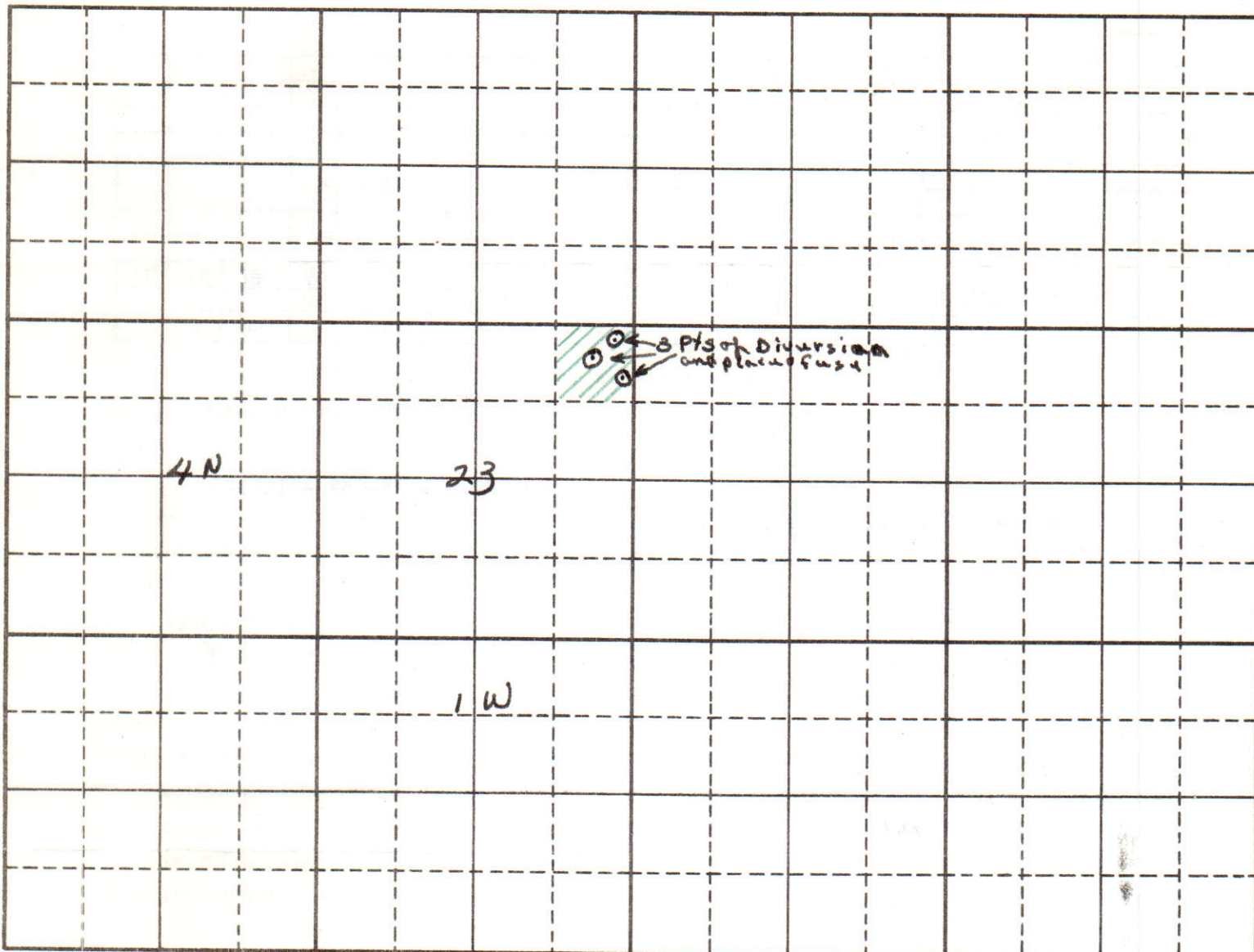


(8) Remarks _____



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 5th day of February, 1974.

(Claimant)

Notary Public

Residing at Boise, Idaho

My commission expires June 15, 1977

Rec'd #13691

For Department Use Only

Received by <u>if</u>	Date <u>2-12-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>COB</u>	Date <u>12 Feb 1974</u>		claimant by:	
\$10.00 fee received by <u>if</u>	Date <u>2-12-74</u>			
Approved for publication by				
Published in <u>Valley News-Times</u>				
Dates <u>2-21-74</u> <u>2-28-74</u>				

RECEIVED

MAR 1 1974

Department of Water Administration

PROOF OF PUBLICATION

State of Idaho, }
County of Ada } ss.

I, Carol McConnell, 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 two consecutive weeks, the first publication being on the 21st day of February, 1974, and the last publication being on the 28th day of February, 1974.

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.

Carol M^cConnell
Chief Clerk

Subscribed and sworn to before me this 28th day of February, 1974.

