

**AFFIDAVIT
OF
PUBLICATION**

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

T. R. Adams, 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 April 16, 1970

and ending with the issue of
April 23, 1970
Fees \$..... T. R. Adams

Subscribed and sworn to before
me this 22 day of May

1970
Richard M. Hogan
Clerk District Court

Deputy

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 65-4036**

Notice is hereby given that
Bogus Basin Recreational Assn.,
Inc., 731 N. 15th St., Boise, Ida-
ho, has filed a claim to a water
right established by diversion
and application to beneficial
use of 0.30 cubic feet per sec nd
of water from Bogus Creek,
tributary to Harris Creek and

the Payette River with p int of
diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
16, T. 5N., R. 3E., B. M. Boise
County; the water is claimed
to be used from Nov. 1 to April
30 and May 1 to Oct. 31 for
domestic purposes with a pri-
ority of Dec., 1940 (.05), Dec.,
1955 (.15) and Dec., 1965 (.30);
the place of use is at the Bogus
Basin Ski Resort..

Any exception to this claim
of water right may be filed
with the Department of Recla-
mation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho World
Idaho City, Idaho, on April 16
and April 23, 1970

RECEIVED

MAY 25 1970

Department of Reclamation

**NOTICE OF CLAIM TO A
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No. 65-4036**

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the Payette River with point of
diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
16, T. 5N., R. 3E., B. M. Boise
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the place of use is at the Bogus
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Any exception to this claim
of water right may be filed
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mation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho World
Idaho City, Idaho, on April 16
and April 23, 1970

65-4036

Identification No. 65-4036

Claim No. _____

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 Bogus Basin Recreational Association, Inc.
post office address 731 North 15th St. - Boise, Idaho 83702

2. The point of diversion is in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 16 Township 5 N.
Range 3 E. B.M. located on Bogus Creek
(name of source)

tributary to Harris Creek & Payette River 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:

<u>December, 1940</u>	amount: <u>.05</u>	c.f.s. or	_____ acre feet
<u>December, 1955</u>	amount: <u>.15</u>	c.f.s. or	_____ acre feet
<u>December, 1965</u>	amount: <u>.30</u>	c.f.s. or	_____ acre feet
Total claimed <u>.30</u>		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 Nov. 1 to April 30 (both dates inclusive)
use Domestic period of use from May 1 to Oct. 31 (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 Earth
_____ ; length is 28 feet; height is 5 feet;
width at bottom is 18 feet; with at top is 8 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 _____ ; 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 _____
_____ ;

65-4036

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_____

[illegible]

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

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 Bogus Basin Ski Resort

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 The water is used at the Bogus Basin Ski Resort, supplying
6,000 to 8,000 weekly visitors and 10 employees during winter months.
Supply is to 10 overnight and up to 50 daily employees during summer
months. The major use has been the winter usage.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
This Ski Resort was first started in 1940. Usage was light, increasing
greatly in 1942 and 1943. Since 1943 the growth of the area has been
rapid.

Present use of the area is as a day area with about 10 overnight employees
but plans are to construct 100 condominiums for overnight use. Weekly
visitors will also increase to 10,000.

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.

Bogus Basin Recreational Assoc., Inc.
By Frank W. Dobson, M.D.
Claimant President

Sworn to before me this 18th day of March, 1970.

Reginald E. Bergquist
Notary Public

Residing at Boise, Idaho

My commission expires August 25, 1973

For Department Use Only

Received by <u>[Signature]</u>	Date <u>3-30-70</u>	Exception filed by.	Forwarded to	Date
Prelim. check by <u>PNC</u>	Date <u>3/30/70</u>	<u>Benjamin Freeman</u>	<u>dr</u>	<u>6-8-70</u>
Fee received by <u>[Signature]</u>	Date <u>3-30-70</u> Fee <u>\$10.00</u>	<u>Dobson</u>		
Approved for publication by <u>[Signature]</u>				
Published in <u>Idaho World</u>	Dates <u>4-16+23-70</u>			

65-4036

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:	<u>May 18, 1871</u>	amount:	<u>0.8</u> c.f.s. or	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	<u> </u> acre feet
		Total claimed:	<u>1.2</u> c.f.s. or	<u> </u> 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.

RECEIVED

MAY 12 1970

Department of Reclamation

TO: R. Keith Higginson, State Reclamation Engineer

I, Benjamin Freeman Dobson, holder of water rights established by diversion and use under the constitution of the State of Idaho being the waters of Shaefer Creek as referenced by Claim no. 65-4015, state that there is constantly less water available as each year passes due to the fact that the appropriators with priorities junior to mine are attempting to take waters needed by my prior appropriation. I, therefore, submit this exception to Claim no. 65-4036.


