

-

Approximate location of Source of Water

T35N X X 33 34

Irrigated Acreage

T34N 4 3

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.

Delmer F. Prod
(Claimant)

Notary Public
Residing at Cottonwood St, Edsboro

Received by B. (Kron) Date 9-14-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by [Signature] Date 9-14-77 claimant by: _____
\$10.00 fee received by Sally Date 9-14-77 Receipt No. 5794
Approved for publication by [Signature] _____
Published in Lewiston Morning Tribune _____
Dates 9-22 - 9-29-77 _____
OK 10-3-77

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.

Raelene Thornton, being duly sworn

deposes and says, I am the Classified Bookkeeper of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the Notice of claim to a water right attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 22 day of September, A. D. 1977, and the last publication thereof being on the 29 day of September, A. D. 1977, and said Notice of claim to a water right was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 86-4095

Notice is hereby given that Delmar F. Rad, Rt. 1, Box 32, Culdesac, ID 83524 has filed a claim to a water right established by diversion and application to beneficial use of 0.18 cubic feet per second of water from spring with point of diversion in the SE¹/₄SE¹/₄, Sec. 33, T35N, R3W B.M. Nez Perce.

The water is claimed to be used from Jan 1 to Dec 31 (0.04 cfs) for domestic and (0.10 cfs) for stockwater, and from April 1 to Nov 1 for irrigation (0.04 cfs) of 2 acres with a priority of 1900; the place of use is within the SW¹/₄SE¹/₄, Sec. 33 T35N, R3W B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur D'Alene, Idaho 83814
C. STEPHEN ALLRED
Director

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

29 day of September, 1977

Pauletta Hamilton

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

- 100

Approximate location of Source of Water

T35N

X

Irrigated Acreage

T34N

33 34

4 3

.....

Received by B. (Koon) Date 9-14-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by [Signature] Date 9-14-77 claimant by: _____
\$10.00 fee received by [Signature] Date 9-14-77 Receipt NO. 5994
Approved for publication by [Signature] _____
Published in Leviston Morning Tribune _____
Dates 9-22 - 9-29-77 _____
OK 10-3-77

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.

Raelene Thornton, being duly sworn
deposes and says, I am the Classified Bookkeeper
of the Tribune Publishing Company, a corporation organized
and existing under and by virtue of the laws of the State of
Idaho, publishers of the LEWISTON MORNING TRIBUNE, a
newspaper of general circulation published at Lewiston, Nez
Perce County, Idaho; That the said Lewiston Morning Tribune
is an established paper and has been published regularly and
issued regularly at least once a day for more than 20 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the Notice of claim to a water right
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for 2 consecutive weeks, the
first publication thereof being on the 22 day of
September, A. D. 1977, and the last publica-
tion thereof being on the 29 day of September,
A. D. 1977, and said Notice of claim to a water right
was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

NOTICE OF CLAIM
TO A WATER RIGHT
No. 06-4055
Declaratory Judgment
Culdesa, et al. vs. Raelene Thornton
claiming a water right
by diversion and
beneficial use of 0.10
per second of water from
with power of diversion of the
SEWSE Sec 33, T.12N. W.
R.M. Nez Perce.
The claim is claimed
from Dec 31 (0.10) for
domestic and (0.10) for
stock and from April 1 to
Nov. 1977 (0.10 cfs) of 2
acres of a priority of 1900. the
place of use is within the
SW 1/4 Sec. 33, T.12N. W.
R.M. Nez Perce.
A description to the
water may be found in
the Department of
4055 O
Alene.
STEPHEN

Raelene Thornton

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
29 day of September, 19 77

Paulita Hamilton

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

ACT
ION

OWNER LAST NAME - RAD

ADDRESS LINE 1 - RT. 1 BOX 32

FIRST NAME - DELMER F.

