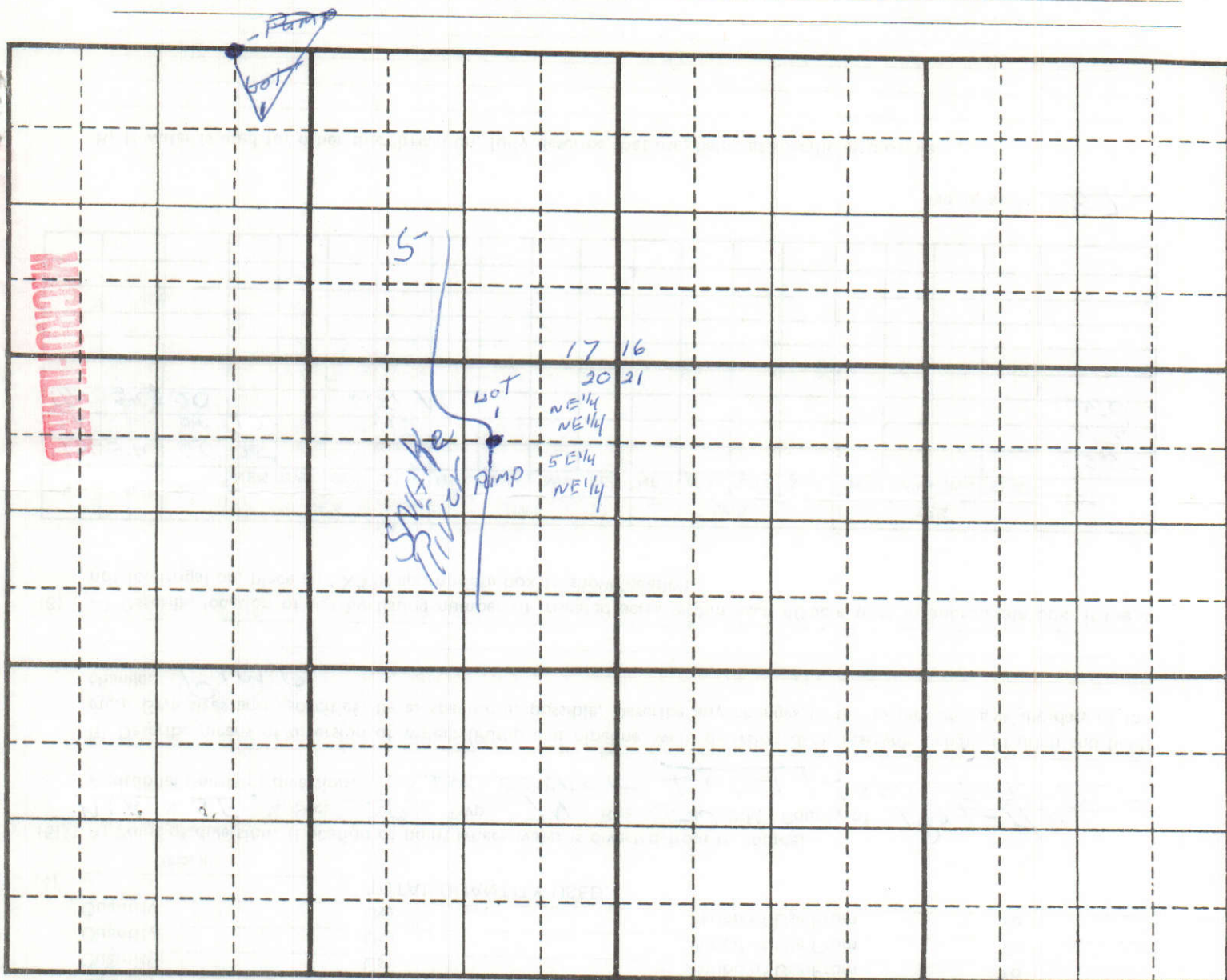


(8) Remarks _____



Scale: 2 inches equal 1 mile.

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.

State of Idaho)
County of Payette) 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 affiant's knowledge.

Gerald J. Haggeler
Gerald J. Haggeler
(Claimant)

Sworn to before me this 20th day of June, 19 83.

