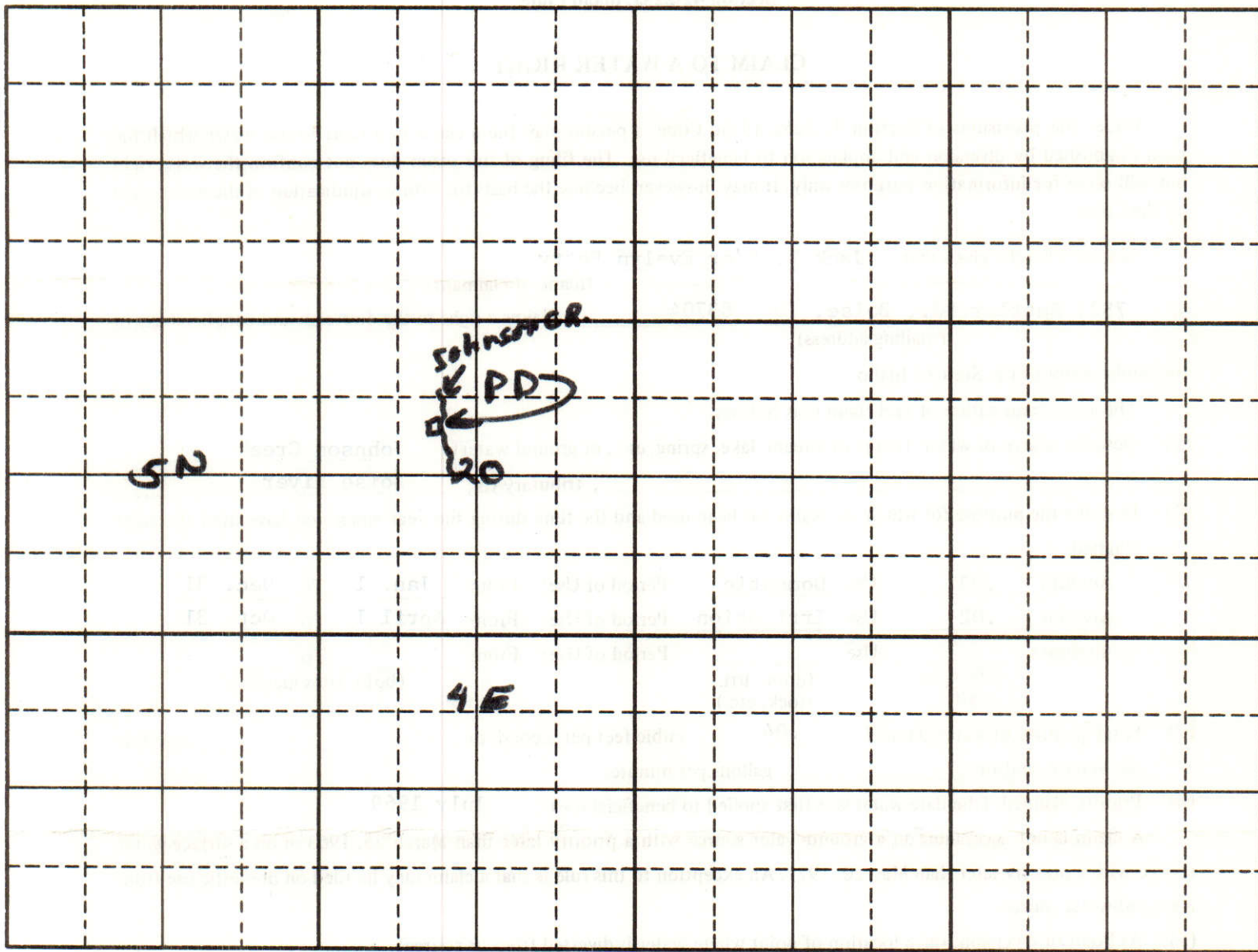


(8) Remarks _____



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 1st day of April, 19 75.

Emelyn Petty
(Claimant)

Cathy L. Atkinson
Notary Public
Residing at Boise, Id

My commission expires 12-26-78

For Department Use Only

Received by <u>Ca</u>	Date <u>4-1-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EEB</u>	Date <u>4-1-75</u>		claimant by:	
\$10.00 fee received by <u>Ca</u>	Date <u>4-1-75</u> # <u>474</u>			
Approved for publication by _____				
Published in <u>The Idaho Wheel</u> <u>4-3-75</u> Ca				
Dates <u>April 10</u> <u>9/7</u>				

RECEIVED

MAY 6 1975

Department of Water Resources

MAY 6 1975

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Boise

_____, being
duly sworn, desposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO WORLD
a weekly newspaper published at
Idaho City, in the County of Boise
and State of Idaho; that said paper
has been and is in general circu-
lation in the county aforesaid, and
in the vicinity of Idaho City; that
the advertisement, a copy of which
is hereto attached, was published
in said newspaper once a week

for _____ consecutive weeks in
the entire and regular issue of
every number of said paper during
the period and time of publication
and was published in the news-
paper and not a supplement; that
said paper has been established
and regularly and continuously
published for more than seventy-
eight weeks past previous to the
first publication of this notice.
Such notice was published in the

issue beginning with 4/11/75,

1975, and ending with the issue

of 4/18, 1975.

