

A hand-drawn diagram on graph paper. The grid is 10 units wide and 10 units high. A path is drawn with a solid line, starting from a point labeled 'GN' at (2, 5) and ending at a point labeled 'SW' at (4, 8). The path consists of a horizontal segment from (2, 5) to (3, 5), a vertical segment from (3, 5) to (3, 6), a horizontal segment from (3, 6) to (4, 6), and a vertical segment from (4, 6) to (4, 8). A box labeled '40' is placed on the horizontal segment between (3, 5) and (4, 6). Another box labeled '25' is placed on the vertical segment between (4, 6) and (4, 8).

Exception filed by:	Forwarded to claimant by:	Date
_____	_____	_____
_____	_____	_____

AFFIDAVIT OF PUBLICATION

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 21, 28, 1977

Verla Harker

Subscribed and sworn to before me this

28th day of April,
19 77.

Adam D. Kaur
Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF CLAIM TO A
WATER RIGHT
No. 63-4458

Notice is hereby given that
EDGAR W. SELLS Rt. 2, Par-
ma, Idaho has filed a claim to a
water right established by diver-
sion and application to
beneficial use of 1.3 cubic feet
per second of water from an un-
named drain tributary to Sand
Hollow Creek with the point of
diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec
31 T6N-R5W B.M., Canyon
County.

The water is claimed to be
used from April 1 to Oct. 1 for
irrigation of 65 acres with a
priority of 1956; the place of use
is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 31 T6N-R5W
B.M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water
Resources, Statehouse, Boise,
Idaho 83720.

C. STEPHEN ALLRED
Director
April 21, 28, 1977

OK 148
5-4-77

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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 Edgar W. Sells (name of claimant)
of Route 2, Parma, Idaho, 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) Unnamed drain
Sand Hollow Creek, 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 | 1.3 cfs | Use | Irrigation | Period of Use: From | April 1 | To | October 1 |
| 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: 1.3 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) 1956

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)
SW ¼ NE ¼, Sec. 31 Twp. 6N 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. pump and pipeline

- (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	
6N	5W	31													25				25
6N	5W	31			40														40
																			65

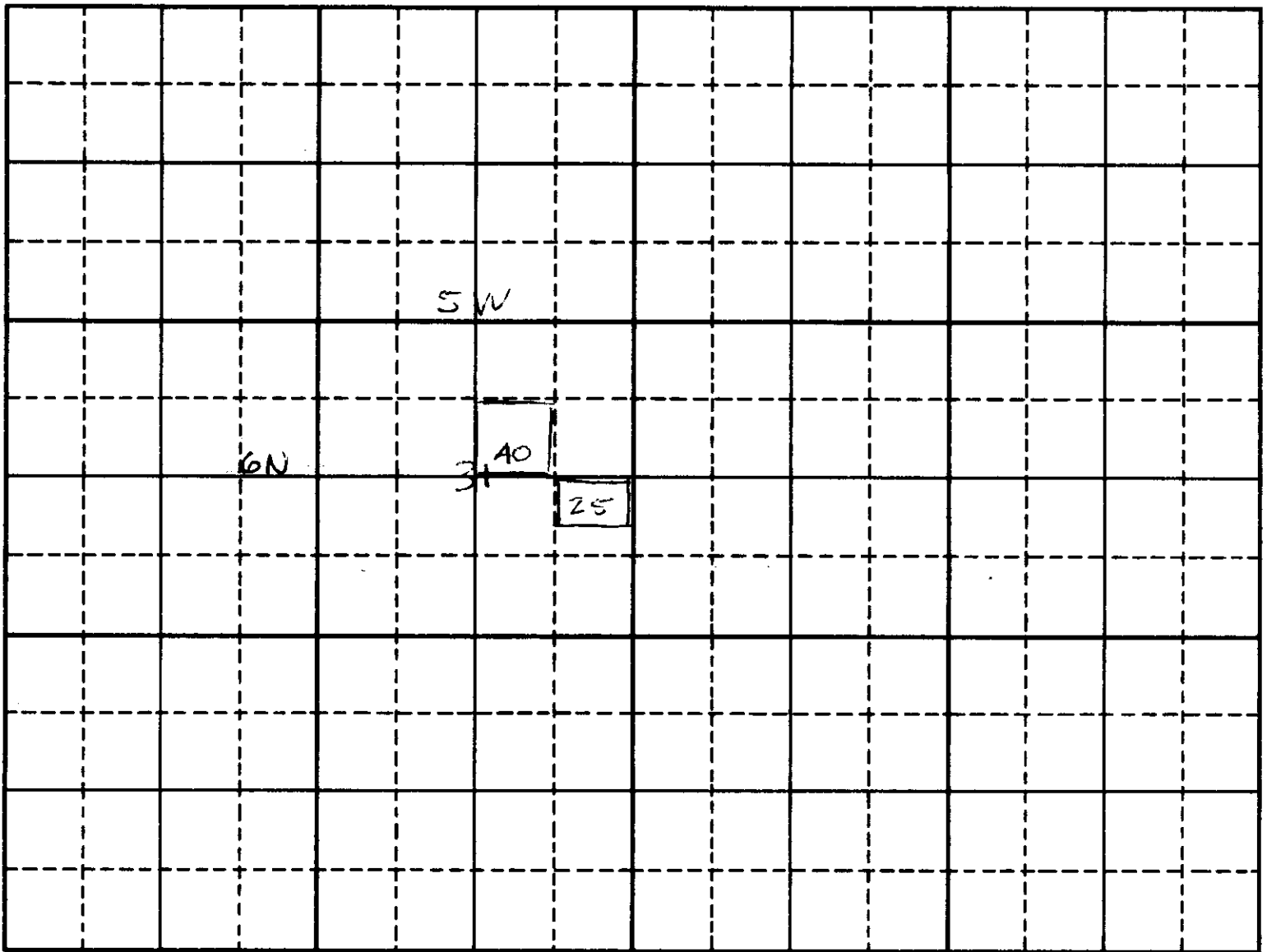
Total No. of acres

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

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

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(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 13th day of April, 19 77.

