

PUBLISHER'S AFFIDAVIT OF PUBLICATION

SEP 13 1972

NOTICE OF CLAIM TO A WATER RIGHT No. 85-4030

Notice is hereby given that Eddy L. Wyld, 2462 Highland, Salina, Kansas has filed a claim to a water right established by diversion and application to beneficial use of 1½ gpm of water from an unnamed spring with point of diversion in the SE¼SW¼, Sec. 34, T. 37N, R. 2W, B.M., Nez Perce County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of November 15, 1952; the place of use is within the SE¼SW¼, Sec. 34, T. 37N, R. 2W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

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

Department of Water Administration
Northern District Office

, being duly sworn

deposes and says, I am the Office Manager 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 # 85-4030 attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a Week for two consecutive weekx, the first publication thereof being on the 31st day of August, A. D. 1972, and the last publication thereof being on the 7th day of Sept., A. D. 1972, and said Notice of Claim 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.

DN Sinclair

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

8 day of Sept, 1972

Norman W. Rich 8-28-72

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

Identification No. _____

Claim No. 85 4030

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 Eddy L Wyldde
post office address 2462 Highland Salina, Kansas

2. The point of diversion is in S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ Section 34 Township 32 North
Range 20 ~~4th~~ 7th B.M. located on (Spring)
Nez Perce County (name of source)
tributary to _____ in Nez Perce 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: 11-15-1952 - amount: 1 1/2 gallon per minute 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 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)
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 - Spring flows by gravity into Concrete Reservoir - which is Approximately 6' x 6' and 10' Deep - Water flows by gravity to House

b. Underground water diverting works: is well flowing or pumped Spring ; 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 _____

Gravity flow to house from Reservoir

85 4030

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. None

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 Same as location of Diversion

[illegible]

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 None

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

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

Spring is approximately 1500' feet South of the house on the hill.

Item #3 -

Farm was purchased by grandfather in 1957 (approx) the spring was in use then and had been for some time - I purchased the farm in June of 1971.

State of Idaho

County of Verde } 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.

[Signature]
Claimant

Sworn to before me this 13TH day of SEPTEMBER, 1971.

Eugene O. Harrison
Notary Public

Residing at SALINA, KANSAS

My commission expires NOVEMBER 30, 1974



Received by [Signature] Date 7-24-72

For Department Use Only

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by EB Date 8-18-72 REC'T. # P437

Fee received by EB Date 8-18-72 Fee \$ 10.00

Approved for publication by _____

Published in LEWISTON TRIBUNE Dates 8-31 & 9-7-72

85 4080

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 _____	acre feet
	<u>June 1, 1901</u>	amount: <u>0.4 c.f.s.</u> or _____	acre feet
	Total claimed:	<u>1.2 c.f.s.</u> 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 Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

Identification No. _____

Claim No. 25 4030

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 Eddy L Wyldde
post office address 2462 Highland Salina, Kansas

2. The point of diversion is in S.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ Section 34 Township 37 North
Range 4th W B.M. located on (Spring)
Nez Perce County (name of source)
tributary to _____ in Nez Perce 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: 11-15-1952 amount: 1 1/2 gallon per minute 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 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)
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 - Spring flows by gravity into Concrete Reservoir which is approximately 6' x 6' and 10' Deep - Water flows by gravity to House

b. Underground water diverting works: is well flowing or pumped Spring ; 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 _____

Gravity flow to house from Reservoir

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. None.

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. Same as location of Diversion

[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 None

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

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

Spring is approximately 1500' feet South of the house on the hill.

Item #3 -

Farm was purchased by grandfather in 1957 (approx) the spring was used then and had been for some time - I purchased the farm in June of 1971.

State of Idaho

County of Blaine } 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.

Eugene O. Harrison
Claimant

Sworn to before me this 13TH day of SEPTEMBER, 1971.

Eugene O. Harrison
Notary Public
Residing at SALINA, KANSAS

My commission expires NOVEMBER 30, 1974



Received by ef Date 7-24-72

For Department Use Only

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by EB Date 8-15-72 REC'T. # P427

Fee received by EB Date 8-18-72 Fee \$10.00

Approved for publication by _____

Published in LEWISTON TRIBUNE Dates 8-31 & 9-7-72

PUBLISHER'S AFFIDAVIT OF PUBLICATION

SEP 13 1972

NOTICE OF CLAIM TO A WATER RIGHT No. 85-4030

Notice is hereby given that Eddy L. Wylde, 2462 Highland, Salina, Kansas has filed a claim to a water right established by diversion and application to beneficial use of 1.5 gpm. of water from an unnamed spring with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 37N, R. 2W, B.M., Nez Perce County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of November 15, 1952; the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 37N, R. 2W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

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

Department of Water Administration
Northern District Office

, being duly sworn

deposes and says, I am the Office Manager 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 # 85-4030 attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a Week for two consecutive weekx, the first publication thereof being on the 31st day of August, A. D. 1972, and the last publication thereof being on the 7th day of Sept., A. D. 1972, and said Notice of Claim 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.

