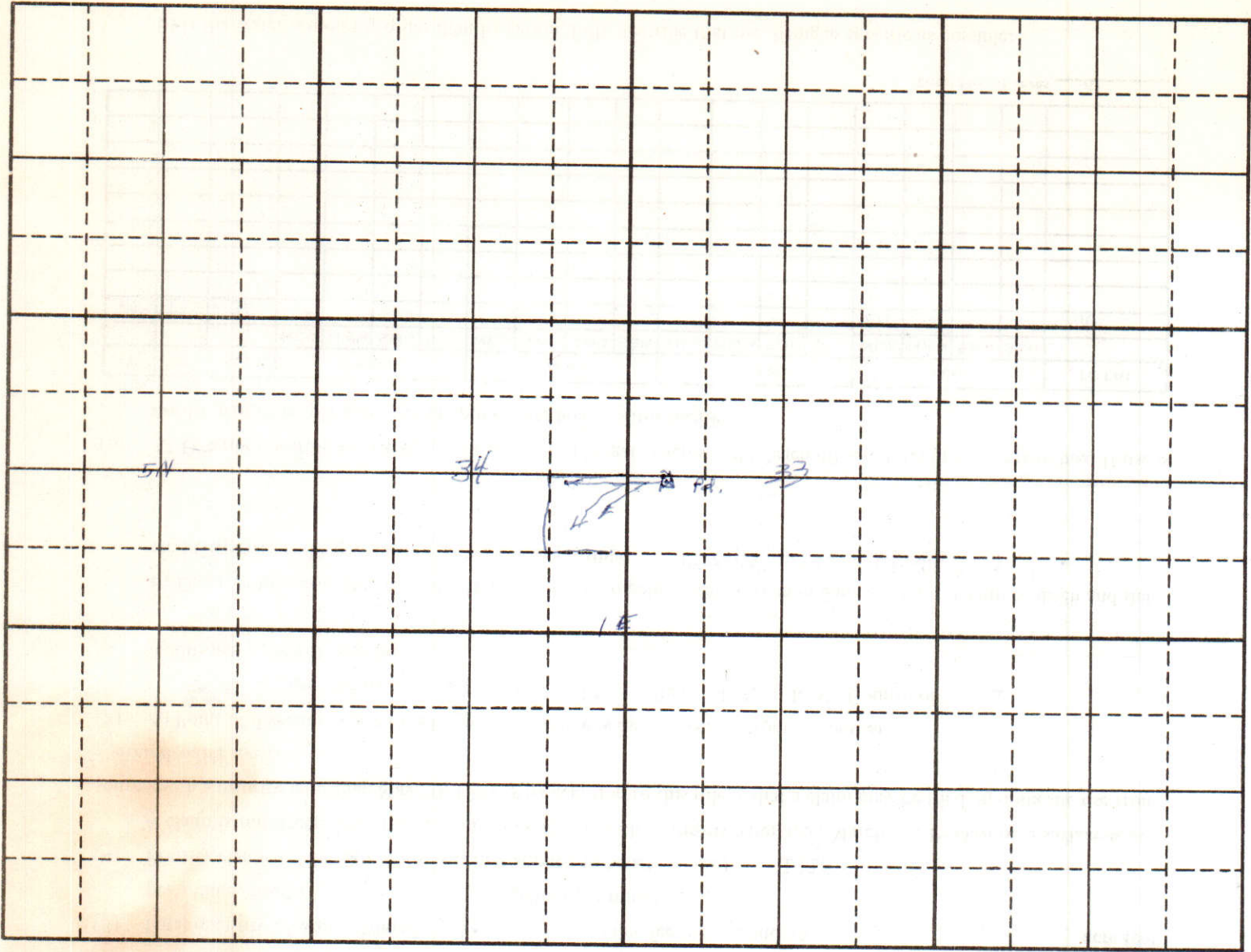


(8) Remarks _____



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 9 day of December, 19 73.
Robt B. Tomkinson (Claimant)

Larry J. Page
Notary Public
Residing at Baise

My commission expires _____

Rec'd # 13419 For Department Use Only

Received by <u>COBARRI</u>	Date <u>12-10-73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>if</u>	Date <u>13 DEC 1973</u>		claimant by:	
\$10.00 fee received by <u>if</u>	Date <u>12-10-73</u>			
Approved for publication by <u>if</u>				
Published in <u>Ada Statesman</u>				
Dates <u>12-20 & 12-27-73</u>				

Note:

The point of diversion for this permit is in error and should read as follows:

NW¹/₄ SW¹/₄ of Section 35,
T5N, R1E.

