

RECEIVED

AFFIDAVIT OF PUBLICATION

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 1, 8, 1973

Verla Harker

Subscribed and sworn to before me this

8th day of February, 19 73

Adam D. Kersh

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1975

63 4200

NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4200

Notice is hereby given that EMIL BARNOSKY or ARLENE BAUNE, Rt. 2, Nampa, Ida. has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from a groundwater source with the point of diversion in the NW 1/4 SW 1/4, Sec. 8, 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 & stockwater purposes with a priority of August 1918; the place of use is within the NW 1/4 SW 1/4, Sec. 8, 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 Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director
February 1, 8, 1973

OK. af
2-9-73

Feb. 1973
C
March 1, 1973

O
Re: Claim to a Water Right No. 63-4200

Arlene Baune
603 11 Ave., So., Ext.
Nampa, Idaho 83651

P
Dear Ms. Baune:

We regret the error in address in your claim and will make the necessary changes.

Y
We insert the legal notices in the newspaper located closest to the point of diversion in the claim. Therefore, the notice on your claim appeared in the Idaho Free Press, Nampa, Idaho, on February 1, 1973 and February 8, 1973.

If we can be of further assistance, please do not hesitate to contact this department.

Sincerely,

GARY L. PAGE
W. R. Supervisor

GLP:def

63 4200

Identification No. _____

Claim No. 63-4200

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant EMIL BARNOSKY or ARLENE BARNÉ
post office address Route #2, Nampa, Idaho 703 11th Ave. So. Ext., Nampa, Idaho

2. The point of diversion is in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 8 Township 3N
Range 1W B.M. located on Groundwater

(name of source)

tributary to _____ in Canyon County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

August 1918 amount: 0.06 c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

Total claimed 0.06 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Domestic period of use from 1/1 to 12/31 (both dates inclusive)

use Stockwater period of use from 1/1 to 12/31 (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____

_____ ; length is _____ feet; height is _____ feet;

width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is

350-400 feet; diameter of well is 4 inches; type of pump is Injector pump and pressure system

capacity of pump is 30 g.p.m.; name and address of well driller is _____

_____ ;

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? NO If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 50 dairy cows

7. Where water is used for domestic or municipal purposes give number of families served 1 home
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Well was drilled when property was owned by Noble Packing Company.

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 19th day of

Emil Barnosky
Claimant

January, 1973

Kenneth H. Fort
Notary Public

Residing at Boise, Idaho

My commission expires May 26, 1974

For Department Use Only

Received by RWH Date 1-19-73 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by RWH Date 1-19-73 claimant by: _____
Fee received by RWH Date 1-19-73 Fee \$ 10.00 _____
Approved for publication by _____
Published in Idaho Sun Dates 2-1 & 2-8-73 _____

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
	Total claimed:		1.2 c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District

Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District

Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District

Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District

Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

A F F I D A V I T

State of Idaho X
 : ss.
County of Canyon X

A. Harold Davidson and Mollie A. Orr,

Being first duly sworn, upon their oaths do depose and say:

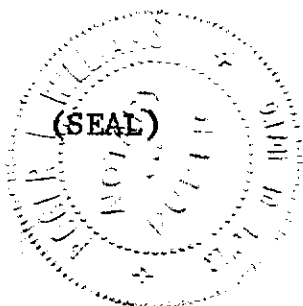
That the undersigned are residents of the State of Idaho,
County of Canyon, that they and each of them are acquainted
with that certain well located on the real property hereinafter
described belonging to Emil Barnosky and Clara Barnosky, husband
and wife, that of their own knowledge they are aware of the fact
that water from said well has been diverted and beneficially used
continuously up to the present time since on or before August
1918. Said water has been used for the full benefit and use of
all of that certain real property described as follows:

Sec 8-3-1
W $\frac{1}{2}$ NW SE N of R.R.
N $\frac{1}{2}$ SW N of R.R. LESS TX 1
Canyon County, Idaho

A. Harold Davidson
Mollie A. Orr

Subscribed and sworn to before me this 25th day of January, 1973.

