

AFFIDAVIT OF PUBLICATION

RECEIVED
JUL 14 1977

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

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 63-4518

Notice is hereby given that
BYRON ALTIZER Route 1, Box
1470, Nampa, Idaho has filed a
claim to a water right
established by diversion and ap-
plication to beneficial use of 0.08
cubic feet per second of water
from a groundwater source with
the point of diversion in the
SW1/4NW1/4 Sec 29 T3N-R2W
B.M., Canyon County.

The water is claimed to be
used from Jan. 1 to Dec. 31. for
domestic and stockwater pur-
poses with a priority date of
May, 1913; the place of use is
within the SW1/4NW1/4 Sec 29
T3N-R2W B.M.

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

C. STEPHEN ALLRED
Director
June 30; July 7, 1977

Verla Harker
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press,
a daily, (except Sunday) newspaper published in the City of
Nampa, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

June 30; July 7, 1977

Verla Harker

Subscribed and sworn to before me this

19 77 7th day of July,

Adam D. Tarr

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

OK
7-19-77
JD

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

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 Byron Altizer
(name of claimant)
of Rt. 1. Box 1470, Nampa, Id., 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) 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 | <u>0.04</u> | Use | <u>Domestic</u> | Period of Use: | From | <u>1-1</u> | To | <u>12-31</u> |
| Amount | <u>0.04</u> | Use | <u>Stock</u> | Period of Use: | From | <u>1-1</u> | To | <u>12-31</u> |
| 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: 0.08 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) May 1913

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 $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29 Twp. 3N Rge. 2W B. M. County of Canyon
 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 180' deep with a 3" 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.

[illegible]

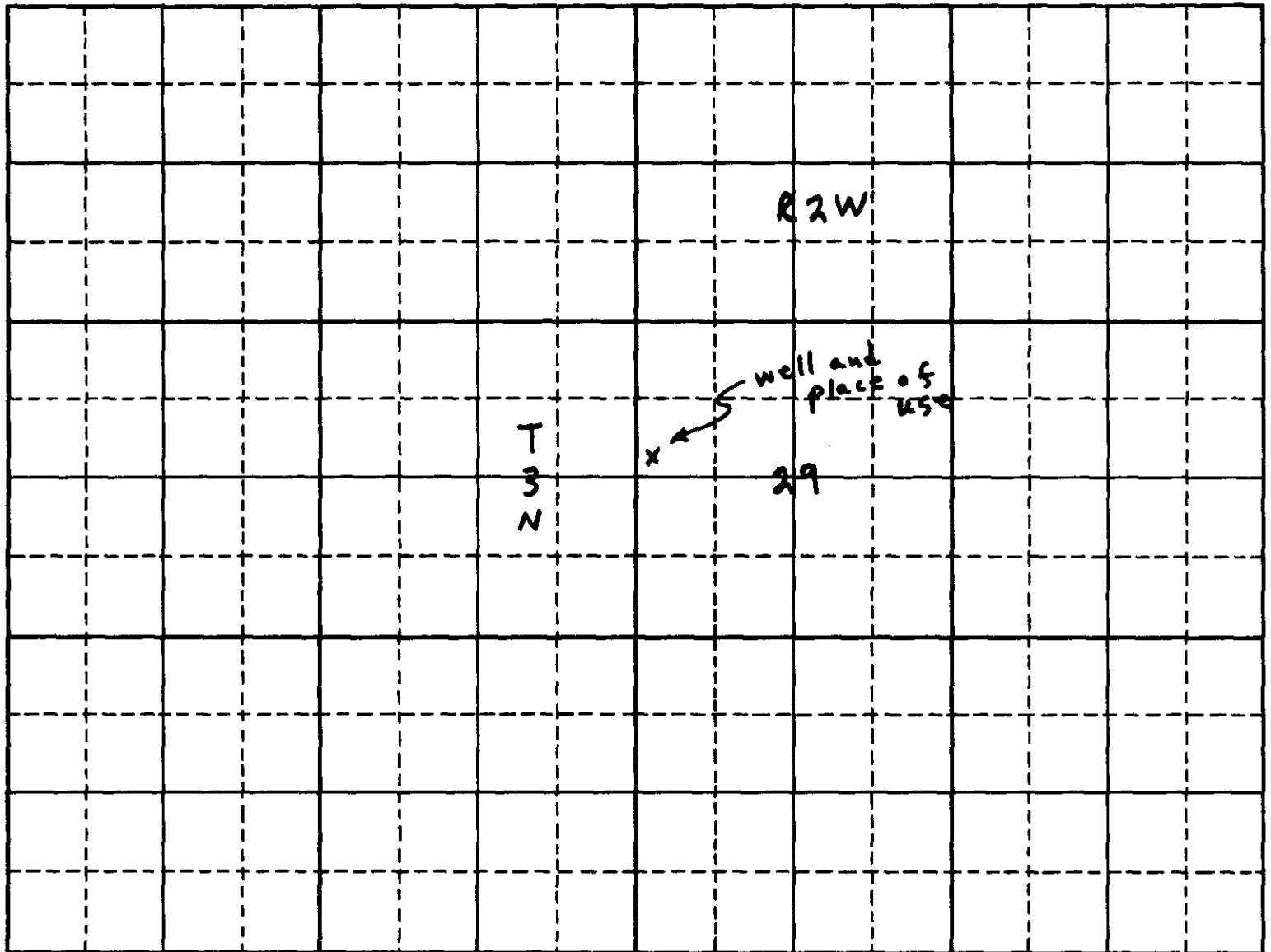
Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
 Approx 6 head of stock are watered.
 Domestic for two households

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

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(8) Remarks Well originally 100' deep w/ a 4" diam.
casing.



