

RECEIVED

AFFIDAVIT OF PUBLICATION

Department of Water Administration

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:

July 20, 27, 1972

Verla Harker

Subscribed and sworn to before me this

27th day of July, 1972

Adam J. Fair

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1975

63-4156

06 MM 7-31-72

NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4156

Notice is hereby given that RUBY H. ROARK, Route #6, Box #6029, Nampa, Idaho 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 ground water source with point of diversion in the SE1/4SE1/4, Sec. 2, T. 2N, R. 2W, B.M., Canyon County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes within the SE1/4SE1/4, Sec. 2, T. 2N, R. 2W, B.M. with a priority of Jan. 1, 1972.

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
July 20, 27, 1972

Identification No. _____

Claim No. 63-4156

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 RUBY H. ROARK
post office address Route #6, Box #6029 Nampa, Idaho 83651

2. The point of diversion is in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 2 Township 2 N
Range 2 W B.M. located on ground water
(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:

Jan. 1, 1972 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 _____ 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 Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (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 50 feet; diameter of well is 6 inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____ ;

63 4156

was first comp

-
-
-
-
-

- if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

[illegible]

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 _____

7. Where water is used for domestic or municipal purposes give number of families served two (2)
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

State of Idaho

County of.

55.

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

27

day of

Ruby H Roark
Claimant

Claimant

June

1972

Donald E. Elden
Notary Public

Notary Public

Residing at:

Notary Public
Boile L. L. L.

My commission expires _____

2-18-1974

Rec'd #

For Department Use Only

Received by

Date _____

6/27/72

Exception filed by:

Forwarded to
claimant by:

Date _____

• Prelim. check by

Date _____

6/27/72

Fee received by

Date: _____

27/72

Fee \$ 20 ⁵⁰

Approved for publication by

Published in

Dates 1-20-22

1722

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 this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

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County of Canyon.) ss.

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WATER RIGHT NUMBER 63-4156

ACT
ION

N OWNER LAST NAME - ROARK
N ADDRESS LINE 1 - RT. 6 BOX 6029

N SOURCE - GROUNDWATER
N STAGE - STAIRY CLM
N DIVERSION POINT - SESE 02 02N 02W
N FROM - 01-01 TO - 12-31 USE - DOMESTIC
N USE - DOMESTIC
N NON IRRIG USE - D/2 HOMES

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 36

FIRST NAME - RUBY H.

CITY - NAMPA

STATE - ID ZIP CODE - 83651

PRIORITY - 01-01-1972 COUNTY - CANYON

TOTAL DIV. RATE -

.0600CFS

USE DIV. RATE - .0600CFS

PLACE OF USE - TWN 02N RNG 02W SEC 02 TRACT SESE

3/79

IDENT. NO. 63-4156

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]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 163-4156
OTd No. _____ New No. _____

Record

1. Original Owner: Ruby H. Roark

Present Owner: _____

2. Address: Box 6029

3. City: Nampa State: Id Zip: 83651

4. A. Source of Water: Gr-

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): I

B. Status (D,L,R,C,A,I,F - leave blank if valid): _____

C. Priority Date: 1-1-1972

D. County: 27

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>SESE</u>	<u>2</u>	<u>2N</u>	<u>2W</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 1-1 to 12-31 for D purposes. Amount .06
(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 _____

8. Use Code: 7

[illegible]

9. A. Decree Name:

B. Decree Date:

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

11. Other Uses (Non-irrigation explanatory information): *D/S homes,*

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):

July 13, 1972

Re: Claim to a Water Right No. 63-4156 - Ruby H. Roark

The Idaho Free Press
Post Office 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)

Very truly yours,

Dorian Clay
Water Resource Examiner
Western District

*Bill Submitted
7-31-72
MP*
Bill submitted _____ by _____

DC:CS

63 4156

Enc: Legal Notice (1)

NOTICE OF CLAIM TO A WATER RIGHT

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Canyon County

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purposes within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, T. 2N, R. 2W, B.M.
with a priority of Jan. 1, 1972;
~~the place of xxxxxx within the~~

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

R. KEITH HIGGINSON

Director

Published in the Idaho Free Press, Nampa, Idaho
on July 20, 1972 and July 27, 1972

63 4156

Oh. 8-26-72 MP

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TO A WATER RIGHT

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Director

July 20, 27, 1972

63 4156