

TWP 17N

RGE 1W

26

Sec 26

Received by nm Date 11-30-82 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by js Date 12-3-82
 \$30.00 fee received by FL Date 4/2/82 # 22844 claimant by: _____
 Published in Adelphi County Leader
 Dates 12/30 & 1/6/83

L-18

7.4
4.9

B-335
H. HAL Sanp area B-263

branch of Mill Creek

27 26 40 23

34 35
A 6.0 B-324 L. BROWN C 26.4
B 4.0

B-328
C. CHAPMAN

21.5 15.8

183

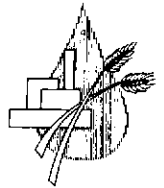
5.2

NOT TO SCALE

MICROFILMED

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 L. HALE
(Name of Claimant)

Box 563, Council, ID 83612
(Mailing Address) (Zip Code)

Telephone No. 253-4386

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) AUGUST 3, 1971

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)

GROUNDWATER tributary to

(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>0.02 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
Quantity		Use	Period of Use From	To

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

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

SW 1/4 SW 1/4, Sec. 26 Twp. 17N Rge. 1W B.M., County of ADAMS
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. 3 EXCAVATED SUMPS WITH PUMP & PIPELINE TO TROUGHS.

(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	
17N	1W	26											X						

No. of acres

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: 10 HD MIXED STOCK

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

TWP 17N

RGE 14

RGE 15

R.P.

Received by nn Date 11-30-82 Exception filed by: _____ Forwarded to _____ Date _____
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 \$30.00 fee received by FL Date 4/6/82 # 22844
 Published in Adelphi County Leader
 Dates 12/30 & 1/6/83

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Claims to Water

Voermans, Robert L &/or Whitney L-Williams, Richard D-Hale Howard
as per clipping

hereto attached, was published in the regular and entire issue
of said newspaper, and not in any supplement thereof, for

two (2)

consecutive weeks, the first publication of the

same being made in the issue dated December 30, 1982

January 6, 1983

and the last in the issue dated
that said newspaper is of general circulation in Adams County
Idaho, printed and published weekly at Council therein and
that said newspaper has been continuously and uninterrupted-
ly published in said county during a period of more than sev-
enty-eight consecutive weeks prior to the first publication of

" Notice "
said as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 6th

day of January, 1983

Kenn Egan

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have
been filed on water right(s) cre-
ated by diversion and beneficial
use:

67-4457

VOERMANS, ROBERT L. &/or
WHITNEY L.
P.O. BOX 755, MARFA, TX 79843
Source: LITTLE WEISER RIVER
trib. to WEISER RIVER
Priority Date: 01/01/1881
Diversion Pt: SENW Sec 36 T
14N R 01W
Use: IRRIGATION (0.83 CFS)
STOCKWATER (0.01 CFS)
In: SWSE Sec 11 T 14N R 01W
NENE NWNE SENE Sec 14 T 14N
R 01W SESE Sec 11 T 14N R 01W
FOR 42 ACRES

67-4459

WILLIAMS, RICHARD D.
STAR RT., CAMBRIDGE, ID
83610
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1961
Diversion Pt: SESE SWSE NWSE
Sec 12 T 14N R 02W NENW Sec
18 T 14N R 01W
Use: STOCKWATER (0.08 CFS)
In: NWSE SWSE SESE Sec 12 T
14N R 02W NENW Sec 18 T 14N
R 01W

67-4460 1P

HALE, HOWARD L.
P.O. BOX 563, COUNCIL, ID
83612
Source: GROUNDWATER
Priority Date: 08/03/1971
Diversion Pt: SWSW Sec 26 T 17N
R 01W
Use: STOCKWATER (0.02 CFS)
In: SWSW Sec 26 T 17N R 01W

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

KEN DUNN, Dir.
Published 12/30 & 01/06/83.

