

RECEIVED

AUG 28 1972

AFFIDAVIT OF PUBLICATION

Water Administration
Subdivision District Office

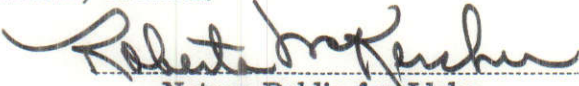
STATE OF IDAHO, }
County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 17th day of AUGUST, 19 72 and ending with the last publication thereof on the 24th day of AUGUST, 19 72.

Cost of this publication is \$ 10.08.


GEORGE T. FRITZ

Subscribed and sworn to before me, this 25th day of AUGUST, 19 72.


Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT

Notice is hereby given that Paul N. and Susan L. Matthes, Box 253, Sun Valley, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.022 cubic feet per second of water from a groundwater source with point of diversion in the NE 1/4 SW 1/4, Sec. 18, T. 4N, R. 18E, B. M., Blaine County.

The water is claimed to be used from Jan. 1 to Dec. 31 with a priority of June 1962; the place of use is within the NE 1/4 SW 1/4, Sec. 18, T. 4N, R. 18E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301 on or before September 5, 1972.

R. KEITH HIGGINSON
Director

Published in the Wood River Journal, Hailey, Idaho on Aug. 17 and Aug. 24, 1972.

37 4024

Identification No. _____
Claim No. 37-4024
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 Paul N. and Susan L. Matthes
post office address Box 253, Sun Valley, Idaho 83353
2. The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 18 Township 4N
Range 18E B.M. located on groundwater
(name of source)
tributary to _____ in Blaine 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:

June 1962 amount: 0.022 c.f.s. or 600 gal/acre-foot
amount: _____ c.f.s. or _____ hr acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ 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 Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (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 _____
; 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 pumped; depth of well is 66 feet; diameter of well is 6 inches; type of pump is surface--Jet pump
capacity of pump is 15 g.p.m.; name and address of well driller is Wm. Martin Drilling
Hailey, Idaho

attach well logs if available; has there been any change in pump or motor since well was first completed
No; if so, give dates and explain _____

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

[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 1 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
We are concerned over the quality and quantity of the water in this area now that there is such a huge increase in population here.

State of Idaho }
County of Blaine } 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.

Susan L. Matthes
Paul M. Matthes
Claimant

Sworn to before me this 31st day of July, 1972

[Signature]
Notary Public
Residing at Harley, Idaho

My commission expires 8-29-75

alw 8-2-72		For Department Use Only	
alw 7-25-72			
Received by ds	Date 7-21-72	Exception filed by:	Forwarded to claimant by:
Prelim. check by <u>RT</u> Date _____			
Fee received by <u>ej</u> Date <u>7/24/72</u> Fee \$ <u>10.00</u>			
Approved for publication by <u>[Signature]</u>			
Published in <u>Wood River Journal</u> Dates <u>8-17 &</u>			
alw 8-24-72			

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.

Identification No. _____

Claim No. _____

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 Paul N. and Susan L. Matthes
post office address Box 253, Sun Valley, Idaho 83353
2. The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 18 Township 4N
Range 18E B.M. located on Trail Creek
(name of source)
tributary to Wood River in Blaine 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:

JUNE 1962 amount: 600 gal/hr c.f.s. or _____ acre feet
____ amount: _____ c.f.s. or _____ acre feet
____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ 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 JAN 1 to DEC 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (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 _____
____; 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 PUMPED; depth of well is 66 feet; diameter of well is 6 inches; type of pump is SURFACE - JET PUMP
capacity of pump is 15 g.p.m.; name and address of well driller is MARTIN DRILLING
HAILEY, IDAHO;

37 4024

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

[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 1 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 _____

State of Idaho

County of Blaine

We are concerned over the quality and quantity of the water in this area now that there is such a huge increase in population here.

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.

Paul H. Matthe & Susan L. Matthe
Claimant

Sworn to before me this 18th day of July, 19 72

Chris H. Davis
Notary Public

Residing at Hailey, Idaho

My commission expires 8-29-75

For Department Use Only

Received by aw Date 7-25-72
de Date 7-21-72

Exception filed by: _____

Forwarded to claimant by: _____

Date _____

Prelim. check by _____ Date _____

Fee received by ef Date 7/24/72 Fee \$ 10.00

Approved for publication by _____

Published in Wood River Journal Dates 8-17-72
aw 8-24-72

37 4024

INSTRUCTIONS

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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:

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	<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.

