

AFFIDAVIT OF PUBLICATION

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

RECEIVED
APR 23 1977

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 14, 21, 1977

OK
5-2-77
MF

Verla Harker

Subscribed and sworn to before me this _____

21st day of April,
19 77.

Adam J. Kaw

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF CLAIM TO
A WATER RIGHT
No. 63-4450

Notice is hereby given that
BEN GAHLEY, Rt. 1, Parma,
ID has filed a claim to a water
right established by diversion
and application to beneficial use
of 0.04 cubic feet per second of
water from a groundwater source
with the point of diversion in
Government Lot 4, Sec 18, T5N-
R4W B.M., Canyon County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for a
domestic purpose with a priority
of July, 1906 the place of use is
within Government Lot 4, Sec 18
T5N-4W 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 14, 21, 1977

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 Ben Gahley

(name of claimant)

of Route #1, Parma, ID 83660, 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>0.04 cfs</u>	Use	<u>Domestic</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 0.04 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) July, 1906

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)
Lot 4 $\frac{1}{4}$ $\frac{1}{4}$, Sec. 18 Twp. 5N Rge. 4W 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. 150' deep, 5" casing, 1 hp submersible pump.

- (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.

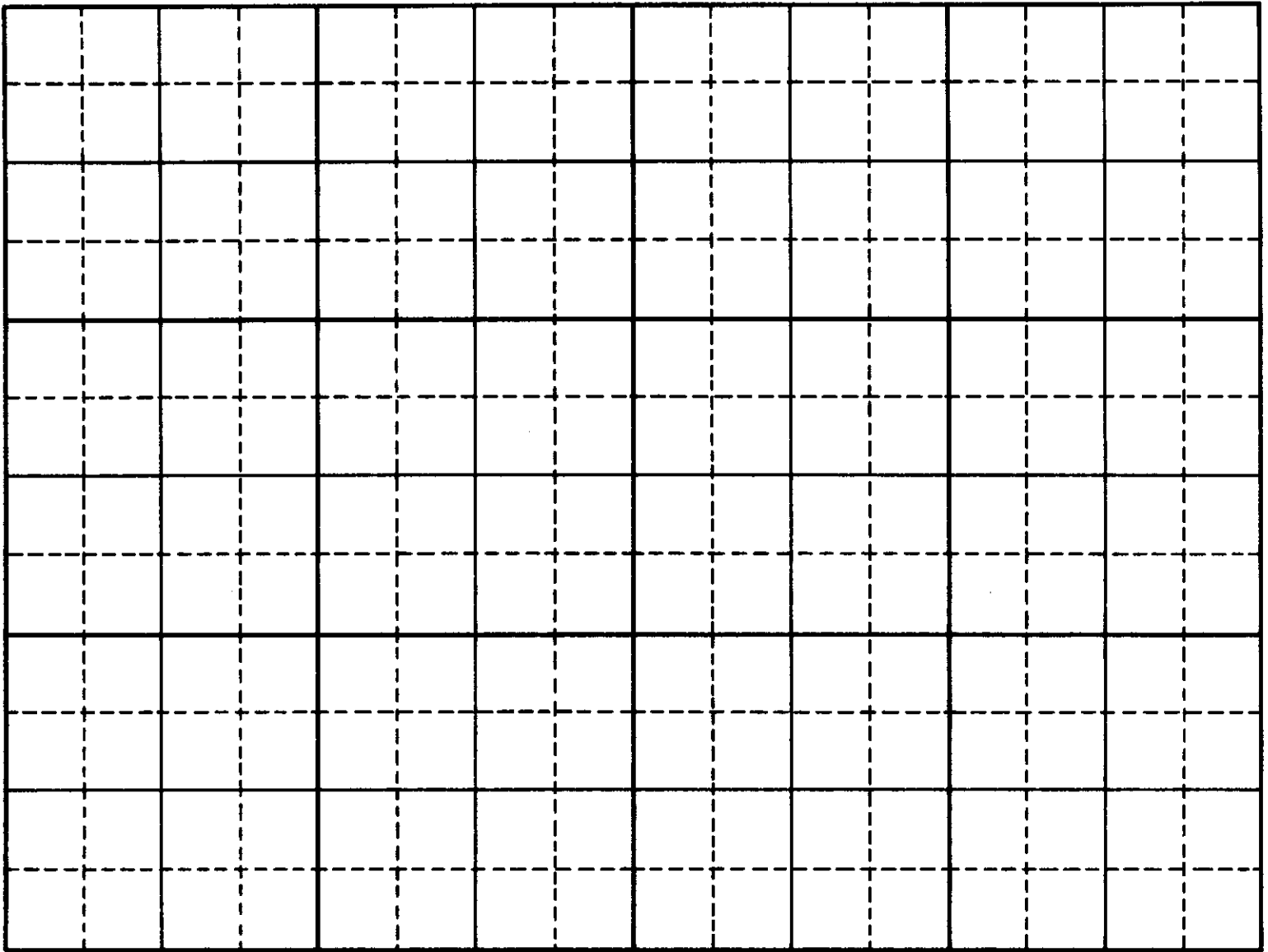
[illegible]