Florence Cedama

Subscribed and sworn to before me

this 18th day of April, 1975.

Robert J. Taffald
Clerk of Dist Court.

Public Notice

Public Notice

NOTICE OF CLAIM TO WATER RIGHT NO.

63-4298

Notice is hereby given that JACK H. &/OR
EVELYN PETTY 7823 Settler Rd., Boise, ID
83704 has filed a claim to a water right
established by diversion and application to
beneficial use of .04 cubic feet per second
of water from Johnson Creek, trib, to Boise
River with the point of diversion in the
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 5 N. R. 4 E. B.M. Boise
County.

The water is claimed to be used from Jan. 1
to Dec. 31 for domestic use and from April
1 to Oct. 31 for irrigation of 1 acre, with
a priority of July 1969; the place of use is
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 20, T. 5 N, R. 4E,
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
Publ. in the Idaho World, Idaho City, Id.
on April 10, 1975 and April 18, 1975 .

MICROFILMED

OK Jg
5-6-72

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 Jack H. &/or Evelyn Petty (name of claimant)
of 7823 Settler Rd., Boise, ID 83704 (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) Johnson Creek
tributary to, Boise River

(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 .02	Use Domestic	Period of Use: From Jan. 1 To Dec. 31
Amount .02	Use Irrigation	Period of Use: From April 1 To Oct. 31
Amount (cfs, gpm or a/f)	Use (dom., irri., stock, etc.)	Period of Use: From To (both dates inclusive)

(3) Total quantity of water claimed: .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) July 1969

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 NW ¼, Sec. 20 Twp. 5 N Rge. 4 E B. M. County of Boise
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. pump from stream with sprinkler irrigation

(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.

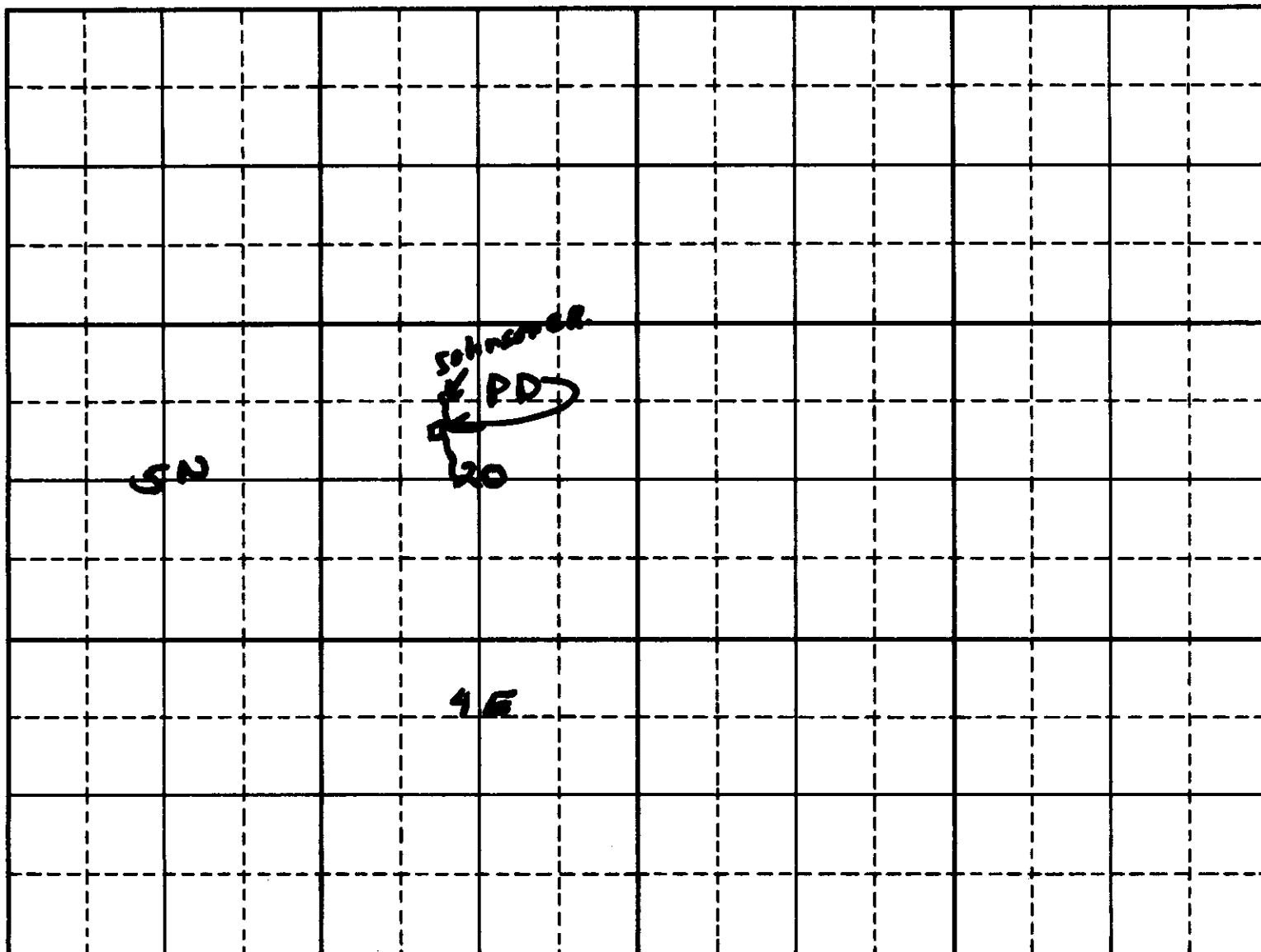
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5N	4E	20								1									1

