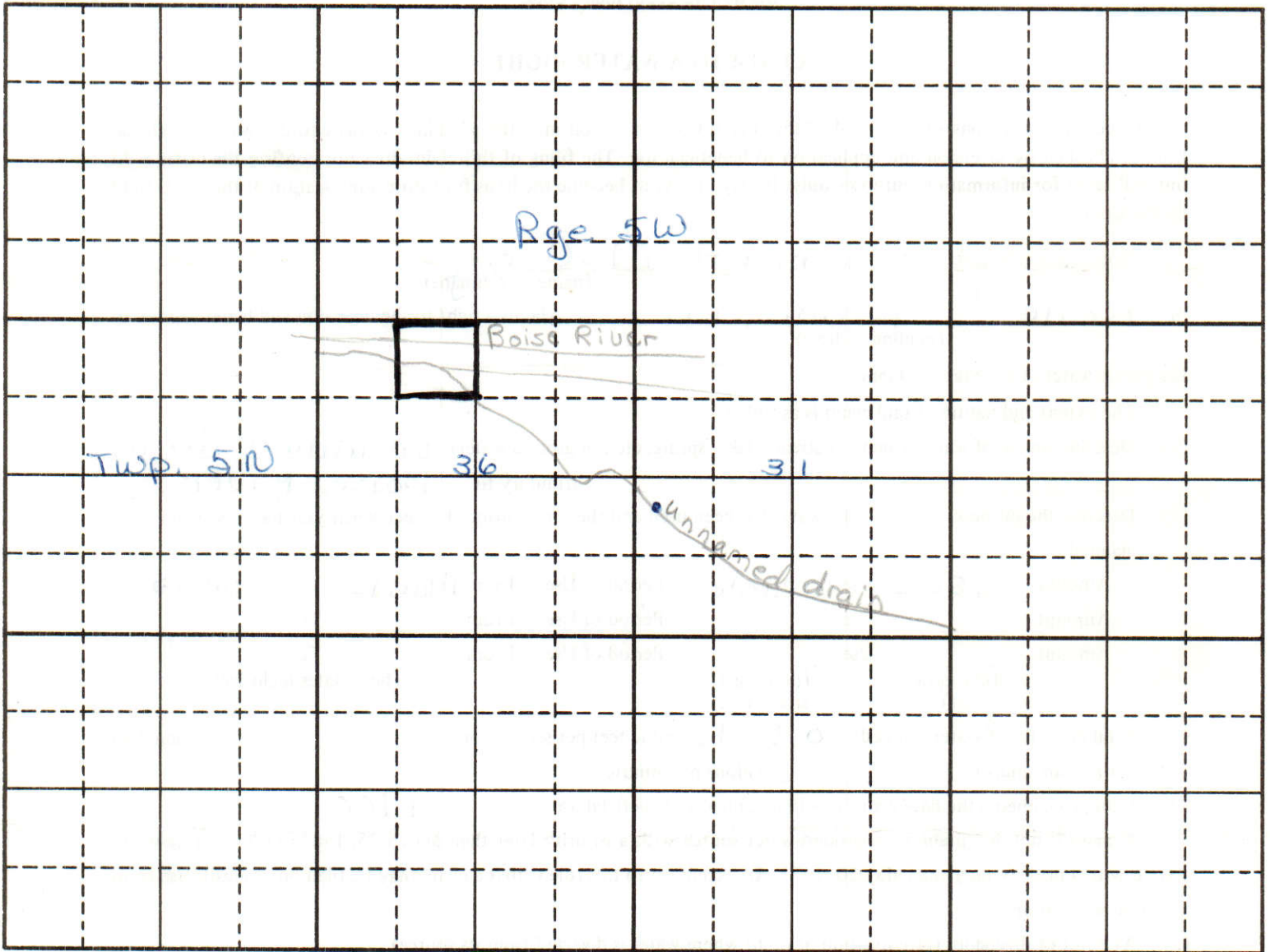


(8) Remarks _____



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 affiants knowledge.

Sworn to before me this 25th day of January 19 78.

Ernest H. Curry
(Claimant)
Catherine T. Weaver
Notary Public
Residing at Bain

My commission expires 6-15-81

For Department Use Only

Received by <u>jc</u>	Date <u>1/25/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>jc</u>	Date <u>1/25/78</u>		claimant by:	
\$10.00 fee received by <u>mlb</u>	Date <u>1/25/78</u>	<u>rec # 0293 (paid)</u>		
Approved for publication by				
Published in <u>News - Tribune</u>				
Dates <u>Feb 2 & 9, 1978</u>				

AFFIDAVIT OF PUBLICATION

RECEIVED
FEB 10 1978

STATE OF IDAHO,)
) ss.
County of Canyon.)

