

Twp. 4N.
Rq. 2E3M

17
00

P. D. + Place face

Mrs. Scott Baird
(Applicant)

62.7209

RECEIVED

MAY 7 1969

Department of Reclamation

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis, being duly sworn,

deposes and says: That she is the Principal Clerk of The Idaho Daily 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 Daily Statesman for

Two consecutive weekly insertions, beginning with the

issue of April 17, 19 69, and ending with the

issue of April 24, 19 69.

Georgene Davis

Subscribed and sworn to before me this 30th day of

April, 19 69.

Jona A Young

Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF
APPLICATION FOR WATER
Notice is hereby given that Scott Baird, 5624 Hill Road, Boise, Idaho, has on April 2, 1969, applied for permit under application No. 63-7209 to divert 0.04 cubic feet per second of water from a ground water source. Water will be diverted by a well, pump and motor within the NE 1/4 Sec. 17, T. 4 N., R. 2 E., B. M., Ada County and is to be used from January 1 to December 31 for domestic and stockwater in the NE 1/4 NW 1/4 SE 1/4 Sec. 17, T. 4 N., R. 2 E., B. M.
Any protest against this application must be filed with the Department of Reclamation within Ten days from the last date of publication of this notice.
R. KEITH HIGGINSON
State Reclamation Engineer
Pub. April 17, 24, 1969

63-7209

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7209 Priority April 2, 1969 Amount 0.04 cfs

THIS IS TO CERTIFY, that SCOTT BAIRD

of Boise, Idaho, has complied with the terms and conditions of Permit No. 63-7209 issued pursuant to Application for Permit dated April 2, 1969, and has submitted proof to the Department of Water Resources on October 29, 1974, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.04 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>1.2</u> acre feet
Stockwater	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.02</u> cfs and	<u>0.2</u> acre feet
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1.4 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points) of Sec. 17, Twp. 4 N, Rge. 2 E, B. M. in the County of Ada

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	17									X					X			

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 25 day of April, 19 75.

Director

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE)
DATE IN CONNECTION WITH PERMIT NO. 63-7209)
in the name of SCOTT BAIRD)

ORDER

WHEREAS, on April 2, 1969, Scott Baird applied to the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate .04 cfs of water from a groundwater source with two points of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, Twp. 4N, Rge. 2E, B.M., Ada County, to be used for domestic and stockwater purposes; and,

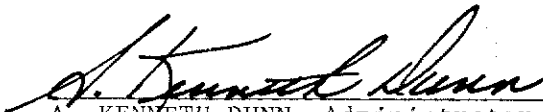
WHEREAS, on September 25, 1969, the Department approved said application and issued Permit No. 63-7209 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before September 1, 1974; and,

WHEREAS, on September 3, 1974, the Department received a request for an extension of time for said permit; and,

WHEREAS, it appears that under the circumstances the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 63-7209 be extended to December 1, 1974.

Dated this 4th day of September, 1974.


A. KENNETH DUNN, Administrator
Operations Division

BDF:JG

RECEIVED 1974

DEPARTMENT OF RECLAMATION
LICENSING DIVISION
LICENSING DIVISION

Identification No. 63-7209
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

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

APPROVED

1. Name of applicant Scott Baird
post office address 5624 Hill Road, Boise, Idaho
2. Source of water supply groundwater which is a tributary of _____
3. a. Location of point of diversion is 2 points NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17 Township 4 N
Range 2 E 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 domestic purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 for stockwater purpose from January 1 to December 31 (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. .04 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. drilled wells, pump and 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 600 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ use existing well and possibly a new well
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17 Township 4 N
Range 2 E B.M. and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17, T. 4 N, R. 2 E, 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 three horses

