

RECEIVED
Department of Water Administration

AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

T. R. Adams, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
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 two con-
secutive 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 newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning

with April 12, 1973
and ending with the issue of

April 19, 1973
T. R. Adams

Subscribed and sworn to before
me this 20th day of April

1973
Robert J. Tappell
Clerk District Court

Deputy

NOTICE OF CLAIM TO A
WATER RIGHT
No. 63-4213

Notice hereby given that
F. LAMARR HEYREND, 1534
West 8th Meridian, Idaho has
filed a claim to a water right
establisher by diversion and ap-
plication to beneficial use of
0.03 cubic feet per second of
water from springs tributary to
Boise River with the point of
diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 20, T. 5N., R. 4E., B. M.
Boise County.

The water is claimed to be
used from January 1 to Decem-
ber 31 for domestic use with a
priority of July 1969; the place
of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 20, T. 5N., R. 4E., B.M.

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

R. KEITH HIGGINSON
Director

Published in the Idaho World
Idaho City, Idaho on April 12,
1973 and April 19, 1973.

OK'd
5-1-73

Identification No. _____
Claim No. 63-4213
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant F. LAMARR HEYREND 888-3483
post office address 1534 W. 8th MERIDIAN IDAHO 83642
2. The point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 20 Township 5N
Range 4E B.M. located on Springs, (name of source)
tributary to Boise River in Boise County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

July 1969 amount: 0.03 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use domestic period of use from JAN 1 to DEC. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped flowing Spring; depth of well is 12 feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____ ;

_____; if so, give dates and explain _____

ing date and dimensions if possible. _____

is reservoir on or off stream _____ explain _____

location of reservoir by 40-acre subdivisions_____

describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served 1
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

This is a developed spring located
in the center of a piece of property
owned by myself. More exact location
is SE 1/4 NW 1/4 SW 1/4 NW 1/4 Sec. 20 R 4E T 5N B.M.
Water does not flow from this spring
into a stream. This developed spring
is to become part of a community water
system when this property is subdivided
and will be piped to the various cabins.
It is now piped to my cabin. Applicant
own the SW 1/4 NW 1/4 Sec. 20 R 4E T 5N B.M.

A 1000 gal concrete tank collects the water
and a 1" Amber plastic pipe carries the water to
the cabin and 2 other cabin sites at present.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with
all attached information and certifies that all statements are true and accurate to the best of his knowledge.

4-3-73
(Date)

F. LaMar Heyrond
(Signature of Claimant)

State of Idaho

County of Adair ss.

On this 4th day of April 1973, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.

Thick J. Tillery
Notary Public residing at Boise, Idaho

My commission expires June 12, 1974

Reit # 10135 For Department Use Only

Received by if Date 4-5-73

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by 27P Date 4/5/73

Fee received by if Date 4-5-73 Fee \$10.00

Approved for publication by _____

Published in Idaho World Dates 4-12-73
4-19-73

63 4213

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8</u> c.f.s. or	_____	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	_____	acre feet
		Total claimed:	<u>1.2</u> c.f.s. or	_____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

**AFFIDAVIT
OF
PUBLICATION**

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

J. R. Adams, being
duly sworn, deposes and says:
that he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
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 two con-
secutive 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 newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning

with April 12, 1973
and ending with the issue of

April 19, 1973
J. R. Adams

Subscribed and sworn to before
me this 5th day of April

1973
Robert J. Tappell
Clerk District Court

Deputy

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 63-4213**

Notice is hereby given that
F. LAMARR HEYREND, 1534
West 8th Meridian, Idaho has
filed a claim to a water right
establisher by diversion and ap-
plication to beneficial use of
0.03 cubic feet per second of
water from springs tributary to
Boise River with the point of
diversion in the SW 1/4 NW 1/4,
Sec. 20, T. 5N., R. 4E., B. M.
Boise County.

The water is claimed to be
used from January 1 to Decem-
ber 31 for domestic use with a
priority of July 1969; the place
of use is within the SW 1/4 NW 1/4,
Sec. 20, T. 5N., R. 4E., B.M.

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

R. KEITH HIGGINSON

Director

Published in the Idaho World
Idaho City, Idaho on April 12,
1973 and April 19, 1973.

WATER RIGHT NUMBER 63-4213

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 46

ACT
TION

N OWNER LAST NAME - HEYREND

FIRST NAME - F. LA MARR

N ADDRESS LINE 1 - 1534 W. 8TH

N CITY - MERIDIAN

STATE - ID ZIP CODE - 83642

N SOURCE - SPRINGS

TRIBUTARY OF - BOISE RIVER

N STAGE - STAIRY CLM

PRIORITY - 07-01-1969 COUNTY - BOISE

TOTAL DIV. RATE - .0300CFS

N DIVERSION POINT - SWNW 20 05N 04E

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

USE DIV. RATE - .0300CFS

N USE - DOMESTIC

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

1000

IDENT. NO. 63-4213

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]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

Old No.

New No.

1 63-4213

Record

1. Original Owner:

J. Lamar Heyrend

Present Owner:

2. Address: 1534 W. 8th3. City: B MeridianState: IDZip: 836424. A. Source of Water: springsB. Tributary of: Boise River5. 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: 7-1-1969D. County: 15E. Total Diversion Rate: .03

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>SWNW</u>	<u>20</u>	<u>5N</u>	<u>4E</u>		

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

from 1-1 to 12-31 for D purposes. Amount .03
(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 _____

9/11679

[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 2, 1973

Re: Claim to a Water Right No. 63-4213

F. LaMarr Heyrend
1534 West Eighth
Meridian, Idaho 83642

Dear Mr. Heyrend:

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 4213

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4213

Notice is hereby given that F. LAMARR HEYREND, 1534 W. 8th, Meridian,

Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.03 cubic feet per second ~~XXXXXX~~ of water

from springs, trib. to Boise River

with the point of diversion in the SW¹/₄NW¹/₄, 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

with a priority of July, 1969

the place of use is within the SW¹/₄NW¹/₄, 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 Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Idaho World, Idaho City, Ida.

on April 12, 1973 and April 19, 1973

63 4213

April 6, 1973

Re: Claim to a Water Right No. 63-4213 F. LaMarr Heyrend
Application for Permit No. 63-7764 F. LaMarr Heyrend
63-7765 " " "
63-7766 " " "
63-7767 " " "
63-7768 " " "

The Idaho World
Box 144
Idaho City, Idaho 83631

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)

Very truly yours,

Bill submitted 5-1-73 by df

63 4213