

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Boise

Florence Adams, being
duly sworn, desposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO WORLD
a weekly newspaper published at
Idaho City, in the County of Boise
and State of Idaho; that said paper
has been and is in general circu-
lation in the county aforesaid, and
in the vicinity of Idaho City; that
the advertisement, a copy of which
is hereto attached, was published
in said newspaper once a week

for 2 consecutive weeks in
the entire and regular issue of
every number of said paper during
the period and time of publication
and was published in the news-
paper and not a supplement; that
said paper has been established
and regularly and continuously
published for more than seventy-
eight weeks past previous to the
first publication of this notice.
Each notice was published in the

issue beginning with Sept. 5,

1975, and ending with the issue

of Sept. 12, 1975.

Florence Adams

Subscribed and sworn to before me

this 20th day of Sept, 1975

Robert J. Tuffall
Clerk of Dist Court

NOTICE OF CLAIM TO
A WATER RIGHT

No. 63-4323

Notice is hereby given that
RALPH F. FROGLEY &/or DO-
ROTHY D. FROGLEY, 2913 Ov-
erland, Boise, ID has filed a claim
to a water right established by
diversion and application to bene-
ficial use of 0.06 cubic feet per
second of water from E. Fork
Hayfork Creek with the point of
diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
29 T. 7 N, R. 7 E, B.M. Boise
County.

The water is claimed to be used
from Jan. 1 to Dec. 31 for domes-
tic and fire protection with a pri-
ority of 1938; the place of use is
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29,
T. 7 N. R. 7 E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Idaho World.
Idaho City, ID on Sept. 5, 1975
and Sept. 12, 1975.

Ob
cls
10-22-75

RECEIVED

OCT 21

Department of Water Resources

OCT 21 1975

RECEIVED

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 Ralph F. &/or Dorothy D. Frogley
(name of claimant)
of 2913 Overland, Boise, ID 83705, 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) E. Fork Hayfork Creek
_____, tributary to, Hayfork Creek
- (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</u> | Use | <u>Domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>0.06</u> | Use | <u>Fire Protection</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| 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: 0.06 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) 1938

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)
NE ¼ SW ¼, Sec. 29 Twp. 7 N Rge. 7 E B. M. County of Boise
 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. Diversion dam with 2" X 80' and 1400' X 3/4" plastic pipeline to cabin.

- (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.

