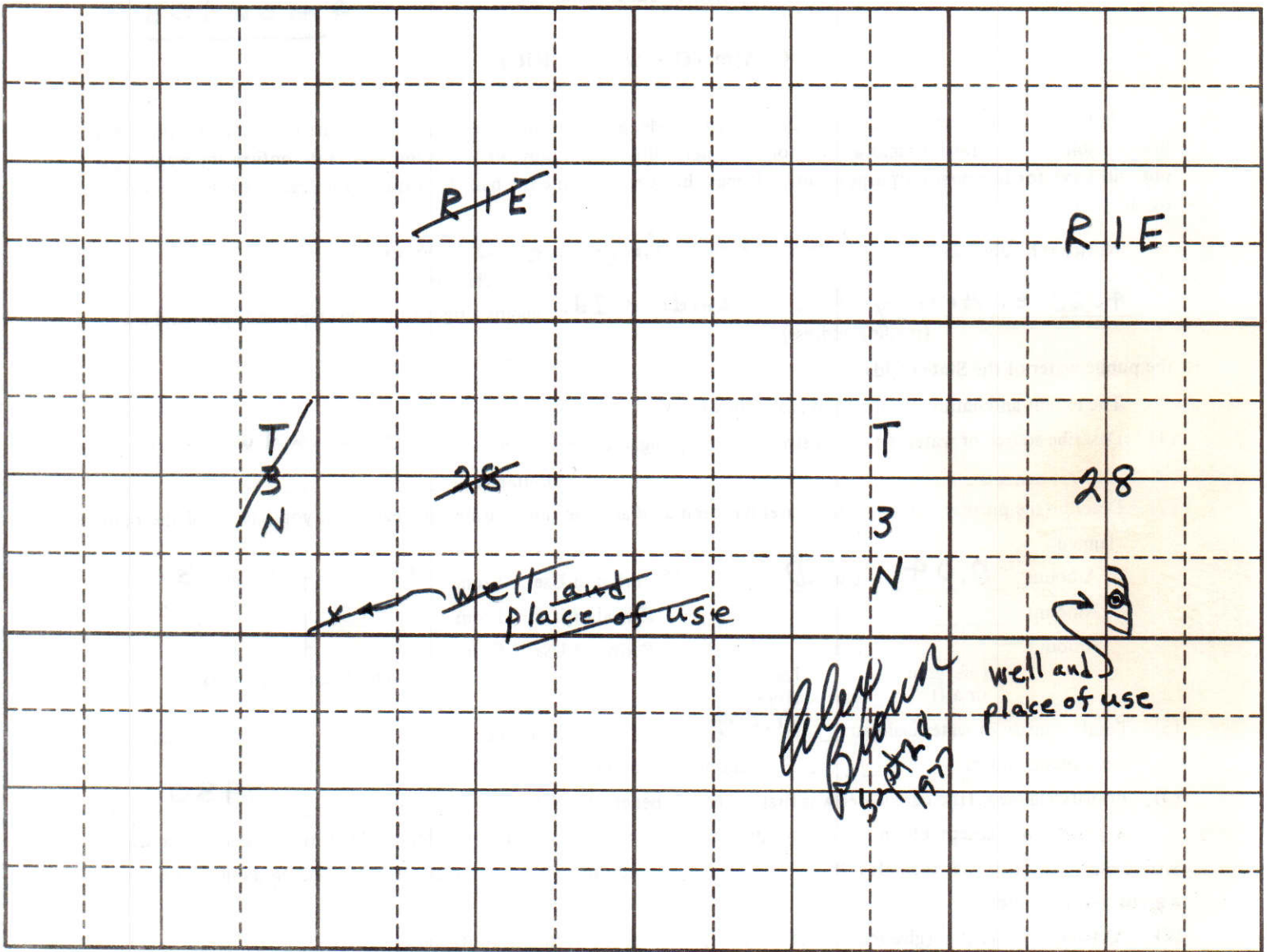


(8) Remarks _____



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.

Sworn to before me this 25th day of

July, 1977
Alex Brown
(Claimant)

Notary Public

Residing at

Lyle Glen Saxton
Boise, Idaho

My commission expires

11-25-78

For Department Use Only

Received by <u>PLH</u>	Date <u>7-25-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>7/26/77</u>		claimant by:	
\$10.00 fee received by <u>PLH</u>	Date <u>7-25-77</u>	# <u>8165</u>		
Approved for publication by <u>PLH</u>	Date <u>7-28-77</u>	<u>Beverly Green</u>	<u>1a</u>	<u>8-25-77</u>
Published in <u>The Idaho Statesman</u>				
Dates <u>August 4, 1977 & August 11, 1977</u>				

STATE OF IDAHO)

)ss.

