

AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

T. R. Adams, being
duly sworn, deposes and says:
That he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning
with September 24, 1970
and ending with the issue of
October 1, 1970
Fees \$..... T. R. Adams

Subscribed and sworn to before
me this 12 day of Nov
1970
John M. Morgan
Clerk District Court
Deputy

NOTICE OF CLAIM TO A
WATER RIGHT
No. 63-4071

Notice is hereby given that
Herbert B. Steele, Idaho City
Stage, Boise, Idaho, 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
an unnamed spring, tributary to
Daggett Creek with point of di-
version in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
16, T. 4N., R. 4E., B.M., Boise,
County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic purposes and from
May 1 to Oct. 31 for irrigation
purposes with a priority of July
1963; and the place of use is
within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16,
T. 4N., R. 4E., B.M.

Any exception to this claim
of water right may be filed with
the Idaho Department of Water
Administration, Statehouse, Boi-
se, Idaho.

R. KEITH HIGGINSON
Director

Published in the Idaho World,
Idaho City, Idaho, on Septemb-
er 24 and October 1, 1970.

63 4071

Identification No. _____

Claim No. 63-4071

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 Herbert B. Steele
post office address Idaho City Stage, Boise, Idaho

2. The point of diversion is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 16 Township 4N
Range 4E B.M. located on unnamed spring
(name of source)
tributary to Daggett Creek in Boise 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:

July, 1963 amount: .02 c.f.s. or _____ acre feet
July, 1963 amount: .02 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .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 Jan. 1 to Dec. 31 (both dates inclusive)
use irrigation period of use from May 1 to Oct. 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 _____ ; 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 _____
_____ ;

63-4071

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 _____

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

- 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 _____

- [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? No 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 one

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
Irrigation purposes is for pine trees that I have started.

State of Idaho

County of Calaveras } 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.

to the best of the affiants knowledge.

N. B. Stueb
Claimant

Sworn to before me this 9th day of September, 1970.

H. B. Steel
Claimant

Notary Public

Residing at Spice, Idaho

My commission expires Jan 19, 1973

For Department Use Only

Received by DeL Date Sept 9-1970

Exception filed by:

Forwarded to
claimant by:

Date _____

Prelim. check by D.H. Date Sept 9

Fee received by V.W. Date 9-9-70 Fee \$ 10.00 # 5127

Approved for publication by

Published in Idaho World Dates 9-24 & 10-1, 1970

~~63-4071~~

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:	<u>May 18, 1871</u>	amount:	<u>0.8</u> c.f.s. or	_____	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	_____	acre feet
		Total claimed:	<u>1.2</u> 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 Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, }
COUNTY OF BOISE } S.S.

T. R. Adams, being duly sworn, deposes and says: That he is the manager and principal clerk of THE IDAHO WORLD a weekly news paper published at Idaho City, in the County of Boise and state of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Idaho City; that the advertisement, a copy of which is hereto attached, was published in said newspaper

once a week for two consecutive weeks in the entire and regular issue of every number of said paper during the period and time of publication, and was published in the newspaper proper and not in a supplement; that said paper has been established and regularly and continuously published for more than seventy-eight weeks past previous to the first publication of this notice. Such notice was published in the issue beginning with September 24, 1970 and ending with the issue of October 1, 1970.
Fees \$..... T. R. Adams

Subscribed and sworn to before me this 12 day of Nov.

1970 [Signature]
Clerk District Court

Deputy

NOTICE OF CLAIM TO A
WATER RIGHT
No. 63-4971

Notice is hereby given that Herbert B. Steele, Idaho City Stage, 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 an unnamed spring, tributary to Daggett Creek with point of diversion in the SW 1/4 NE 1/4, Sec. 16, T. 4N., R. 4E., B.M., Boise, County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and from May 1 to Oct. 31 for irrigation purposes with a priority of July 1963; and the place of use is within the NE 1/4 SW 1/4, Sec. 16, T. 4N., R. 4E., B.M.

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

R. KEITH HIGGINSON
Director

Published in the Idaho World, Idaho City, Idaho, on September 24 and October 1, 1970.

