

Claim No. 13 4014STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that Ethel Stalker Wireman Erhardt

(name of claimant)

of 1029 E. Main, Weiser, Idaho

(mailing address)

, claims a right to the diversion and beneficial use of

ground water or surface water tributary to _____

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Willow Spring

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

Amount	<u>0.40</u>	Use	<u>Irrigation</u>	Period of Use: From	<u>April 1</u>	To	<u>Nov. 1</u>
Amount	<u>0.20</u>	Use	<u>Stockwater</u>	Period of Use: From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount		Use		Period of Use: From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

(3) Total quantity of water claimed: 0.60 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.(4) Priority claimed: (the date water was first applied to beneficial use) June, 1912

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)

SE 1/4 SW 1/4, Sec. 4 Twp. 12 S Rge. 41 E B. M. County of Franklin

Additional points of diversion: _____

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. stake & ditch

(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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
12S	41E	8				10									10				20

Total No. of acres 20

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

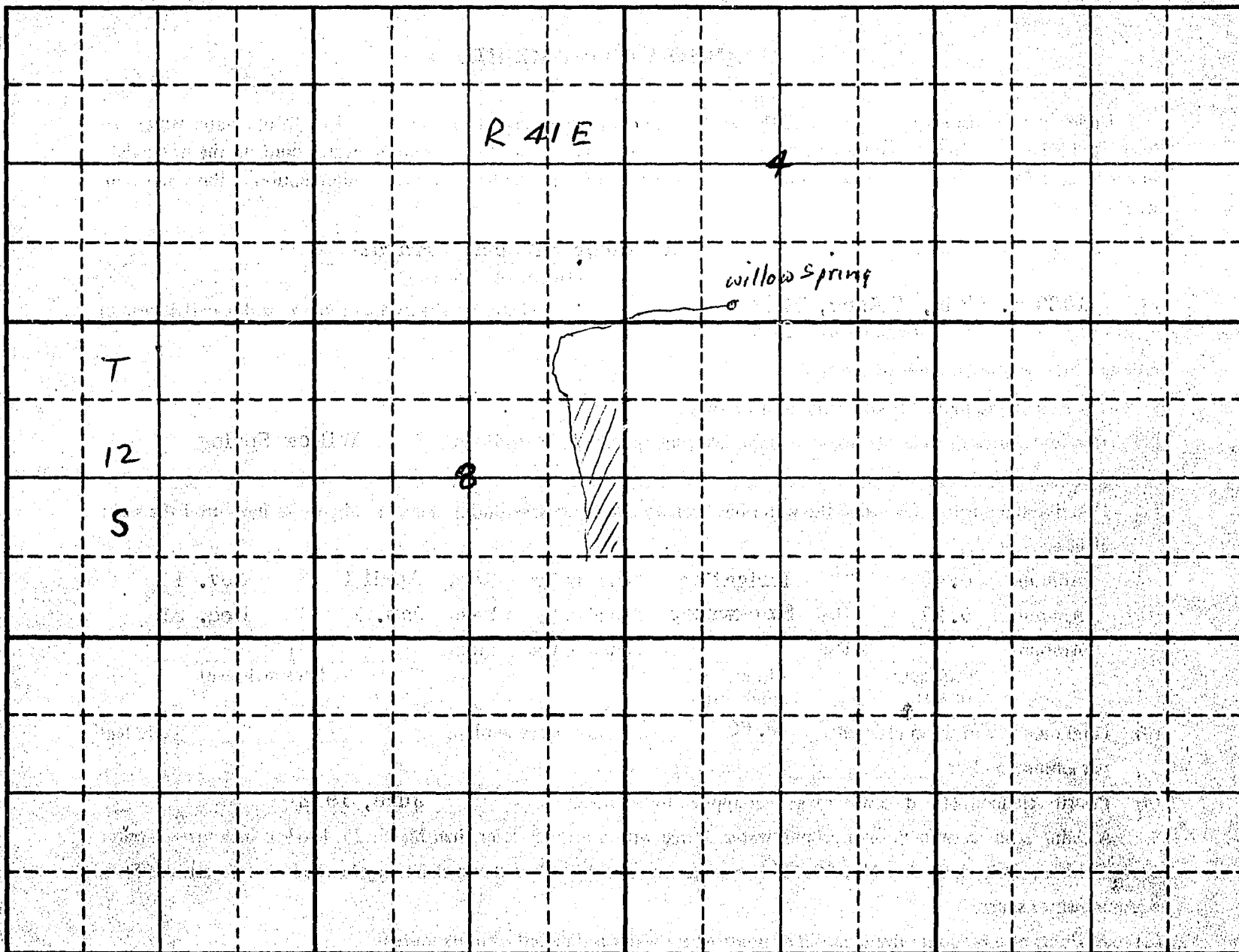
Stockwatering purposes for cattle & sheep

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

MICROFILMED

(8) Remarks This claim filed in connection with Permit 8317/13-2048 which was cancelled 6/25/74.