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Identification No. _____
Claim No. 37-4024
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

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1. Name of claimant Paul N. and Susan L. Matthes
post office address Box 253, Sun Valley, Idaho 83353
2. The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 18 Township 4N
Range 18E B.M. located on groundwater
(name of source)
tributary to _____ in Blaine 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:
June 1962 amount: 0.022 c.f.s. or 600 gal/ XXXX acre-foot
amount: _____ c.f.s. or _____ hr acre foot
amount: _____ c.f.s. or _____ acre foot
Total claimed _____ c.f.s. or _____ acre foot.
 - 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 Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (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 _____
_____ ; 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 pumped ; depth of well is
66 feet; diameter of well is 6 inches; type of pump is surface--Jet pump
capacity of pump is 15 g.p.m.; name and address of well driller is Wm. Martin Drilling
Hailey, Idaho ;

attach well logs if available; has there been any change in pump or motor since well was first completed
No; if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____.

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____;
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

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 _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated _____

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

b. Do you get water through 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 1 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 We are concerned over the quality and quantity of the water in this area now that there is such a huge increase in population here. _____

State of Idaho }
County of Blaine } 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.

Paul M. Moxley Susan L. Moxley
Claimant

Sworn to before me this 31st day of July, 1972

Ben A. Jones
Notary Public
Residing at Harley, Idaho

My commission expires 8-29-75

For Department Use Only			
Received by	Date	Exception filed by:	Forwarded to claimant by:
alw	7-2-72		
alw	7-25-72		
ds	7-21-72		
Prelim. check by	<u>RM</u>		
Fee received by	<u>ej</u>		
Approved for publication by	<u>RM</u>		
Published in			

RECEIVED

AUG 29 1972

AFFIDAVIT OF PUBLICATION

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County of Blaine, } ss.

GEORGE T. FRITZ, being first duly sworn deposes and says that he is now and all times herein mentioned has been the Editor and Publisher of the Wood River Journal (formerly The Hailey Times) which is now, and all times herein mentioned has been a newspaper as defined in Section 60-106 of the Idaho Code printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and having not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, the Wood River Journal, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the 17th day of AUGUST, 19 72 and ending with the last publication thereof on the 24th day of AUGUST, 19 72.

Cost of this publication is \$ 10.08


GEORGE T. FRITZ

Subscribed and sworn to before me, this 25th day
of AUGUST, 19 72.


Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT

Notice is hereby given that Paul N. and Susan L. Matthews, Box 253, Sun Valley, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.022 cubic feet per second of water from a groundwater source with point of diversion in the NE 1/4, Sec. 18, T. 4N, R. 18E, B. M., Blaine County.

The water is claimed to be used from Jan. 1 to Dec. 31 with a priority of June 1968. The place of use is within the NE 1/4, Sec. 18, T. 4N, R. 18E, B. M.

Any exception to this claim of water right may be filed with the State Engineer of Idaho.

5, 1972.

R. KEITH BRIDGEMAN

Director

Published in the Wood River Journal

37 4029

WATER RIGHT NUMBER 37-4024

WATER RIGHTS EDIT REPORT

12/07/79

PAGE 208

ACT
ION

N OWNER LAST NAME - MATTHES
N OWNER LAST NAME - MATTHES
N ADDRESS LINE 1 - P.O. BOX 253

FIRST NAME - PAUL N.
FIRST NAME - SUSAN L.

CITY - SUN VALLEY

STATE - ID ZIP CODE - 83353

N SOURCE - GROUNDWATER
N STAGE - STATRY CLM

PRIORITY - 06-01-1962 COUNTY - BLAINE TOTAL DIV. RATE - .0200CFS

N DIVERSION POINT - NESW 18 04N 18E

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

USE DIV. RATE - .0200CFS

N USE - DOMESTIC

PLACE OF USE - 1WN 04N RNG 18E SEC 18 TRACT NESW

N NON IRRIG USE - D/I HOME.

