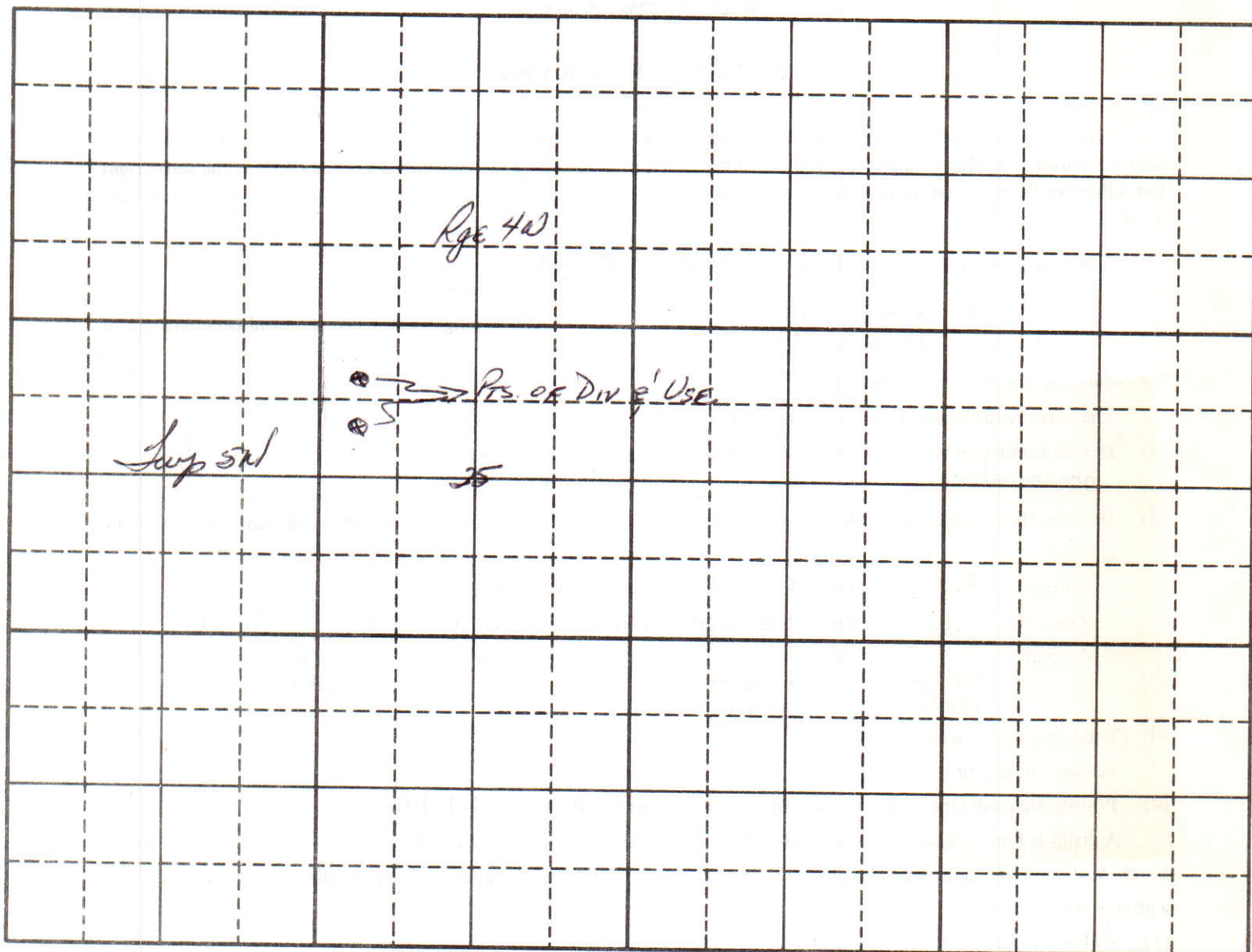


(8) Remarks _____



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 affiant's knowledge.

