

AFFIDAVIT OF PUBLICATION

W. L. McCreary

being first

duly sworn, deposes and says: I am Publisher of the KENDRICK GAZETTE, a newspaper of general circulation, published weekly at Kendrick, Latah County, Idaho; that the said KENDRICK GAZETTE is an established paper and has been published regularly at least once a week for more than 78 consecutive weeks next immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period.

That the Notice of Claim to Water Right

Clifford J. French

attached hereto and which is a made a part of this affidavit, was published in said KENDRICK

GAZETTE 2 consecutive times, the

first publication thereof being on the 9

day of May, A. D., 1968

and the last publication thereof being on the

16 day of May, A. D. 1968

and that said Notice of Claim to Water

Right

was published in the regular and entire issue of the said newspaper, and not in a supplement thereof and was so published in every issue and number of said paper, during the period and the times of publication as set forth above.

W. L. McCreary

Subscribed and sworn to before me this, the

27 day of May, 1968

Notary Public.

RECEIVED

Department of Reclamation

NOTICE OF CLAIM TO A WATER RIGHT

No. 87-4000

Notice is hereby given that Clifford J. French, Route No. 1, Potlatch, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 4 acre feet of water from Crane Creek, tributary to the Palouse River with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 42 N, R. 4 W, B. M., Latah County; the water is claimed to be used from June 1 to September 30 for irrigation and stock watering purposes with a priority of June 10, 1958 for 4 acre feet; the place of use is the NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 29, T. 42 N, R. 4 W, 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 Kendrick Gazette, Kendrick, Idaho, on May 9 and May 16, 1968.

bill submitted 5-29-68

87-4000

NOTICE OF CLAIM TO A WATER RIGHT

No. 87-4000

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R. KEITH HIGGINSON
State Reclamation Engineer.

Published in the Kendrick Gazette, Kendrick, Idaho, on May 9 and May 16, 1968.

May 2, 1968

Re: Claim to a Water Right 87-4000
Clifford J. French

Kendrick Gazette
Kendrick,
Idaho 83843

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 certify this letter)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: legal notice

87-4000

Identification No. _____

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 CLIFFORD J. FRENCH
post office address Route 1, Potlatch, Idaho 83855

2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 29 Township 42 North
Range 4 W B.M. located on Crane Creek
(name of source)
tributary to Palouse River in Latah 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 10, 1958 amount: _____ c.f.s. or four acre feet
Pump capacity=3,360 gal. p. h. amount: _____ c.f.s. or _____ acre feet
~~to be used for the purpose of irrigation~~ amount: _____ c.f.s. or _____ acre feet
~~would equal 33,600 g.p.m. or 100 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 irrigation period of use from June 1, to Sept. 30, (both dates inclusive)
use stock watering period of use from June 1, to Sept. 30, (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 (No diversion dam or headgate.); 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 _____
Small creek and/or small spring fed pools.

b. Underground water diverting works: is well flowing or pumped (no well); 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 _____

87-4000

No changes in my original equipment.

no ditch

galvanized metal

No charges.

(Not stored)

none

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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.

NOTE

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) _____

No other users in area

6. Where water is used for stock watering, give number of each kind of stock watered Six (6) head
of cattle and one (1) horse.

7. Where water is used for domestic or municipal purposes give number of families served None
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. Between about June 1st and October 1st each year,
I pump water at the rate of about 3,360 gals, per hour for approxi-
mately 12 hours per day usually seven days per week, I usually operate
four "Rainbird" type sprinklers. The stock watering trough is
served by an automatic valve.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The water is diverted by use of a pump. Galvanized pipe is used
for conveyance of water from the pump to the use area with a flexible
plastic pipe from the pump to the stream bed.

Pump capacity: 3,360 gal. per hour

Size of galvanized pipe: 1 1/4 inch diameter

Size of plastic pipe: 1 1/2 inch diameter

Regarding sub-section c of Paragraph 4 above, the claimant has a
faucet attached to the bottom of the pressure tank at the pump
which is the first place of use; and from there the faucets or
outlets are at approximate 100 feet intervals.

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.

