

Remarks _____

Linder Road

Meridian Street

Locust Grove Road

N. Eagle Road

Franklin Road

180' x 135'

State of Idaho)
) ss.
County of Ada)

Sworn to before me

Elizabeth Kusler
(Claimant)

(Claimant)

Notary Public

Residing at Boise Idaho

My commission expires March 8, 1980

Received by <u>RB</u>	Date <u>8-16-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>DOC</u>	Date <u>8-20-76</u>		claimant by:	
\$10.00 fee received by <u>RB</u>	Date <u>8-20-76</u>	<u>#5124</u>		
Approved for publication by <u>RF</u>	<u>8-26-76</u>			
Published in <u>Idaho Statesman</u>				
Dates <u>Sept 2 & 9</u>				

A hand-drawn map on a grid showing three streets: Linder, Meridian Street, and Locust Grove. The map is oriented with North at the top. Linder is a vertical street on the left. Meridian Street is a vertical street in the center. Locust Grove is a vertical street on the right. A horizontal street runs across the top of the grid. The map is drawn on a grid of solid and dashed lines.

Franklin Road

 $180' \times 135'$

State of Idaho)
) ss.
County of Ada)

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 27th day of April, 19 76 (Claimant)

Elizabeth Kusler
(Claimant)

Ella C. Coleman
Notary Public

Notary Public
Residing at 715 Madison Ave

My commission expires 10/15/78

For Department Use Only

Received by RB Date 8-16-10
Prelim. check by _____ Date 7-29-76
\$10.00 fee received by _____ Date _____
Approved for publication by _____
Published in _____
Dates _____

Exception filed by: Forwarded to Date
claimant by:

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 ASOPH KUSLER &/or ELIZABETH KUSLER
(name of claimant)
of 3160 E. Franklin Road, Meridian, 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:

E.K. Amount 0.04 Use Domestic Period of Use: From 1-1 To 12-31
E.K. Amount ~~2.25 to 3.00~~ Use ~~Irrigation~~ Period of Use: From ~~3-1~~ To ~~10-31~~
Amount ~~1.00 to 1.50~~ Use _____ Period of Use: From _____ To _____
(cfs, gpm, or cfm) (dom., irri., stock, etc.) (both dates inclusive)

(3) Total quantity of water claimed: 0.04 cubic feet per second, or _____ acre feet
E.K. per annum, and/or 20 gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) September, 1954

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 4 1/4 SE 4 1/4, Sec. 8 Twp. 3N Rge. 1E B.M. County of Ada
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. The well is 197 feet deep, water rises to 27 feet from top in 4 inch casing

(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.

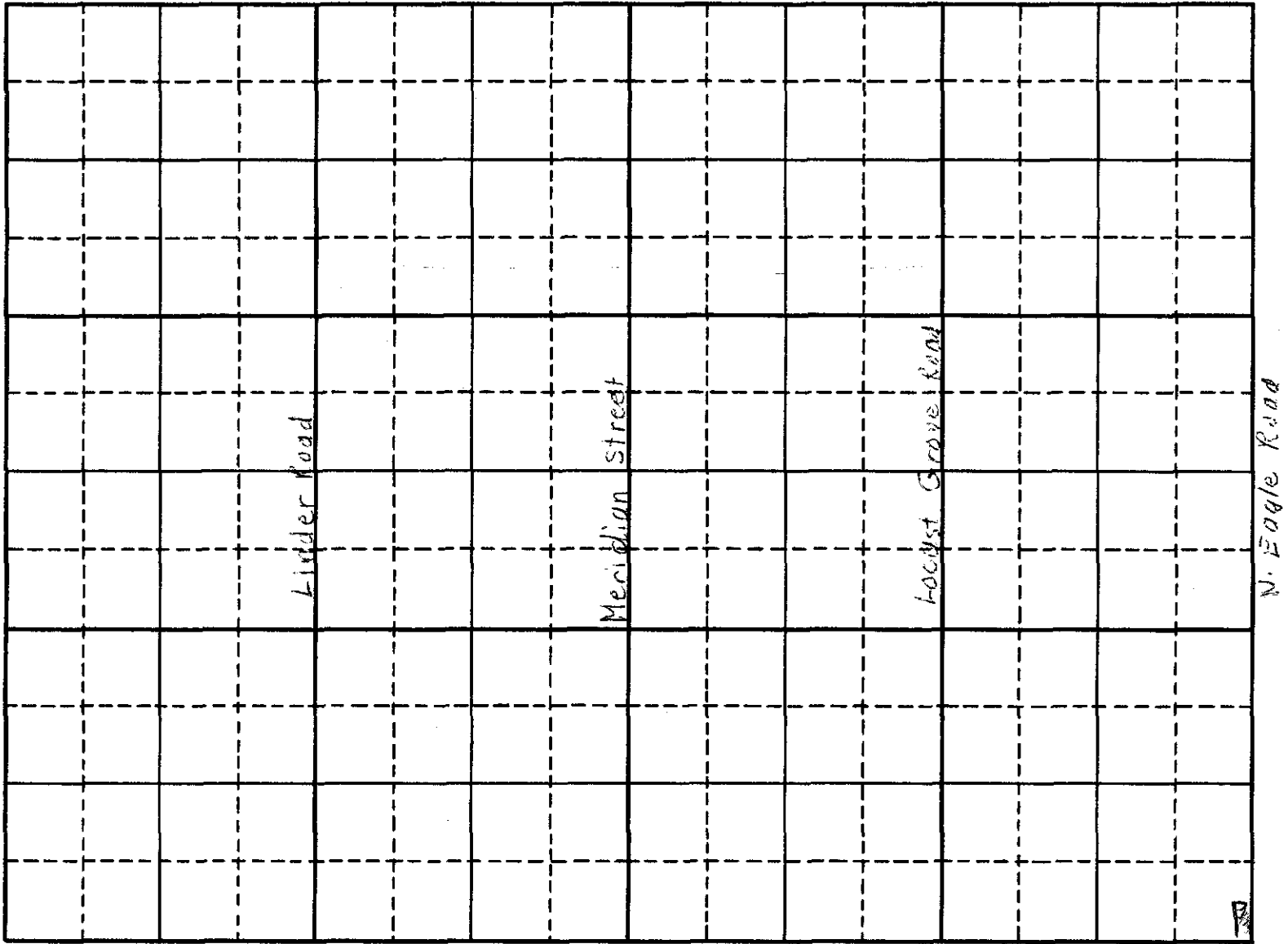
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>3N</u>	<u>1E</u>	<u>8</u>																<u>X</u>	<u>32 acres</u>