R. F. Marks
Notary Public in and for Idaho

Residence or Postoffice Address Meridian, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4254

Notice is hereby given that TERRY & or KAY HOLUBETZ, Rt. 1, Box 86, Eagle, Idaho has filed a claim to water right established by diversion and application to beneficial use of 1.0 cubic feet per second of water from a groundwater source with the point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S. 23, T. 4 N., R. 1 W., B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic & stock use, April 1 to Oct. 31 for irrigation of 40 acres, Oct. 31 to Mar. 31 for aquaculture with a priority of 1927; the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, S. 23, T. 4 N., R. 1 W., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Valley News-Times, Meridian, Idaho on Feb. 21, 1974 and Feb. 28, 1974.

OK'd
3-1-74

63 4254

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

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 Terry &/or Kay Holubetz
(name of claimant)
of Route 1, Box 86, Eagle, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to _____;

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
3 artesian wells
- (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</u> | Use | <u>Domestic</u> | Period of Use: | From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| | <u>0.8</u> | | <u>Irrigation</u> | | From | <u>April 1</u> | To | <u>Oct. 31</u> |
| Amount | <u>.02</u> | Use | <u>Stock</u> | Period of Use: | From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>1.0</u> | Use | <u>Aquiculture</u> | Period of Use: | From | <u>Oct. 31</u> | To | <u>March 31</u> |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 1.0 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) 1927

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 NE ¼, Sec. 23 Twp. 4 N Rge. 1 W 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. 3 artesian wells into one system for sprinkler ~~system~~ irrigation

- (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.

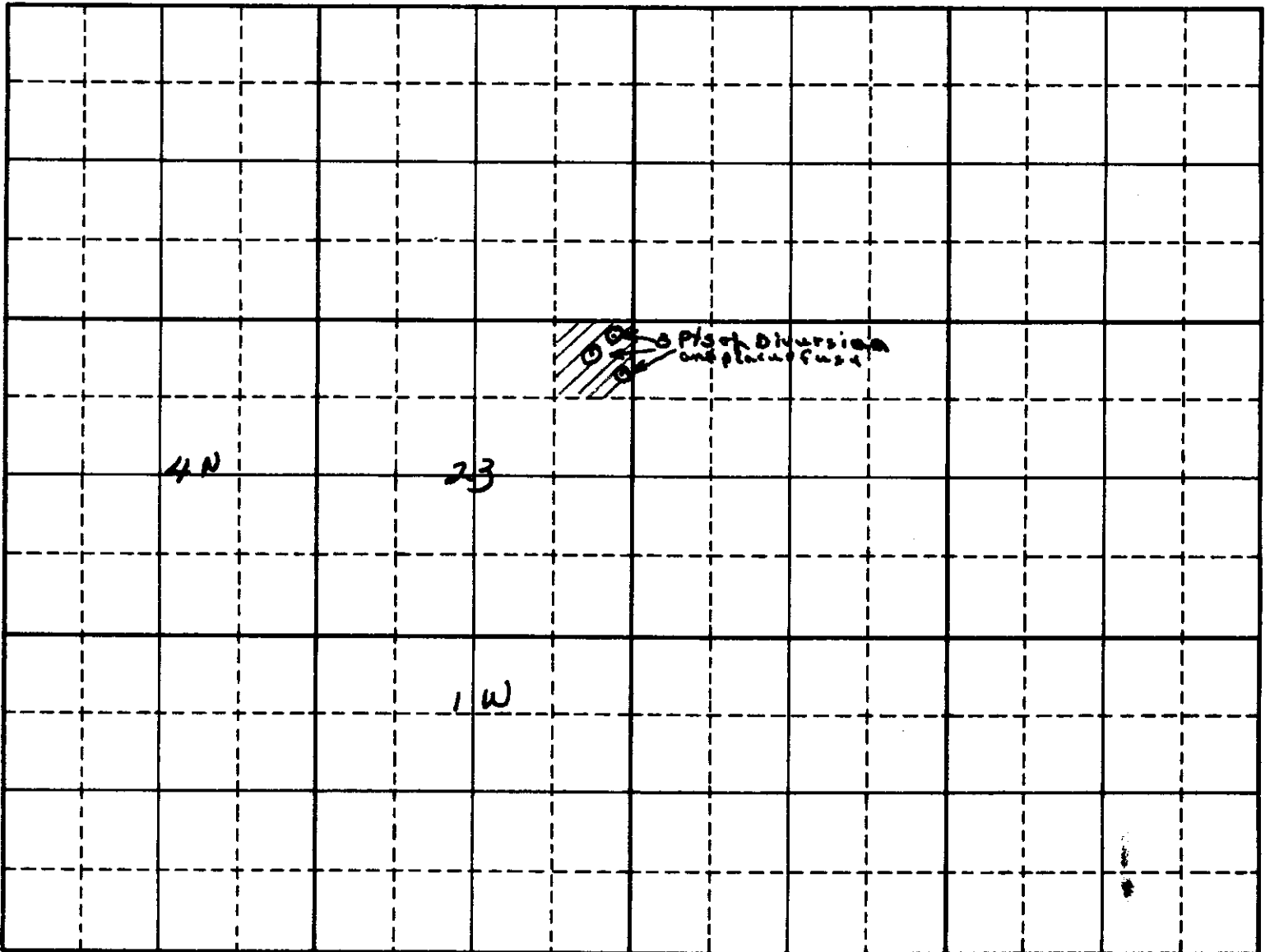
[illegible]