Benjamin Freeman Dobson

65-4036

**AFFIDAVIT
OF
PUBLICATION**

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

T. R. Adams, 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 April 16, 1970
and ending with the issue of

April 23, 1970
Fees \$..... T. R. Adams

Subscribed and sworn to before
me this 22 day of May,

1970
Deputy
Clerk District Court

Deputy

NOTICE OF DIVERSION OF A

Notice is hereby given that
Bogus Basin Recreational Assoc.
Inc., 731 N. 15th St., Boise, Ida-
ho, has filed a claim for a water
right established by diversion
and application to beneficial
use of 0.30 cubic feet per second
of water from Bogus Creek,
tributary to Harris Creek and

the Payette River with point of
diversion in the Boise River, Sec.
16, T. 5 N., R. 10 E., Boise
County, Idaho, to be claimed
to be used from Nov. 1 to April
30 and May 1 to Oct. 31 for
domestic purposes with a pre-
cedence of Dec., 1948 (.05), Dec.,
1955 (.15) and Dec., 1965 (.30);
the place of use is at the Bogus
Basin Ski Resort.

Any exception to this claim
of water right may be filed
with the Department of Recla-
mation.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho World
Idaho City, Idaho, on April 16
and April 23, 1970

RECEIVED

MAY 25 1970

Department of Reclamation

Notice
Bogus Basin
Inc., 731 N. 15th St.,
Boise, Idaho, has filed a
claim for a water right
established by diversion
and application to beneficial
use of 0.30 cubic feet per
second of water from Bogus
Creek, tributary to Harris
Creek and the Payette River
with point of diversion in
the Boise River, Sec. 16,
T. 5 N., R. 10 E., Boise
County, Idaho, to be claimed
to be used from Nov. 1 to
April 30 and May 1 to Oct.
31 for domestic purposes
with a precedence of Dec.,
1948 (.05), Dec., 1955
(.15) and Dec., 1965 (.30);
the place of use is at the
Bogus Basin Ski Resort.
Any exception to this claim
of water right may be filed
with the Department of Re-
clamation.
R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Idaho World
Idaho City, Idaho, on April 16
and April 23, 1970

65-4036

RECEIVED

MAY 18 1973

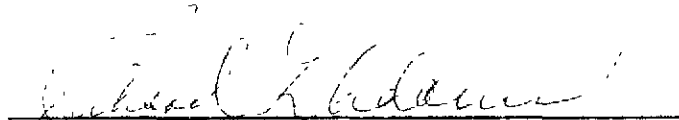
Department of Water Administration

Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83702

Re: CLAIM OF WATER RIGHT NO. 65-4036
BOGUS BASIN RECREATIONAL ASSOCIATION,
INC.

Gentlemen:

In accordance with the provisions of that certain Agreement for Sale of Water Rights entered into on the 22nd day of September, 1972, by and between Benjamin Freeman Dobson and Mary Jane Dobson, Bogus Basin Recreational Association, Inc., and Richard L. Adams and Roberta Adams, a copy of which Agreement has been filed with the Department and to which reference is hereby made, I hereby withdraw the Affidavit of Exceptions to the above claim filed by me with the Department on or about the 18th day of October, 1971.


Richard L. Adams

65-4036

RECEIVED

MAY 18 1970

Department of Water Administration

Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83702

Re: CLAIM OF WATER RIGHT NO. 65-4036 -
BOGUS BASIN RECREATIONAL ASSOC-
IATION, INC.

Gentlemen:

In accordance with the provisions of that certain Agreement for Sale of Water Rights entered into on the 22nd day of September, 1972, by and between Benjamin Freeman Dobson and Mary Jane Dobson, Bogus Basin Recreational Association, Inc., and Richard L. Adams and Roberta Adams, a copy of which Agreement has been filed with the Department and to which reference is hereby made, I hereby withdraw the protest and exceptions to the above claim filed by me with the Department on May 12, 1970.


Benjamin F. Dobson

65-4036

March 22, 1972

Re: Claim Nos. 65-4015 & 65-4036 ✓
Application Nos. 65-7117, 65-7128 & 65-7159

Anderson & Kelly
6700 Emerald
Boise, Idaho

Gentlemen:

Pursuant to your request, please find enclosed copies of the above referenced applications and claims. The fee for these copies is \$3.60.

If we may be of further assistance, do not hesitate to contact us.

