

(8) Remarks _____

Rge 19E

Sec 12.											
Place of use Point of Diversion											

Twp 15S.

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 Latah) 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 15th day of March, 19 27.

Cleo Brauburger
(Claimant)

Notary Public
Residing at Basin

My commission expires 2-22-28

For Department Use Only

Received by <u>11B</u>	Date <u>3-16-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ADM</u>	Date <u>3-17-77</u>		claimant by:	
\$10.00 fee received by <u>SB</u>	Date <u>3/16/77</u>	Rec.# <u>2382</u>		
Approved for publication by <u>ST</u>				
Published in <u>Linden City Journal</u>				
Dates <u>3/31 & 4/7/77</u>				

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Lincoln } SS.

RECEIVED

APR 8 1977

Melba Thorne being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 21 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 31 day of March, 1977, and the date of the last publication was on the 7 day of April, 1977.

Melba Thorne

Subscribed and sworn to before me this 7

day of April, 1977.
(SEAL)

Mary Ann Hagen
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice
Number of Insertions
Lines tabular at 315c
23 Lines straight at 21c
Subsequent lines at 15c
TOTAL COST 11.88

COPY OF NOTICE

(Paste Here)

Water Right
TITLE OF NOTICE

Brauburger 37-4078
PLAINTIFF ATTORNEY

NOTICE OF CLAIM TO A WATER RIGHT NO. 37-4078

Notice is hereby given that Cleo Brauburger, Rte. #1, Richfield, Idaho 83349 has filed a claim to a water right established by diversion and application to beneficial use of .04 cubic feet per second of water from groundwater with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 12, Twp. 4S, Rge. 19E., B.M. Lincoln County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of March, 1969 the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SEc. 12, Twp. 4S, Rge. 19E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301.

/s/ R. Keith Higginson
Director

Pub: 3-31; 4-7

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight 21c
7 pt. per line, tabular 315c
7 pt. per line, successive
insertions 15c

N^o 1600

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 Cleo Brauburger (name of claimant)
of Rt# 1 Richfield, Idaho 83349 (mailing address), claims a right to the diversion and beneficial use of
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) Groundwater, tributary to ,
(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 .04 cfs Use Domestic Period of Use: From JAN 1 To DEC 31
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: .04 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 1969

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)
SE ¼ SE ¼, Sec. 12 Twp. 4S Rge. 19E B. M. County of Lincoln
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. 2 hp. Submersible pump and Motor. 1 ¼ pipe to house and Barn

- (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 ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4S	9E	12																X	

Total No. of acres

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

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

Remarks	

Rge 19E

Sec 12.

Place of use

Point of Dispersion

3075

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

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.

Chas Brachinger

(Claimant)

Notary Public

Residing at

My commission expires 7-22-81

For Department Use Only

Received by <u>1AB</u>	Date <u>3-16-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ADM</u>	Date <u>3-17-77</u>		claimant by:	
\$10.00 fee received by <u>1AB</u>	Date <u>3/16/77</u>	Rec.# <u>2382</u>		
Approved for publication by <u>SS</u>				
Published in <u>Linsden City Journal</u>				
Dates <u>3/31 & 4/7/77</u>				

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Lincoln } SS.

RECEIVED

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each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 5 day of March,

1927, and the date of the last publication was on the 7

day of April, 1927

Melba Thorne

Subscribed and sworn to before me this

day of April, 1927
(SEAL)

Mary Ann Higgins
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice

Number of Insertions

Lines tabular at 315c

23 Lines straight at 21c

Subsequent lines at 15c

TOTAL COST

COPY OF NOTICE

(Paste Here)

Water Right
TITLE OF NOTICE

Boasberger et al vs
PLAINTIFF ATTORNEY

Notice is hereby given that Geo Boasberger, Rte #1, Richmond, Idaho 83348 has filed a claim to a water right established by diversion and application to beneficial use of 44 cubic feet per second of water from groundwater with point of diversion in the SE 1/4, Sec. 12, Twp. 4S, Rge. 18E., S. 2E. Lincoln County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of March, 1880 the place of use is within the SE 1/4, SEC. 12, Twp. 4S, Rge. 18E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1041 Blue Lake Blvd., North Twin Falls, Idaho, 83301.

