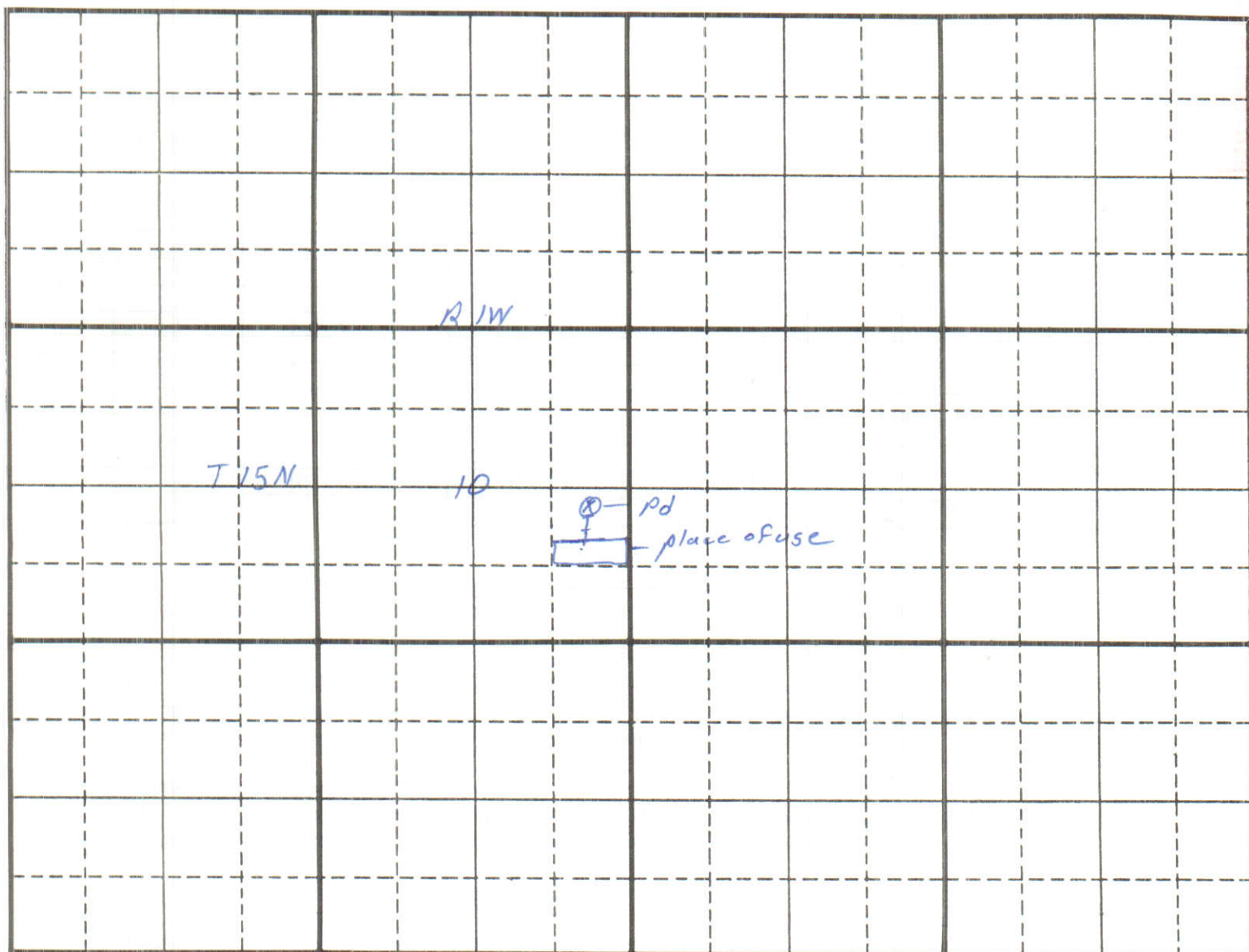


(8) Remarks _____



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 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.

Sworn to before me this 19th day of April, 1979.