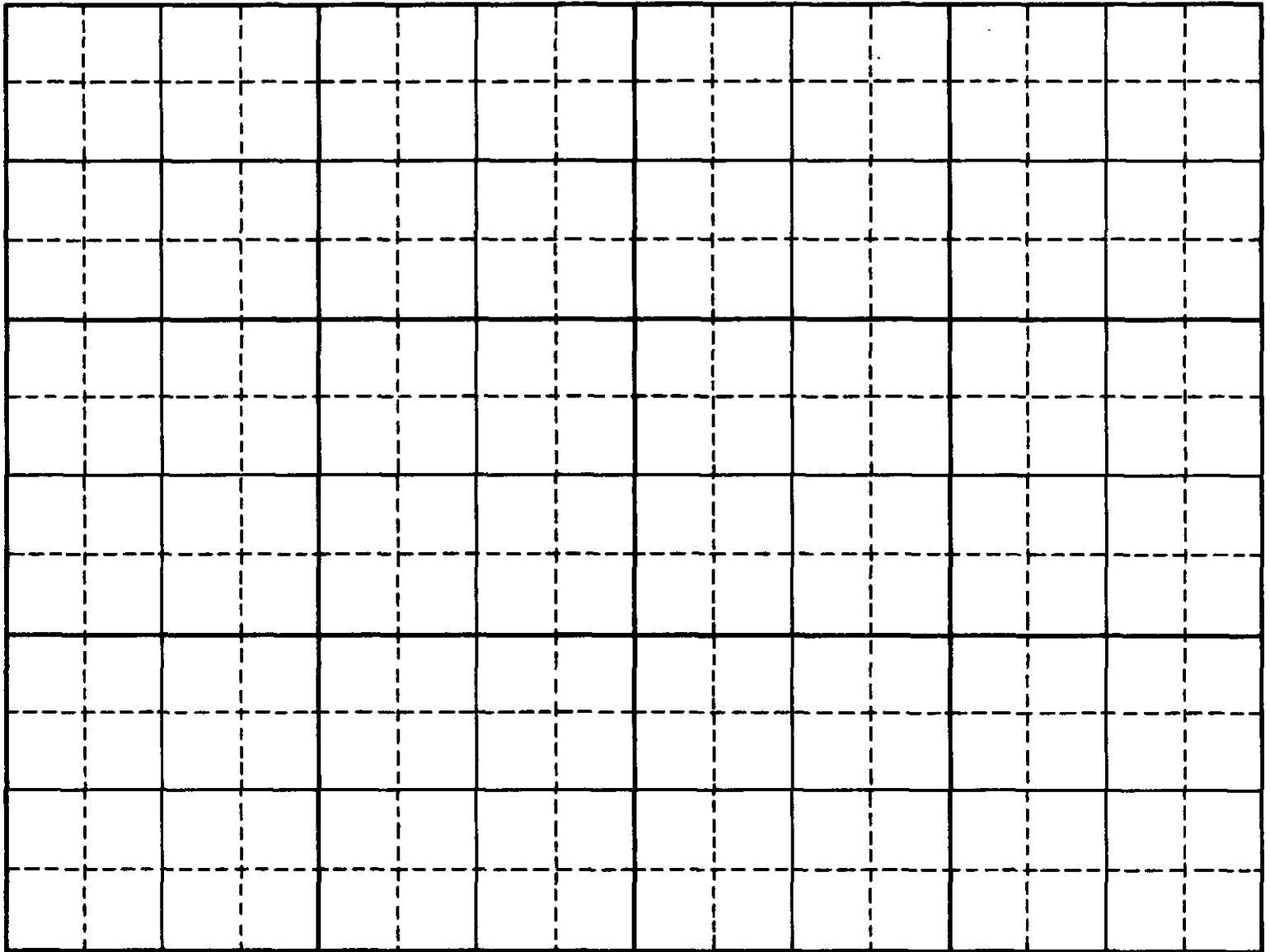
[illegible]

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 and fire protection for one summer cabin.

- 3(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.

Sworn to before me this 22nd day of

Joseph L. Shaw (Claimant)
August 19, 1975
Gathys L. Shaw
Notary Public

Residing at Boise, Id

My commission expires 12-26-75

For Department Use Only

Received by <u>CLS</u>	Date <u>8-22-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CLS</u>	Date <u>8-22-75</u>		claimant by:	
\$10.00 fee received by <u>CLS</u>	Date <u>8-22-75</u> #1281			
Approved for publication by <u>ok CLS</u>	<u>10-22-75</u>			
Published in <u>Idaho World</u>				
Dates <u>Sept 5 & 12</u>	<u>79</u>			

UNRECORDED

1/4 Sec. Cor.

690

N. 65° 45' 28" W.

754.98

307

N. 30° 29' E. 300.75

Loc. Cor.

S. 76° 22' E.

Cabin

Oak

547.0

Disc. Cor.

MONTANA

NW 1/4 SW 1/4

LODE

NE 1/4 SW 1/4

1500.0

N. 70° 31' E. 289.53

Loc. Cor.

640.28

308.63

S. 76° 22' E. 288.86

Loc. Cor.

S. 38° 29' W.

R.D.

1500.0

N. 76° 22' W.



True Meridian

T7N, R7E

S.W. 1/4 Sec. 29

Section
B
Moore's

Lat. 43° 55' N.,

100 0 100
Feet

Magnet

Survey
By Davis C.

UNITED STATES
BUREAU

Idaho State Office

I hereby certify
that this map has been examined
and found correct.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Boise

Florence Adams, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO WORLD
a weekly newspaper published at
Idaho City, in the County of Boise
and State of Idaho; that said paper
has been and is in general circula-
tion in the county aforesaid, and
in the vicinity of Idaho City; that
the advertisement, a copy of which
is hereto attached, was published
in said newspaper once a week

for 2 consecutive weeks in
the entire and regular issue of
every number of said paper during
the period and time of publication
and was published in the news-
paper and not a supplement; that
said paper has been established
and regularly and continuously
published for more than seventy-
eight weeks past previous to the
first publication of this notice.
Such notice was published in the

issue beginning with Sept. 5,
1975, and ending with the issue
of Sept. 12, 1975.

