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DEC 27 1979

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Department of Water Resources
Western Regional Office

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Western Regional Office

Identification No. _____

Claim No. 78-4123

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 JACK H. AND DONNA J. HERMAN
post office address P.O. Box 266 Pollock Idaho 83547
2. The point of diversion is in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 20 Township 23 N
Range 1 E B.M. located on Idaho County
(name of source)

tributary to _____ in _____ 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:

MARCH 8, 1977 amount: 0.04 c.f.s. or 2.0 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 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; with 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 60' feet; diameter of well is 6" inches; type of pump is 1 H.P.
capacity of pump is 27 g.p.m.; name and address of well driller is RAY UHLENKOTT
FENN, Idaho

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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_____

[illegible]

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 _____

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 _____ } 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 17th day of December, 1979

Ronoka J. Herman
Claimant

Norma Bradley
Notary Public

Residing at Riggins, Idaho

My commission expires July 11, 1983

For Department Use Only

Received by mm Date 12-19-79 10:30 am
mm 12-27-79 10:30 am

Exception filed by: _____

Forwarded to claimant by: _____

Date _____

Prelim. check by CWB Date 12/27/79

KIC

1/29/80

Fee received by CWB Date 12/27/79 Fee \$ 20.00

Approved for publication by _____

Published in Idaho Free Press Dates 1/9, 1/16, 1/20

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

NOTICE OF CLAIMS
TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

79-4083

HOLLENBEAK, L.K. &/or
DIANA
BOX 676, LAKE FORK, ID
83635

Source: COW CREEK
tributary to SALMON
CREEK

Priority Date: 01/01/1940
Amount: 0.18 CFS

Diversion Point: SWNE Sec
03 T 25N R 01E, IDAHO CO.

Use: IRRIGATION (0.15
CFS) from 01/15 to 11/15

STOCKWATER (0.03
CFS) from 01/01 to 12/31

Place of Use: SENE Sec 03 T
25N R 01E FOR 5 ACRES

Diversion Means:
PIPELINE, SPRINKLER
SYSTEM & STOCKTANK

79-4084

HOLLENBEAK, L. K. &/or
DIANA
BOX 676, LAKE FORK, ID
83635

Source: MUD SPRINGS
tributary to SINKS

Priority Date: 01/01/1949
Amount: 0.12 CFS

Diversion Point: SWSE Sec
17 T 26N R 01E, IDAHO CO.

Use: STOCKWATER (0.12
CFS) from 01/01 to 12/31

Place of Use: SWSE SESE
Sec 21 T 26N R 01E SWNE

ENW NWNW Sec 27 T 26N
01E

Diversion Means: SPRING
BOX, PIPELINE

79-4085

HOLLENBEAK, L.K. &/or
DIANA
BOX 676 LAKE FORK, ID
83635

Source: CHINA CREEK
tributary to SALMON
CREEK

Priority Date: 01/01/1900
Amount: 0.10 CFS

Diversion Point: NESE Sec
17 T 26N R 01E, IDAHO Co.

Use: IRRIGATION (0.06
CFS) from 03/15 to 11/15

DOMESTIC (0.04 CFS)
from 01/01 to 12/31

Place of Use: NESE Sec 34 T
R 01E FOR 2 ACRES

Diversion Means:
PIPELINE

79-4086

HOLLENBEAK, L.K. &/or
DIANA
BOX 676, LAKE FORK, ID
83635

Source: BENNETT
SPRINGS tributary to
SINKS

Priority Date: 01/01/1969
Amount: 0.21 CFS

Diversion Point: NESW Sec
03 T 25N R 01 E, IDAHO Co.

Use: DOMESTIC (0.12 CFS)
from 01/01 to 12/31

STOCKWATER (0.09
CFS) from 01/01 to 12/31

Place of Use: SENE Sec 03 T
25N R 01E

Diversion Means: SPRING
BOX, PIPELINE,
STORAGE TANKS

78-4123

HERMAN, JACK A. &/or
DONOHIA J.

P.O. BOX 266, POLLOCK, ID
83517

Source: GROUNDWATER
Priority Date 03/08/1977

Amount: 0.04 CFS
Diversion Point: SWSE Sec

20 T 23N R 01E, IDAHO Co.

Use: DOMESTIC (0.04 CFS)
from 01/01 to 12/31

Place of Use: SWSE Sec 20 T
23N R 01E

Diversion Means: WELL &
PUMP

Any exception to any
claim of water right may be
filed with the Director of
the Idaho Department of
Water Resources, 92 S. Cole
Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 1/9 & 1/16/80

J9-J16

AFFIDAVIT OF PUBLICATION

.....Nona Donaldson..... 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 2..... weeks,
being published 2..... times, the first publication being
on the 9..... day of January....., 19 80.,
and the last publication on the 16..... day of
.....January....., 19 80.; 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.

Nona Donaldson

Subscribed and sworn to before me this 18..... day
of January....., 19 80..

Marion G. Smith, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

MICROFILMED

WRR100
78-4123

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

----- D A T E S ----- D A T E S ----- F L A G S -----
54 LAST UPDATE - 11-JAN-1980 62 DATE_2 -

VERIFIED AMS

IDENT. NO. 78-4123

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ch. Bryan Jr.

Right Number 78-4123 Applicant Heaman

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By DBS Date 1/28/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jan Date 1/30/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JANUARY 30, 1980

JACK A. HERMAN
DONNA J. HERMAN
P.O. BOX 266
POLLOCK

ID 83547

RE: Claim No. 78-4123

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

Enclosure



NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 1/10 & 1/17/80.

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JAN 20 1980
IDAHO DEPT. OF WATER RESOURCES

28-4123-

HERMAN, JACK A. &/or DONOHA J.

P.O. BOX 266, POLLOCK, ID 83547

Source: GROUNDWATER

Priority Date: 03/08/1977

Amount: 0.04 CFS

Diversion Point: SWSE Sec 20 T 23N R 01E, IDAHO Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: SWSE Sec 20 T 23N R 01E

Diversion Means: WELL & PUMP

28-4123-1

HELENKOTT WELL DRILLING AND SUPPLIES

PUMP SALES AND SERVICE

FENN, IDAHO 83531

Phone 962-8923

Well Log

Depth and Strata

WELL NO. _____

OWNER OF WELL Jack Herman
 LOCATION OF WELL Fallett
 NEAREST POST OFFICE Fallett
 STATE Idaho COUNTY 4th
 DRILLING BEGUN 8 Mar 77 WELL FINISHED 8 Mar 77

Well Record

CASING SIZE 6 in. CASING DEPTH 6 in. x 2 inch 70
 HOLE SIZE 6 in. HOLE DEPTH 60 ft.
 CAPACITY OF WELL 45 GPM
 PUMP SETTINGS _____
 CASING PERFORATIONS 24 ft to 34 ft.

Invoice

DATE 13 Mar 77

Item	Unit Price	Amount
6 in. drilling 60 ft.	\$9.00	\$ 540.00
6 in casing 36 ft.	\$5.00	\$180.00
1 drive shoe		\$ 30.00
10 ft perforations	\$2.00	\$ 10.00
1 sack bentonite		\$ 7.00

TOTAL AMOUNT DUE \$767.00

MEMO:

Department of Water Resources
 Western Regional Office

Department of Water Resources
 Western Regional Office