

RECEIVED

JAN 16 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 consecutive insertions, beginning with the
issue of January 4, 1968, and ending with the
issue of January 11, 1968.

Iona A. Young
Subscribed and sworn to before me this 12th day of
January, 1968.

Don H. Stubblefield
Notary Public for Idaho, Residing at Boise, Idaho

NOTICE OF CLAIM
TO A WATER RIGHT

No. 63-4006

Notice is hereby given that S.C. Perry, 1335 North Curtis, Boise, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 200 cubic feet per second of water from a subterranean source with point of diversion in SE 1/4 Sec. 4, T. 3 N., R. 2 E., B.M., Ada County; the water is claimed to be used for domestic purposes from January 1 to December 31 with a priority of June 15, 1928, for 22 c.f.s.; the place of use is SE 1/4 Sec. 4, T. 3 N., R. 2 E., B.M., Ada County. Any exception to this claim of water right may be filed with the Department of Reclamation at KEITH HIGGINSON, State Reclamation Engineer, Pub. January 4, 1968.

63 4006

Identification No. 63-4006
Claim No. 42176
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 S. C. Perry
post office address 1823 N. Curtis, Boise, Idaho
Part of SE
2. The point of diversion is in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 6 Township T3N Range 2E B.M. located on lot with city house No. 1823 N. Curtis (wall)
(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:
June 15, 1935 amount: .02 ⁴⁸ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .02 ⁴⁸ 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 _____ 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 65 feet; diameter of well is 4 inches; type of pump is Jet Jacuzzi
capacity of pump is 660 ^{hp} g.p.m.; name and address of well driller is The contractor for building the house was Stanley Jensen ;
The records with well driller's name and well log have been misplaced.

Yes; if so, give dates and explain. The first pump was a piston type pump which was later replaced by present Jacuzzi Jet pump 10/6/45

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

is reservoir on or off stream _____ explain _____

location of reservoir by 40-acre subdivisions _____

describe _____

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

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 family
name of town supplied Boise, Idaho

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.

12/9/67
(Date)

S. C. Perry
(Signature of Claimant)

State of Idaho

County of Ada } ss.

On this 9th day of December 1967, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

James C. Eckroest
Notary Public residing at Boise Idaho

My commission expires May 27, 1970

For Department Use Only

Received by D. H. H. Date 12-11-67

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by D. H. H. Date 12-11-67

Fee received by Dep Date 12-11-67 Fee \$10.00

Approved for publication by not a 24 given

Published in _____ Dates _____

201 1877
1901
5

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.

6

6

IN THE MATTER OF:

FIDAVIT

Claim of water right

State of Idaho

County of Ada

I, MORRIS S. PERRY

being first duly sworn,

deposes and says: Mr. Perry had a well drilled at his home, 1923 N. Curtis,
in the Spring of 1935. This well was to provide water for domestic
purposes. He equipped this well with a pressure pump. The well has
supplied the home with water since that date. In 1935 there was no
other source of water for domestic water in that area.

Morris S. Perry
(signature)

Subscribed and sworn to before me this 1st day of December 19 67.

Faye B. Taggart
(Notary Public)

Residing at Burns, Idaho.

My commission expires 6-28-71.

IN THE MATTER OF:

FIDAVIT

Claim of water right

State of Idaho

County of Ada

I, CLARIBEL BENSON

being first duly sworn,

deposes and says: In the Spring of 1935 Mr. S. C. Perry built his home
which is now described as 1823 N. Curtis, Boise, Idaho. All homes in
that area at that time obtained their domestic water from wells. Mr.
Perry also had a well drilled by the side of his house and a pressure
pump was installed. This well has been in use by him since that time.

Claribel Benson
(signature)

Subscribed and sworn to before me this 8th day of December 19 67.

Thomas J. Allen
(Notary Public)

Residing at _____

Notary Public - Boise, Idaho

My commission expires _____

February 11, 1968

63 4006

IN THE MATTER OF:

AFFIDAVIT

Claim of water right

State of Idaho

County of Ada

I, J. ELLIS BLACK

being first duly sworn,

deposes and says: In the Spring, 1935 my Father sold a building lot to
Mr. S. C. Perry. Mr. Perry built his home upon the land at that time.
There was no city water available so Mr. Perry had a well drilled for
his domestic water. This was equipped with a pressure pump. The well,
I have been told is drilled to a depth of 65 feet.

J. Ellis Black
(signature)

Subscribed and sworn to before me this 6 day of December 19 67.

