

SHOULD BE NE $\frac{1}{4}$ NE $\frac{1}{4}$ DRT

↓ ↓

① Point of diversion
+ place of use.

20

7 3 N

R. 1 W. B. m.

Received by R.W.H. Date 1-29-76 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by R.W.H. Date 1-29-76 claimant by: _____
\$10.00 fee received by cler Date 1-29-76 rec. 3636
Approved for publication by C/S 2-13-76 cl _____
Published in Idaho Free Press _____
Dates Feb. 5 & 12 C/S 1-30-76 _____

RECEIVED

FEB 13 1976

Department of Water Resources

AFFIDAVIT OF PUBLICATION FEB 13 1976

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

Verla Harker
of Nampa, 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 Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, 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 Nampa, 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:

February 2, 12, 1976

Subscribed and sworn to before me this

12th day of February, 19 76

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

My Commission Expires June 23, 1979.

NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4339

Notice is hereby given that FRANK &/ OR E. V. DENKE, Rt. 6, Box 6337, Nampa, ID has filed a claim to a water right established by diversion and application to beneficial use of .07 cubic feet per second of water from a groundwater source with the point of diversion in the NE 1/4 NE 1/4, Sec. 20, T. 3 N, R. 1 W, B.M. Canyon County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwater purposes and from May 1 to Sept. 30 for irrigation of 1/2 acre with a priority of 1935; the place of use is within the NE 1/4 NE 1/4, Sec. 20, T. 3 N, R. 1 W, 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
February 5, 12, 1976

OK
CIS
2-13-76

Section 42-225a, Idaho Code

tion 42-225a, Idaho Code, a person may file a claim to a right to use water which has application to beneficial use. **The filing of this claim does not confirm the water right poses only.** It may, however, become the basis for future adjudication of the water right

(name of claimant)

(mailing address)

The extent and nature of said claim is as follows:

- | | | |
|----------------------|-------------------------------|---|
| Amount <u>20 gpm</u> | Use <u>domestic &</u> | Period of Use: From <u>Jan 1</u> To <u>Dec 31</u> |
| Amount _____ | Use <u>stock</u> | Period of Use: From _____ To _____ |
| Amount <u>10 gpm</u> | Use <u>Irrigation</u> | Period of Use: From <u>May 1</u> To <u>Sept. 30</u> |
| (cfs, gpm
or a/f) | (dom., irri.,
stock, etc.) | (both dates inclusive) |

- (4) Priority claimed: (the date water was first applied to beneficial use) 1935

(5) A) Point of diversion: (give location of point where water is diverted from its source)

Additional points of diversion: _____

Pump (replacement well)

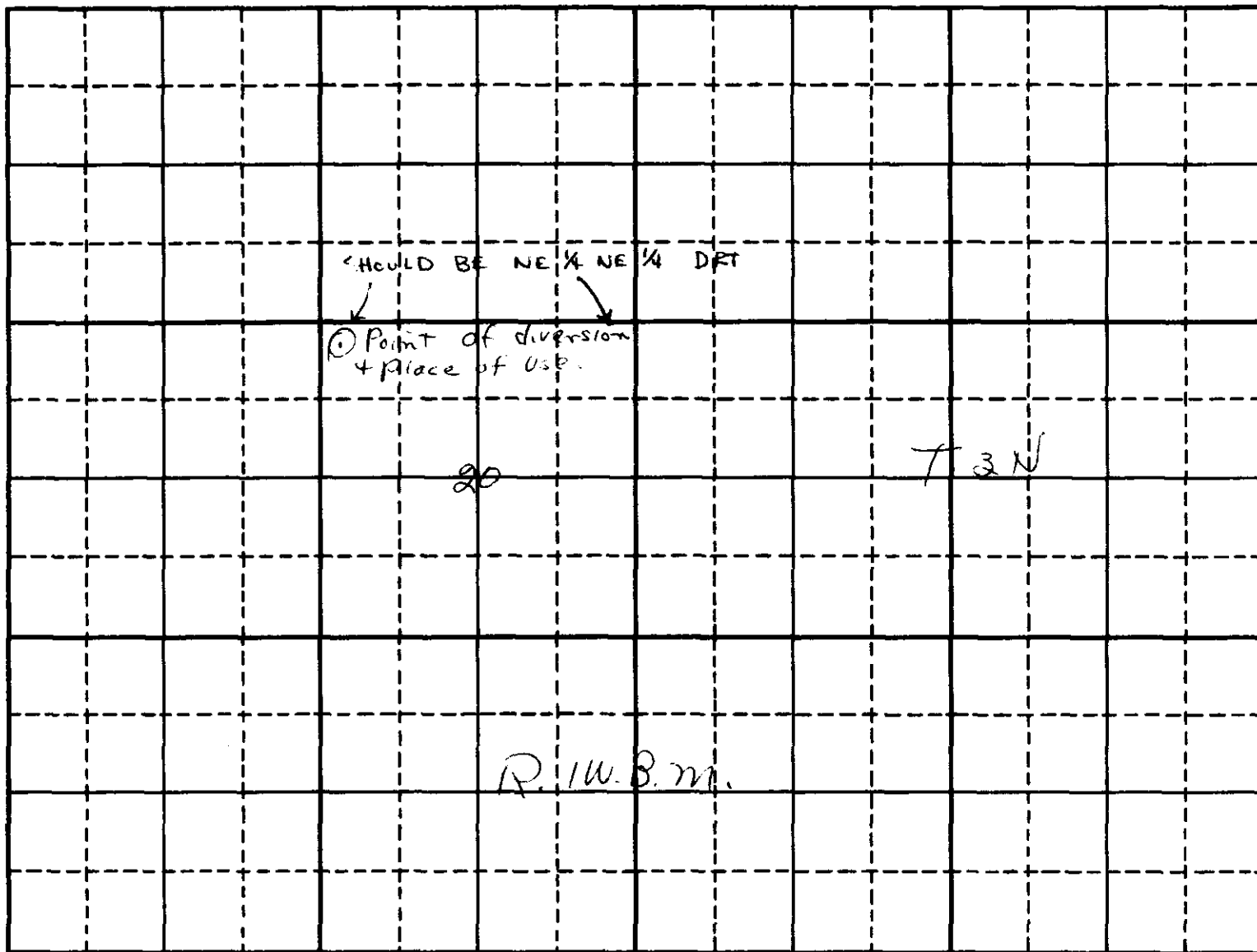
- [illegible]

