

NOTICE OF CLAIM TO A WATER RIGHT
No. 02-4004

Notice is hereby given that Mary Knox, Idaho State Bank, Glenns Ferry, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3.6 cubic feet per second of water from the Snake River, tributary of the Columbia River with point of diversion in Lot 3 (NE 1/4 NE 1/4), sec. 13, T. 5 S., R. 10 E., B.M., Elmore County; the water is claimed to be used from April 1 to October 1 for irrigation with a priority of April 1, 1912; the place of use is located in Lots 3 and 4 (S 1/2 SW 1/4), sec. 12; Lot 3 (NW 1/4 NW 1/4), sec. 13; and Lot 1 and 2 (N 1/2 NE 1/4), sec. 14, T. 5 S., R. 10 E., B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
First publication November 7, 1968
Last publication November 14, 1968

RECL. ENGR.	
DEPUTY	
WATER RIGHTS	
✓ AFFROP	
DIST	
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INVESTIGATION	
WELLS	
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ACCOUNTING	
FILE	
RETURN TO	
DISCARD	

RECEIVED

NOV 15 1968

Department of Reclamation

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 ...7..... day
of ...November....., 1968., and
the last publication having been made on the
.....14..... day of November.....
19..68...; 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 ...14.....
day of ...November....., 1968.

Vivian M. Waters
Notary Public



02-4004

bill sub 11-18-68

NOTE TO FILE 02-4004:

P.D. described in error; Lot 3 is within the
NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 13.

Identification N

02-4004

P

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 Mary Knox
post office address Idaho State Bank, Glenns Ferry, Idaho 83623
(Lot 3)
2. The point of diversion is in NE $\frac{1}{4}$ of NE/ $\frac{1}{4}$ Section 13 Township 5 S
Range 10 E B.M. located on Snake River
(name of source)
tributary to Columbia 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 1, 1912</u>	amount: <u>3.6</u>	c.f.s. or	_____	acre feet
_____	amount: _____	c.f.s. or	_____	acre feet
_____	amount: _____	c.f.s. or	_____	acre feet
Total claimed		<u>3.6</u>	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 1</u> to <u>October 1</u>	(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 10 hp electric motor and pump
_____; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known no appreciable change in diversion capacity; although pump and motor was installed replacing the water wheel
 - 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 _____

02-4004

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]

02-4004

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 _____ 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 _____

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

October 14, 1968
(Date)

x Mary D. Knox
(Signature of Claimant)

State of Idaho }
County of Ada } ss.

On this 14th day of October 19 68, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same

Laura Henderson

Notary Public residing at Boise, Idaho

My commission expires 8/2/70

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>ef</u>	<u>10-16-68</u>			
Prelim. check by <u>Dille</u>	Date <u>10-16-68</u>			
Fee received by <u>ef</u>	Date <u>10-17-68</u> Fee \$ <u>15.00</u>			
Approved for publication by <u>MS</u>	Date <u>10-31-68</u>			
Published in <u>MT. WILSON</u>	Date <u>11-7-68</u>			

02-4004

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

23-4027

AFFIDAVIT

STATE OF IDAHO,)
COUNTY OF Elmore,) ss.

Glenn E. Mills, being duly sworn,
deposes and says:

1. That he is now and for more than 56 years
immediately last past has been, acquainted with the lands
situate in the County of Elmore, State of Idaho,
particularly described as follows, to-wit:

Lots 3 and 4, (South of the Union Pacific Railroad Company
right-of-way) in Section 12;
Lot 3 in Section 13;
Lots 1 and 2, (South of the Union Pacific Railroad Company
right-of-way) in Section 14;
All in Township 5 South, Range 10 East, Boise Meridian in
Elmore County, State of Idaho.

2. That such lands are irrigated by water diverted
from Snake River.

3. That such lands have been irrigated by water from such
source for more than 56 years immediately last past.

4. That the quantity of such water diverted for the
irrigation of such lands is a flow of 180' miners inches.

5. That the point of diversion of such water is
NW 1/4 NW 1/4 13 T. 5 S. R. 10E on N. bank of Snake River

(A) Water Wheel - 1060' South & 200' East (B) Present Pump - 860' East and 130' South

04 18 / 12
14 / 13

X Glenn E. Mills

Subscribed and sworn to before me this 1st day of October, 1968.

Ruth M. Graham
Notary Public for the State of Idaho,
Residing at Blanca Ferry, Idaho.

02-4004

AFFIDAVIT

STATE OF IDAHO,

COUNTY OF Elmore,

)
) ss.
)

Frank Lamb, being duly sworn,

deposes and says:

1. That he is now and for more than 30 years immediately last past has been, acquainted with the lands situate in the County of Elmore, State of Idaho, particularly described as follows, to-wit:

Lots 3 and 4 (South of the Union Pacific Railroad Company right-of-way) in Section 12;
Lot 3 in Section 13;
Lots 1 and 2 (South of the Union Pacific Rail Road Company right-of-way) in Section 14;
All in Township 5 South, Range 10 East, Boise Meridian in Elmore County, State of Idaho.

