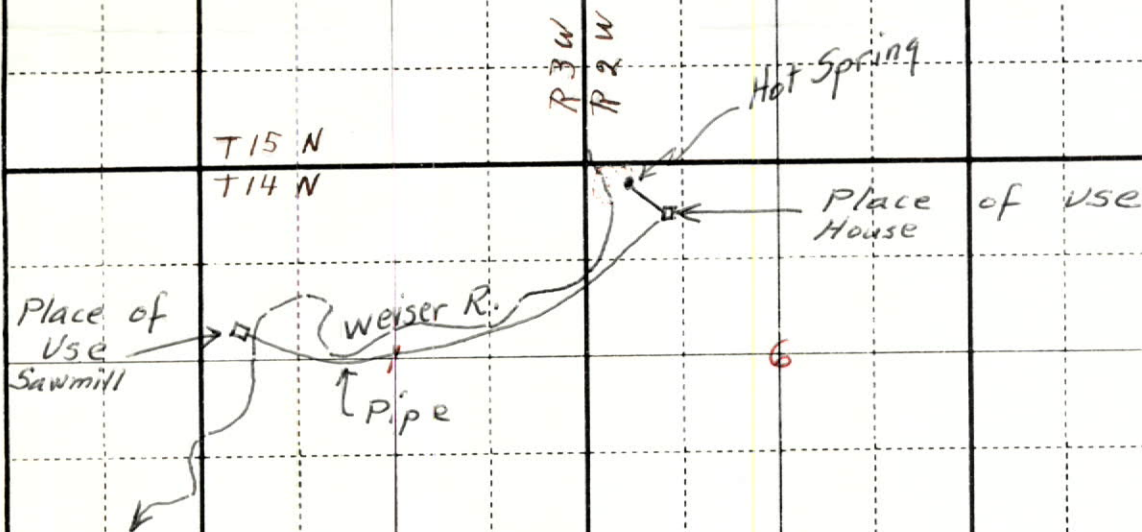




Permit Map No. 28815

As Approved

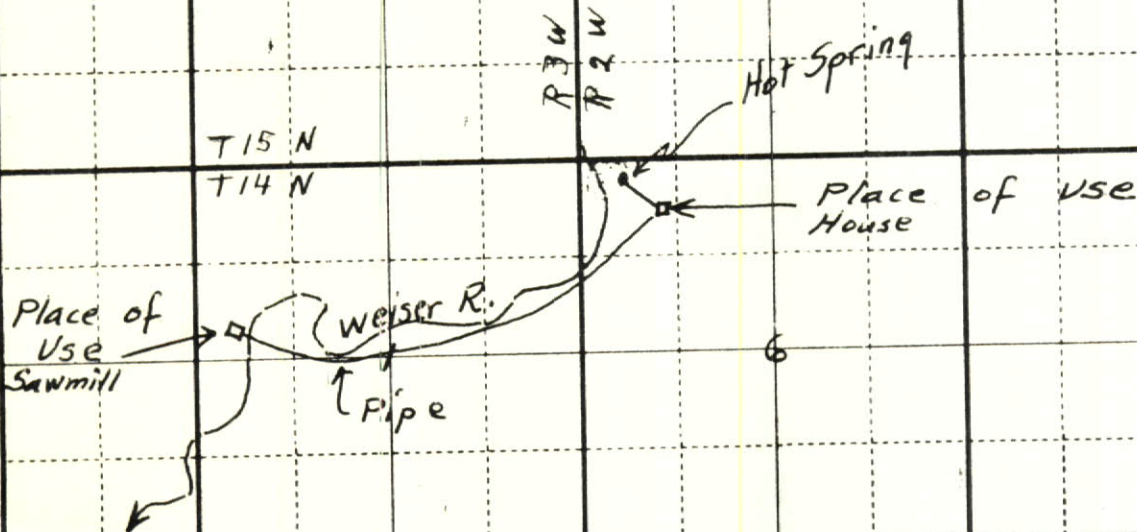
GEO. N. CARTER

State Reclamation Engineer

JUN 24 1960

NAME OF APPLICANT Herbert M. or Ida E. Assel

Form No. 0



Permit Map No. 28815
As Approved JUN 24 1960
GEO. N. CARTER
State Reclamation Engineer

