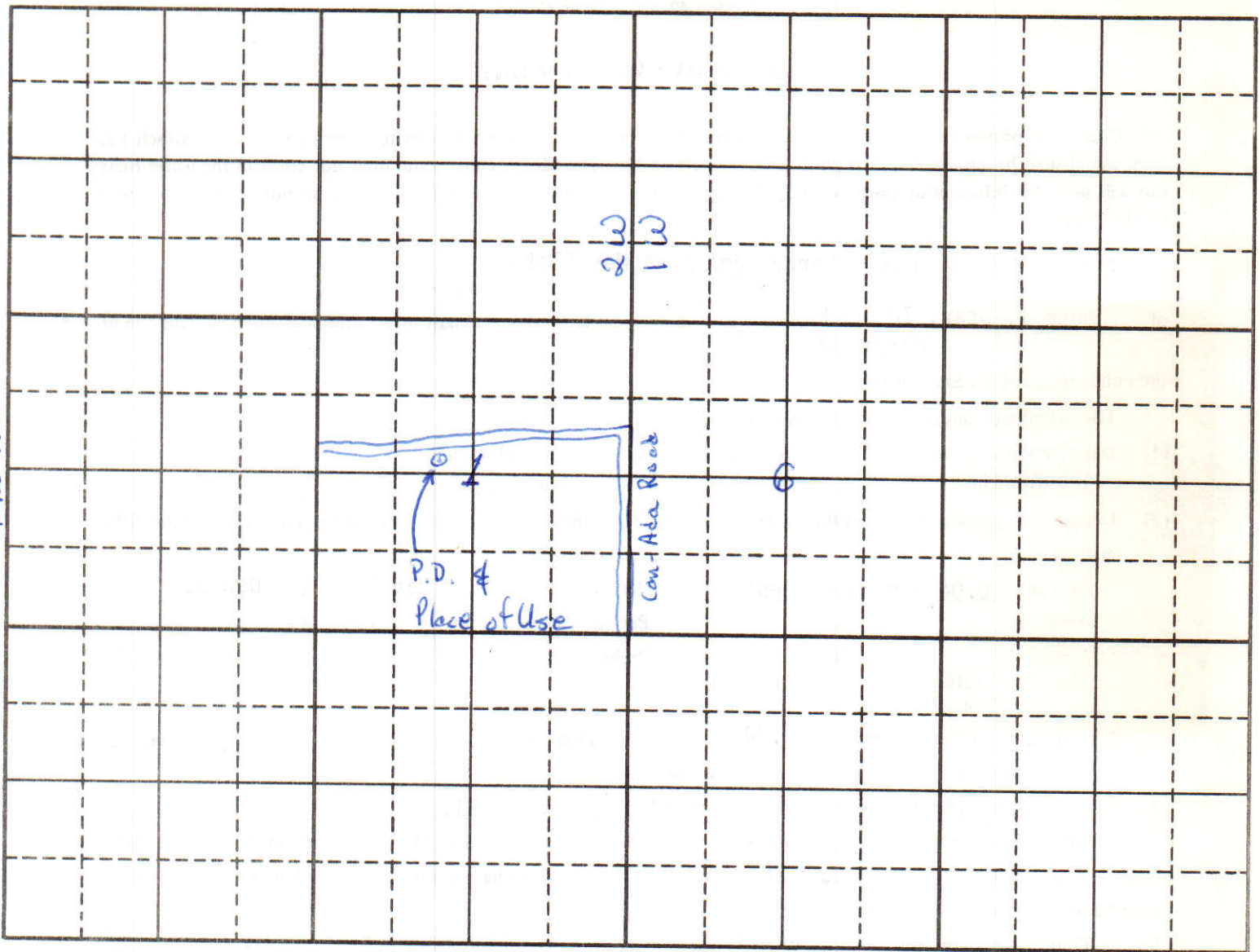


(8) Remarks _____

4 North



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 28th day of March, 19 77

Dan Johnston (Claimant)
Rita Heck
Notary Public
Residing at Boise, Idaho

My commission expires March 8, 1980

For Department Use Only

Received by <u>Wdm</u>	Date <u>3-28-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>3-29-77</u>		claimant by:	
\$10.00 fee received by <u>ry</u>	Date <u>3-28-77</u> # <u>7078</u>			
Approved for publication by _____				
Published in _____				
Dates _____				

AFFIDAVIT OF PUBLICATION

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

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT No. 63-4444

Notice is hereby given that HARRY &/or ANNA MAY ELSTON Route 1 Star, 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 the SE 1/4 NW 1/4 Sec 1 T4N-R2W B.M., Canyon County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1935; the place of use is within the SE 1/4 NW 1/4 Sec 1 T4N-R2W B.M., Canyon County.

