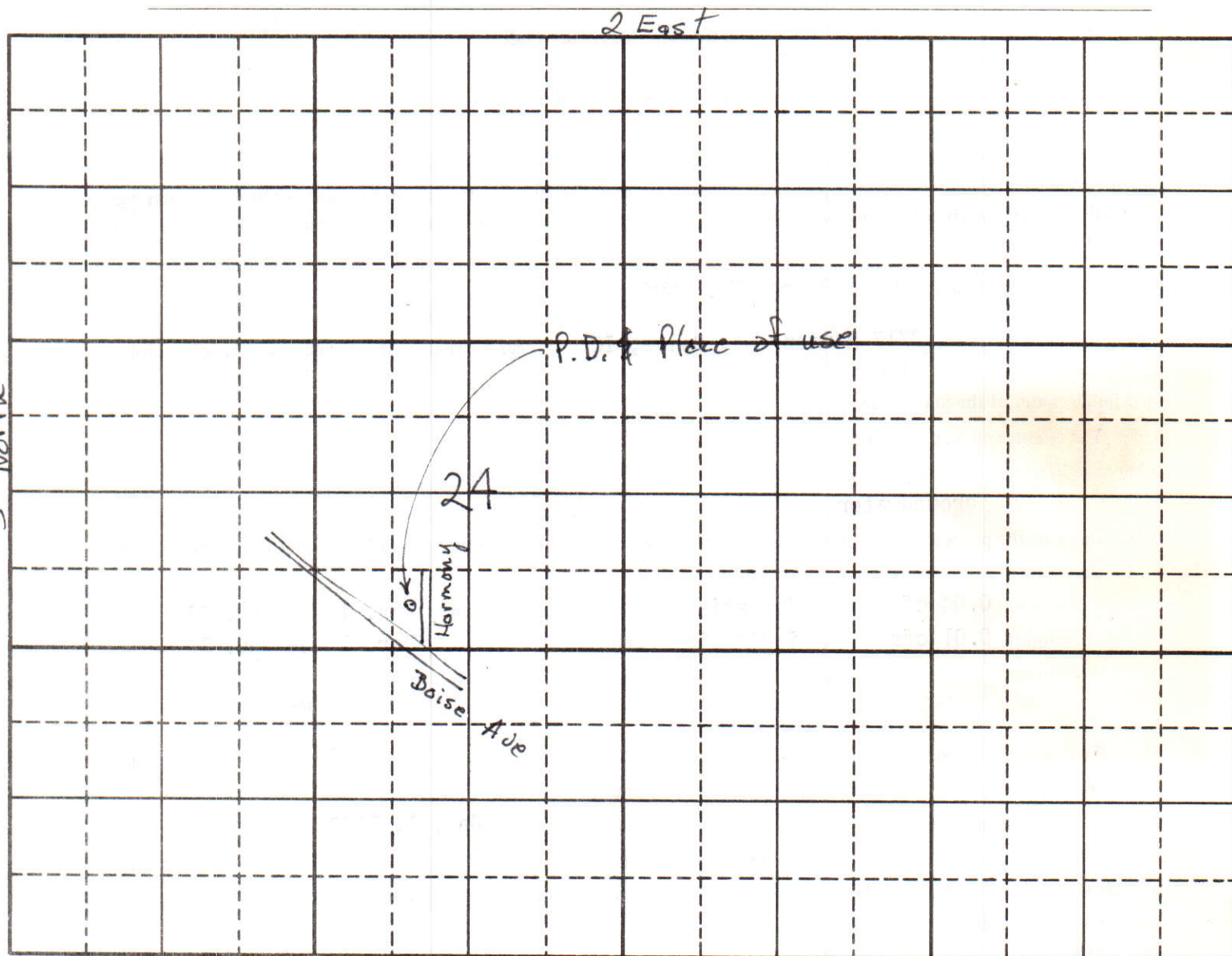


(8) Remarks Point of diversion and place of use also described
as 2717 Harmony.



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.

X Robert W. Sanin
(Claimant)

Sworn to before me this 1st day of April, 19 77.

Rita Bendale
Notary Public

Residing at Boise, Id

My commission expires March 8, 1980

For Department Use Only

Received by <u>WFM</u>	Date <u>3-4-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>625</u>	Date <u>4-1-77</u>		claimant by:	
\$10.00 fee received by <u>CS</u>	Date <u>4-1-77</u> # <u>7096</u>			
Approved for publication by <u>CS</u>	<u>4-7-77</u>			
Published in <u>Idaho Statesman</u>				
Dates <u>April 14, 1977 & April 21, 1977</u>				

STATE OF IDAHO)

)ss.