Dick Link
8/22/77

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
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 Dale B. &/or Mildred J. Tomkinson
(name of claimant)
of Rt. #1, Boise, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Boise River;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Dry Creek
- (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>1.12</u> | Use <u>Irrigation</u> | Period of Use: From <u>April 1</u> To <u>Oct. 31</u> |
| 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: 1.12 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) 1916

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)
NW 1/4 Sec. 33 Twp. 5N Rge. 1 E 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. Diversion dam, ditch 3' x 1 1/2'.

(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.

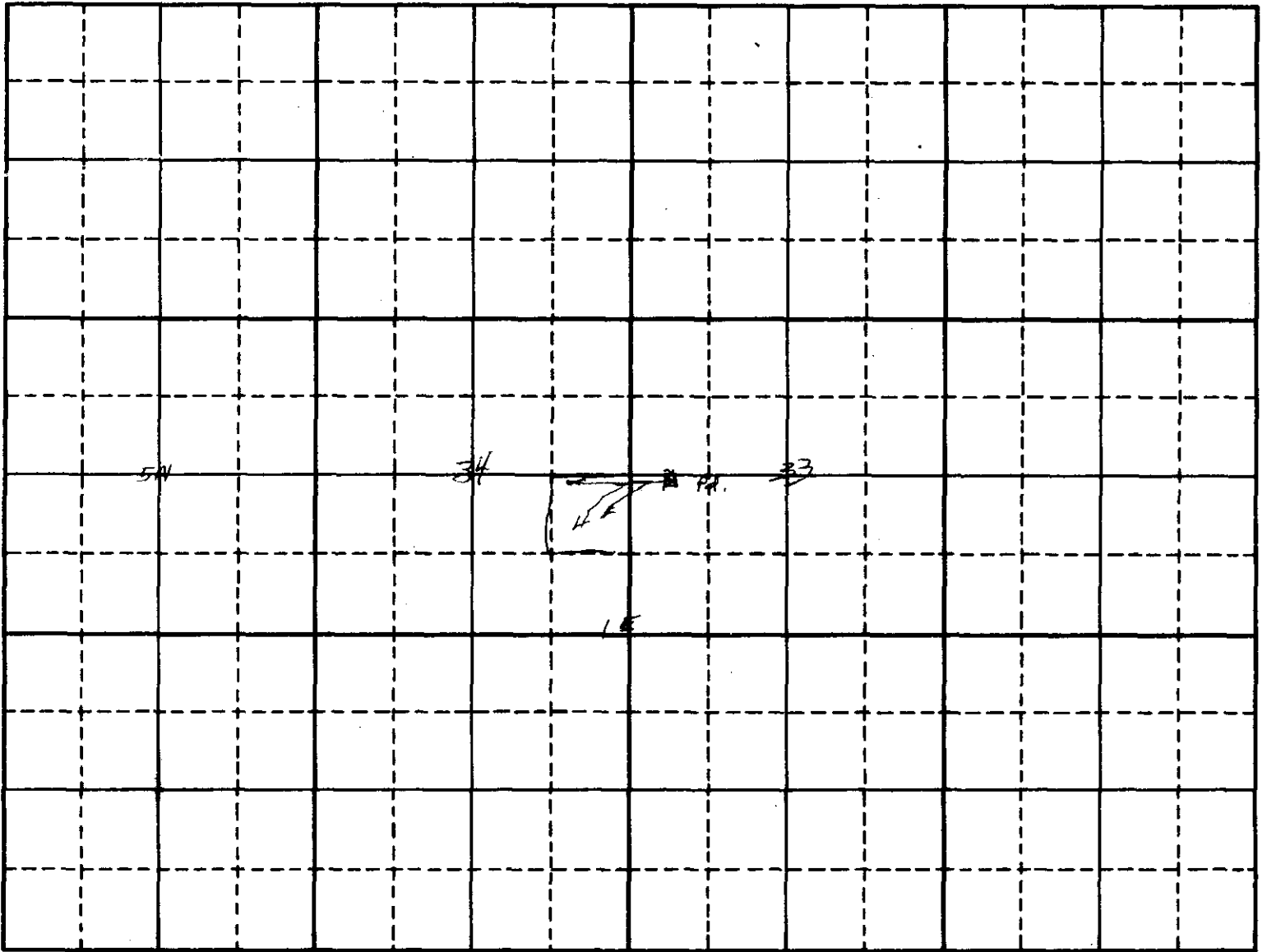
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	1E	34													40				40