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 22nd day of

Byron Altiger
(Claimant) June 27, 1977

Lyle Glen Saxton
Notary Public
Residing at Boise, Idaho

My commission expires 11-25-78

For Department Use Only

Received by WJH Date 6-22-77 Exception filed by: Forwarded to Date
Prelim. check by WJH Date 6-22-77 claimant by:
\$10.00 fee received by WJH Date 6-22-77 *8098
Approved for publication by
Published in Idaho Free Press
Dates June 30 & July 7

AFFIDAVIT OF PUBLICATION

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

Verla Harker
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was over the age of twenty-one years,
and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press,
a daily, (except Sunday) newspaper published in the City of
Nampa, in the County of Canyon, State of Idaho; that
the said newspaper is in general circulation in the said County of
Canyon, and in the vicinity of Nampa, and has
been uninterruptedly published in said County during a period of
seventy-eight consecutive weeks prior to the first publication of the
notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was
published in said newspaper

Two Times
in the regular and entire issue of said paper, and was
printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

June 30; July 7, 1977

Verla Harker

Subscribed and sworn to before me this

19 77 7th day of July

Adam D. Lane

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

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OK
7-19-77
JD

WATER RIGHT NUMBER 63-4518

WATER RIGHTS EDIT REPORT

12/26/79

PAGE 4

IT
IN

I OWNER LAST NAME - ALTIZER
I ADDRESS LINE 1 - RT. 1 BOX 1470

FIRST NAME - BYRON

CITY - NAMPA

STATE - ID ZIP CODE - 83651

I SOURCE - GROUNDWATER

I STAGE - STATRY CLM

PRIORITY - 05-01-1913 COUNTY - CANYON

TOTAL DIV. RATE - 8.0000CFS

I DIVERSION POINT - SWNW 29 03N 02W

I FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE - .0400CFS

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

USE DIV. RATE - .0400CFS

I USE - STOCKWATER

PLACE OF USE - 1WN 03N RNG 02W SEC 29 TRACT SWNW

I OTHER RIGHTS FOR SAME USE - 5/6 RANGE D/2 HOMES.

7000

IDENT. NO. 63-4518

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 -

Ord No.

New No.

1. Original Owner: Beyron Altizer

Present Owner: _____

2. Address: Rt. 1 Box 1470

3. City: *Nampa* State: *ID* Zip: *83651*

4. A. Source of Water: *GW*

B. Tributary of:

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

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

C. Priority Date: 5-1-1913

D. County: 27

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</u> <u>Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	SWNW	29	3N	2W		

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

from 1-1 to 12-31 for 8 purposes. Amount .04
(cfs or ~~AC~~ FT/yr)

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

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 _____

CJA 11-8-79

8. Use Code: 2

[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:

S/6 range D/2 homes.

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) WKM 6/22/77

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) WKM 6/22/77

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) rf OK

Affidavit of Publication received(date) 7-19-77

(12) _____

Final date for protests N/A

Protests received: yes _____ no ☒

(13) _____

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

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

(15) District W

By WKM

Date 7-18-77

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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

July 19, 1977

Re: Claim to a Water Right No. 63-4518

Byron Altizer
Route 1, Box 1470
Nampa, ID 83651

Dear Mr. Altizer:

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



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

Re: Notice of Application for Water Permit No. 63-8962 -- R. E. &/or Alice Elliott
Notice of Amended Application for Water Permit No. 63-8462 -- George Swartz
Notice of Claim to a Water Right No. 63-4518 -- Byron Altizer

Idaho Free Press
P. O. Box 88
Nampa, ID 83651

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 July 18, 1977.

Sincerely,

Bill submitted
7-19-77
[Signature]

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NOTICE OF CLAIM TO A WATER RIGHT

NO. 63-4518

Notice is hereby given that BYRON ALTIZER

Route 1, Box 1470 Nampa, 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 ~~XXXXXXXXXX~~ a groundwater source

with the point of diversion in the SW $\frac{1}{4}$ Sec 29 T3N-R2W B.M., Canyon
County.

The water is claimed to be used from Jan 1 to Dec 31
for domestic and stockwater purposes

with a priority date of May, 1913;
the place of use is within the SW $\frac{1}{4}$ Sec 29 T3N-R2W B.M.

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

C. STEPHEN ALLRED

Director

Published in the Idaho Free Press, Nampa, ID
on June 30, 1977 and July 7, 1977.

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