(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: _____

63-7209

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

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 $\frac{1}{4}$	

Total number of acres to be irrigated _____

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

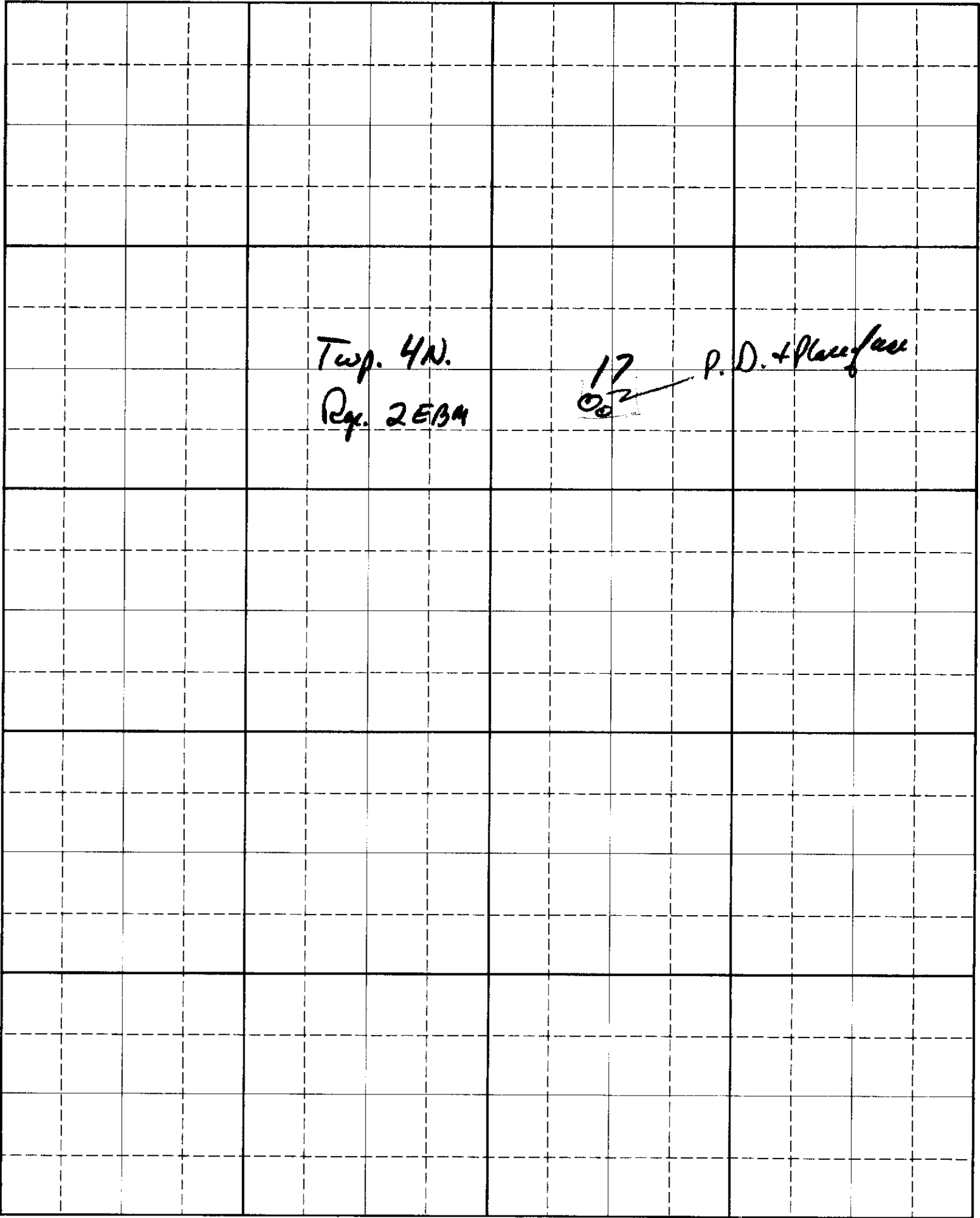
9. a. Who owns the property at the point of diversion Joe Barnes and Self

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 Easement written

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.

Mr. Scott Baird
(Applicant)

63-7209

Received by Dave Date 4-2-69 Time 4:PM
Preliminary check by Dave Fee \$ 10.00
Received by ej Date 4-3-69
Publication prepared by K.H. Date 4-11-69
Published in Idaho Daily Statesman
Publication dates April 17th and 24th
Publication approved _____ Date _____
Priority reduced to _____ Reason _____

Protests filed by: Joseph B Barnes
Boise

Copies of protests forwarded by K.H.
Hearing held by _____ Date _____
Recommended for ☒ approval ☐ denial by Dave R. H.

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7209, 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 September 1, 19 74.
- c. Other: _____

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

Witness my hand this 25th day of September, 19 69.

R. Kirk Higgins
State Reclamation Engineer

THE STATESMAN NEWSPAPERS

BOISE, IDAHO

FOR LEGAL ADVERTISING

- Idaho Dept. of Reclamation
- Statehouse Annex 2
- Boise, Idaho 83707

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED					
APR 24 69	WATER APPL 63 7209 Scott Baird	22L	2x	5.50		5.50
I hereby certify that the above account is correct and charges were actually rendered as charged and have not received payment therefor. STATESMAN PRINTING CO. <i>L. A. Young</i> <i>submitted 6-16-69</i>						

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE

63-7309

THE STATESMAN NEWS PAPERS

BOISE, IDAHO

FOR LEGAL ADVERTISING

.
 . Idaho Dept. of Reclamation
 . Statehouse Annex 2
 . Boise, Idaho 83707

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED						
APR 24 69	WATER APPL 63 7209 Scott Baird	22L	2x	5.50			5.50
It is hereby certified that the above account is correct and charges were fully rendered as charged and no payment therefor. PRINTING CO.							

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN
 THIS COLUMN
 IS BALANCE
 DUE

RECEIVED

APR 17 1969

Department of Information

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis, being duly sworn,

deposes and says: That she is the Principal Clerk of The Idaho Daily 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 Daily Statesman for

Two consecutive weekly insertions, beginning with the

issue of April 17, 19 69, and ending with the

issue of April 24, 19 69.

Georgene Davis

Subscribed and sworn to before me this 30th day of

April, 19 69.

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

NOTICE OF
APPLICATION FOR WATER
Notice is hereby given that Scott
Baird 5624 Highland Boise Idaho
has on April 2, 1969 applied for per-
mit under application No. 63,100 to
divert 100 cubic feet per second of
water from a natural water source
Water right is owned by owner
of the land and within the
NE 1/4 Sec. 10 T. 2 N. R. 2 E.
S. 10 N. Ada County and will be used
from January 1 to December 31 for
domestic purposes in the
NW 1/4 SW 1/4 Sec. 10 T. 2 N. R. 2 E.
Ada County Idaho.
Any protest against this applica-
tion must be filed with the De-
partment of Reclamation within ten
days from the last date of publica-
tion of this notice.
R. KEITH HUGGINS
State Reclamation Engineer
Pub. April 17, 24, 1969

63-7209



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

April 29, 1975

Re: Permit No. 63-7209

Mr. Scott Baird
5624 Hill Road
Boise, Idaho 83702

Dear Mr. Baird:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

REC-111111

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

NOV 1 1974

1. Name of permit holder Scott Baird
Post office address 5624 Hill Rd., Boise, ID 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 .02 c.f.s. for domestic
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount .02 c.f.s. for stockwater
_____ AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(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. _____
63-7209
b/u
Examination for _____

