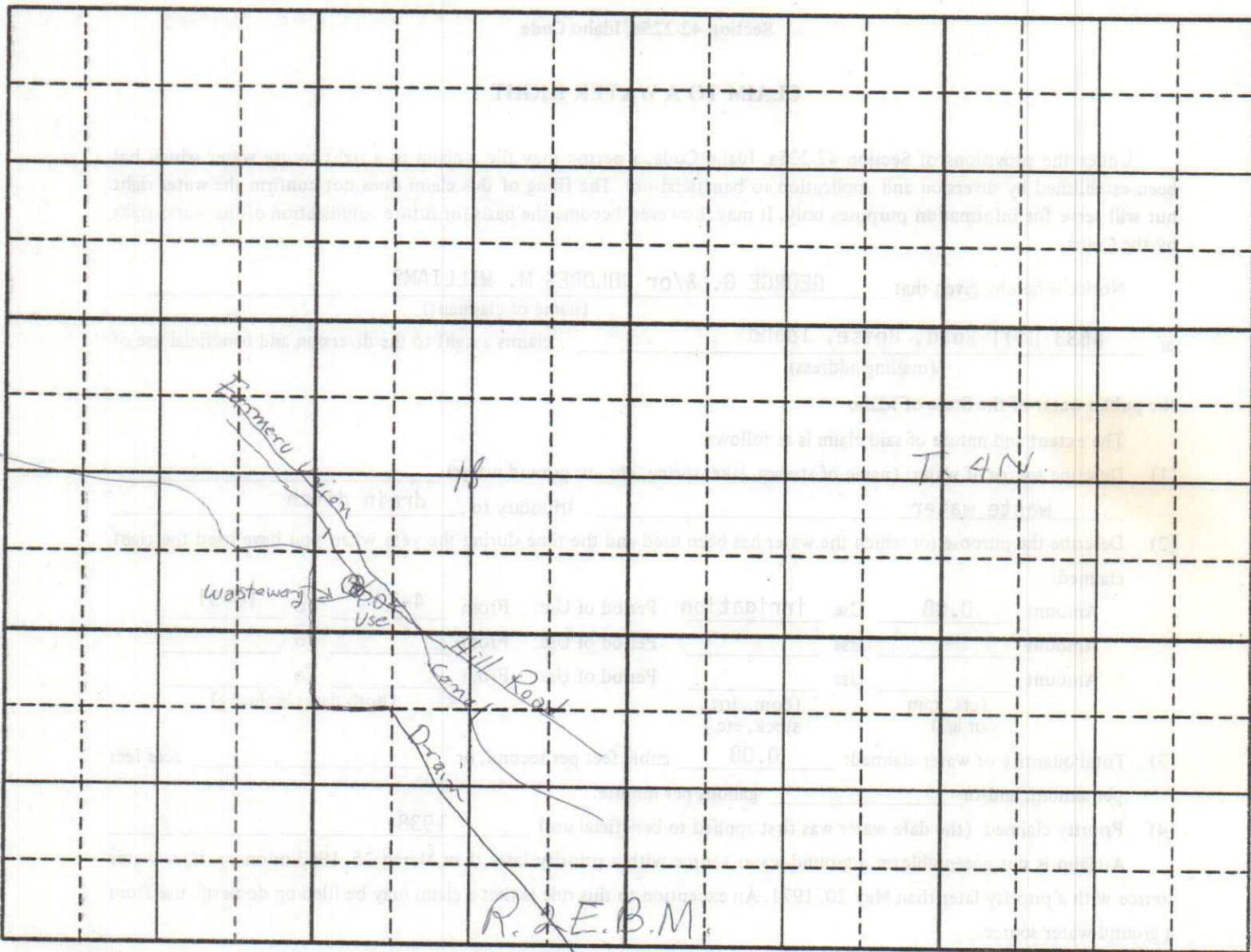


(8) Remarks _____



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.
County of Ada)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

George L. Williams
(Claimant)

Sworn to before me this 7th day of April, 19 78

Rita Bendale
Notary Public
Residing at Boise, ID

My commission expires march 8, 1980

For Department Use Only

Received by R.W.H. Date 4-7-78 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by R.W.H. Date 4-7-78 claimant by: _____
\$10.00 fee received by R Date 4-7-78
Approved for publication by _____
Published in Idaho Statesman
Dates Apr. 20 + 27, 1978

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

Nancy E Smith

two

issue of April 20, 19 ⁷⁸, and ending with the

issue of April 27, 19 78.

