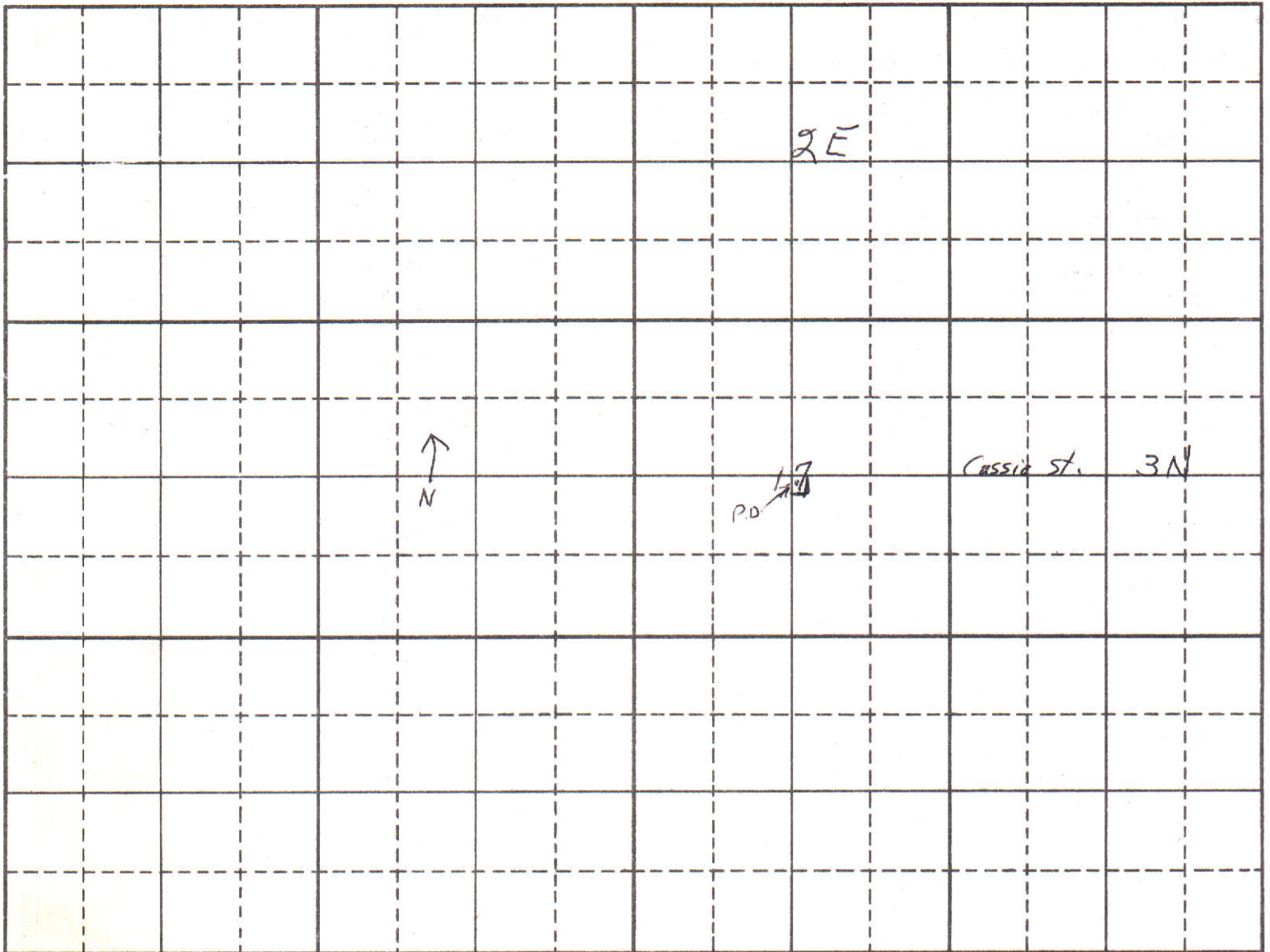


- (8) Remarks Well was in existence on property when purchased in 1939. Do not know when it was drilled.



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 17th day of April, 1973.

Billy J. Tate
(Claimant)

Notary Public

Residing at Boise, Idaho

My commission expires 14 July 1974

Rec # 10191 For Department Use Only

Received by R.W.H. Date 4-17-1973 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by R.W.H. Date 4-17-1973 claimant by: _____
 \$10.00 fee received by R.W.H. Date 4-17-1973
 Approved for publication by _____
 Published in Idaho Statesman _____
 Dates 4-26 & 5-3-73 _____

RECEIVED

MAY 7 1973

Department of Water Administration

STATE OF IDAHO)
COUNTY OF ADA) ss.

Marilyn A Connell, 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 ~~consecutive~~ insertions, beginning with the issue of April 26, 19 73, and ending with the issue of May 3, 19 73.

Marilyn A Connell

Subscribed and sworn to before me this 3rd day of May, 19 73.

