

Identification No. _____

Claim No. 63-4158

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 Hollis Loveland and/or Sicily Ann Loveland
post office address 2205 SE 61st Lacey, Washington 98503

2. The point of diversion is in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 16 Township 1N
Range 9E B.M. located on Unnamed spring
(name of source)
tributary to Fall Creek in Elmore 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: 7-15-1970 see letter R.W.H.
June 1971 amount: .02 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .02 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 _____
Spring box and tank; 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 _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

First completed 4:58

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_____

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 21st day of July, 1972

Helen Loveland Claimant
Sicily Loveland

Kearney H. Fort Notary Public

Residing at Boise, Idaho

My commission expires May 26, 1974

For Department Use Only

Received by KHF Date 7/21/72

Exception filed by: _____

Forwarded to claimant by: _____

Date _____

Prelim. check by DA Date 7/21/72

Fee received by KHF Date 7/21/72 Fee \$10.00

Approved for publication by De

Published in Mt. Home News Dates 3/10 & 17/72

62 158

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.

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 63-4158**

Notice is hereby given that HOLLIS and/or SECILY ANN LOVELAND, 2206 SE 61st, Lacey, Washington, has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from an unnamed spring with point of diversion in the SE¼, NE¼, Sec. 16, T. 1N., R. 9E., B. M. Elmore County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of June, 1971; the place of use is within the SE¼, NE¼, Sec. 16, T. 1N., R. 9E., 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 Mountain Home News, Mountain Home, Idaho, on Aug. 10, 1972 and Aug. 17, 1972.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd D. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

... 2 ... consecutive weeks, the first publication having been made on the ... 1 ... day of August ..., 1972, and the last publication having been made on the ... 1 ... day of August 1972; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd D. Waters

Subscribed and sworn to me this ... 1 ... day of August ..., 1972

Wm. D. Waters
Notary Public

RECEIVED

AUG 18 1972

Idaho Department of Water Administration

63 4158



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

December 16, 1986

Clint Isensee
Robert Clinton Co.
1365 N Orchard
Boise, ID 83706

Dear Mr. Isensee:

Enclosed is an amended claim for Claim No. 63-4158 per our phone conversation on December 10, 1986.

I have shown the spring (point of diversion) and home (place of use) as both lying in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, Twp. 1N, Rge. 9E. After doing this it occurred to me that the legal description on the deed is for the area they own and may or may not include the spring. It could be that the spring does not lie in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ just because their land does. To avoid later confusion I am sending a topographic map along with the amended claim form. Please mark the spring and home on this map and we can verify the legal from that.

It is definitely to the buyer's advantages to correctly describe the water right and avoid any problems in the future. The Loveland's will need to sign the claim and have their signature notarized, then return the claim with the marked map to our office.

Please feel free to contact me if you have any questions.

Sincerely,

Jan Shurte
Sr. Water Resource Agent

JS:nl

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



AMENDED

CLAIM TO A WATER RIGHT

AMENDED

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Hollis Loveland &/or Sicily Ann Loveland

(Name of Claimant)

2205 SE 61st, Lacey, WA

98503

Telephone No.

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 7-15-1970

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring tributary to Fall Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	.02 cfs	Use Domestic	Period of Use From 1-1	To 12-31
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 NE 1/4, Sec. 16 Twp. 1N Rge. 9E B.M., County of Elmore

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. Describe any changes in the system and give the date of the change. Spring Box and Tank.

- (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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1N	9E	16	X																

No. of acres

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

Domestic use-one Home

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

October 10, 1986

Clint Isensee
Robert Clinton Co.
1365 N. Orchard
Boise ID 83706

Dear Mr. Isensee:

We recieved the Warranty Deed whereby Hollis L. & Sicily A. Loveland sold their property in the NE1/4 NE1/4, Sec. 16 Twp. 1N, Rge. 9E. B.M.

However, a claim to a water right is appurtenant to the land it covers and name changes are not made. We can put a copy of the Warranty Deed in the claim file noting the new owners and a copy of any new correspondence will be sent to them.

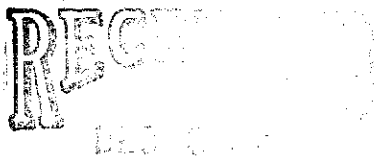
One thing I did notice is that the legal description on the claim shows the SE1/4 NE1/4 Sec. 16, Twp. 1N, Rge. 9E. The Warranty Deed shows the NE1/4 NE1/4 as the property purchased. If the claim is wrong, then the Loveland's need to change it to the correct description. This can be done by having the Lovelands come to our office and initial the changes on the claim. However, if they have changed the point of diversion and place of use, than an application for transfer will need to be filed. If no change is made then a problem could arise in the future if the water rights are questioned.

If you have any questions concerning this matter, please contact us.