Sworn to before me this 18th day of April

[Signature]
(Claimant)

[Signature]
Notary Public

Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by RL Date 4-18-77 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 4-19-77 Forwarded to claimant by: _____
\$10.00 fee received by [Signature] Date 4-18-77 # 7178
Approved for publication by _____
Published in News-Tribune _____
Dates April 28 + May 5, 1977 _____

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 9 1977

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

Department of Water Resources
Western Regional Office

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

19 77 5th day of May

Adam J. Kaur

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF CLAIM TO
A WATER RIGHT
No. 63-4472

Notice is hereby given that Merle &/or Freeda Javaux, Route 5, Caldwell, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.15 cubic feet per second of water from a groundwater source with the point of diversion in the NW1/4NW1/4 & SW1/4NW1/4 Sec 25 T5N-R4W 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 April 1, 1918; the place of use is within the W1/2NW1/4 Sec 25 T5N-R4W 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
April 28; May 5, 1977

OK JSS
5-11-77

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 Merle &/or Freeda Javaux
(name of claimant)
of Route 5 Caldwell, ID, claims a right to the diversion and beneficial use of
(mailing address)
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, 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>0.12</u> | Use | <u>domestic</u> | Period of Use: From | <u>1-1</u> | To | <u>12-31</u> |
| Amount | <u>0.03</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: 0.15 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) 4-1-1918

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 NW ¼, Sec. 25 Twp. 5N Rge. 4W B. M. County of Canyon
Additional points of diversion: SW ¼ NW ¼ Sec 25 T5N-R4W

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. 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	
5N	4W	25					X	X											

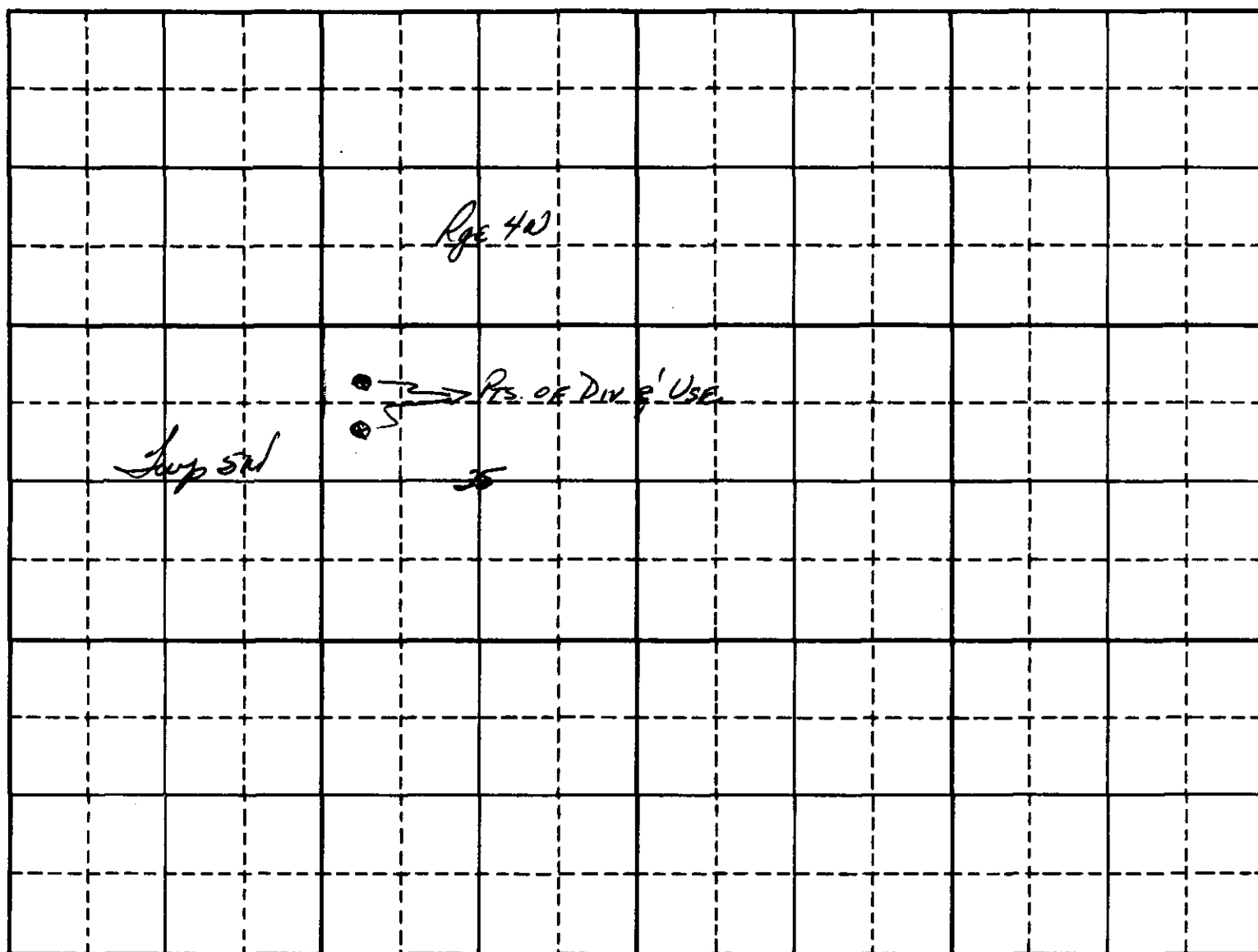
Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: 3 houses and 75 head of cattle