STATE - ID

CITY - CULDESAC

TRIBUTARY OF - MISSION CREEK

PRIORITY - 06-01-1900 COUNTY - NEZ PERCE TOTAL DIV. RATE - .18000CFS

SOURCE - SPRING

STAGE - STATRY CLM

DIVERSION POINT - SESE 33 35N 03W

FROM - 04-01 TO - 11-01 USE - IRRIGATION

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

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

USE - IRRIGATION

PLACE OF USE - TWN 35N RNC 03W SEC 33 TRACT SWSE AC 02

NON IRRIG USE - S/80 RANGE, 80 DAIRY D/1 HOME.

IDENT. NO. 85-4095

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. _____

Old No. _____

New No. _____

185-4095

Record

1. Original Owner: Delmar F. Rad

Present Owner: _____

2. Address: Box 1 Box 32

3. City: Culbassac

State: Id

Zip: _____

4. A. Source of Water: Spring

B. Tributary of: Mission Creek

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

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

C. Priority Date: 6-1-1900

D. County: 69

E. Total Diversion Rate: .18

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>SE SE</u>	<u>33</u>	<u>35N 3W</u>			

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

from 4-1 to 11-1 for A purposes. Amount .04
(cfs or AC-FT/yr)

from 1-1 to 12-31 for L purposes. Amount .10 cfs

from 1-1 to 12-31 for D purposes. Amount .04 cfs

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

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

11. Other Uses (Non-irrigation explanatory information): *1/80 orange, 80 dairy D/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):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D' ALENE, IDAHO 83814

October 3, 1977

Re: Claim to a Water Right No. 85-4095

Mr. Delmer F. Rad
Route 1, Box 32
Culdesac, ID 83524

Dear Mr. Rad:

The Department of Water Resources 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 a 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 our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosure

RECEIVED
OCT 10 1977
COEUR D' ALENE
IDAHO



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

September 15, 1977

RE: Claim No. 86-4095 ✓

Lewiston Morning Tribune
505 C St
Lewiston, Id 83501

Gentlemen:

Enclosed is 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 our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

*Bill received
10-3-77
B*

NOTICE OF CLAIM TO A WATER RIGHT

NO. 86-4095

Notice is hereby given that Delmer F. Rad
Rt. 1, Box 32, Culesac, ID 83524
has filed a claim to a water right established by diversion and application
to beneficial use of 0.18 cubic feet per second ~~gallons per minute~~
of water from spring
with point of diversion in the SE¹/₄ Sec 33, T35N, R3W B.M. Nez Perce

The water is claimed to be used from Jan 1 to Dec 31 (0.04 cfs) for domestic
and (0.10 cfs) for stockwater, and from April 1 to Nov 1 for irrigation (0.04 cfs)
of 2 acres.

with a priority of 1900;
the place of use is within the SW¹/₄ Sec 33, T35N, R3W B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

C. STEPHEN ALLRED
Director

Published in the Lewiston Morning Tribune, Lewiston, ID 83805
on September 22 and September 29, 1977

**NOTICE OF CLAIM
TO A WATER RIGHT**

NO. 24-400

0-933-
Notice is hereby given that Delmar F. Rad, Rt. 1, Box 32, Culesac, ID 83524 has filed a claim to a water right established by diversion and application to beneficial use of 0.18 cubic feet per second of water from spring with point of diversion in the SE 1/4 Sec 33, T35N, R3W B.M. Nez Perce.

The water is claimed to be used from Jan 1 to Dec 31 (0.04 cfs) for domestic and (0.10 cfs) for stockwater, and from April 1 to Nov 1 for irrigation (0.04 cfs) of 2 acres with a priority of 1900; the

point of use is within the

any exception to the claim of

water right may be filed with the Idaho Department of Water Resources, 4000 Government Way, Coeur D'Alene, Idaho 83814
C. STEPHEN ALLRED
Director



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D' ALENE, IDAHO 83814

September 14, 1977

Re: Claim No. 85-4095

Mr. Delmer F. Rad
Rt. 1, Box 32
Culdesac, ID

Dear Mr. Rad:

Attached is your receipt No. 5794 in the amount of \$10.00 for the filing fee on the above referenced item which was received in this office.

Sincerely,

Alea Beito
Secretary

AB

Attachment