

[illegible]

Received by jc Date 4/18/77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by jc Date 4/18/77 claimant by: _____
\$10.00 fee received by jc Date 4/18/77
Approved for publication by _____
Published in Mahe Statesman _____
Dates April 28 + May 5, 1977 _____

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 9 1977

Department of Water Resources
Western Regional Office

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

Verla Harker
of Caldwell, 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 News-Tribune,
a daily, (except Sunday) newspaper published in the City of
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 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:

April 28; May 5, 1977

Verla Harker

Subscribed and sworn to before me this _____

5th day of May, 1977.

Adam S. Kain

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF CLAIM TO
A WATER RIGHT
No. 63-4476

Notice is hereby given that
E.E. &/or BESSIE L. POWELL,
4005 S. Florida, Caldwell, ID has
filed a claim to a water right
established by diversion and ap-
plication to beneficial use of 0.06
cubic feet per second of water
from a groundwater source with
the point of diversion in the
SW1/4SE1/4 Sec 35 T4N-R3W
B.M., Canyon county.

The water is claimed to be
used from March 15 to Nov. 15
for irrigation of 3 acres with a
priority date of August 15, 1943;
the place of use is within the
SW1/4SE1/4 Sec 35 T4N-R3W B.M.

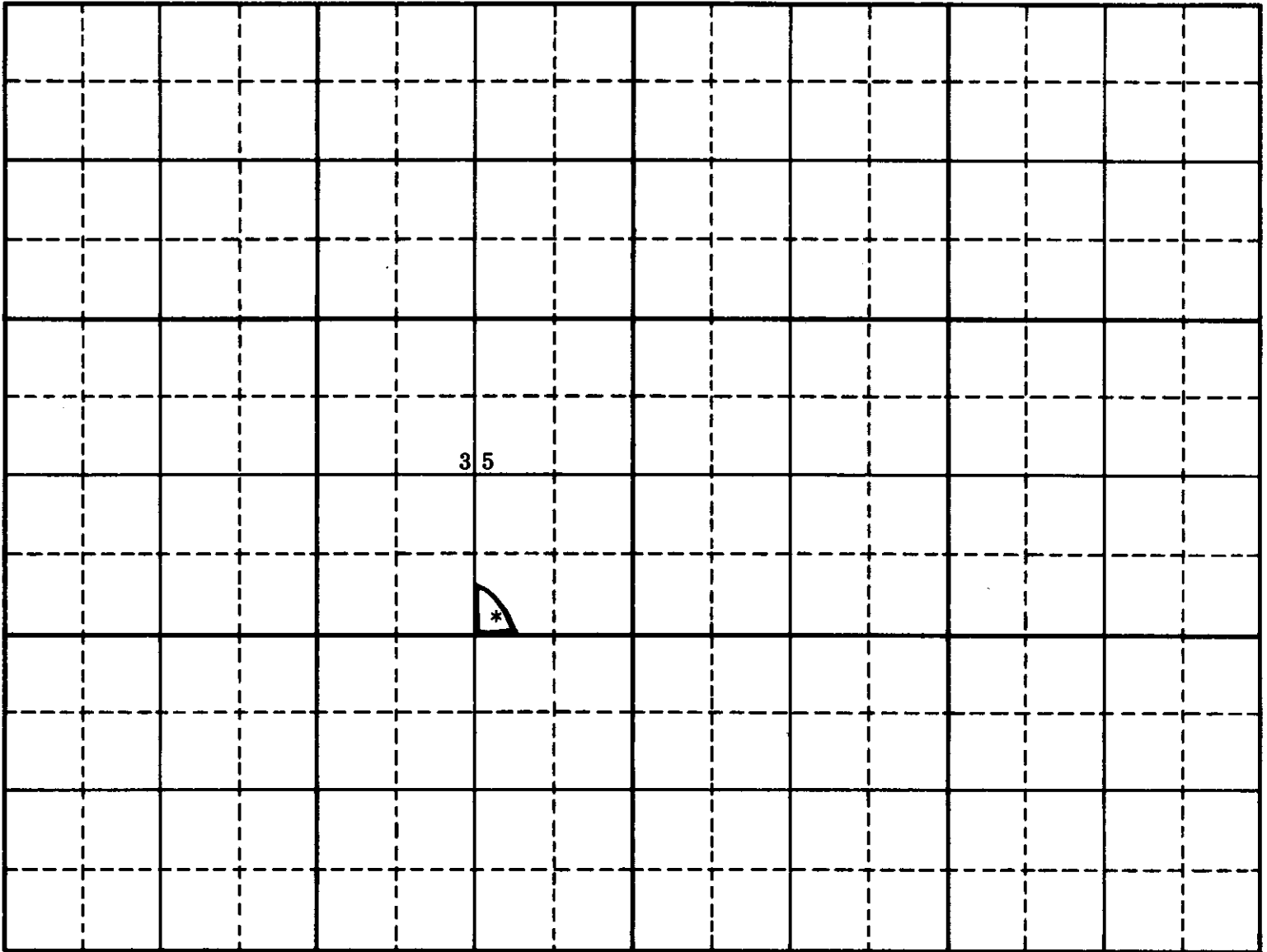
Any exception to this claim of
water right may be filed with the
Director of the Idaho Depart-
ment of Water Resources, 92
South Cole Road, Boise, Idaho
83705.