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

MICROFILMED

(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

Marty J. Jansen
(Claimant)

Lyle Glen Saxton
Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>RW.</u>	Date <u>4-18-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JS</u>	Date <u>4-19-77</u>		claimant by:	
\$10.00 fee received by <u>JS</u>	Date <u>4-18-77</u>	# <u>7178</u>		
Approved for publication by <u>JS</u>				
Published in <u>News-Tribune</u>				
Dates <u>April 28 + May 5, 1977</u>				

AFFIDAVIT OF PUBLICATION

RECEIVED

MAY 9 1971

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

Department of Water Resources
Western Regional Office

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

OK 788
5-11-77

Verla Harker

Subscribed and sworn to before me this

19 77 5th day of May,

Adam S. Kaur

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

MILWAUKEE

ACT
ION

N OWNER LAST NAME - JAVAUX
N OWNER LAST NAME - JAVAUX
N ADDRESS LINE 1 - RT. 5

FIRST NAME - MERLE
FIRST NAME - FREEDA

CITY - CALDWELL

STATE - ID

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 04-01-1918 COUNTY - CANYON
SNNW 25 05N 04W

TOTAL DIV. RATE - .1500CFS

N DIVERSION POINT - NWNW 25 05N 04W

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

USE DIV. RATE - .0300CFS

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

USE DIV. RATE - .1200CFS

N USE - STOCKWATER

PLACE OF USE - TWN 05N RNG 04W SEC 25 TRACT NWNW

N NON IRRIG USE - S/75 RANGE D/3 HOMES.

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 63-4472
 Old No. _____ New No. _____

Record

1. Original Owner: Merle & Freeda Javaux

Present Owner: _____

2. Address: Rt. 5

3. City: Caldwell State: Id Zip: _____

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: 4-1-1918

D. County: 27

E. Total Diversion Rate: .15

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>NWNW</u>	<u>25</u>	<u>5N</u>	<u>4W</u>		
	<u>SWNW</u>	<u>25</u>	<u>5N</u>	<u>4W</u>		

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

from 1-1 to 12-31 for S purposes. Amount .03
 (cfs or ~~AC~~ FT/yr)

from 1-1 to 12-31 for D purposes. Amount .12

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: S

[illegible]

9. A. Decree Name:

B. Decree Date:

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

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

5/75 range 0/3 homes.

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. 63-4-72

- ☒ Source
☒ Points 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) JJA 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) JJA 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 now platted

(10) _____

Comments: _____

(11) rf OK

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

(12) _____

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 JJA Date 5-16-77



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Carl 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. 63-4472

Merle &/or Freeda Javaux
Route 5
Caldwell, ID 83606

Dear Mr. & Mrs. Javaux:

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

RECEIVED
MAY 23 1977
WATER RESOURCES
DIVISION



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
yf

MICROFILMED

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 Merle &/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
APR 28 1977

NOTICE OF CLAIM TO A WATER RIGHT

NO. 63-4472

Notice is hereby given that Marla &/or Freeda Javaux
Route 5 Caldwell, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.15 cubic feet per second ~~surface~~ of water
from a groundwater source
with the point of diversion in the NW1/4 & SW1/4 Sec 25 T5N-R4W 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 April 1, 1918;
the place of use is within the W1/4 Sec 25 T5N-R4W 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 April 28, 1977 and May 5, 1977.