400

37.4024

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. 137-4024
 OTd No. _____ New No. _____

Record

1. Original Owner: Paul N. & Susan L. Matthus

Present Owner: _____

2. Address: P.O. Box 253

3. City: Sun Valley State: ID Zip: 83353

4. A. Source of Water: gw
 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: 6-1-1962

D. County: 13

E. Total Diversion Rate: .02

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>NESW</u>	<u>18</u>	<u>4N</u>	<u>18E</u>		

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

from 1-1 to 12-31 for D purposes. Amount .02
 (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 _____

8. Use Code: 0

[illegible]

9. A. Decree Name:

B. Decree Date:

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

11. Other Uses (Non-irrigation explanatory information):

O/H home.

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):

Exception to a claim already processed.

37 4024

October 2, 1972

Re: Claim to a Water Right No. 37-4024 - Paul N. and Susan L. Matthes

Mrs. Dorothea H. Apsey
368 West Dayton Street
Galesburg, Illinois 61401

Dear Mrs. Apsey:

We are in receipt of your letter concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of reclamation. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If we can be of further assistance, please contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

37 4024

October 2, 1972

Re. Claim to a Water Right No. 37-4024 - Paul N. and Susan L. Matthes

Paul N. and Susan L. Matthes
Box 253
Sun Valley, Idaho 83353

Dear Mr. and Mrs. Matthes:

We are enclosing a copy of an affidavit in Opposition to your claim to a water right, submitted by Mrs. Dorothea Apsey of Galesburg, Illinois. The following is a quote from the provisions under which these claims have been filed (Section 42-225b of the Idaho Code))

42-225b. Recording of claims by department-----Corrections-----

At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration, July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If you have any questions regarding this matter, please contact us.

Sincerely,

Bob Haynes
District Engineer
Southern District

BH:alw
Enc.

37 4024

RECEIVED

SEP 29 1972

Department of Water Administration
Southern District Office

State of Idaho
Department of Water Administration
Southern District Office
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

RE: Claim to a Water Right No. 37-4024

The claim to water right that Paul N. and Susan L. Matthes are claiming is located on property that I own in Ketchum. This is evident from a survey that was prepared by JUB Engineers. It clearly shows Paul Matthes well house located on my property. I don't think that a water right should be granted on someone elses property.

Dorothea Apsey

Dorothea Apsey

STATE OF ILLINOIS)
 SS
COUNTY OF KNOX)

The foregoing statement was acknowledged before me this
26th day of September, 1972 by Dorothea H. Apsey.

WITNESS MY HAND AND OFFICIAL SEAL

Richard H. Anderson
Notary Public

My Commission Expires Nov. 14, 1972

RECEIVED

SEP 20 1972

Department of Water Administration
Southern District Office

State of Idaho
Department of Water Administration
Southern District Office
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

RE: Claim to a Water Right No. 37-4024

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Dorothea Apsey

Dorothea Apsey

STATE OF ILLINOIS)
COUNTY OF KNOX) SS

The foregoing statement was acknowledged before me this 26th day of September, 1972 by Dorothea H. Apsey.

WITNESS MY HAND AND OFFICIAL SEAL

Richard L. Anderson
Notary Public

My Commission Expires Nov. 14, 1972

37 4024

September 18, 1972

Re: Claim to a Water Right No. 37-4024 - Paul N. and Susan L. Matthes

Paul N. and Susan L. Matthes
Box 253
Sun Valley, Idaho 83353

Dear Mr. and Mrs. Matthes:

We are enclosing a copy of an affidavit in Opposition to your claim to a water right, submitted by Mrs. Dorothea E. Apsey of Galesburg, Illinois. The following is a quote from the provisions under which these claims have been filed (Section 42-225b of the Idaho Code).

42-225b. Recording of claims by department--- Corrections-----

.....
At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration, July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required.

The letter we have received is not in affidavit form and we have returned it to her with an explanation that it has to be signed in front of a Notary Public in the form of an affidavit.

If you have any questions regarding this matter, please contact us.