COUNTY OF ADA)

Melise Madarieta, 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 August 4, 1977, and ending with the issue of August 11, 1977.

Melise Madarieta

Subscribed and sworn to before me this 11th

day of August, 1977.

Barth E. Egan

Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 63-4541

Notice is hereby given that ALEX &/or CAROLINE BROWN, 4060 E. Amity Road, Meridian, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a groundwater source with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 28 T3N-R1E B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31, for a domestic purpose, with a priority date of 1930, the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 28 T3N-R1E 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. Aug. 4, 11, 1977

8206

OK
8-25-77
mb

RECEIVED
AUG 12 1977

Department of Water Resources
Western Regional Office

RECEIVED

STATE OF IDAHO)

)ss.

COUNTY OF ADA)

P E Levitt

, 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

2 skip insertions, beginning with the issue of October, 1967, and ending with the issue of October 13, 1977.

P. E. Levitt

Subscribed and sworn to before me this 13th

day of October, 1977.

Lorothy M. McClure

Notary Public for Idaho, Residing at Boise, Idaho

Meridian

**NOTICE OF AMENDED
CLAIM TO A WATER RIGHT
NO. 63-4541**

Notice is hereby given that Alex &/or Caroline Brown, 4060 E. Amity Road, Meridian, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a groundwater source with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28 T3N-R1E B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority date of 1930; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 28 T3N-R1E B.M.

The claimants now proposed to amend the claim to a water right by changing the point of diversion within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28 T3N-R1E B.M.

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

C. STEPHEN ALLRED
Director
Pub. Oct. 6, 13, 1977

8606

OK 198
10-19-77

RECEIVED
OCT 17 1977

Department of Water Resources
Western Regional Office

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

Amended

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 Alex +/or Caroline Brown (name of claimant)
of 4060 E. Amity Rd. Meridian, Id. (mailing address), claims a right to the diversion and beneficial use of
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) Groundwater, tributary to ,
- (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 | 0.04 | Use | Domestic | Period of Use: From | 1-1 | To | 12-31 |
| Amount | | Use | | Period of Use: From | | To | |
| Amount | | Use | | Period of Use: From | | To | |
- (cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)
- (3) Total quantity of water claimed: 0.04 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) 1930

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 1/4 SW 1/4, Sec. 28 Twp. 3N Rge. 1E 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. Well is approx 70 feet deep w/ a 4" diam. casing.

- (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.

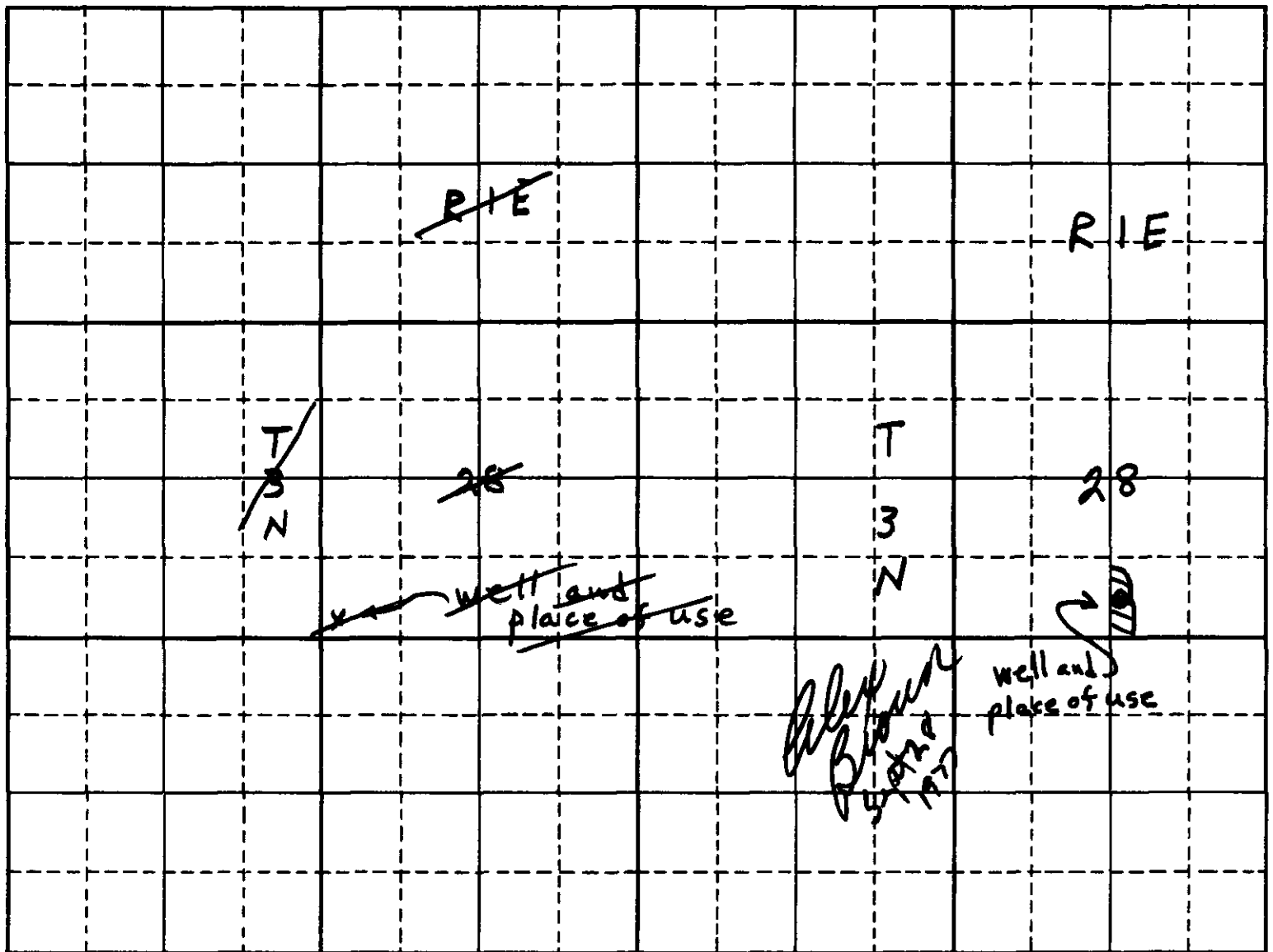
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	1E	28																X	

