

AFFIDAVIT OF PUBLICATION

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

RECEIVED
JUN 17 1977

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.

2. That I am the Principle Clerk of the Idaho Free Press,
a daily, (except Sunday) newspaper published in the City of
Nampa, 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 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:

June 9, 16, 1977

Verla Harker

Subscribed and sworn to before me this _____

16th day of June
19 77.

Adam J. Law
Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF CLAIM TO
A WATER RIGHT
No. 63-4510
Notice is hereby given that
PHILLIP D. &/or WADENA M.
NAGLE Route 2, Nampa, Idaho
has filed a claim to a water right
established by diversion and ap-
plication to beneficial use of 0.10
cubic feet per second of water
from a groundwater source with
the point of diversion in the
SE 1/4 SE 1/4 Sec 6 T3N-R1W B.M.,
Canyon County.
The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic and stockwater pur-
poses with a priority date of
1946; the place of use is within
the SE 1/4 SE 1/4 Sec 6 T3N-R1W
B.M.
Any exception to this claim of
water right may be filed with the
Director of the Idaho Depart-
ment of Water Resources, 92
South Cole Road, Boise, Idaho
83705.
C. STEPHEN ALLRED
Director
June 9, 16, 1977

OK YH
6-23-77

MICROFILMED

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 PHILLIP D. &/or WADENA M. NAGLE
(name of claimant)
of Route 2 Box 2360 Nampa, 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) _____
groundwater source, 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>0.08</u>	Use	<u>domestic</u>	Period of Use: From	<u>1-1</u>	To	<u>12-31</u>
Amount	<u>0.02</u>	Use	<u>stockwater</u>	Period of Use: From	<u>1-1</u>	To	<u>12-31</u>
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: 0.10 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) 1946

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)
SE ¼ SE ¼, Sec. 6 Twp. 3N Rge. 1W 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. well is 180 feet deep and pump and pressure system

(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	1W	6																X	

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic for 2 homes and stockwater for 10 head of cattle

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

(8) Remarks _____

A hand-drawn diagram on graph paper. A horizontal line is drawn across the middle. On this line, there are three points labeled A, B, and C from left to right. A vertical line segment is drawn from point A upwards to a point labeled "7.3 N.". Below the horizontal line, the text "RAD + use" is written. At the bottom of the page, the text "P.W.B.M." is written.

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 affiants knowledge.

Sworn to before me this 31 day of May

(Claimant)

19 77

Notary Public

Residing at Boise, ID

My commission expires March 8, 1980

For Department Use Only

Received by P.W.H. Date 5-31-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by WJ Date 5-31-77 claimant by: _____
\$10.00 fee received by WJ Date 5/31/77 # 8034 _____
Approved for publication by CS June 2, 1977 _____
Published in Idaho Free Press _____
Dates June 9, 1977 & June 16, 1977 _____

AFFIDAVIT OF PUBLICATION

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

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.

2. That I am the Principle Clerk of the Idaho Free Press,
a daily, (except Sunday) newspaper published in the City of
Nampa, 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 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
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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:

June 9, 16, 1977

OK 148
6-23-77

Verla Harker

Subscribed and sworn to before me this

16th day of June,
19 77.

Adam J. Law

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

ACT
ION

N OWNER LAST NAME - NAGLE
N OWNER LAST NAME - NAGLE
N ADDRESS LINE 1 - RT, 2 BOX 2360

FIRST NAME - PHILLIP D.
FIRST NAME - WADENA M.

