

RECEIVED

DEC 26 1972

Department of Water Administration

AFFIDAVIT OF PUBLICATION

OK. D. H.
12-27-72

**NOTICE OF CLAIM TO
A WATER RIGHT**
No. 79-4017
Notice is hereby given that
VERNON H. BURNS, Box 112,
White Bird, Idaho has filed a
claim to a water right estab-
lished by diversion and applica-
tion to beneficial use of 0.40
cubic feet per second of water
from Salmon River, trib. to
Snake River with the point of
diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 22, T. 28 N., R. 1 E., B.M.,
Idaho County.
The water is claimed to be
used from May 15 to Oct. 1 for
the irrigation of 20 acres with a
priority of June 28, 1921; the
place of use is within the NW $\frac{1}{4}$ -
NW $\frac{1}{4}$, Sec. 22, T. 28 N., R. 1 E.,
B.M.
Any exception to this claim
of water right may be filed with
the Idaho Department of Wat-
er Administration, Statehouse,
Boise, Idaho, 83707.
R. KEITH HIGGINSON
Director
Published in the Idaho County
Free Press, Grangeville, Ida. on
Dec. 13, 1972 and Dec. 20,
1972. D13-20

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 13th day of December, 1972,
and the last publication on the 20th day of
December, 1972; 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 20th day
of December, 1972

Richard C Hatch

, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

79 4017

Identification No. _____

Claim No. 79-4017

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 Vernon H. Burns
post office address Box 112 White Bird, Idaho 83554
2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 22 Township 28N R1E BM
Range R1E B.M. located on Salmon River, Tributary To Snake River, Idaho
(name of source)
tributary to Snow River in Idaho 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:
28, June 1921 amount: 0.40 c.f.s. or 20 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 Irrigation period of use from May 15 to Oct 1 (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 Pump at river, pipeline to field & a sprinkler system; length is 500 feet; height is 25 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 _____
_____;

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 _____

- 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 _____ feet; diameter of pipe line is _____ inches; type of pipe _____; 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:

[illegible]

Total number of acres to be irrigated 20

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) _____

6. Where water is used for stock watering, give number of each kind of stock watered None

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 _____

State of Idaho

County of Idaho

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 29 day of November 1972

Claimant

Notary Public

Residing at Idaho

My commission expires Feb. 1975

For Department Use Only

Received by de Date 11-30-72

Exception filed by: _____

Forwarded to claimant by: _____

Date _____

Prelim. check by SLP Date 11/30/72 # 9092

Fee received by de Date 11-30-72 Fee \$ 10.00

Approved for publication by EB

Published in Idaho County Times Dates 12-13 & 12-20

79 4017

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 Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

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DEC 26 1972

Department of Water Administration

AFFIDAVIT OF PUBLICATION

OK. D.O.
12-27-72

**NOTICE OF CLAIM TO
A WATER RIGHT**
No. 79-4017

Notice is hereby given that VERNON H. BURNS, Box 112, White Bird, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.40 cubic feet per second of water from Salmon River, trib. to Snake River with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 28 N., R. 1 E., B.M., Idaho County.

The water is claimed to be used from May 15 to Oct. 1 for the irrigation of 20 acres with a priority of June 28, 1921; the place of use is within the NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 22, T. 28 N., R. 1 E., 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, Ida. on Dec. 13, 1972 and Dec. 20, 1972. D13-20

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 13th day of December, 1972, and the last publication on the 20th day of December, 1972; 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 20th day of December, 1972

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

79 4017

January 2, 1973

Re: Claim to a Water Right No. 79-4017

Mr. Vernon H. Burns
Box 112
White Bird, Idaho 83554

Dear Mr. Burns:

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:df

Enclosure

79 4017

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

December 5, 1972

RE: CLAIM TO A WATER RIGHT NO. 79-4017 VERNON H. BURNS

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 4017

NOTICE OF CLAIM TO A WATER RIGHT

No. 79-4017

Notice is hereby given that VERNON H. BURNS,

Box 112, White Bird, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.40 cubic feet per second ~~25,000,000~~ of water

from Salmon River, trib. to Snake River

with the point of diversion in the NW1/4, Sec. 22, T. 28 N., R. 1 E., B.M.,

Idaho County

The water is claimed to be used from May 15 to Oct. 1 for the
irrigation of 20 acres

with a priority of June 28, 1921;

the place of use is within the NW1/4, Sec. 22, T. 28 N., R. 1 E., 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, Ida.

on Dec. 13, 1972 and Dec. 20, 1972.

**NOTICE OF CLAIM TO
A WATER RIGHT**

No. 69-4017

Notice is hereby given that VERNON H. BURNS, Box 112, White Bird, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.40 cubic feet per second of water from Salmon River, trib. to Snake River with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 22, T. 28 N., R. 1 E., B.M., Idaho County.

The water is claimed to be used from May 15 to Oct. 1 for the irrigation of 20 acres with a priority of June 28, 1921; the place of use is within the NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 22, T. 28 N., R. 1 E., 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, Ida. on Dec. 13, 1972 and Dec. 20, 1972. D13-20

69 4017

OK. D.H.
12-11-72

Western District Office

December 1, 1972

RE: CLAIM TO A WATER RIGHT NO. 79-4017

Mr. Vernon H. Burns

Box 112

White Bird, Idaho 83554

Dear Mr. Burns:

Attached herewith is your Receipt No. 9092 in the amount of \$10.00 for Claim to a Water Right No. 79-4017 which was received in this office on November 30, 1972.

Sincerely,

DEANNA E. FELDT

Secretary

Enclosure

79 4017

~~XXXXXXXXXXXXXXXXXXXX~~

~~XXXXXXXXXXXXXXXXXXXX~~

Vernon H. Burns

Box 112

White Bird, Idaho

~~XXXXXXXXXXXX~~



POSTAGE AND FEES PAID

U.S. DEPARTMENT OF COMMERCE



EISENHOWER USA

79 4017

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE, ANNEX. #2
BOISE, IDAHO 83707