4. Total amount to be appropriated:

Max Rate of Diversion .04 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

(2 pts)

Township 4N N/S, Range 2E E/W, B.M., Section 17, Subdivision NE $\frac{1}{4}$ 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: drilled wells, pump & motor

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	17									X					X			

TOTAL ACREAGE

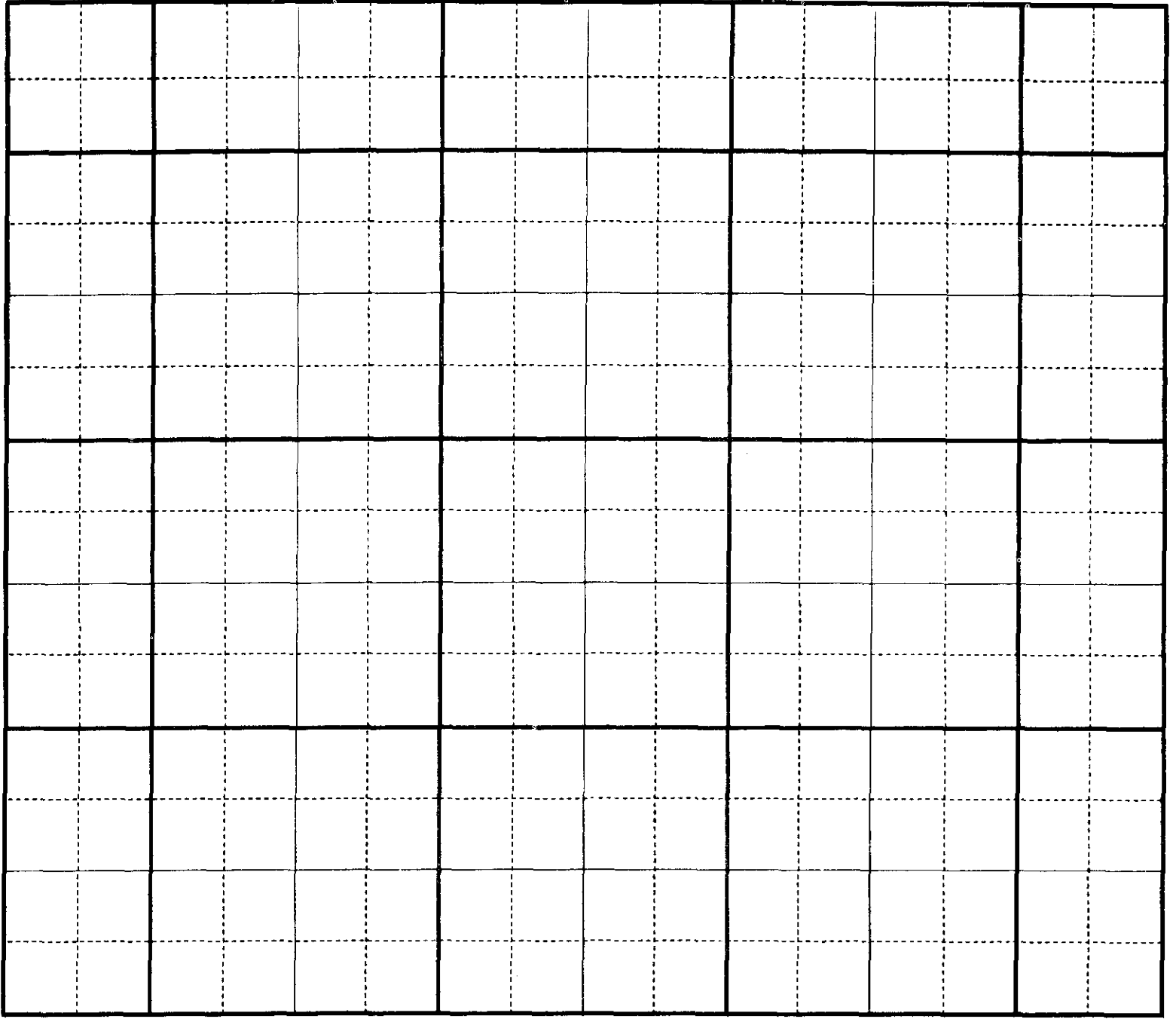


Diagram of System

DATE OF EXAM 10 Dec 74

ACREAGE
Found —
Recommended —

Irrigation Requirement — Ac Ft/Ac

USE
Irrigation Q = — c.f.s. V = — AF/Ann. from — to —
Domestic Q = .02 c.f.s. V = 1.2 AF/Ann. from Jan 1 to Dec 31
Livestock Q = .02 c.f.s. V = .2 AF/Ann. from Jan 1 to Dec 31

Is water co-mingled? yes — no ✓

Name source: Groundwater
twp. 4 N/S, Rge 2 E/W, B.M., Sec. 17, Sub. NE $\frac{1}{4}$ SW $\frac{1}{4}$ Ada County

Exchange? yes — no ✓

Name source exchanged with: —
twp. — N/S, Rge — E/W, B.M., Sec. —, Sub. — $\frac{1}{4}$ — $\frac{1}{4}$ — County

Point of injection:
twp. — N/S, Rge — E/W, B.M., Sec. —, Sub. — $\frac{1}{4}$ — $\frac{1}{4}$ — County

Point of exchange:
twp. — N/S, Rge — E/W, B.M., Sec. —, Sub. — $\frac{1}{4}$ — $\frac{1}{4}$ — County

Total Q measured .04 cfs Method of measurement Est

Total Q recommended .04 cfs Meter No. — Type — Condition —

Total V recommended 1.2 + Livestock = 1.4 Ac Ft/Ac

Recommended Amendments:

P.D. —
Place of Use —
Other —
None

MEASUREMENT CALCULATION:

$Q = .02 \text{ cfs Stock} + .02 \text{ For Domestic} = .04 \text{ cfs}$
 $V = 1.2 \text{ AF For Domestic} + .2 \text{ AF For Stock} = 1.4 \text{ AF/Ac}$

SYSTEM DESCRIPTION:

Two 6" Wells with Submerged pumps one not on at time of exam. The other is at the bottom of a draw and pumps water for a stock tank plus the house.