Phyllis McKee
Notary Public
Residing at Fruitland, Idaho

My commission expires October 1986

FOR DEPARTMENT USE ONLY

Received by JP Date 6/22/83 Exception filed by: _____ Fowarded to _____ Date _____
Prelim. check by JP Date 10/13/83 claimant by: _____
\$30.00 fee received by JP Date 6/22/83 # 31122
Published in Independent Enterprise
Dates 10/27 & 11/3/83

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice
(First Copy)

Notice of Claim to Water Rights (Henggeler)
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

Melvena Berreth, being

duly sworn, deposes and says:

That he is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
(2) two consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
Oct. 26, 1983, and ending with the issue
of Nov. 2, 1983.

Subscribed and sworn to before me this 8th day
of Nov., 1983.

Marilyn J. Reinhart
Notary Public, Residing at Payette, Idaho.

My Commission Expires Dec. 1, 1985.

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 17 dbl. lines

Number of Insertions (2) two

17 Lines @ 57¢ ... \$ 9.69

17 Lines @ 38¢ ... \$ 6.46

TOTAL COST
WILL BE \$ 16.15

NOTICE OF CLAIMS TO WATER RIGHTS
The following claim(s) have been filed on water right(s)
created by diversion and beneficial use:

03-4021 ✓ 39

HENGGELE, ROBERT &/or GERALD
WHITLEY DR., FRUITLAND, ID 83619

Source: SNAKE RIVER trib. to COLUMBIA RIVER
Priority Date: 04/01/1904

Diversion Pt: LOT 01 Sec 20 T 07N R 05W

Use: IRRIGATION (1.74 CFS)

In: NENE SENE LOT 01 Sec. 20 T 07N R 05W for 87
ACRES

Exceptions to a claim may be filed with the Director,
Dept. of Water Resources, Western Region, Statehouse,
Boise, Idaho 83720.

KEN DUNN, Dir.
Oct. 26, Nov. 2

No. 2848

clk
11-17-83

RECEIVED
NOV 10 1983

Department of Water Resources
Western Regional Office

Nº 2848

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Robert & Gerald Henggeler
(Name of Claimant)
Whitley Drive 83619 Telephone No. 452-3201
(Mailing Address) Shoshone, Id. (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1904

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
SNAKE RIVER tributary to COLUMBIA RIVER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>1.74</u>	Use	<u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>10/20</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
		TOTAL QUANTITY USED.			

(4) (cfs, af)
(5) A) Point of diversion: (Location of point where water is diverted from its source)
LOT 1 1/4, Sec. 20 Twp. 7N Rge. 5W B.M., County of Payette
Additional points of diversion: SW corner Lot 1, S-20 T-7 R-5

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. Describe any changes in the system and give the date of the change. 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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>7N</u>	<u>5W</u>	<u>20</u>	<u>25</u>																<u>25</u>
<u>7N</u>	<u>5W</u>	<u>20</u>				<u>12</u>													<u>12</u>
<u>7N</u>	<u>5W</u>	<u>20</u>				<u>LOT 1</u>													<u>50</u>

