

R. 5 W.

T. 34

7

N.

RD. 1 place of use

Received by JB Date 5/12/25 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by CS Date 5/12/25 claimant by: _____
\$10.00 fee received by Cu Date 5/12/25 # 529
Approved for publication by _____
Published in Independent Enterprise _____
Dates May 22 & 29 _____

Nº 4981

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

I, Mary June Lee, being duly sworn,
deposes and says:

That s he is the principle Clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper
published at Payette, in the County of Payette and State
of Idaho that said paper has been and is in general cir-
culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
two (2) consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
May 22, 1975, and ending
with the issue of May 29, 1975
Mary June Lee
Fee \$ 11.88

Subscribed and sworn to before me this 29th day
of May, 1975
Gladys L. Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 1977

NOTICE OF CLAIM
TO A WATER RIGHT

No. 63-4302

NOTICE IS HEREBY
GIVEN that JAMES F.
CRUSON Rt. No. 2, Parma,
Id has filed a claim to a
water right established by
diversion and application to
beneficial use of .06 cubic
feet per second of water
from groundwater with the
point of diversion in the
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 7 N, R.
5 W, B. M. Payette County.

The water is claimed to be
used from Jan. 1 to Dec. 31
for domestic and stockwater
with a priority of May 1,
1942; the place of use is
within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
34, T. 7 N, R. 5 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

Published in the
Independent Enterprise,
Payette on May 22, 1975 and
May 29, 1975.

No. 4981

5-22-2tc

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 James F. Cruson (name of claimant)
of Rt. # 2, 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>.04 cfs</u> | Use <u>Domestic</u> | Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u> |
| Amount <u>.02 cfs</u> | Use <u>Stockwater</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: .06 cubic feet per second, or _____ acre feet per annum, and/or 27 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) May 1, 1942

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. 34 Twp. 7N Rge. 5W B. M. County of Payette
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. well with pump, domestic pressure system and stock tank.