Feed approx 4-6 Horses + 1 Family

REMARKS:

This place is way back from Hill Road.

Examiner's Signature James Barker Date Jan 20 75

Checked by — Date —

Approved by — Date —

November 13, 1974

Re: Permit No. 63-2209

Scott Baird
5624 Hill Rd.
Boise, ID 83703

Dear Mr. Baird:

We acknowledge receipt of the 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.

If you have any questions regarding the field examination, please contact our District Office in **Boise.**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

OK J9

1. a) Name of Permit Holder Scott Baird
b) Post Office Address 5624 Hill Road, Boise, Idaho. 83703
2. Permit Number 63-7209
3. Date of Priority that you are prepared to establish April 2, 1969 TIME 4:p.m.
4. a) Source from which water was appropriated Groundwater
2 points
b) Location of the point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17
Township 4 N, Range 2 E B.M. Ada County Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .04 cubic ft. per second for _____ purposes from January 1 to December 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount .02 for domestic purposes from January 1 to December 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount .02 for stockwater purposes from January 1 to December 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated .04 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: drilled wells, pump and motor
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) _____
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 _____

Exam typed 11/14/74 by J9

MICROFILMED

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use NE 1/4 of SW 1/4 of Section 17 Township 4N Range 2E B.M. and NW 1/4 SE 1/4, Sec. 17, T. 4N, R. 2E, B.M.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

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	

Total number of acres irrigated

10. Remarks:

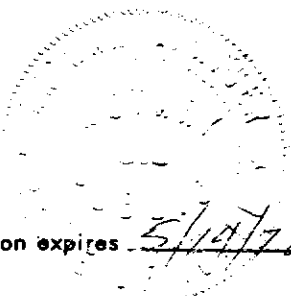
The above information is a true statement of the extent to which the above numbered permit has been developed.

October 29, 1974
(Date)

[Signature]
(Signature)

State of Idaho)
County of Ada) ss.

On this 29th day of October, 19 74, 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 5/14/78

- **SENDER:** Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **DELIVER ONLY TO ADDRESSEE** and show to whom and date delivered..... 65¢
☐ **DELIVER ONLY TO ADDRESSEE** and show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Scott Baird
5674 Hill Rd
Brook Park

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

26093

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

Scott Baird

4.

DATE OF DELIVERY

OCT 2 1974

POSTMARK

OCT 2 1974

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CARRIER'S INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

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



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720

September 30, 1974

CERTIFIED MAIL

#26093

Re: Permit No. 63-7209

Scott Baird
5624 Hill Road
Boise, ID 83703

Dear Mr. Baird:

One of the conditions of approval of your water Permit No. 63-7209 (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 December 1, 1974. 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

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

MICROFILMED

September 9, 1974

Re: Permit No. 63-7209

Scott Baird
5624 Hill Road
Boise, ID 83703

Dear Mr. Baird:

Enclosed is an Order which extends the proof due date in connection with the above referenced permit.

The time within which to submit proof of beneficial use has been extended to December 1, 1974.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG
Enclosure

UNRECORDED

[Aug **RECEIVED**

SEP 3 1971

Department of Water Resources

Dear Mr. Fleenor:

My wife is writing this letter for me & I have signed it; as requested, I see I am entitled to an extension of 30 days ~~on~~ the grounds as my wife explained, there were 2 deaths in our family so close together & yet the services so far apart I had to take a vacation, ~~and~~ in order for us to get to both, I am recuperating from a Vital Hernia Operation I had last year & work notes. As I had already signed the form before I see it said it had to be notarized. I will have to do this on a Friday as that's the only ~~note~~ ^{note} I don't work, if no one is on vacation.

I tried to get to your office Aug. 30, before you closed, but didn't make it. Sept. 6th I shouldn't have to work either, so if not, I will come in & bring the form along so it will be correct, as I don't want to go through this again.

Permit No. 63-7209

Or if not My wife will come down in the middle of the next week & Bring Her Power of Attorney Papers so we can get it done.

Sincerely
Leo Baird

MICROFILMED

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

July 1, 1974 CERTIFIED MAIL

Re: Permit No. 63-7209

Scott Baird
5624 Hill Road
Boise, Idaho

Dear Mr. Baird:

One of the conditions of approval of your water Permit No. 63-7209 (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 September 1, 1974. 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

R. KEITH HIGGINSON
Director

Enc: Proof affidavit

Microfilm

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 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.

