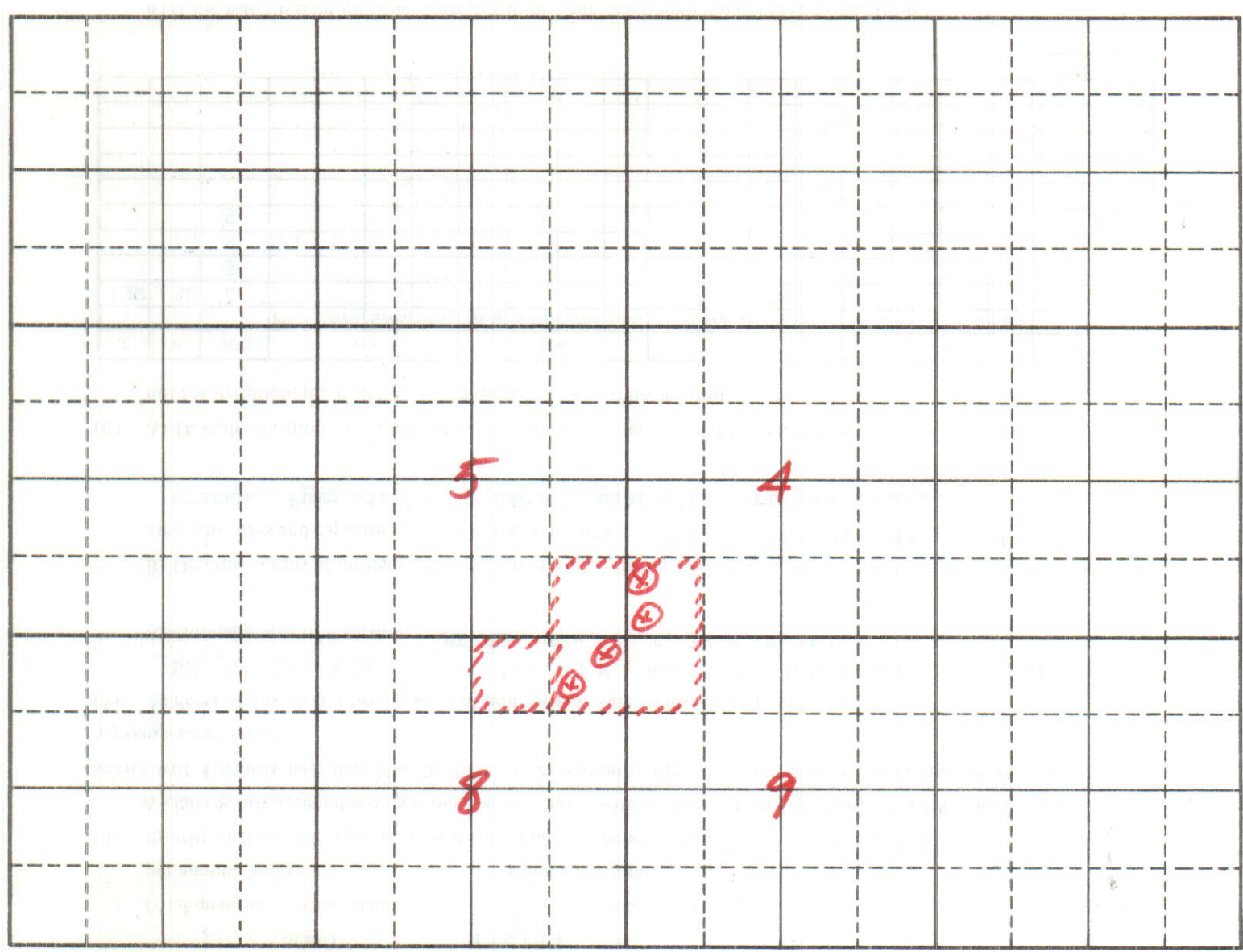


WICBOLETTED

(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.

Mildred M. Hartono
Philip J. Hartono
(Claimant)

Sworn to before me this 10th day of July, 1974.

