

**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

RECEIVED

MAY 25 1970

Department of Reclamation

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 65-4034

Notice is hereby given that
William T. and Vesta J. Haney,
1824 Overland Road, Boise, Ida-
ho, have filed a claim to a
water right establishel by di-
version and application to bene-
ficial use of 0.01 cubic feet per
second of water from an unnam-
ed Spring, tributary to Middle
Fork Payette River with point
of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Section 13, T. 10N., R. 4E., B.
M., Boise County; the water is
claimed to be used from January
1 to December 31 for domestic
purposes with a priority of
Sept. 1, 1966; the place of use
is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec.
13, T. 10N., R. 4E., B.M.

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

31 - 7.13

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65-4034

Identification No. _____

Claim No. 65-4034

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 William T. and Vesta J. Haney
post office address 1824 Overland Rd. Boise, Idaho 83705

2. The point of diversion is in S. E. 1/4 of S. W. 1/4 Section 13 Township 10 North
Range 4 East B.M. located on Unnamed Spring
(name of source)
tributary to Middle Fork, 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:

Sept. 1, 1966 amount: 0.01 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.01 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 Jan 1 to Dec. 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 Concrete & Steel
Diversion Structure; 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 built, giving dates and estimated capacities if known 30" Pipe stood on end over spring and covered to prevent contamination.

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 _____

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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? _____ 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 5 Families 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
Water is used for five families at year around recreation homes.
Water is diverted from a spring on the property owned by Theodore
F. Roark, Located to the east of my property. Water is diverted
by means of a 55 Gallon Glass Lined drum into a 3/4" Plastic P V C
pipeline, then to a 1,200 Gallon Concrete Storage Tank, from which
water is pumped or diverted to households.

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

25

day of

MARCH

, 1970

Claimant

Notary Public

Residing at

BOISE, IDAHO

My commission expires

Oct 25, 1970

For Department Use Only

Received by <u>WJ</u>	Date <u>3-25-70</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>NW</u>	Date <u>4-6-70</u>			
Fee received by <u>WJ</u>	Date <u>3-25-70</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>NW</u>				
Published in <u>Ada. World</u>	Dates <u>4-16+23-70</u>			

65-4034

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

F. H. Estes Co.
Industrial Insulations

161 WISE WAY
BOISE, IDAHO 83706
PHONE 343-5553

March 24, 1970

To whom it may concern,

In September 1966, I assisted in the developing of a spring and the laying of pipe to the William Haney property. Said property located north of Crouch, near Lightning Creek, Boise County, Idaho.

F. H. ESTES CO., INC.

Freeman H. Estes

Freeman H. Estes, President

FHE:mh

65-4034

March 20th, 1970

To Whom It May Concern:

On or about September 1, 1966, I assisted William T. Haney in the installation of a Plastic Pipeline from a spring, located east of property owned by him on the Middle Fork of the Payette River in Boise County, to a Concrete Storage Tank on his property.

D. W. Fordrich

1722 Allumbaugh St.
Boise, Idaho.

65-4034

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

T. R. Adams, being
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That he is the manager and prin-
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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

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Any exception to this claim
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with the Department of Recla-
mation.

R. KETHE HIGGINSON
State Reclamation Engineer
Published in the Idaho Statesman
Idaho City, Idaho, on April 16
and April 23, 1970 31 - 7.11

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65-4034

May 26, 1970

Re: Claim to a Water Right No. 65-4034

William T. and Vesta J. Haney
1824 Overland Road
Boise, Idaho 83705

Dear William & Vesta Haney:

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.

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

65-4134

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. Haney
- 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

65-4034

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

65-4034

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINS
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*

65-4034

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R. KEITH HIGGINSON
State Reclamation Engineer

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

KH

65-4034