
W²SW⁴SE⁴ T17N R1 WBM

26

MOUNTAIN

MOUNTAIN

MOUNTAIN

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.

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 23rd day of March, 19 77 (Claimant)

Residing at Indian Valley, Idaho

My commission expires 6-2-79

Received by <u>if</u>	Date <u>3-29-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>WAM</u>	Date <u>3-29-77</u>		claimant by:	
\$10.00 fee received by <u>if</u>	Date <u>3-31-77</u>	<u>#7095</u>		
Approved for publication by <u>CS</u>	<u>4-7-77</u>			
Published in <u>Adams County Searcher</u>				
Dates <u>April 14, 1977 + April 21, 1977</u>				

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 Claim to

No. 67-4177

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 April 14, 1977

and the last in the issue dated April 21, 1977 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

day of

APR 25 1977

, 19

[Signature]

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4177

Notice is hereby given that SYLVAN H. MENICHETTI ST. RT. Council, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.2 cubic feet per second from a groundwater source with the point of diversion in the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 26 T17 N-R1W B.M., Adams County.

The water is claimed to be used from Jan 1 to Dec 31 for a domestic and stockwater purpose with a priority of October, 1971; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 26 T17N-R1W B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

C. STEPHEN ALLRED

Director

Published in the Adams County Leader, Council, ID on April 14, 1977 and April 21, 1977.

RECEIVED

APR 25 1977

Department of Water Resources
Western Regional Office

OK
4-26-77
JY

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

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 Sylvan H. Menichetti
(name of claimant)
of St. Rte., Council, ID 83612, 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) ground water (well and pump)
_____, 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>.2 cfs</u>	Used	<u>dom/stock</u>	Period of Use:	From	<u>Jan 1</u>	To	<u>Dec. 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: 2 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) Oct., 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 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)

W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26 Twp. 17 N Rge. 1 W. B. M. County of Adams
Additional points of diversion: None

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. well and pump

- (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.

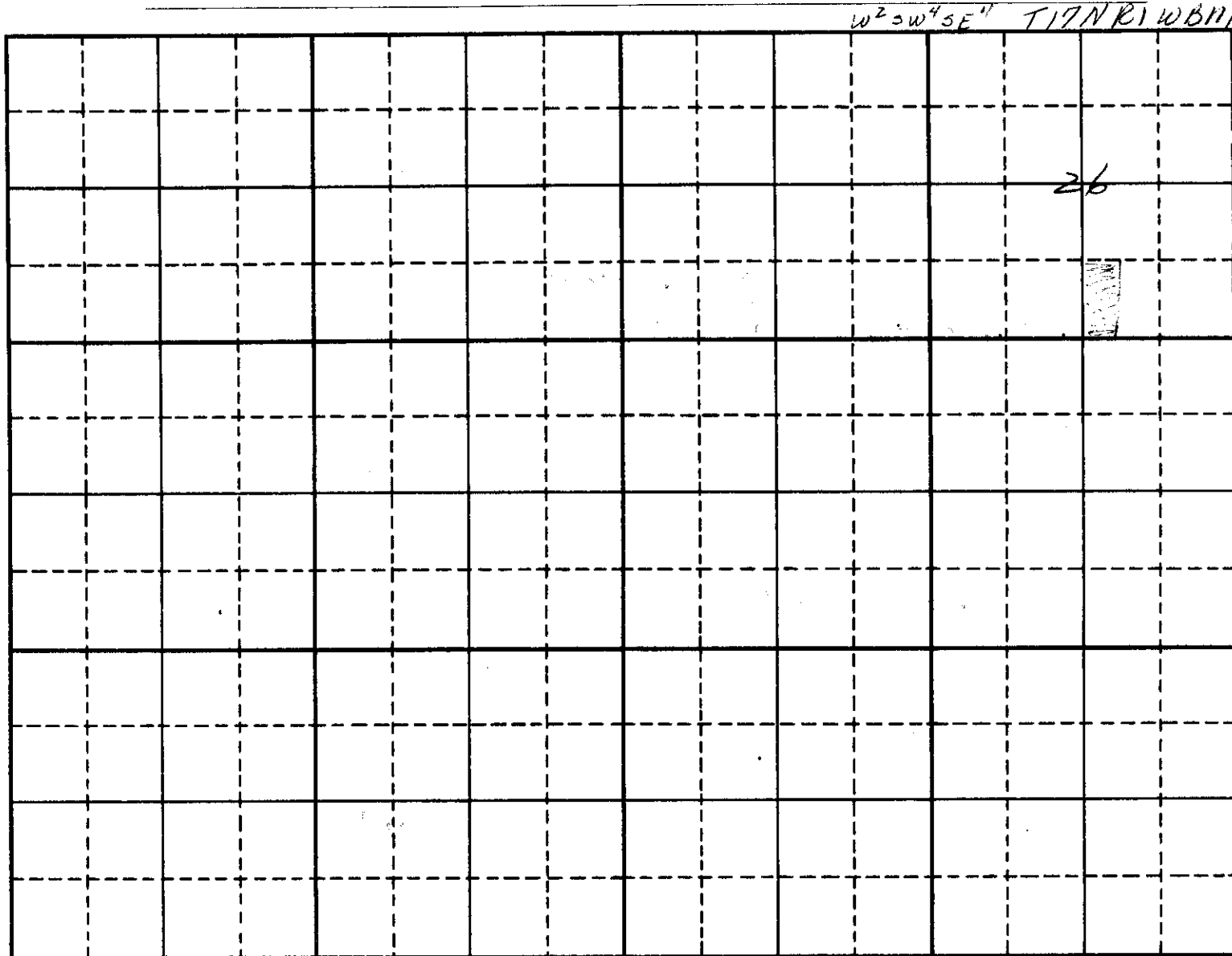
[illegible]