Total No. of acres _____

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

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Franklin Road

180' x 135'

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 20 day of August, 19 76.

E. Elizabeth Kuster
(Claimant)
John J. Bendish
Notary Public
Residing at Boise, Idaho

My commission expires March 8, 1980

For Department Use Only

Received by <u>RB</u>	Date <u>8-20-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>DDC</u>	Date <u>8-20-76</u>		claimant by:	
\$10.00 fee received by <u>RB</u>	Date <u>8-20-76</u>	<u>#5124</u>		
Approved for publication by <u>RF</u>	Date <u>8-26-76</u>			
Published in <u>Idaho Statesman</u>				
Dates <u>Sept 2 & 9</u>				

PROOF OF PUBLICATION

State of Idaho, }
County of Ada } ss.

NOTICE OF CLAIM TO A WATER RIGHT NO. 63-4386

Notice is hereby given that ASOPH KUSLER and or ELIZABETH KUSLER, Meridian, Idaho, 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 $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 8 T3N-R1E B.M., Ada County.

The water is claimed to be used from January 1 to December 31 for domestic purposes with a priority of September, 1954; the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 8 T3N-R1E, 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
Director

Published in the Valley News-Times, Meridian, Idaho, on September 2, 1976 and September 9, 1976.

I, Linda Judy, being first duly sworn, depose and say, that I am over twenty-one years of age, and Chief Clerk of VALLEY NEWS-TIMES, a weekly newspaper of general circulation, published at Meridian, County of Ada, State of Idaho, and that the annexed notice was published in said paper once each week for 2 consecutive weeks, the first publication being on the 2 day of Sept, 19 76, and the last publication being on the 9 day of Sept, 19 76.

That said notice was published in the newspaper proper and not in a supplement. That said newspaper had been continuously and uninterruptedly published in said county for a period of 78 consecutive weeks prior to the first publication of this notice, and is a newspaper within the meaning of the Idaho statutes.

Linda Judy
Chief Clerk

Subscribed and sworn to before me this 9 day of Sept, 19 76.

R. F. Marks
Notary Public in and for Idaho

Residence or Postoffice Address Meridian, Idaho.

OK
9-13-76
RF

WATER RIGHT NUMBER 63-4386

WATER RIGHTS EDIT REPORT

12/13/79

PAGE 60

ACT
ION

N OWNER LAST NAME - KUSLER
N OWNER LAST NAME - KUSLER
N ADDRESS LINE 1 - 3160 E. FRANKLIN RD.
N

FIRST NAME - ASOPH
FIRST NAME - ELIZABETH

CITY - MERIDIAN

STATE - ID

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

N DIVERSION POINT - SESE 08 03N 01E

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

N USE - DOMESTIC

PRIORITY - 09-01-1954 COUNTY - ADA

TOTAL DIV. RATE - .0400CFS

USE DIV. RATE - .0400CFS

PLACE OF USE - TWN 03N RNG 01E SEC 08 TRACT SESE

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 63-4386
Old No. New No.

