

AFFIDAVIT of PUBLICATION

RECEIVED

MAY 3 1974

Department of Water Administration
Southern District Office

STATE OF IDAHO
County of Twin Falls

ss.

NOTICE OF CLAIM TO A WATER RIGHT No. 47-4040

Notice is hereby given that Maurice H. Eckert, Route 3, Buhl, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .29 cubic feet per second of water from groundwater with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T 8S, R13E, B. M., Twin Falls County.

The water is claimed to be used from January 1 to December 31, for domestic, stockwater and commercial use with a priority of May 1, 1962, the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 35; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T 8S, R 13E; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T 9S, R 13E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301.

R. KEITH HIGGINSON
Director

Published in the Buhl Herald on
April 25 and May 2, 1974.
(16t2)

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 25th day of April, 19 74, and the last publication having been made on the second day of May, 19 74; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

second day of May, 19 74

Notary Public.

Buhl, Idaho

Residing at

April 17, 1977

My Commission Expires

47 4040

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

SCANNED

JAN 28 2002

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 Maurice H. Eckert
(name of claimant)
of Rt. 3, Buhl, 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
- (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>.16 cfs</u> | Use | <u>domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>.09 cfs</u> | Use | <u>stockwater</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>.04 cfs</u> | Use | <u>commercial</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| | (cfs, gpm or a/f) | | (dom., irri., stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: .29 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) May 1, 1962

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)
SE ¼ SE ¼, Sec. 27 Twp. 8S Rge. 13E B.M. County of Twin Falls
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, pump and pipeline to place of use. 3 hp motor on submersible pump

- (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.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
8S	13E	27	commercial										commercial				X		
8S	13E	35	x domestic																
8S	13E	34	domestic					X											
8S	13E	35	stockwater					X	X										
8S	13E	34	x																
9S	13E	2						X											
9S	13E	3	x																

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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

47 4040

JAN 28 2002

The image shows a full page of graph paper. It features a grid of squares defined by solid black lines. Each square is further divided into four smaller quadrants by dashed black lines running through the center of each square. The grid covers most of the page, leaving small margins at the top, bottom, and sides. There are no markings or text on the grid itself.

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.

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.

Notary Public
Residing at Twain Falls Idaho

My commission expires 2-24-78

Received by RM Date 4-19-74 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____
\$10.00 fee received by LT Date 4-19-74 (13883)
Approved for publication by LT 5-6-74 _____
Published in Buhl Herald _____
Dates 4-25 & 5-2-74 _____

Dumped down to **Ralph C. Denton, Drilling Contractor**
220' in 40 minutes or 4:30 P.M. MURTAUGH, IDAHO
225' at 8:30 P.M.

RALPH DENTON
 Telephone HEmlock 2-2969

DRILL RECORD

Drilled for Morris Eckert

Drilled by Ralph C. Denton Drilling Co. Helper

Water struck at 150 ft. Stands at 192 Hole started Oct 11-61 Completed 4-25-62

Casing used 4 1/2" ft. Size 12" 1dft. Left in Hole 4 1/2" ft. Size 12 in.

From	To	Formation
0	5	Top soil
5	38	Clay
38	47	Gray lava (hard)
47	55	Gray lava
55	65	Red lava
65	80	Brown lava
80	120	Gray lava
120	125	Clay & Lava
125	130	Gray lava
130	155	Gray lava
155	165	Gray sandy lava Green clay
165	170	Gray & Red lava
170	185	Gray & Red lava
185	200	Dark Gray lava
200	225	Dark Gray lava & Black mud
225	250	Gray lava
250	265	Green clay gray lava
265	275	Brown Lava (coarse)
275	300	Gray lava
300	310	Gray & Red lava
310	330	Red lava & clay streaks
330	374	Dark Gray Basalt (very hard)
374*405*	405	Gray & Red lava
405	420	Gray lava sticky mud
420	515	Hard Gray Basalt
515	541	Gray sand stone mud streaks sticky
541	554	Blue sticky clay some boulders
554	579	Blue & Green clay small gravel
579	612	Brown clay & boulders
612	660	Dark Gray Lava
660	713	Dark gray lava (very hard)
713	718	Blue green clay & Gravel
718	753	Dark gray lava (very hard)
753	760	Dark gray lava some boulders with soft streaks of blue clay (caving some)
760	800	Dark gray rhyolite (hard)

AFFIDAVIT of PUBLICATION

FILED
APR 17 1977
CLERK OF DISTRICT COURT
TWIN FALLS, IDAHO

STATE OF IDAHO
County of Twin Falls

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second day of May, 1974

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Notary Public

Buhl, Idaho
Residing at

April 17, 1977

My Commission Expires

47 4010

That
Buhl,
water
and
of
Buhl,
water
of
the SE 1/4, Sec. 27,
T 2N, R 1E, S 1W, Twin Falls
County,
Idaho.
The
from
for
made
I,
the
W 1/4, Sec. 34,
N 1/4, Sec. 34,
N 1/4, Sec. 34,
Sec. 34, T 2N, R 1E, S 1W,
Idaho Department of
104
North,
Idaho
PERSON
on

May 13, 1974

RE: Claim to a Water Right No. 47-4040

Mr. Maurice H. Eckert
Route 3
Buhl, Idaho 83316

Dear Mr. Eckert:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 42-225a and 42-225b of the 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 a copy of the claim for your records. If you have any questions or if we can be of further assistance, please feel free to contact us.

Very truly yours,

Bob Haynes
Southern District Engineer

BH:lt
enc.

SCANNED
JAN 28 2002

47 4040
47 4040

April 19, 1974

RE: Application No. 47-4040 - Maurice H. Eckert

Buhl Herald
P.O. Box 312
Buhl, Idaho 83316

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.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Bob Hagnes
Southern District Engineer

Bill submitted 5-6-74 LT

47-4040

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Director

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afe LT
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