

RECEIVED

Department of Water Administration

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 16 day
of March, 1972 and
the last publication having been made on the
23 day of March,
1972; every Thursday issue of the paper
during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 23
day of March, 1972

Union M. Waters
Notary Public

NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4139

Notice is hereby given that
Oscar & Geneva Schraft, Box
15, Rocky Bar Stage, Mountain
Home, Idaho has filed a claim
to a water right established by
diversion and application to
beneficial use of 0.62 cubic feet
per second of water from Bird
Creek, tributary to South Fork
of Boise River with point of
diversion in the SE 1/4 NW 1/4,
Sec. 31, T. 2N, R. 10E, B. M.,
Elmore County.

The water is claimed to be
used from April 15 to Oct. 15 for
stockwater and the irrigation of
15 acres with a priority of April,
1950; the place of use is within
the NE 1/4 SW 1/4, Sec. 31, T. 2N,
R. 10E, B. M.

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

R. KEITH HIGGINSON
Director

Published in the Mountain
Home News, Mountain Home,
Idaho on March 16th and March
23rd, 1972.

Identification No. _____

Claim No. _____

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 OSCAR & GENEVA SCHRAFT
 post office address Box #15 % Rocky Bar Stage, Mountain Home, Idaho 83647
2. The point of diversion is in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 31 Township 2 N
 Range 10 E B.M. located on Bird Creek
(name of source)
 tributary to South Fork of Boise River in Elmore 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:

<u>April, 1950</u>	amount: <u>0.62</u>	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 <u>irrigation</u>	period of use from <u>April 15</u> to <u>Oct. 15</u>	(both dates inclusive)
use <u>stock water</u>	period of use from <u>April 15</u> to <u>Oct. 15</u>	(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 _____
earth and rock diversion; length is 10 feet; height is 3 feet;
 width at bottom is 14 feet; with at top is 2 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 _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
 capacity of pump is _____ g.p.m.; name and address of well driller is _____

63 4129

ell was first con

- the ditch

- is reservoir on or off stream _____ explain _____

location of reservoir by 40-acre subdivisions_____

describe _____

- Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 15

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

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:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s.</u> or <u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u> or <u> </u> acre feet
	<u>Total claimed:</u>		<u>1.2 c.f.s.</u> or <u> </u> 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.

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) This ditch traverses two other property owners land

6. Where water is used for stock watering, give number of each kind of stock watered 4 horses

7. Where water is used for domestic or municipal purposes give number of families served _____
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
claimant has used this water continuously since 1950

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.

Oscar Schraft

Geneva Schraft
Claimant

Sworn to before me this 28th day of February, 19 72

W. Russell Smith
Notary Public

Residing at Boise, Idaho

My commission expires Jan 19, 1973

rec'd #8100

For Department Use Only

Received by JEB Date 24 Feb 72

Exception filed by: _____

Forwarded to _____ Date
claimant by: _____

Prelim. check by JEB Date 28 Feb 72

Fee received by ej Date 2-28-72 Fee \$ 10.00

63 4139

Approved for publication by _____

Published in Mtn. Home News Dates 3-16 & 3-23-72

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, *Lloyd S. Waters* do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

...*2*... consecutive weeks, the first publica-

tion having been made on the ...*16*... day

of ...*March*..., 19*72*, and

the last publication having been made on the

...*23*... day of *March*...

19*72*; every Thursday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this *23*...

day of *March*..., 19*72*

Vernon M. Waters
Notary Public

WATER RIGHT NUMBER 63-4139

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 20

ACTION

N	OWNER LAST NAME - SCRAFT	FIRST NAME - OSCAR		
N	OWNER LAST NAME - SCHRAFT	FIRST NAME - GENEVA		
N	ADDRESS LINE 1 - ROCKY BAR STAGE	ADDRESS LINE 2 - P.O. BOX 15		
N		CITY - MOUNTAIN HOME	STATE - ID	ZIP CODE - 83647
N	SOURCE - BIRD CREEK	TRIBUTARY OF - BOISE RIVER, SOUTH FORK		
N	STAGE - STATRY CLM	PRIORITY - 04-01-1950	COUNTY - ELMORE	TOTAL DIV. RATE - .6200CFS
N	DIVERSION POINT - SENW 31 02N 10E			
N	FROM - 04-15 TO - 10-15	USE - IRRIGATION	USE DIV. RATE -	.6200CFS
N	FROM - 04-15 TO - 10-15	USE - STOCKWATER		
N	USE - IRRIGATION	PLACE OF USE - TWN 02N RNG 10E SEC 31 TRACT NESW	AC 15	
N	NON IRRIG USE - S/4 RANGE			

3/79

IDENT. NO. 63-4139

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 63-4139

OTd No.

New No.

Record

1. Original Owner: Oscar & Geneva Schraft

Present Owner: _____

2. Address: Rocky Bar Stage, P.O. Box 153. City: Mountain Home State: ID Zip: 836474. A. Source of Water: Bird CreekB. Tributary of: Boise River, South Fork5. 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: 4-1-1950D. County: 39E. Total Diversion Rate: .62

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>SENE</u>	<u>31</u>	<u>2N</u>	<u>10E</u>		

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

from 4-15 to 10-15 for A purposes. Amount .62
(cfs or AC-FT/yr)from 4-15 to 10-15 for S 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 _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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



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

April 6, 1972

Re: Claim to a Water Right No. 63-4139

Oscar & Geneva Schraft
Box 15
c/o Rocky Bar Stage
Mountain Home, Idaho 83647

Dear Mr. & Mrs. Schraft:

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.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

63 4139

DWM/BL
Enc: Copy of Claim

March 10, 1972

Re: Application No. 61-7108 - Lawrence E. &/or Betty A. Jordan
Claim to a Water Right No. ~~63-4139~~ Oscar & Geneva Schraft

Mountain Home News
P. O. Drawer 0
Mountain Home, Idaho 83647

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,

63 4139

Fred Eisenbarth
Appropriation Examiner

FE/BL
Enc: legal notice

Bill submitted 3-9-72 d

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4139

Notice is hereby given that Oscar & Geneva Schraft

Box 15, Rocky Bar Stage, Mountain Home, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.62 cubic feet per second ~~and one foot~~

of water from Bird Creek, tributary to South Fork of Boise River

with point of diversion in the SE 1/4, Sec. 31, T. 2N, R. 10E, B.M.,

Elmore County.

The water is claimed to be used from April 15 to Oct. 15 for stock-water and the irrigation of 15 acres

with a priority of April, 1950;

the place of use is within the NE 1/4, Sec. 31, T. 2N, R. 10E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mountain Home, Idaho
on March 16th and March 23rd, 1972 6329.

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 88-4128**

Notice is hereby given that Oscar & Geneva Schraft, Box 15, Rocky Bar Stage, Mountain Home, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.62 cubic feet per second of water from Bird Creek tributary to South Fork of Boise River with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 2N, R. 10E, B. M., Elmore County.

The water is claimed to be used from April 15 to Oct. 15 for stockwater and the irrigation of 15 acres with a priority of April, 1950; the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 2N, R. 10E, B. M.

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

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mountain Home, Idaho on March 16th and March 23rd, 1972.

OK
3-15-72
S.B.

6242 89.