Sincerely,

Jan Shurte
Sr. Water Resource Agent

JS:nl



Department of Water Resources
Western Regional Office

334-2190
Letter of Copy of Deed
regarding we are the new owner
along with # of claim

Identification No. _____
Claim No. 143-4/15-8
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 Hollis Loveland and/or Sicily Ann Loveland
post office address 2205 SE 61st Lacey, Washington 98503

2. The point of diversion is in SE ~~SE~~ ^{NE} $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 16 Township 1N
Range 9E B.M. located on Unnamed spring
(name of source)
tributary to Fall Creek in Elmore 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 1971 amount: .02 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .02 c.f.s. or _____ acre feet.

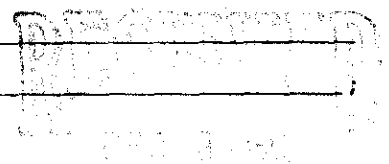
b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

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 _____
Spring box and tank; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with 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 _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____



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 Ala

55.

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 21st day of July, 1972.

Claimant

Notary Public

Residing at:

My commission expires

For Department Use Only

Received by KHF Date 7/21/72

Exception filed by:

Forwarded to
claimant by:

Date _____

prelim. check by DA Date 7/21/72

Fee received by KHF Date 7/21/72 Fee \$ 10.00

Approved for publication by De

Published in McNemar News Dates 8/10 & 17/72

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_____

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 _____



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

October 10, 1986

Clint Isensee
Robert Clinton Co.
1365 N. Orchard
Boise ID 83706

*File in
Claim No.
63-4158*

Dear Mr. Isensee:

We recieved the Warranty Deed whereby Hollis L. & Sicily A. Loveland sold their property in the NE1/4 NE1/4, Sec. 16 Twp. 1N, Rge. 9E. B.M.

However, a claim to a water right is appurtenant to the land it covers and name changes are not made. We can put a copy of the Warranty Deed in the claim file noting the new owners and a copy of any new correspondence will be sent to them.

One thing I did notice is that the legal description on the claim shows the SE1/4 NE1/4 Sec. 16, Twp. 1N, Rge. 9E. The Warranty Deed shows the NE1/4 NE1/4 as the property purchased. If the claim is wrong, then the Loveland's need to change it to the correct description. This can be done by having the Lovelands come to our office and initial the changes on the claim. However, if they have changed the point of diversion and place of use, than an application for transfer will need to be filed. If no change is made then a problem could arise in the future if the water rights are questioned.

If you have any questions concerning this matter, please contact us.

Sincerely,

Jan Shurte

Jan Shurte
Sr. Water Resource Agent

JS:nl

*336-1637
home
375-5111
Clint + Graham Co.*

September 29, 1986

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, ID 83707

Dear Sirs:

Please find enclosed a copy of the Deed transferring this property to the new owners, Fred O. and Elaine D. Wagahoff and the Robert Clinton Co., Inc. Also enclosed is a copy of the Water Rights which we would like transferred to the new owners.

Thank you,



Clint Isensee
Robert Clinton Co.
1365 N. Orchard
Boise, ID 83706

RECEIVED
OCT 1 1986

Department of Water Resources
Western Regional Office

WARRANTY DEED

For Value Received Hollis L. Loveland and Sicily A. Loveland,
Husband and Wife

the grantor s, do es hereby grant, bargain, sell and convey unto Robert Clinton Co., Inc.
and Fred O. Wagahoff and Elaine D. Wagahoff, Husband and Wife

the grantee s, the following described premises, in Elmore County Idaho, to wit:

A parcel of land lying in the Southwest Quarter
of the Northeast Quarter of the Northeast Quarter
(SW 1/4 NE 1/4 NE 1/4) of Section 16, T. 1 N.,
R. 9 E., Boise Meridian, described as follows:

Commencing at the Section Corner common to
Sections 9, 10, 15 and 16, in T. 1 N., R. 9 E.,
Boise Meridian, running thence South 44° 34' 40"
West a distance of 933.73 feet to a metal stake;
Thence running South a distance of 660 feet to a
metal stake; thence West a distance of 345 feet to
a metal stake which is the True Point of Beginning,
Thence West a distance of 80.04 feet to a metal stake;
Thence North 19° 52' East a distance of 191.39 feet
to a metal stake; Thence East 15 feet to a metal
stake; Thence South a distance of 180 feet to the
True Point of Begining.

Containing thereon two frame buildings.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do es hereby covenant to and
with the said Grantees , that t hey the owners in fee simple of said premises; that they are free
from all encumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated:

Hollis L. Loveland
Sicily A. Loveland

STATE OF IDAHO, COUNTY OF

On this 4th day of Sept. , 19 86,
before me, a notary public in and for said State, personally
appeared Hollis L. Loveland and
Sicily A. Loveland,
Husband & Wife

known to me to be the person s whose name s
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Robert D. [Signature]
Notary Public

Residing at Boise, Idaho
Comm. Expires May 31, 1988

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____

Deputy.

