

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT No. 79-4027

Notice is hereby given that CLARENCE H. RIEMAN, 2120 Powers Ave., Lewiston, Idaho has filed a claim to a water right established by diversion and application to beneficial use of .002 cubic feet per second of water from spring, trib. to Salmon River with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 31 N., R. 1 W., B.M., Idaho and Lewis Counties.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater purposes with a priority of Nov. 14, 1909; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 31 N., R. 1 W., B.M. Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on July 11, 1973 and July 18, 1973. Jy11-18

Gary D. Cash being first duly

sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 11th day of July, 1973, and the last publication on the 18th day of July, 1973; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Gary D. Cash

Subscribed and sworn to before me this 18th day of July, 1973.

Richard C. Halch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECEIVED

JUL 19 1973

Department of Water Administration

79 4027

1680

3790 L
9805 Pond with Spring

AF 100

G 121

H 389

I 417 B 248
LEONARD RIEMAN RENTER
CLARENCE H. RIEMAN OWNER

10117
11330

X 105.8
B 327 4-4
RAY UHLENKOTT

A 175
EUGENE SCAEFFER

3038

E 193

F 16.7

I 39.2

A 345 B 103
GEO GEIS

29 19
25 120

B 326

MELVIN & CHAS
HAGER 298

551
B 348
LEONARD RIEMAN
858

75 1027

Identification No. _____
Claim No. 79-4027
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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 CLARENCE H. RIEMAN
post office address 2120 POWERS AVE., LEWISTON, IDAHO 83501
2. The point of ^{ORIGIN} diversion is in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 18 Township 31
Range NORTH WEST B.M. located on SPRING OVERFLOW WOULD GO TO DEEP CREEK
(name of source)
tributary to SALMON RIVER in IDAHO & LEWIS Counties
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>NOV. 14, 1909</u>	amount: <u>16 GALLON PER MINUTE</u>	c.f.s. or	acre feet
_____	amount: <u>1002</u>	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>STOCK WATER</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 _____ ; 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 _____

79 4027

d. If water is stored: name of reservoir NO NAME;
total capacity of reservoir is 75,000 GAL ~~acre feet~~; active capacity of reservoir is _____ acre feet;
year construction commenced 1909; year completed 1909; date first used 1909
period of storage is from JAN 1 to DEC 31; is reservoir drained each year NO;
is reservoir on or off stream off explain FED BY SPRING WITHIN
THE POND ABOUT 40 FT FROM NORTH BOUNDARY & 34 FEET FROM
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 YES, if so, give dates and describe. IT WAS REBULDOZED OUT IN SEPTEMBER, 1969 TO DOUBLE ITS CAPACITY

[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? _____ 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 VARIES WITH THE SEASON. FROM 40 BREEDING COWS TO 80 WITH CALVES MIXED B...

7. Where water is used for domestic or municipal purposes give number of families served _____ 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
PROPERTY DESCRIPTION: THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18. COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, THENCE RUNNING 37 RODS NORTH, THENCE 9 RODS EAST, THENCE 37 RODS SOUTH, THENCE WEST 9 RODS TO POINT OF BEGINNING, CONTAINING 2 ACRES AND 13 SQUARE RODS. THIS PROPERTY ADJOINS MY 160 ACRES DESCRIBED AS THE SOUTH $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 18 AND THE NORTH $\frac{1}{2}$ OF THE NORTH EAST $\frac{1}{4}$, SECTION 19, TOWNSHIP 31 NORTH RANGED, WEST OF BOISE MERIDIAN, IDAHO COUNTY, IDA. THIS 2 ACRES AND 13 SQUARE RODS WAS PURCHASED BY FRANK THYER IN 1904 AND RECORDED IN 1909 FOR THE SOLE PURPOSE OF OBTAINING A SOURCE OF DEPENDABLE WATER FOR HIS ADJOINING 160 ACRE HOMESTEAD WHICH HAS NO DEPENDABLE WELL OR SPRING. THERE IS NO RECORD IN BOISE OF A WATER RIGHT CLAIM BEING FILED

State of Idaho

County of Blaine } 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.

