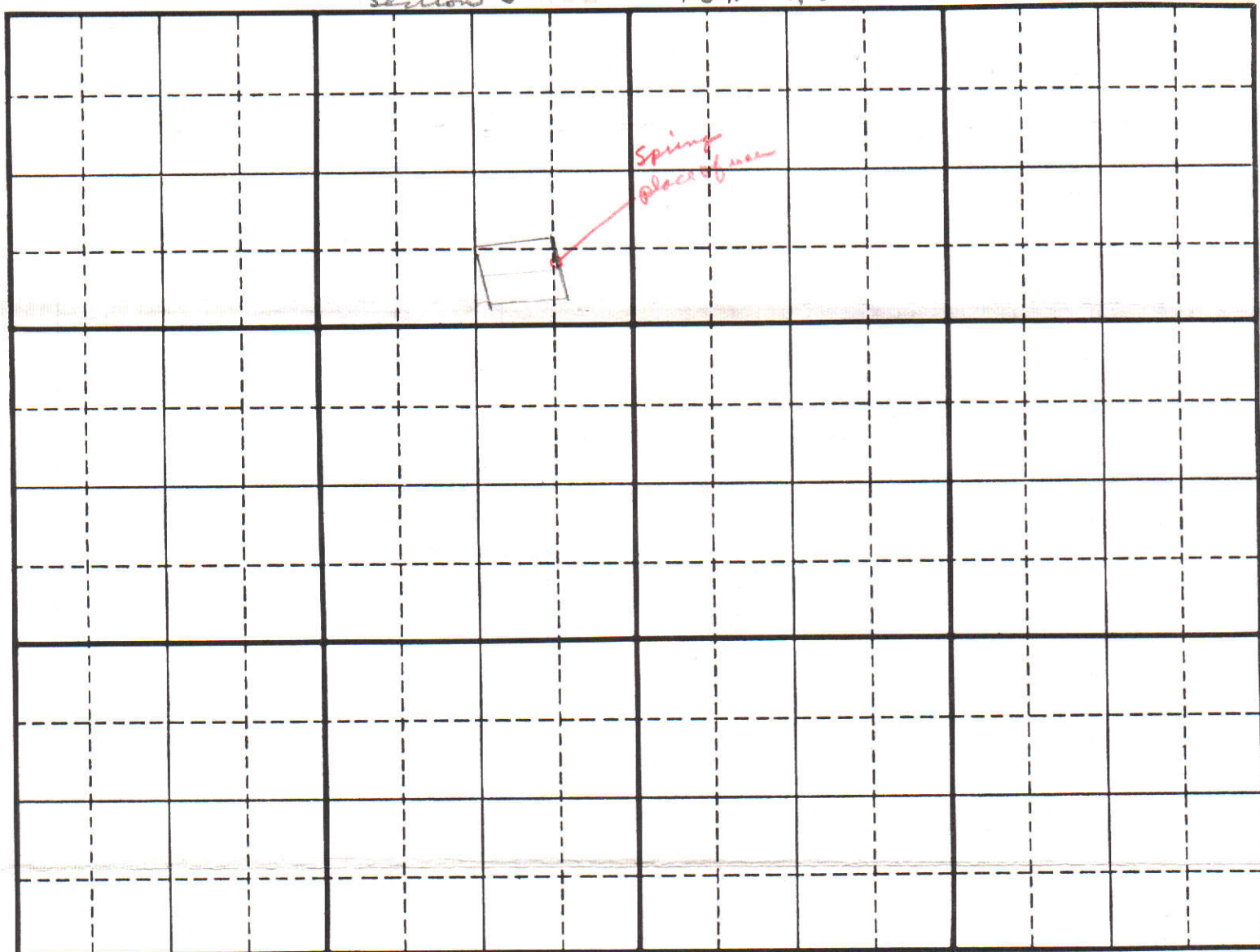


(8) Remarks Bathhouse structure was removed in June of 1975, because of public destruction; now that old road is overgrown and unpassage in motor vehicle, we plan to rebuild the structure.

Section 5

T5N-R5E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

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 affiant's knowledge.

