

RECEIVED
Nov 29 1971

Department of Water Administration

AFFIDAVIT OF PUBLICATION

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 17th day of November, 197...1..., and the last publication on the 24th day of November 197...1.; 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 24th day of November, 197...1..

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

NOTICE OF CLAIM TO A WATER RIGHT

No. 78-4027

Notice is hereby given that William J. or Irene Owens, P. O. Box 195, Pollock, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.01 cubic feet per second of water from an Unnamed spring, tributary to Denny Ck., thence Little Salmon River, thence Salmon River with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 23N., R. 1E, B.M., Idaho County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1961; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 23N., R. 1E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on Nov. 17 and Nov. 24, 1971.
N17-24

78 4027

Identification No. _____
Claim No. 78-40278
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 William J. or Irene Owens
post office address Post Office Box #195 Pollock, Idaho
2. The point of diversion is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 29 Township 23 N
Range 1 E B.M. located on Unnamed spring
tributary to Denny Creek thence Little Salmon/ in Idaho County.
(Name of source)
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:
Fall, 1961 amount: 0.01 c.f.s. or _____ 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 pipe into 500 gal storage tank near spring; 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 _____
_____;

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pipe

b. Do you get water through a ~~ditch~~ owned by several users? YES If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) the other user is Claud Emery

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 _____
name of town supplied one family

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
The spring described in this claim has been developed and runs into a 500 gal storage tank. The water is then conveyed to the place of use by a pipeline.

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 1st day of November, 1971.

William J Owens
Claimant

Notary Public

Residing at Pallook Idaho

My commission expires Aug 6 1972

For Department Use Only

Received by WJ Date 11/2/71

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by WJ Date 10/20/71

Fee received by WJ Date 11-2-71 Fee \$ 10.00

Approved for publication by BDF

Published in Ida City Free Press Dates 11-17-71-24-71

78 4057

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.

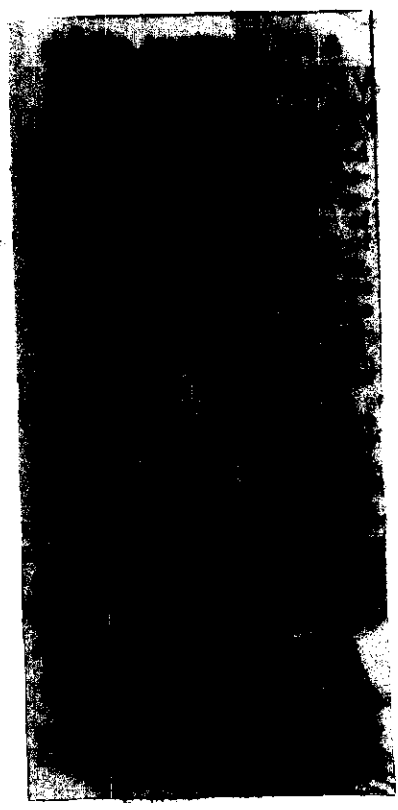
You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county 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.

Nov 29

AFFIDAVIT OF PUBLICATION



..... 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 17th..... day of November....., 197..1., and the last publication on the 24th..... day of November..... 197..1.; 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 24th..... day of November....., 197..1..

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

ACT
ION

N OWNER LAST NAME - OWENS
N OWNER LAST NAME - OWENS
N ADDRESS LINE 1 - P.O. BOX 195

FIRST NAME - WILLIAM J.
FIRST NAME - IRENE

CITY - POLLOCK

STATE - ID

N SOURCE - SPRING

TRIBUTARY OF - DENNY CREEK

N STAGE - STATRY CLM

PRIORITY - 06-01-1961 COUNTY - IDAHO

TOTAL DIV. RATE - .0100CFS

N DIVERSION POINT - SWNE 29 23N 01E

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0100CFS

N USE - DOMESTIC

PLACE OF USE - TWN 23N RNG 01E SEC 29 TRACT SWNE

IDENT. NO. 78-4027

WATER RIGHT
DATA ENTRY LOG[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 78-4027
OTd No. New No.

Record

1. Original Owner: William J. & Irene Owens

Present Owner: _____

2. Address: P.O. Box 1953. City: Pallock State: ID Zip: _____4. A. Source of Water: springB. Tributary of: ~~Seneca~~ Henry Creek5. A. Stage (A,P,L,D,S,J): J

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

C. Priority Date: 6-1-1961D. County: 49E. Total Diversion Rate: .01

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):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWNE</u>	<u>29</u>	<u>23N</u>	<u>1E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for D purposes. Amount .01
(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 _____

10879

[illegible]

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):

December 9, 1971

Re: Claim to a Water Right No. 78-4027

William J. or Irene Owens
P. O. Box 195
Pollock, Idaho 83547

Dear Mr. & Mrs. Owens:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

78 4027

November 10, 1971

Re: Claim No. 78-4027 - William J. or Irene Owens

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 our 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 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)

Very truly yours,

Bill submitted 12-1-71 By CR

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notice

78 4027

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WATER RIGHT**

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The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1961; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 23N., R. 1E. B.M.

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

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on Nov. 17 and Nov. 24, 1971.

N17-24

O.K.
11-16-71
23

NOTICE OF CLAIM TO A WATER RIGHT

No. 78-4027

Notice is hereby given that William J. or Irene Owens,

P.O. Box 195, Pollock, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.01 cubic feet per second ~~more or less~~

of water from an Unnamed spring, tributary to Denny Ck., thence Little Salmon River, thence Salmon River
with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 23N, R. 1E, B.M.,

Idaho County

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

domestic purposes

with a priority of 1961;

the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 23N, R. 1E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Idaho County Free Press, Grangeville, Idaho

on Nov. 17 and Nov. 24, 1971.

November 3, 1971

William J. Owens
P. O. