

REF ID: A66084

Iona A. Young, 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

Jana A. Young  
Subscribed and sworn to before me this 16th  
day of June, 1972.

63 4150



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

Claim No. 43-4150 P

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 Clarence B. Weber  
post office address Route #1, Highway 55 Boise, Idaho

2. The point of diversion is in NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  Section 10 Township 4N  
Range 1E B.M. located on Groundwater  
(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:

May 17, 1954 amount: .02 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 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 \_\_\_\_\_ ; depth of well is 144 feet; diameter of well is 6 inches; type of pump is submersible  
capacity of pump is 15 g.p.m.; name and address of well driller is Berkly Jet 1 $\frac{1}{2}$ hp.  
Stone,

was first complete

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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\_\_\_\_\_

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[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 \_\_\_\_\_

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 } 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.

Clarence B. Weber  
Claimant

Sworn to before me this 23 day of May, 1972

Sally L. Page  
Notary Public

Residing at Bain, Idaho

My commission expires 7/29/1975

rec'd # 9257

For Department Use Only

Received by SP Date 5/23/1972 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
claimant by: \_\_\_\_\_

Prelim. check by SP Date 5/23/1972

Fee received by SP Date 5/23/1972 Fee \$ 10.00

Approved for publication by SP

Published in Idaho Statesman Dates 6/8/72

63 4150

## 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.

STATE OF IDAHO )  
COUNTY OF ADA ) ss.

**Iona A. Young**

Iona A. Young, 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 June 8, 1972, and ending with the  
issue of June 15, 1972.

John A. George

Subscribed and sworn to before me this 16th  
day of June, 1972.

Notary Public for Idaho, Residing at ~~Boise~~, Idaho

Meridian

63 4150

# WATER RIGHTS EDIT REPORT

12/11/79

PAGE 30

WATER RIGHT NUMBER 63-4150

ACTION

N OWNER LAST NAME - WEBER  
N ADDRESS LINE 1 - HWY. 55

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

N DIVERSION POINT - NENE 10 04N 01E

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

N USE - DOMESTIC

FIRST NAME - CLARENCE B.

ADDRESS LINE 2 - RT. 1

CITY - BOISE

STATE - ID ZIP CODE - 83702

PRIORITY - 05-17-1954 COUNTY - ADA

TOTAL DIV. RATE -

.0200CFS

USE DIV. RATE - .0200CFS

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

5000

IDENT. NO. 65-4150

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. \_\_\_\_\_

163-4150

New No. \_\_\_\_\_

## Record

1. Original Owner: Clarence B. Weber

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

2. Address: St. Albans Hwy, 55, Apt. 13. City: Boise State: Id Zip: 837024. A. Source of Water: Gr

B. Tributary of: \_\_\_\_\_

5. 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: 5-17-1954D. County: 01E. 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<br>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 1-1 to 12-31 for D purposes. Amount .02  
(cfs or AG-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: 

[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):

*Yellow*

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus  
Governor  
R. Keith Higginson  
Director

Statehouse - Annex 2  
Boise, Idaho 83707  
(208) 384-2215



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

June 30, 1972

Re: Claim to Water Right Nos. 63-4150  
63-4151

Mr. Clarence B. Weber  
Route #1  
Highway #55  
Boise, Idaho 83702

Dear Mr. Weber:

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 claims 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 claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, a copy of each of your claims. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Sincerely,

Robert W. Hamilton  
Supervisor of Water Distribution  
Western District

RWH:CS

Enc: copy of referenced claims

63 4150

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus  
Governor  
R. Keith Higginson  
Director

Statehouse - Annex 2  
Boise, Idaho 83707  
(208) 384-2215



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

June 2, 1972

Re: Application for Permit Nos. 63-7606 - Harry Showalter  
63-7608 - Graydon L. Hall  
Claim to a Water Right Nos. 63-4146 - James J. Jenkins  
63-4147 - William M. Gornik  
63-4149 - Yancey Ray & Elizabeth S. Ahrens  
63-4150 - Clarence B. Weber  
63-4151 - " " "  
63-4154 - George Thomas &/or Dorothy Jean Tinsley

The Idaho Statesman  
Post Office Box #2640  
Boise, Idaho 83701

Gentlemen:

Enclosed you will find eight (8) legal notices 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 each notice, for our review before publication.

After sending us the galley proofs, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department for each legal notice, 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,

*Dorian Clay*  
Dorian Clay  
Water Resource Examiner  
Western District

DC:CS

Enc: Legal Notices (8)

*Bill Submitted  
6-21-72*

63 4150

**TO A WATER RIGHT**  
**No. 634150**

Notice is hereby given that **CLARENCE B. WEBER**, Route No. 1, Highway No. 55, Boise, Idaho, 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 a ground water 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 with a priority of May 17, 1954. 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, on or before June 26, 1972.

**R. KEITH HIGGINSON**  
Director

C 15 1972

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4150

C  
O  
P  
Y

Notice is hereby given that CLARENCE B. WEBER, Route #1, Highway #55, Boise, Idaho, 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 a ground water source, with point of diversion in the NE~~1~~NE~~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, <sup>for domestic purposes</sup> with a priority of May 17, 1954. The place of use ~~is~~ within the NE~~1~~NE~~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, on or before June 26, 1972.

R. KEITH HIGGINSON  
Director

Published in the Idaho Statesman, Boise, Idaho, on June 8 and 15, 1972.

63 4150