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① P.D. +
Pace of USA

Received by R.W. H Date 6-9-76 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by R.W. H Date 6-9-76 claimant by: _____
\$10.00 fee received by RB Date 6-9-76 #5030
Approved for publication by RB 6-28-76 _____
Published in Idaho Statesman _____
Dates June 17 + 24 _____

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Melise Madarick, 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 June 17, 1976, and ending with the issue of June 24, 1976.

Melise Madaneta
Subscribed and sworn to before me this 24 th
day of June, 1976.

Sorachy Eguera
Notary Public for Idaho, Residing at Boise, Idaho

JUN 28 1976

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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 Owen F. &/or Letha J. Smith
(name of claimant)
of 2905 Canal Street, Boise, ID 83705, 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> </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: 0.04 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) ~~1961~~ 1962 as per letter dated 6/19/76

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 ¼ SW ¼, Sec. 21 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 & pressure system

- (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: _____
Domestic for one home.

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

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AD. +
@ Price of usa

Received by R.W.H. Date 6-9-76 Exception filed by: _____ Forwarded to _____ Date _____
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\$10.00 fee received by RB Date 6-9-76 # 5030 _____
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Dates June 17 + 24 _____

Melise Madarita

Two insertions, beginning with the issue of June 17, 1976, and ending with the issue of June 24, 1976.

Dolores Madaneta

Subscribed and sworn to before me this 24
day of June, 1976.

Sorathy Eugene

Notary Public for Idaho, Residing at Boise, Idaho

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Notice is hereby given that JAMES E. LEWIS, JR., of the County of Santa Clara, State of California, has filed a claim for the right established by diversion and application to beneficial use of 0.34 cubic feet per second from a groundwater source with the point of diversion in the SW 1/4 SW 1/4 Sec 21 T3N-R2E B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes, with a priority of 1961, the place of use is within the SW 4SW 4 Sec 21 T3N-R2E-S4.

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. June 17, 24, 1976

3354

WATER RIGHT NUMBER 63-4373

WATER RIGHTS EDIT REPORT

12/13/79

PAGE 47

ACT

ION

N OWNER LAST NAME - SMITH
N OWNER LAST NAME - SMITH
N ADDRESS LINE 1 - 2905 CANAL ST.

FIRST NAME - OWEN F.
FIRST NAME - LETHA J.

CITY - BOISE

STATE - ID ZIP CODE - 83705

N SOURCE - GROUNDWATER
N STAGE - STATRY CLM

PRIORITY - 06-01-1962 COUNTY - ADA

TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - SWSW 21 03N 02E
N FROM - 01-01 TO - 12-31 USE - DOMESTIC
N USE - DOMESTIC

USE DIV. RATE - .0400CFS

PLACE OF USE - TWN 03N RNG 02E SEC 21 TRACT SWSW

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 163-4373
OTd No. _____ New No. _____

Record

1. Original Owner: Owen F. & Letha J. Smith

Present Owner: _____

2. Address: 2905 Canal St.3. City: Boise State: Id Zip: 837054. 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: 6-1-1962D. County: OlE. 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): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSW</u>	<u>21</u>	<u>3N</u>	<u>2E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 1-1 to 12-31 for 0 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 _____

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

CLAIM
Application No. 63-4373

☒ 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

(1) R.W.H. 6-9-76

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) R.W.H. 6-9-76

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) RB OK

Affidavit of Publication received(date) 6-28-76

(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 7-6-76



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

July 7, 1976

Re: Claim to a Water Right NO. 63-4373

Owen F. &/or Letha J. Smith
2905 Canal Street
Boise, ID 83705

Dear Mr. & Mrs. Smith:

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: rb

Enclosure

June 17, 1976
RECEIVED

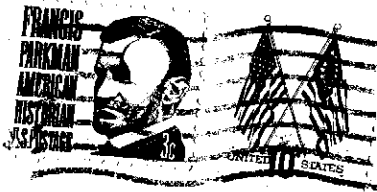
JUN 24 1976

Dear Mr. Hamilton,
Department of Water Resources

Will you please change
the priority date from 1961 to
1962 on our claim to a
water right No. 63-4373.

Thank you
Jed G. Smith
2905 Canal St.
Boise, Idaho
83705

For
Leah Smith
2965 Canal St.
Boise, Id. 83705



Attn:
Mr. R. W. Hamilton

State of Idaho
Dept. of Water Resources
Western District-Group 3
Starhouse, Boise Id. 83720

June 16, 1976

Re: Claim to a Water Right No. 63-4373

Mrs. Letha J. Smith
2905 Canal Street
Boise, ID 83705

Dear Mrs. Smith:

This office acknowledges your telephone call of Monday, June 14, 1976 explaining that there is an error on your claim. The priority date on the claim is 1961 and you asked that it be changed to 1962, the year the well actually put ~~to~~ use.

The claim is a sworn legal document. To make a change, the department needs evidence that the change is authorized. A letter stating that you wish to have the priority date changed from 1961 to 1962 would be sufficient.

If this office can be of further assistance, please contact us.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:rb



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

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

June 10, 1976

Re: Notice of Claim to a Water Right No. 63-4371 - George &/or Lola Saylor
63-4372 - Ruth &/or M. Ray Scifres
63-4373 - Owen &/or Letha Smith
Notice of Application to a Water Right No. 63-8320 - Gary &/or Billie Joe Premoe

Idaho Statesman
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."

(Signature of Claimant)

Sincerely,

Bill submitted
6-28-76
RB

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4373

Notice is hereby given that OWEN F. &/or LETHA J. SMITH

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 ~~zero feet of water~~
from a groundwater source
with the point of diversion in the SW1/4, Sec 21 T3N-R2E B.M., Ada County

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

with a priority of 1961;
the place of use is within the SW1/4, Sec 21 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

Director

Published in the Idaho Statesman, Boise, ID
on June 17, 1976 and June 24, 1976

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 83-4823

Notice is hereby given that OWEN F. SZAR, LETHA J. SMITH, 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 from a groundwater source with the point of diversion in the SW¹/₄SW¹/₄ Sec 21 T3N-R2E B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes, with a priority of 1961, the place of use is within the SW¹/₄SW¹/₄ Sec 21 T3N-R2E B.M.

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

R. KEITH HIGGINSON

Director

Pub. June 17, 24, 1976

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