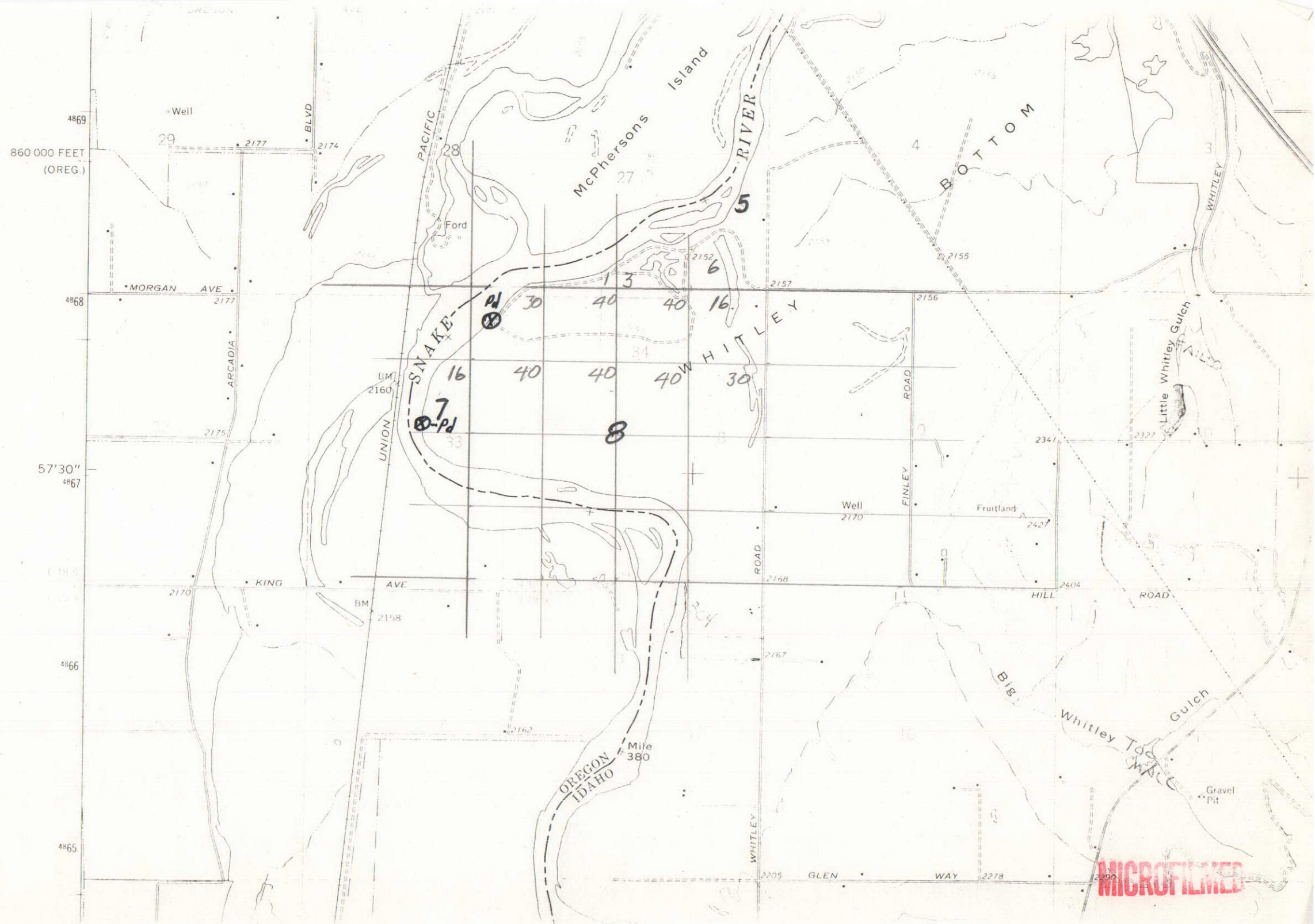




Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF PAYETTE } ss.

Copy of Notice
(First Copy)

Notice of Claims to Water Rights
TITLE OF PUBLICATION

SPONSOR OR PLAINTIFF

Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

I, Darlene M. Allison, 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
June 29, 19*83*, and ending with the issue
of *July 6*, 19*83*.

Subscribed and sworn to before me this *7th* day
of *July*, 19*83*.