2. That such lands are irrigated by water diverted from Snake River.

3. That such lands have been irrigated by water from such source for more than 30 years immediately last past.

4. That the quantity of such water diverted for the irrigation of such lands is a flow of 180⁺ miners inches.

5. That the point of diversion of such water is
NW 1/4 NW1/4 13 T 5 S. R. 10 E on N. Bank of Snake River
(A) Water Wheel - 1060' South & 200' East (B) Present Pump - 860' East & 130' South

of 11 12
14 13

X Frank Lamb.

Subscribed and sworn to before me this 1st day of October, 1968.

Ruth M. Graham
Notary Public for the State of Idaho,
Residing at Glenn Ferry, Idaho.

02-4004

AFFIDAVIT

STATE OF IDAHO,

COUNTY OF Elmore,

)
) ss.
)

Ester Shuchcraft, being duly sworn,
deposes and says:

1. That he is now and for more than 30 years
immediately last past has been, acquainted with the lands
situate in the County of Elmore, State of Idaho,
particularly described as follows, to-wit:

Lots 3 and 4, (South of the Union Pacific Railroad Company
right-of-way) in Section 12;
Lot 3 in Section 13;
Lots 1 and 2, (South of the Union Pacific Railroad Company
right-of-way) in Section 14;
All in Township 5 South, Range 10 East, Boise Meridian in
Elmore County, State of Idaho.

2. That such lands are irrigated by water diverted
from Snake River.

3. That such lands have been irrigated by water from such
source for more than 30 years immediately last past.

4. That the quantity of such water diverted for the
irrigation of such lands is a flow of 180' miners inches.

5. That the point of diversion of such water is
NW 1/4 NW 1/4 13 T. 5 S. R. 10E on N. Bank of Snake River

A. Water Wheel - 1060' South & 200' East B. Present Pump - 860' East and 130' South

04 $\frac{11}{14} \frac{12}{13}$

Ester Shuchcraft

Subscribed and sworn to before me this 1st day of Oct, 1968.

Ruth M. Graham
Notary Public for the State of Idaho,
Residing at Glenn Ferry, Idaho.

02-4004

Johnson's Water Wheel
photo about 1912

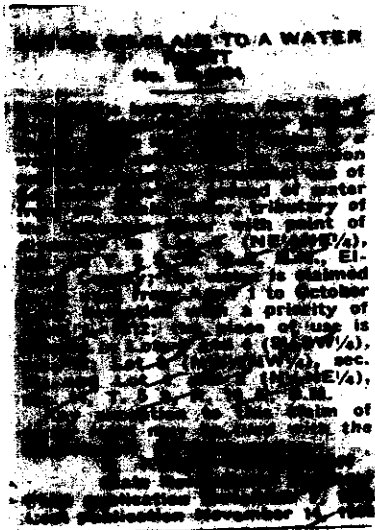
from Intersection of $\frac{11}{14} \mid \frac{12}{13}$

1060' S and 200' E.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 13T 5S R 10E on
N. bank Snake River



36-400'



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 ...7... day
of ...November..., 1968, and

the last publication having been made on the
.....14..... day of November...
19..68...; 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 ...14...

day of ...November..., 1968.

Vivian M. Waters
Notary Public

02-4024
will sub 11-18-68

December 9, 1968

Re: Claim No. 02-4004

Mrs. Mary Knox
Idaho State Bank
Glenns Ferry, Idaho 83623

Dear Mrs. Knox.

Please be advised that the department has received and processed your claim to a water right. The information in your claim is filed under Claim No. 02-4004. Please refer to this number when adding or changing the information in your claim.

Enclosed is receipt No. 2208 in the amount of \$10.00 to cover the filing fee for the claim.

No further action is pending on your claim. If you are in need of any of the information in your claim it will be on file with the department and is now of public record.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Receipt No. 2208

cc: Idaho Land and Appraisal

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 31, 1968

Re: Application No. 61-7047 - Mrs. Elaine J. Parrish
Application No. 02-7024 - Duane B. Williams
Claim No. 02-4004 - Mary Knox
Application NO. 61-7045 - Glenn C. Dormire
Application No. 61-7043 - William B. Rawlings

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 date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: Legal notices (5)

02-4004

NOTICE OF CLAIM TO A WATER RIGHT

No. 02-4004

Notice is hereby given that Mary Knox, Idaho State Bank, Glenns Ferry,
Idaho has filed a claim to a water right
established by diversion and application to beneficial use of 3.6
cubic feet per second ~~acre~~ feet of water from ~~the Snake River, tributary of~~
~~the Columbia River~~ with point of diversion in ~~Lot 3 (NE 1/4 NE 1/4),~~
sec. 13, T. 5 S., R. 10 E., B.M., Elmore County; the water is
claimed to be used from April 1 to October 1 for irrigation
with a priority of April 1, 1912
; the place of use is located in 1/4
Lots 3 and 4 (S 1/4 SW 1/4), sec. 12; Lot 3 (NE 1/4 NE 1/4), sec. 13; and Lot
1 and 2 (NE 1/4 NE 1/4), sec. 14, T. 5 S., R. 10 E., B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Mountain Home News, Mountain Home, Idaho
on November 7 and November 14, 1968