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	5W	34									X								

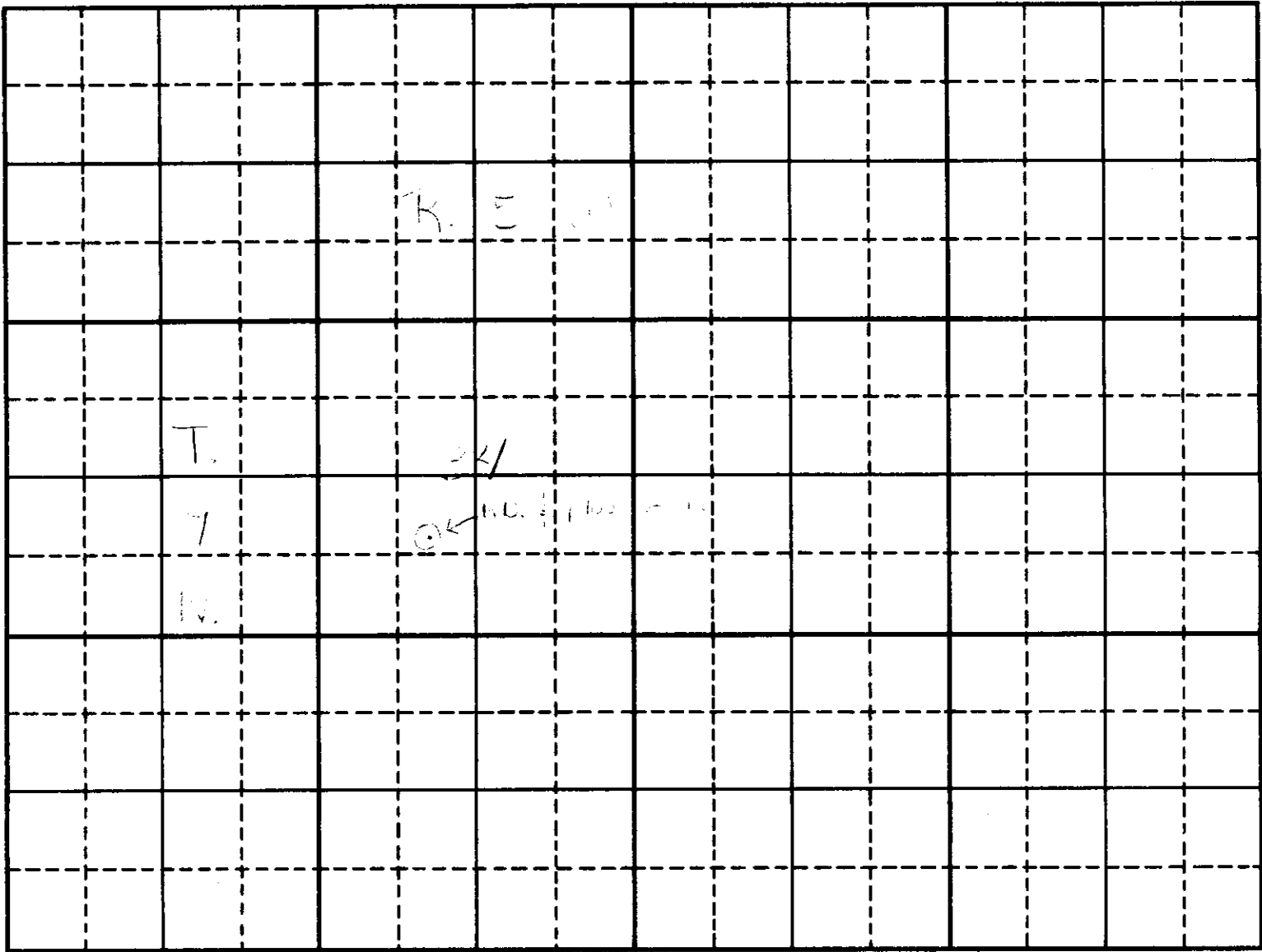
Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
domestic use for one home; stockwater for up to 50 cattle.

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

UNRECORDED

(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)
) ss.
County of _____)

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 9th day of May 1975 James F. Cruson (Claimant)
Janice L. Hood
Notary Public
Residing at Nyssa, Ore

My commission expires 9-11-78

For Department Use Only

Received by <u>JB</u>	Date <u>5/12/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CS</u>	Date <u>5/12/75</u>		claimant by:	
\$10.00 fee received by <u>Cu</u>	Date <u>5/12/75</u>	<u># 529</u>		
Approved for publication by _____				
Published in <u>Independent Enterprise</u>				
Dates <u>May 22 & 29</u>				

Nº 4981

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two (2) consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
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Mary June Lee
Fee \$ 11.88

Subscribed and sworn to before me this 29th day
of May, 1975
Gladys L. Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 1977

MICROFILMED

ACT

ION

N OWNER LAST NAME - CRUSON

FIRST NAME - JAMES F.

N ADDRESS LINE 1 - RT. 2

N

CITY - PARMA

STATE - ID ZIP CODE - 83660

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 05-01-1942

COUNTY - PAYETTE

TOTAL DIV. RATE -

.0600CFS

N DIVERSION POINT - NESW 34 07N 05W

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

USE DIV. RATE - .0400CFS

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

USE DIV. RATE - .0200CFS

N USE - STOCKWATER

PLACE OF USE - 1WN 07N RNG 05W SEC 34 TRACT NESW

N NON IRRIG USE - S/50 RANGE D/1 HOME.

