

[illegible]

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Al Bane
(Applicant)

63 7438

RECEIVED

JUN 11 1971

Department of Water Administration

STATE OF IDAHO,)
COUNTY OF ADA) ss.

Georgene Davis

, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho

Statesman for Two weekly/ consecutive insertions, beginning with the issue of June 3, 1971, and ending with the issue of June 10, 1971.

Georgene Davis

Subscribed and sworn to before me this 10th

day of June, 19 71.

Jana A. Young

Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF APPLICATION
FOR WATER PERMIT
Notice is hereby given that J.C. Bane, 2909 Hazel, Boise, Idaho, has on May 20, 1971, submitted Application No. 63-7438 for a permit to appropriate 0.02 cubic feet per second of water from a ground water source by means of well and pump within the SE 1/4 SW 1/4 Sec. 33, T. 4N, R. 2E, B.M., Ada County, to be used from April 1 to Oct. 15 for the irrigation of 21 acres within the SE 1/4 SW 1/4 Sec. 33, T. 4N, R. 2E, B.M.
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before June 21, 1971.
R. KEITH HIGGINSON
Director
Pub. June 3, 10, 1971.

63 7438

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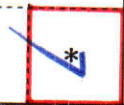


Diagram of System

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 63-7438 Priority May 20, 1971 Amount 0.02 cfs

THIS IS TO CERTIFY, that J. C. BANE
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 63-7438 issued pursuant to Application for Permit dated May 20, 1971,
and has submitted proof to the Department of Water Administration on June 14, 1972,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.02 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.02 cfs for Irrigation from April 1 to Oct. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, Twp. 4 N, Rge. 2 E, B.M.

in the county of Ada; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 0.8 acre feet per year or _____
4.5 acre feet per acre.

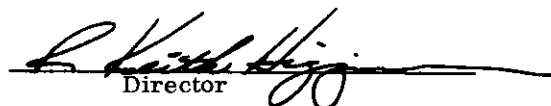
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	2 E	33												.21					0.21

Total number of acres irrigated 0.21

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6TH day of
March, 19 73.


Director

63 7438

LICENSE ISSUED FOR 0.02 SEC. FT.
LICENSE PAGE NO. _____

Identification No. 63-7439
Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant J. C. Bane
post office address 2909 Hazel, Boise, Idaho
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 33 Township 4N
Range 2E B.M. Ada County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .02 for Irrigation purpose from April 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well, pump and electric motor

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 6" inches; proposed depth of well is 40 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 150.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

63 7439

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
4N	2E	33												.21					.21 acre

Total number of acres to be irrigated .21 acre

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion Self

b. Who owns the land to be irrigated or place of use Self

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

[illegible]

Robert Bane
(Applicant)

63 7439

Received by VH Date 5-20-71 Time 10:00
 Preliminary check by Dee Fee \$ 10.00 test #6460
 Receipted by VH Date 5-20-71
 Publication prepared by CR Date 5-27-71
 Published in Idaho Statesman
 Publication dates 6-3 and 6-10-71
 Publication approved ds Date 6-16-71
 Priority reduced to _____ Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by 2 JEN

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

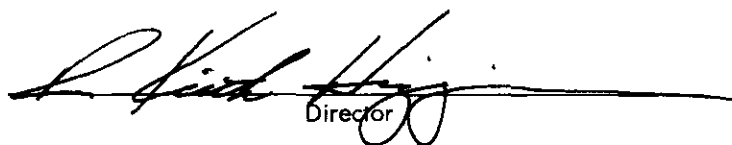
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7438, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before August 1, 19 72.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 13th day of July, 1971.


 Director

RECEIVED

JUN 11 1971

Department of Water Administration

STATE OF IDAHO,) ss.
COUNTY OF ADA)

Georgene Davis

, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho

Statesman for Two weekly/ consecutive insertions, beginning with the issue of June 3, 1971, and ending with the issue of June 10, 1971.

Georgene Davis

Subscribed and sworn to before me this 10th day of June, 19 71.

Jana A. Young
Notary Public for Idaho, Residing at Boise, Idaho

63 7438

WATER RIGHT NUMBER 63-7438 ✓

OWNER LAST NAME - BANE

FIRST NAME - J. C.

ORIG OWNER -

ADDRESS LINE 1 - 2909 HAZEL ✓

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83703 ✓

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 05-20-1971 COUNTY - ADA

TOTAL DIV. RATE - .0200 -CFS

TOTAL DIV. VOLUME -

.80 AFA TRFR/AMEND -

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESW 33 04N 02E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 10-15 USE - IRRIGATION

USE DIV. RATE -

.0200 CFS USE DIV. VOLUME -

.80 AFA

USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 02E SEC 33 TRACT SESW LOT AC 01

DECREE NAME -

DATE -

TOTAL ACRES 1

REMARKS - AC. IRR.=.21.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

IDENT. NO. 637438

WATER RIGHT DATA ENTRY LOG

[illegible]

March 8, 1973

Re: Permit No.

