

Nº 173

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Oneida

Department of Water Resources
Eastern District Office

DEC 29 1981

Carol Hummel being duly sworn,
deposes and says: That she is the owner of THE
IDAHO ENTERPRISE, a weekly newspaper published at Malad,
in the County of Oneida and State of Idaho; that said paper has
been, and is in general circulation in the county aforesaid, and in
the vicinity of Malad; that the advertisement, a copy of which is
attached hereto, was published in said newspaper once a week for
2 consecutive weeks in the regular and entire issue of said
paper during the period of 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
December 17, 1981, and ending
with the issue of December 24, 1981

Fee \$ 45.10

Subscribed and sworn to before me this 24th day
of December 19 81

Carol Hummel
Notary Public, Residing at Malad, Idaho

My Commission Expires June 1982

NOTICE OF CLAIM
TO WATER RIGHT
NOTICE IS HEREBY GIVEN
that the following claim to water
right(s) have been established
by diversion and application to
beneficial use:

No. 18-4021
COUCH, GERALD & OR
CONSTANCE
Rt. 1 Box 28 MALAD CITY, ID
83252
Source: GROUNDWATER tribu-
tary to SINKS
Priority Date: 04-01-1985
Amount: 1.00 CFS
Diversion Point: NWNW Sec 15
T 15S R 36E, ONEIDA Co.
Use: IRRIGATION (1.00 CFS)
from 01-01 to 11-01
Place of Use: NENE NWNW
SWNW SENW Sec 15 T 15S R 36E
FOR 21 ACRES
Diversion Means: DITCHES TO
CROPPED IRRIGATION

No. 18-4022
WILLIAM F.
P.O. BOX 11, DOWNEY ID 83924
Source: BIRCH CREEK tribu-
tary to DEVIL CREEK
Priority Date: 04-01-1985
Amount: 1.00 CFS
Diversion Point: SESE Sec 15 T
15S R 36E, ONEIDA Co.
Use: IRRIGATION (1.00 CFS)
from 09-15 to 11-01
Place of Use: SESE Sec 15 T 15S
R 36E SWNW Sec 15 T 15S R 36E
NENE NWNE Sec 15 T 15S R 36E
NWNW Sec 04 T 15S R 36E FOR
160 ACRES
Diversion Means: CHECK
GATE AND CATCH BASIN TO
MAINLINE

No. 18-4023
COUCH, GERALD & OR
CONSTANCE
Rt. 1 Box 28 MALAD CITY, ID
83252
Source: GROUNDWATER
Priority Date: 11-01-1919
Amount: 2.00 CFS 6.0 AC-FT
Diversion Point: NWSE NWNE
Sec 15 T 15S R 36E, ONEIDA Co.
Use: IRRIGATION (2.00 CFS)
from 01-01 to 11-01
IRRIGATION STORAGE (6.0
AC-FT) from 01-01 to 12-31
IRRIGATION FROM
STORAGE (6.0 AC-FT) from
01-01 to 11-01
DIVERSION TO STORAGE
(2.00 CFS) from 01-01 to 12-31
Place of Use: NENE NWNE
SWNE SESE NENW NWNW
SWNW SENW NESW NESE
NWSE SESE Sec 15 T 15S R 36E
FOR 274 ACRES
Diversion Means: ARTESIAN
WELLS TO RESERVOIR

Any exception to any claim of
water right may be filed with the
Director of the Idaho Depart-
ment of Water Resources, 153
Shoup Ave., Idaho Falls, Idaho
83402.

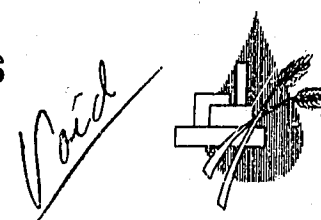
A. KENNETH MUNN
Director

Published 12-17 & 12-24-81
12-17-24 12
Lines 82

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 WILLIAM F. HILL
P.O. Box 11, Downey, Idaho 83234 (Name of Claimant) Telephone No. 897-5793
(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) 1965, April 1
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)
Birch Creek tributary to Devil Creek, Big Malad 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, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1 c.f.s.</u>	Use <u>Irrigation</u>	Period of Use From <u>Sept. 15</u>	To <u>Nov. 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) 1 c.f.s. TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SE 1/4, Sec. 32 Twp. 13 S Rge. 36 E. B.M., County of Oneida
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. Describe any changes in the system and give the date of the change. Check-gate placed in Birch Creek forcing water into a 7' corrugated pipe catch basin, from which water is directed into a 10" main-line equipped with pump operated by tractor.