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 7, 14, 1977

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 7, 14, 1977

OK
H-25-71
my

Verla Harker

Subscribed and sworn to before me this

14th day of April,
19 77.

Adam J. Law

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

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 Harry &/or Anna May Elston
(name of claimant)
of Route 1, Star, ID 83669, 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 _____ | 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: 0.04 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) 1935

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 $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1 Twp. 4N Rge. 2W 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. 4" casing in 58 ft. deep well to 1/2" pipes in home.

- (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]

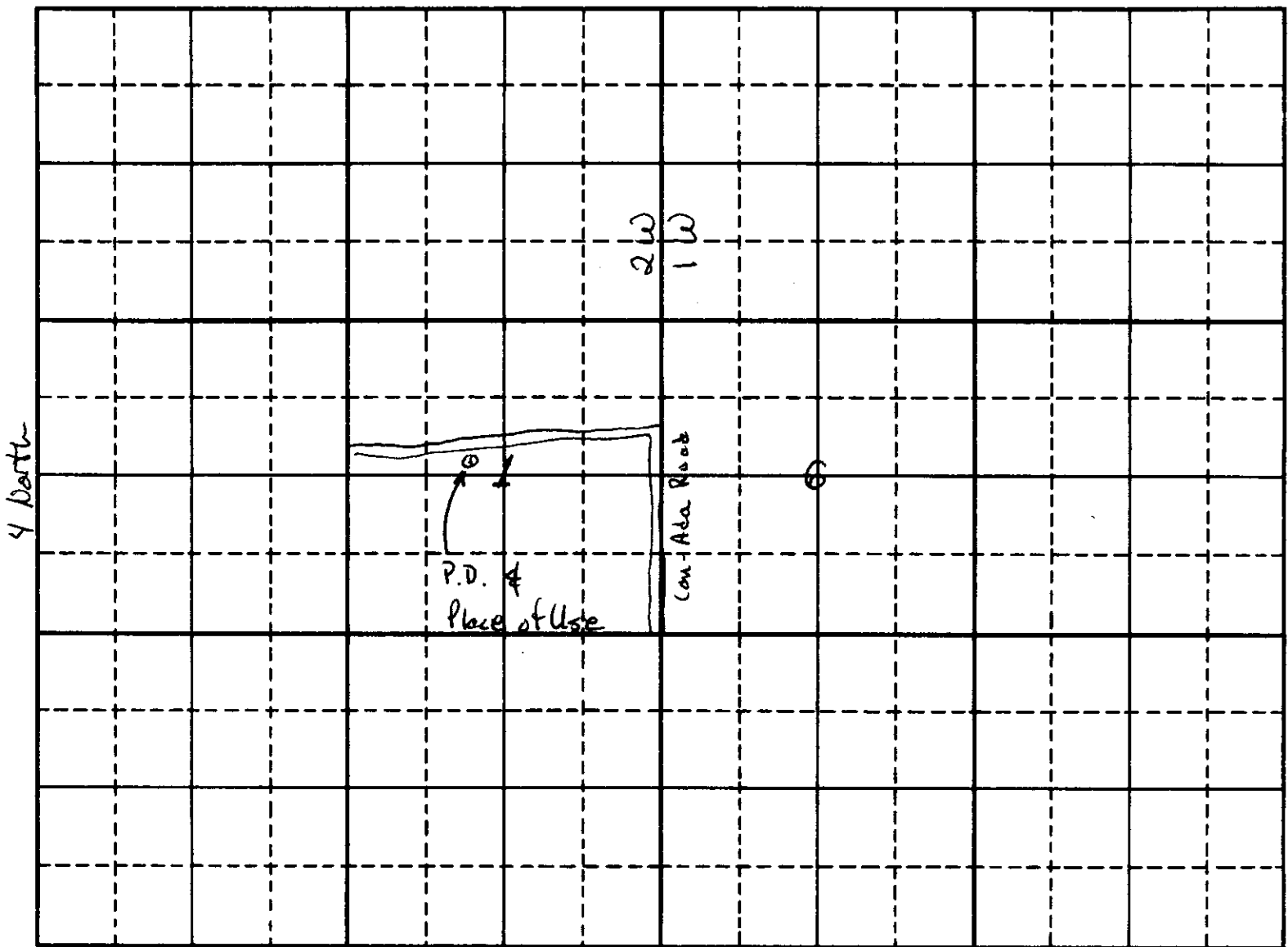
Total No. of acres

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
Domestic use for 1 family

- (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 28th day of March, 19 77.

