

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 Jerry &/or Terry L. McClellin

(Name of Claimant)

Rt. 4 Box 405 Caldwell, ID 83605 Telephone No. 459-3709

(Mailing Address) (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) 7/1/1969

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 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)
Springs tributary to Snake 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 .24	Use Irrigation	Period of Use From	3/15	To 11/15
Quantity .02	Use Stockwater	Period of Use From	1/1	To 12/31
Quantity	Use	Period of Use From		To
Quantity	Use	Period of Use From		To
Quantity	Use	Period of Use From		To

(4) .26 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 35 Twp. 3N Rge. 4W 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.
pump & sprinkler irrigation

(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	
3N	4W	35																12X	12

No. of acres 12

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: s/20 Range

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

Microfilm

(8) Remarks Supplemental Rt. Wilder Irrigation District

MICROFILMED

R4W

T3N

35

12A
P.O.

Scale: 2 inches equal 1 mile.

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

State of Idaho)
) ss.
County of ADA)

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 18 day of MAY

Jerry B. Mc Clellan
 (Claimant)
 , 1983
 Notary Public
 Residing at Boise, ID

My commission expires LIFE

FOR DEPARTMENT USE ONLY

Received by JKN Date 3/19/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by GLS Date 5/18/83 claimant by: _____
\$30.00 fee received by 18 Date 5/18/83 # 28849
Published in Press Tribune _____
Dates 5/31 & 10/2/83 _____

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been
filed on water rights created by
diversion and beneficial use:

63-5003

EAGER, ESSIE M. &/or
RICHARD
RT. 5 BOX 197, CALDWELL,
Idaho 83605
Source: WASTE WATER trib. to
SAND HOLLOW CREEK
Priority Date: May 14, 1949
Diversion Pt: LOT 03 (NENW) Sec
06 T 05N R 03W
Use: IRRIGATION (0.40 CFS)
In: LOT 03 (NENW) Sec 06 T 05N
R 03W FOR 7 ACRES

63-5008

BUCKLEY, GEORGE S.
P.O. BOX 43, CASCADE, Idaho
83611
Source: UNNAMED STREAM
trib. to SNAKE RIVER
Priority Date: June 3, 1909
Diversion Pt: SWSE Sec 35 T 03N
R 04W
Use: IRRIGATION (0.12 CFS)
STOCKWATER (0.04 CFS)
In: SWSE Sec 35 T 03N R 04W
FOR 6 ACRES

63-5009

INGLE, MARION JOSEPH
RT. 5 BOX 206, CALDWELL,
Idaho 83605
Source: WASTE WATER trib. to
SAND HOLLOW CREEK
Priority Date: April 15, 1950
Diversion Pt: SWSW Sec 05 T 05N
R 03W
Use: IRRIGATION (0.28 CFS)
In: NESE Sec 06 T 05N R 03W FOR
8 ACRES

63-5013

CHURRUEA, CARMEN &/or JOE
P.O. BOX 2, MARSING, Idaho
83639
Source: SPRINGS trib. to SNAKE
RIVER
Priority Date: April 1, 1935
Diversion Pt: NWSW NWSE Sec 36
T 03N R 04W
Use: IRRIGATION (0.94 CFS)
STOCKWATER (0.02 CFS)
In: NESW NWSW SWSW SESW
36 T 03N R 04W FOR 47 ACRES

63-5014

UNION PACIFIC RAILROAD CO.
1416 DODGE ST., OMAHA, NE
68179
Source: GROUNDWATER
Priority Date: July 1, 1937
Diversion Pt: NWSE NESW Sec 26
T 03N R 02W
Use: STOCKWATER (0.66 CFS)
COMMERCIAL (0.18 CFS)
In: SENW NENW NWSE Sec 26 T
03N R 02W

63-5018

McCLELLIN, JERRY &/or
TERRY L.
RT. 4 BOX 405, CALDWELL,
Idaho 83605
Source: SPRINGS trib. to SNAKE
RIVER
Priority Date: July 1, 1969
Diversion Pt: SESE Sec 35 T 03N R
04W
Use: IRRIGATION (0.24 CFS)
STOCKWATER (0.02 CFS)
In: SESE Sec 35 T 03N R 04W FOR
12 ACRES