25511

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

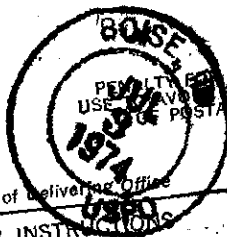
7/3/74

3

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

63-7209

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



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**

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707

MICROFILMED

PS Form 3811
June 1973

July 1, 1974

CERTIFIED MAIL

#25511

Re: Permit No. 63-7209

Scott Baird
5624 Hill Road
Boise, Idaho

Dear Mr. Baird:

One of the conditions of approval of your water Permit No. 63-7209 (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 September 1, 1974. 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

MICROFILMED

September 29, 1969

Re: Permit No. 63-7209

Scott Baird
5624 Hill Road
Boise, Idaho

Dear Mr. Baird:

We enclose a copy of your approved application for permit 63-7209 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of permit
Receipt No. 2868 for \$10.00
1 informational letter

cc. Mr. Ron Carter
Millar, Callister & Carter
510 Washington Street, Box 1545
Boise, Idaho

63-7209

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)

PERMIT NO. 63-7209 in the name)

MEMORANDUM DECISION

of Scott Baird)

Application for Permit No. 63-7209 was received by the Department of Reclamation on April 2, 1969. The application called for the diversion of 0.04 cubic foot per second of water for domestic and stockwatering purposes to be diverted from two wells in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, T. 4 N., R. 2 E., B. M., in Ada County. Notice of the application was published in the Idaho Daily Statesman on April 17th and 24th, 1969. A protest against the approval of the application was filed by Mr. Joseph B. Barnes on April 23, 1969.

On July 11, 1969, an informal conference was held to consider the protest. Mr. Ronald G. Carter, Attorney at Law, represented the applicant and Mr. Bill Galloway, Attorney at Law, represented the protestant. At that conference, the parties involved were advised that the issues contained in the protest were not issues that could be considered by the department, and the examiner advised the protestant that he should amend his protest to include points that could be considered by the department. The department contacted Mr. Galloway on several occasions requesting that if his client wished to pursue his protest, he submit an amended protest.

On August 26, 1969, the department issued an order to show cause on or before September 8, 1969, why the protest should not be set aside and the application issued. No reply has been received.

After considering the application for permit and the protest against its approval, I find that the protest should be set aside since it does not contain issues which can be considered under the provisions of Section 42-203, Idaho Code, in approving or denying an application for permit.

Dated this 23rd day of September.


R. KEITH HIGGINSON
State Reclamation Engineer

CSA:RKH:tg

63-7209

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)

PERMIT NO. 63-7209 in the name of)

ORDER

Scott Baird)

WHEREAS, application for permit no. 63-7209 was received on April 2, 1969;
and,

WHEREAS, a protest against the approval of such application was received
on April 23, 1969; and,

WHEREAS, a conference was held on July 11, 1969, in the office of the
Department of Reclamation to discuss the contentions contained in that protest;
and,

WHEREAS, at the conference the protestant and his attorney were advised
by the Department that the protest did not contain any items which could be
considered in approving or denying the application for permit and the protestant
was given until July 31, 1969, to amend his protest; and,

WHEREAS, no such amendment has been received; and,

WHEREAS an order to show cause why the protest should not be set aside
and the permit application approved was issued on August 26, 1969, and no reply
thereto has been received; and,

WHEREAS, it appears to the State Reclamation Engineer that the protest
submit by Mr. Joseph B. Barnes does not include grounds for approving or denying
application for permit no. 63-7209;

THEREFORE, IT IS HEREBY ORDERED that the protest submitted by Mr. Joseph
B. Barnes against the approval of the above application for permit be and it is
hereby set aside.

Dated this 23rd day of September, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

CSA:RKH:tg

63-7209

September 23, 1969

Re: Permit Application No. 63-7209

Mr. Joseph Barnes
7777 Pierce Park Lane
Boise, Idaho

Dear Mr. Barnes:

Enclosed you will find a copy of a memorandum decision and an order denying your protest against the above referenced permit application.

Very truly yours,

C. Stephen Allred, Acting Deputy
State Reclamation Engineer

CSA:kh
Enclosures

cc. Mr. Wm. F. Galloway
2727 W. State
Boise, Idaho

63-7209

September 23, 1969

Re: Permit Application No. 63-7209

Mr. Scott Baird
5624 Hill Road
Boise, Idaho

Dear Mr. Baird:

Enclosed you will find a memorandum decision and an order denying the protest against your application for permit. We will proceed to process your application and you will receive a copy of it as soon as it has been approved.

Very truly yours,

C. Stephen Allred, Acting Deputy
State Reclamation Engineer

CSA:kh

Enclosures

cc. Mr. Ron Carter
Millar, Callister & Carter
510 Washington Street, Box 1545
Boise, Idaho

63-7209

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be present)*

CERTIFIED NO.

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

SEP 10 1969

63-7209

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

RECEIVED

SEP 11 1969

POSTMARK OF
DELIVERING OFFICE



INSTRUCTIONS: Show card and address now and
complete on back of card when delivery is applicable.
Moisten gummed ends, attach and hold firmly to back
of article. Print on front of article RETURN
RECEIPT REQUESTED.

RETURN
TO

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex # 2, Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

35-16-71643-10

POD Form 3811 Apr. 1967

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT)
NO. 63-7209 in the name of SCOTT BAIRD)

ORDER TO SHOW CAUSE

WHEREAS, a conference was held on July 11, 1969, in the offices of the Idaho Department of Reclamation to discuss a protest against the approval of application for permit no. 63-7209; and,

WHEREAS, at that conference, the protestant and his attorney were advised that their protest did not include any item that could be considered by the Department; and,

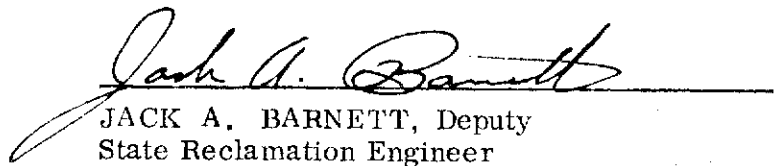
WHEREAS, the protestants were advised that they would be given until July 31, 1969, to amend their protest; and,

WHEREAS, such protest has not been amended to conform to Idaho law;

The protestants are hereby ordered to show cause on or before September 8, 1969, why their protest should not be set aside and application for permit no. 63-7209 be approved.