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic purposes for one family.

- (7) 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.

Ben Goby
(Claimant)

Sworn to before me this 5th day of April, 19 77.

Sharon L. Goss
Notary Public
Residing at Boise, Idaho

My commission expires 9/10/80

For Department Use Only

Received by <u>JG</u>	Date <u>4/5/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JG</u>	Date <u>4/5/77</u>		claimant by:	
\$10.00 fee received by <u>KTW</u>	Date <u>4-5-77</u> # <u>6809</u>			
Approved for publication by <u>CS</u>	<u>4-7-77</u>			
Published in <u>News Tribune</u>				
Dates <u>April 14, 1977 & April 21, 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:

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times hereinafter mentioned was over the age of twenty-one years,
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a daily, (except Sunday) newspaper published in the City of
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4. That said notice was published the following dates:

April 14, 21, 1977

OK
5-8-77
JL

Verla Harker

Subscribed and sworn to before me this _____

21st day of April,
19 77.

Adam D. Kaw

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

MICKO FILMED

ACT
ION

N	OWNER LAST NAME - GAHLEY	FIRST NAME - BEN		
N	ADDRESS LINE 1 - RT. 1			
N		CITY - PARMA	STATE - ID	ZIP CODE - 83660
N	SOURCE - GROUNDWATER			
N	STAGE - STATRY CLM	PRIORITY - 07-01-1906	COUNTY - CANYON	TOTAL DIV. RATE - .0400CFS
N	DIVERSION POINT - 18 05N 04W LOT 04			
N	FROM - 01-01 TO - 12-31	USE - DOMESTIC	USE DIV. RATE - .0400CFS	
N	USE - DOMESTIC	PLACE OF USE - TWN 05N RNG 04W SEC 18	LOT 04	

ACT
ION

X DIVERSION POINT - 18 05N 04W LOT 04
L DIVERSION POINT - SWSW 18 05N 04W LOT 04

3/79

IDENT. NO. 63-4450

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]

- DATA ENTRY -

Record

Present Owner: _____

[illegible]

8. Use Code: 0

[illegible]

9. A. Decree Name:

B. Decree Date:

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

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

O/I home.

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
☒ *N/A* 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 4-6-76

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 4-6-76

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 *N/A*

(10) _____

Comments: _____

(11) af OK

Affidavit of Publication received(date) 5-2-77

(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 PJA

Date 5-3-77

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DEPARTMENT OF WATER RESOURCES

WESTERN REGION

Cecil D. Anderson
Governor

R. Keith Higginson
Director

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

April 8, 1977

RE: SEE ATTACHED SHEET

63-4450

New-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 2, 1977.

Sincerely,

Bill submitted
5-2-77
ry

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~63-4450~~

Notice is hereby given that ~~BN BEN GAHLEY~~

~~Rt. 1, Parma, ID~~
has filed a claim to a water right established by diversion and application
to beneficial use of ~~0.04~~ cubic feet per second ~~acre feet of water~~
from ~~a groundwater source~~
with the point of diversion in ~~the~~ ~~Government Lot 4, Sec 18, T5N-R4W B.M.~~

~~Canyon County~~
The water is claimed to be used from ~~Jan 1 to Dec 31~~
for ~~a domestic purpose~~

with a priority of ~~July, 1906~~;
the place of use is within the ~~Government Lot 4, Sec 18 T5N-4W 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
XXXXXXXXXXXXXXXXXXXX C. STEPHEN ALLRED
Director

Published in the ~~News-Tribune, Caldwell, ID~~
on ~~April 14, 1977~~ and ~~April 21, 1977~~

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