N
N SOURCE - GROUNDWATER

CITY - NAMPA

STATE - ID ZIP CODE - 83651

N STAGE - STATRY CLM

PRIORITY - 06-01-1946 COUNTY - CANYON TOTAL DIV. RATE - .1000CFS

N DIVERSION POINT - SESE 06 03N 01W

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

USE DIV. RATE - .0200CFS

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

USE DIV. RATE - .0800CFS

N USE - STOCKWATER

PLACE OF USE - TWN 03N RNG 01W SEC 06 TRACT SESE

N NON IRRIG USE - S/10 RANGE D/2 HOMES,

3/79

IDENT. NO. 63-4510

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. 1 63-4510
OTd No. _____ New No. _____

Record

1. Original Owner: Phillip D. & Wadena M. Nagle

Present Owner: _____

2. Address: Rt. 2 Box 23603. City: Nampa State: ID Zip: 836514. 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: 6-1-1946D. County: 27E. Total Diversion Rate: .1

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>SE SE</u>	<u>6</u>	<u>3N</u>	<u>1W</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 1-1 to 12-31 for S purposes. Amount .02
(cfs or AC-FT/yr)from 1-1 to 12-31 for D purposes. Amount .08

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 _____

11779

[illegible]

9. A. Decree Name:

B. Decree Date:

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

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

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):

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Claim
Application No. 63-

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

- (1) W 5-31-77 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) W 5-31-77 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) 6-17-77
- (12) W 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 6-27-77

RECEIVED



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

June 28, 1977

Re: Claim to a Water Right No. 63-4510

Phillip D. &/or Wadena M. Nagle
Route 2, Box 2360
Nampa, ID 83651

Dear Mr. & Mrs. Nagle:

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: rf

Enclosure

RECORDED
INDEXED

RECEIVED
JUN 14 1977

May 31, 1977

Department of Water Resources
Western Regional Office

Mr. & Mrs. Phil Nagle
Route 2, Box 2360
Nampa, Idaho 83651

Dear Mr. & Mrs. Nagle:

My father, Joseph F. Matush, who owned the 20 acres located at the NorthWest corner of Cherry Lane and Star Road at that time, had a deep water well drilled sometime between the years of 1946 and 1950. There was an existing shallow well on the place at the time, and a new deep well was drilled on the same spot for use with an electric pump. Previous to that, a hand pump had been used.

I am sorry I do not remember the exact depth of the new well, or the exact date that it was drilled.

If I can be of further assistance, please contact me.

Sincerely,

Pauline Matush Holtman

Pauline Matush Holtman
1952 Travertine Way
Boise, Idaho 83706

M. Earlene Trotterman
M. Earlene Trotterman, Notary Public
State of Idaho
My Commission expires 3-15-78

RECEIVED



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

June 3, 1977

RE: SEE ATTACHED SHEET

63-4510

Idaho Free Press
Box 88
Nampa, Idaho 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. 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 June 27, 1977.

Sincerely,

RECEIVED

Bill submitted
6-27-77
y

PUBLISHED IN THE IDAHO FREE PRESS, NAMPA, IDAHO, on June 9, 1977 and June 16, 1977

NOTICE OF AMENDED APPLICATION FOR PERMIT

63-8782 Lynn &/or Clayone Tuft

63-8793 Cole's Inc.

NOTICE OF CLAIM TO A WATER RIGHT

63-4508 John &/or Josephine R. Cleverdon

63-4509 George U. &/or Helga H. Watanabe

63-4510 Phillip D. &/or Wadena M. Nagle

NOTICE OF APPLICATION FOR WATER PERMIT

63-8925 Clinton R. Wissel &/or M. O. Clements

63-8926 Bill Muchow &/or W. M. Hoagland

63-83641 W. M. Hoagland

63-8931 Edson A. Fujii

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. ~~63-4510~~

Notice is hereby given that ~~PHILLIP D. &/or WADENA M. NAGLE~~
~~XXX Route 2, Nampa, Idaho~~
has filed a claim to a water right established by diversion and application
to beneficial use of ~~0.10~~ cubic feet per second ~~acre feet of water~~
from ~~a groundwater source~~
with the point of diversion in the ~~SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 6 T3N-R1W B.M.,~~
~~Canyon County~~
The water is claimed to be used from ~~Jan 1 to Dec 31~~
for ~~domestic and stockwater purposes~~

with a priority date of ~~1946~~;
the place of use is within the ~~SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 6 T3N-R1W 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 ~~Idaho Free Press, Nampa, Idaho~~
on ~~June 9, 1977~~ and ~~June 16, 1977~~