Record

1. Original Owner: Asoph Kusler & Elizabeth Kusler

Present Owner: _____

2. Address: 3160 E. Franklin Rd.3. City: Meridian State: Id Zip: _____4. A. Source of Water: gw

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: 9-1-1954D. County: OlE. Total Diversion Rate: .04

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>SESE</u>	<u>8</u>	<u>3N</u>	<u>1E</u>		

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

from 1-1 to 12-31 for 0 purposes. Amount .04
(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: ☐

[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):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

September 21, 1976

Re: Claim to a Water Right No. 63-4386

Asoph &/or Elizabeth Kusler
3160 E. Franklin Road
Meridian, ID 83642

Dear Mr. & Mrs. Kusler:

The Department of Water Resources has completed the processing 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.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

L. GLEN SAXTON, P.E.
Western District Engineer

LGS: rf

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item	Initial	Date
------	---------	------

CLAIM
~~Application~~ No. 63-4386

~~/~~	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

(1) PJC 820-76

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) DJC 8-25-76

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

(10) 

Comments: _____

(11) RF OK

Affidavit of Publication received(date) 9-13-76

(12) _____

Final date for protests 2/1
Protests received: yes no ✓

(13) _____

All requested information received from agencies or applicant: yes_____no_____

(14) _____

Action recommended:

1 Approve _____ Deny _____

	Proposed Priority
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	

Reason for Reduction _____

Measuring device required

	See attached sheet for other conditions of approval
--	---

No special conditions for approval

(15) District W

By 794 Date 9-20-16



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

August 27, 1976

Re: Notice of Claim to a Water Right No. 63-4386 - Asoph Kusler &/or Elizabeth Kusler

The Valley News-Times
P. O. Box 365
Meridian, ID 83642

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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)

Sincerely,

Bill submitted
9-13-76
RF

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4386

Notice is hereby given that ASOPH KUSLER &/or ELIZABETH KUSLER,
MERIDIAN, 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} ~~acres feet of water~~
from a groundwater source
with the point of diversion in the SE₁SE₁ Sec 8 T3N R1E B.M., Ada County

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

with a priority of September, 1954;
the place of use is within the SE₁SE₁ Sec 8 T3N R1E, 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

Director

Published in the The Valley News-Times, Meridian, ID
~~Meridian News-Times, Meridian, ID~~
on September 2, 1976 and September 9, 1976

RECORDED

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 Asoph Kusler

(name of claimant)

of 3160 E. Franklin Rd, Meridian Ida. 83642, 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) well water = 197 feet deep
Rises to 27 feet from top of well, 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>16,680 gallons</u>	Use	<u>household</u>	Period of Use: From	<u>1-1</u>	To	<u>12-31</u>
					<u>1954</u>		<u>1976</u>
Amount	<u>922,168 gal</u>	Use	<u>irrigation</u>	Period of Use: From	<u>1954 3-1</u>	To	<u>1976 10-31</u>
Amount	<u>per year</u>	Use	_____	Period of Use: From	_____	To	_____
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

(3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 20 gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) September, 1954

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 4 1/4 SE 4 1/4, Sec. 8 Twp. 3N Rge. 1E B. M. County of Ada

Additional points of diversion: _____

135 ft E/Adj to Tax 2 of SE 4 SE 4 Sec. 8 3N 1E

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. The well is 197 feet deep, water rises to 27 feet from top in 4 inch casing

(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.