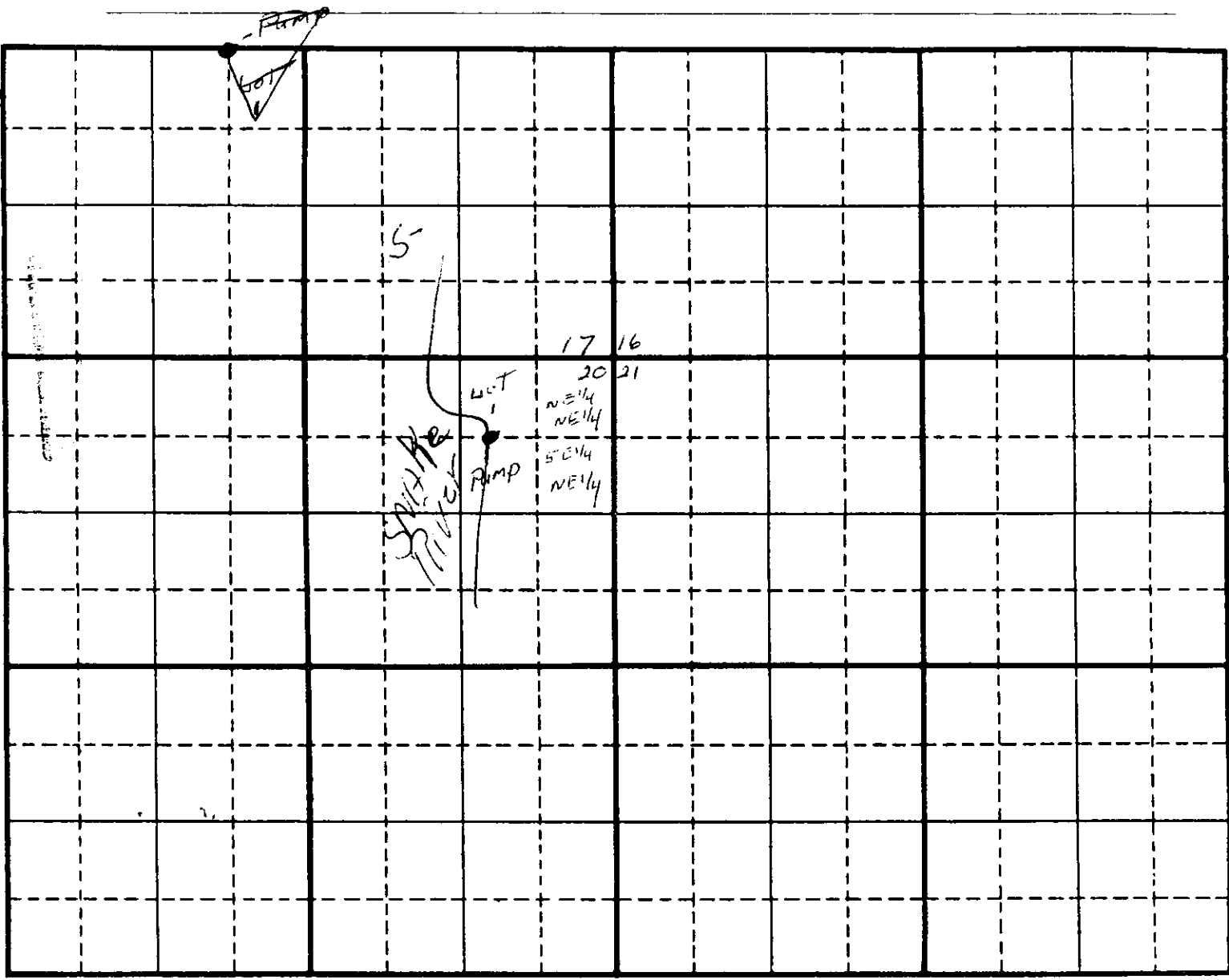
No. of acres 87

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

NOTE: Include here the type and number of stock watered:

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

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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.

State of Idaho)
County of Payette) 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 affiant's knowledge.

Gerald J. Haggeler
Gerald J. Haggeler
(Claimant)

Sworn to before me this 20th day of June, 19 83.

Phyllis McKee
Notary Public
Residing at Fruitland, Idaho

My commission expires October 1986

FOR DEPARTMENT USE ONLY			
Received by <u>JP</u>	Date <u>6/22/83</u>	Exception filed by:	Forwarded to
Prelim. check by <u>JP</u>	Date <u>10/13/83</u>		claimant by:
\$30.00 fee received by <u>JP</u>	Date <u>6/22/83</u>	<u>31122</u>	
Published in <u>Independent Enterprise</u>			
Dates <u>10/27 & 11/3/83</u>			

Affidavit of Publication

Copy of Notice
(First Copy)

STATE OF IDAHO, }
COUNTY OF PAYETTE } ss.