NOTICE OF CLAIM TO A
WATER RIGHT
No. 67-4027

Notice is hereby given that HERBERT M. and/or IDA E. ASSEL, King City, Missouri has filed a claim to a water right established by diversion and application to beneficial use of .80 cubic feet per second of water from unnamed hot springs with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 W., B. M., Washington County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic, heating and industrial purposes with a priority of Nov., 1959 (domestic and heating), Nov., 1964 (industrial); the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 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 Aug. 31, 1972 and Sept. 7, 1972.

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 Aug. 31, 1972, and ended with the issue of Sept. 7, 1972.

Stuart Dopf

Subscribed and sworn to before me this

8th day of Sept., 1972.

May Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

NOTICE OF CLAIM TO A
WATER RIGHT

No. 67-4027

Notice is hereby given that HERBERT M. and/or IDA E. ASSEL, King City, Missouri has filed a claim to a water right established by diversion and application to beneficial use of .80 cubic feet per second of water from unnamed hot springs with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 W., B. M., Washington County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic, heating and industrial purposes with a priority of Nov., 1959 (domestic and heating), Nov., 1964 (industrial); the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 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 Aug. 31, 1972 and Sept. 7, 1972.

67 4027

Identification No. _____

Claim No. 67-4027

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant HERBERT M. and/or IDA E. ASSEL
post office address King City, Missouri 64463
2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 6 Township 14N
Range 2W B.M. located on unnamed springs (hot)
(name of source)
tributary to Weiser River in Washington County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed:
Domestic and heating 11-1959 amount: .80 c.f.s. or _____ acre feet
Industrial 11-1964 amount: .80 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .80 c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use Domestic period of use from 1/1 to 12/31 (both dates inclusive)
use Heating period of use from 1/1 to 12/31 (both dates inclusive)
use Ind. period of use from 1/1 to 12/31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of collection pond and pumps; length is _____ feet; height is _____ feet; width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

67 4027

atch at top is _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? _____ if yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Industrial - is sawmill use for heating - keeping pond ~~XXX~~ from freezing and general
use (sawmill).

See permit 28815/67-2281 cancelled which I lost for non-payment of a licensing fee
when I moved and did not change my address.

Sawmill is located - SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 14 N., R. 3 W., B.M. Domestic place of use
is - NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 W., B.M.

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.

Herbert M. Assel
Claimant

Sworn to before me this 21 day of August, 19 72

Gary L. Page
Notary Public
Residing at Boise

My commission expires 7/29/1975

For Department Use Only

Received by ESP Date 8/21/1972

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by ESP Date 8/21/1972

Fee received by ESP Date 8-21-72 Fee \$ 10.00

Approved for publication by KSP 8/22/72

Published in Upper Country News Reporter 8-31-72

67-4027

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

fee 5²⁵

Address all communications to

(Form No. 1)

P. O. 67-2281

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 36800

Permit No. 28815

District No.

1. Name of Applicant: Herbert M. or Ida E. Assef
Post Office address Cambridge County Washington State Idaho

If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

The financial resources of the applicant are: (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: 1.5 cubic feet per second

3. Source of water supply: Hot Spring
which is tributary of Weiser River

4. Location of point of diversion: 747 E. and 299 S. feet distant from the North West corner
of Section 6 Twp. 14 N Rge. 2 W B. M., and is in the NW 1/4 of the NW 1/4
of Section 6 Twp. 14 N Rge. 2 W B.M., County of Washington

5. Water is to be used for: Heating and keeping log pond open in winter

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
NW 1/4 NW 1/4 of Section 6 Twp 14 N Rge 2 W
Twp. Rge. B. M., in the SW NW of Section 1 Twp. 14 N Rge. 3 W B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to Weiser River at a point feet
distant from the corner of Section Twp. Rge. B. M., in the
NW 1/4 NW 1/4 Sec. 6 Twp 14 N Rge 2 W
SW NW of Section 1 Twp. 14 N Rge. 3 W B. M.