+ Julia I Marcum
(Claimant)

Charles Kroll
Notary Public
Residing at Weiser Idaho

My commission expires 1981

FOR DEPARTMENT USE ONLY

Received by KK Date 4/20/79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by DOB Date 23 April 79 claimant by: _____
\$20.00 fee received by 25.00 Date 4/23/79 # 13049
Published in Adams County Leader alden Wilson KK 5/22
Dates 5/3 & 5/10/79

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 Rights"

No. 67-4270 Marcum, Julia I

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 May 3, 1979

and the last in the issue dated May 10, 1979 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 uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 11th

day of May, 1979

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

67-4270

MARCUM, JULIA I.
GENERAL DELIVERY, COUNCIL, ID 83612

Source: UNNAMED SPRING tributary to WEISER RIVER, MIDDLE FORK

Priority Date: 01/01/1911

Amount: 0.04 CFS

Diversion Point: NESE Sec 10 T 15N R 01W, ADAMS Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NESE Sec 10 T 15N R 01W

Diversion Means: SPRING BOX, PIPELINE, CYSTERN

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published 5/3 & 5/10/79.

OK-KK
5/12/79

RECEIVED

MAY 14 1979

Department of Water Resources
Western Regional Office

MICROFILMED

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.

Notice is hereby given that JULIA I. MARCUM

General Delivery, Council, ID 83612

(Zip Code)

Telephone No. 253-4595

* (1) Date of priority: (When was the water first applied to a beneficial use) 1911

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Describe the source of water: (Name of stream, lake, spring, etc., or ground water,
unnamed spring tributary to Middle Fork Weiser River

(cfs, gpd, AFA)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)

(Mo., Day)

(Mo., Day)

Quantity .04 Use domestic Period of Use From 1/1 To 12/31

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) .04 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NE ¼ SE ¼, Sec. 10 Twp. 15N 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. Spring box with pipeline to cystem then to house.

(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]

No. of acres _____

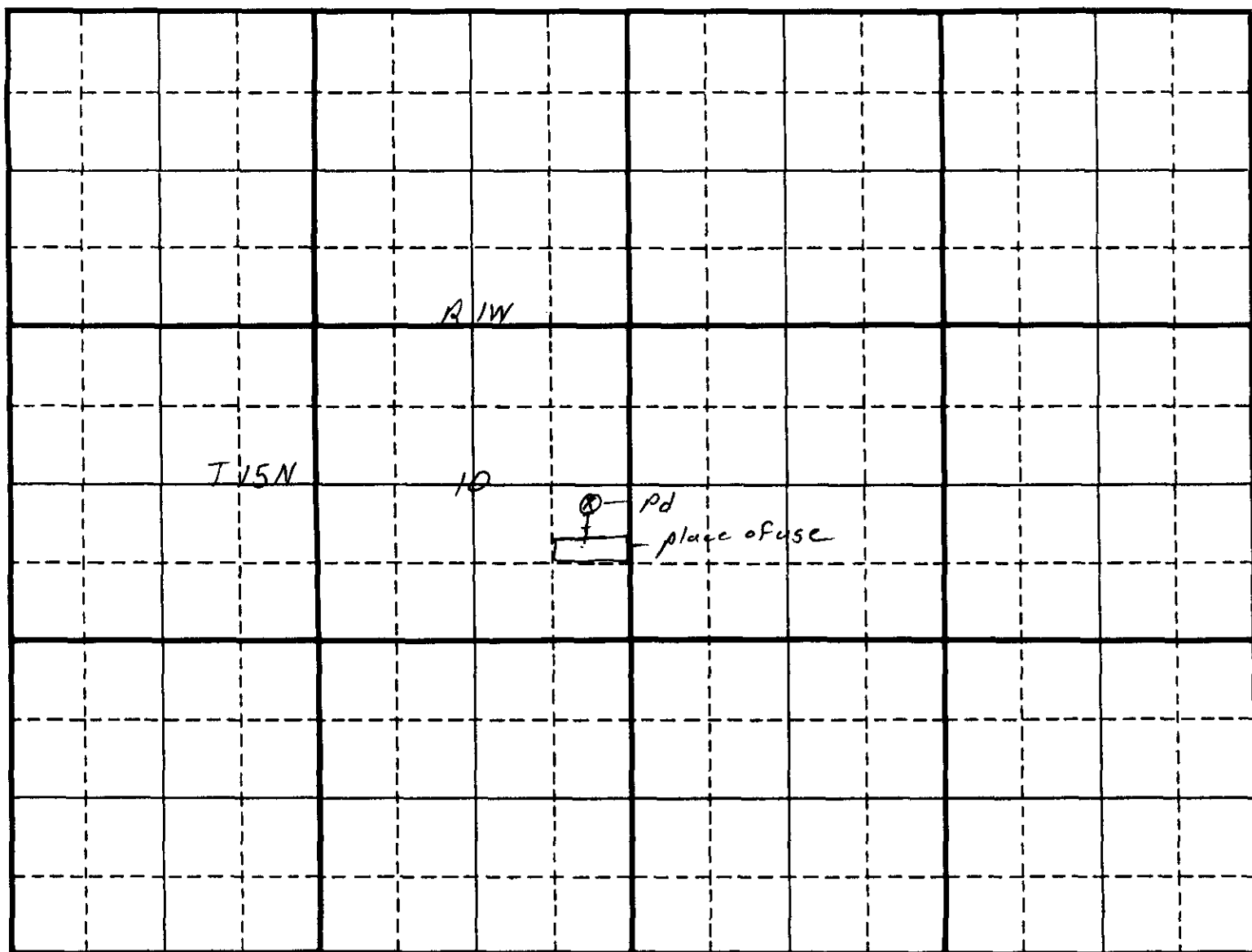
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic for one household.