Marlene J. Rhinehart
Notary Public, Residing at Payette, Idaho.

My Commission Expires *Dec. 1*, 19*86*.

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

03-4017

MC CABE, PAUL E. &/or PETER J. &/or PAUL E.
RT. 1 BOX 1543, FRUITLAND, ID 83619
Source: SNAKE RIVER trib. to COLUMBIA RIVER
Priority Date: 04/01/1920
Diversion Pt: NWNW Sec. 08 T 07N R 05W SENE Sec. 07 T.
07N R 05W
Use: IRRIGATION (6.02 CFS)
In: NENE NWNE SWNE SENE NENW NWNW SWNW
SENW Sec. 08 T. 07N R 05W SESW SWSE SESE Sec. 05 T.
07N R 05W SENE Sec. 07 T 07N R. 05W FOR 302 ACRES.

03-4018

MC CABE, PAUL E. &/or PETER J.
Rt. 1 Box 1543, FRUITLAND, ID 83619
Source: SNAKE RIVER trib. to COLUMBIA RIVER
Priority Date: 04/01/1947
Diversion Pt: NENE Sec. 08 T 07N R. 05W
Use: IRRIGATION (1.48 CFS)
In: NENE Sec 08 T. 07N R 05W NWNW Sec. 09 T 07N R.
05W SESE Sec. 05 T 07N R 05W FOR 74 ACRES.

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

No. 2703

KEN DUNN, Dir.
June 29, July 6

RECEIVED

JUL 13 1983

Department of Water Resources
Western Regional Office

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *27 dbl. lines*

Number of Insertions *(2) two*

27 Lines @ *574* . . . \$ *15.39*

27 Lines @ *384* . . . \$ *10.24*

TOTAL COST
WILL BE \$ *25.65*

Nº 2703

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 Paul E & /or Peter J. McCabe
(Name of Claimant) 452-3919
Rt 1 Box 1543 Fruitland Id 83619 Telephone No. 452-4475
(Mailing Address) (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) 1920

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:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>6.02</u>		Use <u>Irrigation</u>		Period of Use From <u>4/1</u>	To <u>11/1</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

(4) 6.02 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NW 1/4, Sec. 8 Twp. 7N Rge. 5W B.M., County of Payette
Additional points of diversion: SE NE Sec 7 T 7N R 5W

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.
pumps and pipelines into gravity ditches

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
7N	5W	8	16	40	40	30	40	30	40	40									276
7N	5W	5											1			3	6		10
7N	5W	7				16													16