COUNTY OF ADA)

Marilyn Baker, 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 14, 1977, and ending with the issue of April 21, 1977.

Marilyn Baker
Subscribed and sworn to before me this 21st day of April, 1977.

Sarah E. Eguen
Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF CLAIM TO
A WATER RIGHT
No. 63-4452

Notice is hereby given that Robert Wm. Gavin, 2717 Harmon St., Boise, ID, 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 ground-water source with the point of diversion in the SE 1/4 SW 1/4 Sec. 24 T3N-R2E B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for a domestic purpose and from Mar. 1 to Nov. 1 for the irrigation of a 1/2 acre with a priority of January 1, 1963; the place of use is within the SE 1/4 SW 1/4 Sec. 24 T3N-R2E B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho 83720.

C. STEPHEN ALLRED,
Director
Pub. April 14, 21, 1977

7461

OK
5-5-77
M

MICROFILMED

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 Robert Wm. Gavin (name of claimant)
of 2717 Harmony St, Boise, 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 cfs</u> | Use | <u>domestic &</u> | Period of Use: | From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>0.01 cfs</u> | Use | <u>irrigation</u> | Period of Use: | From | <u>Mar. 1</u> | To | <u>Nov. 1</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: 0.04 cubic feet per second, or 2 acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) Jan. 1, 1963

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)
SE ¼ SW ¼, Sec. 24 Twp. 3N 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. well, pump, and pipe

- (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	
3N	2E	24												1/2					1/2