7. Estimated cost of works: \$ 8,000

8. Kind of works: Pump, Iron and Concrete Pipe
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet;

feet; material used in dam
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width feet; Height feet

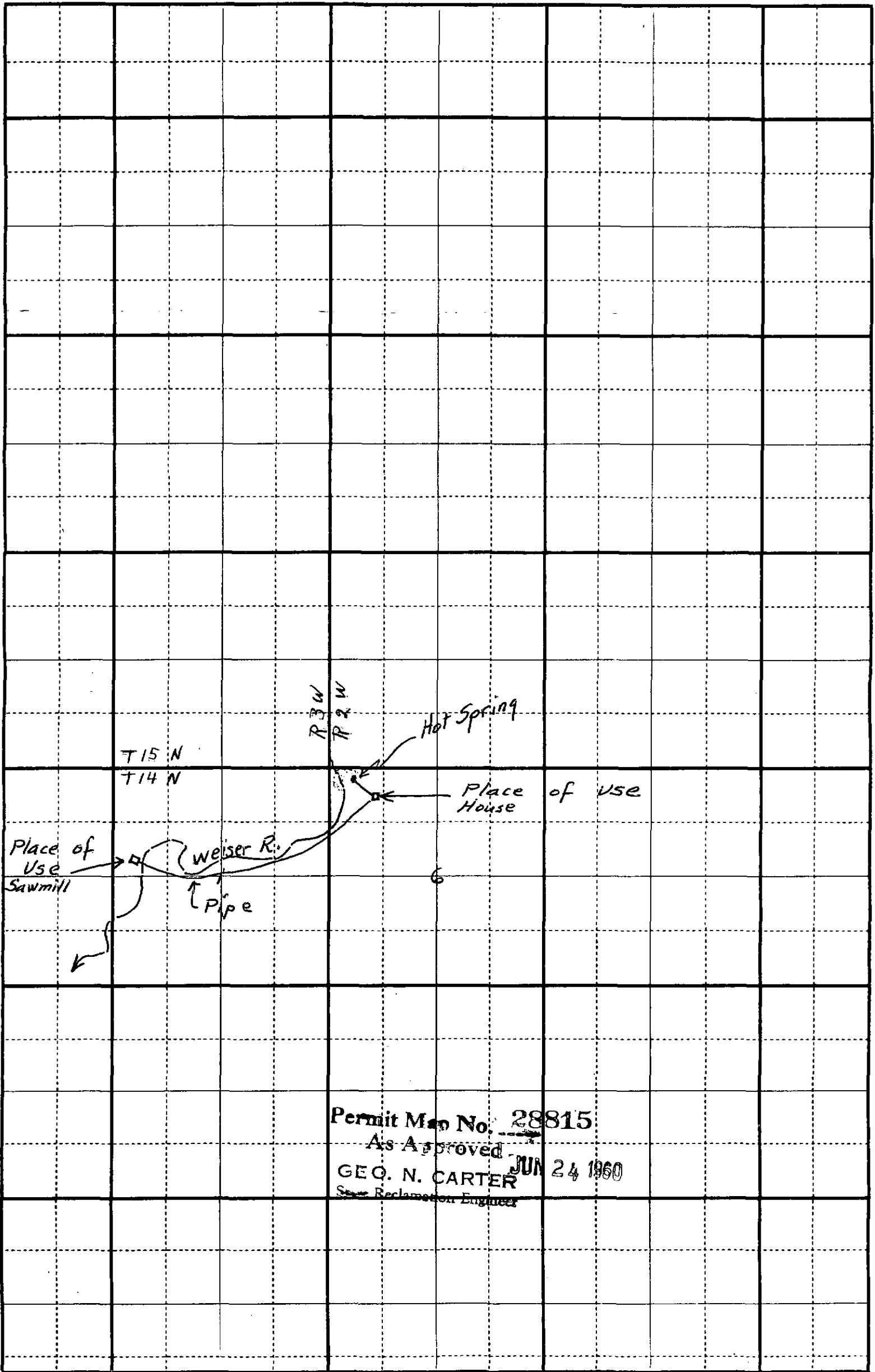
11. Ditch: Width at bottom feet; Width at water line feet; Depth of water feet;