Very truly yours,

Y
Lorian Clay
Appropriation Examiner

LC/BL

Enclosures

Rec'd # 8273

65-4036

March 22, 1972

Re: Claim Nos. 65-4015 & 65-4036
Application Nos. 65-7117, 65-7128 & 65-7159

Anderson & Kelly
6700 Emerald
Boise, Idaho

Gentlemen:

Pursuant to your request, please find enclosed copies of the above referenced applications and claims. The fee for these copies is \$5.60.

If we may be of further assistance, do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/BL

Enclosures

65-4036

DALE CLEMONS
C STANLEY SKILES (1909-1967)
[REDACTED]
DAVID R SAMUELSEN
MAX A. EIDEN, JR
RANDALL C FREDRICKS

CLEMONS, SKILES & GREEN
COUNSELLORS AND ATTORNEYS AT LAW
1110 BANK OF IDAHO BUILDING
BOISE, IDAHO 83702

TELEPHONE
344-7811
AREA CODE 208

October 19, 1971

RECEIVED

OCT 21 1971

Department of Water Administration

Department of Water Administration
State of Idaho
614 State Street
Boise, Idaho

BDF

File 65-4036

Attention: Mr. Robert Fleenor

Re: Applications Nos. 65-7116 and 65-7117 of
Richard L. Adams
Applications Nos. 65-7128 and 65-7159 of
Bogus Basin Recreational Association, Inc.

Gentlemen:

I enclose for filing in the above-captioned
matter the Affidavit of Exception of Richard L. Adams.

Very truly yours,


Randall C. Fredricks

mb
Enclosure

65-4036

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

In the Matter of the Application for)
PERMIT NO. 65-7159 in the name of) AFFIDAVIT OF
BOGUS BASIN RECREATIONAL ASSOCIATION, INC.) EXCEPTION

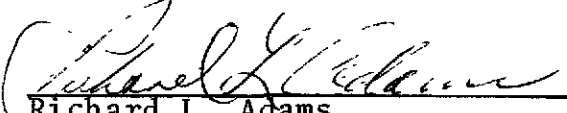
STATE OF IDAHO)
County of Ada) ss.

COMES NOW, RICHARD L. ADAMS, who, first being duly sworn, deposes and says:

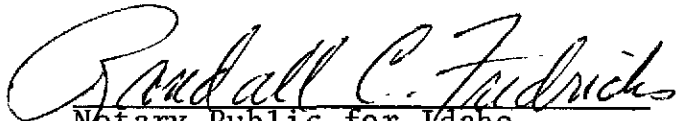
That prior hereto Bogus Basin Recreational Association, Inc., an Idaho nonprofit corporation, filed a claim of water right on Bogus Creek located in Boise County, Idaho, under Claim No. 65-4036. That your affiant has heretofore filed a petition for Permit No. 65-7117 to appropriate waters of said Bogus Creek and, accordingly, excepts to said claim as the extent of water claimed by Bogus Basin Recreational Association, Inc., may have an adverse effect and conflict with the application for permit referred to above. That according to said claim, Bogus Basin Recreational Association, Inc., is claiming .3 cubic foot of water per second as being the amount of water used in the past and actually necessary for a beneficial use.

That said amount claimed by Bogus Basin Recreational Association, Inc., for use in its ski area is, so far as affiant can determine, far in excess of actual water used in the past,

in that said facilities owned and operated by Bogus Basin Recreational Association, Inc., has no overnight accommodations and is purely a daytime and evening ski facility with a lodge in conjunction therewith, also which has no overnight accommodation. Further, that the greatest use of water by Bogus Basin Recreational Association, Inc., would be on the weekends during the ski season, which drops considerably during the weekdays, but that, even at the height or peak of the water usage, the amount so claimed is far in excess of water actually used.


Richard L. Adams

SUBSCRIBED AND SWORN TO before me this 18th day
of ~~July~~ ^{October}, 1971.


Notary Public for Idaho
Residence: Boise, Idaho

I HEREBY CERTIFY that a true and correct copy of the foregoing Affidavit of Exception was mailed, postpaid, to the following attorneys on the 18th day of ~~July~~ ^{October}, 1971.

Kenneth G. Bergquist
Attorney for Bogus Basin
Recreational Association, Inc.
Eastman Building
Boise, Idaho

William F. Ringert
Anderson, Kaufman, Anderson & Ringert
Attorneys for Benjamin Freeman Dobson
Idaho Building
Boise, Idaho


Randall C. Fredricks
Clemons, Skiles & Green
Attorneys for Richard L. Adams

June 8, 1970

Re: Claim to a Water Right No. 65-4036

Bogus Basin Recreational Assn., Inc.
731 North 15th Street
Boise, Idaho 83702

Gentlemen:

Enclosed please find a copy of an exception filed by Benjamin Freeman Dobson in connection with the above referenced claim under the provisions of Chapter 2, Section 42-225b of the Idaho Code, which states the following:

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of reclamation. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for final censorship or conformation of the described rights.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Copy of exception

65-4036

June 8, 1970

Re: Claim to a Water Right No. 65-4036
Bogus Basin Recreational Assn., Inc.