Total No. of acres 1 1/2

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

Note: this well was drilled next to our older well which failed. The new well taps the same water source which has been used for 40 years as domestic water to this house.

(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 29th day of January, 19 76.
Frank D. Denke (Claimant)
Cherry Woods
Notary Public
Residing at Buhl

My commission expires 6/15/77

For Department Use Only

Received by <u>R.W.H.</u>	Date <u>1-29-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>1-29-76</u>		claimant by:	
\$10.00 fee received by <u>CHS</u>	Date <u>1-29-76</u>			
Approved for publication by <u>CHS</u>	Date <u>2-13-76</u>			
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OK
CIS
2-13-76

Verla Harker

Subscribed and sworn to before me this

12th day of February, 19 76.

Adam L. Kue

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

ST
JN

V OWNER LAST NAME - DENKE

FIRST NAME - FRANK

V OWNER LAST NAME - DENKE

FIRST NAME - E. V.

V ADDRESS LINE 1 - RT. 6 BOX 6337

CITY - NAMPA

STATE - ID ZIP CODE - 83651

V SOURCE - GROUNDWATER

V STAGE - STATRY CLM

PRIORITY - 06-01-1935

COUNTY - CANYON

TOTAL DIV. RATE -

.0700CFS

V DIVERSION POINT - NENE 20 03N 01W

V FROM - 05-01 TO - 09-30 USE - IRRIGATION

USE DIV. RATE - .0200CFS

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

USE DIV. RATE - .0400CFS

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

V USE - IRRIGATION

PLACE OF USE - TWN 03N RNG 01W SEC 20 TRACT NENE

AC 01

V REMARKS - AC. IRR.=.5.

V NON IRRIG USE - S/RANGE & POULTRY D/I HOME.

4000

IDENT. NO. 63-4339

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 03-4339
OTd No. _____ New No. _____

Record

1. Original Owner: Frank & E.V. Denke

Present Owner: _____

2. Address: RT. 6 Box 63373. City: Tampa State: ID Zip: 836514. 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: 6-1-1935D. County: 27E. Total Diversion Rate: .07

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>NENE</u>	<u>20</u>	<u>3N</u>	<u>1W</u>		

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

from 5-1 to 9-30 for A purposes. Amount .02
(cfs or AG-FT/yr)from 1-1 to 12-31 for S purposes. Amount .04from 1-1 to 12-31 for D 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: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *Ac.in. = .5.*
B.
C.
D.
E.

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

12. Other Rights for Same Use: *8/ poultry stock D// home*
range & poultry

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

February 23, 1976

Re: Claim No. 63-4339

Frank &/or E. V. Denke
Route 6, Box 6337
Nampa, ID 83651

Dear Mr. & Mrs. Denke:

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: rib

Enclosure



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

January 30, 1976

Idaho Free Press
P.O. Box 88
Nampa, ID 83651

RE: Claim to a Water Right No. 63-4339 - Frank &/or E. V. Denke

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
2-13-76
als

na

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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

February 5, 12, 1976

OK
CLs
2-4-76

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R. KEITH HIGGINSON

Director

Published in the Idaho Free Press, Nampa, ID
on Feb. 5, 1976 and Feb. 12, 1976.

RECORDED