Dimensions of flume ; Diameter of pipe 1 1/4-6-8-10 inches;

Length of conduit 1.3 miles. Average grade per mile 15 feet.

NAME OF APPLICANT Herbert M. or Ida E. Assel

Form No. 0



Permit Map No. 28815
As Approved
GEO. N. CARTER
State Reclamation Engineer
JUN 24 1960

16. (a) Is reservoir to be used? No (If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks:

BE IT KNOWN That the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Herbert M. Assel
Applicant.

By _____, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____

and that I do hereby grant unto the said _____ permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO)
County of _____) ss.

On this _____ day of _____, 195____, before me, a Notary Public for the State of Idaho, residing at _____, personally appeared _____ known to me to be the person whose name _____ subscribed to the foregoing certificate, and acknowledged to me that _____ executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires _____

Notary Public.

Approval of State Reclamation Engineer

The number of this permit is 28815

Recorded in Book 101 Page 28815 Approved JUN 24 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$..... to be filed before

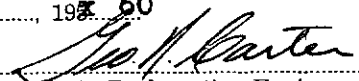
Work to begin on or before August 24, 1960, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before December 24, 1962

The whole of said work to be completed on or before June 24, 1965

Beneficial use of water appropriated in accordance herewith, to be made on or before June 24, 1965

Witness my hand this 24th day of June, 1960

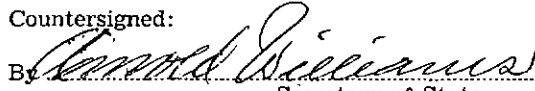

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, W. E. DREVLLOW, Acting Governor of the State of Idaho,

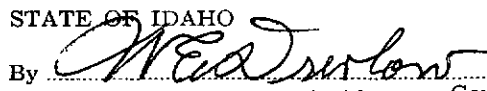
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to

be hereunto affixed, this 24th day of June, 1960

Countersigned:

By 
Secretary of State.

STATE OF IDAHO

By 
Acting Governor.

No. 28815

PERMIT

Date of first receipt at office of State
Reclamation Engineer

11:30 A.M. June 23, 1960

Returned to applicant for correction

Corrected application received

Fees, \$ 5.25

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof 25

Identification No. _____

Claim No. 67-4027

Map No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant HERBERT M. and/or IDA E. ASSEL
post office address King City, Missouri 64463

2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 6 Township 14N
Range 2W B.M. located on unnamed springs (hot)
(name of source)
tributary to Weiser River in Washington County,

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

Domestic and heating	<u>11-1959</u>	amount: <u>.80</u>	c.f.s. or	_____ acre feet
Industrial	<u>11-1964</u>	amount: <u>.80</u>	c.f.s. or	_____ acre feet
		amount: _____	c.f.s. or	_____ acre feet
		Total claimed <u>.80</u>	c.f.s. or	_____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use <u>Domestic</u>	period of use from <u>1/1</u>	to <u>12/31</u>	(both dates inclusive)
use <u>Heating</u>	period of use from <u>1/1</u>	to <u>12/31</u>	(both dates inclusive)
use <u>Ind.</u>	period of use from <u>1/1</u>	to <u>12/31</u>	(both dates inclusive)
use _____	period of use from _____	to _____	(both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of collection pond and pumps; length is _____ feet; height is _____ feet; width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____ capacity of pump is _____ g.p.m.; name and address of well driller is _____

67 4027

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

[illegible]

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Industrial - is sawmill use for heating - keeping pond ~~XXX~~ from freezing and general
use (sawmill).