Sworn to before me this

24

day of

July

1979

Dwayne L. Goertzen
(Claimant)

Notary Public
Residing at

Wright J. D. Lul
Boise, Idaho

My commission expires

8/16/79

FOR DEPARTMENT USE ONLY

Received by

kw

Date

7/26/79

Exception filed by:

Forwarded to

Date

Prelim. check by

6h5

Date

8/1/79

#14487

claimant by:

\$20.00 fee received by

kk

Date

8/1/79

#14487

Published in

The Idaho World

Dates

8/10 & 8/17/79

US Forest Service
Stephen Butler

RR

9/21/79

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Dorine D. Goertzen
1429 East Washington Boise, Idaho 83702 Telephone No. 342-4428 home
384-2470 work
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) before 1947

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) spring tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
0.06		domestic		1/1	12/31

(4) 0.06 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 5 Twp. 5 N Rge. 5 E B.M., County of Boise
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. gravity pipeline

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	5E	5																X	

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
has been used intermittently over the years for bathing purposes

NOTE: Include here the type and number of stock watered:

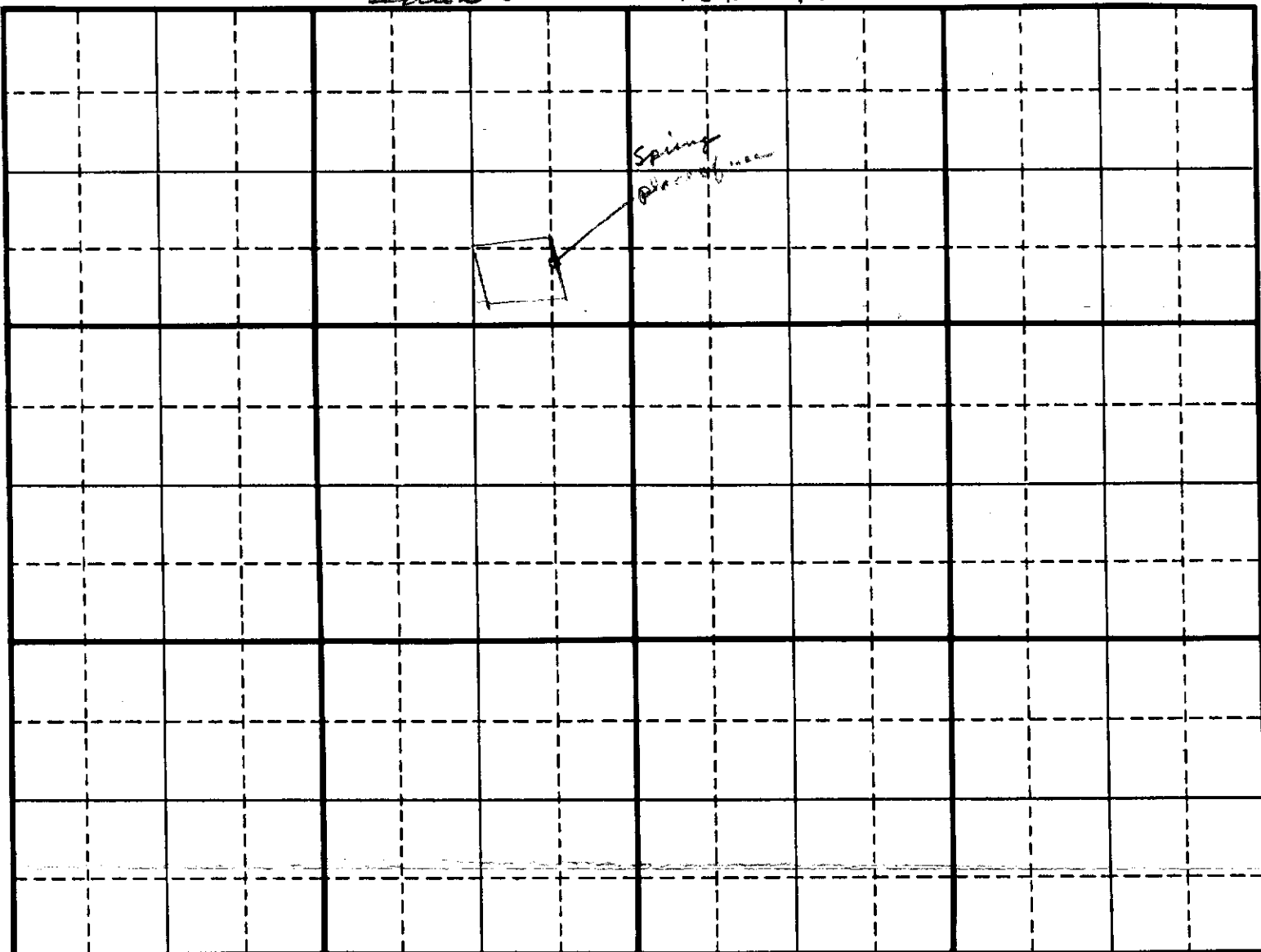
(7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

(8) Remarks Bathhouse structure was removed in June of 1975, because of public destruction; now that old road is overgrown and unpassage in motor vehicle, we plan to rebuild the structure.