Edgar W. Latta
(Claimant)
Thomas J. Woods
Notary Public
Residing at Basin, Idaho

My commission expires 6/15/77

For Department Use Only

Received by <u>JJ</u>	Date <u>4-13-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JJ</u>	Date <u>4-13-77</u>		claimant by:	
\$10.00 fee received by <u>RTW</u>	Date <u>4-13-77</u>			
Approved for publication by <u>CS</u>	Date <u>4-14-77</u>			
Published in <u>News-Tribune</u>				
Dates <u>April 21, 1977 + April 28, 1977</u>				

AFFIDAVIT OF PUBLICATION

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.

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a daily, (except Sunday) newspaper published in the City of
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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.

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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 21, 28, 1977

Verla Harker

Subscribed and sworn to before me this

28th day of April,
19 77.

Adam D. Kaul

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

OK 148
5-4-77

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ACT
ION

N OWNER LAST NAME - SELLS

FIRST NAME - EDGAR W.

N ADDRESS LINE 1 - RT. 2

N SOURCE - UNNAMED DRAIN

CITY - PARMA

STATE - ID

N DIVERSION POINT - SWNE 31 06N 05W

TRIBUTARY OF - SAND HOLLOW CREEK

N FROM - 04-01 TO - 10-01 USE - IRRIGATION

USE DIV. RATE - 1.3000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 06N RNG 05W SEC 31 TRACT SWNE

AC 40 TRACT NESE

AC 25

IDENT. NO. 63-4458

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

Present Owner: _____

J. Right Basis (for adjudication claims A,B,C only):

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

[illegible]

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

Claim

Application No. _____

☒ 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

____ Pre-permit exam
____ Adjudication Claim
____ Dam Construction
____ Papers Sent

(1) R.W.H. 4-13-77

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

(4) R.W.H. 4-13-77

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) W OK

Affidavit of Publication received(date) 5-4-77

(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 W

Date 5-9-77

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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 10, 1977

Re: Claim to a Water Right No. 63-4458

Edgar W. Sells
Route 2
Parms, ID

Dear Mr. Sells:

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

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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 15, 1977

Re: See attached sheets

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 9, 1977.

Sincerely,

MICROFILMED

Bill submitted
5-4-77
rf

Published in the News-Tribune, Caldwell, Idaho on April 21 & 28, 1977.

NOTICE OF CORRECTION

63-4435	Ruth LeMaster
63-8567	Yoshie Yamada
63-8572	Wendell B. Platt

NOTICE OF CLAIM TO A WATER RIGHT

63-4453	F. Eldon &/or Louise O. Cook
63-4455	Robert M. XXXXX Batt
63-4456	C. J. &/or Robert Kniefel
63-4457	Kniefel Farms, Inc.
63-4458	Edgar W. Sells
63-4459	Greenleaf Farms, Inc.
63-4460	Greenleaf Farms, Inc.
63-4463	Ivan &/or Alma Dillon
63-4466	Harold Duane &/or XXXXXXXX Margret M. Root

NOTICE OF APPLICATION FOR WATER PERMIT

63-8658	J. C. Watson Co.
63-8667	Claude &/or Billie Percy
63-8668	Michio Takasugi
63-8669	Thomas J. &/or Mildred Brown
63-8671	Willie Fletcher
63-8675	Michio Takssugi
63-8677	F. Eldon &/or Louise O. Cook
63-8679	Marvin &/or XXX Vearl Sorenson
63-8680	Orville Obendorf

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continued

Published in the News-Tribune, Caldwell, Idaho on April 21, 1977 & April 28, 1977.

63-8682	Hultz Farms, Inc.
63-8683	R. E. Maybon or Norma M. Maybon
63-8684	Cline J. &/or Winoma Sidener

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NOTICE OF CLAIM TO A WATER RIGHT

No. ~~63-4458~~

Notice is hereby given that ~~EDGAR W. SELLS~~

~~Rt. 2, Parma, Idaho~~
has filed a claim to a water right established by diversion and application
to beneficial use of ~~1.3~~ cubic feet per second ~~acre feet of water~~
from ~~an unnamed drain tributary to Sand Hollow Creek~~
with the point of diversion in the ~~N 1/4 NE 1/4 Sec 31 T6N-R5W B.M.,~~

~~Canyon County~~

The water is claimed to be used from ~~Apr 1 to Oct 1~~
for ~~irrigation of 65 acres~~

with a priority of ~~1956~~;
the place of use is within the ~~NE 1/4 Sec 31 T6N-R5W B.M.~~

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON
XXXXXXXXXXXXXXXXXXXXX C. STEPHEN ALLRED
Director

Published in the ~~News-Tribune, Caldwell, Idaho~~
on ~~April 21, 1977~~ and ~~April 28, 1977~~

MICROFILMED

March 11, 1977

Edgar & Lizzie Sells
Route #2
Parma, Idaho 83660

Dear Mr. Sells:

Please find enclosed the claim to a water right which you submitted since the claim was not accompanied with a \$10 filing fee.

I discarded the application for permit which you submitted since it also was not accompanied with a filing fee and since it is not the document that you should file.

From a discussion with Mrs. Percy, a neighbor of yours, it appears that the legal descriptions you show are incorrect.

I suggest you not re-submit the claim until after the hearing on the Clay application, since the source of water may not be public waters in which this Department would be involved.

If you have further questions, please contact this office.

Sincerely,

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

LGS:lp

Enclosure

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