

(8) Remarks 2703 E. Chicago and 2903 to 2933 E. Chicago

Scale: 2 inches equal 1 mile.

State of Idaho)
) ss.
County of Ada)

Sworn to before me this 12 day of September, 19 83.

Avona Russi
 (Claimant)
 , 19 88 .
 Nancy M. Northway
 Notary Public
 Residing at Boise

My commission expires 1-7-88

Received by CEB Date 12 Sep 85 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by [Signature] Date 9-13-85 claimant by: _____
36149 fee received by CEB Date 12 Sep 85
Published in Press-Tribune
Dates 9/26 & 10/3/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Ralph and/or Avona Russi

(Name of Claimant)

3709 E. Cleveland, Caldwell, ID 83605

(Mailing Address)

Telephone No. 454-0623

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1937

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Indian Creek

tributary to

Boise River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.01</u>	Use <u>stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>.18</u>	Use <u>irrigation</u>	Period of Use From <u>4/15</u>	To <u>10/15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .19 cfs TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW ¼ SE ¼, Sec. 26 Twp. 4N Rge. 3W B.M., County of Canyon

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. Describe any changes in the system and give the date of the change. Diversion box to gravity flow pipeline

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	3W	26													7.06				7.06
4N	3W	26													1.85				1.85

No. of acres 8.91

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

NOTE: Include here the type and number of stock watered:

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

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(8) Remarks 2703 E. Chicago and 2903 to 2933 E. Chicago

T4N

26 Pd + place of use NWSC

R3W

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 12 day of September, 19 83.

Adore Ruse
(Claimant)

Nancy M. Hathway
Notary Public
Residing at Boise

My commission expires 1-7-88

FOR DEPARTMENT USE ONLY

Received by CEB Date 12 Sept 85 Exception filed by: _____ Forwarded to _____ Date _____
Prelim check by CEB Date 9-13-85 claimant by: _____
20606 fee received by CEB Date 123 Sept 85 # 36149
Published in Press-Tribune
Dates 9/26 & 10/3/85

Department of Water Resources
Western Region Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two times
in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:
September 26;

October 3, 1985

Debra Martin del Campo

Subscribed and sworn to before me this
3rd day of October
1985

Janne Shuck
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1991

NOTICE OF CLAIMS
TO WATER RIGHTS

The following claim has been
filed on water right created by
diversion and beneficial use: 38
63-5374

RUSSI, RALPH &/or AVONA
3709 E. CLEVELAND, CALD-
WELL, ID 83605

Source: INDIAN CREEK trib. to
BOISE RIVER

Priority Date: January 1, 1937

Diversion Pt: NWSE Sec 26 T 04N
R 03W

Use: IRRIGATION (0.18 CFS)
STOCKWATER (0.01 CFS)

In: NWSE Sec 26 T 04N R 03W
FOR 9 ACRES

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Region,
Statehouse, Boise, Idaho 83720.

KEN DUNN

Director

September 26; October 3, 1985

WRR100
63-5374

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-5374

02 OLD (D) NUMBER -

03001 - RUSSI ✓
03002 - RUSSI ✓

LAST NAME

04001 - RALPH ✓
04002 - AVONA ✓

FIRST NAME

05001 - C
05002 - C

ORIG. OWNER

06 ADD LINE 1 - 3709 E. CLEVELAND ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - CALDWELL ✓

10 STATE - ID ✓

11 ZIP - 83605 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

14001 - INDIAN CREEK ✓

SOURCE

15001 - BOISE RIVER ✓

TRIBUTARY OF

16 DIVERSION MEANS - DIVERSION BOX & GRAVITY FLOW PIPELINE ✓

17 COUNTY - 27 CANYON ✓

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .190 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----																	
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S											
22001 - NWSE	23001 - 26 ✓	24001 - 04N ✓	25001 - 03W ✓	26001 -	27001 -												
				28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0	

29 NON-IRRIGATION USE -

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION ✓	31001 - 04N ✓	32001 - 03W ✓	33001 - 26 ✓	34001 - NWSE ✓	35001 - 09 ✓	36001 -
						TOTAL ACRES: 9 ✓

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0415 ✓	38001 - 1015 ✓	39001 - 01 IRRIGATION ✓	40001 - 0.180 ✓	41001 - 0.00
37002 - 0101 ✓	38002 - 1231 ✓	39002 - 04 STOCKWATER ✓	40002 - 0.010 ✓	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 - AC. IRR. = 8.91. ✓

REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47 PRIORITY	- 1-JAN-1937 ✓	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROOF DUE	-	56 APPL RECEIVED	-	64 DLE/CAREY ACT	-
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-
50 APPROVE/DENIED-	-	58 DECREE	-	66 FLAG_2	-
51 PROTESTED	-	59 START WORK	-	67 FLAG_3	-
52 HEARING	-	60 ORDER SHOW CAUSE	-		

WRR100
63-5374

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 2
20-NOV-1985 13:28:05

----- D A T E S ----- D A T E S ----- F L A G S -----
53 VERIFIED - 61 DATE_1 -
54 LAST UPDATE - 23-SEP-1935 62 DATE_2 -

2/7/86
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Skute

Right Number 63-5374 Applicant Russi

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. 10/7/85
- ☒ Claim published correctly. 200/36149 10/26/85
- ☒ Exceptions processed. None

By DNT Date 10/16/85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 10/16/85

RECEIVED
OCT 16 1985

Department of Water Resources

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October 16, 1985

Ralph Russi
Avona RLussi
3709 E. Cleveland
Caldwell, ID 83605

Re: Claim No. 63-5374

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Sections 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID R. TUTHILL, JR., P.E.
Western Regional Manager

DRT:jp

Enc:

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NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by
diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water
Resources, Western Region, Statehouse, Boise, Idaho 83726.

KEN JUNN, Dir.

Published 09/26 & 10/03/85.

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63-5374

RUSSI, RALPH &/or AVONA

3709 E. CLEVELAND, CALDWELL, ID 83605

Source: INDIAN CREEK trib. to BOISE RIVER

Priority Date: 01/01/1937

Diversion Pt: NWSE Sec 26 T 04N R 03W

Use: IRRIGATION	(0.18 CFS)
STOCKWATER	(0.01 CFS)

In: NWSE Sec 26 T 04N R 03W FOR 9 ACRES

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WATER RIGHT
DATA ENTRY LOG

[illegible]