Jana A Young

Notary Public for Idaho, Residing at Boise, Idaho

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 63-4215

Notice is hereby given that BILLY J. TATE, 4721 Cassia, Boise, Ida. 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 the NW 1/4 SE 1/4, Sec. 17, 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 use with a priority of 1939; the place of use is within the NW 1/4 SE 1/4, Sec. 17, 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

Pub. April 26 & May 3, 1973 654

OK'd
5-7-73

63 4215

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 BILLY J. TATE (name of claimant)
of 4721 Cassia Boise, Idaho 83705, claims a right to the diversion and beneficial use of
(mailing address)
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) Groundwater
- (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</u> | Use | <u>Domestic</u> | Period of Use: From | <u>1/1</u> | To | <u>12/31</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: 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) 1939

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 ¼ SE ¼, Sec. 17 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 and pressure system. 4" well 42' deep. 3/4" galvanized distribution 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.

T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	2E	17													X				

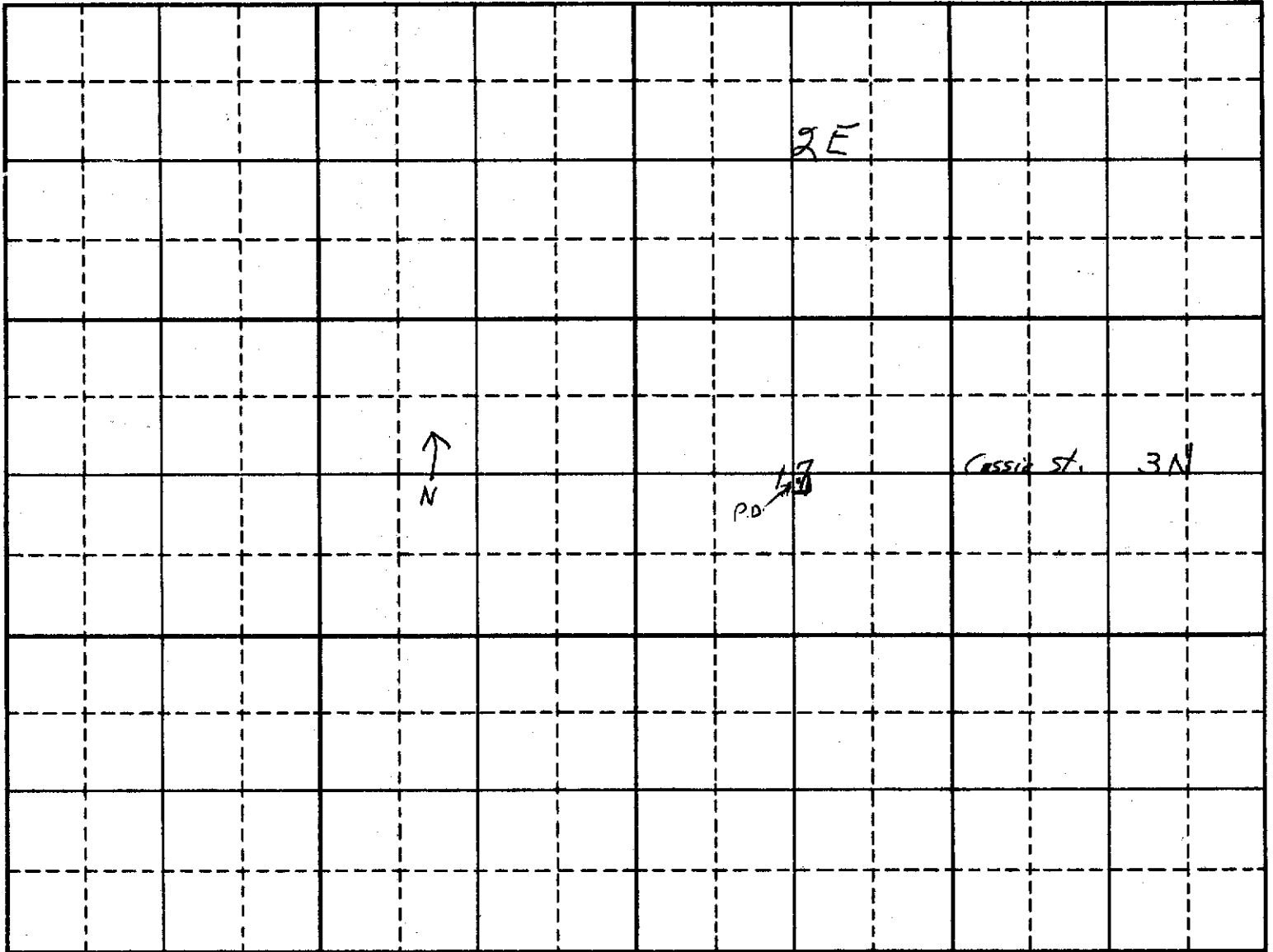
Total No. of acres _____

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

- (7) If you are claiming water as a member of an organization, list name of organization: NO

63 4215

(8) Remarks Well was in existence on property when purchased in 1939. Do not know when it was drilled.