See permit 28815,67-2281 cancelled which I lost for non-payment of a licensing fee
when I moved and did not change my address.

Sawmill is located - SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T. 14 N., R. 3 W., B.M. Domestic place of use is - NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 W., B.M.

State of Idaho

County of Ada } 28.

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 21 day of August, 1972.

Herbert M. Assel
Claimant

Claimant

Day of August, 19 72
Gary J. Rupp
 Notary Public
 Residing at Boise

Notary Public

Residing at

My commission expires

For Department Use Only

Received by ASV Date 8/21/1977

Exception filed by:

Forwarded to
claimant by:

Date _____

prelim. check by JS Date 8/21/1972

Fee received by Date 8-21-72 Fee \$ 10 -

Approved for publication by

Published in _____ Dates _____

~~67 4022~~

fee 5²³

Address all communications to

(Form No. 1)

P. O.

67-2281

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 36800

Permit No. 28815

District No.

1. Name of Applicant: Herbert M. or Ida E. Assef
Post Office address: Cambridge County Washington State Idaho

If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of Capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

The financial resources of the applicant are: (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

2. Quantity of water claimed: 1.5 cubic feet per second

3. Source of water supply: Hot Spring
which is tributary of: Weiser River

4. Location of point of diversion: 747 E. and 299 S. feet distant from the North West corner
of Section 6, Twp. 14 N, Rge. 2 W, B. M., and is in the NW 1/4 of the NW 1/4
of Section 6, Twp. 14 N, Rge. 2 W, B. M., County of Washington

5. Water is to be used for: Heating and keeping log pond open in winter

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
NW 1/4 NW 1/4 of Section 6 Twp 14 N Rge 2 W
Twp. , Rge. , B. M., in the NW 1/4 of Section 1, Twp. 14 N, Rge. 3 W, B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to Weiser River at a point feet
distant from the corner of Section Twp. , Rge. , B. M., in the
NW 1/4 NW 1/4 of Section 6 Twp 14 N Rge 2 W
SW 1/4 NW 1/4 of Section 1 Twp. 14 N, Rge. 3 W, B. M.

7. Estimated cost of works: \$ 8,000

8. Kind of works: Pump, Iron and Concrete Pipe
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet;
material used in dam
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width feet; Height feet

11. Ditch: Width at bottom feet; Width at water line feet; Depth of water feet;

Dimensions of flume ; Diameter of pipe 14-6-8-10 inches;

Length of conduit 1.3 miles. Average grade per mile 15 feet.