Total No. of acres 40

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater for 30 head and aquiculture during winter months and domestic 1 household

- (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 5th day of February, 1974

Notary Public

Residing at Boise, Idaho

My commission expires June 15, 1977

Rec'd #13691

For Department Use Only

Received by <u>[Signature]</u>	Date <u>2-12-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>12-Feb-1974</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>2-12-74</u>			
Approved for publication by <u>[Signature]</u>				
Published in <u>Valley News-Times</u>				
Dates <u>2-21-74</u> <u>2-28-74</u>				

RECEIVED

MAR 1 1974

Department of Water Administration

PROOF OF PUBLICATION

State of Idaho, }
County of Ada } ss.

I, Carol McConnell, 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 two consecutive weeks, the first publication being on the 21st day of February, 1974, and the last publication being on the 28th day of February, 1974.

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.

Carol M. McConnell
Chief Clerk

Subscribed and sworn to before me this 28th day
of February, 1974.

R. F. Marks
Notary Public in and for Idaho

Residence or Postoffice Address Meridian, Idaho.

OK df
3-1-74

63 425

ACT
ION

N OWNER LAST NAME - HOLUBETZ
N OWNER LAST NAME - HOLUBETZ
N ADDRESS LINE 1 - RT. 1 BOX 86

FIRST NAME - TERRY
FIRST NAME - KAY

N SOURCE - GROUNDWATER

CITY - EAGLE

STATE - ID ZIP CODE - 83616

N STAGE - STATRY CLM

PRIORITY - 06-01-1927 COUNTY - ADA

TOTAL DIV. RATE - 1.0000CFS

N DIVERSION POINT - NENE 23 04N 01W

N FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - 1.0000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 01W SEC 23 TRACT NENE

AC 40

N NON IRRIG USE - S/30 HEAD.

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 163-4254
 Old No. _____ New No. _____

Record

1. Original Owner: Terry & Kay Holubetz

Present Owner: _____

2. Address: Rt. 1 Box 86

3. City: Eagle State: CO Zip: 83616

4. A. Source of Water: grw

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: 6-1-1927

D. County: 01

E. Total Diversion Rate: 1/

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>NE NE</u>	<u>23</u>	<u>4N</u>	<u>1W</u>		

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

from 4-1 to 10-31 for A purposes. Amount 1/
 (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 _____

JKO 11-7

8. Use Code: A

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
4N	1W	23	40																40

9. A. Decree Name:

B. Decree Date:

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

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

5/30 road

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):

March 11, 1974

Terry &/or Kay Holubetz
Route 1, Box 86
Eagle, ID 83616

Re: Claim to a Water Right No. 63-4254

Dear Mr. & Mrs. Holubetz:

The Department of Water Administration 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 your 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 can be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

Enclosure

63 4254

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Planning
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

February 15, 1974

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

Re: Claim to a Water Right No. 63-4254 - Terry &/or Kay Holubetz
Application for Permit No. 63-7933 - Lavar K. Thornton
" " " " 63-7934 - Gary &/or Wilbur Schaffran

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 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)

Sincerely,

Bill submitted 3-1-74 by [signature]
63 4254

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4254

Notice is hereby given that TERRY &/or KAY HOLUBETZ, Rt. 1, Box 86,

Eagle, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 1.0 cubic feet per second ~~surface~~ of water
from a groundwater source

with the point of diversion in the NE 1/4, S. 23, T. 4 N., R. 1 W., B.M.,

Ada County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic &
stock use, April 1 to Oct. 31 for irrigation of 40 acres, Oct. 31 to Mar. 31 for
aquiculture
with a priority of 1927 ;

the place of use is within the NE 1/4, S. 23, T. 4 N., R. 1 W., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Valley News-Times, Meridian, Idaho

on Feb. 21, 1974 and Feb. 28, 1974

63 4254

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

February 12, 1974

Terry Holubetz
Route 1, Box 86
Eagle, ID 83616

Re: Claim to a Water Right No. 63-4254

Dear Mr. Holubetz:

Enclosed is your Receipt No. 13691 in the amount of \$ 10.00 for

Claim to a Water Right No. 63-4254 which was received in this office

on February 12, 1974.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

Enclosure

63 4254