Sworn to before me this

19th

day of

June

1973

Claimant

Notary Public

Residing at

Idaho

My commission expires

11-20-73

Rect # 11237

For Department Use Only

Received by OR Date 6-20-73

Exception filed by:

Forwarded to claimant by:

Date

Prelim. check by PHH Date 7-2-73

Fee received by PHH Date 7-2-73 Fee \$ 10.00

Approved for publication by

Published in Idaho Free Press Dates 7-11-73 to 7-18, 1973

79 4027

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 a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District

Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District

Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District

Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District

Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT No. 79-4027

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The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater purposes with a priority of Nov. 14, 1909; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 31 N., R. 1 W., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on July 11, 1973 and July 18, 1973. Jy11-18

OK'd
7-19-73

Gary D. Cash being first duly

sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 11th day of July, 1973, and the last publication on the 18th day of July, 1973; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Gary D. Cash

Subscribed and sworn to before me this 18th day of July, 1973

Richard C. Halch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECEIVED

JUL 19 1973

Department of Water Administration

9805 POND WITH SPRING
3790 L

B 248
LEONARD RIEMAN RENTER
CLARENCE H. RIEMAN
OWNER

105.8
B-80
B-274-4
RAY UHLENKOTT

A 175
EUGENE SCAEFFER

B 103
GEO GEIS

B 248
LEONARD RIEMAN
(85B)

B 326
MELVIN & CHAS
NEIDER (298)

1027

July 30, 1973

Re: Claim to a Water Right No. 79-4027

Clarence H. Rieman
2120 Powers Avenue
Lewiston, Idaho 83501

Dear Mr. Rieman:

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

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

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

Enclosure

79 4027

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

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



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

July 6, 1973

RE: CLAIMS TO A WATER RIGHT NOS. 79-4027 CLARENCE H. RIEMAN
 79-4025 GEORGE R. RUSSELL &/or LOIS S. RUSSELL
 79-4026 " " " " " " "
 78-4042 NOLAN F. WOODS, JR. & KAREN RAE WOODS

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

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. 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)

Sincerely,

79 4027

NOTICE OF CLAIM TO A WATER RIGHT

No. 79-4027

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Lewiston, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of .002 cubic feet per second ~~more feet~~ of water
from spring, trib. to Salmon River

with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 31 N., R. 1 W., B.M.,
Idaho and Lewis Counties

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater
purposes

with a priority of Nov. 14, 1909 ;
the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 18, T. 31 N., R. 1 W., B.M.:

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho
on July 11, 1973 and July 18, 1973

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

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

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

July 5, 1973

RE: CLAIM TO A WATER RIGHT NO. 79-4027

Mr. Clarence H. Rieman
2120 Powers Ave.
Lewiston, Idaho 83501

Dear Mr. Rieman:

Attached herewith is your Receipt No. 11237 in the amount of \$ 10.00
for Claim to a Water Right No. 79-4027

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

79 4027

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 79-4027

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R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on July 11, 1973 and July 18, 1973. OK of 7-12-73 11-18

79 4027

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
River Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

RECEIVED

JUN 29 1973

June 25, 1973

Department of Water Administration
Northern District Office

Clarence H. Rieman
2120 Powers Avenue
Lewiston, ID 83501

Dear Mr. Rieman:

We are returning your Claim to a Water Right for clarification of several items, and also your Check No. 92-313 in the amount of \$10.

Under Item 2, please list the source of water that you are claiming. Also, to have a more valid claim, it would be best to state the amount of water that you are using. This figure can be estimated in gallons per minute and listed under Item 3a of the claim.

The rest of your claim is in good order. After completing the above items, please return the claim to our office along with the \$10 filing fee, and we shall begin its processing.

If you have any questions, feel free to contact this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cr

Enclosures

79 4027

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

June 25, 1973

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2120 Powers Avenue
Lewiston, ID 83501

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FE:cr

Enclosures

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