Danny Johnston
(Claimant)

Pete Black
Notary Public

Residing at Boise, Idaho

My commission expires March 8, 1980

For Department Use Only

Received by <u>WJH</u>	Date <u>3-28-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>P.W.H.</u>	Date <u>3-29-77</u>		claimant by:	
\$10.00 fee received by <u>ry</u>	Date <u>3-28-77</u> # <u>7078</u>			
Approved for publication by _____				
Published in _____				
Dates _____				

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 7, 14, 1977

OK
H-25-77
JF

Verla Harker

Subscribed and sworn to before me this

14th day of April,
19 77.

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

My Commission Expires June 23, 1979.

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ACT
ION

N OWNER LAST NAME - ELSTON
N OWNER LAST NAME - ELSTON
N ADDRESS LINE 1 - RT. 1

FIRST NAME - HARRY
FIRST NAME - ANNA MAY

N
N SOURCE - GROUNDWATER

CITY - STAR

STATE - ID ZIP CODE - 83669

N STAGE - STATRY CLM

PRIORITY - 06-01-1935 COUNTY - CANYON

TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - SENW 01 04N 02W

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

USE DIV. RATE - .0400CFS

N USE - DOMESTIC

PLACE OF USE - TWN 04N RNG 02W SEC 01 TRACT SENW

3/79

IDENT. NO. 63-4444

ID AHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

Present Owner: _____

B. Tributary of:

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

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

from _____ to _____ for _____ purposes. Amount _____

NO 11-7

[illegible]

9. A. Decree Name:

B. Decree Date:

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

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

O/1 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

Application No. 63 -

☒ 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

In form to receipt

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

In form for advertising

Platted on Map No. _____

Located within Water District No. _____

Critical groundwater area: yes _____ no ☒

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

Other rights on the same place of use none
platted

Comments: _____

Affidavit of Publication received (date) 4-25-77

Final date for protests N/A

Protests received: yes _____ no ☒

All requested information received from agencies or applicant: yes _____ no _____

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

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(15) District W By WJA Date 4-25-77



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 26, 1977

Re: Claim to a Water Right No. 63-4444

Harry &/or Anna May Elston
Route 1,
Star, ID 83669

Dear Mr. & Mrs. Elston:

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. Anderson
Governor

R. Keith Higginson
Director

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

April 1, 1977

Re: See attached sheet

63-4444

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 April 25, 1977.

Sincerely,

Bill submitted
4-25-77
J

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PUBLISHED IN THE NEWS-TRIBUNE, CALDWELL, IDAHO ON APRIL 7 & 14, 1977

Notice of Claim to a Water Right

63-4443	Albert &/or Odessa Eidemiller
63-4442	Albert &/or Odessa Eidemiller
63-4444	Harrry &/or Anna May Elston

Notice of Application for Water Permit

63-8612	Earl M. Tuckness
63-8616	Herman R. &/or Bessie Krantz
63-8617	Albert &/or Odessa Eidemiller
63-8619	Darwin G. &/or Annabelle Noe &/or Alan Noe
63-8620	Layton Noe & Teila Noe
63-8621	Max M. Takasugi
63-8622	Max M. Takasugi
63-8626	L. W. &/or Barbara J. Ragains

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NOTICE OF CLAIM TO A WATER RIGHT

No. ~~63-4444~~

Notice is hereby given that ~~HARRY &/or ANNA MAY ELSTON~~

~~Route 1 Star, 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 ~~SE 1/4 Sec 1 T4N R2W B.M., Canyon~~
~~County~~

The water is claimed to be used from ~~Jan 1 to Dec 31~~
for ~~domestic purposes~~

with a priority of ~~1935~~;
the place of use is within the ~~SE 1/4 Sec 1 T4N R2W B.M., Canyon County~~

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

Director

Published in the ~~News-Tribune, Caldwell, ID~~
on ~~April 7, 1977~~ and ~~April 14, 1977~~

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