

RECEIVED

MAR 25 1968

Department of Reclamation

STATE OF IDAHO, }
COUNTY OF ADA } ss.

Iona A. Young

, 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 circula-
tion 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 March 11, 19⁶⁸, and ending with the

issue of March 21, 19⁶⁸.

Iona A. Young

Subscribed and sworn to before me this 21st day of

March, 19⁶⁸.

Don H. Stubbins

Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF CLAIM TO A
WATER RIGHT

No. 63-4013

Notice is hereby given that Ste-
phen T. Canning, 9411 McMillan
Road, Boise, Idaho 83702 has filed
a claim to a water right established
by diversion and application to bene-
ficial use of 02 cubic feet per sec-
ond of water from a subterranean
source with point of diversion in
NW 1/4 NE 1/4, sec. 35, T. 4 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 May 15, 1948 for
02 c.f.s.; the place of use is NW 1/4
NE 1/4, sec. 35, T. 4 N, R. 1 E, B.M.
Any exception to this claim of
water right may be filed with the
Department of Reclamation.
R. KEITH HIGGINSON Engineer
State Reclamation Engineer
Published in the Idaho Daily
Statesman, Boise, Idaho on March
14 and March 21, 1968.

Identification No. 63-4013

Claim No. 42334

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 Stephen T. Carning
post office address 9411 Millan Road, Boise, Idaho 83702
2. The point of diversion is in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 35 Township 4N
Range 1E B.M. located on SUBTERRANEAN FLOW
(name of source)
tributary to NONE 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:

<u>5</u> <u>15</u> <u>1948</u>	amount: <u>.02</u> 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 <u>DOMESTIC</u>	period of use from <u>JAN 1</u> to <u>DEC 31</u>	(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 pumped; depth of well is 40 feet; diameter of well is 4" inches; type of pump is Jet
capacity of pump is 16 g.p.m.; name and address of well driller is John Cowe (deceased)

NO.; if so, give dates and 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_____

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 _____

b. Do you get water through a ditch owned by several users? NA 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 NA

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 NA

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation WATER USED ONLY FOR DOMESTIC USE.

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.

2/19/68
(Date)

Stephen T. Canning
(Signature of Claimant)

State of Idaho }
County of ada } ss.

On this 19th day of February 19 68, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.

Lorraine Ruells
Notary Public residing at Boise, Idaho

My commission expires 9-4-70

For Department Use Only

Received by <u>Dum</u> Date <u>2-29-68</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>Dum</u> Date <u>2-29-68</u>	_____	_____	_____
Fee received by <u>ej</u> Date <u>3-1-68</u> Fee \$ <u>10⁰⁰</u>	_____	_____	_____
Approved for publication by _____	_____	_____	_____
Published in _____ Dates _____	_____	_____	_____

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 c.f.s.</u> or _____	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u> or _____	acre feet
	Total claimed:		<u>1.2 c.f.s.</u> 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.

Iona A. Young

, 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 circula-
tion 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 March 11, 19⁶⁸, and ending with the
issue of March 21, 19⁶⁸.

Iona A. Young

Subscribed and sworn to before me this 21st day of

March, 19⁶⁸.

Sam H. Stubblifield
Notary Public for Idaho, Residing at Boise, Idaho

THE STATESMAN NEWSPAPER

BOISE, IDAHO

FOR LEGAL ADVERTISING

.
. Idaho Dept. Reclamation
. 107 State House
. Boise, Idaho 83701
.

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED						
Mar 21 68	APPL. 63 4013 Stephen T. Canning	24L 2X		6.00			6.00
				I hereby certify that the above account is correct and that all services were rendered as ordered, as charged and that we have not received any other charges from STATESMAN PRINTING CO. <i>J. A. Canning</i>			

TERMS: NET BY 10TH OF MONTH FOLLOWING

63 4013

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE

300 NORTH 6TH

IN ACCOUNT WITH

DIAL 343-5411

THE STATESMAN NEWSPAPER

BOISE, IDAHO

FOR LEGAL ADVERTISING

Idaho Dept. Reclamation
107 State House
Boise, Idaho 83701

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	CHECK NO.	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED						
Mar 21 68	APPL. 63 4013 Stephen T. Canning	24L 2X		6.00			6.00

I hereby certify that the above account is correct and
that we have not received payment therefor.
Sig ed STATESMAN PRINTING CO.
By _____

...in above account is correct and
...with a truly sincere and charged
...we have not received payment therefor.
Signed S. A. L. S. M. A. N. P. R. I. N. T. I. N. G. C. O.

By John J. [illegible]

TERMS: NET BY 10TH OF MONTH FOLLOWING

63 4052

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE

WATER RIGHT NUMBER 63-4013

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 111

ACT
IUN

N OWNER LAST NAME - CANNING
N ADDRESS LINE 1 - 9411 MC MELLAN RD.

FIRST NAME - STEPHEN T.

CITY - BOISE

STATE - ID ZIP CODE - 83702

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 05-15-1948 COUNTY - ADA

TOTAL DIV. RATE - .0200CFS

N DIVERSION POINT - NWNE 35 04N 01E

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

USE DIV. RATE - .0200CFS

N USE - DOMESTIC

PLACE OF USE - TWN 04N RNG 01E SEC 35 TRACT NWNE

5000

IDENT. NO. 63-4013

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 163-4013
 OTd No. _____ New No. _____

Record

1. Original Owner: Stephen T. Canning

Present Owner: _____

2. Address: 9411 McMullan Rd.

3. City: Boise State: 10 Zip: 83702

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: 5-15-1948

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	<u>NWNE</u>	<u>35</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 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: 0

[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):

March 25, 1968

Re: Claim No. 63-4012

Stephen T. Canning
9411 McMillan Road
Boise, Idaho 83702

Dear Mr. Canning:

Your claim to a water right has been received and processed by the Department of Reclamation. The information under your claim is filed under Claim No. 63-4012.

Enclosed is your receipt No. 591 in the amount of \$10.00. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Receipt No. 591

63 4013

March 8, 1968

Re: Claim No. 63-4013

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.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: legal notice

63 4013

Form 3

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4013

Notice is hereby given that Stephen T. Canning, 9411 McMillan Road,
Boise, Idaho 83702 has filed a claim to a water right
established by diversion and application to beneficial use of .02
cubic feet per second ~~app/foot~~ of water from a subterranean source
with point of diversion in NW 1/4,
sec. 35, T. 4 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 May 15, 1948
for .02 c.f.s.; the place of use is the NW 1/4, sec. 35,
T. 4 N, R. 1 E, B.M.

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

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Idaho Daily Statesman, Boise, Idaho
on March 14 and March 21.