Mr. Benjamin Freeman Dobson
Box 125
Horseshoe Bend, Idaho 83836

Dear Mr. Dobson:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b, Idaho Code):

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of reclamation. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

65-4036

May 26, 1970

Re: Claim to a Water Right No. 65-4036

C
Bogus Basin Recreational Association, Inc.
% Mr. Kenneth G. Bergquist
731 North 15th Street
Boise, Idaho 83702

O
Gentlemen:

The Department of Reclamation 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.

P
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.

Y
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

Enclosures: Copy of claim
Receipt No. 4378

65-4036

DON SAMUELSON
GOVERNOR



R KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

May 19, 1970

Idaho World
Idaho City
Idaho 83631

Gentlemen:

In reviewing our files, we find that we have never received affidavits of publication or certified bills in connection with the following:

Published April 16 and April 23, 1970

65-4034 - William T. and Vesta J. Hancey
65-4036 - Bogus Basin Recreational Assn., Inc.
63-7318 - Harvey Barnett
65-7125 - Garden Valley Ranch
65-7127 - William B. Jewell &/or James M. Thielges

Published April 23 and April 30, 1970

63-7322 - Earl A. Olson &/or Albert Tillet
63-7323 - Earl A. Olson &/or Albert Tillet

Published April 30 and May 7, 1970

65-7128 - Bogus Basin Recreational Assn., Inc.

As the Department cannot complete the processing of the above until we are in receipt of the affidavits of publication and certified bills, it is very important that we receive them as soon after the last date of publication as possible.

Your immediate attention to this matter would be most appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

65-4036

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

May 5, 1970

Re: Claim to a Water Right No. 65-4034 - William T. & Vesta J. Haney
" " " " " " 65-4036 - Bogus Basin Recreational Assn., Inc.
Application for Permit No. 63-7318 - Harvey Barnett
" " " " " 65-7125 - Garden Valley Ranch
" " " " " 65-7127 - William B. Jewell &/or James M. Thielges

Idaho World
Idaho City
Idaho 83631

Gentlemen:

Would you please submit an affidavit of publication and a certified bill in connection with the above referenced item(s). The legal notice was to be published in your paper on April 16 and April 23, 1970.

As the above permit application cannot be approved until we are in receipt of the affidavit, it is important that we receive it as soon as possible.

May we please have your prompt attention to this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

65-4036

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

April 8, 1970

Re: Claim to a Water Right No. 65-4034 and 65-4036
Application for Permit No. 63-7318, 65-7125 and 65-7127

Idaho World
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 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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Legal notices (5)

*Bill submitted
5-25-70
DW*

65-4036

NOTICE OF CLAIM TO A WATER RIGHT

No. 65-4036

Notice is hereby given that Bogus Basin Recreational Assn., Inc.,
731 N. 15th St., Boise, Idaho, has filed a claim to a water right
established by diversion and application to beneficial use of 0.30
cubic feet per second ~~about~~ 1 cfs of water from Bogus Creek, tributary to Harris
Creek and the Payette River with point of diversion in the SE¹/₄ SE¹/₄
Sec. 16, T. 5N, R. 3E, B.M., Boise County; the water is
claimed to be used from Nov. 1 to April 30 and May 1 to Oct. 31 for
domestic purposes with a priority of Dec., 1940 (.05),
Dec., 1955 (.15) and Dec., 1965 (/·³⁰); the place of use is within the
at the Bogus Basin Ski Resort

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho World, Idaho City, Idaho.
on April 16 and April 23, 1970.

K.H.

65-4036

KENNETH G BERGQUIST

ATTORNEY AT LAW
POST OFFICE BOX 1775
BOISE, IDAHO 83701

314 EASTMAN BUILDING
TELEPHONE (208) 343-4889

March 30, 1970

Mr. Keith Higginson
Idaho Department of
Reclamation
Statehouse
Boise, Idaho 83702

Re: Bogus Basin Recreational Association, Inc.,
Claim of Water Right

Dear Mr. Higginson:

Transmitted herewith for filing on behalf of Bogus Basin
Recreational Association, Inc., is a Claim of Water Right
to water from Bogus Creek. Enclosed is my check for the
filing fee in the amount of \$10.00.

Very truly yours,


KENNETH G. BERGQUIST

KGB/cw
Encl,

cc: Bogus Basin Recreational Association, Inc.,
Hoffmann & Fiske

45-4036