63-7438

Mr. J. C. Bane
2909 Hazel
Boise, Idaho

Dear Mr. Bane:

Enclosed is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: Copy of license

63 7438

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder J. C. Bane
Post office address 2909 Hazel, Boise, Idaho Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 0.02 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from April 1 to Oct. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. 63-7438
Examination for b/u

4. Total amount to be appropriated:

Max Rate of Diversion 0.02 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 4 N N/S, Range 2 E E/W, B.M., Section 33, Subdivision SE $\frac{1}{4}$ SW $\frac{1}{4}$, Ada County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Other Points of Diversions: _____

Description of diverting works: pump & motor, well

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4N	2E	33												.21					0.21

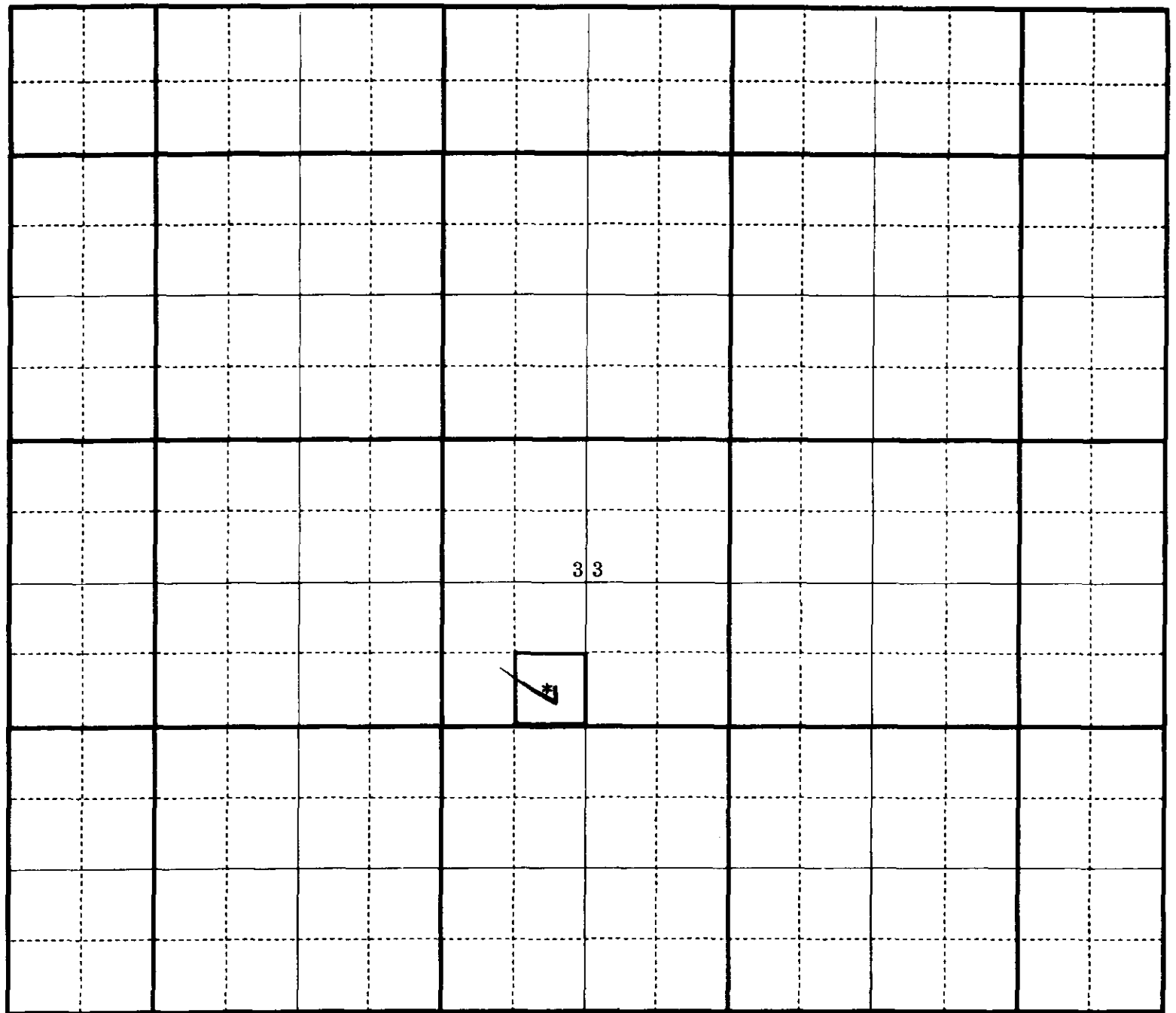


Diagram of System

DATE OF EXAM 21 June 72

ACREAGE
Found .021 Acres
Recommended .21

Irrigation Requirement 4.5 Ac Ft/Ac 1.0

USE
Irrigation Q = .02 c.f.s. V = 9 AF/Ann. from Mar 15 to Nov 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: Groundwater
twp. 4 N/S, Rge 2 E/W, B.M., Sec. 33, Sub. SE 1/4 SW 1/4 Ada County

