

RECEIVED

AUG 28 1972

Department of Water Administration

STATE OF IDAHO)
COUNTY OF ADA) ss.

Georgene Davis

, 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 weekly consecutive insertions, beginning with the issue of August 17, 19 72, and ending with the issue of August 24, 19 72.

Georgene Davis

Subscribed and sworn to before me this 24th day of August, 19 72.

Jona A. Young
Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF CLAIM TO A WATER RIGHT
No. 63-4162

Notice is hereby given that FREDERICK L. PERSONS and/or MARTHA J. PERSONS, Route 1, Hwy. 55, 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 point of diversion in the NE 1/4 NE 1/4, Sec. 10, T. 4 N., R. 1 E., B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and from April 1 to Oct. 1 for lawn and garden irrigation with a priority of Aug. 28, 1953 the place of use is within the NE 1/4 NE 1/4, Sec. 10, T. 4 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. Aug. 17, 24, 1972

745

63 4162

sun vicki
thursday legals

NOTICE OF CLAIM TO A WATER RIGHT

10. 63-4162

Notice is hereby given that FREDERICK L. PERSONS and/or MARTHA J. PERSONS, Route 1, Hwy. 55, 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 point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 4 N., R. 1 E., B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and from April 1 to Oct. 1 for lawn and garden irrigation with a priority of Aug. 28, 1953 the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 4 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. Aug. 17, 24, 1972 745

Identification No. _____

Claim No. 63-4162

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 FREDERICK L. PERSONS & MRS MARTHA J. PERSONS
post office address RT. 1, Hvy. 55, Boise, Idaho

2. The point of diversion is in N.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ Section 10 Township 4 N
Range 1 E. B.M. FROM ground water source
(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:

AUGUST 28, 1953 amount: .04 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 Irrigation yard & garden period of use from April 1, to Oct. 1, (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 184' feet; diameter of well is 6" inches; type of pump is Jet
capacity of pump is 18 g.p.m.; name and address of well driller is ORVAL HARDEN

63 4162

© 2000-2001 Microsoft Corporation. All rights reserved. Microsoft, MSN, and the MSN logo are either registered trademarks or trademarks of Microsoft Corporation in the United States and/or other countries.

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_____

[illegible]

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 At Present use
Stockwater 12 cows 2 horses

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

Water from well is used to Sprinkle (irrigate)
Yard And garden Area over Approx. 2 Acres.
By Moving Sprinklers As Necessary.

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

31st

day of

Martha J. Persons

Claimant

19 72

Van R. Henderson

Notary, Public

Residing at

Baise, Idaho

My commission expires

9-5-72

For Department Use Only

Received by lf Date 8-2-72

Exception filed by: _____

Forwarded to
claimant by: _____

Date

Prelim. check by KHF Date 8/2/72

63 4162

Fee received by lf Date 8-2-72 Fee \$10⁰⁰

Approved for publication by KHF 8/7/72

Published in Idaho Stateman Dates 8-10 & 17-72

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 this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

8-28-72

[illegible]

Two weekly

George Davis

John A. Young

63 4162

WATER RIGHT NUMBER 63-4162

WATER RIGHTS EDIT REPORT

12/12/79

PAGE 59

ACTION

N OWNER LAST NAME - PERSONS
N OWNER LAST NAME - PERSONS
N ADDRESS LINE 1 - HWY 55, RT. 1

FIRST NAME - FREDERICK L.
FIRST NAME - MARTHA J.

CITY - BOISE

STATE - ID

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 08-28-1953 COUNTY - ADA

TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - NENE 10 04N 01E

N FROM - 04-01 TO - 10-01 USE - IRRIGATION

USE DIV. RATE - .0400CFS

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

N USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 01E SEC 10 TRACT NENE

AC 02

N NON IRRIG USE - D/2 HOMES.