Section 5

T5N-R5E



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

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 affiant's knowledge.

Sworn to before me this 24 day of July, 1979.

Dwayne L. Goertzen
(Claimant)
Wright J. Butler
Notary Public
Residing at Boise, Idaho

My commission expires 8/16/79

FOR DEPARTMENT USE ONLY

Received by kw Date 7/26/79 Exception filed by: Forwarded to Date
Prelim. check by 625 Date
\$20.00 fee received by kk Date 8/1/79 #14487
Published in The Idaho World US Forest Service KL 9/21/79
Dates 8/10 & 8/17/79 Stephen Butler

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Idaho City Ranger District
Idaho City, ID 83631

August 28, 1979



Mr. C. Stephen Allred
Director
Idaho Dept. of Water Resources
92 S. Cole Road
Boise, ID 83709

Your Ref. Water Rights application #63-4674 & #63-4675

Dear Mr. Allred,

In the Legal Section of the Idaho World, August 17 & 24, 1979 two applications, #63-4674 & #63-4675, were made by a Mrs. Dorine D. Goertzen. I am contesting this application for the following reasons.

1. The land is National Forest land.
2. A mining claim is filed by Mrs. Goertzen, but she has applied for water to be used domestically and not for mining purposes.
3. I suspect that the cabins on the mining claim are used as a summer home and not for the purpose of extracting minerals.

I am in the process of getting this trespass taken care of. At this time I would like to postpone the issuing of this water right. Your cooperation is appreciated.

STEPHEN D. BUTLER
District Forest Ranger

RECEIVED
AUG 30 1979

Department of Water Resources
Western Regional Office

MICROFILMED
8200-11 (1/69)

Gordon Scott
1610 North 10th
Boise, ID
September 4, 1979

Mr. C. Stephen Allred
Director
Dept. of Water Resources
92 South Cole Road
Boise, ID 83709

RE: 63-4674 & 63-4675

Dear Mr. Allred:

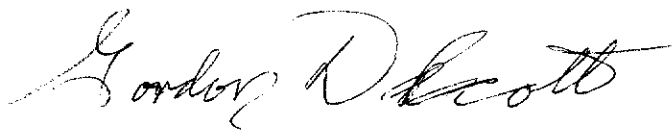
In the Leal Section of the Idaho World, August 17 & 24, 1979 two applications, #63-4674 and #63-4675, were made by a Mrs. Dorine D. Goertzen. I am contesting this application for the following reasons.

1. Wrong legal description.
2. Filed on our property without an easement.

I take exception to these filings for the above reasons.

Sincerely,

GORDON SCOTT

A handwritten signature in cursive script that reads "Gordon D. Scott". The signature is written in dark ink and is positioned below the typed name "GORDON SCOTT".

UNRECORDED

WRR100
63-4675

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
17-DEC-1985 21:44:31

01 WATER RIGHT NUMBER - 63-4675 02 OLD (D) NUMBER -

03001 - GOERTZEN LAST NAME

04001 - DORINE D. FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - 1429 EAST WASHINGTON

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - BOISE

10 STATE - ID 11 ZIP - 83702

12 STAGE - S STATUTORY CLAIM

13 STATUS -

14001 - SPRING SOURCE

15001 - MORES CREEK TRIBUTARY OF

16 DIVERSION MEANS - GRAVITY PIPELINE

17 COUNTY - 15 BOISE

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .060

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

TRACT	SFC	TWN	RNG	LOT	RFLG	STREAM	INDEX	FIELDS
22001 - SESE	23001 - 05	24001 - 05N	25001 - 05E	26001 -	27001 -			
				28001 - 0	272.0	312.0	84.0	0.0 0.0 0.0 0.0 0 0 0 21.4

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	SFC	TRACT	ACRES	LOT
30001 - 43 DOMESTIC	31001 - 05N	32001 - 05E	33001 - 05	34001 - SESE	35001 -	36001 -
						TOTAL ACRES: 0

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101	38001 - 1231	39001 - 43 DOMESTIC		40001 - 0.060	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

44001 - REMARKS

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

D A T E S		D A T E S		F L A G S	
47 PRIORITY	- 1-JAN-1947	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROOF DUE	-	56 APPL RECEIVED	-	64 DLE/CAREY ACT	-
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-
50 APPROVE/DENIED	-	58 DECREE	-	66 FLAG_2	-
51 PROTESTED	-	59 START WORK	-	67 FLAG_3	-
52 HEARING	-	60 ORDER SHOW CAUSE	-		
53 VERIFIED	-	61 DATE_1	-		
54 LAST UPDATE	- 17-DEC-1985	62 DATE_2	-		