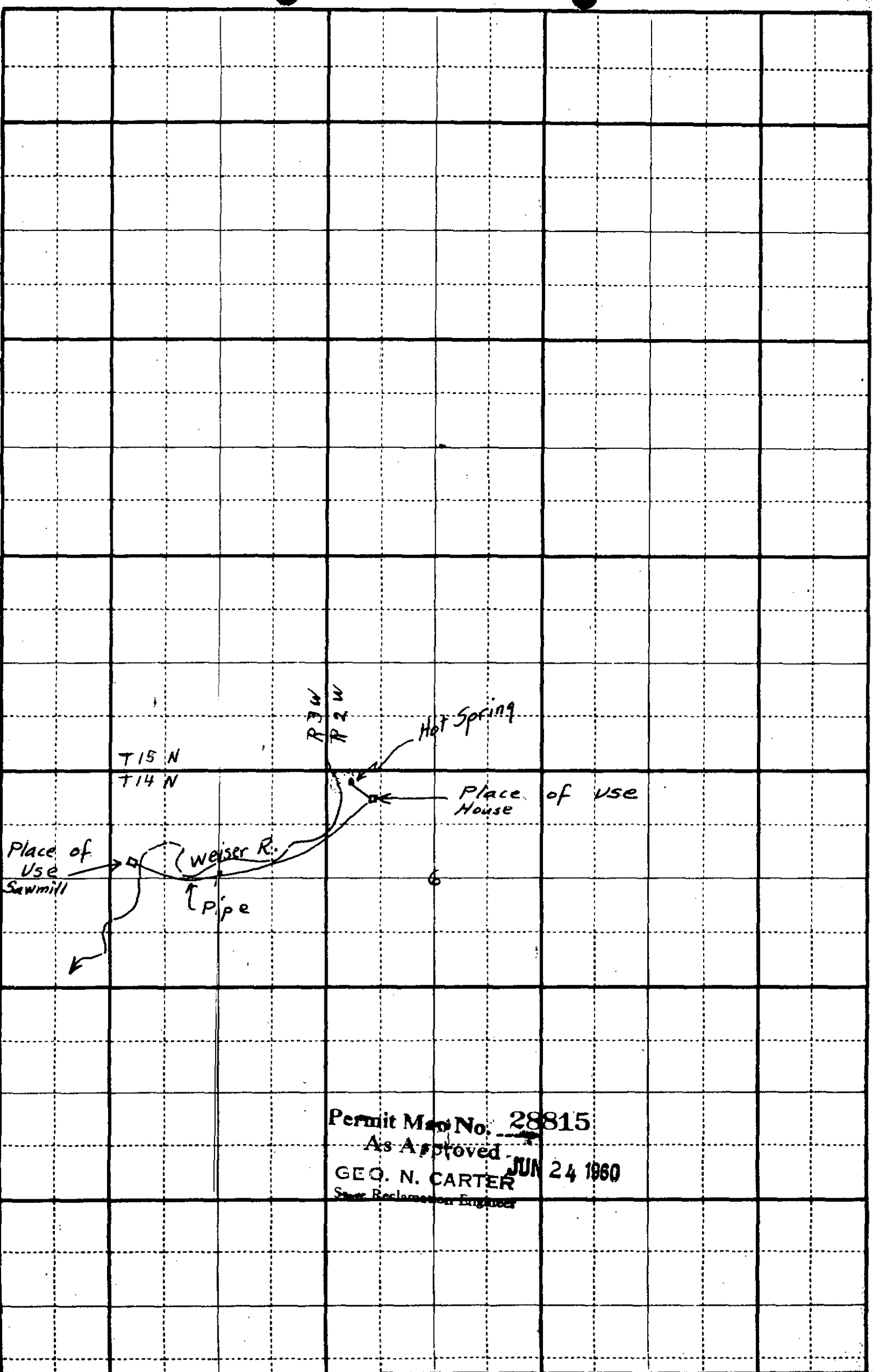
67 4027

approval

RT

NAME OF APPLICANT Herbert M. or Ida E. Assef

Form No. 6



Permit Map No. 28815

As Approved

GEORGE N. CARTER

State Reclamation Engineer

JUN 24 1960

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

67 4027

16. (a) Is reservoir to be used? No (If so, fill in (b) and (c) below.)

(b) Name of reservoir and number of Storage Permit:

(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks:

BE IT KNOWN That the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Robert M. Arsel

Applicant.

By _____, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____

and that I do hereby grant unto the said _____ permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO

County of _____) ss.

On this _____ day of _____, 195____, before me, a Notary Public for the State of Idaho, residing at _____, personally appeared _____ known to me to be the person whose name _____ subscribed to the foregoing certificate, and acknowledged to me that he executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

Notary Public.

My commission expires _____

67 4027

Approval of State Reclamation Engineer

The number of this permit is 28815

Recorded in Book 101 Page 28815 Approved JUN 24 1960

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$..... to be filed before

Work to begin on or before August 24, 1960, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before December 24, 1962

The whole of said work to be completed on or before June 24, 1965

Beneficial use of water appropriated in accordance herewith, to be made on or before June 24, 1965

Witness my hand this 24th day of June, 1960

[Signature]
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, W. E. DREVLLOW, Acting Governor of the State of Idaho, and ARNOLD WILLIAMS Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th day of June, 1960

Countersigned:

By *[Signature]*
Secretary of State.