C. STEPHEN ALLRED
Director
April 28; May 5, 1977

MICROFILMED

OK 1/18
5-11-77

(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 18th day of April, 1977.

[Signature]
(Claimant)
Sharon L. Jones
Notary Public
Residing at Boise, Idaho

My commission expires 9/10/80

For Department Use Only

Received by <u>jc</u>	Date <u>4/18/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>jc</u>	Date <u>4/18/77</u>		claimant by:	
\$10.00 fee received by <u>jc</u>	Date <u>4/18/77</u>			
Approved for publication by <u>[Signature]</u>				
Published in <u>Idaho Statesman</u>				
Dates <u>April 28 + May 5, 1977</u>				

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) ss.
County of Canyon.)

Department of Water Resources
Western Regional Office

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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.

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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:

April 28; May 5, 1977

OK *HH*
5-11-77

Verla Harker

Subscribed and sworn to before me this

19 77 5th day of May

Adam D. Kane

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

MICROFILMED

WATER RIGHT NUMBER 63-4476

WATER RIGHTS EDIT REPORT

12/13/79

PAGE 120

ACT
ION

N OWNER LAST NAME - POWELL
N OWNER LAST NAME - POWELL
N ADDRESS LINE 1 - 4005 S. FLORIDA

FIRST NAME - E. E.
FIRST NAME - BESSIE L.

N SOURCE - GROUNDWATER

CITY - CALDWELL

STATE - ID ZIP CODE - 83605

N STAGE - STATRY CLM

PRIORITY - 08-15-1943

COUNTY - CANYON

TOTAL DIV. RATE -

.0600CFS

N DIVERSION POINT - SWSE 35 04N 03W

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

USE DIV. RATE - .0600CFS

N USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 03W SEC 35 TRACT SWSE AC 03

IDENT. NO. 63-4476

WATER RIGHT DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

Old No.

New No.

63-4476
63-44-7

Record

1. Original Owner: E. E. + Bessie L. Powell

Present Owner: _____

2. Address: 4005 S. Florida

3. City: Caldwell State: Id Zip: 83605

4. A. Source of Water: gr

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: 8-15-1943

D. County: 27

E. Total Diversion Rate: .06

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>SWSE</u>	<u>35</u>	<u>4N</u>	<u>3W</u>		

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

from 3-15 to 11-15 for A purposes. Amount .06
(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 _____

8. Use Code: A

[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

Application No. 63-4476

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

(1) WNM 4/19/77

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) WNM 4/19/77

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 none platted

(10) _____

Comments: _____

(11) sf OK

Affidavit of Publication received(date) 5-16-77

(12) sf _____

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 WJA Date 5-16-77

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

May 18, 1977

Re: Claim to a Water Right No. 63-4476

E. E. &/or Bessie L. Powell
4005 S. Florida
Caldwell, ID 83605

Dear Mr. & Mrs. Powell:

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

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

April 22, 1977

Re: See attached sheet

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 May 16, 1977.

Sincerely,

Bill submitted
5-16-77
y

RECEIVED

PUBLISHED IN THE NEWS-TRIBUNE APRIL 28 & MAY 5, 1977

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

63-3532 Don A. Hulme

NOTICE OF CLAIM TO A WATER RIGHT

63-4472 Marle &/or Freeda Javaux

63-4476 E. E. &/or Bessie L. Powell

NOTICE OF APPLICATION FOR WATER PERMIT

63-8687 Saxton Fruit Farms, Inc.

63-8688 Green Acres Farms

63-8689 Fred W. &/or Clara P. Anderson

63-8697 Lloyd C. Collard

63-8699 Charles A. &/or Zelda M. Nickel

63-8700 L. W. &/or Barbara Ragains

63-8701 Ray Obendorf

63-8702 Harold G. &/or Harriett A. Crosby

63-8703 H. J. Batt, Wilder Land Co., LTD

63-8704 City of Middleton, Idaho

63-8705 Phillips Farms

63-8706 Robert B. Morford

63-8709 C. J. Westcott

63-8708 Fred C. &/or Irene Hertig

RECEIVED
MAY 11 1977
CLERK OF DISTRICT COURT
IDAHO

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NO. 63-4476

Notice is hereby given that E. E. &/or BESSIE L. POWELL
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with the point of diversion in the SW1/4 Sec 35 T4N-R3W B.M., Canyon
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The water is claimed to be used from Mar 15 to Nov 15
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with a priority date of August 15, 1943;
the place of use is within the SW1/4 Sec 35 T4N-R3WB.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 April 28, 1977 and May 5, 1977.