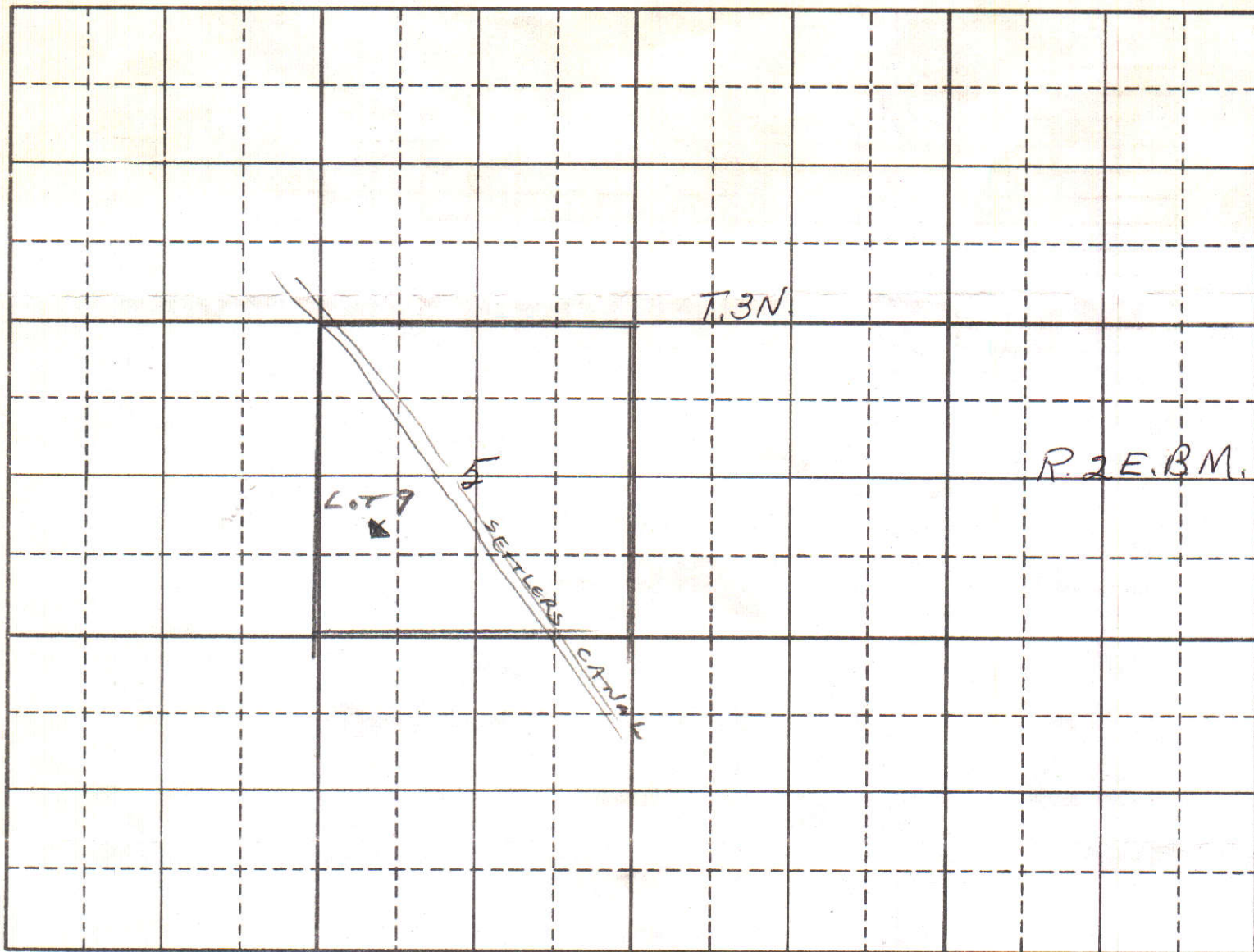


(8) Remarks



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 24th day of May

Zoe Evelyn Labintz
(Claimant)

Alarence Evans
Notary Public
Residing at Basin, Idaho

My commission expires March 21, 1977

Rec'd # 11271
For Department Use Only

Received by ej Date 7-5-73
Prelim. check by R.W.H. Date 7-5-73
\$10.00 fee received by ej Date 7-5-73
Approved for publication by _____
Published in Valley News-Times
Dates 7-12-73 to 19, 1973

Exception filed by: _____ Date _____
Forwarded to claimant by: _____ Date _____

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 VIRGIL G. &/or ~~EY~~ ZOE EVELYN LOBNITZ (name of claimant)
of 2101 Mt. View Drive, Boise, Idaho 83704 (mailing address), claims a right to the diversion and beneficial use of
ground water or surface water tributary to _____;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) well
- (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 | 0.04 | Use | Domestic | Period of Use: From | 1/1 | To | 12/31 |
| 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: 0.04 cubic feet per second, or 1.2 acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1941

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)

U.S. Lot 9 1/4, Sec. 5 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. pump, pressure system well 165' deep (lot 2, Dugan Lewis Subdivision).

