

8

T. 10 M.

⊗ P.O. + use

R. 5 W. B.M.

Received by <u>RWH</u>	Date <u>5-10-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date _____		claimant by:	
\$10.00 fee received by <u>sf</u>	Date <u>5-10-77</u> # <u>7728</u>			
Approved for publication by <u>KS</u>	Date <u>May 12, 1977</u>			
Published in <u>The Signal American</u>				
Dates <u>May 19, 1977 + May 26, 1977</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Roth, 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 2 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
May 19, 1977, and ending
with the issue of May 26, 1977

Larry D. Roth
Fees, \$ 12.58

Subscribed and sworn to before me this 26
day of May, 1977

James Lee
Notary Public, Residing at Weiser, Idaho.

My Commission Expires 1-2, 1979

No. 63
NOTICE OF CLAIM
TO A WATER RIGHT
NO. 67-4195

Notice is hereby given that
JOHN E &/or ESTHER C.
KYLE Route 3, Weiser, ID
has filed a claim to a water
right established by diver-
sion and application to bene-
ficial use of 0.04 cubic feet
per second of water from a
groundwater source with the
point of diversion in the
SW 1/4 SE 1/4 Sec 8 T10N-R5W
B.M., Washington County.

The water is claimed to be
used from Jan 1 to Dec 31 for
a domestic purpose with a
priority date of 1917; the
place of use is within the
SW 1/4 SE 1/4 Sec 8 T10N-R5W
B.M.

Any exception to this claim
of water right may be filed
with the Director of the Idaho
Department of Water Re-
sources, 92 South Cole Road,
Boise, Idaho 83705.

C. STEPHEN ALLRED
Director

Published in the Signal
American, Weiser, ID on
May 19, 1977 and May 26,
1977.

20-2s

OK 448
6-2-77

RECEIVED
MAY 31 1977

Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that JOHN E. &/or ESTHER C. KYLE
(name of claimant)
of Route 3, Box 183 Weiser, ID, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) groundwater, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|----------------------|-----|-------------------------------|---------------------|------------|----|------------------------|
| Amount | <u>0.04</u> | Use | <u>domestic</u> | Period of Use: From | <u>1-1</u> | To | <u>12-31</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 0.04 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1917

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8 Twp. 10N Rge. 5W 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. _____

- (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]

Total No. of acres _____

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

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

(8) Remarks _____

Diagram illustrating a vertical line with a cross at the top, labeled "P.D. + use". To the right of the line is the text "T. 100V.". Below the line is the text "R. SW B.M.".

T. 10 N.

④ P.D + use

R. 54 B.M.

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)
) ss.
County of Ada)

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 10th day of May

x John E Kyle
(Claimant)

(Claimant)

, 19 77

Rita Bender
Notary Public

Notary Public

Residing at Boise, ID

My commission expires March 8, 1980

For Department Use Only

Received by <u>RWH</u>	Date <u>5-10-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date		claimant by:	
\$10.00 fee received by <u>rf</u>	Date <u>5-10-77</u>	<u>#7728</u>		
Approved for publication by <u>KS</u>	<u>May 12, 1977</u>			
Published in <u>The Signal American</u>				
Dates <u>May 19, 1977 + May 26, 1977</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Washington } ss.

Dorothy A. Barth, 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 2 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
May 19, 1977, and ending
with the issue of May 26, 1977
Dorothy A. Barth
Fees, \$ 12.58

Subscribed and sworn to before me this 26
day of May, 1977
Janice Lee
Notary Public, Residing at Weiser, Idaho.
My Commission Expires 1-2, 1979

No. 63
NOTICE OF CLAIM
TO A WATER RIGHT
NOV 17 1975

Notice is hereby given that
JOHN E. & or ESTHER C.
KYLE Route 3, Weiser, ID
has filed a claim to a water
right established by diver-
sion and application to bene-
ficial use of 0.04 cubic feet
per second of water from a
groundwater source with the
point of diversion in the
SW 1/4 SE 1/4 Sec 8 T10N-R5W
B.M., Washington County.

The water is claimed to be
used from Jan 1 to Dec 31 for
a domestic purpose with a
priority date of 1977; the
place of use is within the
SW 1/4 SE 1/4 Sec 8 T10N-R5W
B.M.