Nancy E Smith

Subscribed and sworn to before me this 27th

day of April, 19 ⁷⁸

Notary Public for Idaho, Residing at Boise, Idaho

No. 63-4605

Notice is hereby given that GEORGE G. &/or DOLORES M. WILLIAMS, 6633 Hill Road, Boise, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from waste water with the point of diversion in the SW 1/4 Sec 18 T4N-R2E B.M., Ada County.

The water is claimed to be used from Apr. 1 to Oct. 31 for irrigation of 2 acres with a priority date of 1938; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 18 T4N-R2E B.M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED
Director
Pub. April 20, 27, 1978

9758

RECEIVED

MAY 2 1976

Department of Water Resources
Western Regional Office

MICROFILMED

FARMERS UNION DITCH CO., Ltd.

Route #1, Eagle, Idaho 83616

April 21, 1978

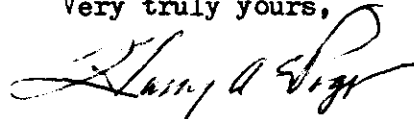
Director, Idaho Department
of Water Resources
92 South Cole Road
Boise, Idaho 83705

Dear Mr. Allred:

The Farmers Union Ditch Co., Ltd. hereby files an objection to Notice of Claim to a Water Right No. 63-4605 filed by George G. and/or Delores M. Williams, 6633 Hill Road, Boise, Idaho.

The Williams have created a nuisance to our company by inserting a plastic hose into our wasteway and have tampered with our spillway controls to cause water to be wasted when it could have been put to beneficial use by our rightful water users. Further, in 1976 they filed a tort claim saying that their land was excessively wet from seepage water from our canal.

Very truly yours,



Harry A. Vogt, Secretary

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that GEORGE G. &/or DOLORES M. WILLIAMS
(name of claimant)
of 6633 Hill Road, Boise, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) waste water, tributary to, drain ditch
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|----------------------|-----|-------------------------------|---------------------|-------------------|----|------------------------|
| Amount | <u>0.08</u> | Use | <u>irrigation</u> | Period of Use: From | <u>4-1</u> | To | <u>10-31</u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: From | <u> </u> | To | <u> </u> |
| Amount | <u> </u> | Use | <u> </u> | Period of Use: From | <u> </u> | To | <u> </u> |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | (both dates inclusive) |

- (3) Total quantity of water claimed: 0.08 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1938

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18 Twp. 4N Rge. 2E B. M. County of Ada
 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. 2 inch pipeline to place of use

- (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.

