No. 3527

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

I, Vicki Blackburn, 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 two (2) 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 January 14, 1971, and ending with the issue of January 21, 1971

Vicki Blackburn

Fee $ 7.13

Subscribed and sworn to before me this 6th day of February, 1971

Florence L. Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 1973

NOTICE OF CLAIM TO A WATER RIGHT
No. 65-4046

Notice is hereby given that Walker F. LaCrone, Route No. 2, New Plymouth, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.56 cubic feet per second of water from the Payette River with point of diversion in the SE¼SE¼, Sec. 33, T. 8N, R. 4W, B.M., Payette County.

The water is claimed to be used from April 15 to October 15 for irrigation with a priority of April 26, 1922; the place of use is within the NE¼SE¼, Sec. 33, T. 8N, R. 4W, B.M.

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

R. KEITH HIGGINSON,
Director

Published in the Independent-Enterprise, Payette, Idaho, on January 14 and January 21, 1971.

No. 3527 1-14-2tc

65 4046

Identification No. 1

Claim No. 65-4046

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 Walker F. LaCrone

   post office address Route 2, New Plymouth, Idaho

2. The point of diversion is in SE ¼ of SE ¼ Section 33 Township 8N

   Range 4W B.M. located on _____
   (name of source)

   tributary to Payette River in Payette 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:

   April 26, 1922 amount: .56 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 irrigation period of use from April 15 to October 15 (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; with at top is _____ feet, explain any increase in diversion capacity since structure was first buil, giving dates and estimated capacities if known _____

   _____

   _____

   _____

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

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

   capacity of pump is _____ g.p.m.; name and address of well driller is _____

   _____;

65 4046

65 4046

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

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 _____

d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____ period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

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 _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	4W	33													28				28

Total number of acres to be irrigated 28

Explain any significant increase in area irrigated since first use, give dates and acreages if known None

b. Do you get water through a ditch owned by several users? No 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 _____ 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
This claim is filed in connection with Permit No. 15493/65-2529 that has been cancelled for failure to submit proof of beneficial use due on May 10, 1923.

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 affiants knowledge.

Walter F. LaCrone
Claimant

Sworn to before me this 28th day of January, 1971.

Bonnie R Hewett
Notary Public

Residing at New Plymouth

My commission expires 4-14-1974

For Department Use Only

Received by [illegible] Date 12-29-70	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by [illegible] Date 12-29-70			
Fee received by [illegible] Date 12-29-70 Fee $10.00			
Approved for publication by [illegible]			
Published in Independent Enterprise Dates 1-14 & 1-21-71 dg			65 4046

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 Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is $10.00.

Form

Permit No. 15493

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of Payette } ss.

James R. Carpenter, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 15493, and that his postoffice address is New Plymouth, State of Idaho

Second: That the name of the stream from which said water is to be diverted is an unnamed stream a tributary of Payette River

Third: That the point of division of said water is SE¼ of the E½ of Section 33, Township 8 North, Range Four West of the Boise Meridian

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Nov. 10, 1922

Fifth: That the use for which said water is intended is Irrigation(And Domestic Purposes)

Sixth: That on or before the date above mentioned, the works constructed under said permit were (~~on~~) fully completed and consisted of the following:

I. Kind of works: Dam and ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 2 feet, length of dam at top 1½ feet, length of dam at bottom 1½ feet. Material used in construction Wood
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 2 feet, height 1 feet.

(d) Conduit ditch (State whether ditch, flume or pipe) width at bottom 1½ feet, width at water line 2 feet, depth of water 1 feet; diameter of pipe inches, average grade per mile is 5 feet. Length of conduit is 300 ~~#####~~ feet.

Seventh: That said works are capable of conducting to the place of intended use fifty-six hundredths (.56) second feet of water.

Eighth: That water appropriated under said permit is available for 28 acres of land described as follows: Part of the Northeast Quarter of the Southeast Quarter of Section Thirty-three, Township Eight North, Range Four, West of the Boise Meridian

Ninth: Remarks: That

65 4046

James R. Carpenter
(Sign here)

Subscribed and sworn to before me this 31st day of August, 1922

O. G. Day
Notary Public.

My commission expires July 6, 1925

15493

Notary Public residing at New Plymouth, Idaho.

