

T17N R.2W

Hornet Creek Point of Div.

5

For Department Use Only

Received by <u>if</u>	Date <u>10/23/74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ICB</u>	Date <u>11/23/74</u>		claimant by:	
\$10.00 fee received by <u>SW</u>	Date <u>11-22-74</u> # <u>15336</u>			
Approved for publication by <u>On 12-20-74 OK</u>				
Published in <u>Adelphi County, Lehigh 11-22-74</u>				
Dates <u>Dec. 5 & 1 Dec. 1974</u>				

RECEIVED

DEC 19 1974

Department of Water Resources
DEC 19 1974

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

No. 67-4096

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 5, 1974

and the last in the issue dated December 12, 1974 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 16TH

day of

December, 1974

Paul Braun

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 67-4096

Notice is hereby given that CATHORINE STEPHENSON P. O. Box 583, Council, ID has filed a claim to a water right established by diversion and application to beneficial use of .8 cubic feet per second of water from Hornet Creek, trib. to Weiser River with the point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5, T. 17 N, R. 2 W, B.M. Adams County.

The water is claimed to be used from June 1, to Oct. 15 for irrigation of 10 acres with a priority of 1934; the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 5, T. 17 N, R. 2 W, 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, Council, ID on Dec. 5, 1974 and Dec. 12, 1974.

Ok
12-20-74
CW

MICROFILMED

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 Catharine Stephenson
(name of claimant)
of P.O. Box 583 Council, Idaho 83412, 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) _____
Hornett Creek, tributary to, Weiser 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>40 inches</u> | Use | <u>irrigation</u> | Period of Use: | From | <u>6-1</u> | To | <u>10-15</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: _____ 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) 1934
- 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)
NW ¼ SW ¼, Sec. 5 Twp. 17N Rge. 2W 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. ditch & pipe line

- (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.

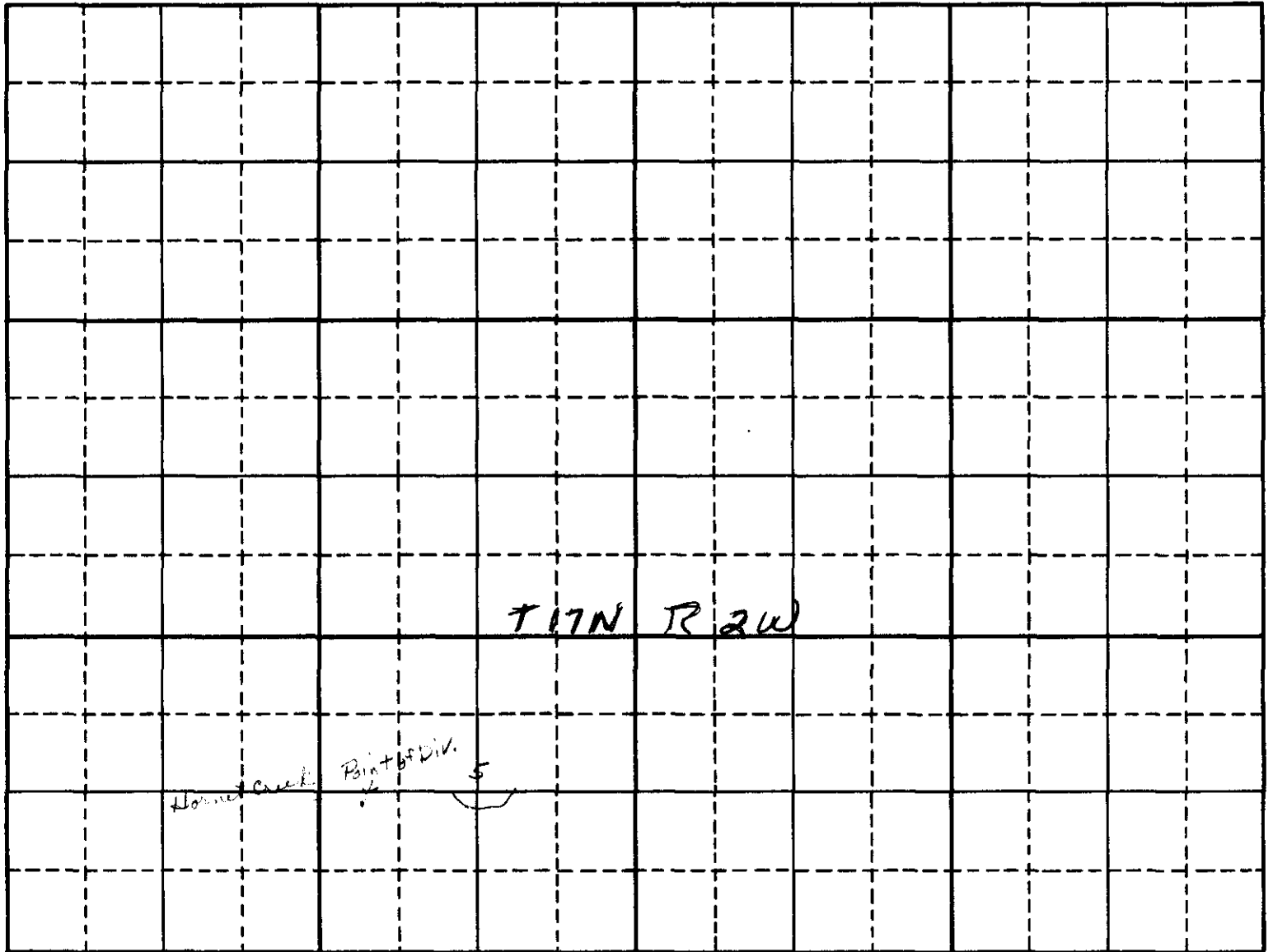
[illegible]

Total No. of acres _____

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

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

(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.