STATE OF IDAHO

By *[Signature]*
Acting Governor.

No. 28815

PERMIT

Date of first receipt at office of State
Reclamation Engineer

11:30 A.M. June 23, 1960

Returned to applicant for correction

Corrected application received

Fees, \$ 5.25

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof 25

67 4027

NOTICE OF CLAIM TO A
WATER RIGHT
No. 67-4027

Notice is hereby given that HERBERT M. and/or IDA E. ASSEL, King City, Missouri has filed a claim to a water right established by diversion and application to beneficial use of .80 cubic feet per second of water from unnamed hot springs with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 W., B. M., Washington County.

The water is claimed to be used from Jan 1 to Dec. 31 for domestic, heating and industrial purposes with a priority of Nov., 1959 (domestic and heating), Nov., 1964 (industrial); the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 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 Aug. 31, 1972 and Sept. 7, 1972.

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 Aug. 31, 1972, and ended with the issue of Sept. 7, 1972.

Stuart Dopf

Subscribed and sworn to before me this

8th day of Sept., 1972.

Mary Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

ACTION

N OWNER LAST NAME - ASSEL FIRST NAME - HERBERT M.
N OWNER LAST NAME - ASSEL FIRST NAME - IDA E.
N CITY - KING CITY STATE - MO ZIP CODE - 64463
N SOURCE - SPRINGS TRIBUTARY OF - WEISER RIVER
N STAGE - STATRY CLM PRIORITY - 11-01-1959 COUNTY - WASHINGTON TOTAL DIV. RATE - .8000CFS
N DIVERSION POINT - NWNW 06 14N 02W
N FROM - 01-01 TO - 12-31 USE - INDUSTRIAL USE DIV. RATE - .8000CFS
N FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .8000CFS
N FROM - 01-01 TO - 12-31 USE - HEATING USE DIV. RATE - .8000CFS
N USE - INDUSTRIAL PLACE OF USE - TWN 14N RNG 02W SEC 06 TRACT NWNW
N REMARKS - PRIORITY DATES ARE 11-1-1959 FOR DOMESTIC & HEATING, 11-1-1964
N FOR INDUSTRIAL.

IDENT. NO. 67-4027

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

- J. Right Basis (for adjudication claims A,B,C only):

from _____ to _____ for _____ purposes. Amount _____

Western District Office

September 18, 1972

RE: CLAIM TO A WATER RIGHT NO. 67-4027

Mr. Herbert M. Assel
King City, Missouri 64463

Dear Mr. Assel:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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:mkp

Enclosure

67 4027

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 Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

Aug. 23, 1972

RE: CLAIM TO A WATER RIGHT NO. 67-4087 Herbert M. and/or Ida E. Assel

Upper Country News Reporter
Box 98
Cambridge, Idaho 83610

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,

67 4027

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4027

Notice is hereby given that ASSEL,
HERBERT M. and/or IDA E. ~~ASSEL~~ King
City, Missouri

has filed a claim to a water right established by diversion and application
to beneficial use of .80 cubic feet per second ~~XXXXXX~~ of water
from XX unnamed hot springs
with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 W.,
B.M., Washington County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic,
heating and industrial purposes
with a priority of Nov., 1959 (domestic and heating), Nov., 1964 (industrial);
the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 W., B.M.

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Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Upper Country News Reporter, Cambridge, Idaho
on Aug. 31, 1972 and Sept. 7, 1972

67 4027

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 67-4027

Notice is hereby given that HERBERT M. and/or IDA E. ASSEL, King City, Missouri has filed a claim to a water right established by diversion and application to beneficial use of .80 cubic feet per second of water from unclaimed hot springs with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 W., B. M., Washington County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic, heating and industrial purposes with a priority of Nov., 1959 (domestic and heating), Nov., 1964 (industrial); the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 14 N., R. 2 W., B.M.

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R. KEITH HIGGINSON
Director

Published in the Upper Country News-Reporter, Cambridge, Idaho on Aug. 31, 1972 and Sept. 7, 1972.