No. 3527

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, } ss.
County of Payette }

I, Vicki Blackburn, 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 two (2) 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 January 14, 1971, and ending with the issue of January 21, 1971

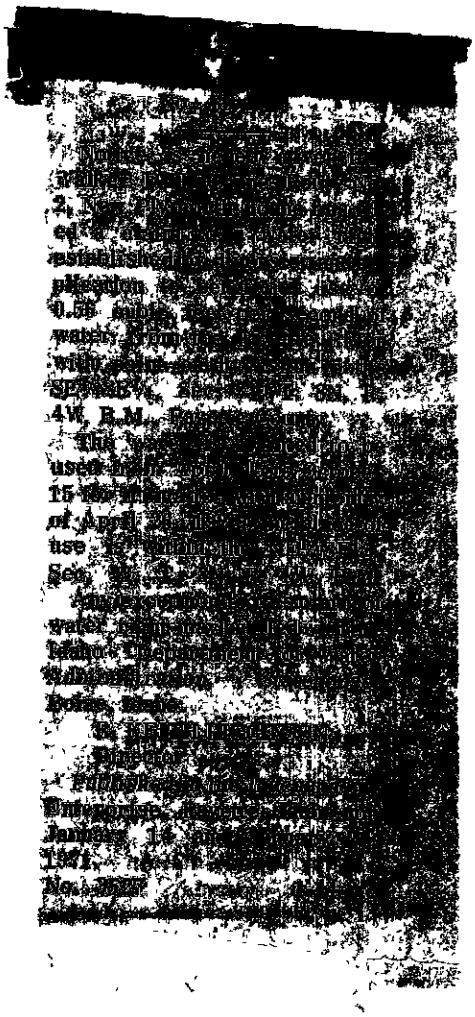
Vicki Blackburn

Fee $ 7.13

Subscribed and sworn to before me this 6th day of February, 1971

Florence L. Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 1973



65 4046

February 10, 1971

Re: Claim to a Water Right No. 65-4046

Mr. Walker F. LaCrone
Route 2
New Plymouth, Idaho 83655

Dear Mr. LaCrone:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

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.

If, at a later date, you find that you have additional information or evidence that you would like to have included in your claim file, you may add that information 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

65 4046

February 3, 1971

Re: Application No. 67-7051 - Lee Ramsey
Claim Number 65-4046 - Walker F. LaCrone

Independent Enterprise
Box 348
Payette, Idaho 83661

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. Claim 65-4046 was to have been published Jan. 14th and 21st, and Application 67-7051 was to have been published Jan. 7th and 14th.

If you have already forwarded the above requested items, please disregard this letter. We appreciate your cooperation in these matters.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

65 4046

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
Statehouse – Annex 2
Boise, Idaho 83707
(208) 384-2215

R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 25, 1971

Re: Claim No. 65-4046

Mr. Walker F. LaCrone
Route #2
New Plymouth, Idaho 83655

Dear Mr. LaCrone:

We are returning your claim to a water right, no. 65-4046, as we have been advised by the Idaho Attorney General's office that the claim form, as printed, is insufficient with which to comply with requirements of the Idaho Code. The Idaho Code requires your claim to be in a fidavit form, that is, a sworn statement. They have approved the label attachment which we are enclosing with your claim. Please affix the label on the top of the original notorization, have your signature re-notorized, and return your claim for processing.

We are sorry for any inconvenience this has caused you, but we feel that your water right is important enough that it must be properly recorded. Your assistance in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: claim no. 65-4046
label attachment

Bill submitted
2-10-71
dr

65 4046

NOTICE OF CLAIM TO A
WATER RIGHT
No. 65-4046

Notice is hereby given that Walker F. LaCrone, Route No. 2, New Plymouth, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.56 cubic feet per second of water from the Payette River with point of diversion in the SE¼SE¼, Sec. 33, T. 8N, R. 4W, B.M., Payette County.

The water is claimed to be used from April 15 to October 15 for irrigation with a priority of April 26, 1922; the place of use is within the NE¼SE¼, Sec. 33, T. 8N, R. 4W, B.M.

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

R. KEITH HIGGINSON,
Director

Published in the Independent-Enterprise, Payette, Idaho, on January 14 and January 21, 1971.

No. 3527 1-14-2tc

65 4046

January 5, 1971

Re: Claim No. 65-4046 - Walker F. LeCrone

Independent Enterprise
Box 348
Payette, Idaho 83661

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 our 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 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. 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)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

65 4046

NOTICE OF CLAIM TO A WATER RIGHT

No. 65-4046

Notice is hereby given that Walker F. LaCrone, Route #2, New Plymouth, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.56 cubic feet per second ~~Acre feet~~ of water from the Payette River with point of diversion in the SE¼SE¼, Sec. 33, T. 8N, R. 4W, B.M., Payette County.

The water is claimed to be used from April 15 to October 15 for irrigation with a priority of April 26, 1922; the place of use is within the NE¼SE¼, Sec. 33, T. 8N, R. 4W, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Independent Enterprise, Payette, Idaho on January 14 and January 21, 1971.

65 4046

December 29, 1970

Walker F. LaCrone
Route #2
New Plymouth,
Idaho 83655

Dear Mr. LaCrone:

Returned herewith is Departmental Receipt No. 5456 in the amount of $10.00 for Claim to Water Right Application, which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

65 4046