Glenn E. Woods
Notary Public
Residing at Boise, Idaho

My commission expires 6-15-77

Rec'd # 15810

For Department Use Only

Received by <u>ef</u>	Date <u>7-10-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CB</u>	Date <u>7/10/74</u>		claimant by:	
\$10.00 fee received by <u>CB</u>	Date <u>7/10/74</u>			
Approved for publication by <u>au</u>	Date <u>8-5-74</u>			
Published in <u>Upper Country News Reporter</u>				
Dates <u>7-18, 7-25-74</u>				

RECEIVED

JUL 29 1974

Department of Water Resources

Public Notices

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 67-4072**

Notice is hereby given that PHILIP E. &/or MILDRED M. HORTON, Midvale, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 1.79 cubic feet per second of water from unnamed springs, trib. to Weiser River with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 13 N, R. 3 W, B. M., Washington County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stock use and March 15 to Nov. 15 for irrigation of 87 acres with a priority of March, 1941; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 13 N, R. 3 W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Upper Country News Reporter, Cambridge, Idaho, on July 18, 1974 and July 25, 1974.

OK
8-5-74
CW

AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of July 18, 1974, and ended with the issue of July 25, 1974.

Stuart Dopf

Subscribed and sworn to before me this

26th day of July, 1974.

May Callins

Notary Public for Idaho, residing at
Cambridge, Idaho

67-4072

MICROFILMED

8-2-74

B7C 2/1/1974

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 67-4072

Notice is hereby given that PHILIP E. &/or MILDRED M. HORTON, Midvale, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 1.79 cubic feet per second of water from unnamed springs, trib. to Weiser River with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 13 N, R. 3 W, B. M., Washington County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stock use and March 15 to Nov. 15 for irrigation of 87 acres with a priority of March, 1941; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 13 N, R. 3 W, B.M.

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R. KEITH HIGGINSON
Director

Published in the Upper Country News Reporter, Cambridge, Idaho, on July 18, 1974 and July 25, 1974.

OK
7-18-74
ca

Idaho
Department of Water Administration
Boise, Idaho

Boise District Office
302-384-3332
302-384-3332
302-384-3332

DEPARTMENT OF WATER ADMINISTRATION
STATE OF IDAHO

Idaho Department of Water Administration
Boise, Idaho

Idaho Department of Water Administration
Boise, Idaho



STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

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 Philip E. &/or Mildred M. Horton
(name of claimant)
of Midvale, Idaho, claims a right to the diversion and beneficial use of
(mailing address)

ground water or surface water tributary to Weiser River;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed springs

- (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>1.74 cfs</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>March 15</u>	To	<u>Nov. 15</u>
Amount	<u>.05 cfs</u>	Use	<u>Stockwater</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)			(both dates inclusive)		

- (3) Total quantity of water claimed: 1.79 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) March, 1941

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 SW ¼, Sec. 4 Twp. 13 N Rge. 3 W B. M. County of Washington
 Additional points of diversion: NE ¼ NE ¼, Sec. 8, T. 13 N, R. 3 W

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. Spring diversion with gravity ditch system. Pump with 57 HP diesel motor with sprinkler system.