Sincerely,

Bob Haynes
District Engineer
Southern District

37 4024

DE:Alw
cc: Boise office

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
SOUTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301
(208) 734-3578

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

September 18, 1972

Re: Claim to a Water Right No. 37-4024 - Paul N. and Susan L. Matthes

Mrs. Dorothea H. Apsey
368 West Dayton Street
Galesburg, Illinois 61401

Dear Mrs. Apsey:

We are in receipt of your letter concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration on July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

The letter we received from you is not in affidavit form. If you still care to sign an exception to the Matthes, state your views regarding the claim, sign it before a Notary Public, and return it to us.

If we can be of further assistance, please contact us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

37 4024

RECEIVED

SEP 5 1972

Department of Water Administration
Southern District Office

August 30, 1972

State of Idaho
Department of Water Administration
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

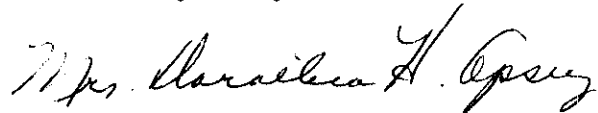
ATTENTION: R. Keith Higginson

Gentlemen:

A notice of claim to a water right was published
in the Wood River Journal on August 24, 1972, for
Paul N. and Susan L. Matthes.

It has been my belief that the Matthes well is
located on property that I own in Blaine County.
If this fact is true I protest the granting of the
claim.

Yours very truly,



Mrs. Dorothea H. Apsey

DHA/lr

37 4024

Mrs. Doróthea H. Apsey
368 West Dayton Street
Galesburg, Illinois 61401



ATT: R. Keith Higginson

State of Idaho
Department of Water Administration
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

37 4024

September 8, 1972

Re: Claim to a Water Right No. 37-4024 - Paul N. and Susan L. Matthes

Paul N. and Susan L. Matthes
Box 253
Sun Valley, Idaho 83353

Dear Mr. and Mrs. Matthes:

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 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, for your records, a copy of the claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc: Copy of claim

37 4024

August 10, 1972

Re: Claim No. 37-4024 - Paul N. and Susan L. Matthes

Wood River Journal
P. O. Box 988
Bailey, Idaho 83333

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)

Very truly yours,

Rob Haynes
District Engineer
Southern District

Bill submitted 8-28-72 by alw

BR:alw

Enc: Legal Notice

37 4024

NOTICE OF CLAIM TO A WATER RIGHT

No. 37-4024

Notice is hereby given that Paul N. and Susan L. Matthes,

Box 253, Sun Valley, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.022 cubic feet per second ~~more than~~ of water from a groundwater source

with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 4N, R. 18E, B.M.,

Blaine County

The water is claimed to be used from Jan. 1 to Dec. 31

with a priority of June 1962;

the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 4N, R. 18E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before September 5, 1972.

R. KEITH HIGGINSON

Director

Published in the Wood River Journal, Hailey, Idaho
on Aug. 17 and Aug. 24, 1972.

37 4024

**NOTICE OF CLAIM
TO A WATER RIGHT**

Notice is hereby given that Paul N. and Susan L. Matthes, Box 253, Sun Valley, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.022 cubic feet per second of water from a groundwater source with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 4N, R. 18E, B. M., Blaine County.

The water is claimed to be used from Jan. 1 to Dec. 31 with a priority of June 1962; the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 4N, R. 18E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Blvd. North, Twin Falls, ID 83301 on or before September 5, 1972.

R. KETH HIGGINSON
Director

Published in the Wood River
Journal, Hailey, Idaho on Aug.
17 and Aug. 24, 1972.

CK
dlw
8-16-72
37 4024

July 26, 1972

Paul N. Matthes
Box 253
Sun Valley, Idaho 83353

Dear Mr. Matthes:

Enclosed is a departmental receipt for your check in filing of a claim to a water right with the Department of Water Administration. Also enclosed is a copy of your original claim together with one which I have had typed in our office.

The purpose of securing another claim from you is to clarify the source of your water which is identified in item 2 on the claim. It appeared to me from the answer in item 4b that the source of your water was ground water rather than Trail Creek. Since this claim to a water right is your sworn statement of your use, it is necessary that the claim be returned to you for any changes.

If the new claim which I have sent to you is correct, please sign it before a notary public and return it to us so that we may process it.

If you have any questions, don't hesitate to either call or come into our office in Twin Falls, Idaho.

Sincerely,

Bob Haynes
District Engineer
Southern District

BH:alw

Enc.