- (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	
13	36	32																20	20
13	36	33											20						20
14	36	5	40	40															80
14	36	4					40												40

No. of acres 160

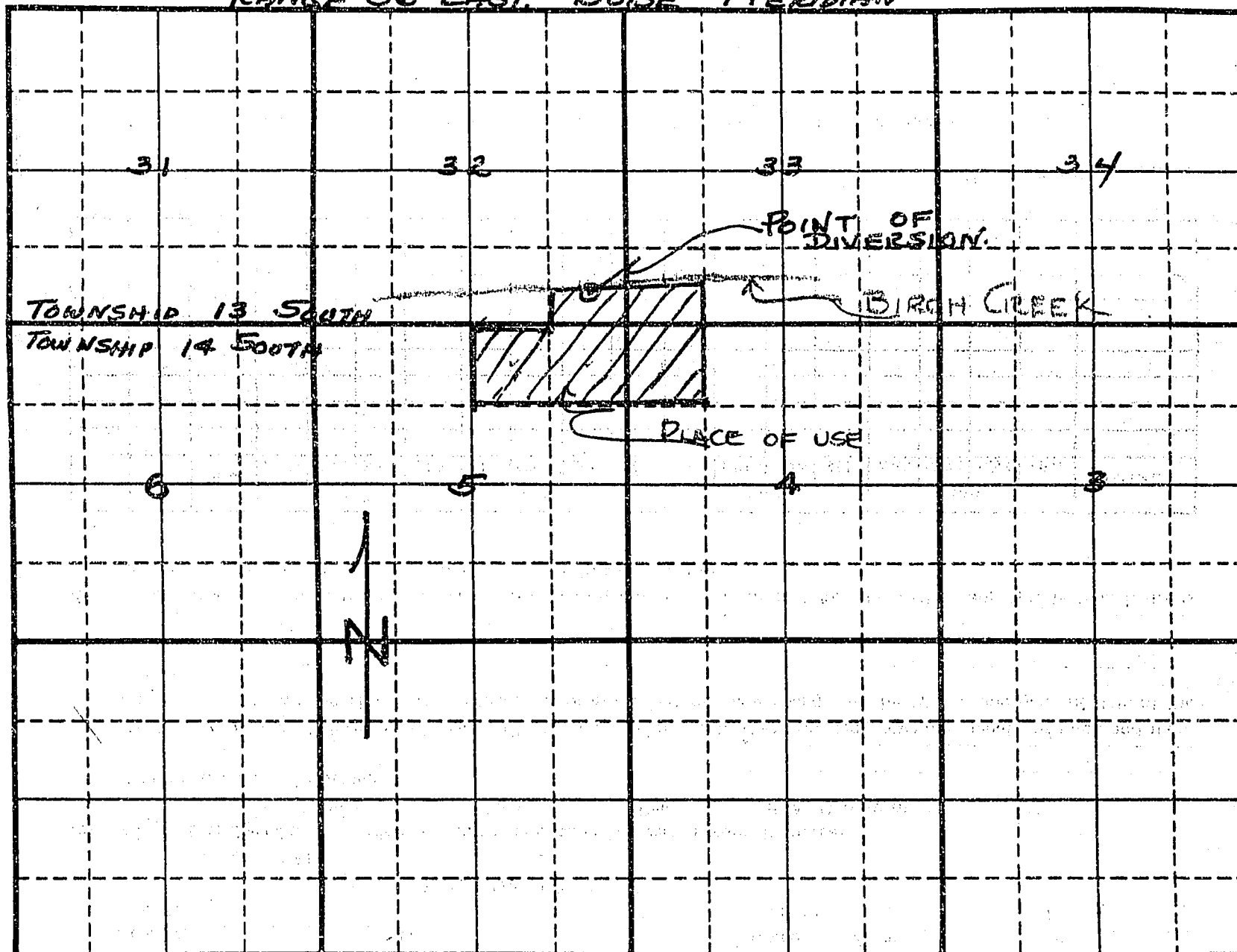
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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 _____

ONEIDA COUNTY IDAHO
RANGE 36 EAST BOISE MERIDIAN



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 Oneida) 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.