63-5022

LOWER CENTER POINT DITCH
CO.
RT. 2 BOX 623, CALDWELL,
Idaho 83605
Source: BOISE RIVER trib. to
SNAKE RIVER
Priority Date: April 1, 1932
Diversion Pt: NENW Sec 12 T 04N
R 04W
Use: IRRIGATION (21.20 CFS)
In: P/U within the lands of Lower
Center Point Ditch Co. Acres
- 1083.

63-5023

MUSCHBACHER, ANTHONY W.
&/or MARY A.
RT. 1 HOSKINS RD., WILDER,
Idaho 83676
Source: SPRING trib. to SINKS
Priority Date: January 1, 1947
Diversion Pt: NWNE Sec 13 T 03N
R 05W
Use: IRRIGATION (0.10 CFS)
DOMESTIC (0.04 CFS)
In: NWNE Sec 13 T 03N R 05W
FOR 5 ACRES

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

KEN DUNN

Director

May 26; June 2, 1983

RECORDED

JUN 18 1983

Deposited with the Clerk of the County of Canyon, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Garrah J. Wheeler

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 uninterrupted-
ly 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 prin-
ted 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:

May 26;

June 2, 1983

Garrah J. Wheeler

Subscribed and sworn to before me this 2nd
day of June

19 83

Janne Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

MICROFILMED

01 WATER RIGHT NUMBER - 63-5018

02 OLD (D) NUMBER -

LAST NAME
03001 - MC CLELLIN ✓
03002 - MC CLELLIN ✓FIRST NAME
04001 - JERRY ✓
04002 - TERRY L. ✓ORIG. OWNER
05001 - C
05002 - C

06 ADD LINE 1 - RT. 4 BOX 405 ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - CALDWELL ✓

10 STATE - ID ✓

11 ZIP - 83605 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - SPRINGS ✓TRIBUTARY OF
15001 - SNAKE RIVER ✓

16 DIVERSION MEANS - PUMP & SPRINKLERS

17 COUNTY - 27 CANYON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .260 ✓

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 - SESE	23001 - 35	24001 - 03N	25001 - 04W	26001 -	27001 -										
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0.0

29 NON-IRRIGATION USE - S/20 RANGE ✓

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION ✓	31001 - 03N	32001 - 04W	33001 - 35	34001 - SESE	35001 - 12	36001 -
						TOTAL ACRES: 12

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0315 ✓	38001 - 1115 ✓	39001 - 01 IRRIGATION ✓	40001 - 0.240 ✓	41001 - 0.00
37002 - 0101 ✓	38002 - 1231 ✓	39002 - 04 STOCKWATER ✓	40002 - 0.020 ✓	41002 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

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-JUL-1969 ✓	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
63-5018

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 -
54 LAST UPDATE - 24-MAY-1983

61 DATE_1 -
62 DATE_2 -

11/24/85
VERIFIED JKN

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 645

Right Number W3-5018 Applicant McClellin

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. 6/13/83
- ☒ Claim published correctly. Press-trib
30128849 5/20 & 6/2/83
- ☐ Exceptions processed.

By DBS Date 6/28/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J.V.V. Date 7-6-83

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JUNE 15, 1983

JERRY MC CLELLIN
TERRY L. MC CLELLIN
RT. 4 BOX 405
CALDWELL

ID 83605

RE: Claim No. 63-5018

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 Section 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 B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

63-5018.

MC CLELLIN, JERRY &/or TERRY L.

RT. 4 BOX 405, CALDWELL, ID 83605

Source: SPRINGS trib. to SNAKE RIVER

Priority Date: 07/01/1969

Diversion Pt: SESE Sec 35 T 03N R 04W

Use: IRRIGATION	(0.24 CFS)
STOCKWATER	(0.02 CFS)

In: SESE Sec 35 T 03N R 04W FOR 12 ACRES

RECORDED

ID AHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]