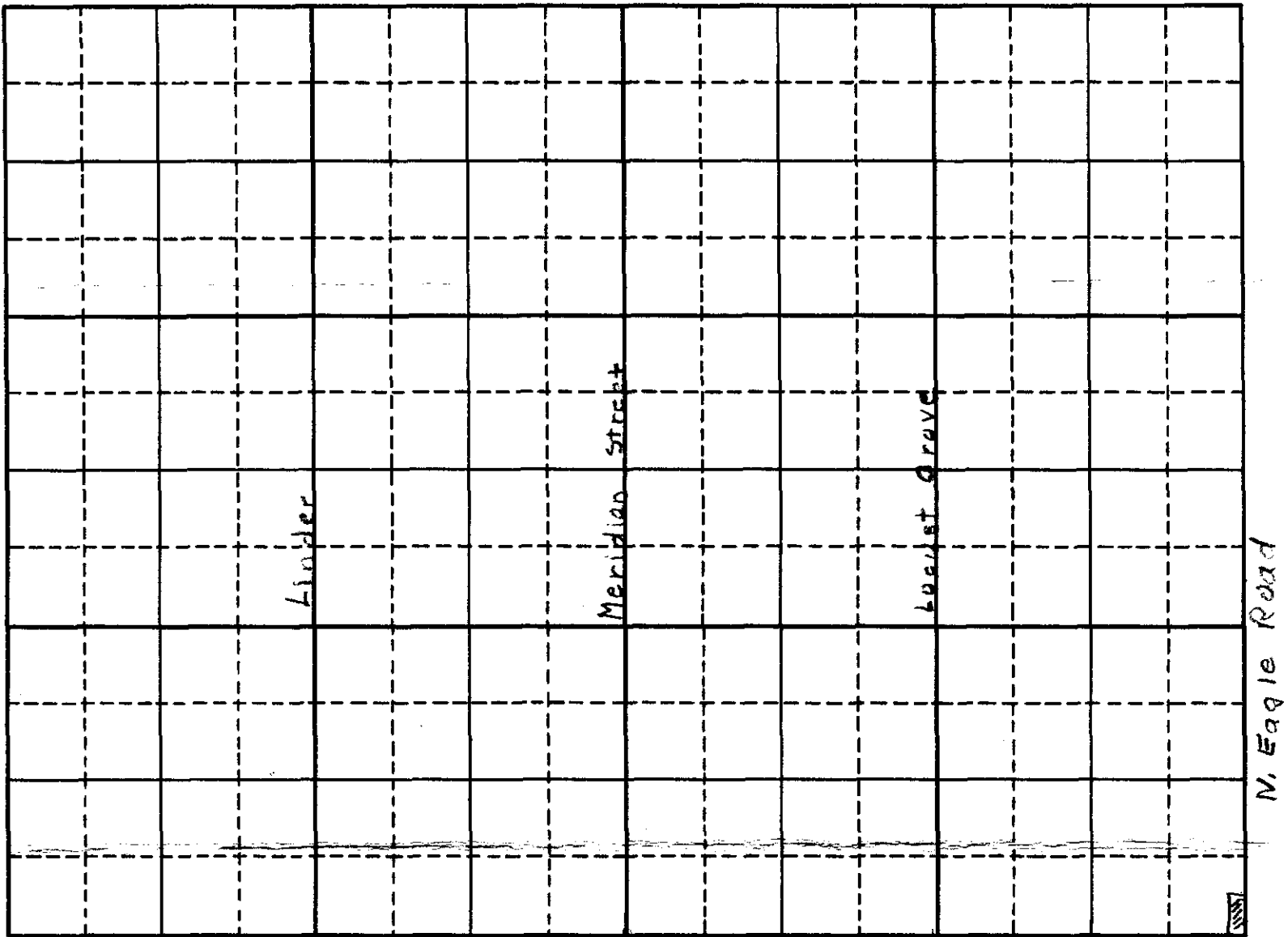
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	1E	8																	132 acre

Total No. of acres _____

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

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Franklin Road

180' x 135'

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 27th day of July, 19 76.

Elizabeth Kinsler
(Claimant)

Edward J. Tolman
Notary Public
Residing at Meridian, Idaho

My commission expires 10/15/78

For Department Use Only

Received by <u>KB</u>	Date <u>8-16-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by _____	Date _____		claimant by:	
\$10.00 fee received by _____	Date _____			
Approved for publication by _____				
Published in _____				
Dates _____				



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

August 9, 1976

Re: Claim to a Water Right

Asoph Kusler
3160 E. Franklin Road
Meridian, ID 83642

Dear Mr. Kusler:

We are returning the Claim to a Water Right and your check in the amount of \$10, along with a partially completed claim with instructions. Please review and complete the following items and return to this office with a \$10 filing fee.

2. Supply the amount of water used for domestic use and irrigation. Also supply the period of year you use water for irrigation.
5. Give the location of point where the water is diverted from its source by quarter-quarter, section, township and range.
6. Give the location of the domestic use as well as the area of land irrigated. Designate the irrigated land by the number of acres irrigated in each 40-acre tract.
8. Sketch a map showing the point of diversion and the place of use including the lands irrigated.

If this office can be of further assistance, please contact us.

Sincerely,

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

LGS:rb

Enc.

388-7741

August 9, 1976

Re: Claim to a Water Right

Asoph Kusler
3160 E. Franklin Road
Meridian, ID 83642

Dear Mr. Kusler:

We are returning the Claim to a Water Right and your check in the amount of \$10, along with a partially completed claim with instructions. Please review and complete the following items and return to this office with a \$10 filing fee.

2. Supply the amount of water used for domestic use and irrigation. Also supply the period of year you use water for irrigation.
5. Give the location of point where the water is diverted from its source by quarter-quarter, section, township and range.
6. Give the location of the domestic use as well as the area of land irrigated. Designate the irrigated land by the number of acres irrigated in each 40-acre tract.
8. Sketch a map showing the point of diversion and the place of use including the lands irrigated.

If this office can be of further assistance, please contact us.

Sincerely,

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

LGS:rb

Enc.