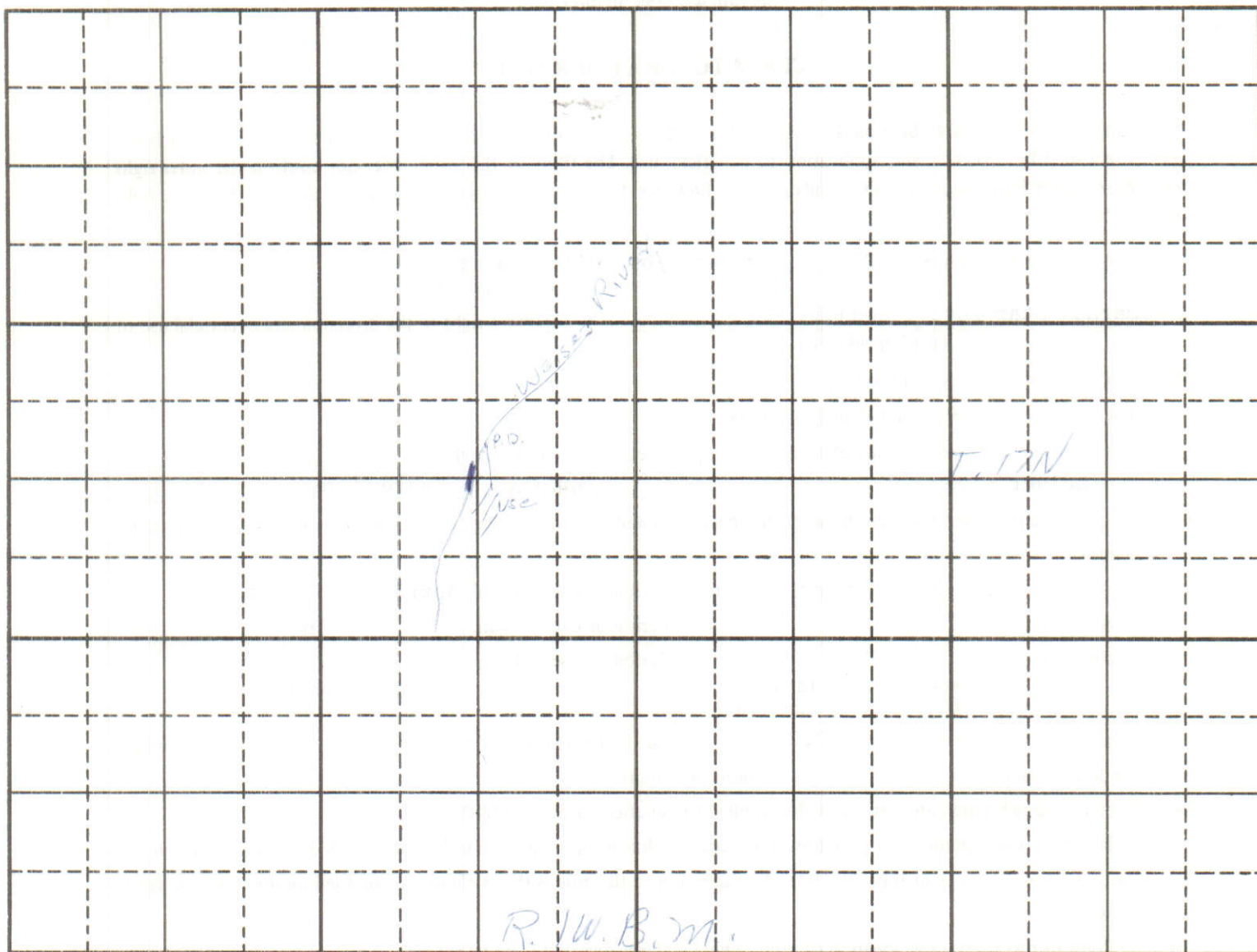


(8) Remarks _____



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 affiants knowledge.

Sworn to before me this 2nd day of Dec, 19 76

Alan W. Robert
(Claimant)
Lyle Glen Layton
Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>RWH</u>	Date <u>12-2-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RWH</u>	Date <u>12-2-76</u>		claimant by:	
\$10.00 fee received by <u>CS # 6111</u>	Date <u>12-2-76</u>			
Approved for publication by <u>CS 12-20-76</u>				
Published in <u>Idaho County Journal</u>				
Dates <u>Dec 9, 1976 + Dec 16, 1976</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 a

Water Right " No. 67-4163

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 9, 1976

and the last in the issue dated December 16, 1976 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.

Bert J. Rogers

Subscribed and sworn to before me this

DEC 16 1976

day of

. 19 .

Samuel Loom

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 67-4163

Notice is hereby given that Glen H. &/or Dwila Probst Council, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.28 cubic feet per second from Weiser River trib. to Snake River with the point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 1 T17N-R1W B.M. Adams County.

The water is claimed to be used from Apr 1 to Oct 31 for irrigation of 14.25 acres with a priority of 1890; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ -SE $\frac{1}{4}$ Sec 1 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

Director

Published in the Adams County Leader on December 9, 1976 and December 16, 1976.

RECEIVED

DEC 17 1976

Department of Water Resources
Western Regional Office

MICROFILMED

OK
12-20-76
CS

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 67-4163**

Notice is hereby given that
Glen H. &/or Dwila Probst
Council, ID has filed a claim to
a water right established by di-
version and application to bene-
ficial use of 0.28 cubic feet per
second from Weiser River trib. to
Snake River with the point of di-
version in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 1
T17N-R1W B.M. Adams County.