Sworn to before me this 4th day of November

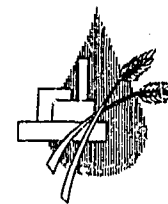
Wm. F. Hill
(Claimant)

E. J. Scott
Notary Public
Residing at Malad City, Idaho

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by *OW* Date *11-05-81* Exception filed by: Forwarded to Date
Prelim. check by *SM* Date *11-05-81* claimant by:
\$20.00 fee received by *OW* Date *11-05-81*
Published in *Malad Enterprise* #19148
Dates *12-17 & 12-24-81*

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.

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Notice is hereby given that WILLIAM F. HILL
(Name of Claimant)

P.O. Box 11, Downey, Idaho 83234 Telephone No. 897-5793
(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) April 1, 1965

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)

Birch Creek tributary to Devil Creek, Big Malad 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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>1</u> cfs	Use <u>irrigation</u>	Period of Use From <u>9/15</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) 1 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

SE ¼ SE ¼, Sec. 32 Twp. 13S Rge. 36E B.M., County of Oneida

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. Describe any changes in the system and give the date of the change. Check-gate placed in Birch Creek forcing water into a 7' corrugated pipe catch basin from which water is directed into a 10" mainline equipped with pump operated by tractor.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	36E	32																20	20
13S	36E	33										20							20
14S	36E	5	40	40															80
14S	36E	4						40											40

No. of acres 160

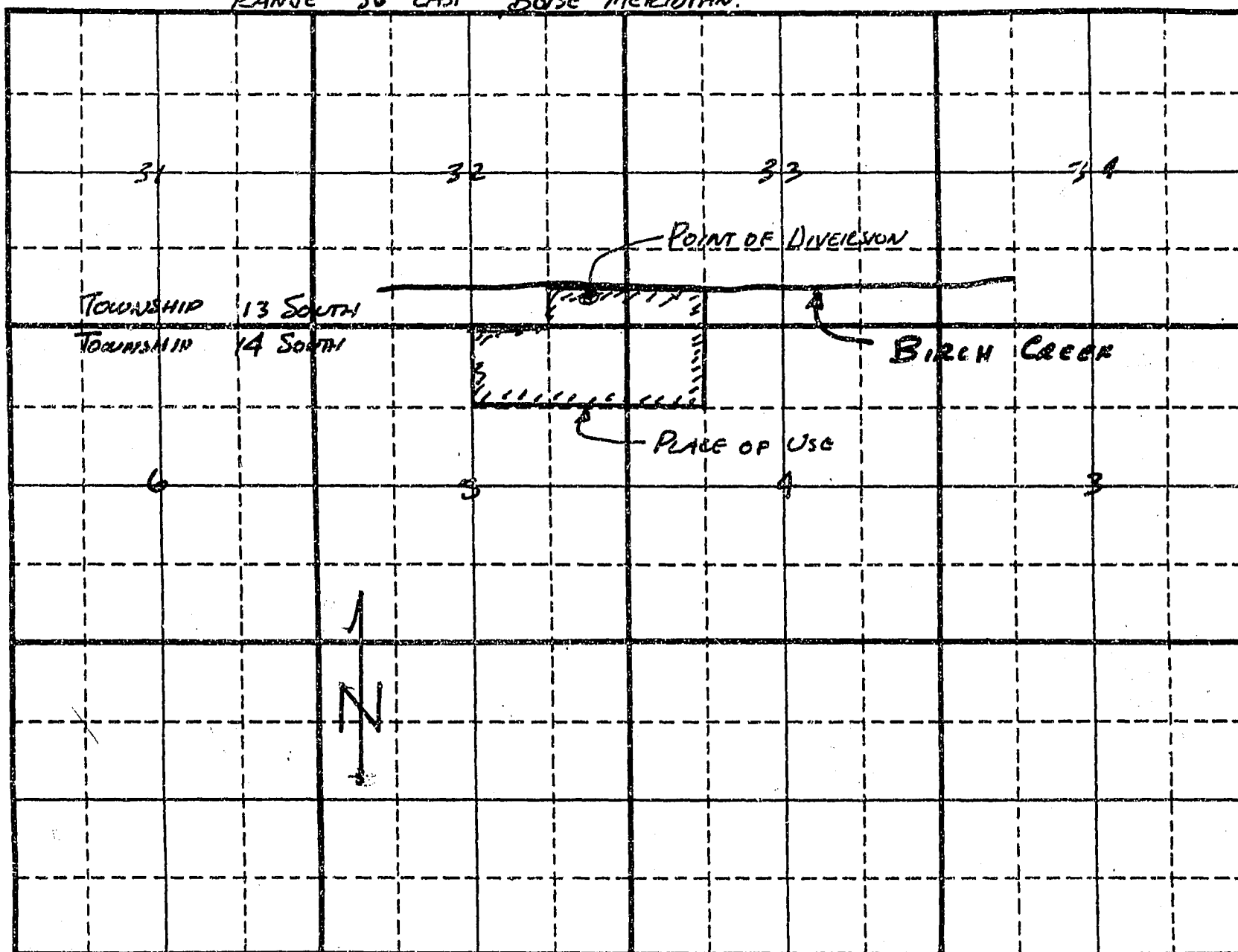
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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 _____

