

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Benkert
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:

February 18, 25, 1982

Suzanne Benkert

Subscribed and sworn to before me this 25th day of February 19 82.

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

RECEIVED
MAR 3 1982

Department of Water Resources
Western Regional Office

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

63-4862 ✓ 18

McDOWELL, MARGARET F.
3311 E. USTICK RD., CALDWELL, Idaho 83605

Source: GROUNDWATER

Priority Date: January 1, 1913

Amount: 0.04 CFS

Diversion Point: SESE Sec 35 T 04N R 03W, CANYON County

Use: DOMESTIC (0.04 CFS) from January 1 to December 31

Place of Use: SESE Sec 35 T 04N R 03W

Diversion Means: WELL, PUMP & PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN
Director

February 18, 25, 1982

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 Margaret F. McDowell
(Name of Claimant)
3311 E. Hstick Rd., Caldwell, Idaho 83605
(Mailing Address) (Zip Code)

Telephone No. 454-0619

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) Around 1913 when we moved to Idaho.

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)

Groundwater tributary to

- (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>0.04</u>	Use <u>house (1)</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>	
Quantity	Use	Period of Use From	To	
Quantity	Use	Period of Use From	To	
Quantity	Use	Period of Use From	To	
Quantity	Use	Period of Use From	To	

- (4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, af)

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

SE 1/4 SE 1/4, Sec. 35 Twp. 4N Rge. 3W B.M., County of Canyon
Additional points of diversion: W 25 rods of S 32 rods in SE SE

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. I do not know size or capacity. New well dug in 1979 (maybe '80) dug by Metzger of Homedale used pipe lines already in place. Metzger says he has already fixed new well with you. (well log)

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	3W	35																X	

No. of acres

- 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: none

- (7) If you are claiming water as a member of an organization, list name of organization: no

RGE.34)

TWP.VN

44
35

X

Received by mn Date 1/11/82 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by fg Date 2/11/82 claimant by: _____
 \$30.00 fee received by sd Date 1-24-82 21266
 Published in Greenfield _____
 Dates 2/18 & 2/25/82 _____

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) SS.
County of Canyon)

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February 18, 25, 1982

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Janet Lusk
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MY COMMISSION EXPIRES
JULY 12th, 1985

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Department of Water Resources
Western Regional Office

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63-4862 ✓ 18
McDOWELL, MARGARET F.
3971 E. USTICK RD., CALDWELL, Idaho 83605
Source: GROUNDWATER
Priority Date: January 1, 1913
Amount: 0.04 CFS
Diversion Point: SESE Sec 35 T 04N R 03W, CANYON County
Use: DOMESTIC (0.04 CFS) from January 1 to December 31
Place of Use: SESE Sec 35 T 04N R 03W
Beneficial Use: Irrigation of 100 Acres of Land
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.
A. KENNETH DUNN
Director
February 18, 25, 1982

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

01 WATER RIGHT NUMBER - 63-4862 02 OLD (D) NUMBER -

FIRST NAME
04001 - MARGARET F. *✓*

ORIG. OWNER
05001 - C

06 ADD LINE 1 - 3311 E. USTICK RD. ✓

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 - GROUNDWATER

15001 - TRIBUTARY OF

16 DIVERSION MEANS - WELL, PUMP & PIPELINE ✓

17 COUNTY - 27 CANYON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT				SEC		TWN		RNG		DIVERSION POINTS		STREAM INDEX FIELDS											
										LOT		RFLG											
22001 -	SESE	23001 -	35	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			

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	PLACE OF USE SEC	TRACT	ACRES	LOT
30001 - 43 DOMESTIC	31001 - 04N	32001 - 03W	33001 - 35	34001 - SESE	35001 -	36001 -
						TOTAL ACRES: 0

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101 ✓	38001 - 1231 ✓	39001 - 43 DOMESTIC ✓	40001 -	0.040	41001 - 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-JAN-1913	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 -		
53	VERIFIED -	61	DATE_1 -		
54	LAST UPDATE - 16-FEB-1982	62	DATE_2 -		

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Jan Glover

Right Number 63-48102 Applicant McDowell

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. 2/3/82
- ☒ Claim published correctly. Green Lake 2188 2/25/82
\$30.00 = 218100
- ☐ Exceptions processed.

By DBS Date 3/9/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 3/11/82

RECEIVED
MAR 10 1982

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 2, 1982

Margaret F. McDowell
Mary Harris
Jennifer Loventhal
3311 E. Ustick Rd.
Caldwell, Idaho 83605

Dear Ms. McDowell, Harris & Loventhal:

We have received the claim to a water right for the well used for your three houses. However, before we can process the claim, some changes will have to be made.

A claim can only be filed for one priority date at a time. In your cases there are three priority dates involved, one for each time a house was added to the well. Therefore, if you were to file the correct water rights there would need to be three claims filed. However, another aspect is that water rights need not be filed for a single family domestic home use. Each time a house was added to the well it established its own single domestic use. This use is one of the few that are exempt from filing any kind of water right on and includes your in-house use and up to 1/2 acre of irrigation and some household stock. Therefore, unless you wish to have a record of when each house was established there is no requirement to file.

We will hold your claim to a water right recently submitted until you decide whether or not to file three claims. If so, we can change the priority date on this claim to one of the three listed and put the other two on two more claims. If you decide not to file any claims, please contact us as soon as possible and we will return the claim submitted and refund your \$30.00.

If you have any questions, do not hesitate to contact us.

Sincerely,

Jan Grover
Jan Grover
Senior Water Resource Agent

JG:jp

Enclosed two more claim forms jg

INTER-DEPARTMENT MEMO — 1

FROM

Jan Grover

TO

file - McDowell

DATE 2/11/82

SUBJECT

Mrs. McDowell called stating she wanted to file one claim for the 1913 well + to adjust her claim accordingly. The changes have been made.

RECORDED

JG

SIGNATURE

WATER RIGHT
DATA ENTRY LOG[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

MARCH 10, 1982

MARGARET F. MCDOWELL
3311 E. USTICK RD.
CALDWELL

ID 83605

RE: Claim No. 63-4862

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

FEBRUARY 11, 1982

Idaho Press-Tribune
Box 88
Nampa, ID 83651

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before MARCH 8, 1982.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.



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A. KENNETH DUNN

Director

Published 02/18 & 02/25/82.



63-4862-

MCDOWELL, MARGARET F.

3311 E. USTICK RD., CALDWELL, ID 83605

Source: GROUNDWATER

Priority Date: 01/01/1913

Amount: 0.04 CFS

Diversion Point: SESE Sec 35 T 04N R 03W, CANYON Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SESE Sec 35 T 04N R 03W

Diversion Means: WELL, PUMP & PIPELINE

NOTED