Total No. of acres _____

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

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

(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 Adams) ss.
County of Adams)

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.

Sylvan Meinchetti
(Claimant)

Sworn to before me this 23rd day of March, 19 77.

Donal Leoney
Notary Public
Residing at Indian Valley, Idaho

My commission expires 6-2-79

For Department Use Only

Received by <u>[Signature]</u>	Date <u>3-29-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>3-29-77</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>3-31-77</u>	# <u>7095</u>		
Approved for publication by <u>CS</u>	<u>4-7-77</u>			
Published in <u>Adams County Recorder</u>				
Dates <u>April 14, 1977 + April 21, 1977</u>				

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 67-4177

Notice is hereby given that SYLVAN H. MENICHETTI ST. RT. Council, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.2 cubic feet per second from a groundwater source with the point of diversion in the W $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 26 T17 N-R1W B.M., Adams County.

The water is claimed to be used from Jan 1 to Dec 31 for a domestic and stockwater purpose with a priority of October, 1971; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 26 T17N-R1W B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

C. STEPHEN ALLRED

Director

Published in the Adams County Leader, Council, ID on April 14, 1977 and April 21, 1977.

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 Claim to

No. 67-4177 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 April 14, 1977

and the last in the issue dated April 21, 1977 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

day of

APR 23 1977

. 19 ..

Clarence J. Jarmy

Notary Public for Idaho,
Residing at Council, Idaho

OK
4-26-77
H

ACT
IONN OWNER LAST NAME - MENICHETTI
N ADDRESS LINE 1 - STAR RT.

FIRST NAME - SYLVAN H.

N
N SOURCE - GROUNDWATER

CITY - COUNCIL

STATE - ID ZIP CODE - 83612

N STAGE - STATRY CLM

PRIORITY - 10-01-1971 COUNTY - ADAMS

TOTAL DIV. RATE - .2000CFS

N DIVERSION POINT - SWSE 26 17N 01W

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

USE DIV. RATE - .2000CFS

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

USE DIV. RATE - .2000CFS

N USE - STOCKWATER

PLACE OF USE - TWN 17N RNG 01W SEC 26 TRACT SWSE

IDENT. NO. 67-4177

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 167-4177
 Old No. _____ New No. _____

Record

1. Original Owner: Sylvan H. Menichetti

Present Owner: _____

2. Address: Star Rt.
 3. City: Council State: ID Zip: 83612

4. A. Source of Water: GW
 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: 10-1-1971
 D. County: 03
 E. Total Diversion Rate: .2
 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):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSE</u>	<u>26</u>	<u>17N</u>	<u>1W</u>		

7. Period of Use, Use, Diversion Rate/Volume:
 from 1-1 to 12-31 for S purposes. Amount .2
 (cfs or AG-FT/yr)
 from 1-1 to 12-31 for D purposes. Amount .2
 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 _____

CSA 11-9-79

8. Use Code: *8*

[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

Claim

Application No. 67-4177

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

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
☐ Papers Sent

(1) WMM 3-30-77

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

(4) WMM 3-30-77

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) _____

Other rights on the same place of use

(10) _____

Comments: lic 67-7125 is in same area,
but could be for diff property

(11) y OK

Affidavit of Publication received (date) 4-26-77

(12) _____

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 WMM

Date 5-3-77



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

May 11, 1977

Re: Claim to a Water Right No. 67-4177

Sylvan H. Menichetti
Star Route
Council, ID 83612

Dear Mr. Menichetti:

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
(208) 384-2190

April 8, 1977

Re: Claim to a Water Right No. 67-4177, Sylvan H. Menichetti
67-4179, Troy E. Clelland

Adams County Leader
Council, Idaho 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. 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 May 2, 1977.