/s/ R. Keith Higginson
Director

Pub: 3-31; 4-7

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight	21c
7 pt. per line, tabular	315c
7 pt. per line, successive insertions	15c

No 1600

WATER RIGHTS EDIT REPORT

12/07/79

PAGE 262

WATER RIGHT NUMBER 37-4078

ACTION

FIRST NAME - CLEO

N OWNER LAST NAME - BRAUBURGER

N ADDRESS LINE 1 - RT. 1

N

CITY - RICHFIELD

STATE - ID ZIP CODE - 83349

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

N DIVERSION POINT - SESE 12 04S 19E

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

N USE - DOMESTIC

PRIORITY - 03-01-1969 COUNTY - LINCOLN TOTAL DIV. RATE - .0400CFS

USE DIV. RATE - .0400CFS

PLACE OF USE - TWN 04S RNG 19E SEC 12 TRACT SESE

IDENT. NO. 37-4078

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. _____

Old No. _____

New No. _____

1 37-4018

Record

1. Original Owner: Cleo Bramburger

Present Owner: _____

2. Address: Rt. 13. City: Richfield State: ID Zip: 833494. A. Source of Water: gr

B. Tributary of: _____

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: ~~3-1-1969~~ 3-1-1969D. County: 63E. Total Diversion Rate: .04

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>SE SE</u>	<u>12</u>	<u>48</u>	<u>19E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 1-1 to 12-31 for D purposes. Amount .04
(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 _____

pf 11279

8. Use Code: D

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
44	19E	12																	D

9. A. Decree Name:

B. Decree Date:
10. Remarks:

A.

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 SOUTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Wigginton
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3570

April 19, 1977

Re: Claim To A Water Right No. 37-4078

Mr. Cleo Brauburger
Rte. #1
Richfield, Idaho 83349

Dear Mr. Brauburger:

The Department of Water Resources has completed the processing of your Claim to a Water Right, and no further action is authorized under Sections 42-225a and 42-225b of the 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 a copy of the claim for your records. If you have any questions or if we can be of further assistance, please feel free to contact us.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-4078-Brauburger, Cleo

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) In form to receipt
- (2) Send Copies to:
Idaho State Health Department
Idaho Fish and Game Department
Bureau of Land Management
- (3) Request Special Use Permit from U.S.F.S.
Request Easement from B.L.M.
Request Information from Applicant
- (4) In form for advertising
- (5) Platted on Map No.
- (6) Located within Water District No.
- (7) Critical groundwater area: yes no
- (8) Groundwater levels:
Declining, Stable, Increasing
(comment)
- (9) Other rights on the same place of use
- (10) Comments:
- (11) AB 4/8/77 Affidavit of Publication received(date)
- (12) Final date for protests 4/18/77
Protests received: yes no
- (13) All requested information received from agencies or applicant: yes no
- (14) Action recommended:
Approve Deny
Proposed Priority
Reason for Reduction
Measuring device required
See attached sheet for other conditions of approval
No special conditions for approval
- (15) District By Michael Stale Date

Copy sent to Boise 3/17/77 AB

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 37-4078

Notice is hereby given that Cleo Brauburger
Rte. #1, Richfield, Idaho 83349
has filed a claim to a water right established by diversion and application
to beneficial use of .04 cubic feet per second ~~zero feet per annum~~
of water from groundwater
with point of diversion in the SE¹/4, Sec. 12, Twp. 4S, Rge. 19E., B.M.
Lincoln County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes
with a priority of March, 1969;
the place of use is within the SE¹/4, SEC. 12, Twp. 4S, Rge. 19E., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls,
Idaho, 83301 ~~XXXXXXXXXX~~

R. KEITH HIGGINSON

Director

Published in the Lincoln County Journal
on 3/31 and 4/7
3/24 3/31/77

RECEIVED

SHORT LEGAL -- 1e

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 37-4078

Notice is hereby given that Geo Brauburger, Rte. #1, Richfield, Idaho 83349 has filed a claim to a water right established by diversion and application to beneficial use of .04 cubic feet per second of water from groundwater with point of diversion in the SE¹/₄-SE¹/₄, Sec. 12, Twp. 4S, Rge. 19E., B.M. Lincoln County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of March 1969 the place of use is within the SE¹/₄-SE¹/₄, Sec. 12, Twp. 4S, Rge. 19E., B.M.

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/s/ R. Keith Higginson
Director

OK/SB

Pub: 3-31; 4-7 3/30/77

March 17, 1977

Lincoln County Journal
P.O. Box 704
Shoshone, Idaho 83352

RE: Claim to a Water Right #37-4078-Brauburger, Cleo

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

Enclosure

Bill submitted: _____