The protestants are further informed that if sufficient cause is not shown on or before the above mentioned date, the protest will be set aside and the permit issued.

Dated this 26th day of Aug, 1969.


JACK A. BARNETT, Deputy
State Reclamation Engineer

CSA:dr

Original sent to: Mr. Joseph Barnes, 7777 Pierce Park Lane, Boise (CERTIFIED #21245)
cc: Mr. Wm. F. Galloway, 2727 W. State, Boise
Mr. Scott Baird, 5624 Hill Road, Boise

August 26, 1969 - dr

63-7209

M E M O

August 12, 1969

Don McEldowney talked with Bill Gallaway (attorney for protestant), on this date, and he advised that his client would be in to withdraw the protest.

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

21071
CERTIFIED NO.

INSURED NO.

DATE DELIVERED

JUN 25 1969

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

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

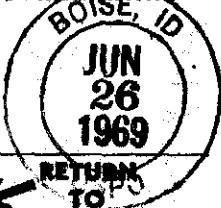
3

SHOW WHERE DELIVERED *(only if requested)*

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

**POSTMARK OF
DELIVERING OFFICE**



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

Department of Reclamatic

STREET AND NO. OR P.O. BOX

Annex #2 Stateh use

Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

55-16-71548-10
POD Form 3811 Apr. 1967

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom, date, and
address where delivered



Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

21070

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

JUN 24 1968

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

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3

SHOW WHERE DELIVERED *(only if requested)*

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

35-10-71549-10

POD Form 3811 Apr. 1967

POSTMARK
DELIVERING OFF



**RETURN
TO**

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex # 2 Statens use

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83701

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered ☐ Deliver ONLY to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

21069

CERTIFIED NO.

INSURED NO.

DATE DELIVERED

JUN 25 1968

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

1

✓ Scott Band

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

✓ Denise Band

SHOW WHERE DELIVERED (*only if requested*)

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

**POSTMARK OF
DELIVERY OFFICE**

BOISE, ID

**JUN
26
1969**

**RETURN
TO**

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex #2 Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83701

035-10-71548-10

POD Form 3811 Apr. 1967

NAME AND
ADDRESS
OF SENDER

Dept. of Reclamation

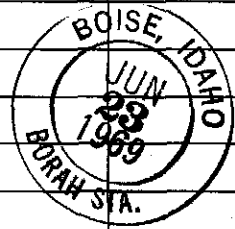
Indicate type of mail:

☐ REGISTERED ☐ REGISTERED
C.O.D.
☒ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional
copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST OFFICE ADDRESS	POSTAGE	FEE	R. R. FEE	REST. DEL. FEE	ACTUAL VALUE	SURCHARGE	REMARKS*
✓ 21069	Scott Baird, 5624 Hill Road, Boise Idaho	.06	.30	.10				63-7209
2								
✓ 3 21070	millan, callister + carter, 510 Washington Blvd Bay 1545, Altn: Ronald A carter							
5	Boise Idaho	.06	.30	.10				63-7209
6								
✓ 7 21071	Joseph Barnes, 7777 Peice Park Lane							
8	Boise Idaho	.06	.30	.10				63-7209
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								



TOTAL NO. OF PIECES
LISTED BY SENDER

3

TOTAL NO. OF
PIECES REC'D AT P. O.

Three

POSTMASTER, PER (Name of receiving agency)

[Signature]

*Show under "Remarks" class postage paid if other than first class
if international

63-7209

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

August 5, 1969

Re: Permit Application No. 63-7209

Mr. William Galloway
2727 W. State
Boise, Idaho

Dear Mr. Galloway:

At our conference on July 11, 1969, we reviewed the grounds upon which the department could either grant or deny an application for permit. It appeared at that time that perhaps the issues at point were issues to be settled in the civil court and did not pertain to the actual issuance of permit 63-7209.

I requested at that conference that the protestant indicate whether or not he wished to pursue the matter and notify me as to his decision by July 31, 1969. As of yet, I have not received any indication as to his decision. If you intend to pursue this protest, it will be necessary for you to file an amended protest clearly setting forth which of the points discussed should be considered.

I would appreciate hearing from you promptly.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

cc. Mr. Ron Carter
Millar, Callister & Carter
510 Washington Street, Box 1545
Boise, Idaho

Mr. Joseph Barnes
7777 Pierce Park Lane
Boise, Idaho

copy also sent to Mr. Baird

63-7209

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT)
NO. 63-7209 in the name of SCOTT BAIRD)

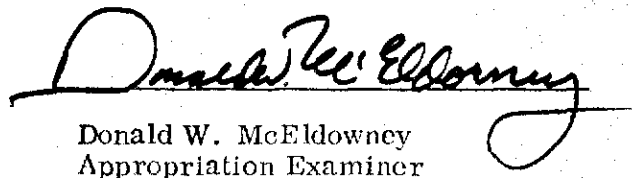
INFORMAL CONFERENCE

On April 2, 1969, the Department of Reclamation received from Scott Baird an application to appropriate the public waters of the State of Idaho. On April 29, 1969, the Department of Reclamation received a protest filed by Mr. Joseph B. Barnes, 7777 Pierce Park Lane, Boise, Idaho.

