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Department of Reclamation

	RECL. ENGR.	
	DEPUTY	
	WATER RIGHTS	
✓	ATTORNEY	
	DIST.	
	ARM	
	INVESTIGATION	
	WELLS	
	DAMS	
	OPERATING	
	FILE	
	RETURN TO	
	LETTER	

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Daily 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 Daily Statesman for

Two ~~weekly~~ consecutive insertions, beginning with the issue of November 7, 19 68, and ending with the issue of November 14, 19 68.

Georgene Davis

Subscribed and sworn to before me this 6th day of December, 19 68.

Iona A Young

Notary Public for Idaho, Residing at Boise, Idaho

LEGAL NOTICES

NOTICE OF CLAIM TO A WATER RIGHT NO. 63-4029

Notice is hereby given that Leland Bernasconi, 3345 South Cole Road, 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 ground water source with a point of diversion in NE¼NE¼, sec. 2, T. 3 N. R. 1 E. B.M., Ada County; the water is claimed to be used from January 1 to December 31 for domestic use with a priority of November 1, 1963; the place of use is located in the NE¼NE¼, sec. 2, T. 3 N. R. 1 E. B.M., Ada County.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Pub. Nov. 7, 14.

63 4029

Mail out 12-12-68

Identification No. 63-4029

Claim No. _____

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 LELAND BERNASCONI

   post office address 3345 South Cole Road

2. The point of diversion is in NE ¼ of NE ¼ Section 2 Township 3 N

   Range 1 E B.M. located on Subterranean
   (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:

   November 1, 1963 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 January 1 to December 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; with at top is _____ feet; explain any increase in diversion capacity since structure was first buil, giving dates and estimated capacities if known _____

   b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 105 feet; diameter of well is 4 inches; type of pump is submersible capacity of pump is 10 g.p.m.; name and address of well driller is R. Cowe 1514 Lungmonte, Boise, Idaho ;

63 4029

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 n.a.

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 50 feet; diameter of pipe line is 2 inches; type of pipe galv.; 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:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

10/25/68
(Date)

Leland Benscoter
(Signature of Claimant)

State of Idaho
County of Ada } ss.

On this 25 day of October 1968, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he ~~(she) (they)~~ executed the same.

C. Stephen Allred
Notary Public residing at Boise, Idaho

My commission expires May 1, 1972

For Department Use Only

Received by DMC Date 10-25-68	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by JWR Date 10-25-68			
Fee received by ej Date 10-28-68 Fee $10.00			
Approved for publication by KO 10 31 68			62 1029
Published in _____ Dates _____			

receipt # 22479 quarter

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.

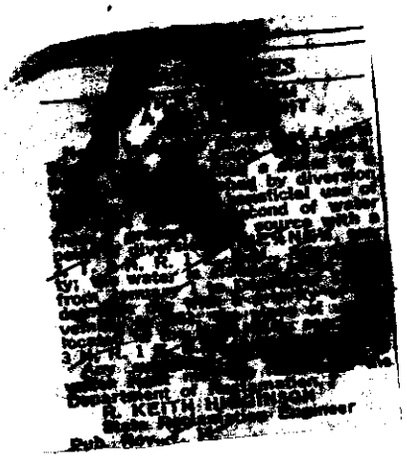
You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county 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 Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is $10.00.

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Georgene Davis, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Daily 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 Daily Statesman for



Two ~~weekly~~ consecutive insertions, beginning with the issue of November 7, 19 68, and ending with the issue of November 14, 19 68.

Georgene Davis

Subscribed and sworn to before me this 6th day of December, 19 68.

Lora A Young

Notary Public for Idaho, Residing at Boise, Idaho

68 4029

bid cert 12-13-68

300 NORTH 6TH

IN ACCOUNT WITH

DIAL 343-5411

THE STATESMAN NEWSPAPERS

BOISE, IDAHO

FOR LEGAL ADVERTISING

Idaho Dept. of Reclamation

DATE	DESCRIPTION	LINES/TIMES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED					
NOV 14 68	WATER APPL 63-4029 Leland Bernascani	25L 2x	6.25			6.25

I hereby certify that the above account is correct and just that services were rendered as charged and that we have received payment in full.