67 4027

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho,

19

No. 0169

RECEIVED

FROM

Herbert M. Goss of Cambridge, Mass.
Land and 7/8

DOLLARS

FOR

Carey Act Trust Fund	\$	
<i>786700</i> Application for Permit No.	\$	<i>5.25</i>
Proofs	\$	
Certified Copy	\$	
Recording Deed	\$	
Certificate	\$	
TOTAL	\$	<i>5.25</i>

67 4027

State Reclamation Engineer

By

Edmund P. Kules



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

July 5, 1960

Re: Permit No. 28815

Mr. Herbert M. Assel,
Cambridge, Idaho.

Dear Mr. Assel:

We enclose Permit No. 28815 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 30169 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

67 4027



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

GEO. N. CARTER, STATE RECLAMATION ENGINEER

BOISE

July 5, 1960

Re: Permit No. 28815

Mr. Herbert M. Assel,
Cambridge, Idaho.

Dear Mr. Assel:

We enclose Permit No. 28815 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

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Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Edna P. Rule
(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

67 4027

INSTRUMENT NO.

90704

THIS INDENTURE, Made this 6TH day of December

in the year of our Lord one thousand nine hundred and sixty-five

, between

HERBERT M. ASSEL and IDA E. ASSEL, husband and wife,
of Cambridge, County of Washington, State of Idaho

the parties of the first part, and

WILLIAM LAKEY and LENA LAKEY, husband and wife,
of Caldwell, County of Canyon, State of Idaho

the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TEN AND NO/100----- DOLLARS,

lawful money of the United States of America,

to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all of the following described real estate, situated in, County of Washington, State of Idaho, to-wit:

Lots Two, Three and Four of Section 31, in Township 15 North, Range 2 West of the Boise Meridian, and Lot Four of Section 6 in Township 14 North, Range 2 West of the Boise, Meridian. EXCEPTING THEREFROM the following described tract of land, being a portion of Lots 3 and 4 in Section 31, Twp. 15 North, Range 2 West B.M., described as follows:

Commencing at the South Quarter corner of Section 31, Township 15 North, Range 2 West, Boise Meridian; thence South $89^{\circ}51'$ West along the South line of said Section 31 a distance of 2100.0 feet, more or less, to the most southerly corner of the tract of land as described in that certain Warranty Deed dated July 1, 1957, recorded July 12, 1957 in Book 77 of Deeds at Page 119 as Instrument No. 82478 records of Washington County, State of Idaho, and being the REAL POINT OF BEGINNING: thence North $30^{\circ}01'$ East (shown of record to be North $30^{\circ}10'$ East) along the Southeasterly line of said Tract of land 1120.11 feet to the most Easterly corner thereof; thence North $72^{\circ}24'30''$ West (shown of record to be North $72^{\circ}24'$ West) along the Northeasterly line of said tract of land 629.04 feet; thence North $20^{\circ}43'40''$ East 280.80 feet; thence North $14^{\circ}36'10''$ East 339.71 feet; thence North $44^{\circ}42'20''$ East 929.10 feet to a point on the East line of Government Lot 3 of said Section 31; thence South $0^{\circ}36'40''$ West along said East line and the East line of Government Lot 4 of said Section 31 a distance of 1189.70 feet; thence South $30^{\circ}01'$ West 1410.77 feet to a point in the South line of said Section 31; thence South $89^{\circ}51'$ West along said South line 80.97 feet to the REAL POINT OF BEGINNING.

SUBJECT to all rights of way and easements now existing, together with all water, water rights and ditches thereunto appertaining and reserving unto the grantor forty (40) minor inches of water from a hot water spring situated in the Northwest Quarter of the Northwest Quarter of Section 6, Township 14 North, Range 2 West B.M.

Note

ALSO SUBJECT to that certain leasehold and easement agreement entered into the 16th day of November, 1964, between the grantors and the Iron Mountain Lumber Co., Inc., which is of record in the office of the County Recorder of Washington County.

67 4027

67 4027