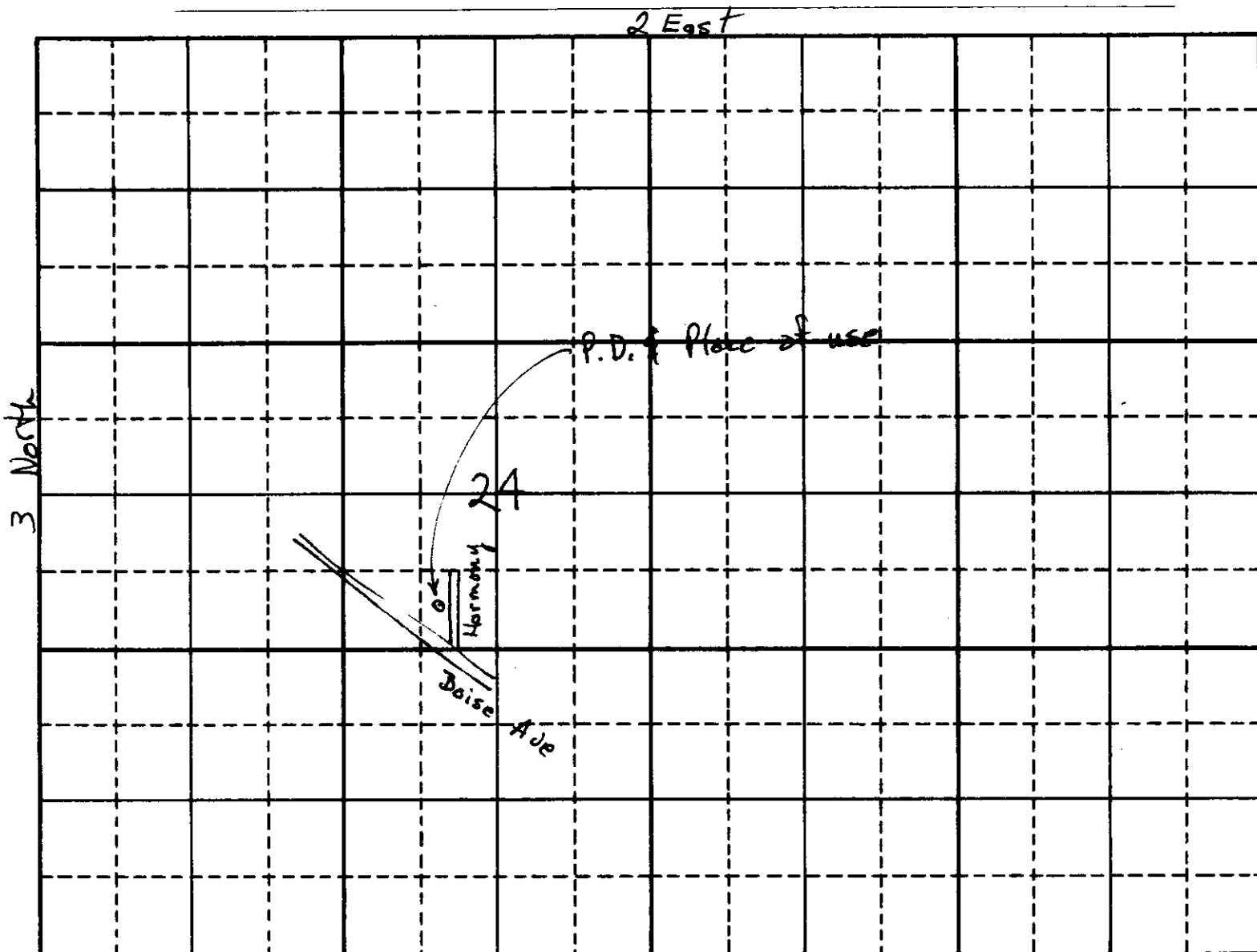
Total No. of acres 1/2

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
1/2 acre pasture, garden, lawn sprinkling and domestic water

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

COPILED

(8) Remarks Point of diversion and place of use also described
as 2717 Harmony.



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 1st day of April, 1977.

Robert W. Sanin
(Claimant)

Beta Bendala
Notary Public

Residing at Boise, Id

My commission expires March 8, 1980

For Department Use Only

Received by <u>WMM</u>	Date <u>3-4-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GHS</u>	Date <u>4-1-77</u>		claimant by:	
\$10.00 fee received by <u>W</u>	Date <u>4-1-77</u>	# <u>7096</u>		
Approved for publication by <u>CS</u>	Date <u>4-7-77</u>			
Published in <u>Idaho Statesman</u>				
Dates <u>April 14, 1977 + April 21, 1977</u>				

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

Marilyn Baker, 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 14, 1977, and ending with the issue of April 21, 1977.

Marilyn Baker

Subscribed and sworn to before me this 21st day of April, 1977.

Sarah E. Egan
Notary Public for Idaho, Residing at Boise, Idaho

OK
5-5-77
M

MICROFILMED

ACT
ION

N OWNER LAST NAME - GAVIN FIRST NAME - ROBERT WILLIAM
N ADDRESS LINE 1 - 2717 HARMONY ST.
N CITY - BOISE STATE - ID
N SOURCE - GROUNDWATER
N STAGE - STATRY CLM PRIORITY - 01-01-1963 COUNTY - ADA TOTAL DIV. RATE - .0400CFS
N DIVERSION POINT - SESW 24 03N 02E
N FROM - 03-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - .0100CFS
N FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0400CFS
N USE - IRRIGATION PLACE OF USE - TWN 03N RNG 02E SEC 24 TRACT SESW AC 01
N REMARKS - AC. IRR.=.5.

IDENT. NO. 63-4452

WATER RIGHT DATA ENTRY LOG

[illegible]

- DATA ENTRY -

OTd No.

New No.

1. Original Owner: Robert William Gavin

Present Owner: _____

2. Address: 2712 Harmony St.

3. City: Boise State: 10 Zip: _____

4. A. Source of Water: gw

B. Tributary of:

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: 1-1-1963

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):

					Gov't		
					Lot	Rediv.	
					Tract	Sec.	
					Twp.	Rge.	
6.	A.	Point of Diversion	SESW	24	3N	2E	

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

from 3-1 to 11-1 for A purposes. Amount .01
(cfs or AC-FI/yr)

from 1-1 to 12-31 for 0 purposes. Amount .04

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from	to	for	purposes. Amount
1968	1969	1970	1971
1972	1973	1974	1975
1976	1977	1978	1979
1980	1981	1982	1983
1984	1985	1986	1987
1988	1989	1990	1991
1992	1993	1994	1995
1996	1997	1998	1999
2000	2001	2002	2003
2004	2005	2006	2007
2008	2009	2010	2011
2012	2013	2014	2015
2016	2017	2018	2019
2020	2021	2022	2023
2024	2025	2026	2027
2028	2029	2030	2031
2032	2033	2034	2035
2036	2037	2038	2039
2040	2041	2042	2043
2044	2045	2046	2047
2048	2049	2050	2051
2052	2053	2054	2055
2056	2057	2058	2059
2060	2061	2062	2063
2064	2065	2066	2067
2068	2069	2070	2071
2072	2073	2074	2075
2076	2077	2078	2079
2080	2081	2082	2083
2084	2085	2086	2087
2088	2089	2090	2091
2092	2093	2094	2095
2096	2097	2098	2099
2100	2101	2102	2103
2104	2105	2106	2107
2108	2109	2110	2111
2112	2113	2114	2115
2116	2117	2118	2119
2120	2121	2122	2123
2124	2125	2126	2127
2128	2129	2130	2131
2132	2133	2134	2135
2136	2137	2138	2139
2140	2141	2142	2143
2144	2145	2146	2147
2148	2149	2150	2151
2152	2153	2154	2155
2156	2157	2158	2159
2160	2161	2162	2163
2164	2165	2166	2167
2168	2169	2170	2171
2172	2173	2174	2175
2176	2177	2178	2179
2180	2181	2182	2183
2184	2185	2186	2187
2188	2189	2190	2191
2192	2193	2194	2195
2196	2197	2198	2199
2200	2201	2202	2203
2204	2205	2206	2207
2208	2209	2210	2211
2212	2213	2214	2215
2216	2217	2218	2219
2220	2221	2222	2223
2224	2225	2226	2227
2228	2229	2230	2231
2232	2233	2234	2235
2236	2237	2238	2239
2240	2241	2242	2243
2244	2245	2246	2247
2248	2249	2250	2251
2252	2253	2254	2255
2256	2257	2258	2259
2260	2261	2262	2263
2264	2265	2266	2267
2268	2269	2270	2271
2272	2273	2274	2275
2276	2277	2278	2279
2280	2281	2282	2283
2284	2285	2286	2287
2288	2289	2290	2291
2292	2293	2294	2295
2296	2297	2298	2299
2300	2301	2302	2303
2304	2305	2306	2307
2308	2309	2310	2311