Notice of Claim to Water Rights (Henggeler)
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

Melvina Berreth, being

duly sworn, deposes and says:

That *she* is the *principal clerk* of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published at
Payette, in the County of Payette and State of Idaho; that said paper
has been and is in general circulation in the county aforesaid, and in
the vicinity of Payette; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
(2) *two* consecutive weeks in the regular and entire issue of said
paper during the period and time of publication, and was published
in the newspaper proper and not a supplement; that said paper has
been established and regularly published for more than seventy-eight
consecutive weeks prior to the date of first publication of said adver-
tisement.

Such notice was published in the issue beginning with
Oct. 26, 19 *83*, and ending with the issue
of *Nov. 2*, 19 *83*.

Subscribed and sworn to before me this *8th* day
of *Nov.*, 19 *83*.

Marilyn J. Rhinhardt
Notary Public, Residing at Payette, Idaho.

My Commission Expires *Dec. 1*, 19 *85*.

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *17 dbl. lines*

Number of Insertions *(2) two*

17 Lines @ *57¢* ... *\$ 9.69*

17 Lines @ *38¢* ... *\$ 6.46*

TOTAL COST
WILL BE *\$ 16.15*

[Faded text from another document, likely a water right claim, mentioning "Diversion Pt: LOT 6 Sec 20 T 60 N 30 E" and "ACRES".]

31-17-33

[Large, stylized stamp reading "RECEIVED".]

Nº 2848

claim
83-4021

30.

W. M. Hall and Jas. L.
Tyson, Claimants,

NOTICE OF WATER RIGHT LOCATION

Dated June 3, 1904
Verif. June 4, 1904
Filed June 6, 1904
Rec.Bk.2 Wat.Locat.p.14 Can.Co
Rec.Bk.A Misc.p.516 Pay.Co.

to

The Public

State of Idaho)
County of Canyon)

*water
Pump Irrigation
claim
1903*

TO ALL CONCERNED.

Notice is hereby given that the undersigned ha___ appropriated and claim___ under the laws of the State of Idaho the use of 60 cubic feet per second of this stream known as (a cubic foot of water per second is equal to 40 miners inches) Snake River. Said water is intended to be diverted from said creek at the point where this notice is posted to wit: near the southwest corner of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Sec. 20 township 7 ___ of Range 5 west B.M. Said water will be used for the purpose ___ Irrigating and power purposes and the place of said use will be in irrigating on sections or fractions thereof 20 and 17, as power placed near N W corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of sec. 17, to raise water from said canal to irrigate (certain lands not under search herein). Said diversion will be accomplished by means of a ditch or canal running NE about 330 ft. thence northward about 990 ft. thence NW about 660 ft. thence NE about 330 ft. thence NW about 330 ft. thence northward by a little east about 990 ft. thence NW 990 ft. to Snake River and about one and seven-eighths miles long, to be completed on or before Dec. 20, 1907.

Witness my hand_ at Payette, Canyon Co. Idaho, this third day of June, 1904.

W. M. Hall)
Jas. L. Tyson) Claimants

State of Idaho)
County of Canyon) ss.

Jas. L. Tyson one of the within claimants being first duly sworn depose and say that he___ 32 years of lawful age and one of the claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion (as provided by law) on the 3rd day of June 1804, at 30 minutes past 8 o'clock A.M.

Jas. L. Tyson

Subscribed and sworn to by Jas. L. Tyson, before Allen E. Wood, Notary Public for State of Idaho, County of Canyon. (Seal).

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

NOVEMBER 16, 1983

ROBERT HENGGELE
GERALD HENGGELE
WHITLEY DR.
FRUITLAND

ID 83619

RE: Claim No. 03-4021

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

OCTOBER 20, 1983

INDEPENDENT ENTERPRISE
BOX 520
PAYETTE ID 83661

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before NOVEMBER 14, 1983.

Yours truly,

JUDY PENSE
Secretary

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 10/27 & 11/3/83.

03-4021-

HENGGELE, ROBERT &/or GERALD

WHITLEY DR., FRUITLAND, ID 83619

Source: SNAKE RIVER trib. to COLUMBIA RIVER

Priority Date: 04/01/1904

Diversion Pt: LOT 01 Sec 20 T 07N R 05W

Use: IRRIGATION (1.74 CFS)

In: NENE SENE LOT 01 Sec 20 T 07N R 05W FOR 87 ACRES