ACT
ION

N OWNER LAST NAME - STEELE FIRST NAME - HERBERT B.
N ADDRESS LINE 1 - IDAHO CITY STAGE
N CITY - BOISE STATE - ID ZIP CODE - 83631
N SOURCE - SPRING TRIBUTARY OF - DAGGETT CREEK
N STAGE - STATRY CLM PRIORITY - 07-01-1963 COUNTY - BOISE TOTAL DIV. RATE - .0400CFS
N DIVERSION POINT - SWNE 16 04N 04E
N FROM - 05-01 TO - 10-31 USE - IRRIGATION USE DIV. RATE - .0200CFS
N FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0200CFS
N USE - IRRIGATION PLACE OF USE - TWN 04N RNG 04E SEC 16 TRACT NESW AC 01
N NON IRRIG USE - A/PINE TREES.

3/79

IDENT. NO. 63-4071

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]

- DATA ENTRY -

Record

Present Owner: _____

J. Right Basis (for adjudication claims A,B,C only):

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
<i>4N</i>	<i>4E</i>	<i>16</i>									<i>1</i>								<i>1</i>

9. A. Decree Name:

B. Decree Date:

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

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

A/Pine trees.

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):

November 19, 1970

Re: Claim to a Water Right No. 63-4071

Mr. Herbert B. Steele
Idaho City Stage
Boise, Idaho

Dear Mr. Steele:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

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 evidence that you would like to have included in your claim file, you may add that information 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.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

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STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

November 5, 1970

Idaho World
Box 144
Idaho City, Idaho 83631

Gentlemen:

In checking our files, we find that we need affidavits of publication and certified bills as follows:

	<u>PUBLISHED</u>
Claim No. 63-4068 - Izora Jane Lightfoot Anderson Atkins	9-24 & 10-01
" " 63-4071 - Herbert B. Steele	9-24 & 10-01
" " 63-4072 - Ethel L. Wood	9-24 & 10-01
" " 63-4073 - City of Idaho City	10-01 & 10-08
Application No. 65-7158 - George &/or Gladys Stuchbery	9-24 & 10-01
" " 65-7159 - Bogus Basin Recreational Assn.	10-01 & 10-08
" " 65-7160 - Robert &/or Albert Helmick	10-01 & 10-08

As the Department cannot take final action on these claims and applications until we are in receipt of the affidavits, it is very important that we receive them as soon as possible.

May we ask for your prompt attention to this matter?

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

63 4071

DWM:DR

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

October 14, 1970

Re: Claim No. 63-4068 - Izora Jane Lightfoot Anderson Atkins
63-4071 - Herbert B. Steele
63-4072 - Ethel L. Wood
App. No. 65-7158 - George &/or Gladys Stuchbery

Idaho World
Box 144
Idaho City, Idaho 83631

Gentlemen:

Would you please submit affidavits of publication and certified bills in connection with the above referenced items. The legal notices were to have been published in your paper on September 24 and October 1st, 1970.

Your cooperation in this matter would be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

IWM:DR

63 4071

September 16, 1970

Re: Claim No. 63-4068 - Izora Jane Lightfoot Anderson Atkins
63-4071 - Herbert B. Steele
63-4072 - Ethel L. Wood
App. No. 65-7158 - George &/or Gladys Stuchbery

Idaho World
Box 144
Idaho City, Idaho 83631

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 date. 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,

Donald W. McEldowney
Appropriation Supervisor

63 4071

DWM:DR
Enc: Legal notices (4)

Bill submitted 11-17-70 By ds

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4071

Notice is hereby given that Herbert B. Steele, Idaho City Stage,
Boise, Idaho,

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.04 cubic feet per second //////
of water from an unnamed spring, tributary to Daggett Creek
with point of diversion in the SW¹/₄NE¹/₄ Sec. 16, T. 4N, R. 4E, B.M.,
Boise County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes and from May 1 to Oct. 31 for irrigation purposes
with a priority of July, 1963;
the place of use is within the NE¹/₄SW¹/₄ Sec. 16, T. 4N, R. 4E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Idaho World, Idaho City, Idaho,
on September 24 and October 1, 1970.

63 4071