Total No. of acres 1

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

(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 1st day of April, 19 75.
Carolyn Betty (Claimant)

Guthy L. Atkinson
Notary Public
Residing at Bowen, Id

My commission expires 12-26-78

For Department Use Only

Received by <u>Ca</u>	Date <u>2-1-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>EEB</u>	Date <u>4-1-75</u>		claimant by:	
\$10.00 fee received by <u>Ca</u>	Date <u>2-1-75</u> #474			
Approved for publication by				
Published in <u>The Idaho Official</u>	<u>4-1-75</u>			
Dates <u>April 1-75</u>				

RECEIVED

MAY 6 1975

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Boise

_____, being
duly sworn, desposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO WORLD
a weekly newspaper published at
Idaho City, in the County of Boise
and State of Idaho; that said paper
has been and is in general circu-
lation in the county aforesaid, and
in the vicinity of Idaho City; that
the advertisement, a copy of which
is hereto attached, was published
in said newspaper once a week

for _____ consecutive weeks in
the entire and regular issue of
every number of said paper during
the period and time of publication
and was published in the news-
paper and not a supplement; that
said paper has been established
and regularly and continuously
published for more than seventy-
eight weeks past previous to the
first publication of this notice.
Such notice was published in the

issue beginning with 4/11/75,

1975, and ending with the issue

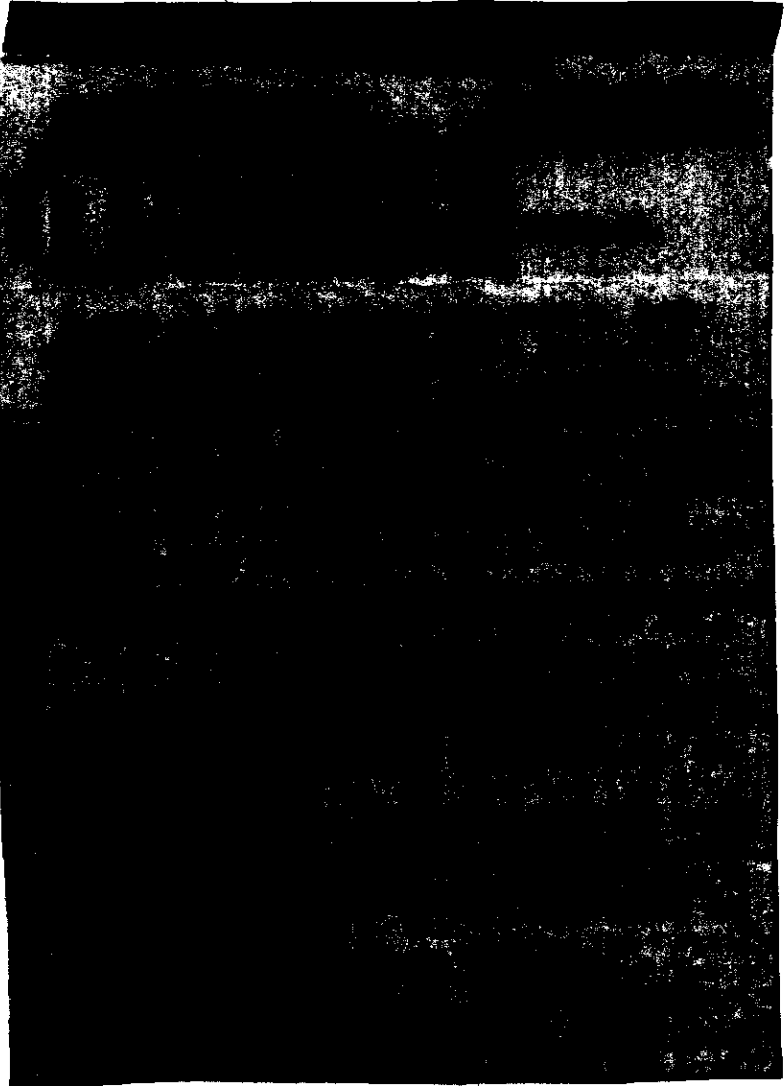
of 4/18, 1975.