Scale: 2 inches equal 1 mile.

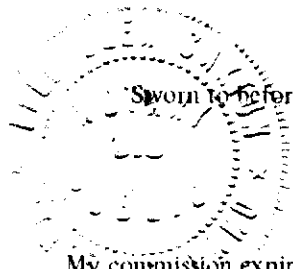
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

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

17th

day of

April, 1973

(Claimant)

Notary Public

Residing at

Lyle Glen Layton
Boise, Idaho

My commission expires

14 July 1974

Sheet # 10191 For Department Use Only

Received by R.W.H.

Date 4-17-1973

Exception filed by:

Forwarded to

Date

Prelim. check by R.W.H.

Date 4-17-1973

claimant by:

\$10.00 fee received by R.W.H.

Date 4-17-1973

Approved for publication by

Published in

Dates

Idaho Statesman
4-26 & 5-3-73

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>SSP</u>	<u>4/18/73</u>	Application No. <u>63-4215</u> Name <u>Billy J Tate</u>
(2)	<u>SSP</u>	<u>4/18/73</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☐ Time required for C/W and application of water to B/V ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>NA</u>		Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>NA</u>		☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>SSP</u>	<u>4/18/73</u>	In form for advertising _____
(6)	<u>SSP</u>	<u>5-1-73</u>	Affidavit of Publication received <u>yes</u>
(7)			Final date for protests _____ Protests received: yes _____ no _____
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)			Critical groundwater area: yes _____ no _____
(11)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)			Action recommended: ☐ Approve Priority _____ ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval No conditions for approval
(14)			District _____ By _____ Date _____ Title _____

63 4215

RECOMMENDEDCONDITIONS 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: _____

RECEIVED

1973

Boise

STATE OF IDAHO)
COUNTY OF ADA) ss.

Marilyn A Connell, 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 ~~XXXXXX~~ insertions, beginning with the issue of April 26, 19 73, and ending with the issue of May 3, 19 73.

Marilyn A Connell

Subscribed and sworn to before me this 3rd day of May, 19 73.

[Signature]

Notary Public for Idaho, Residing at Boise, Idaho

**NOTICE OF CLAIM
TO A WATER RIGHT**

Notice is hereby given that BILLY J. RICE, 4721 Cassia, Boise, has filed a claim to a water right established by diversion of water from a surface source with the point of diversion in the NW 1/4 Sec. 17, T. 3 N., R. 2 E., S. 1, Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use with a priority of 1939; the place of use is within the NW 1/4 Sec. 17, T. 3 N., R. 2 E., S. 1, Ada County.

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

Pub. April 26 & May 3, 1973 654

5014
5-2-73

WATER RIGHT NUMBER 63-4215

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 48

ACT

ION

N OWNER LAST NAME - TATE
N ADDRESS LINE 1 - 4721 CASSIA

FIRST NAME - BILLY J.

N SOURCE - GROUNDWATER
N STAGE - STATRY CLM

CITY - BOISE

STATE - ID ZIP CODE - 83705

N TOTAL DIV. VOLUME - 1.20 AFA

PRIORITY - 06-01-1939 COUNTY - ADA

TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - NWSE 17 03N 02E

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

USE DIV. RATE - .0400CFS

USE DIV. VOLUME - 1.20 AFA

N USE - DOMESTIC

PLACE OF USE - TWN 03N RNG 02E SEC 17 TRACT NWSE

1000

IDENT. NO. 63-4215

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: Billy J. Tate

Present Owner: _____

2. Address: 4721 Cassia

3. City: Boise State: ID Zip: 83705

4. A. Source of Water: *gw*

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): *J*

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1939

D. County: *01*

E. Total Diversion Rate: .04

F. Total Diversion Volume: 1.2

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	NW SE	17	3N	2E		

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

from 1-1 to 12-31 for D purposes. Amount .04/1.2
(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 _____

811679

[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):

May 14, 1973

RE: CLAIM TO A WATER RIGHT NO. 63-4215

Mr. Billy J. Tate
4721 Cassia
Boise, Idaho 83705

Dear Mr. Tate:

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:mkp

Enclosure

63 4215

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4215

Notice is hereby given that BILLY J. TATE, 2721 Cassia, Boise, Ida.

has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~XXXXXXX~~ acre feet of water
from a groundwater source

with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, 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 use

with a priority of 1939 ;
the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, 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 Idaho Statesman, Boise, Ida.
on April 26, 1973 and May 3, 1973

63 4215

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

April 19, 1973

Re: Application for Permit No. 63-7774 Stanley E. Moore
63-7777 George M. &/or Anna M. Calvert
Claim to a Water Right No. 63-4215 Billy J. Tate

Idaho Statesman
P. O. Box 2640
Boise, Idaho 83701

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 5-1-73 by df

63 4215