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

224 IDAHO BLDG.

BOISE, IDAHO 83701

P. O. Box ~~2180~~ 1603

PHONE 344-2547

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STATE LAND LEASES & ASSIGNS

October 14, 1968

RECEIVED

OCT 18 1968

Department of Reclamation

Mr. R. Keith Higginson
State Reclamation Engineer
Idaho Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

RE: Claim To A Water Right, Mary S. Knox

Dear Mr. Higginson:

Enclosed herewith is Claim To a Water Right in the name of Mary Knox, an Affidavit from Glenn E. Mills, an Affidavit from Frank Lamb, an Affidavit from Ester Huethcraft, copy of a 1912 photo of the original water wheel, and a check in the amount of \$10.00.

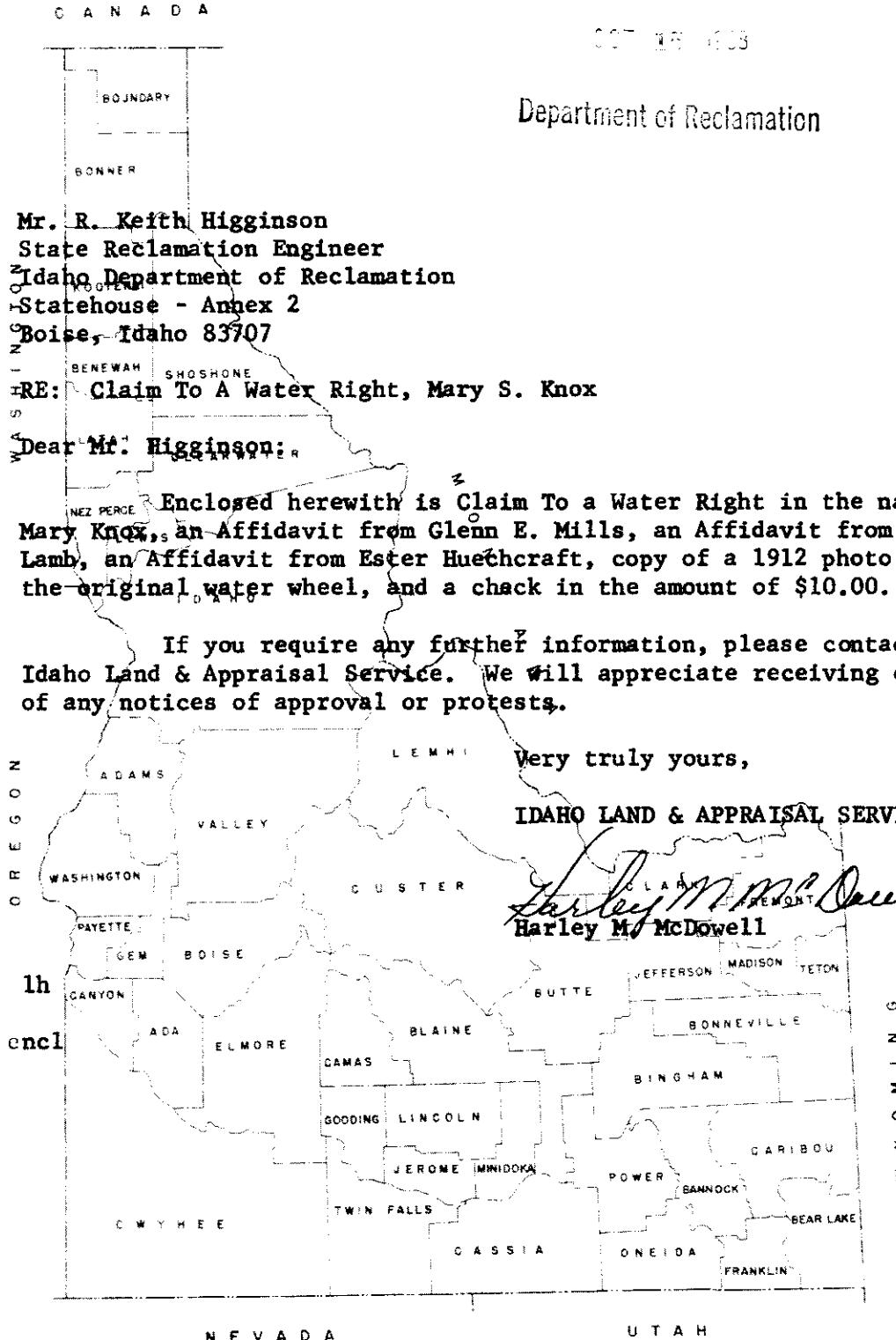
If you require any further information, please contact Idaho Land & Appraisal Service. We will appreciate receiving copies of any notices of approval or protests.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell

lh
encl



02-4004