Florence Adams

Subscribed and sworn to before me

this 18th day of April, 1975.

Robert J. Tuffield
Clerk of Dist Court.



0- 89
5-6 72



ACT

LUN

N OWNER LAST NAME - PETTY

FIRST NAME - JACK H.

N OWNER LAST NAME - PETTY

FIRST NAME - EVELYN

N ADDRESS LINE 1 - 7823 SETTLER RD.

CITY - BOISE

STATE - ID ZIP CODE - 83704

N SOURCE - JOHNSON CREEK

TRIBUTARY OF - BOISE

N SOURCE - JOHNSON CREEK

TRIBUTARY OF - BOISE RIVER

N STAGE - STATRY CLM

PRIORITY - 07-01-1969 COUNTY - BOISE

TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - SENW 20 05N 04E

N FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - .0200CFS

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

USE DIV. RATE - .0200CFS

N USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 04E SEC 20 TRACT SENW

AC 01

IDENT. NO. 63-4298

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 163-4298
 OTd No. _____ New No. _____

Record

1. Original Owner: Jack H. & Evelyn Petty

Present Owner: _____

2. Address: 7823 Settler Rd.

3. City: Boise State: ID Zip: 83704

4. A. Source of Water: Johnson Creek

B. Tributary of: Boise River

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: 7-1-1969

D. County: IS

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):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SE NW</u>	<u>20</u>	<u>5 N</u>	<u>4 E</u>		

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

from <u>4-1</u>	to <u>10-31</u>	for <u>A</u> purposes.	Amount <u>.02</u> (cfs or ~~AC-FT~~ /yr)
from <u>1-1</u>	to <u>12-31</u>	for <u>D</u> purposes.	Amount <u>.02</u>
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 _____

CIA 11-7-79

8. Use Code: *A*

[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

Claim
Application No. 63-4298

☒ 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

(1) CEB 1/2/75

In form to receipt

(2) CEB 1/2/75

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) CEB 1/2/75

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) CEB 4/2/75

In form for advertising

(5) CEB 4/2/75

Platted on Map No. _____

(6) CEB 4/2/75

Located within Water District No. _____

(7) NA 4/2/75

Critical groundwater area: yes _____ no _____

(8) NA 4/2/75

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) NA 4/2/75

Other rights on the same place of use

(10) NA 4/2/75

Comments: _____

(11) CEB 5-6-75

Affidavit of Publication received(date) 5-6-75

(12) NA 5-6-75

Final date for protests _____

Protests received: yes _____ no _____

(13) NA 5-6-75

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

(14) CEB 5-6-75

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 W. C. Chapman Date 5-6-75

RECEIVED
MAY 8 1975
DEPARTMENT OF WATER RESOURCES

RECOMMENDED

CONDITIONS OF APPROVAL

☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

May 7, 1975

Jack H. &/or Evelyn Petty
7823 Settler Rd.
Boise, ID 83704

RE: Claim to a Water Right No. 63-4298

Dear Mr. Petty:

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,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:

RECEIVED



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

April 4, 1975

The Idaho World
Box 144
Idaho City, ID 83631

Re: Claim to a Water Right No. 63-4298 - Jack H. &/or Evalyn Petty

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 Submitted
5-6-75 ok jg

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~63-4298~~

Notice is hereby given that ~~JACK H. & OR EVELYN PETTY~~

~~ENR 7823 Settler Rd., Boise, ID 83704~~

has filed a claim to a water right established by diversion and application
to beneficial use of .04 cubic feet per second ~~acre feet of water~~
from ~~Johnson Creek, trib. to Boise River~~

with the point of diversion in the ~~SE 1/4, Sec. 20, T. 5 N, R. 4 E, B.M.~~

~~Boise County~~

The water is claimed to be used from ~~Jan. 1 to Dec. 31 for domestic use~~
for ~~XXXX~~ and from April 1 to Oct. 31 for irrigation of 1 acre

with a priority of ~~July 1969~~;

the place of use is within the ~~SE 1/4, Sec. 20, T. 5 N, R. 4 E, 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 ~~The Idaho World, Idaho City, ID~~

on ~~April 10, 1975~~ and ~~April 17, 1975~~

RECEIVED