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: D

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. $Ac. M. = .5$
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):

Bob

May 15, 1977

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

Dear Sirs:

We wish to file an exception to Claim No. 63-4452 filed by Robert Wm. Gavin on property at 2717 Harmony St.

The amount of water is certainly incorrect as previous owners have never used the small, shallow well for irrigation purposes. Irrigation water was utilized entirely from the New York Irrigation Canal. Previous owners have used water from this well for household purposes only.

Sincerely,

Ed Waters
Patricia A. Waters
2801 Harmony St.
Boise, Idaho

RECEIVED
JUN 1 1977

Department of Water Resources
Western Regional Office

July 7, 1977

Re: Claim to a Water Right No. 63-4452

Robert Wm. Gavin
2717 Harmony Street
Boise, ID 83706

Dear Mr. Gavin:

Enclosed is a copy of the exception filed by E. A. & Patricia A. Waterman 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, P.E.
Western Regional Supervisor

LGS:rf

Enc.

July 7, 1977

Re: Claim to a Water Right No. 63-4452
(Robert Wm. Gavin)

E. A. & Patricia Waterman
2801 Harmony Street
Boise, ID 83706

Dear Mr. & Mrs. Waterman:

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, P.E.
Western Regional Supervisor

LGS:rf

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
☒ N/A 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) 6hs 4/1/77

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

(4) 6hs 4/1/77

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) 5-5-77

(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

(15) District W

By THA Date 5-9-77

MICROFILMED



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

May 10, 1977

Re: Claim to a Water Right No. 63-4452

Robert Wm. Gavin
2717 Harmony Street
Boise, ID 83706

Dear Mr. Gavin:

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,

GLEN SAXTON, P.E.
Western Regional Supervisor

rf

enclosure

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

April 8, 1977

Re: See Attached Sheet

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 May 2, 1977.

Sincerely,

MAIL ROOM

Bill submitted
5-5-77
JY

PUBLISHED IN THE IDAHO STATESMAN, BOISE, IDAHO ON April 14, 21, 1977

NOTICE OF CLAIM TO A WATER RIGHT

63-4448 Vern &/or Bertha Jewell

63-4452 Robert Wm. Gavin

63-4451 Miriam E. Gibson

NOTICE OF APPLICATION FOR WATER PERMIT

63-8630 Orville Otten

63-8631 C. C. Ramsey

63-8635 South County Water Company

63-8638 C. A. &/or Elva V. Baldwin

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~63-4452~~

Notice is hereby given that Robert Wm. Gaven

2217 Harmon St. Boise, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second XXXXXXX acre feet of water
from A groundwater source
with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 24 T3N-R2E B.M., Ada

County
The water is claimed to be used from Jan 1 to Dec 31 XXXX
for a domestic purpose and from Mar 1 to Nove 1 for the irrigation of
a $\frac{1}{2}$ acre
with a priority of January 1, 1963;
the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 24 T3N-R2E B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON
XXXXXXXXXXXXXXXXXXXX
Director STEPHEN ALLRED

Published in the Idaho Statesmen, Boise, ID
April 14, 1977 and April 21, 1977

APR 14 1977

March 28, 1977

To Whom It May Concern:

The domestic will at 2717 Harmony Road was on the property prior to the purchase of said property by Clifford M. Compton in Jan 1963. It appears to have been in existence many years prior to his buying the property.

Sincerely,
Marjorie E. Farley
Executrix of Compton Estate

MICROFILMED