

Remarks _____

5N

33

① Place of use

1E

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State of Idaho)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing

(Claimant)

October

Notary Public

Residing at

March 8, 1980

For Department Use Only

Received by R.W.H. Date 10-13-76 Exception filed by: _____ Forwarded to _____ Date _____

Prelim. check by R.W.H. Date 10-13-76 claimant by: _____

\$10.00 fee received by rd Date 10-5-76 5163

Approved for publication by 8-11-3-71

Published in Idaho Statesman

Dates Oct 21 - 28

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

No. 63-4392

Notice is hereby given that RICHARD J. &/or ERMA G. FOSTER, Boise, Ida., has filed a claim to a water right established by diversion and application to beneficial use of 30 gallons per minute of water from a groundwater source with the point of diversion in the SE 1/4 SE 1/4 Sec. 33 T5N-E1E B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31, for domestic purposes with a priority of December, 1975, the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33 T5N-R1E B.M., Ada County.

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
Director
Pub. Oct. 21, 28, 1976 4651

Melise Madaneta, 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 October 21, 1976, and ending with the issue of October 28, 1976.

Thelma Madarieta

Subscribed and sworn to before me this 28th
day of October, 1976.

Bradley Eiguren
Notary Public for Idaho,

Notary Public for Idaho, Residing at Boise, Idaho

RECEIVED
NOV 2 1976

Department of Water Resources
Western Regional Office

CS
11-3-76

RECEIVED

NOV 2 1976

Department of Water Resources

RECEIVED

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 Richard J. Foster and/or Erma G. Foster, husband and wife
(name of claimant)
of Route # 1, Boise, Idaho 83702, 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) ground water from drilled well, 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:
irrigation
Amount 30 gpm Use House and Period of Use: From 1/3/76 To present
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: _____ cubic feet per second, or _____ acre feet per annum, and/or 30 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 12/75

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) Lot 1, Block 2, Beacon Light Estates, SE ¼ SE ¼, Sec. 33 Twp. 5 N 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, 6inch casing, 52 ft. depth, 300 ft. pipeline from well to house.

- (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. For supplemental use in irrigating lawn and garden.

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	1E	33																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 use in house.

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

[illegible]

Received by <u>R.W.H.</u>	Date <u>10-13-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>10-13-76</u>		claimant by:	
\$10.00 fee received by <u>mf</u>	Date <u>10-5-76</u>	<u>5163</u>		
Approved for publication by <u>B. 11-3-76</u>				
Published in <u>Idaho Statesman</u>				
Dates <u>Oct 21-28</u>				

STATE OF IDAHO)

) SS.

COUNTY OF ADA)

No. 63-4392

Notice is hereby given that RICHARD L. &/or ERMA G. FOSTER, Boise, Idaho, has filed a claim to a water right established by diversion and appropriation to beneficial use of 30 gallons per minute of water from a groundwater source with the point of diversion in the SE 1/4 SE 1/4 T5N, E1E B.M., Ada County, Idaho.

The water is claimed to be from Jan. 1 to Dec. 31, for domestic purposes, and priority is claimed for 1975. The place of use is in the SE 1/4 Sec. 33 T5N-R1E Ada County.

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

R. KEITH HIGGINS
Director
Pub. Oct. 21, 28, 1976 4651

Melise Madaruta, 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 October 21, 1976, and ending with the issue of October 28, 1976.

Nesio Bradarica

Subscribed and sworn to before me this 28th
day of October, 1976.

Stanley E. Jensen
Notary Public for Idaho,

Notary Public for Idaho, Residing at Boise, Idaho

CS
11-3-16

Department of the Interior
Western Regional Office

REVIEW

Management of Water Resources

WATER RIGHT NUMBER 63-4392

WATER RIGHTS EDIT REPORT

12/13/79

PAGE 66

ACT
ION

N OWNER LAST NAME - FOSTER
N OWNER LAST NAME - FOSTER
N ADDRESS LINE 1 - RT. 1

FIRST NAME - RICHARD J.
FIRST NAME - ERMA G.

CITY - BOISE

STATE - ID ZIP CODE - 83706

N SOURCE - GROUNDWATER
N STAGE - STATRY CLM

PRIORITY - 12-01-1975 COUNTY - ADA

TOTAL DIV. RATE - .0700CFS

N DIVERSION POINT - SESE 33 05N 01E
N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0700CFS

N USE - DOMESTIC PLACE OF USE - TWN 05N RNG 01E SEC 33 TRACT SESE

N REMARKS - P/D IN LOT 1, BLK. 2, BEACON LIGHT EST.

IDENT. NO. C3-4392

IDENT. NO. C3-4392

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 -

Record

1. Original Owner: Richard J. & Erma H. Foster

Present Owner: _____

2. Address: Rt. 1
3. City: Boise State: Id Zip: 83706
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: 12-1-1975
D. County: Ol
E. Total Diversion Rate: .07
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	SESE	33	5N	1E		

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

[illegible]

8. Use Code: D

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. P/O in Lot 1, blk. 2, Beacon Light Est.
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):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

November 9, 1976

RE: Claim to a Water Right No. 63-4392

Richard J. &/or Erma G. Foster
Route #1
Boise, ID 83702

Dear Mr. & Mrs. Foster:

The Department of Water Resources has completed the processing 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.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

L. GLEN SAXTON, P.E.
Western District Engineer

LGS:

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2190

R. Keith Higginson
Director

October 15, 1976

RE: Notice of Application for Water Permit No. 63-8376 - Valley View Farms
Notice of Claim to a Water Right No. 63-4392 - Richard J. &/or Erma G.
Foster

Idaho Statesman
P. O. Box 40
Boise, ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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 in 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."

Sincerely,

(Signature of Claimant)

Bill Submitter

11-3-76

cs.

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4392

Notice is hereby given that RICHARD J. &/or ERMA G. FOSTER

~~XXXXXX~~ Boise, ID

has filed a claim to a water right established by diversion and application
gallons per minute
to beneficial use of 30 ~~XXXXXX feet per second XXXXXXX feet~~ of water
from a groundwater source

with the point of diversion in the SE~~1~~SE~~4~~ Sec 33 T5N-R1E B.M., Ada County

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

with a priority of December, 1975;

the place of use is within the SE~~1~~SE~~4~~ Sec 33 T5N-R1E B.M., Ada County

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

Director

Published in the Idaho Statesman, Boise, ID
on October 21, 1976 and October 28, 1976.

October 8, 1976

Re: Claim to a Water Right

Richard J. Foster
Route 1
Boise, ID 83702

Dear Mr. Foster:

In reviewing your Claim to a Water Right, I find there are some questions that need to be answered.

The point of diversion and place of use are shown as being in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 33 T5N-R1E B.M. The map shows the point of diversion as being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of that section. In checking the plat of the Beacon Light Estates Subdivision, I find a lot marked with your name and lot no., however, it is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of that section.

I feel it is in your best interest to review the location of your property and amend the claim to show the correct location.

I am enclosing a copy of the Beacon Light Estates Subdivision with the 40-acre tract marked.'

Please advise us if the map or the claim is correct.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:rf

Enc.

RECEIVED