

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, } S.S.
COUNTY OF BOISE }

_____, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning

with Aug. 24, 1972
and ending with the issue of
August 31
T. R. Adams, 1972

Subscribed and sworn to before
me this 19th day of September

1972
Robert J. Tuffield
Clerk District Court

Deputy

**NOTICE OF CLAIM TO
A WATER RIGHT
(No. 63-4167)**

Notice is hereby given that
CLYDE E. PRINCE, Box 164,
Idaho City, Idaho, has filed a
claim to a water right establish-
ed by diversion and application
to beneficial use of 0.02 cubic
feet per second of water from a
ground water source with point
of diversion in Lot 2 (NE 1/4 NW-
1/4), Sec. 34, T. 6N., R. 5E., B.
M., Boise County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic purposes with a pri-
ority of October 1, 1966; the
place of use is within the NE 1/4-
NW 1/4, Sec. 34, T. 6N., R. 5E.,
B.M.

Any exception to this water
right may be filed with the Ida-
ho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho 83707.

R. KEITH HIGGINSON
Director

Published in the Idaho World,
Idaho City, Idaho on August
24 and August 31, 1972.

63 4167

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 11, 1972

RE: CLAIM TO A WATER RIGHT NOS. 63-4167
63-4168

Clyde E. Prince
Box 164
Idaho City, Idaho 83631

Dear Mr. Prince:

The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims 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 claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, a copy of your claims. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosures

63 4167

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 18, 1972

RE: APPLICATION FOR PERMIT NO. 65-7297 Scenic Properties Homeowners Assoc., Inc.
CLAIM TO A WATER RIGHT NOS. 63-4167 Clyde E. Prince
63-4168 " " "

The Idaho World
Box 144
Idaho City, Idaho 83631

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. 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. 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 the same has been paid."

(signature of claimant)

Sincerely,

63 4167

Identification No. _____

Claim No. 63-4167

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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 CLYDE E. PRINCE
post office address Box 164, Idaho City, Idaho 83631

2. The point of diversion is in ^{Gov't Lt. 2} NE $\frac{1}{4}$ of X NW $\frac{1}{4}$ Section 34 Township 6N
Range 5E B.M. located on Groundwater
(name of source)
tributary to _____ in Boise 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:

Oct. 1, 1966 amount: 0.02 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ 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 Domestic period of use from 1/1 to 12/31 (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 _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pump ; depth of well is 64 feet; diameter of well is 6 inches; type of pump is _____
capacity of pump is 9 g.p.m.; name and address of well driller is Miles Young, Idaho City, Idaho ;

63 4167

- b. Do you get water through a ditch owned by several users? _____ 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 one 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 _____

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.

Sworn to before me this

15

day of

August

19 72

Claimant

Notary Public

Residing at

Boise Idaho

My commission expires

7/29/1975

Received by

Date

8/15/72

Exception filed by:

Forwarded to

Date

Prelim. check by

Date

8/15/72

Fee received by

Date

8/15/72

Fee \$10.00

Approved for publication by

KHK 8/17/72

Published in

Idaho World

Dates

8/29/72, 8/31/72

63 4167

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:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
	Total claimed:		1.2 c.f.s. or	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 Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

Identification No. _____

Claim No. 63-4167

Map No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

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 CLYDE E. PRINCE

post office address Box 164, Idaho City, Idaho 83631

2. The point of diversion is in Gov't Lt. 2 NE $\frac{1}{4}$ of X NW $\frac{1}{4}$ Section 34 Township 6N

Range 5E B.M. located on Groundwater

(name of source)

tributary to _____ in Boise 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:

Oct. 1, 1966 amount: 0.02 c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

Total claimed _____ 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 Domestic period of use from 1/1 to 12/31 (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 _____

_____ ; length is _____ feet; height is _____ feet;

width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pump ; depth of well is

64 feet; diameter of well is 6 inches; type of pump is _____

capacity of pump is 9 g.p.m.; name and address of well driller is Miles Young, Idaho

City, Idaho

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

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 _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

interests in the ditch are (if known) _____

Where water is used for domestic or municipal purposes give number of families served one
name of town supplied _____

1

County of Ada } ss.

Clyde E. Spruce
Clement

 Gary L. Page
 Notary Public
 Residing at _____
 Boise Idaho

My commission expires 7/29/1975

63 4167

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

_____, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper
once a week for two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning

with Aug 24, 1972
and ending with the issue of
Aug 31, 1972
T. R. Adams

Subscribed and sworn to before
me this 17th day of September

1972
Robert J. Taffall
Clerk District Court

Deputy

**NOTICE OF CLAIM TO
A WATER RIGHT
(No. 63-4167)**

Notice is hereby given that
CLYDE E. PRINCE, Box 164,
Idaho City, Idaho, has filed a
claim to a water right establish-
ed by diversion and application
to beneficial use of 0.02 cubic
feet per second of water from a
ground water source with point
of diversion in Lot 2 (NE $\frac{1}{4}$ NW-
 $\frac{1}{4}$), Sec. 34, T. 6N., R. 5E., B.
M., Boise County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic purposes with a pri-
ority of October 1, 1966; the
place of use is within the NE $\frac{1}{4}$ -
NW $\frac{1}{4}$, Sec. 34, T. 6N., R. 5E.,
B.M.

Any exception to this water
right may be filed with the Ida-
ho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho 83707.

R. KEITH HIGGINSON
Director

Published in the Idaho World,
Idaho City, Idaho on August
24 and August 31, 1972.



* O O B R E A K O O *



* O O B R E A K O O *

Western District Office

September 19, 1972

RE: CLAIM TO A WATER RIGHT NOS. 63-4167 Clyde E. Prince
63-4168 " " "

The Idaho World
Box 144
Idaho City, Idaho 83631

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on August 24, 1972, and August 31, 1972.

Your cooperation in this matter is greatly appreciated.

Sincerely,

GARY L. PAGE
W. R. Supervisor

GLP:mkp

63 4167

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 11, 1972

RE: CLAIM TO A WATER RIGHT NOS. 63-4167
63-4168

Clyde E. Prince
Box 164
Idaho City, Idaho 83631

Dear Mr. Prince:

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As you are aware, the filing of your claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, a copy of your claims. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:mkp

Enclosures

63-4167

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

August 18, 1972

RE: APPLICATION FOR PERMIT NO. 65-7297 Scenic Properties Homeowners Assoc., Inc.
CLAIM TO A WATER RIGHT NOS. 63-4167 Clyde E. Prince
63-4168 " " "

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"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 the same has been paid."

(signature of claimant)

Sincerely,

63 4167

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4167

Notice is hereby given that CLYDE E. PRINCE, Box 164, Idaho City, Idaho,

has filed a claim to a water right established by diversion and application
to beneficial use of 0.02 cubic feet per second ~~XXXXXXXXXX~~ of water
from a groundwater source

with the point of diversion in the ^{Lot 2} (NE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 34, T. 6 N., R. 5 E., B.M.,
Boise County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic pur-
poses

with a priority of Oct. 1, 1966;
the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34, T. 6 N., R. 5 E., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Idaho World, Idaho City, Idaho
on Aug. 24, 1972 and Aug. 31, 1972.

63 4167