Total No. of acres 40

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

(7) If you are claiming water as a member of an organization, list name of organization: 63 4247

(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

ss.

County of Ada

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 9 day of December, 19 73.

Dale B. Tomkinson
(Claimant)

Gary J. Poy
Notary Public
Residing at Baie

My commission expires _____

Rec'd #
13419

For Department Use Only

Received by	Date <u>12-10-73</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>COBARRI</u>	Date <u>13 Dec 1973</u>		claimant by:	
\$10.00 fee received by <u>ey</u>	Date <u>12-10-73</u>			
Approved for publication by				
Published in <u>State Statesman</u>				
Dates <u>12-20</u> & <u>12-27-73</u>				

1990

63 4247

ACTION

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

FIRST NAME - DALE B.
FIRST NAME - MILDRED J.

CITY - BOISE

STATE - ID

N SOURCE - DRY CREEK

TRIBUTARY OF - BOISE RIVER

N STAGE - STATRY CLM

PRIORITY - 06-01-1916 COUNTY - ADA

TOTAL DIV. RATE - 1.1200CFS

N DIVERSION POINT - NWSW 35 05N 01E

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

USE DIV. RATE - 1.1200CFS

N USE - IRRIGATION

PLACE OF USE - TWN 05N RNG 01E SEC 34 TRACT NESE

AC 40

N REMARKS - LIC. INCORRECTLY DESCRIBES P/D NWSW, S33, T5N, R1E.

3/79

IDENT. NO. 63-4247

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

- | | <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 | <u>NW SW</u> | <u>35</u> | <u>5N</u> | <u>1E</u> | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

- [illegible]

8. Use Code: R

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 ^N	1 ^E	34													40				40
																			40

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. ~~P/D~~ Lic. incorrectly describes P/D
B. NW 3/4, S 33, T5N, R1E
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):

January 7, 1974

Dale B. &/or Mildred J. Tomkinson
Route #1
Boise, Idaho

Re: Claim to a Water Right No. 63-4247

Dear Mr. & Mrs. Tomkinson:

The Department of Water Administration 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 your 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 can be of further assistance, please feel free to call upon us.

Sincerely,

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

KHF:def

Enclosure

63 4247

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 14, 1973

The Idaho Statesman
Box 2640
Boise, Idaho 83701

Re: Claim to a Water Right No. 63-4247 - Dale B. &/or Mildred J. Tomkinson
Application for Permit No. 63-7902 - Paul J. &/or Phyllis L. Martin

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 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)

Sincerely,

Bill submitted 1-4-74 by df
63 4247

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4247

Notice is hereby given that DALE B. &/or MILDRED J. TOMKINSON, Rt. #1,
Boise, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 1.12 cubic feet per second ~~XXXXXX~~ of water
from Dry Creek, trib. to Boise River
with the point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 5 N., R. 1 E., B.M.,
Ada County.

The water is claimed to be used from April 1 to Oct. 31 for the
irrigation of 40 acres
with a priority of 1916;
the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 5 N., R. 1 E., B.M.

_____.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Idaho Statesman, Boise, Idaho
on Dec. 20, 1973 and Dec. 27, 1973.

63 4247

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

December 13, 1973

Dale Tomkinson
Route #1
Boise, Idaho

Re: Claim to a Water Right No. 63-4247

Dear Mr. Tomkinson:

Enclosed is your Receipt No. 13419 in the amount of \$ 10.00 for
Claim to a Water Right No. 63-4247 which was received in this office
on December 10, 1973.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

Enclosure

63 4247