ONEIDA COUNTY, IDAHO
RANGE 36 EAST BOISE MERIDIAN.



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 Crocker) 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.

Wm F. Hill
(Claimant)

Sworn to before me this 9th day of Nov, 1981.

Karl H. Harker
Notary Public
Residing at Malad, Idaho

My commission expires May 9, 1985

FOR DEPARTMENT USE ONLY

Received by BKS Date 11-20-81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SM Date 10/1/81 claimant by: _____
\$20.00 fee received by OW Date 11-05-81
Published in Malad Enterprise # 19148
Dates 12/17 & 12/24/81

12 4030

November 16, 1981

Edward L. Scott
44 Main Street
Malad City, Idaho 83252

Dear Mr. Scott:

The Department has received and receipted the claim for William F. Hill. Enclosed is the receipt.#19148 for \$30.

Unfortunately Part 1 of the form is incomplete. The month and year of the priority date is required. Enclosed is another form which will need to be notarized and the month added.

When the form is complete please return it to this office as soon as possible.

If you have any questions, please feel free to contact me.

Sincerely,

STEVE McCORMICK, P.E.
Sr. Resource Analyst

SM:brs

EDWARD L. SCOTT
ATTORNEY AT LAW
44 MAIN STREET
MALAD CITY, IDAHO 83252
TELEPHONE 766-4000

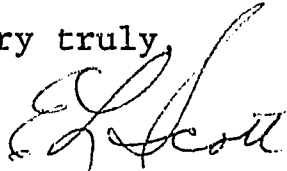
November 4, 1981

Idaho Department of Water Resources
150 Shoup Av.
Idaho Falls, Idaho

Gentlemen:

Please find enclosed the Claim to a Water Right
on behalf of William F. Hill, together with his check
for \$30 representing the filing fee.

Very truly,



E. L. Scott, Attorney

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the followins claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83402.

A. KENNETH DUNN
Director

Published 12/17 & 12/24/81.

15-4079

HILL, WILLIAM F.

P.O. BOX 11, DOWNEY, ID 83234

Source: BIRCH CREEK tributary to DEVIL CREEK

Priority Date: 04/01/1965

Amount: 1.00 CFS

Diversion Point: SESE Sec 32 T 13S R 36E, ONEIDA Co.

Use: IRRIGATION (1.00 CFS) from 09/15 to 11/01

Place of Use: SESE Sec 32 T 13S R 36E SWSW Sec 33 T 13S R 36E NENE NWNE
Sec 05 T 14S R 36E NNW Sec 04 T 14S R 36E FOR 160 ACRES

Diversion Means: CHECK GATE AND CATCH BASIN TO MAINLINE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 10, 1981

The Idaho Enterprise
P. O. Box 205
Malad City, Idaho 83252

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. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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 JANUARY 4, 1982.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steu McI.
Will Williams

Right Number 15-4079

Applicant 15 4079

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date Jan. 5, 1981

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 1/11/81

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
2E2E	32	13S	36E	--	--	2.0

IDAHO STREAM CODE INDEX

100-005-027-001-01-----

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

JANUARY 4, 1982

WILLIAM F. HILL
P.O. BOX 11
DOWNEY

ID 83234

RE: Claim No. 15-4079

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,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
JAN 08 1982

Department of Water Resources