The water is claimed to be
used from Apr 1 to Oct 31 for ir-
rigation of 14.25 acres with a pri-
ority of 1890; the place of use is
within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ -
SE $\frac{1}{4}$ Sec 1 T17N-R1W B.M.

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

R. KEITH HIGGINSON
Director

Published in the Adams Coun-
ty Leader on December 9, 1976
and December 16, 1976.

NOTICE

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 Glen H. Probst &/or Dwila Probst
(name of claimant)
of Tamarack Star Route, Council, 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) Weiser River, tributary to, Snake River
- (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>0.28 cfs</u> | Use | <u>Irrigation</u> | Period of Use: | From | <u>Apr 1</u> | To | <u>Oct 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: 0.28 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) 1890

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 ¼ NE ¼, Sec. 1 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. Water diverted from river in gravity ditch. Ditch damel at various locations to sub. irrigated lands, listed below.

- (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	
17N	1W	1			3										11.25				14.25

Total No. of acres 14.25

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

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

Hand-drawn sketch on a grid background. The sketch shows a vertical line segment on the left, a horizontal line segment extending to the right from its midpoint, and a diagonal line segment extending upwards and to the right from the top of the vertical segment. There are some faint, illegible markings near the intersection of the vertical and horizontal segments, and a small 'x' mark near the end of the diagonal segment. The grid consists of solid lines forming a 10x10 grid of squares, with dashed lines forming a 20x20 grid of smaller squares.

Exception filed by:	Forwarded to claimant by:	Date
_____	_____	_____
_____	_____	_____

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 87-4183**

Notice is hereby given that Glen H. &/or Dwila Probst Council, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.28 cubic feet per second from Weiser River trib. to Snake River with the point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 1 T17N-R1W B.M. Adams County.

The water is claimed to be used from Apr 1 to Oct 31 for irrigation of 14.25 acres with a priority of 1890; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 1 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
Director

Published in the Adams County Leader on December 9, 1976 and December 16, 1976.

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 a

Water Right " No. 87-4183

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 9, 1976

and the last in the issue dated December 16, 1976 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.

Bert J. Rogers

Subscribed and sworn to before me this

Dec 16 1976

day of

19

Dwila Probst

Notary Public for Idaho,
Residing at Council, Idaho

RECEIVED

DEC 17 1976

Department of Water Resources
Western Regional Office

OK
12-20-76
CS

ACT
ION

N OWNER LAST NAME - PROBST
N OWNER LAST NAME - PROBST
N ADDRESS LINE 1 - TAMARACK STAR RT.

FIRST NAME - GLEN H.
FIRST NAME - DWILA

N SOURCE - WEISER RIVER

CITY - COUNCIL

STATE - ID

N STAGE - STATRY CLM

TRIBUTARY OF - SNAKE RIVER

N DIVERSION POINT - SWNE 01 17N 01W

PRIORITY - 06-01-1890 COUNTY - ADAMS

TOTAL DIV. RATE - .2800CFS

N FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - .2800CFS

N USE - IRRIGATION

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

AC 03 TRACT NWSE

AC 11

N REMARKS - AC. IRR.=14.25.

IDENT. NO. 67-4163

WATER RIGHT
DATA ENTRY LOG[illegible]

- DATA ENTRY -

Old No.

New No.

1. Original Owner: Alton H. & Dorela Probst

Present Owner: _____

2. Address: Tamarack Star Rt.

3. City: ~~70~~ Council State: Id Zip:

4. A. Source of Water: Weiser River

B. Tributary of: Snake River

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: 6-1-1890

D. County: 03

E. Total Diversion Rate: .28

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):

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

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

from 4-1 to 10-31 for A purposes. Amount .28
(cfs or AC-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

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. $ac - irr = 14.25$.
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):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

January 3, 1977

Re: Claim to a Water Right No. 67-4163

Glen H. &/or Dwila Probst
Tamarack Star Route
Council, ID 83612

Dear Mr. & Mrs. Probst:

The Department of Water Resources has completed the processing 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.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

L. GLEN SAXTON, P.E.
Western District Engineer

LGS:

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

December 3, 1976

RE: Notice of Claim to a Water Right No. 67-4163 - Glen H. &/or Dwila Probst

Notice of Application for Water Permit No. 67-7294 - Glen H. &/or Dwila R. Probst
69-7018 - Alice V. Stanley
69-7019 - Wanda Richards
78-7087 - Eugene &/or Mozelle McMahan

Adams County Leader
Council, ID 83612

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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)

Sincerely,

Bill Submitter

12-20-76

es

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4163

Notice is hereby given that Glen H. &/or Della Probat
Council, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.28 cubic feet per second ~~XXXXXXXXXXXX~~
from Weiser River trib. to Snake River
with the point of diversion in the SW1/4 Sec 1 T17N-R1W B.M. Adams County

The water is claimed to be used from Apr 1 to Oct 31
for irrigation of 14.25 acres
with a priority of ~~XXXX~~ 1890;
the place of use is within the SW1/4 NW1/4 Sec 1 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

Director

Published in the Adams County Leader
on December 9, 1976 and December 16, 1976.

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R. KEITH HIGGINSON
 Director

Published in the Adams County Leader on December 9, 1976 and December 16, 1976.