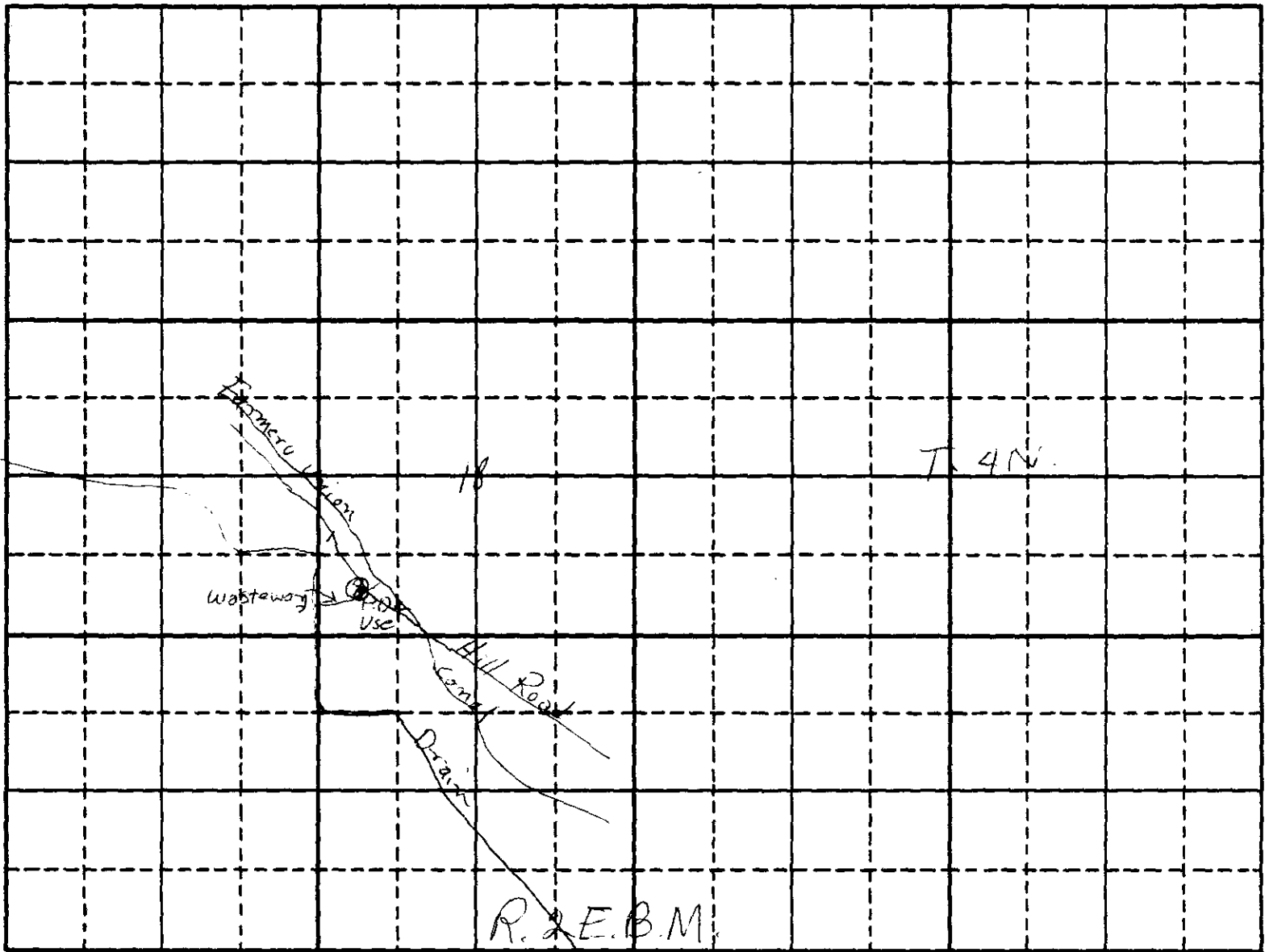
[illegible]

Total No. of acres 2

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: No

(8) Remarks _____



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 affiants knowledge.

George A. Williams
(Claimant)

Sworn to before me this 7th day of April, 19 78.

Pete Bendick
Notary Public

Residing at Boise, ID

My commission expires march 8, 1980

For Department Use Only

Received by <u>R.W.H.</u>	Date <u>4-7-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>4-7-78</u>		claimant by:	
\$10.00 fee received by <u>[initials]</u>	Date <u>4-7-78</u>			
Approved for publication by <u>[initials]</u>				
Published in <u>Idaho Statesman</u>				
Dates <u>Apr. 20 + 21, 1978</u>				

STATE OF IDAHO)

)ss.

COUNTY OF ADA)

Nancy Smith, 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 insertions, beginning with the issue of April 20, 1978, and ending with the issue of April 27, 1978.

Nancy Smith
Subscribed and sworn to before me this 27th
day of April, 1978.