APRIL 1, 1968
(Date)

Clifford J. French
(Signature of Claimant)

State of Idaho

County of Latah } ss.

On this 1st day of April 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.

Edward Swenson
Notary Public residing at MOSCOW, IDAHO

My commission expires OCTOBER 5, 1971

For Department Use Only

Received by _____ Date 1/10

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by AM Date _____

Fee received by _____ Date _____ Fee \$ _____

Approved for publication by _____

Published in _____ Dates _____

87-4000

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 it 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.

Map No.

PT-4000

100

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) _____

No other users in area

6. Where water is used for stock watering, give number of each kind of stock watered Six (6) head of cattle and one (1) horse.

7. Where water is used for domestic or municipal purposes give number of families served None
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. Between about June 1st and October 1st each year, I pump water at the rate of about 3,360 gals. per hour for approximately 12 hours per day usually seven days per week. I usually operate four "Rainbird" type sprinklers. The stock watering trough is serviced by an automatic valve.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The water is diverted by use of a pump. Galvanized pipe is used for conveyance of water from the pump to the use area with a flexible plastic pipe from the pump to the stream bed.

Pump capacity: 3,360 gal. per hour

Size of galvanized pipe: 1 1/4 inch diameter

Size of plastic pipe: 1 1/2 inch diameter

Regarding sub-section c of Paragraph 4 above, the claimant has a faucet attached to the bottom of the pressure tank at the pump which is the first place of use; and from there the faucets or outlets are at approximate 100 feet intervals.

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.

APRIL 1, 1968
(Date)

Clifford J French
(Signature of Claimant)

State of Idaho

County of Latah } ss.

On this 1st day of april 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.

Edward S. Thornton
Notary Public residing at Moscow, IDAHO

My commission expires OCTOBER 5, 1971.

For Department Use Only

Received by <u>ef</u> Date <u>4-19-68</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>DMC</u> Date <u>4-19-68</u>	_____	_____	_____
Fee received by <u>ef</u> Date <u>4-22-68</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>EF</u> <u>5-2-68</u>	_____	_____	_____
Published in <u>Herald-Examiner</u> Dates <u>5-9-68</u>	_____	_____	_____

87-4000

INSTRUCTIONS

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The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

AFFIDAVIT OF PUBLICATION

W. L. McCreary being first

duly sworn, deposes and says: I am Publisher of the KENDRICK GAZETTE, a newspaper of general circulation, published weekly at Kendrick, Latah County, Idaho; that the said KENDRICK GAZETTE is an established paper and has been published regularly at least once a week for more than 78 consecutive weeks next immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period.

That the Notice of Claim to Water Right
Clifford J. French

attached hereto and which is a made a part of this affidavit, was published in said KENDRICK

GAZETTE 2 consecutive times, the

first publication thereof being on the 9

day of May, A. D., 1968

and the last publication thereof being on the

16 day of May, A. D. 1968

and that said Notice of Claim to Water
Right

was published in the regular and entire issue of the said newspaper, and not in a supplement thereof and was so published in every issue and number of said paper, during the period and the times of publication as set forth above.

W. L. McCreary

Subscribed and sworn to before me this, the

27 day of May, 1968

Notary Public.

NOTICE OF CLAIM TO A WATER RIGHT

No. 87-4000

Notice is hereby given that Clifford J. French, Route No. 1, Ot-latch, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 4 acre feet of water from Crane Creek, tributary to the Palouse River with point of diversion in the NW 1/4 NW 1/4, Sec. 29, T. 42 N, R. 4 W, B. M., Latah County; the water is claimed to be used from June 1 to September 30 for irrigation and stock watering purposes with a priority of June 10, 1958 for 4 acre feet; the place of use is the NW 1/4 NW 1/4, Sec. 29, T. 42 N, R. 4 W, 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 Kendrick Gazette, Kendrick, Idaho, on May 9 and May 16, 1968.

87-4000

June 4, 1968

Re: Claim No. 87-4000
Clifford J. French

Lloyd G. Martinson
Martinson & Gale Law Offices
124 East Third Street
P. O. Box 599
Moscow, Idaho

Dear Mr. Martinson:

Thank you for your letter of June 3, 1968. Enclosed you will find a copy of a letter directed to Mr. Clifford J. French on May 31, 1968. The claim you reference has been processed and is on file with the Department of Reclamation.

