

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 " 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 July 11, 1974

and the last in the issue dated July 18, 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.

Subscribed and sworn to before me this 18th

day of July, 1974

Bert J. Rogers
Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4069

Notice is hereby given that ALVIN YANTIS Council, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 1.8 cubic feet per second of water from Middle Fork Weiser River with the point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 15 N, R. 1 W. B.M., Adams County.

The water is claimed to be used from March 15 to Oct. 31 for irrigation of 45 acres with a priority of May 1, 1900; the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, T. 15 N, R. 1 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 Adams County Leader, Council, Idaho on July 11, 1974 and July 18, 1974.

OK
7-24-74
ca

RECEIVED
JUL 22 1974

Department of Water Resources

67 4069

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 Alvin Yeantis (name of claimant)
of Council, Idaho, (mailing address), claims a right to the diversion and beneficial use of
ground water or surface water tributary to _____;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Middle fork of the 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>1.8 cfs</u> | Use <u>irri</u> | Period of Use: From <u>March 15</u> To <u>Oct 21</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: 1.8 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) 5-1-1960

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 1/4 NE 1/4, Sec. 14 Twp. 15 N Rge. 16 W 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. diversion dam, 2 miles long

- (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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
15 N	16 W	10		20			20	5											45

Total No. of acres 45

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 _____

place of use

T15N R1W Sec 10

T15N R1W Sec 10
place of use

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 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.

Alvin Yantis
(Claimant)

(Claimant)

Sworn to before me this 26TH day of June, 19 74.

Notary Public

Residing at Council Bluffs

My commission expires

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to	Date
Prelim. check by	Date		claimant by:	
\$10.00 fee received by	Date			
Approved for publication by				
Published in				
Dates				

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said "Notice" as aforesaid.

Subscribed and sworn to before me this 18th

day of July, 1974

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT

No. 27-1974

Notice is hereby given that SILVIN YAMMERS Council, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 1.8 cubic feet per second of water from Middle Fork Weiser River with the point of diversion in the NW 1/4 NE 1/4, Sec. 14, T. 15 N, R. 1 W, B.M., Adams County.

The water is claimed to be used from March 15 to Oct. 31 for irrigation of 45 acres with a priority of May 1, 1900; the place of use is within the NW 1/4 NE 1/4, N 16 NW 1/4, Sec. 10, T. 15 N, R. 1 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 Adams County Leader, Council, Idaho, on July 11, 1974 and July 18, 1974.

Ok
7-24-74
CW

RECEIVED

JUL 22 1974

PL. 2-100 of Idaho Rules

67 4069

Licensing to SRBA

SL
11/8/93

Permit 67-07403

- Examined 6/25/93
- Found 43.7 ac. with full duty of water (.88 cfs).

Stat. claim 67-04069

- Covers 45 ac. within same QG's
Found in exam of 67-07403.
- Claims 1.80 cfs with 1900 d.o.p.

Decreed right 67-00089

- Covers same QG's (partially) as permit plus different QG's.
- .42 cfs implies 33.6 acs ($c \frac{5}{8}$)
per ac $.42 \div .0125 = 33.6$

SRBA claims filed for all 3 rights. Not date entered yet - see Adams Co. nondata entry file.

If priority verified for -04069, then stat. claim supercedes permit & permit would serve no purpose. Permit would be relinquished/cancelled.

→ Put licensing of 67-07403 on hold pending SRBA review of this property.

CC: S.O. Files 67-04069 & 67-07403
Region Files " "

Licensing & SRBA

YL
11/8/93

Permit 67-07403

- Examined 6/25/93
- Found 43.7 ac. with full duty of water (.88 cfs).

Stat. claim 67-04069

- Covers 45 ac. within same Q&A
- Found in exam of 67-07403.
- Claims 1.80 cfs with 1900 d.o.p.

Decreed right 67-00089

- Covers same Q&A (partially) as permit plus different Q&A
- .42 cfs implies 33.6 acs ($c \frac{5}{8}$ "
per ac $.42 \div .0125 = 33.6$)

SRBA claims filed for all 3 rights. Not data entered yet - see Adams Co. nondata entry file.

If priority verified for -04069, then stat claim supersedes permit & permit would serve no purpose. Permit would be relinquished/cancelled.

→ Put licensing of 67-07403 on hold pending SRBA review of this property.

CC: S.O. Files 67-04069 & 67-07403
Region Files " "

Re: Claim to a Water Right No. 67-4069

Dear Mr. Yantes:

We are returning your claim and a receipt for \$10.00.

Items two and three should agree as to the amount of water you are using.

Please change the one which is incorrect and return the claim as soon as possible.

If you have any questions, please contact this office.

Very truly yours,

ERVIN E. BALLOU
W. R. Technician II

EEB: def

Enclosures

MICROFILMED

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 15, 1974

Mr. Alvin Yantis
Council, ID 83612

Re: Claim to a Water Right No. 67-4069

Dear Mr. Yantis:

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

67-4069

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 5, 1974

Adams County Leader
Council, Idaho 83612

Re: Claim to a Water Right No. 67-4069 - Alvin Yantis

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
7-24-74
ca

67-4069

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4069

Notice is hereby given that ALVIN YANTIS

Council, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.8 cubic feet per second ~~manifest~~ of water
from Middle Fork Weiser River

with the point of diversion in the NW¹/₄NE¹/₄, Sec. 14, T. 15 N, R. 1 W, B.M.,
Adams County

The water is claimed to be used from March 15 to Oct. 31 for

irrigation of 45 acres

with a priority of May 1, 1900 ;

the place of use is within the NW¹/₄NE¹/₄, NW¹/₄, Sec. 10, T. 15 N, R. 1 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 Adams County Leader, Council, Idaho

on July 11, 1974 and July 18, 1974

67 4069

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

July 3, 1974

Mr. Alvin Yantis
Council, Idaho 83612

Dear Mr. Yantis:

Enclosed is your Receipt No. 14916 in the amount of \$ 10.00 for
~~Claim to a Water Right No. 67-4069~~ which was received in this office
on ~~June 27, 1974~~.

Sincerely,

SUSAN WHALEY
Secretary

SW:s

Enclosure

67 4069