- (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.

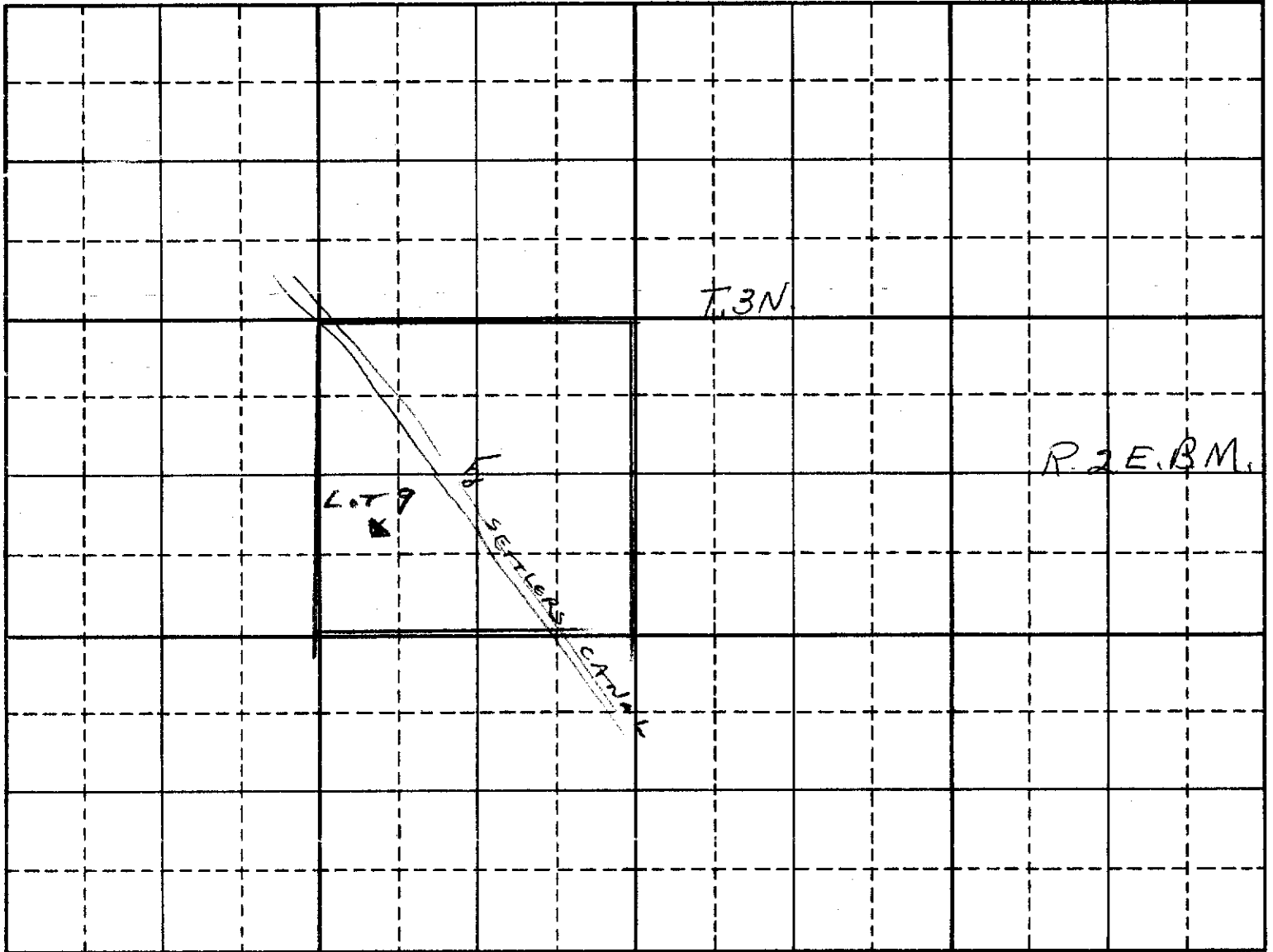
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	2E	5					U.	S.	Lot 9										