STATE OF IDAHO,
County of Boise }

Bruce Reichert, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD, a weekly newspaper
published at Idaho City, in the
County of Boise and State of Ida-
ho; that said paper has been and
is in general circulation in the
county aforesaid, and in the vi-
cinity of Idaho City; that the
advertisement, a copy of which is
hereto attached, was published in
said newspaper once a week for
....*2*.... consecutive weeks in
the entire and regular issue of
every number of said paper dur-
ing the period and time of publi-
cation and was published in the
newspaper and not a supplement;
that said paper has been estab-
lished and regularly and continu-
ously published for more than
seventy-eight weeks past previ-
ous to the first publication of
this notice. Such notice was pub-
lished in the issue beginning with

....*8-17*.., 197*9*.. and end-
ing with the issue of *8-24*.

197*9*..
B. Reichert....

Subscribed and sworn to before
me this *19th* day of *Sept.* 197*9*.

Ruth L. Smith
Clerk Dist. Ct.
By: Bruce Reichert

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following
claim(s) to water right(s) have been established
by diversion and application to beneficial use:

63-4674

GOERTZEN, DORINE D.
1429 EAST WASHINGTON, BOISE, ID. 83702
Source: SPRING RUNOFF
Priority Date: 01/01/1947
Amount: 0.04 CFS
Diversion Point: SWSE Sec 05 T 05N R 05E,
BOISE CO.
Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31
Place of Use: SWSE Sec 05 T 05N R 05E
Diversion Means: SPRING BOX & PIPELINE

63-4675

GOERTZEN, DORINE D.
1429 EAST WASHINGTON, BOISE, ID. 83702
Source: SPRING
Priority Date: 01/01/1947
Amount: 0.06 CFS
Diversion Point: SESE Sec 05 T 05N R 05E,
BOISE, CO.
Use: DOMESTIC (0.06 CFS) from 01/01 to 12/31
Diversion Means: GRAVITY PIPELINE
Any exception to any claim of water right may
be filed with the Director of the Idaho Depart-
ment of Water Resources, 92 S. Cole Road,
Boise, Idaho 83709.
C. STEPHEN ALLRED
DIRECTOR
Published in the IDAHO WORLD, Idaho City,
Idaho, 83631, August 17, and August 24, 1979.

RECEIVED
SEP 20

Department of Water Resources
Western Region

MICROFILMED

IDENT. NO.

IDENT. NO. 63-4675

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 6h Sisco

Right Number 63-4675 Applicant Boertzen

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By DBS Date 9/21/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 9/25/79

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 384-2190

AUGUST 29, 1979

DORINE D. GOERTZEN
1429 EAST WASHINGTON
BOISE ID 83702

RE: Claim No. 63-4675

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office, at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

September 4, 1979

Stephen B. Butler
District Forest Ranger
Idaho City Ranger District
Idaho City, ID 83631

RE: Claim to a Water Right Nos. 63-4674 & 63-4675

Dear Mr. Butler:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right.

The Department will not schedule a hearing in the matter or evaluate for conformation the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

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

Sincerely,

DAVID B. SHAW
Western Region Supervisor

kk

DBS:kk

RECEIVED
SEP 11 1979
FBI - BOISE



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

September 4, 1979

Gordon Scott
1610 North 10th
Boise, Id 83702

RE: Claim to a Water Right Nos. 63-4674 & 63-7675

Dear Mr. Scott:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right.

The Department will not schedule a hearing in the matter or evaluate for conformation the right claimed, since Section 42-244, Idaho Code, states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

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

Sincerely,

DAVID B. SHAW
Western Region Supervisor

kk

DBS:kk

MILWAUKEE



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

September 4, 1979

Dorine D. Goertzen
1429 East Washington
Boise, ID 83702

RE: Claim to a Water Right Nos. 63-4674 & 63-4675

Enclosed are copies of exceptions filed by the U.S. Forest Service and Gordon Scott in connection with the above referenced claim to a water right.

The Department will not schedule a hearing in this matter or evaluate for conformation the right claimed, since Section 42-244, Idaho Code states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

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

Sincerely,

DAVID B. SHAW
Western Region Supervisor

kk

Enclosures

63-4625-

GOERTZEN, DORINE D.

1429 EAST WASHINGTON, BOISE, ID 83702

Source: SPRING

Priority Date: 01/01/1947

Amount: 0.06 CFS

Diversion Point: SESE Sec 05 T 05N R 05E, BOISE Co.

Use: DOMESTIC (0.06 CFS) from 01/01 to 12/31

Place of Use: SESE Sec 05 T 05N R 05E

Diversion Means: GRAVITY PIPELINE

MICROFILMED