Harold Eugene
Notary Public for Idaho, Residing at Boise, Idaho

OK
5-2-78

MICROFILMED

WATER RIGHT NUMBER 63-4605

WATER RIGHTS EDIT REPORT

12/14/79

PAGE 78

ACT
ION

N	OWNER LAST NAME - WILLIAMS	FIRST NAME - GEORGE G.
N	OWNER LAST NAME - WILLIAMS	FIRST NAME - DOLORES M.
N	ADDRESS LINE 1 - 6633 HILL RD.	
N		CITY - BOISE STATE - ID
N	SOURCE - WASTE WATER	TRIBUTARY OF - UNNAMED DRAIN
N	STAGE - STATRY CLM	PRIORITY - 06-01-1938 COUNTY - ADA TOTAL DIV. RATE - .0800CFS
N	DIVERSION POINT - SWSW 18 04N 02E	
N	FROM - 04-01 TO - 10-31 USE - IRRIGATION	USE DIV. RATE - .0800CFS
N	USE - IRRIGATION	PLACE OF USE - TWN 04N RNG 02E SEC 18 TRACT SWSW AC 02

3/79

IDENT. NO. 63-4605

ID A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Old No.

New No.

1. Original Owner: George H. & Dolores M. Williams

Present Owner: _____

2. Address: 6633 Hill Rd.

3. City: Boise State: Id Zip: _____

4. A. Source of Water: waste water
B. Tributary of: ~~the~~ unnamed drain

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1938

D. County: C l

E. Total Diversion Rate: .08

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>SWSW</u>	<u>18</u>	<u>4N</u>	<u>2E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 10-31 for A purposes. Amount .08
(cfs or AC-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from to for purposes. Amount

from to for purposes. Amount

CA 11-8-79

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-4605

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) R.W.H. 4-7-78

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) R.W.H. 4-7-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) ry ok

Affidavit of Publication received(date) 5-2-78

(12) _____

Final date for protests _____
Protests received: yes _____ no _____

(13) _____

All requested information received from agencies of
applicant: yes _____ no _____

(14) _____

Action recommended:

7 Approve _____ Deny

Proposed Priority

Reason for Reduction _____

Measuring device required

See attached sheet for other conditions of
approval

No special conditions for approval

(15) District W

By [Signature] Date 5/8/78

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 Coie Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

May 9, 1978

Re: Claim to a Water Right No. 63-4605

Mr. & Mrs. George G. Williams
6633 Hill Road
Boise, ID 83703

Dear Mr. & Mrs. Williams:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, 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 Regional Supervisor

DBS:rf

Enclosure

April 26, 1978

Re: Claim to a Water Right No. 63-4605
George &/or Dolores Williams

Harry A. Vogt, Secretary
Farmers Union Ditch Co., Ltd.
Route 1
Eagle, ID 83616

Dear Mr. Vogt:

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 42-225b 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.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:rf

100-111111

April 26, 1978

Re: Claim to a Water Right No. 63-4605

Mr. & Mrs. George G. Williams
6633 Hill Road
Boise, ID 83703

Dear Mr. & Mrs. Williams:

Enclosed is a copy of an exception filed by Harry A. Vogt, Secretary of the Farmers Union Ditch Co., Ltd. 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 42-225b, 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.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:rf

Enc.

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

April 14, 1978

Re: Notice of Claim to a Water Right No. 63-4605 -- George &/or Dolores Williams
63-4606 -- Hoot Nanney Farms, Inc.
Notice of Application for Water Right No. 63-9134 -- Phillips Enterprises
63-9136 -- City of Garden City

Idaho Statesman
Box 40
Boise, ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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)

Please send the affidavit of publication and publication billing to this office before May 8, 1978.

Sincerely,

RITA FLECK
Secretary

Bill submitted
5-2-78
[Signature]

RECEIVED
MAY 15 1978
DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

NOTICE OF CLAIM TO A WATER RIGHT

NO. 63-4605

Notice is hereby given that GEORGE G. &/or DOLORES M. WILLIAMS
6633 Hill Road, Boise, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.08 cubic feet per second ~~XXXXXX~~ of water
from waste water
with the point of diversion in the SW₁SW₁ Sec 18 T4N-R2E B.M., Ada
County.

The water is claimed to be used from Apr 1 to Oct 31
for irrigation of 2 acres

with a priority date of 1938;
the place of use is within the SW₁SW₁ Sec 18 T4N-R2E B.M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published in the Idaho Statesman, Boise, Idaho
on April 20, 1978 and April 27, 1978.

RECORDED