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: NO

(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 24th day of May

Zoe Evelyn Lobnitz
(Claimant)

Marlene Evans
Notary Public
Residing at Base, Idaho

My commission expires March 21, 1977

Rec'd # 14371
For Department Use Only

Received by JPW H Date 7-5-73
Prelim. check by JPW H Date 7-5-73
\$10.00 fee received by JPW H Date 7-5-73
Approved for publication by JPW H
Published in Valley News-Times
Dates 7-12-73 to 10-1-73

Exception filed by: _____ Forwarded to _____ Date _____
claimant by: _____

**NOTICE OF CLAIM TO A
WATER RIGHT**
No. 63-4227

Notice is hereby given that VIRGIL G. and/or ZOE EVELYN LOBNITZ, 2101 Mt. View Drive, Boise, Idaho 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 groundwater source with the point of diversion in Lot 9, Sec. 5, T. 3 N., R. 2 E., B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1941; the place of use is within Lot 9, Sec. 5, T. 3 N., R. 2 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 Valley News-Times, Meridian, Idaho on July 12, 1973 and July 19, 1973.

MA'df
7-20-73

PROOF OF PUBLICATION

State of Idaho, }
County of Ada } ss.

I, Lila McMillan, being first duly sworn, depose and say, that I am over twenty-one years of age, and Chief Clerk of VALLEY NEWS-TIMES, a weekly newspaper of general circulation, published at Meridian, County of Ada, State of Idaho, and that the annexed notice was published in said paper once each week for 2 consecutive weeks, the first publication being on the 12th day of July, 1973, and the last publication being on the 19th day of July, 1973.

That said notice was published in the newspaper proper and not in a supplement. That said newspaper had been continuously and uninterruptedly published in said county for a period of 78 consecutive weeks prior to the first publication of this notice, and is a newspaper within the meaning of the Idaho statutes.

Lila McMillan
Chief Clerk

Subscribed and sworn to before me this 19th day of July, 1973.

P. F. Marks
Notary Public in and for Idaho

Residence or Postoffice Address Meridian, Idaho.

WATER RIGHT NUMBER 63-4227

WATER RIGHTS EDIT REPORT

02/23/81

PAGE 115

ACT

ION

X DIVERSION POINT - 05 03N 02E LOT 09

L DIVERSION POINT - 05 03N 02E LOT 09

ACT
ION

12/11/79

PAGE 60

FIRST NAME - VIRGIL G.

FIRST NAME - ZOE EVELYN

CITY - BOISE

STATE - ID ZIP CODE - 83704

PRIORITY - 06-01-1941

COUNTY - ADA

TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - 05 03N 02E LOT 09

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

USE - DOMESTIC

PLACE OF USE - TWN 03N RNG 02E SEC 05

.0400CFS

LOT 09

6000

IDENT. NO. 63-4227

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

- | | <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 | | 5 | 3 ^N | 2 ^E | 9 | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

- [illegible]

8. Use Code: D

[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):

July 30, 1973

C Re: Claim to a Water Right No. 63-4227

O Virgil G. Lobnitz
2101 Mt. View Drive
Boise, Idaho 83704

P Dear Mr. Lobnitz:

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.

P 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.

Y 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 4227

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 Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

July 6, 1973

RE: APPLICATION FOR PERMIT NO. 63-7823 VIRGIL C. CALDWELL
CLAIMS TO A WATER RIGHT NOS. 63-4226 RUSSELL F. WESTBROOK
63-4227 VIRGIL G. &/or ZOE EVELYN LOBNITZ

Valley News-Times
P. O. Box 365
Meridian, Idaho 83642

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 7-20-73 df

63 4227

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4227

Notice is hereby given that VIRGIL G. &/or ZOE EVELYN LOBNITZ,
2101 Mt. View Drive, Boise, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~acres feet~~ of water
from a groundwater source
with the point of diversion in ~~the~~ Lot 9, Sec. 5, T. 3 N., R. 2 E., B.M.,
Ada County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes
with a priority of 1941 ;
the place of use is within ~~the~~ Lot 9, Sec. 5, T. 3 N., R. 2 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 Valley News-Times, Meridian, Idaho
on July 12, 1973 and July 19, 1973

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

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

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

July 6, 1973

RE: CLAIM TO A WATER RIGHT NO. 63-4227

Mr. Virgil G. Lobnitz
2101 Mt. View Drive
Boise, Idaho 83704

Dear Mr. Lobnitz:

Attached herewith is your Receipt No. 11271 in the amount of \$ 10.00
for Claim to a Water Right No. 63-4227

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

63 4227