

RECEIVED

APR 2 1973

Department of Water Administration

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, )  
County of Canyon. ) ss.

Verla Harker  
of Nampa, Canyon County, Idaho, being first duly sworn,  
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

March 22, 29, 1973

Verla Harker

Subscribed and sworn to before me this

29th day of March, 19 73

Adam Shaw

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1975

NOTICE OF CLAIM TO A  
WATER RIGHT  
No. 63-4207

Notice is hereby given that  
HOBERT HOOVER, Rt. #7, Box  
7464, Nampa, Ida, has filed a  
claim to a water right establish-  
ed 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 SE1/4  
SW1/4, Sec. 33, T. 3 N., R. 2  
W., B.M., Canyon County.

The water is claimed to be  
used from Jan. 1 to Dec. 31 for  
domestic purposes with a priori-  
ty of March, 1949; the place of  
use is within the SE1/4SW1/4,  
Sec. 33, T. 3 N., R. 2 W., B.M.

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

R. KEITH HIGGINSON  
Director  
March 22, 29, 1973

OK'd  
4-2-73

63 4207

Identification No. \_\_\_\_\_

Claim No. 63-4207

Map No. \_\_\_\_\_

**STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION**

**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 HOBERT HOOVER  
post office address Route #7, Box 7464, Nampa, Idaho 83651

2. The point of diversion is in SE  $\frac{1}{4}$  of SW  $\frac{1}{4}$  Section 33 Township 3N  
Range 2W B.M. located on Groundwater  
(name of source)  
tributary to \_\_\_\_\_ in Canyon \_\_\_\_\_ 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:

March, 1949 amount: 0.04 c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
\_\_\_\_\_ amount: \_\_\_\_\_ c.f.s. or \_\_\_\_\_ acre feet  
Total claimed 0.04 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 1/1 to 12/31 (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 pumped ; depth of well is 110 feet; diameter of well is 4 inches; type of pump is electric submersible  
capacity of pump is 15 g.p.m.; name and address of well driller is Archie Remior Meridian  
\_\_\_\_\_ ;

attach well logs if available; has there been any change in pump or motor since well was first completed \_\_\_\_\_; if so, give dates and explain NONE

c. Conveying works: length of ditch to place of use is \_\_\_\_\_ feet; width of ditch at top is \_\_\_\_\_ feet; width of bottom of ditch is \_\_\_\_\_ feet; depth of water is \_\_\_\_\_ feet; grade of ditch per 1000 feet is \_\_\_\_\_ feet; material through which ditch passes is \_\_\_\_\_; maximum length of pipe line to first place of use is 5 feet; diameter of pipe line is 1 inches; type of pipe galvanized; grade of pipe per 1000 feet is \_\_\_\_\_.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible \_\_\_\_\_

d. If water is stored: name of reservoir \_\_\_\_\_;  
total capacity of reservoir is \_\_\_\_\_ acre feet; active capacity of reservoir is \_\_\_\_\_ acre feet;  
year construction commenced \_\_\_\_\_; year completed \_\_\_\_\_; date first used \_\_\_\_\_  
period of storage is from \_\_\_\_\_ to \_\_\_\_\_; is reservoir drained each year \_\_\_\_\_;  
is reservoir on or off stream \_\_\_\_\_ explain \_\_\_\_\_

if feeder canal is used give maximum carrying capacity \_\_\_\_\_ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions \_\_\_\_\_

has there been any enlargement of the reservoir since it was first built \_\_\_\_\_, if so, give dates and 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 ONE 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 \_\_\_\_\_

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 March

19 73

Robert Hoover  
Claimant

Larry J. Page  
Notary Public

Residing at Bursey

My commission expires 7/29/1975

For Department Use Only

Received by FER Date 9 Mar 73

Exception filed by: \_\_\_\_\_

Forwarded to  
claimant by: \_\_\_\_\_

Date \_\_\_\_\_

Prelim. check by FER Date 9 Mar 73 # 10,018

Fee received by Wp Date 3-9-73 Fee \$16.00

Approved for publication by \_\_\_\_\_

Published in Ida. Free Press Dates 3-22-73  
3-24-73

63 4207

## 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: | May 18, 1871   | amount: 0.8 c.f.s. or | acre feet |
|                           | June 1, 1901   | amount: 0.4 c.f.s. or | acre feet |
|                           | Total claimed: | 1.2 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 a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District  
Idaho Dept. of Water Administration  
401 Front Avenue, Room 209  
Coeur d'Alene, Idaho 83814

Eastern District  
Idaho Dept. of Water Administration  
240 South Holmes  
Idaho Falls, Idaho 83401

Southern District  
Idaho Dept. of Water Administration  
1041 Blue Lakes Blvd. North  
Twin Falls, Idaho 83301

Western District  
Idaho Dept. of Water Administration  
Statehouse - Annex 2  
Boise, Idaho 83707

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Department of Water Administration

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, )  
County of Canyon. ) ss.