Florence Adams

Subscribed and sworn to before me

this 24th day of Sept, 1975

Robert J. Taffeld
Clerk of Dist. Court



Ob
ck
10-22-75

RECEIVED

OCT 27

Department of Water Resources

1975

ACT

ION

N OWNER LAST NAME - FROGLEY

FIRST NAME - RALPH F.

N OWNER LAST NAME - FROGLEY

FIRST NAME - DOROTHY D.

N ADDRESS LINE 1 - 2913 OVERLAND

CITY - BOISE

STATE - ID ZIP CODE - 83705

N SOURCE - HAYFORK CREEK, EAST FORK

TRIBUTARY OF - HAYFORK CREEK

N STAGE - STATRY CLM

PRIORITY - 06-01-1938

COUNTY - BOISE

TOTAL DIV. RATE -

.0600CFS

N DIVERSION POINT - NESW 29 07N 07E

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

USE DIV. RATE - .0400CFS

N FROM - 01-01 TO - 12-31 USE - FIRE PROTECTION

USE DIV. RATE - .0600CFS

N USE - DOMESTIC

PLACE OF USE - TWN 07N RNG 07E SEC 29 TRACT NWSW

N NON IRRIG USE - D & F/1 SUMMER CABIN.

3/79

IDENT. NO. 63-4323

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 -

OTd No.

New No.

1. Original Owner: Ralph F. & Dorothy D. Frogley

Present Owner: _____

3. City: Boise

State: IND

Zip: 83705

4. A. Source of Water: Hayfork Creek, East Fork

B. Tributary of: Hayfork Creek

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: 6-1-1938

D. County: 15

E. Total Diversion Rate: ,06

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):

6. A. Point of Diversion

Tract

Sec.

Twp.

Rge.

Gov't

Lot

Rediv.

NE SW 29 7N 7E

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

from 1-1 to 12-31 for D purposes. Amount .04
(cfs or ~~AC-FT~~/yr)

from 1-1 to 12-31 for F purposes. Amount .06

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: *D*

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<i>7N</i>	<i>7E</i>	<i>29</i>									<i>D</i>								

9. A. Decree Name:

B. Decree Date:

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

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

D + F / 1 summer cabin.

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

October 22, 1975

Ralph P. Frogley
2913 Overland Rd.
Boise, ID 83705

RE: Claim to a Water Right No. 63-4323

Dear Mr. Frogley:

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: cls

Enclosure



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

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2190

R. Keith Higginson
Director

August 29, 1975

The Idaho World
Box 144
Idaho City, ID 83631

Re: Claim to a Water Right No. 63-4323, Ralph R. Frogley & for Dorothy D. Frogley
65-7575, Frank D. 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
10-22-75
cls

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4323

Notice is hereby given that RALPH F. FROGLEY &/or DOROTHY D. FROGLEY
2913 Overland, Boise, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~acre feet of water~~
from E. Fork Hayfork Creek trib. to Hayfork Creek
with the point of diversion in the NE 1/4, Sec. 29, T. 7 N, R. 7 E, B.M.
Boise, County

The water is claimed to be used from Jan. 1 to Dec. 31
for domestic and fire protection

with a priority of 1938;
the place of use is within the NE 1/4, Sec. 29, T. 7 N, R. 7 E, 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 Idaho World, Idaho City
on Sept. 5, 1975 and Sept. 12, 1975



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, 1975

Ralph & Dorothy Frogley
2913 Overland
Boise, ID 83705

Dear Mr. or Ms. Frogley,

Enclosed is your Receipt No. 1281 in the amount of \$ 10.00 for
1 claim to a water right which was received in this office
on Aug. 22, 1975.

Sincerely,

JANE GRIDLEY
Stenographer

JG:jg

Enclosure