Sincerely,

Bill submitted
4-26-77
[Signature]

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~67-4177~~

Notice is hereby given that ~~SYLVAN H. MENICHETTI~~

~~ST. RT. Council, ID~~
has filed a claim to a water right established by diversion and application
to beneficial use of ~~0.2~~ cubic feet per second ~~acre feet of water~~
from ~~a groundwater source~~
with the point of diversion in the ~~W₂SW₄SE₄ Sec 26 T17N-R1W B.M.,~~

~~Adams County~~
The water is claimed to be used from ~~Jan 1 to Dec 31~~
for ~~a domestic and stockwater purpose~~

with a priority of ~~XXXXXXXXXXXX~~ ~~October, 1971~~;
the place of use is within the ~~SW₄SE₄ Sec 26 T17N-R1W B.M.~~

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

~~R. KEITH HIGGINSON~~
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
C. STEPHEN ALLRED
Director

Published in the ~~Adams County Leader, Council, ID~~
on ~~April 14, 1977~~ and ~~April 21, 1977~~.



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

April 7, 1977

Sylvan H. Menichetti
St. Rte.
Council, ID

Dear Mr. Menichetti:

Enclosed is your Receipt No. 7095 in the amount of \$ 20.00
for two claims to a water right which was received in
this office on March 29, 1977.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

March 21, 1977

Mr. Robert W. Hamilton
Superivsor of Water Distribution
State of Idaho
92 South Cole Road
Boise, ID 83705

Dear Mr. Hamilton:

I enclose herewith Claim to a Water Right completed to the best of our abilities, signed by my father, Troy Clelland, notarized, and check in the amount of \$10.00, as and for filing fee. If there is anything further, please advise.

Also enclosed is Claim for ourselves covering our house water, and filing fee.

Many thanks for your assistance.

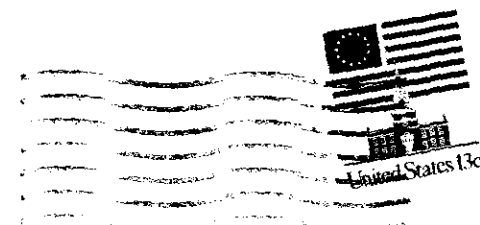
Yours very truly,

Carolyn Menichetti
(Mrs.) Carolyn Menichetti

RECEIVED
MAR 23 1977

Department of Water Resources
Western Regional Office

S. MENICHETTI
STAR ROUTE
COUNCIL, IDA.
83612



Mr. Robert W. Hamilton
Supervisor of Water Distribution
State of Idaho
92 South Cole Road
Boise, ID 83705

RECEIVED

March 4, 1977

Re: Claim to a Water Right

Carolyn Menichetti
Star Route
Council, Idaho 83612

Dear Mrs. Menichetti:

I have reviewed the Claim to a Water Right you sent us and would suggest that the springs be numbered and each given its date of first use. Also show the amount of water from each spring if possible.

It appears that the land irrigated is on one farm, so one claim could be submitted for all the springs. I would also suggest locating the other springs on the map on page 2 of the Claim form.

We are returning the Claim submitted along with new forms for your use.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:lp

Enclosure

Feb. 27, 1977

RECEIVED
FEB 1 1977

Mr. Robert W. Hamilton
Supervisor of Water Distribution
State of Idaho
92 South Cole Road
Boise, Idaho 83705

Department of Water Resources
Western Regional Office

Dear Mr. Hamilton:

For one reason and another, so far we have been unable to get to Boise to go over the matter that we corresponded about, and therefore I wonder if we can accomplish the same ends by mail.

My Dad has acquired over the years three different 'places', all of which, of course, we have names for, and all of which also naturally have a different priority date. Our main concern is with the NESW NWSE, Sec. 24, T. 17 N. R. 1 W, which he owns in fee simple, and the spring arising on the 40 east of that, which is the NESE, Sec. 24, T17N, R. 1 WBM., which is BLM land, but under his control and management since approximately the same date as acquisition of the above named land. This particular series of springs - there are several within the three 40's - is the largest on the place, and would be capable of irrigating minimally most of the agricultural (hay) land on that 80 acres with a bit of development, and has been for some time last past used to irrigate approximately 20 acres. Also, we particularly would like to have this one on record because part of the springs are on BLM land, and usually in a normal year, although not this year, the spring runoff through this creek bed, does also run off our property for a period of two or three months, and occasionally up to six months.

Question No. 1. Should we file a separate "Claim to a Water Right" for this parcel, or could we encompass the entire 900 acres on one form, and the other springs here and there, none of which probably would exceed 1 gal. per minute.

No. 2. Should we list each priority date separately. As nearly as I can decipher, the earliest could be 1935, and the latest probably 1945.

I am enclosing the pencilled form which I have attempted to fill out, so that perhaps you can assist us.

Again, thank you for your consideration, and I shall await your reply.

Yours very truly,

Carolyn Menichetti
(Mrs.) Carolyn Menichetti

P.S. Am uncertain as to the amount of water -
Would be very difficult to measure -

671

RECEIVED