Fees \$
Mail to:



First American Title Company of Idaho

INSTRUMENT NO

WATER RIGHT NUMBER 63-4158

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 38

ACT
ION

N OWNER LAST NAME - LOVELAND

FIRST NAME - HOLLIS

N OWNER LAST NAME - LOVELAND

FIRST NAME - SICILY ANN

N ADDRESS LINE 1 - 2205 S.E. 61ST

CITY - LACEY

STATE - WA ZIP CODE - 98503

N SOURCE - SPRING

TRIBUTARY OF - FALL CREEK

N STAGE - STATRY CLM

PRIORITY - 07-15-1970 COUNTY - ELMORE

TOTAL DIV. RATE - .0200CFS

N DIVERSION POINT - SENE 16 01N 09E

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

USE DIV. RATE - .0200CFS

N USE - DOMESTIC

PLACE OF USE - TWN 01N RNG 09E SEC 16 TRACT SENE

3/79

IDENT. NO. 63-4158

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. 163-4158
Old No. New No.

Record

1. Original Owner: Hollis + Lucile Ann Loveland

Present Owner: _____

2. Address: 2205 SE 61st3. City: Lacey State: Wa Zip: 985034. A. Source of Water: SpringB. Tributary of: Fall Creek5. A. Stage (A,P,L,D,S,J): I

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

C. Priority Date: 7-15-1970D. County: 39E. 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	<u>SENE</u>	<u>16</u>	<u>1N</u>	<u>9E</u>		

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

from 1-1 to 12-31 for D purposes. Amount .02
(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 _____

8. Use Code: D

[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):

We have a deed to this property
dated July 15, 1970. It ~~was~~ (deed) was recorded
Dec 11, 1970. While we don't have
a permanent home at this property
we use a trailer-house there and
a small cabin & we used the water.

This deed is recorded at Mt Home.

Hollis Loveland

63 4156

RECEIVED

DEC 21 1973

Department of Water Control

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

December 14, 1973

Re: Claim to a Water Right No. 63-4158

Hollis Loveland
2205 SE 61st
Lacey, Washington 98503

Dear Mr. Loveland:

It has come to our attention that your claim to a water right filed July 21, 1972, claims a priority date of June, 1971.

A law was passed in 1971 which made it mandatory to file a permit on any use of surface water after May 20, 1971.

As your claim to a priority date on the use of water is 10 days after this set date, we will not be able to accept your claim. If you could search your records and check the June, 1971 date to see if possibly you might have used this water earlier than June, we could amend your claim for you. Otherwise, it will be necessary to file a permit application on the use of the water. We are enclosing an application which we have completed from the claim form you filed. If you file it with us, check the information shown on it, sign and return it to us. Since you have paid a fee on the claim to a water right, we will not charge a filing fee on this permit.

I checked our records and find no other filings on this spring, so the loss of priority will not become a critical matter.

We are sorry to have caused you this inconvenience and appreciate your cooperation in getting the matter straightened out.

Sincerely,

Robert W. Hamilton
ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:def

Enclosure

63 4158

C December 14, 1973

Hollis Loveland
2205 SE 61st
Lacey, Washington 98503

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Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:def

Enclosure

63 4158

Western District Office

August 28, 1972

C
RE: CLAIM TO A WATER RIGHT NO. 63-4158

O
Hollis Loveland
2205 SE 61st
Lacey, Washington 98503

P
Dear Mr. Loveland:

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.

Y 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, PLE.
Western District Engineer

KHF:mkp

Enclosure

63 4158

August 1, 1972

RE: Application for Permit No. ~~61-7122~~ Ralph E. &/or Dena Rae Olson
Claim to a Water Right No. 63-4158 Hollis Loveland &/or Sicily Ann Loveland

Mountain Home News
P. O. Drawer 0
Mountain Home, Idaho 83647

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 4158

Bill submitted _____ by _____

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4158

Notice is hereby given that HOLLIS and/or SICILY ANN LOVELAND,
2205 SE 61st, Lacey, Washington
has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.02 cubic feet per second ~~XXXXXX~~
of water from an unnamed spring
with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 1 N., R. 9 E., B.M.,
Elmore County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes
with a priority of June, 1971;
the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 1 N., R. 9 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,
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~.

R. KEITH HIGGLINSON

Director

Published in the Mountain Home News, Mountain Home, Idaho
on Aug. 10, 1972 and Aug. 17, 1972.

63 4158

NOTICE OF CLAIM
TO A WATER RIGHT
(No. 63-4158)

Notice is hereby given that HOLLIS and/or SICILY ANN LOVELAND, 2205 SE 61st, Lacey, Washington, has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from an unnamed spring with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 1N., R. 9E., B. M., Elmore County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of June, 1971; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 1N., R. 9E., 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 Mountain Home News, Mountain Home, Idaho, on Aug. 10, 1972 and Aug. 17, 1972.

O.K.
NP
8-10-72

63-4158