RECEIVED
JAN 13 1983

Department of Water Resources
Western Region Office

RECEIVED
JAN 13 1983

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

02 OLD (D) NUMBER -

ORIG. OWNER
05001 - C

07 ADD LINE 2 -

09 CITY - COUNCIL ✓

10 STATE - ID 11 ZIP - 83612

13 STATUS -

15001 - TRIBUTARY OF

17 COUNTY - 03 ADAMS

19 TOTAL DIVERSION RATE - .020

20 TOTAL DIVERSION VOLUME = .00

21 WATER DISTRICT -

29 NON-IRRIGATION USE - S/10 VARIABLE

TOTAL ACRES: 0

42 DECREE PLAINTIFF NAME =

43 DECREE DEFENDANT NAME -

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 - 3-AUG-1971 ✓	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 - 4-JAN-1983	62	DATE_2 -		

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 6h5

Right Number 69-4460 Applicant Hale

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. 1/11/83
- ☒ Claim published correctly. Adams County Ledger
12/30 & Vol 30/22844
- ☐ Exceptions processed.

By DBS Date 1/17/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 1/18/83

RECEIVED
JAN 18 1983

RECEIVED
JAN 18 1983

Department of Water Resources

November 19, 1982

Howard L. Hale
Box 563
Council, ID 83612

Dear Mr. Hale:

Enclosed is the claim to a water right that we discussed yesterday.

Please sign the claim, have your signature notarized and return it to us for processing. Once we receive this claim all of your water rights, which include domestic for one home, irrigation for 10 acres and stockwater for 10 head stock, will be on file with our Department. No further action by you is necessary. The fee from the application you originally filed will be transferred to the claim upon its receipt.

If you have further questions, do not hesitate to contact us.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG:jp

Enclosure

HOLD FILE

October 4, 1982

Howard L. Hale
Box 563
Council, ID 83612

Dear Mr. Hale:

A representative of our Department recently visited the proposed site for your development covered by the application for permit you recently filed. He also discussed the water source you would be using with the local ASCS man.

It appears by looking at an aerial photo of the area that the location of the sumps follow along branch of Mill Creek. It could be that the source should be an unnamed stream if you do plan to excavate in an old stream bed or where springs are evident. If it is just a marshy area and you excavate down a few feet and water appears this can be considered groundwater.

If it is groundwater then there is the possibility of adding the point of diversion to your License No. 67-7060. However, the total amount of water that you could divert from both the well and new source would be 0.14 cfs.

You do have a Permit No. 67-7059 for water from a wastewater source that could be amended to show the new source since it lists the point of diversion and place of use in the same tract. Is the proposed use under the new application intended to be the same project as the wastewater permit was? If so, the new application was not necessary.

Please contact me as soon as possible with a description of your project and the surrounding area so we can figure the problem out.

Sincerely,

JAN GROVER
Senior Water Resource Agent

RECEIVED
JG:jp

Hale permit

9/7/82

Jan:

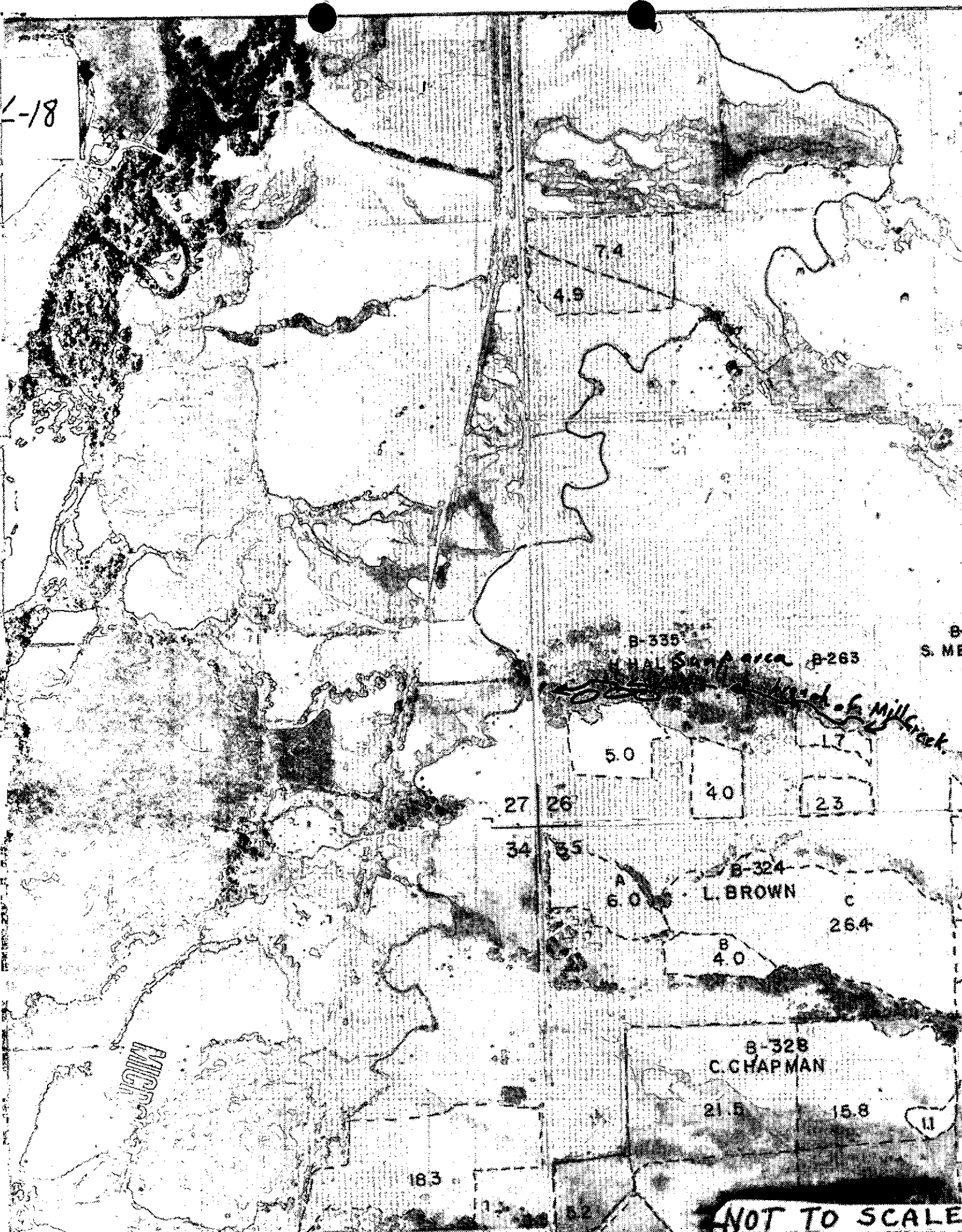
I didn't talk with Mr. Hale directly, but visited the site and talked with the local ASCS man regarding the water source.

There are some small springs and marsh areas, plus a small branch of Mill Creek carries some spring run-off water and waste water to the area. The ASCS man said that Hale was having trouble with sand in his well and there wasn't that much water ^{that could be} ~~to be~~ pumped from the well.

The sump development is possible but in light of a groundwater right ~~already~~ already on the ground you may want to visit with Dave about a possible transfer. The Aerial photo shows the branch of Mill Creek and location of the sumps.

Lee

2-18



NOT TO SCALE

M E M O

TO: Howard Hale's file
FROM: Jan Grover
SUBJECT: Filing of Claim Replacing Application for Permit
DATE: December 6, 1982

After receiving my letter of 10/4/82 Mr. Hale came into this office to discuss the problems with his application.

He stated at that time that he had been using the water from the sumps since he first drilled the well in 1971 for stockwater and irrigation purposes. The sumps are considered groundwater as they had to be excavated to get water. At first a transfer was suggested on his license No. 67-7060 to add a point of diversion. However, the stockwater use could not be added with^{an} increase in the amount nor could it be considered as a part of the domestic use since the domestic is from the well and the stockwater is from the sumps. Mr. Hale requested that all of his water rights be shown by a filing even though there is only 10 head of stock.

Therefore, the \$30 fee submitted for the application has been transferred to the claim.

1/10/83
JAN GROVER

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JANUARY 19, 1983

HOWARD L. HALE
P.O. BOX 563
COUNCIL ID 83612

RE: Claim No. 67-4460

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-4460

HALE, HOWARD L.

P.O. BOX 563, COUNCIL, ID 83612

Source: GROUNDWATER

Priority Date: 08/03/1971

Diversion Pt: SWSW Sec 26 T 17N R 01W

Use: STOCKWATER (0.02 CFS)

In: SWSW Sec 26 T 17N R 01W

RECEIVED
MAY 1971

IDENT. NO. 67-4460

WATER RIGHT
DATA ENTRY LOG

[illegible]