Total No. of acres

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic - 1 house hold

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

(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.

Sworn to before me this 25th day of July, 1977
Alex Brown (Claimant)
Lyle Glen Sartor Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by <u>PLS</u>	Date <u>7-25-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>7/26/77</u>		claimant by:	
\$10.00 fee received by <u>N</u>	Date <u>7-25-77</u>	# <u>8165</u>		
Approved for publication by <u>AS</u>	Date <u>7-28-77</u>	<u>Beverly Green</u>	<u>la</u>	<u>8-25-77</u>
Published in <u>The Idaho Statesman</u>				
Dates <u>August 4, 1977 & August 11, 1977</u>				

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Melise Madarieta, 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 August 4, 1977, and ending with the issue of August 11, 1977.

Melise Madarieta

Subscribed and sworn to before me this 11 th day of August, 1977.

Dorothy Eugene

Notary Public for Idaho, Residing at Boise, Idaho

OK
8-23-77
mb

UNRECORDED

COUNTY OF ADA)

P E Levitt

P E Levitt, 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

2 skip insertions, beginning with the
issue of October, 19⁶77, and ending with the
issue of October 13, 19 77.

P. E. Leitch

Subscribed and sworn to before me this 13th
day of October, 1977.

Lorothy M. McClure

Notary Public for Idaho, Residing at Boise, Idaho
Meridian

Herodian

OK 148
10-19-77

REPORT

WATER RIGHT NUMBER 63-4541

WATER RIGHTS EDIT REPORT

12/13/79

PAGE 161

ACT
ION

N OWNER LAST NAME - BROWN
N OWNER LAST NAME - BROWN
N ADDRESS LINE 1 - 4060 E. AMITY RD.

FIRST NAME - ALEX
FIRST NAME - CAROLINE

N
N SOURCE - GROUNDWATER

CITY - MERIDIAN

STATE - ID ZIP CODE - 83642

N STAGE - STATRY CLM

PRIORITY - 06-01-1930 COUNTY - ADA

TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - SWSE 28 03N 01E

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0400CFS

N USE - DOMESTIC

PLACE OF USE - TWN 03N RNG 01E SEC 28 TRACT SWSE

3/79

IDENT. NO. 63-4541

I D 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: Alex & Caroline Brown

Present Owner: _____

3. City: Meridian State: ID Zip: 83642

4. A. Source of Water: La

B. Tributary of:

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

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

C. Priority Date: 6-1-1930

D. County: 01

E. Total Diversion Rate: .04

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</u> <u>Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	SWSE	28	3N	1E		

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

from 1-1 to 12-31 for D purposes. Amount .04
(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 _____

QHA 11-8-79

8. Use Code: D

[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-

☒ 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

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
☐ Papers Sent

(1) CLS 7/26/77

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) CLS 7/26/77

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) _____

Affidavit of Publication received (date) _____

(12) _____

Final date for protests N/A
Protests received ☒ yes ☐ no

(13) _____

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

(14) _____

Action recommended:

☒ Approve ☐ Deny

☒ Proposed Priority

☒ Reason for Reduction _____

☒ Measuring device required

☒ See attached sheet for other conditions of approval

☒ No special conditions for approval

RECEIVED

OCT 26 1977

Department of Water Resources

(15) District W By THA Date 8-25-77

10-24-77

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

October 25, 1977

Re: Claim to a Water Right No. 63-4541 (Amended)

Alex &/or Caroline Brown
4060 E. Amity Road
Meridian, ID 83642

Dear Mr. & Mrs. Brown:

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.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:

Enclosure



DEPARTMENT OF WATER RESOURCES

WESTERN REGION

John V. Evans
Governor

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

September 30, 1977

Re: Notice of Application for Water Permit No. 63-9045 -- Cline & Eileen Waddell
Notice of Claim to a Water Right No. 63-4562 -- Harold L. &/or Helen G. Wolfe
Notice of Amended Claim to a Water Right No. 63-4541 -- Alex &/or Caroline Brown

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 October 24, 1977.

Sincerely,

RITA FLECK
Secretary

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 63-4541

Notice is hereby given that Alex &/or Caroline Brown , 4060 E. Amity Road, Meridian, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a groundwater source with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 28 T3N-R1E B.M., Ada County.

The water is claimed to be used from Jan 1 to Dec 31 for domestic purposes with a priority date of 1930; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 28 T3N-R1E B.M.

The claimants now proposed to amend the claim to a water right by changing the point of diversion within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 28 T3N-R1E B.M.

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

C. STEPHEN ALLRED

Director

Published in the Idaho Statesman, Boise, Idaho on October 6 and 13, 1977.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

September 21, 1977

Re: Claim to a Water Right No. 63-4541

Alex &/or Caroline Brown
4060 East Amity Road
Meridian, ID 83642

Dear Mr. & Mrs. Brown:

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.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enclosure



E X C E P T I O N

I, Beverly Green of 3570 East Amity, Meridian, Idaho wish to file an exception to Claim # 63-4541 as the property described does not belong to the applicants.

March 17, 1977

Barry W. Davis

Sworn to before me this 17th day of August, 1977.

Notary Public

Residing at Boise, Idaho

My commission expires March 8, 1980

10

August 25, 1977

Re: Claim to a Water Right No. 63-4541

Alex &/or Caroline Brown
4060 East Amity Road
Meridian, ID 83642

Dear Mr. and Mrs. Brown:

Enclosed is a copy of an exception filed by Beverly Green in connection with the above referenced claim as provided by Chapter 2, Section 42-225b of the Idaho Code, which 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."

Only the above action has been contemplated by the Idaho Legislature. Consequently, this Department is not authorized to hold hearings or evaluate for conformation or final censorship of the described claim.

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

Sincerely,

L. Glen Saxton
Western Regional Supervisor

LGS:la

Enclosure

August 25, 1977

Re: Claim to a Water Right No. 63-4541
(Alex &/or Caroline Brown)

Beverly Green
3570 East Amity
Meridian, ID 83642

Dear Ms. Green:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The following is a portion of Section 42-225b, Idaho Code related to the filing of a Claim to a Water Right:

"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."

Only the above action has been contemplated by the Idaho Legislature. Consequently, this Department is not authorized to hold hearings or evaluate for conformation or final censorship of the described claim.

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

Sincerely,

L. Glen Saxton
Western Regional Supervisor

LGS:la

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

July 29, 1977

RE: SEE ATTACHED SHEET

63-4541

The Idaho Statesman
Box 40
Boise, Idaho 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 August 22, 1977.

Sincerely,

RITA FLECK
Secretary

PUBLISHED IN THE IDAHO STATESMAN, BOISE, IDAHO on August 4, 1977 and August 11, 1977

CLAIM TO A WATER RIGHT

63-4540 Kenton L. &/or Meredith Brandel
63-4541 Alex &/or Caroline Brown

APPLICATION FOR WATER PERMIT

63-8990 Boise Water Corporation
63-8991 Alex &/or Caroline Brown
63-8992 Dennis M. Baker
63-8993 Charles H. Howarth, M.D.
63-8994 Larry G. &/or Linda M. Blanchard

NOTICE OF CLAIM TO A WATER RIGHT

NO. 63-4541

Notice is hereby given that ALEX &/or CAROLINE BROWN
4060 E. Amity Road, Meridian, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~acres~~ of water
from a groundwater source
with the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 28 T3N-R1E B.M., Ada County

The water is claimed to be used from Jan 1 to Dec 31
for a domestic purpose

with a priority date of 1930;
the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 28 T3N-R1E 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 Statesmen, Boise, Idaho
on August 4, 1977 and August 11, 1977.