Any objection to this claim
of water right may be filed
with the Director of the Idaho
Department of Water Resources,
10 South Capitol Blvd., Boise,
Idaho 83725.

C. [Signature]
Director
Published in the Signal
American, Weiser, ID on
May 19, 1977 and May 26,
1977.

20-2s

OK 448
6-2-77

REC-1
MAY 6

ACT
ION

N OWNER LAST NAME - KYLE
N OWNER LAST NAME - KYLE
N ADDRESS LINE 1 - RT. 3 BOX 183

FIRST NAME - JOHN E.
FIRST NAME - ESTHER C.

CITY - WEISER

STATE - ID

N SOURCE - GROUNDWATER

N STAGE - STAIRY CLM

PRIORITY - 06-01-1917 COUNTY - WASHINGTON TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - SWSE 08 10N 05W

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0400CFS

N USE - DOMESTIC

PLACE OF USE - TWN 10N RNG 05W SEC 08 TRACT SWSE

3/79

IDENT. NO. 67-4195

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 67-4195
OTd No. _____ New No. _____

Record

1. Original Owner: John E. & Esther & C. Kyle

Present Owner: _____

2. Address: Rt. 3 Box 1833. City: Weiser State: ID Zip: _____4. A. Source of Water: gwr

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 6-1-1917D. County: 87E. Total Diversion Rate: .04

F. Total Diversion Volume: _____

G. Transfer/Amendment (P,T of A or blank): _____

H. Water District: _____

I. DLE/Carey Act (D,C or blank): _____

J. Right Basis (for adjudication claims A,B,C only): _____

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>SWSE</u>	<u>8</u>	<u>10N</u>	<u>5W</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for 10 purposes. Amount .04
(cfs or AG-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

OK 11-9-79

8. Use Code: 0

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 107-

☒ 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) 6LS 5/11/77

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) 6LS 5/11/77

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) _____

RIS

Other rights on the same place of use

(10) _____

Comments: _____

(11) y OK

Affidavit of Publication received (date) 6-2-77

(12) y

Final date for protests N/A
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 WJL Date 6-6-77

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

June 7, 1977

Re: Claim to a Water Right No. 67-4195 & 67-4196

John E. &/or Esther C. Kyle
Route 3, Box 183
Weiser, ID 83672

Dear Mr. & Mrs. Kyle:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a 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.

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,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS: rf

Enclosure





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(203) 334-2190

May 13, 1977

67-4195

RE: SEE ATTACHED SHEET

The Signal American
P. O. Box 709
Weiser, ID 83672

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. 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)

Please send the affidavit of publication and publication billing to this office before June 6, 1977.

Sincerely,

Bill submitted
6-2-77
J

MICROFILMED

PUBLISHED IN THE SIGNAL AMERICAN, Weiser, ID, on May 19, 1977 and May 26, 1977

CLAIMS TO A WATER RIGHT

67-4185	Art A. Correia &/or Mary J. Correia
67-4187	Amos Rodabaugh
67-4195	John E. &/or Esther C. Kyle
67-4196	John E. &/or Esther C. Kyle
67-4197	Garold &/or Carol M. Dick
67-4198	Garold D. &/or Carol M. Dick
67-4199	Bill M. &/or Carol &/or Carol &/or Don &/or Elsie Youghblood
67-4200	Bill J. &/or Carol Youngblood

APPLICATIONS FOR WATER PERMIT

67-7321	James D. Craig
67-7322	Vernon E. Lolley
67-7323	Bill J. &/pr Carol Youghblood

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 67-4195

Notice is hereby given that JOHN E. &/or ESTHER C. KYLE

Route 3, Weiser, ID

has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~and 0.000~~ of water
from a groundwater source

with the point of diversion in the SW $\frac{1}{4}$ Sec 8 T10N-R5W B.M.,
Washington County.

The water is claimed to be used from Jan 1 to Dec 31
for a domestic purpose

with a priority date of 1917 ;
the place of use is within the SW $\frac{1}{4}$ Sec 8 T10N-R5W B.M.

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

C. STEPHEN ALLRED

Director

Published in the The Signal American, Weiser, ID
May 19, 1977 and May 26, 1977.

RECORDED