Signed [illegible]

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN THIS COLUMN IS BALANCE DUE

300 NORTH 6TH

IN ACCOUNT WITH

DIAL 343-5411

THE STATESMAN NEWSPAPERS

BOISE, IDAHO

FOR LEGAL ADVERTISING

Idaho Dept. of Reclamation

DATE	DESCRIPTION	LINES/TIMES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED					
NOV 14 68	WATER APPL 63-4029 Leland Bonnesconi	25L 2x	6.25			6.25

[illegible] account is correct and
[illegible] charged
[illegible] not [illegible] claim at therefor.

[illegible] STATESMAN PRINTING CO.

By _____

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN THIS COLUMN IS BALANCE DUE

683 [illegible]

ACTION

N OWNER LAST NAME - BERNASCONI FIRST NAME - LELAND

N ADDRESS LINE 1 - 3345 S. COLE RD.

N CITY - BOISE STATE - ID ZIP CODE - 83704

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM PRIORITY - 11-01-1963 COUNTY - ADA TOTAL DIV. RATE - .0200CFS

N DIVERSION POINT - NENE 02 03N 01E

N FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0200CFS

N USE - DOMESTIC PLACE OF USE - TWN 03N RNG 01E SEC 02 TRACT NENE

3/79

IDENT. NO. 63-4029

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

Initials	Date	Item
		Original form entered
		Edit Report Correct
		Date Protested
		Date of Hearing
		Date Approved/Denied (Proof due date, stage and/or status, conditions of approval, water district)
		Record Verified
		Amendment Approved
		Extension Approved
		Partial Proof
		Proof Complete
		Field Exam Received
		Field Exam Accepted and changes entered
		License Signed
		Transfer Approved
[illegible]	[illegible]	Keypunched by State Office

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. _____ 163.4029
OTd No. New No.

Record

1. Original Owner: Leland Bernasconi

Present Owner: _____

2. Address: 3345 S. Cole Rd
3. City: Boise State: ID Zip: 83704
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: 11-1-1963
   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	NENE	2	3N	1E		

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	1E	2	D																

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):

December 16, 1968

Leland Bernasconi
3345 South Cole Road
Boise, Idaho

Dear Mr. Bernasconi:

Please be advised that the Department of Reclamation has received and processed your claim to a water right. The information in your claim is filed under Claim No. 63-4029. Please refer to this number when adding or changing the information in your claim.

Receipt No. 2247 in the amount of $10.00 was given to you at the time you filed your claim. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:KS
enclosure: none

63 4029

DON SAMUELSON
GOVERNOR

R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE – ANNEX 2
BOISE, IDAHO 83707

December 10, 1968

Re: Claim No. 63-4028 - Therion E. and/or Hilda C. Christensen
Application No. 63-7157 - William L. Sherwood
Claim No. 63-4029 - Leland Bernasconi

Idaho Daily Statesman
300 North 6th Street
Boise, Idaho

Gentlemen:

As of this date we have not received the affidavit or the certified bill of publication for the above referenced claims and application for permit. These were advertised on November 7 and November 14, 1968.

Your prompt attention to this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:KS

63 4029

DON SAMUELSON
GOVERNOR

R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE – ANNEX 2
BOISE, IDAHO 83707

October 31, 1968

Re: Application No. 63-7105 - City of Meridian (correction notice)
Application No. 63-7157 - William L. Sherwood
Claim No. 63-4028 - Therion E. and/or Hilda C. Christensen
Claim No. 63-4029 - Leland Bernasconi

Idaho Daily Statesman
300 North 6th Street
Boise, Idaho

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 can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.

- - - - - - - - - - - - - - - - - -

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks
enclosure: legal notices (4)

63 4029

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4029

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R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho Daily Statesman, Boise, Idaho on November 7 and November 14, 1968.