DN Sinclair

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

8 day of Sept, 1972

Norman W. Riel 8-28-72

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

WATER RIGHT NUMBER 85-4030

WATER RIGHTS EDIT REPORT

12/17/79

PAGE 34

ACT
ION

N OWNER LAST NAME - WYLDE

FIRST NAME - EDDY L.

N ADDRESS LINE 1 - 2462 HIGHLAND

N CITY - SALINA

STATE - KS

N SOURCE - SPRING

N STAGE - STATRY CLM

PRIORITY - 11-15-1952 COUNTY - NEZ PERCE TOTAL DIV. RATE - .0100CFS

N DIVERSION POINT - SESW 34 37N 02W

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

USE DIV. RATE - .0100CFS

N USE - DOMESTIC

PLACE OF USE - T1N 37N R1G 02W SEC 34 TRACT SESW

IDENT. NO. 85-4030

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

1. Original Owner: Eddy L. Wyld

Present Owner:

2. Address: 2462 Highland

3. City: Salina State: KS Zip: _____

4. A. Source of Water: *spring*

B. Tributary of:

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

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

C. Priority Date: 11-15-1952

D. County: ~~70~~ 69

E. Total Diversion Rate: .0/

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):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't</u> <u>Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>SE 24</u>	<u>34</u>	<u>37N</u>	<u>2W</u>		

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

from 1-1 to 12-31 for D purposes. Amount .01
(cfs or AG-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 _____

111379

37N	2W	34
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B. Decree Date:

10. Remarks: A.

12. Other Rights for Same Use:

H. Conditions of Approval:

14. Diversion Means (brief narrative):

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

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

September 14, 1972

Re: Claim to a Water Right No. 85-4030

Eddy L. Wylde
2462 Highland
Salina, Kansas

Dear Mr. Wylde:

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 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 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,

Fred Eisenbarth
Water Resource Examiner
Northern District

FE:CR

Enc: copy of claim

bcc: State Office

85 4030

September 6, 1972

Re: Claim to a Water Right No. 85-4030

Eddy L. Wylde
2462 Highland
Salina, Kansas

Dear Mr. Wylde:

Attached herewith is your receipt No. 8427 in the amount of \$10 for the filing fee on the above referenced claim, which was received in this office.

Very truly yours,

Fred Eisenbarth
Water Resource Examiner
Northern District

FE:CR

Enc: Receipt

85 4030

August 25, 1972

Re: Claim No. 85-4030 - Eddy L. Wylde
" " 85-4031 - Cecil B. Carpenter
" " 85-4032 - Barbara M. Benscoter

Lewiston Morning Tribune
505 "C" Street
Lewiston, ID 83501

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,

Fred Eisenbarth
Water Resource Examiner
Northern District

Bill submitted 9-14-72 by CR

FE:CR

Enc: Legal Notices (3)

85 4030

NOTICE OF CLAIM TO A WATER RIGHT

NO. 85-4030

Notice is hereby given that Eddy L. Wylde,

2462 Highland, Salina, Kansas

has filed a claim to a water right established by diversion and application
to beneficial use of 1½ gpm ~~XXXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXXXXXXXXXXX~~
of water from an unnamed spring

with point of diversion in the SE¼SW¼, Sec. 34, T. 37N, R. 2W, B.M.,
Nez Perce County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes

with a priority of November 15, 1952;
the place of use is within the SE¼SW¼, Sec. 34, T. 37N, R. 2W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON

Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho

on August 31 and Sept. 7, 1972

5 4030

NOTICE OF CLAIM TO A WATER RIGHT
No. 85-4830

Notice is hereby given that Eddy L. Wylde, 2482 Highland, Salina, Kansas has filed a claim to a water right established by diversion and application to beneficial use of 1½ gpm of water from an unnamed spring with point of diversion in the SE¼SW¼, Sec. 34, T. 37N, R. 2W, B.M., Nez Perce County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of November 15, 1862; the place of use is within the SE¼SW¼, Sec. 34, T. 37N, R. 2W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

J.L.
9-6-72
cl

85-4830

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

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

August 7, 1972

Eddy L. Wylde
2462 Highland
Salina, Kansas

Dear Mr. Wylde:

We are once again returning your Claim to a Water Right and Check No. 83-1465 for clarification of Item 2. We apologize for not noticing the error when we first returned your claim.

Under Item 2, you have listed the point of diversion as being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, of Section 34, Township 37 North, but have failed to list the Range. Please complete this item and return the claim along with the \$10 filing fee, and we shall begin its processing.

Your assistance in this matter is greatly appreciated.

Very truly yours,

Fred Eisenbarth
Water Resource Examiner
Northern District

FE:CR

Enc: Claim to a Water Right
Check No. 83-1465 (\$10.00)

Range 2W

85 4000