SEE ATTACHED MAP



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 Ada

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.

Ethel Stalker Wireman Eschardt
(Claimant)

Sworn to before me this 26th day of June, 19 74

Deanna Fildt
Notary Public

Residing at Boise, Idaho

My commission expires 6/15/1977

For Department Use Only

Received by MB Date 7-1-74 Exception filed by MB Forwarded to MB Date 7-1-74
Prelim. check by MB Date 6-26-74 claimant by MB
\$10.00 fee received by MB Date 6/26/74 Rec # 14915
Approved for publication by MB Date 8/12/74
Published in Poston Citizen
Dates July 18, 1974

Name of applicant Alma S. Stalker.

08017

7
Sept 12.8. Kangas 41 feet is one Meridians.

83-17

13-4014

PERMIT MAP NO. 8317
AS APPROVED

JUN 3 1912

A. E. ROBINSON
STATE ENGINEER

No. 2687

RECEIVED

AFFIDAVIT OF PUBLICATION

AUG 12 1974

Department of Water Resources
Eastern District Office

STATE OF IDAHO,

ss.

County of Franklin

J. Stalter Ross

being duly sworn,

deposes and says:

That he is the Co-publisher of THE PRESTON CITIZEN, a weekly newspaper published at Preston, in the County of Franklin and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Preston; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 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 advertisement.

Such notice was published in the issue beginning with

July 11, 19 74, and ending

with the issue of July 18, 19 74

J. Stalter Ross

Fees, \$ 13.32

Subscribed and sworn to before me this 6 day

of August, 19 74

William D. Geddes

Notary Public, Residing at Preston, Idaho

My Commission Expires March, 19 78

RECEIVED

AUG 8 1974

Department of Water Resources

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 13-4014

Notice is hereby given that Ethel Stalker Wireman Erhardt, 1029 E. Main, Weiser, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.60 cubic feet per second of water from Willow Spring with point of diversion in the SE¹, SW¹, Sec. 4, T. 12S. R. 41E. B.M., Franklin County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for cattle & sheep and from April 1 to Nov. 1 for the irrigation of 20 acres with a priority of June, 1912; all uses within the SE¹, NE¹, NE¹, SE¹, Sec. 8, T. 12S. R. 41E. B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515

Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on July 11 and July 18, 1974.

Legal No. 2687 — Pub. July 11 and 18, 1974.

13-4014

from the desk of
DARLENE REICH

If you have any questions concerning this
claim, please call me as I helped the
claimant complete it.

The map was taken from the cancelled
permit file 13-2048.

13-4014

NOTICE OF CLAIM TO A WATER RIGHT

NO. 13-4014

Notice is hereby given that Ethel Stalker Wireman Erhardt,

1029 E. Main, Weiser, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.60 cubic feet per second ~~acre feet per annum~~

of water from Willow Spring

with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 12S, R. 41E, B.M.,

Franklin County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering
purposes for cattle & sheep and from April 1 to Nov. 1 for the irrigation of 20 acres
with a priority of June, 1912 ;

~~the place of use is within the~~ all uses within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8,
T. 12S, R. 41E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Preston Citizen, Preston, Idaho

on July 11 and July 18, 1974

MICROFILMED

Handwritten:
J.R. 4A
OB 1A
OB 1A

July 5, 1974

RE: Claim to a Water Right No. 13-4014 - ERHARDT
" " " " " No. 13-4015 - NASH
Application for Permit No. 13-7079 - YOUNGMAN

The Preston Citizen
Box 389
Preston, Idaho 83263

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 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.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:CB

Enc: Legal Notice (3)

Bill submitted

8-12-74

by

MB

MICROFILMED

UNRECORDED

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 13-4014

Notice is hereby given that Ethel Stalker Wireman Erhardt, 1029 E. Main, Weiser, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.60 cubic feet per second of water from Willow Spring with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 12S, R. 41E, B.M., Franklin County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for cattle & sheep and from April 1 to Nov. 1 for the irrigation of 20 acres with a priority of June, 1912; all uses within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8, T. 12S, R. 41E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Preston Citizen, Preston, Idaho on July 11 and July 18, 1974.

Legal No. 2687 — Pub. July 11 and 18, 1974.

XXXXXXXXXXXXXXXXXXXXX RESOURCES

July 29, 1974

Re: Claim to a Water Right No. 13-4014 Erhardt
" " " No. 13-4015 Nash
Application for Permit No. 13-7079 Youngman

The Preston Citizen
Box 389
Preston, ID 83263

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with each of the above referenced applications. The legal notices were to have been published in your paper on July 11 and July 18, 1974.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:MB

MICROFILMED

RESOURCES

August 12, 1974

C Re: Claim to a Water Right No. 13-4014

Ms. Ethel Stalker Wireman Erhardt
1029 East Main
Weiser, Idaho 83672

C Dear Ms. Erhardt:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 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 your 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.

Y 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,

NORMAN C. YOUNG
District Engineer

NCY:MB

Enc: Copy of claim

MICROFILMED