Verla Harker  
of Nampa, Canyon County, Idaho, being first duly sworn,  
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NOTICE OF CLAIM TO A  
WATER RIGHT  
No. 63-4207

Notice is hereby given that  
HOBERT HOOVER, Rt. #7, Box  
7464, Nampa, Ida, has filed a  
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ed 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 SE1/4  
SW1/4, Sec. 33, T. 3 N., R. 2  
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The water is claimed to be  
used from Jan. 1 to Dec. 31 for  
domestic purposes with a priori-  
ty of March, 1949; the place of  
use is within the SE1/4SW1/4,  
Sec. 33, T. 3 N., R. 2 W., B.M.

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

R. KEITH HIGGINSON  
Director

1. That I am a citizen of the United States of America, and at  
all times hereinafter mentioned was over the age of twenty-one  
years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press,  
a daily, (except Sunday) newspaper published in the City of  
Nampa, in the County of Canyon, State of Idaho; that  
the said newspaper is in general circulation in the said County of  
Canyon, and in the vicinity of Nampa, and has been  
uninterruptedly published in said County during a period of seventy-  
eight consecutive weeks prior to the first publication of the notice, a  
copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy,  
was published in said newspaper

Two Times in the regular and entire  
issue of said paper, and was printed in the newspaper proper, and  
not in a supplement.

4. That said notice was published the following dates:

March 22, 29, 1973

Verla Harker

Subscribed and sworn to before me this

29th day of March, 19 73

Adam Shaw

Notary Public, Residing at Nampa, Idaho

OK af  
4-2-73

WATER RIGHT NUMBER 63-4207

WATER RIGHTS EDIT REPORT

12/12/79

PAGE 104

ACT  
ION

N OWNER LAST NAME - HOOVER  
N ADDRESS LINE 1 - RT. 7 BOX 7464

FIRST NAME - HOBERT

CITY - NAMPA

STATE - ID ZIP CODE - 83651

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 03-01-1949 COUNTY - CANYON TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - SESW 33 03N 02W

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

USE DIV. RATE - .0400CFS

N USE - DOMESTIC

PLACE OF USE - TWN 03N RNG 02W SEC 33 TRACT SESW

1000

63-4207

## ID AHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT  
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Old No.

**New No.**

1. Original Owner: Robert Hoover

Present Owner: \_\_\_\_\_

2. Address: Rt. 7 Box 7464

3. City: Tampa

State: 10

Zip: 83651

4. A. Source of Water: gw

B. Tributary of:

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

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

C. Priority Date: 3-1-1949

D. County: 27

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):

## 6. A. Point of Diversion

| <u>Tract</u> | <u>Sec.</u> | <u>Twp.</u> | <u>Rge.</u> | <u>Gov't Lot</u> | <u>Rediv.</u> |
|--------------|-------------|-------------|-------------|------------------|---------------|
| SE SW        | 33          | 3N          | 2W          |                  |               |
|              |             |             |             |                  |               |
|              |             |             |             |                  |               |
|              |             |             |             |                  |               |

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

from 1-1 to 12-31 for DD purposes. Amount .04  
(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 \_\_\_\_\_

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):

April 9, 1973

Re: Claim to a Water Right No. 63-4207

Robert Hoover  
Route 7, Box 7464  
Nampa, Idaho 83651

Dear Mr. Hoover:

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 4207

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4207

Notice is hereby given that ROBERT HOOVER, Rt. #7, Box 7464, Nampa, Ida.

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

with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 33, T. 3 N., R. 2 W., B.M.,  
Canyon County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic  
purposes

with a priority of March, 1949 ;  
the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 33, T. 3 N., R. 2 W., 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 Free Press, Nampa, Ida.

on March 22, 1973 and March 29, 1973

63 4207

na

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The water is claimed to be  
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ity of March, 1949; the place of  
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ministration, Statehouse, Boise,  
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R. KEITH HIGGINSON

Director

March 22, 29, 1973

63-4207

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

March 15, 1973

Re: Claim to a Water Right No. 63-4207 Robert Hoover

Idaho Free Press  
P. O. Box 88  
Nampa, Idaho 83651

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,

63 4207