If this department may be of further assistance, please feel free to contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Copy of May 31, 1968 letter

87-4000

87-4000

LAW OFFICES
MARTINSON & GALE

124 EAST THIRD STREET
P. O. BOX 599
MOSCOW, IDAHO 83843
TELEPHONE 882-2116

COPE R. GALE
LLOYD G. MARTINSON
JON G. WARREN

-OFFICES-
MOSCOW
TROY
ST. MARIES

June 3, 1968

RECEIVED
JUN 4 1968
Department of Reclamation

Department of Reclamation
State of Idaho
107 Statehouse
Boise, Idaho

Re: Clifford French

Gentlemen:

Sometime ago we sent in a claim of water rights for Mr. Clifford French but have received no word from you since. Please inform us as to whether the application was received in your office.

Very truly yours,

Lloyd G. Martinson

Lloyd G. Martinson, of
Martinson & Gale

LGM:cmb

87-4000

May 31, 1968

Re: Claim No. 87-4000

Clifford J. French
Route #1, Potlatch, Idaho

Dear Mr. French:

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. 87-4000.

Receipt No. 794 for the amount of \$10.00 for the filing fee is enclosed. Please contact us if we may be of further assistance.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:KS

Enclosure: Receipt No. 794

87-4000

NOTICE OF CLAIM TO A WATER RIGHT

No. 87-4000

Notice is hereby given that Clifford J. French, Route No. 1, Potlatch, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 4 acre feet of water from Crane Creek, tributary to the Palouse River with point of diversion in the NW 1/4 NW 1/4, Sec. 29, T. 42 N, R. 4 W, B. M., Latah County; the water is claimed to be used from June 1 to September 30 for irrigation and stock watering purposes with a priority of June 10, 1958 for 4 acre feet; the place of use is the NW 1/4 NW 1/4, Sec. 29, T. 42 N, R. 4 W, 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 Kendrick Gazette,
Kendrick, Idaho, on May 8 and May
16, 1968.

May 2, 1968

Re: Claim to a Water Right 87-4000
Clifford J. French

Kendrick Gazette
Kendrick,
Idaho 83843

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 certify this letter)

Signature of claimant

Very truly yours,

Donald W. McElldowney
Appropriation Examiner

DWH:ks

Enclosure: legal notice

87-4000

NOTICE OF CLAIM TO A WATER RIGHT

No. 87-4000

Notice is hereby given that Clifford J. French, Route #1, Potlatch,
Idaho has filed a claim to a water right
established by diversion and application to beneficial use of 4
~~/cubic feet per second~~ acre feet of water from Crane Creek, tributary to
the Palouse River with point of diversion in the NW 1/4, sec.
29, T. 42 N., R. 4 W., B.M., Latah County; the water is
claimed to be used from June 1 to September 30 for irrigation and
stock watering purposes with a priority of June 10, 1958
for 4 acre feet; the place of use is the NW 1/4, sec. 29,
T. 42 N., R. 4 W., B.M.

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

R. KETH HIGGINSON
State Reclamation Engineer

Published in the Kendrick Gazette, Kendrick, Idaho
on May 9 and May 16.

87-4000

Jf

COPE R. GALE
LLOYD G. MARTINSON
JON G. WARREN

LAW OFFICES
MARTINSON & GALE

124 EAST THIRD STREET
P. O. BOX 599
MOSCOW, IDAHO 83843
TELEPHONE 882-2116

-OFFICES-
MOSCOW
TROY
ST. MARIES

April 18, 1968

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho

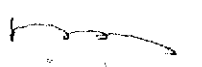
Re: Clifford French

Gentlemen:

Thank you for your letter of April 11, 1968.

We are enclosing herein a claim, in duplicate, together
with our \$10.00 check.

Very truly yours,


Lloyd G. Martinson, of
Martinson & Gale

LGM:clb
Encls.

RECEIVED
APR 26 1968
Department of Reclamation

77-4000