWNW SENW NESW NWSW NWSE Sec 01 T
10N R 05W FOR 157 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 1/27 & 2/3/83

94-2S

Department of Water Resources
Western Regional Office

WRR100
67-4470

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
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01 WATER RIGHT NUMBER - 67-4470 ✓ 02 OLD (D) NUMBER -

03001 - KERNER ✓ LAST NAME

04001 - MILTON ✓ FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - RT. 2 BOX 248 ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - WEISER ✓

10 STATE - ID ✓ 11 ZIP - 83672 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

14001 - WEISER RIVER ✓ SOURCE

15001 - SNAKE RIVER ✓ TRIBUTARY OF

16 DIVERSION MEANS - PUMP & SPRINKLERS

17 COUNTY - 87 WASHINGTON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 3.130 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	RFLG	ST	RE	A	M	I	N	D	E	X	F	I	E	L	D	S
22001 -	NWSW	23001 - 01	24001 - 10N	25001 - 05W	26001 -	27001 -														
				28001 -	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0	0.0	

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION ✓	31001 - 10N ✓	32001 - 05W ✓	33001 - 01 ✓	34001 - SWNE ✓	35001 - 31 ✓	36001 -
30002 - 01 IRRIGATION ✓	31002 - 10N ✓	32002 - 05W ✓	33002 - 01 ✓	34002 - NWNW ✓	35002 - 03 ✓	36002 -
30003 - 01 IRRIGATION ✓	31003 - 10N ✓	32003 - 05W ✓	33003 - 01 ✓	34003 - SWNW ✓	35003 - 28 ✓	36003 -
30004 - 01 IRRIGATION ✓	31004 - 10N ✓	32004 - 05W ✓	33004 - 01 ✓	34004 - SENW ✓	35004 - 25 ✓	36004 -
30005 - 01 IRRIGATION ✓	31005 - 10N ✓	32005 - 05W ✓	33005 - 01 ✓	34005 - NESW ✓	35005 - 40 ✓	36005 -
30006 - 01 IRRIGATION ✓	31006 - 10N ✓	32006 - 05W ✓	33006 - 01 ✓	34006 - NWSW ✓	35006 - 10 ✓	36006 -
30007 - 01 IRRIGATION ✓	31007 - 10N ✓	32007 - 05W ✓	33007 - 01 ✓	34007 - NWSE ✓	35007 - 20 ✓	36007 -

TOTAL ACRES: 157 ✓

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0315 ✓	38001 - 1115 ✓	39001 - 01 IRRIGATION ✓	40001 -	3.130 ✓	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

WRR100
67-4470

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

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20-NOV-1985 11:50:12

D A T E S		D A T E S		F L A G S	
47	PRIORITY - 1-JUN-1965 ✓	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 - 28-FEB-1983	62	DATE_2 -		

58/6/85
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Fowler

Right Number 67-4470 Applicant Kerner

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. 3/21/83
- ☒ Claim published correctly. the Western Signal
1/27 & 2/3/83 20/23109
- ☐ Exceptions processed.

By DBS Date 3/3/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 3/8/83

RECEIVED
MAR 08 1983

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

FEBRUARY 16, 1983

WILLIAM J. WEAVER
JAMES C. WEAVER
DIAN E. WEAVER
610 LOGAN ST.
BOISE

ID 83702

RE: Claim No. 77-4093

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

6Z-4420.

KERNER, MILTON

RT. 2 BOX 248. WEISER. ID 83672

Source: WEISER RIVER trib. to SNAKE RIVER

Priority Date: 01/01/1965

Diversion Pt: NWSW NWSE Sec 01 T 10N R 05W.

Use: IRRIGATION (3.13 CFS)

In: SWNE NWNW SWNW SENW NESW NWSW NWSE Sec 01 T 10N R 05W FOR 157 ACRES

RECEIVED
JAN 11 1965

IDENT. NO. 67-4470

WATER RIGHT
DATA ENTRY LOG

[illegible]