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 63-4595

Notice is hereby given that EMMETT MCCURRY Route 1, Parma, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.8 cubic feet per second of water from an unnamed drain trib. Boise River with the point of diversion in the NW 1/4 SW 1/4 Sec 31 T5N-R5W B.M. Canyon County.

The water is claimed to be used from March 15 to Nov. 15 for irrigation of 40 acres with a priority date of 1900; the place of use is within the NE 1/4 NW 1/4 Sec 36 T5N-R5W B.M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED
Director
February 2, 9, 1978

Verla Harker
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 twenty-one years, and not a party to the above entitled action.

Idaho Free Press & News-Tribune,
2. That I am the Principle Clerk of the Nampa-Caldwell, a daily, (except Sunday) newspaper published in the City of Nampa-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-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 2, 9, 1978

Verla Harker

Subscribed and sworn to before me this

9th day of February,
1978.

Janne Gust

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

OK
2-10-78
J

RECORDED

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 Emmett McCurry (name of claimant)
of Route #1, Parma, ID (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) unnamed drain
Boise River, 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 | <u>0.8 cfs</u> | Use | <u>irrigation</u> | Period of Use: | From | <u>Mar. 15</u> | To | <u>Nov. 15</u> |
| 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: 0.8 cfs 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) 1900

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)
NW ¼ SW ¼, Sec. 31 Twp. 5N Rge. 5W 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. Creek with gravity flow, from ditch from unnamed drain.

- (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.

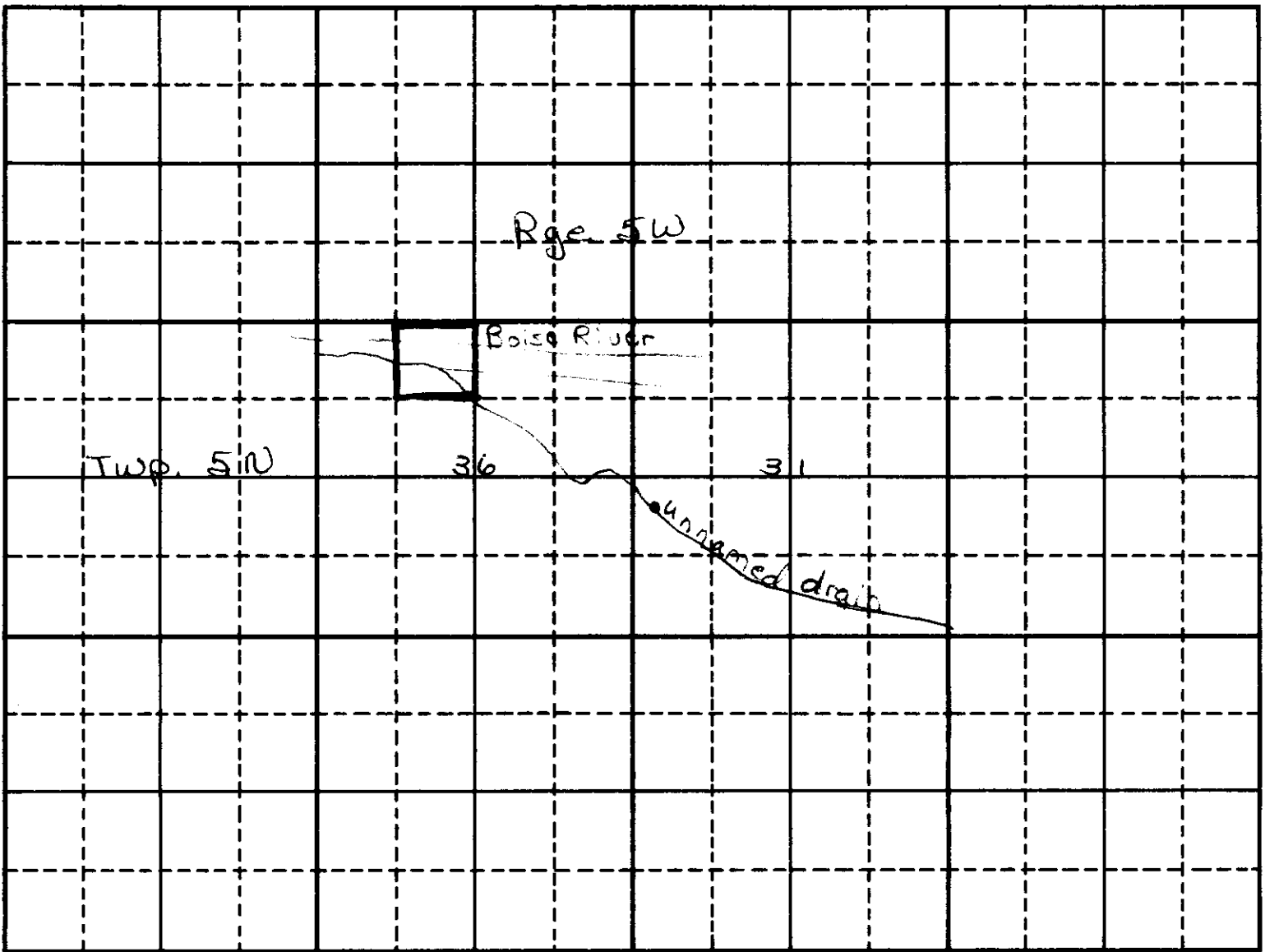
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	5W	36					40												40

Total No. of acres 40

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

If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



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 affiants knowledge.