5000

IDENT. NO. 63-4162

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. 163-4162
OTd No. _____ New No. _____

Record

1. Original Owner: Frederick L. & Martha J. Parsons

Present Owner: _____

2. Address: ~~Sub Highway 55~~ Hwy. 55, Rt. 13. City: Boise State: Id Zip: _____4. A. Source of Water: Gw

B. Tributary of: _____

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

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

C. Priority Date: 8-28-1953D. County: OIE. 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): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NENE</u>	<u>10</u>	<u>4N</u>	<u>1E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 4-1 to 10-1 for A purposes. Amount .04
(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: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

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

11. Other Uses (Non-irrigation explanatory information): *D/2 homes.*

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):

Western District Office

September 7, 1972

RE: CLAIM TO A WATER RIGHT NO. 63-4162

Mr. Frederick L. Persons
Route #1, Hwy. 55
Boise, Idaho

Dear Mr. Persons:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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 4162

August 7, 1972

RE: APPLICATION FOR PERMIT NOS.	63-7636	J. A. Terteling & Sons
	63-7638	J. A. Terteling & Sons
	63-7641	Idaho Land Developers, Inc.
	63-7628	Carlos W. Dimick
CLAIM TO A WATER RIGHT NO.	63-4162	Frederick L. Persons and/or Martha J. Persons

The Idaho Statesman
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)

Very truly yours,

63 4162

Bill submitted _____ by _____

Yellow

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4162

Notice is hereby given that FREDERICK L. PERSONS and/or MARTHA J. PERSONS, Route #1, Hwy. 55, 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 ~~surface~~ of water from a groundwater source
with point of diversion in the NE 1/4, Sec. 10, T. 4 N., R. 1 E., B.M., Ada County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and from April 1 to Oct. 1 for lawn and garden irrigation
with a priority of Aug. 28, 1953;
the place of use is within the NE 1/4, Sec. 10, T. 4 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,

~~XX~~

R. KEITH HIGGINSON

Director

63 4162

Published in the Idaho Statesman, Boise, Idaho
on Aug. 10, 1972 and Aug. 17, 1972.

1102

sun vick
founded by locals

OK
8-16-72

NOTICE OF CLAIM TO A WA-

IR RIGHT
8-16-72

Notice is hereby given that
the undersigned, who is a
citizen of the State of
California, and who is the
owner of the above described
property, has filed a claim
for the same, and that the
same is now pending before
the Board of Supervisors of
the County of Los Angeles,
California.

The undersigned is entitled to be
heard in person or by counsel for
the purpose of presenting evidence
in support of his claim, and
for the purpose of objecting to
the claim of any other person
who may claim an interest in
the same.

Witness my hand and seal this
16th day of August, 1972.

Notary Public for the State of California

will be held at 10:00 a.m.

and a copy of this notice

shall be published in the

Los Angeles Times on the

16th day of August, 1972.

The undersigned

is entitled to be heard

in person or by counsel

for the purpose of

presenting evidence

in support of his claim

and for the purpose of

objecting to the claim

of any other person

who may claim an interest

in the same.

Witness my hand and seal

this 16th day of August,

1972.

Notary Public for the State of California

Western District Office

C August 2, 1972

RE: CLAIM TO A WATER RIGHT NO. 63-4162

O Mr. Frederick L. Persons
Route #1, Hwy. #55
Boise, Idaho

Dear Mr. Persons:

P Attached herewith is your Receipt No. 8662 in the amount of \$10.00 for
Claim to a Water Right No. 63-4162 which was received in this office
August 2, 1972.

Sincerely,

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

KHF:mkp

Enclosure

63 4162

July 31, 1972

Department of Water Administration
State House, Annex #2
Boise,
Idaho 83707

Department of Water Administration
State House, Annex #2
Boise, Idaho 83707

Sir:

Enclosed find \$10.00 to cover "The Claim
for Water Right," The people in this area
having early rights feel a need to do this
to protect their rights, because of the large
numbers of homes being built in this area.

If there are any questions call me at
939-6241.

Thank you,
Mrs. Ted Persons
Ht #1 - Hvy. 55
Boise, Idaho 83702

63 4162