No. of acres 302

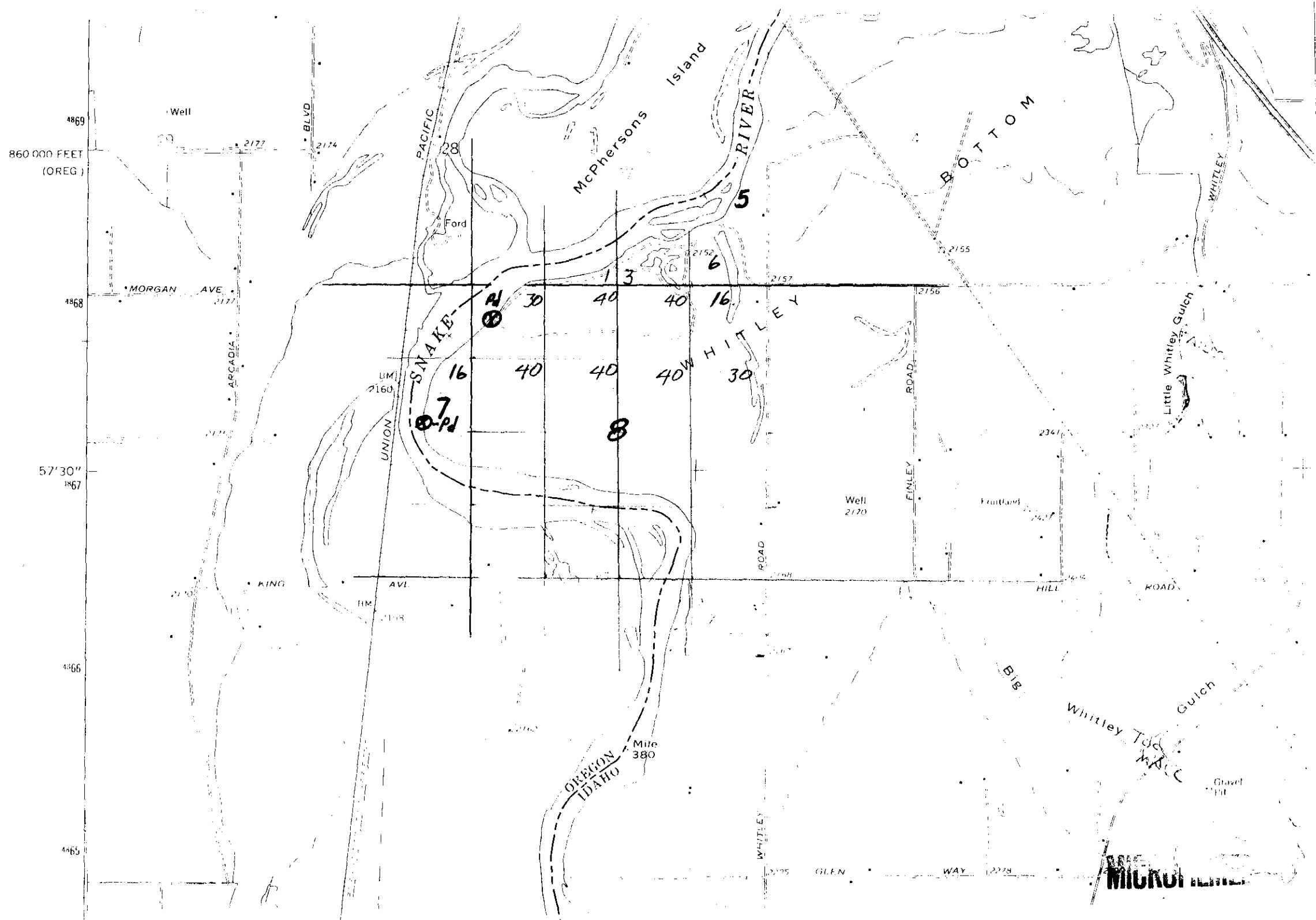
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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:

[illegible]

Received by GLS Date 6/15/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by GLS Date 6/20/83 claimant by: _____
\$30.00 fee received by GLS Date 6/15/83 # 31014
Published in Independent Enterprise
Dates 4/30 5/7/83



Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

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(First Copy)

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Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

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Marlene J. Rhinehart
Notary Public, Residing at Payette, Idaho.

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JUL 13 1983

Department of Water Resources
Western Regional Office

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

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WILL BE *25.65*

Nº 2703



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

July 20, 1983

Paul E. &/or Peter J. McCabe
Rt. 1 Box 1543
Fruitland, ID 83619

Re: Claim No. 03-4017

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, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

June 24, 1983

Independent Enterprise
Box 520
Payette, Idaho

Dear Enterprise:

I sent to you two claims to be advertised on June 30 and July 7, 1983. The numbers were listed as 03-0001 and 03-0002, whereas, they should have been (03-0001) - 03-4017 & (03-0002) - 03-4018. Both the Claims are in the names of Paul E. &/or Peter J. McCabe.

I hope that this is not too late for a change. Please call me at 334-2190 if you have any questions.

Thank you!

Judy Pense
Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JUNE 23, 1983

INDEPENDENT ENTERPRISE
BOX 520
PAYETTE, IDAHO 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 JULY 18, 1983.

Yours truly,

JUDY PENSE
Secretary

Encl.

NOTICE OF CLAIMS TO WATER RIGHTS

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

KEN DUNN, Dir.

Published 06/30 & 07/07/83.

03.4017
~~03-0001~~

MC CABE, PAUL E. &/or PETER J. &/or PAUL E.

RT. 1 BOX 1543, FRUITLAND, ID 83619

Source: SNAKE RIVER trib. to COLUMBIA RIVER

Priority Date: 04/01/1920

Diversion Pt: NWNW Sec 08 T 07N R 05W SENE Sec 07 T 07N R 05W

Use: IRRIGATION (6.02 CFS)

In: NENE NWNE SWNE SENE NENW NWNW SWNW SENW Sec 08 T 07N R 05W SESW SWSE SESE
Sec 05 T 07N R 05W SENE Sec 07 T 07N R 05W FOR 302 ACRES

03.4017