Sworn to before me this 25th day of January 19 78.
Emmett Mc Curry (Claimant)
Catherine J. Weaver
Notary Public
Residing at Bain

My commission expires 6-15-81

For Department Use Only

Received by <u>jo</u>	Date <u>1/25/78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>jo</u>	Date <u>1/25/78</u>		claimant by:	
\$10.00 fee received by <u>mlb</u>	Date <u>1/25/78</u>	<u>ret # 0293 (paid)</u>		
Approved for publication by				
Published in <u>Boise Tribune</u>				
Dates <u>Feb 2 & 9, 1978</u>				

AFFIDAVIT OF PUBLICATION

RECEIVED
FEB 10 1978

STATE OF IDAHO,)
) ss.
County of Canyon.)

Department of Water Resources
Western Regional Office

Verla Harker
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 twenty-one years,
and not a party to the above entitled action.

Idaho Free Press &
2. That I am the Principle Clerk of the News-Tribune,
a daily, (except Sunday) newspaper published in the City of
Nampa-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-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 2, 9, 1978

Verla Harker

Subscribed and sworn to before me this

9th day of February,
1978

Janne Gust
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1981

OK
2-10-78
J

PROCESSED

ACT
ION

N OWNER LAST NAME - MC CURRY

FIRST NAME - EMMETT

N ADDRESS LINE 1 - RT. 1

N

CITY - PARMA

STATE - ID

N SOURCE - UNNAMED DRAIN

TRIBUTARY OF - BOISE RIVER

N STAGE - STATRY CLM

PRIORITY - 06-01-1900 COUNTY - CANYON TOTAL DIV. RATE - .8000CFS

N DIVERSION POINT - NWSW 31 05N 05W

N FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE DIV. RATE - .8000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 05W SEC 36 TRACT NENW AC 40

IDENT. NO. 63-4595

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Old No.

New No.

1. Original Owner: Emmett Mc Curry

Present Owner: _____

3. City: Parma State: Id Zip:

4. A. Source of Water: unnamed drain

B. Tributary of: Boise River

5. A. Stage (A,P,L,D,S,J): $\mathbb{S}$

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1900

D. County: 27

E. Total Diversion Rate: .8

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):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	NWSW	31	~~#5N~~	5W		

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

from 3-15 to 11-15 for A purposes. Amount .8
(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

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-4595

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ NA Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) R.W.H. 1-26-78

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
_____ Request Dam Safety Information

(4) R.W.H. 1-26-78

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) W OK

Affidavit of Publication received(date) 2-10-78

(12) W 2/21/78

Final date for protests N/A
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 W

By W Date 2-21-78

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

February 22, 1978

Re: Claim to a Water Right Nos. 63-4594 & 63-4595

Mr. Emmett McCurry
Route 1
Parma, ID 83660

Dear Mr. McCurry:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, 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.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

January 26, 1978

Re: Notice of Application for Water Permit No. 63-9108 -- Emmett McCurry
63-9109 -- Pioneer Irrigation District
Notice of Claim to a Water Right No. 63-4594 -- Emmett McCurry
63-4595 -- Emmett McCurry
63-4597 -- Simplot Feed Lots, Inc.

News-Tribune
P. O. Box 1179
Caldwell, ID 83605

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. 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)

Please send the affidavit of publication and publication billing to this office before February 20, 1978.

Sincerely,

RITA FLECK
Secretary

Bill submitted
2-10-78

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 63-4595

Notice is hereby given that EMMETT MCCURRY

Route 1, Parma, ID

has filed a claim to a water right established by diversion and application
to beneficial use of 0.8 cubic feet per second ~~XXXXXXXXXX~~ of water
from an unnamed draintrib. Boise River

with the point of diversion in the N1/2SW1/4 Sec 31 T5N-R5W B.M.

Canyon County

The water is claimed to be used from Mar 15 to Nov 15
for irrigation of 40 acres

with a priority date of 1900;

the place of use is within the N1/2NW1/4 Sec 36 T5N-R5W B.M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published in the News-Tribune, Caldwell, ID
on February 2, 1978 and February 9, 1978

MICROFILMED