John Davis
(Notary Public)

Residing at Boise, Idaho

My commission expires Nov. 24, 1971

IN THE MATTER OF:

Claim of Water

A FIDAVIT

State of Idaho

County of Ada

I, NORRIS JENSEN

being first duly sworn,

deposes and says: In the Fall of 1935 I began to work for Mr. S. C. Perry.
I worked for him in his dairy. The dairy and the house were supplied
with water from a drilled well, located just South of the house. The
water was pumped by a pressure pump.

I continued to work for Mr. Perry through 1936. The well has
been in use all this time for supplying domestic water. The well
was the only source of water at that time.

Norris Jensen
(signature)

Subscribed and sworn to before me this 9th day of December 1967.

Jesse C. Eckroat
(Notary Public)

Residing at Boise, Idaho.

My commission expires May 27, 1970.

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 consecutive insertions, beginning with the
issue of January 4, 19 68, and ending with the
issue of January 11, 19 68.

Iona A. Young
Subscribed and sworn to before me this 12th day of

January, 19 68.

San H. Stubblefield
Notary Public for Idaho, Residing at Boise, Idaho

300 NORTH 6TH

IN ACCOUNT WITH

DIAL 343-5411

THE LATESTS MAN NEWSPAPERS

BOISE, IDAHO

FOR LEGAL ADVERTISING

- Idaho Dept. of Reclamation
107 State House
Boise, Idaho

DATE	DESCRIPTION	INCHES	TOTAL INCHES	CHARGES	✓	CREDITS	BALANCE
	BALANCE STATEMENT RENDERED						
Jan 14 68	WATER APPL. 63 L006 S. C. Perry	23L 2X		5.75			5.75

TERMS: NET BY 10TH OF MONTH FOLLOWING

LAST AMOUNT IN
THIS COLUMN
IS BALANCE
DUE

WATER RIGHT NUMBER 63-4006

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 104

ACT
ION

N	OWNER LAST NAME - PERRY	FIRST NAME - S. C.		
N	ADDRESS LINE 1 - 1823 N. CURTIS			
N		CITY - BOISE	STATE - ID	ZIP CODE - 83704
N	SOURCE - GROUNDWATER			
N	STAGE - STATRY CLM	PRIORITY - 06-15-1935	COUNTY - ADA	TOTAL DIV. RATE - .0200CFS
N	DIVERSION POINT - SESE 06 03N 02E			
N	FROM - 01-01 TO - 12-31	USE - DOMESTIC	USE DIV. RATE - .0200CFS	
N	USE - DOMESTIC	PLACE OF USE - TWN 03N R4G 02E SEC 06 TRACT SESE		

3/79

IDENT. NO. 63 4006

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 -

OTd No.

New No.

1. Original Owner: D. C. Perry

Present Owner: _____

3. City: Bowie State: 10 Zip: 83704

4. A. Source of Water: *JW*
B. Tributary of:

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

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):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>SESE</u>	<u>6</u>	<u>3N</u>	<u>2E</u>		

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 _____

MO 11-6

8. Use Code: D

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	
3N	2E	6																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):

January 17, 1968

Re: Claim No. 63-4006

S. C. Perry
1823 North Curtis Road
Boise, Idaho

Dear Mr. Perry:

Your claim to a water right has been received and processed by the Department of Reclamation. The information in your claim is filed under Claim No. 63-4006.

Your receipt No. 224 for \$10.00 was given to you. Please contact us if we may help you.

Very truly yours,

Donald W. McElDowney
Water Rights Clerk

DWM:ks

63 4006

December 26, 1967

Re: Claim No. 63-4006

Idaho Daily Statesman
300 North 6th Street
Boise, Idaho 83701

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
Water Rights Clerk

DWM:ks

Enclosure: legal notice

Form 3

63 4006

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4006

Notice is hereby given that S. C. Perry, 1823 North Curtis, Boise,
Idaho has filed a claim to a water right established
by diversion and application to beneficial use of .02 (cubic feet per second)
~~(foot/feet)~~ of water from a subterranean source with point of diversion
in SE¹SE¹, sec. 6, T. 3 N, R. 2 E, B.M., Ada County;
the water is claimed to be used for domestic
purposes from January 1 to December 31 with a priority of
June 15, 1935 for .02 c.f.s.; the place of use is SE¹SE¹, sec. 6, T. 3 N, R.
2 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 January 4 and January 11.