- (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 87

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

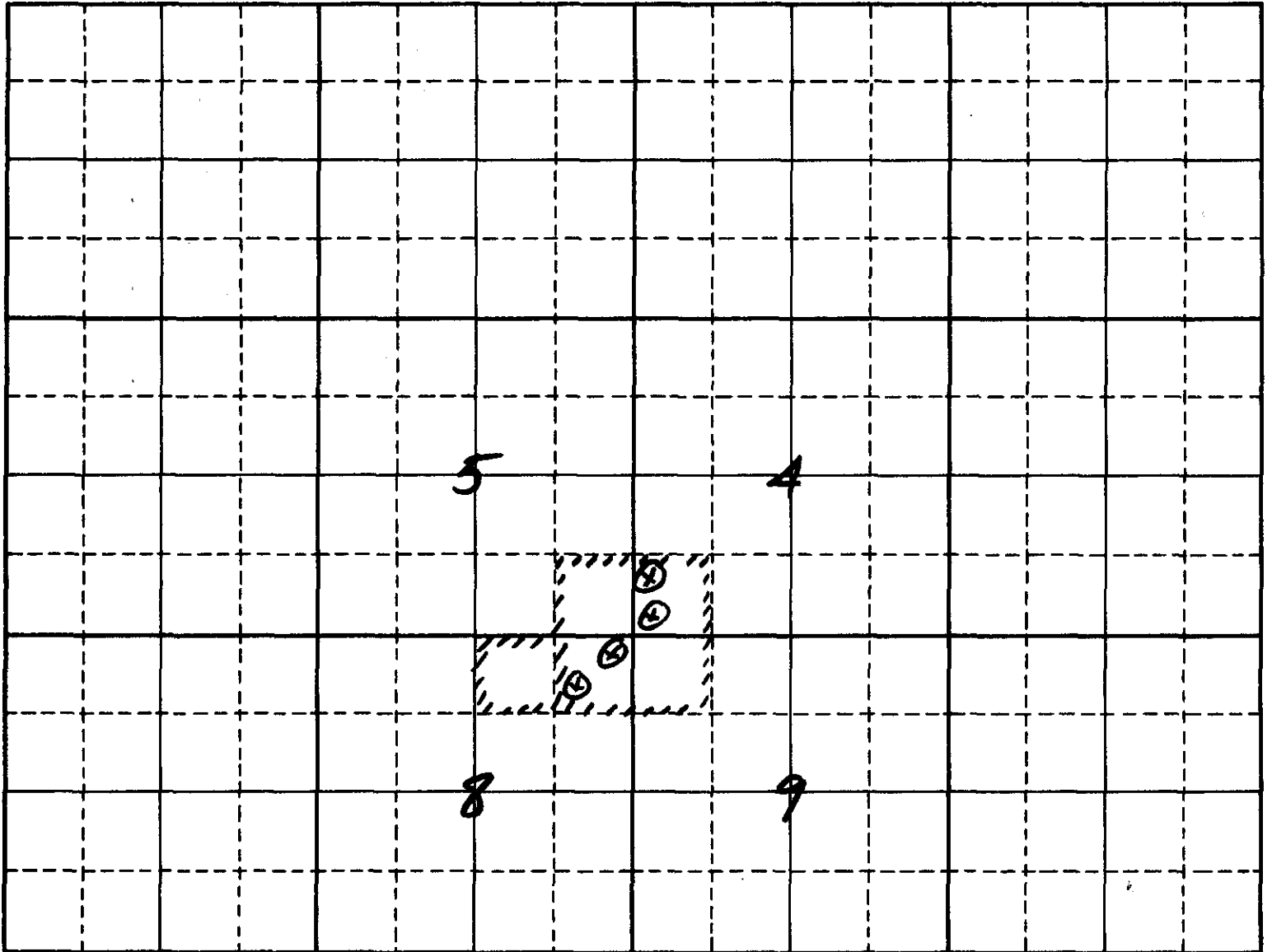
Stockwater for 200 beef cattle

Stockwater for 2500 sheep

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

MICROFILMED

(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 10th day of July, 1974.

Notary Public

Residing at Boise, Idaho

My commission expires 6-15-77

For Department Use Only

Received by [Signature] Date 7-10-74
Prelim. check by OB Date 7/10/74
\$10.00 fee received by CS Date 7/10/74
Approved for publication by ALL 8-5-74
Published in Upper Country News Reporter
Dates 7-18-74 7-25-74

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

RECEIVED

JUL 29 1974

Department of Water Resources

AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of July 18, 1974, and ended with the issue of July 25, 1974.

Stuart Dopf

Subscribed and sworn to before me this

26th day of July, 1974.

My Comm.

Notary Public for Idaho, residing at

Cambridge, Idaho

Public Notice

NOTICE OF CLAIM TO A WATER RIGHT
No. 27-272

Notice is hereby given that PHILIP H. &/or HERBERT M. HORTON, Midvale, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 1.78 cubic feet per second of water from unnamed springs, trib. to Weiser River with the point of diversion in the SW $\frac{1}{4}$ Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 13 N., R. 3 W., B. M., Washington County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stock use and March 15 to Nov. 15 for irrigation of 87 acres with a priority of March, 1941; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 13 N., R. 3 W., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83701.

R. KETH HIGGINSON
Director

Published in the Upper Country News Reporter, Cambridge, Idaho, on July 18, 1974 and July 25, 1974.