John Sullivan
Notary Public for Idaho
Residence: Nampa, Idaho



AFFIDAVIT OF PUBLICATION

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

NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4200

Notice is hereby given that EMIL BARNOSKY or ARLENE BAUNE, Rt. 2, Nampa, Ida, has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from a groundwater source with the point of diversion in the NW 1/4 SW1/4, Sec. 8, 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 & stockwater purposes with a priority of August 1918; the place of use is within the NW 1/4 SW1/4, Sec. 8, 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 Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

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 1, 8, 1973

Verla Harker

Subscribed and sworn to before me this

8th day of February, 19 73

Adrian D. Karp

Notary Public, Residing at Nampa, Idaho

63 4200

WATER RIGHT NUMBER 63-4200

WATER RIGHTS EDIT REPORT

12/12/79

PAGE 97

ACT
ION

N OWNER LAST NAME - BAUNE

FIRST NAME - ARLENE

N ADDRESS LINE 1 - RT. 2

N

CITY - NAMPA

STATE - ID ZIP CODE - 83651

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 08-01-1918 COUNTY - CANYON TOTAL DIV. RATE - .0600CFS

N DIVERSION POINT - NWSW 08 03N 01W

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

USE DIV. RATE - .0600CFS

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

N USE - STOCKWATER

PLACE OF USE - TWN 03N RNG 01W SEC 08 TRACT NWSW

N NON IRRIG USE - S/50 DAIRY

** R ** MULTIPLE LINES - ABBREVIATE TO FIT 65 POSITIONS

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

** R ** MULTIPLE LINES - ABBREVIATE TO FIT 65 POSITIONS

5000

IDENT. NO. 63-4200

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 -

Record

Present Owner: _____

B. Tributary of:

J. Right Basis (for adjudication claims A,B,C only):

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *S* *pf 11679*

[illegible]

9. A. Decree Name:

B. Decree Date:

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

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

S/50 dairy 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):

C
March 1, 1973

O
Re: Claim to a Water Right No. 63-4200

Arlene Baume
603 11 Ave., So., Ext.
Nampa, Idaho 83651

P
Dear Ms. Baume:

We regret the error in address in your claim and will make the necessary changes.

We insert the legal notices in the newspaper located closest to the point of diversion in the claim. Therefore, the notice on your claim appeared in the Idaho Free Press, Nampa, Idaho, on February 1, 1973 and February 8, 1973.

Y
If we can be of further assistance, please do not hesitate to contact this department.

Sincerely,

GARY L. PAGE
W. R. Supervisor

GLP:df

63 4200

Nampa, **RECEIVED**
Feb. 24, 1973
FEB 27 1973
Department of Water Administration

Attention:

Mr. Kenneth H. Lait, B. E.

In receiving Water Claim Copy
No 63-4200, Barnosky-Baum, we
found an error. —

The Address of Aslene Baum
should be 603 NOT 703 - 11 Ave S. E. Et.

The rest appears to be in
order.

One other question! The
understood Notice of this claim
should appear in the Statesman
Newspaper on or about February
1st and 8th. We have never seen
our Claim Notice and have been
watching the paper faithfully

For our Claims appearance.
Can you explain why it has
not been put in the Newspapers?

Sincerely -

Galeen Bacon
603-11 Ave. So. Ekt.
Tampa, Fla. 83651

February 20, 1973

Re: Claim to a Water Right No. 63-4200

Emil Barnosky
Route 2
Nampa, Idaho 83651

Dear Mr. Barnosky:

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 4200

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4200

Notice is hereby given that EMIL BARNOSKY or ARLENE MAUNE , Rt. 2,
Nampa, Ida.

has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~XXXXXXX~~ acre feet of water
from a groundwater source

with the point of diversion in the NW¹/4, Sec. 8, 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 &
stockwater purposes

*Called Mr. Press
1-29-73
df*
with a priority of August, 1918

the place of use is within the NW¹/4, Sec. 8, 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 Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Idaho Free Press, Nampa, Ida.
on Feb. 1, 1973 and Feb. 8, 1973

63 4200

na

OK df
1-31-73
NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4200

Notice is hereby given that EMIL BARNOSKY or ARLENE BAUNE, Rt. 2, Nampa, Ida. has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from a groundwater source with the point of diversion in the NW 1/4 SW1/4, Sec. 8, T. 3 N., R. 1 W., B.M., Canyon County.

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R. KEITH HIGGINSON
Director
February 1, 8, 1973

63 4200

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 Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

January 26, 1973

Re: Claim to a Water Right No. 63-4200 Emil Marnosky or Arlene Baune
63-4201 Cameron L. Bean
63-4202 Paul Snyder or Ruth S. Snyder

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

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,

63 4200