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured .02 Method of measurement Estimate

Total Q recommended .02 Meter No. _____ Type _____ Condition _____

Total V recommended 9 0.8 1.0

Recommended Amendments:

P.D. _____
Place of Use _____
Other None

MEASUREMENT CALCULATION:

$$Q = .02$$
$$V = (.21 \times 4.5) = .945 \rightarrow 0.21 (4.5) \frac{1.97 \text{ days}}{2.45 \text{ days}} = 0.76 \rightarrow 0.8$$

SYSTEM DESCRIPTION:

3/4 HP Wasco Motor 3450 RPM 220 Volts
1 1/2" intake 1" discharge 6" well 21' of casing

REMARKS:

Irrigates Garden only

Examiner's Signature Ann Parker Date 22 June 72
Checked by _____ Date _____
Approved by _____ Date _____

June 16, 1972

Re: Permit No. 63-7438

Mr. J. C. Bane
2909 Hazel
Boise, Idaho

Dear Mr. Bane:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

bc: Western District Office
Enc: Field exam report

63 7438

Identification No. 63-7438
RE Permit No. 63-7438

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder John Clayton Bane
b) Post Office Address 2909 Hazel St Boise
2. Permit Number 63-7438
3. Date of Priority that you are prepared to establish June 1-1971
4. a) Source from which water was appropriated underground water table subterranean
b) Location of the point of diversion: SE 1/4 SW 1/4, Section 33
Township 4N, Range 2E, Boise Meridian, Other points of diversion: Ada Co Boise Idaho
5. a) The amount of water and use to which the water has been applied:
amount .02 for Irrigation purposes from Apr 1 to Oct 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Larusa intake 1 1/4 discharge = 1" 3/4 Horse motor bin casing 20 feet
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed Boise River Drilling water wells Warren Brewer, 2917 Malheur Boise Idaho Completed June 3-1971

Exam typed 6-16-72 by lv

63 7438

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use X

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: 2 1/100 of an acre

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
4N	2E	33																	2 1/100 A

Total number of acres irrigated 2 1/100

10. Remarks:

If necessary, I can measure in gallons

The above information is a true statement of the extent to which the above numbered permit has been developed.

June 2-1972
(Date)

John Delayton Bane
(Signature)

State of IDAHO)
County of ADA) ss.

On this 13th day of June, 19 72, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.

[Signature]
Notary Public residing at Boise, Idaho
My Commission expires April 19, 1974

My commission expires April 19, 1974

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐

Show to whom, date and address
where delivered

☐

Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

23629

①

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

②

DATE DELIVERED

JUN 2 1972

③

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

63 7438

63-7438

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

RETURN
TO

PS Form 3811 Nov. 1970 655-16-81277-1

C3 7438

June 1, 1972

CERTIFIED MAIL

#23629

Re: Permit No. 63-7438

J. C. Bane
2909 Hazel
Boise, Idaho

Dear Mr. Bane:

One of the conditions of approval of your water Permit No. 63-7438 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before August 1, 1972. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit
dr

63 7438

July 14, 1971

Re: Permit No. 63-7438 - J. C. Bane

J. C. Bane
2909 Hazel
Boise, Idaho

Dear Mr. Bane:

Enclosed is a copy of your approved Application for Permit No. 63-7438. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures

63 7438

May 27, 1971

Re: Applications No. 63-7432	Claims No. 63-4097
63-7433	63-4102
63-7436	63-4103
63-7438	63-4105
63-7439	
63-7440	
63-7441	
63-7442	

Idaho Statesman
Box 2640
Boise, Idaho 83701

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 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. McElowney
Appropriation Supervisor

DWM:DR
Enc: Legal notices (12)

Bill submitted 6-16-71 By de

63 7438

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that J. C. Bane, 2909 Hazel, Boise, Idaho,

has on May 20, 1971, submitted Application No. 63-7438
for a permit to appropriate 0.02 cubic feet per second ~~acre feet per annum~~
of water from a ~~gax~~ ground water source
by means of well and pump
within the SE~~1~~SW~~1~~ Sec. 33, T. 4N, R. 2E, B.M., Ada County,

to be used from April 1 to Oct. 15
the irrigation of .21 acres
for _____

within the SE~~1~~SW~~1~~ Sec. 33, T. 4N, R. 2E, B1M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before June 21, 1971.

R. KEITH HIGGINSON
Director

Published in the Idaho Statesman, Boise, Idaho,

on June 3 and June 10, 1971

63 7438