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: _____

MICROFILM

(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 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.

Sworn to before me this 19th day of April, 19 79.

Julia I Marcum
(Claimant)

Charles Kroll
Notary Public
Residing at Weiser Idaho

My commission expires 1981

FOR DEPARTMENT USE ONLY

Received by KK Date 5/20/79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by EBB Date 23 April 79 claimant by: _____
\$20.00 fee received by 20.00 Date 4/23/79 # 10049 5/11
Published in Adams County Leader alden Wilson KK 5/22
Dates 5/3 & 5/10/79

IN THE MATTER OF:

Claim to Water right

AFFIDAVIT

Julia I. Marcum

State of Idaho

County of Washington

ERVIE SHAW

being first duly sworn,

deposes and says: That he was born in 1911 in the house on the site now
owned by Julia Marcum, located at the NE Quarter SE Quarter, Section 10,
Township 15 N, Range 1, W. B. M., Adams County, Idaho.

That at that time the spring now supplying water to the
Marcum home was used to supply domestic water to the original house on the
same site.

That the present Marcum home was built in 1917 on the same
site as the house in which Mr. Shaw was born.

That in 1943 Ervie Shaw piped the water from the cistern
from the outside of the house into the house.

That Ervie Shaw of his own personal knowledge knows that
the spring claimed by Mrs. Marcum has been used as a source of domestic
water for the Marcum home ^{site} continuously since the year 1911.

Ervie H. Shaw
(signature)

Subscribed and sworn to before me this 19 day of April 19 79.

S. Awanella Newman
(notary public)

Residing at W. B. M. Idaho

My commission expires 6-1-80

DBS

P.O. Box 936
Hamilton, MT 59840
May 9, 1979

C. Stephen Allred, Director
Director of the Idaho Dept. of Water Resources
92 S. Cole Road
Boise, Idaho 83705

Dear Mr. Allred:

I PROTEST the filing of May 3, 1979, #67-4270,
in the Council newspaper by Julia Markham.

This water has been filed on and approved pre-
viously by application #67-7338 dated and approved
August 22, 1977.

If there is anything further that I need to do,
please contact me at the above address.