IDENT. NO. 63-4302

WATER RIGHT
DATA ENTRY LOG[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 63-4302
 OTd No. _____ New No. _____

Record

1. Original Owner: James F. Cusson

Present Owner: _____

2. Address: Rt. 2

3. City: Palma State: ID Zip: 83660

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: 5-1-1942

D. County: JS

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):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NESW</u>	<u>34</u>	<u>7N</u>	<u>SW</u>		

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

from 1-1 to 12-31 for 8 purposes. Amount .04
 (cfs or AC-Ft/yr)

from 1-1 to 12-31 for D purposes. Amount .02

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 _____

CSA 11-7-79

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: S/50 range D/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):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

June 9, 1975

James F. Cruson
Box #2
Parna, ID
83650

Claim to a Water Right

Mr. Cruson:

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.

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 bring to our claim.

At any time, you find that you have additional information or supporting evidence which you would like to have included in your claim file, you may have that information added at any time. Please refer to your claim number when you contact this office.

You may also have your records a copy of your claim. If you have any questions, please contact the Department of Water Resources. Please refer to the claim number.

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-4302

☒ 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

(1) R.W.H. 5-14-75

In form to receipt

(2) NA

Send Copies to:

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

(3) NA

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

(4) R.W.H. 5-14-75

In form for advertising

(5) NA

Platted on Map No. _____

(6) NA

Located within Water District No. _____

(7) NA

Critical groundwater area: yes _____ no _____

(8) NA

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) NA

Other rights on the same place of use

(10) NA

Comments: _____

(11) OK gg

Affidavit of Publication received (date) 5/30/75

(12) NA

Final date for protests _____

Protests received: yes _____ no _____

(13) NA

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

(14) ESG

Action recommended: OK

_____ 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 Waters

By Erwin Ballou Date June 25

MICROFILMED

RECEIVED

JUN 10 1975

Department of Water Resources



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

May 16, 1975

Independent Enterprise
Box 348
Payett, ID 83661

Re: Claim to a Water Right No: 63-4302, James R. Cruson

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."

Sincerely,

(Signature of Claimant)
Bill submitted
5/30/75 OK, Jg

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~63-4302~~

Notice is hereby given that ~~JAMES R. CRUSON~~

~~Rt. # 2, Parma, ID~~

has filed a claim to a water right established by diversion and application
to beneficial use of .06 cubic feet per second ~~acre feet~~ of water
from groundwater

with the point of diversion in the ~~NE 1/4, Sec. 34, T. 7 N, R. 5 W, B.M.~~
~~Payette County~~

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

with a priority of May 1, 1942;
the place of use is within the ~~NE 1/4, Sec. 34, T. 7 N, R. 5 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

Published in the Independent Enterprise, Payette
on May 22, 1975 and May 29, 1975

MICROFILMED



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

May 12, 1975

James F. Cruson
Rt. # 2
Parma, ID
83660

Re: Claim to a Water right

Dear Mr. Cruson:

Enclosed is your Receipt No. 529 in the amount of \$ 10.00 for
1 claim to a water right which was received in this office
on May 12, 1975.

Sincerely,

JANE GRIDLEY
Stenographer

JG:jg

Enclosure

MICROFILMED

May 6, 1975

C
O
P
Y
Mr. James F. Cruson
Rt. No. 2
Parma, ID
83660

Dear Mr. Cruson:

Enclosed is your Claim to a Water Right form, fee check for \$10.00, and a retyped form based on the information that you supplied. Please sign this new form before a notary and return it with your fee check to this office. We will then be able to process your claim.

Thank you for your cooperation.

Sincerely,

M. CLAYNE WARRON
W.R. Technician II

MCB:jg

Enclosure

MICROFILMED

April 30, 1975

C
Mr. James F. Cruson
Rt. No. 2
Parma, ID
83660

O
Dear Mr. Cruson:

We are enclosing a Claim to a Water Right form for use in filing a claim to a water right.

P
Most of the information can be taken from the permit form we sent April 24th. On line 4 put the date you first used the well. Also show the amount of water you have been using even though it might be more than what we have shown on the permit application. Be sure and sign the claim before a notary public and return it to us along with the \$10.00 filing fee.