The Department of Reclamation has set the matter of protest for an informal conference on July 11, 1969, at 2:00 p.m., at the Department of Reclamation, Statehouse Annex 2, Boise, Idaho. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Failure to appear at the time and place set for conference by the applicant or protestant may allow the Department of Reclamation without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 23 day of June, 19 69.

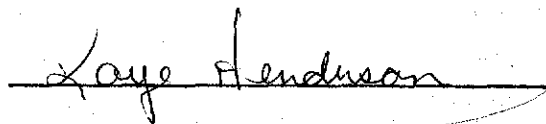

Donald W. McEldowney
Appropriation Examiner

Mailed this 23rd day of June, 19 69 to _____

Scott Baird, 5624 Hill Road, Boise, Idaho certified no. 21069; Millar, Callister & Carter,
510 Washington Street, Box 1545, Boise, Idaho Attn: Ronald G. Carter certified no. 21070;

Joseph Barnes, 7777 Pierce Park Lane, Boise, Idaho certified no. 21071.

Copy of protest enclosed with Mr. Baird's notice of conference.



Bill Gallaughey attorney at law Represents Barnes.
342-7757

63-7209

Copy Received
19 June 1969
4:20 P.M.
Dane

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

± ± ± ± ±

SCOTT BAIRD

Plaintiff,

-VS-

JOSEPH BARNES

Defendant.

207
S U M M O N S
Civil No. 41894

± ± ± ± ±

THE STATE OF IDAHO SENDS GREETINGS TO THE ABOVE NAMED DEFENDANT__:

YOU ARE HEREBY NOTIFIED that a Complaint has been filed
against you in the District Court of the 4th Judicial District
of the State of Idaho, in and for the County of Ada by the
above named plaintiff__, and you are hereby directed to appear and
plead to the said complaint within 20 days of the service of this sum-
mons; and

YOU ARE FURTHER NOTIFIED that unless you so appear and
plead to said Complaint within the time herein specified, the plaintiff__
will take judgment against you as prayed in said Complaint.

WITNESS My hand and the seal of said District Court this 23
day of Jan, 1969.

CLERK OF DISTRICT COURT

Clerk

SEAL

By Dorothy Jones
Deputy

MILLAR, CALLISTER & CARTER

By RONALD G. CARTER
Attorneys for Plaintiff
510 Washington Street, Box 1545
Boise, Idaho

62-7209

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

COPY

No.
FILED

SCOTT BAIRD,

Plaintiff **JAN 23 1969**

VS

JOSEPH BARNES,

Defendant.)

CLARENCE A. PLANTING, Clerk
By DOROTHY JENSEN
Deputy

COMPLAINT

Civil No. **41894**

* * *

COMES NOW PLAINTIFF and for cause of action against
defendant complains and alleges as follows:

I

That plaintiffs did purchase from defendants a parcel
of real property in Ada County, Idaho, which by description
was to contain 14 acres of ground, and which defendant did
warrant contained 14 acres of ground, but which in fact
contains approximately 7 acres of ground. That plaintiff
did rely upon defendant to plaintiff's detriment, in the
amount of \$2,000.00 in said purchase.

II

Defendant did covenant and agree to establish and keep
up a road to plaintiff's premises, which roadway is now
so poorly kept as to make access almost impossible; that
upkeep of said roadway is upon defendant and he has not
performed as agreed in this regard.

63-7209

WHEREFORE Plaintiff prays this Court enters its judgment against defendant as follows, to wit:

1. For the sum of \$2,000.00 as and for compensation for 7 acres of land shortage, and
2. An order be uttered directing defendant to establish said roadway in reasonable condition.

January 3, 1969.


Attorney for Plaintiff
Box 1545, Boise, Idaho

✓
refer to permit

32426 when

corresponding
on this

application

State of Idaho
Dept of Reclamation
c/o Stephen Alred

Boise, Idaho
5/28/69

RECEIVED

JUN 2 1969

Re. letter of May 26 Joe Barnes permit G32426
Application for 637209 Scott Baird. Department of Reclamation

Dear Mr Alred:

In reply to your letter of May 26 the supply of water Mr Baird is now using does not belong to him. The well log was filed originally in his name by mistake. Mr Baker who did the drilling died before the paperwork was completed. A corrected filing will soon be made in my name. The \$500 originally invested by Mr Baird on this dry hole was refunded to him and another location granted which was drilled by Mr Kelsay.

1. My Permit G 32426 is prior to Mr Baird's filing and since Mr Baird's water may affect my water supply which I have been using for over 10 years I object to his filing.
2. When Mr Scott completes his payments I will then release that portion of my water filing covering his land.

63-7209

There are two flowing artesian wells below "his" well, one of which has noticeably decreased since last year. There has also been a decrease in the old Pasley well water level. This well has been in use for many years and supplies Keith Pasley residence, John Trent & the old Pasley residence & my Shop with domestic water. My domestic water comes from one of the flowing wells.

Rex Engleman completed a 1125 ft well for me about 3 yrs ago. We have developed numerous flowing springs and wells in the past. At present we are running the casing on a 1656 ft well. Approximately 50,000 has been spent developing the water resources of this ranch. It will soon be ready for you to measure and complete my application A32426.

