

RECEIVED

FEB 9 1973

Department of Water Administration

STATE OF IDAHO)
COUNTY OF ADA) ss.

NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4197

Notice is hereby given that F. H. NEITZEL, 9 Mesa Drive, Boise, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .02 cubic feet per second of water from a groundwater source with the point of diversion in the NW 1/4 NW 1/4, Sec. 23, T. 3 N., R. 1 E., B. M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic & stock purposes with a priority of June, 1949, the place of use is within the NW 1/4 NW 1/4, Sec. 23, T. 3 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

Pub. Jan. 25, Feb. 1, 1973 119

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 ~~XXXXXXXXXX~~ insertions, beginning with the issue of January 25, 19 73, and ending with the issue of February 1, 19 73.

Marilyn A Connell

Subscribed and sworn to before me this 5th

day of February, 19 73.

Lorna A Young

Notary Public for Idaho, Residing at Boise, Idaho

OK. df
2-9-73

63 4197

Identification No. _____

Claim No. 63-4197

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 F.H. Neitzel
post office address #9 Mesa Dr. Boise 83705

2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 23 Township _____
Range 3 N - 1E B.M. located on _____ on Five Mile Creek - well #4
(name of source)
tributary to _____ in Ada 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: June 1949 well replacing another well
domestic amount: 02 c.f.s. or _____ acre feet
livestock when creek dry 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 1/1 to 12/31 (both dates inclusive)
use livestock 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).

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 126' feet; diameter of well is 4" inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is Russel Cowe
_____;

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 _____

- 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 _____ feet; diameter of pipe line is _____ inches; type of pipe _____; 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 30 Cattle

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

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 15 day of Jan, 1973.

My commission expires 11/29/1975

Received by ALP Date 1/15/73

Exception filed by:

Forwarded to
claimant by:

Date _____

Prelim. check by BJP Date 1/15/73

Fee received by LA Date 1-15-73 Fee \$ 10 - 10

Approved for publication by:

Published in State of Tennessee Dates 1-25-73
2-1-73

63 4195

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

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

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

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

STATE OF IDAHO)
COUNTY OF ADA) ss.

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 63-4197

Notice is hereby given that F. WEITZ, 19 M. Ave., Boise, Idaho, has filed a claim to water right established by diversion and application to beneficial use of .02 cfs of per second of water from a ground water source in the NW 1/4 NW 1/4, Sec. 23, T. 3 N., R. 1 E., B.M., Ada County, Idaho. The water is claimed to be used from Jan. 1 to Dec. 31 for domestic & stock purposes with a priority of June 1949, the date of use in the NW 1/4 NW 1/4, Sec. 23, T. 3 N., R. 1 E., B.M., Ada County, Idaho.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, by Feb. 1, 1973.

R. KEITH HIGGINSON

Pub. Jan. 25, Feb. 1, 1973 119

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 ~~XXXXXXXXXX~~ insertions, beginning with the issue of January 25, 1973, and ending with the issue of February 1, 1973.

Marilyn A Connell

Subscribed and sworn to before me this 5th

day of February, 1973.

Lorna A Young
Notary Public for Idaho, Residing at Boise, Idaho

OK. af
2-9-73

WATER RIGHT NUMBER 63-4197

WATER RIGHTS EDIT REPORT

12/12/79

PAGE 94

ACT
ION

N OWNER LAST NAME - NEITZEL

FIRST NAME - F. H.

N ADDRESS LINE 1 - 9 MESA DR.

N
N SOURCE - GROUNDWATER

CITY - BOISE

STATE - ID ZIP CODE - 83705

N STAGE - STATRY CLM

PRIORITY - 06-01-1949 COUNTY - ADA

TOTAL DIV. RATE - .0200CFS

N DIVERSION POINT - NWNW 23 03N 01E

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

USE DIV. RATE - .0200CFS

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

N USE - STOCKWATER PLACE OF USE - TWN 03N RNG 01E SEC 23 TRACT NWNW

N NON IRRIG USE - S/30 RANGE D/1 HOME.

3/79

IDENT. NO.

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. _____

Record

1. Original Owner: _____

Present Owner: _____

2. Address: 9 Mesa Dr.

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): S

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

C. Priority Date: 6-1-1949

D. County: 01

E. Total Diversion Rate: .02

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	NW NW 1	23	3N	1E		

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

from 1-1 to 12-31 for S purposes. Amount .02
(cfs or AC-FT/yr)

from 1-1 to 12-31 for D 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 _____

8. Use Code: 2

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

S/30 range 10/1 home

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):

INTER-DEPARTMENT MEMO — 1

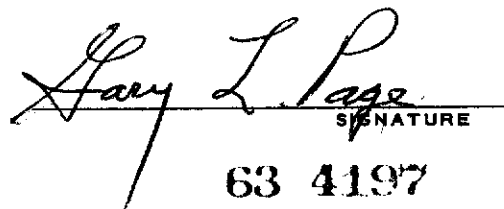
DATE February 13, 1973

FROM Gary L. Page

TO File #63-4197

SUBJECT

The change on article #1 is taken from article #3. Five Mile Creek is only the location of landmark where property is located. Ada County is where 3 N., 1 E., lies. Information taken through discussion with Mr. Neitzel.


SIGNATURE
63 4197

February 12, 1973

Re: Claim to a Water Right No. 63-4197

F. H. Neitzel
#9 Masa Drive
Boise, Idaho 83705

Dear Mr. Neitzel:

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,

63 4197

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

KHF;def

Enclosure

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4197

Notice is hereby given that F. H. NEITZEL, 9 Mesa Drive, Boise, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of .02 cubic feet per second ~~XXXXXXX~~ acre feet of water
from a groundwater source

with the point of diversion in the NW¹/₄NW¹/₄, Sec. 23, T. 3 N., R. 1 E., B.M.,
Ada County

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

with a priority of June, 1949
the place of use is within the NW¹/₄NW¹/₄, Sec. 23, T. 3 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 Jan. 25, 1973 and Feb. 1, 1973

63 4197

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

January 18, 1973

Re: Claim to a Water Right No. 63-4197 F. H. Neitzel

The 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,