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.

Catherine Stephenson
(Claimant)

Sworn to before me this 21st day of OCTOBER, 19 74.

Rene J. Braun
Notary Public
Residing at Connell, Idaho

My commission expires 6-22-76

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Received by <u>if</u>	Date <u>11/23/74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ICB</u>	Date <u>11/23/74</u>		claimant by:	
\$10.00 fee received by <u>SW</u>	Date <u>11-22-74</u>	# <u>15330</u>		
Approved for publication by <u>11-22-74 C.R.</u>				
Published in <u>Adams County, Idaho</u>				
Dates <u>Dec. 5 & 11, 1974</u>				

Affidavit of Publication

Ch 12-20-14
00

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ACTION

N OWNER LAST NAME - STEPHENSON
N ADDRESS LINE 1 - P.O. BOX 583

FIRST NAME - CATHERINE

N SOURCE - HORNET CREEK

CITY - COUNCIL
TRIBUTARY OF - WEISER RIVER

STATE - ID ZIP CODE - 83612

N STAGE - STATRY CLM
N DIVERSION POINT - NWSW 05 17N 02W

PRIORITY - 06-01-1934 COUNTY - ADAMS TOTAL DIV. RATE - .8000CFS

N FROM - 06-01 TO - 10-15 USE - IRRIGATION

USE DIV. RATE - .8000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 17N RNG 02W SEC 05 TRACT NESW

AC 04 TRACT NWSE

AC 06

IDENT. NO. 67-4096

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

Present Owner: _____

from to for purposes. Amount

8. Use code: A

9. A. Decree Name:
B. Decree Date:

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. 67-4096

☒ 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) R.W.H. 11-25-74

In form to receipt

(2) NA

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) NA

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) R.W.H. 11-25-74

In form for advertising

(5) NA

Platted on Map No. NA

(6) R.W.H. 11-25-74

Located within Water District No. 67

(7) NA

Critical groundwater area: yes NA no NA

(8) NA

Groundwater levels:

NA Declining, NA Stable, NA Increasing

(comment) NA

(9) NA

Other rights on the same place of use

(10) NA

Comments: NA

(11) CA 12-20-74

Affidavit of Publication received(date) OK

(12) EB 12/23/74

Final date for protests NA Claim

Protests received: yes NA no NA

(13) EB 12/23/74

All requested information received from agencies or applicant: yes NA no NA

(14) EB 12/23/74

Action recommended:

File Approve NA Deny

NA Proposed Priority

NA Reason for Reduction

NA Measuring device required

NA See attached sheet for other conditions of approval

NA No special conditions for approval

(15) District Western

By Broker

Date 12/23/74

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2190

R. Keith Higginson
Director

December 23, 1974

Ms. Cathorine Stephenson
P.O. Box 583
Council, ID 83612

Re: Claim to a Water Right No. 67-4096

Ms. Cathorine Stephenson:

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,

KENNETH H. FOIT, P.E.
Western District Engineer

KHFcla



STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

Nov. 29, 1974

Adams County Leader
Council, ID 83612

Re: Claim to a Water Right No. 67-4096 - Cathorine Stephenson
Application for Permit No. 67-7232 - Louis J. &/or Carma R. Crabb &/or Darrel G. Thompson
67-7233 - Warren N. Rice

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 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)

Sincerely,

Bill submitted
12-20-74
cu

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4096

Notice is hereby given that CATHORINE STEPHENSON

P.O. Box 583, Council, ID

has filed a claim to a water right established by diversion and application
to beneficial use of .8 cubic feet per second ~~acre feet of water~~

from Hornet Creek, trib. to Weiser River

with the point of diversion in the NW 1/4, Sec. 5, T. 17 N, R. 2 W, B.M.

Adams County

The water is claimed to be used from June 1, to Oct. 15

for irrigation of 10 acres

with a priority of 1934;

the place of use is within the NE 1/4, NW 1/4, Sec. 5, T. 17 N, R. 2 W, 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, Council, ID
on Dec. 5, 1974 and Dec. 12, 1974

INDEXED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

November 22, 1974

Ms. Cathorine Stephenson
P.O. Box 583
Council, ID 83612

Dear Ms. Stephenson:

Enclosed is your Receipt No. 15336 in the amount of \$ 10.00 for
Claim to a Water Right No. 67-4096 which was received in this office
on Nov. 22, 1974.

Sincerely,

CATHY L. ATKINSON
Stenographer

CLA:c

Enclosure

OCT 22 1974

Department of Water Resources

RECEIVED

NOV 22 1974

Department of Water Resources
October 15, 1974

NOV 22 1974

To whom it may concern:

I Kenneth Harrington do hereby swear that I have knowledge that the water use claimed by Cathorine Stephenson on the land described as being in Township 17 North, Range 2 West, Section 5 dates back at least 40 years.

Signed:

Kenneth Harrington

MICROFILMED

October 24, 1974

C
Catharine Stephenson
P. O. Box 583
Council, Idaho 83612

Dear Ms. Stephenson:

Q
We are returning your claim to a water right form and your check in the amount of \$10.00. Additional information is needed before we can process your claim. Please complete the following items in the form:

P
Item 8. The place of use as described herein does not correspond with the map on the reverse side of this claim. Please correct either the map or this item.

Please return the corrected claim with your fee check and we will then be able to continue processing.

Sincerely,

Y
M. CLAYNE BARRON
W. R. Technician II

MCB:sw

Enclosures

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