Thanking you
Joseph B. Barnes
Northwest Drilling
7777 Pierce Park Lane
Boise, Idaho 83703
63-7209

May 26, 1969

Re: Permit No. G-32426-Joe B. Barnes
Application for Permit No. 63-7209-Scott Baird

Mr. Joseph B. Barnes
7777 Pierce Park Lane
Boise, Idaho 83703

Dear Mr. Barnes:

Your protest received in connection with the above referenced application for permit and permit, having been reviewed by our staff, appears to be other than a valid protest. The following are the only points the Department can, by statute, consider:

1. Whether or not the source of water supply is public water and is subject to appropriation.
2. Whether or not there is sufficient water supply at anytime during a five (5) year period for this application under its proposed priority.
3. Whether or not the application is made in good faith or for delay or speculative purposes.
4. Whether or not the applicant possesses sufficient financial resources to complete the project.
5. Whether or not the lands to be irrigated are covered by a perfected water right which provides 1/50 cubic foot per second of water per irrigated acre and/or 5 acre feet per annum per irrigated acre.

If you wish to realign your protest along these lines, then we can consider the protest valid. Unless we receive additional information within ten (10) days from the date of this letter, we will propose final action on the protest. This could include a formal hearings.

Very truly yours,

C. Stephen Allred, P. E.
Assistant State Reclamation Engineer

CSA:DWM:tg

63-7209

Idaho State Reclamation
% R. Keith Higginson

Boise, Idaho	
4/12/69	
DEPUTY	
WATER	
APPROP	
DIST	
ADJ	
INVESTIGATION	
WELLS	
DAMS	
ACCOUNTING	
FILE	
RETURN TO	
DISCARD	

RECEIVED

APR 28 1969

Department of Reclamation

Dear Mr Higginson:

I see a publication in a recent issue of the Statesman newspaper, of a water filing By a Mr Scott Baird 5624 Hill Road permit No 63-7209 in NE 1/4, SW 1/4, Sec. 17 T.4 N. R.2 E B.M., Ada County, Idaho.

I protest this permit because of my previous water filing of June 2, 1965 A.P.M. permit No 32426 application No 40535 covers this water as well as the well which I paid for and is on my land.

Thanking you

Yours truly
Joseph B. Barnes
7777 Pierce Park Lane,
Boise, Idaho 83703

Phone 344-4847

63-7209

REEL ENGR.	
REPLY	
MAIL LIGHTS	
EXPLOS	CLAMP
WET	
ADD	
INVESTIGATION	
WALLS	
END	
COOKING	
FILE	
INVENTS	
REAR	

APR 22 1969

Department of Reclamation

I see a notice for Application for a water filing By a Mr Scott Baird 5624 Hill Road on April 2, 1969 application No 63-7209.

63-12031
I protest this Application because of
my previous filing June 2 1965; 9 PM permit
No 32926 application No 40535 covers
the water Mr Scott Baird is filing on.

I protest Mr Scott Bairds application No 32426 because it is not on his land.

Thanking you

yours truly

Joseph B. Barnes
7927 Pierce Park Lane,
Boise, Idaho

83703

Phone 344-4847

Baird Phone 344-2974

63-7209

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

* * * * *

SCOTT BAIRD,	)	
	)	
Plaintiff,	)	Civil No. 41894
	)	
-vs-	)	A F F I D A V I T
	)	
JOSEPH BARNES,	)	
	)	
Defendant.	)	

* * * * *

STATE OF IDAHO,)
) ss,
County of Ada.)

COMES NOW SCOTT BAIRD who being first duly sworn deposes
and says:

That he is plaintiff in this action and makes this Affidavit
for purpose of obtaining a restraining order, restraining defendant
from removing certain casings from certain wells which wells are sub-
ject matter of this dispute. Plaintiff alleges that there is a matter
of dispute between these parties concerning two certain wells, both
of which your plaintiff has rights of access to, and both of which
were drilled for use of your plaintiff. Further, that he is presently
using one of these wells to provide water to his house for all purposes
domestic. Further, that he spent considerable personal money in the
drilling and casing of the second well, and that his investment in that
well at the present time exceeds \$1,000.00. That for the defendant to
remove the casing from either well will cause irreparable damage, and
the defendant has no benefit to be gained thereby. Your plaintiff
simply represents to this court that it will not be detrimental to
either party to leave the wells as they are now, pending conclusion of
this litigation before this court.

DATED this 7 day of May, 1969.

Scott Baird

SUBSCRIBED and sworn to before me this 7 day of May, 1969.

Harold E. Bortner
Notary Public for State of Idaho
My Commission Expires:
Residing at Boise, Idaho

62-7209

Easement for Right of way

I Joseph B. Barnes do this 28th
day of Nov 1967 grant to Scott
Baird a twenty foot right of
way for pipe line and power
line to their well location
southward from their property
approximately 660 feet more or
less, located in Section 17, T.4N, R.2E,
B.M. Ada County, Idaho.
Joseph B. Barnes

April 11, 1969

Re: Application No. 63-7213 - O. E. Huskey
Application No. 63-7212 - Clyde & Laura Reed
Application No. 63-7210 - Dr. Charles H. Howarth
Application No. 63-7209 - Scott Baird

Idaho Daily Statesman
300 North 6th Street
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 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriations Examiner

DWB:kh

Enclosure: legal notice (4)

63-7209

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that **Scott Baird, 5624 Hill Road, Boise, Idaho**

_____ has on April 2, 1969
applied for permit under application No. 63-7209 to divert ~~store~~
0.04 cubic feet per second ~~acre feet~~ of water from a ground
water source. Water will be diverted by _____
a well, pump and motor _____ within the _____
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, T. 4 N., R. 2 E., B.M., Ada County
_____ and is to be used from January 1 to December 31 for domestic
and stockwater
in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T. 4 N., R. 2 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the **Idaho Daily Statesman**
on **April 17** and **April 24**.

63-7209