OK
8-5-74
OK

67-4072

ACTION

N	OWNER LAST NAME - HORTON	FIRST NAME - PHILIP E.
N	OWNER LAST NAME - HORTON	FIRST NAME - MILDRED M.
N		CITY - MIDVALE
N	SOURCE - SPRINGS	STATE - ID
N	STAGE - STATRY CLM	TRIBUTARY OF - WEISER RIVER
N	DIVERSION POINT - SWSW 04 13N 03W	PRIORITY - 03-01-1941
N	FROM - 03-15 TO - 11-15	COUNTY - WASHINGTON
N	FROM - 01-01 TO - 12-31	TOTAL DIV. RATE - 1.7900CFS
N	USE - IRRIGATION	USE DIV. RATE - 1.7400CFS
N	USE - IRRIGATION	USE DIV. RATE - .0500CFS
N	USE - IRRIGATION	PLACE OF USE - TWN 13N RNG 03W SEC 04 TRACT SWSW
N	USE - IRRIGATION	PLACE OF USE - TWN 13N RNG 03W SEC 05 TRACT SESE
N	USE - IRRIGATION	PLACE OF USE - TWN 13N RNG 03W SEC 08 TRACT NENE
N	USE - IRRIGATION	PLACE OF USE - TWN 13N RNG 03W SEC 09 TRACT NWNW
N	NON IRRIG USE - S/200 RANGE, 2500 SHEEP.	

1000

IDENT. NO. 67-4072

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. 167-4072
Old No. New No.

Record

1. Original Owner: Philip E. or Melabred M. Horton

Present Owner: _____

2. Address: _____

3. City: Medvale State: Id Zip: _____4. A. Source of Water: SpringsB. Tributary of: Weiser River5. A. Stage (A,P,L,D,S,J): L

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

C. Priority Date: 3-1-1941D. County: 87E. Total Diversion Rate: 1.79

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>SWSW</u>	<u>4</u>	<u>13N</u>	<u>3W</u>		
	<u>NENE</u>	<u>8</u>	<u>13N</u>	<u>3W</u>		

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

from 3-15 to 11-15 for A purposes. Amount 1.74
(cfs or AC-FT/yr)from 1-1 to 12-31 for L purposes. Amount .05 cfs

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*

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<i>13N</i>	<i>3W</i>	<i>4</i>											<i>40</i>						
		<i>5</i>																<i>10</i>	
		<i>8</i>	<i>23</i>	<i>1</i>															
		<i>9</i>						<i>13</i>											

9. A. Decree Name:

B. Decree Date:

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

11. Other Uses (Non-irrigation explanatory information): *2/200 range 2500 sheep*

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 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

August 13, 1974

Mr. Philip E. Horton
Midvale, ID 83645

Re: Claim to a Water Right No. 67-4072

Dear Mr. Horton:

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 your 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 can be of further assistance, please feel free to call upon us.

Sincerely,

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

KHF:
cla

Enclosure

MICROFILMED

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

July 12, 1974

Upper Country News Reporter
Box 98
Cambridge, Idaho 83610

Re: Claim to a Water right No. 67-4072 - Philip E. &/or Mildred M. Horton

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
8-5-74
ca

MICROFILMED

**NOTICE OF CLAIM TO A
WATER RIGHT**
No. 67-4072

Notice is hereby given that PHILIP E. &/or MILDRED M. HORTON, Midvale, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 1.79 cubic feet per second of water from unnamed springs, trib. to Weiser River with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 13 N, R. 3 W, B. M., Washington County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stock use and March 15 to Nov. 15 for irrigation of 87 acres with a priority of March, 1941; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, N $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 13 N, R. 3 W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Upper Country News Reporter, Cambridge, Idaho, on July 18, 1974 and July 25, 1974.

OK
7-18-74
ca

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4072

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Midvale, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 1.79 cubic feet per second ~~more or less~~ of water from unnamed springs, trib. to Weiser River

with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 13 N, R. 3 W, B.M., Washington County

The water is claimed to be used from Jan. 1 to Dec. 31 for stock use and March 15 to Nov. 15 for irrigation of 87 acres

with a priority of March, 1941;

the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 13 N, R. 3 W, B.M.

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R. KEITH HIGGINSON

Director

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