Yours truly,

Alden L. Wilson
Alden L. Wilson

RECEIVED

MAY 14 1979

Department of Water Resources
Western Regional Office

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 Rights"

No. 67-4270 Marcum, Julia I 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 May 3, 1979

and the last in the issue dated May 10, 1979 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 uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 11th

day of May, 1979

Notary Public for Idaho,
Residing at Council, Idaho

MICROFILMED

RECEIVED

MAY 14 1979

Department of Water Resources
Western Regional Office

WRR100
67-4270

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

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

01 WATER RIGHT NUMBER - 67-4270 ✓ 02 OLD (D) NUMBER -

03001 - MARCUM ✓ LAST NAME

04001 - JULIA I. ✓ FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - GENERAL DELIVERY ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - COUNCIL ✓

10 STATE - ID ✓ 11 ZIP - 83612 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - UNNAMED SPRING ✓

TRIBUTARY OF
15001 - WEISER RIVER, MIDDLE FORK ✓

16 DIVERSION MEANS - SPRING BOX, PIPELINE, CYSTERN ✓

17 COUNTY - 03 ADAMS

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040 ✓

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 - NESE ✓	23001 - 10 ✓	24001 - 15N ✓	25001 - 01W ✓	26001 -	27001 -								
				28001 - 0	272.0	288.0	31.0	0.0	0.0	0.0	0.0	0	0 0 3.0

29 NON-IRRIGATION USE - 1 HOUSEHOLD

----- PLACE OF USE -----							
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT	
30001 - 43 DOMESTIC ✓	31001 - 15N ✓	32001 - 01W ✓	33001 - 10 ✓	34001 - NESE ✓	35001 -	36001 -	
							TOTAL ACRES: 0

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101 ✓	38001 - 1231 ✓	39001 - 43 DOMESTIC ✓	40001 - 0.040	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
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-1911 ✓		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	-	13-NOV-1981 ✓		62 DATE_2	-						

WATER RIGHT
DATA ENTRY LOG

[illegible]

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Claim
Application No. 67-4270

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

- (1) CSB 23 April 79 In form to receipt
- (2) _____ 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
_____ Request Dam Safety Information
- (4) CSB 23 April 79 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) KK OK Affidavit of Publication received(date) 5/14/79
- (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 d/llm Date 5/22/79

RECEIVED

MAY 23 1979

Department of Water Resources

55 - 5/24/79

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

MAY 30, 1979

JULIA I. MARCUM
GENERAL DELIVERY
COUNCIL

ID 83612

RE: Claim No. 67-4270

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

RECEIVED
MAY 31 1979

May 21, 1979

Julia I. Marcum
General Delivery,
Council, ID 83612

RE: Claim to a Water Right No. 67-4270

Dear Ms. Marcum:

Enclosed is a copy of an exception filed by Alden L. Wilson of Hamilton, Montana, in connection with the above referenced claim to a water right. The Department will not schedule a hearing in this matter or evaluate for conformation the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence is said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

DBS:kk

Enclosure



DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

G. STEPHEN ALLRED
Director

(208) 384-2190

May 21, 1979

Alden L. Wilson
P.O. Box 936
Hamilton, MT 59840

RE: Claim to a Water Right No. 68-4070
In the Name of Julia Marcum

Dear Mr. Wilson:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The Department will not schedule a hearing in the matter or evaluate for conformation the right claimed, since Section 42-244 Idaho Code states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

If we can be of further assistance, please contact us.

Very truly yours,

DAVID B. SHAW
Western Regional Supervisor

DBS:kk

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

APRIL 26, 1979

Adams County Leader
Box 23
Council, ID 83612

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before MAY 21, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

RECEIVED

62-4220-

MARCUM, JULIA I.

GENERAL DELIVERY, COUNCIL, ID 83612

Source: UNNAMED SPRING tributary to WEISER RIVER, MIDDLE FORK

Priority Date: 01/01/1911

Amount: 0.04 CFS

Diversion Point: NESE Sec 10 T 15N R 01W, ADAMS Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NESE Sec 10 T 15N R 01W

Diversion Means: SPRING BOX, PIPELINE, CYSTERN

RECEIVED
JAN 1 1911

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published 5/3 & 5/10/79.

MICROFILMED