If we can be of further assistance, please feel free to contact us.

Y
Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:jg

Enclosure

MICROFILMED



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

April 24, 1975

Re: Application for Permit

Mr. James F. Cruson
Rt. 2
Parma, ID 83660

Dear Mr. Cruzon:

We have reviewed your application for permit and also your claim to a water right. As you did not sign the claim to a water right it would appear that you intended to file the application for permit. We need additional information before we can process your application. We are returning it to you along with your check No. 96-342.

We allow 0.04 c.f.s. for domestic use for each family served. We can allow another 0.02 c.f.s. for cattle and chickens. The total would be 0.06 c.f.s. of water diverted. I assume the water is to be used within the same 40 acre tract in which the well is located.

We have re-typed an application and if you will review it and make any changes that are necessary, then sign it and return it and the check to us for processing.

Sincerely,

Robert W. Hamilton
ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

Enclosures

RECEIVED
APR 24 1975
Department of Water Resources

I only wish to insure my well, used only for house hold use and cattle. I believe I need different papers. Can you help me out?
James F. Cruson

MICROFILMED

April 24, 1975

Re: Application for Permit

Mr. James F. Cruzon
Rt. 2
Parma, ID 83660

Dear Mr. Cruzon:

We have reviewed your application for permit and also your claim to a water right. As you did not sign the claim to a water right it would appear that you intended to file the application for permit. We need additional information before we can process your application. We are returning it to you along with your check No. 96-342.

We allow 0.04 c.f.s. for domestic use for each family served. We can allow another 0.02 c.f.s for cattle and chickens. The total would be 0.06 c.f.s. of water diverted. I assume the water is to be used within the same 40 acre tract in which the well is located.

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Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

Enclosures

MICROFILMED

April 2, 1975

James P. Cruzen
Parma, ID 83660

Re: Claim and Permit information

Dear Mr. Cruzen:

We are enclosing two forms for use in recording your well.

The claim to a water right form will record your use of water and should be used if you have an irrigation well that was drilled prior to March 25, 1963, or a domestic well and you want to retain your priority date which would date back to the first use of the water from the well. In either case, this claim to a water right does not establish a water right. It would simply record your use of water and record the date of first use.

The other form would be used to file an application for permit for use of water from your well. Your permit would eventually become a licensed water right. The problem with applying for a permit is that your date of priority would be the date we receive your application and not the date the water was first used.

The filing fee for the claim to a water right is \$10.00 regardless of the amount of water claimed. The permit fee schedule is shown on the last page of the enclosed instruction sheet.

If you have established a use right and don't file a claim to a water right or if you file either of the enclosed forms and have a problem of well interference you would have two courses you could follow. One would be to file suit in District Court against the owner of the well which caused the loss of water in your well. You would have to prove you had the earliest priority date or use of water. The other course would be to request the Director of this Department for the organization of a ground water board. The board would make examination and studies to determine who had the first right and was entitled to water. They would then rule in favor of the first user of water, provided his well is in good condition, etc. Their ruling would be binding on both parties, unless the ruling was appealed to the District Court.

If we can be of further assistance, please feel free to contact this department.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

Enclosures

RECEIVED

APR 1 1975

Department of Water Resources

APR 1 1975

PARMA, IDAHO
March 29, 1975

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
R. Keith Higginson, Director
614 State Street
Statehouse, Annex 2
Boise, Idaho 83707

Dear Mr. Higginson;

What is the procedure for registering a farm well? There is a drilling Company drilling for irrigation wells near our property. In case they pull all the water from our well and we are left dry!

Description of said property;

SEC: 34 TWP: 7 RGE: 5. E $\frac{1}{2}$ NW $\frac{1}{4}$: NE $\frac{1}{4}$ SW $\frac{1}{4}$

Thank you very much.

Sincerely yours,

James F. Cruson
JAMES F. CRUSON (ls)

JFC:lc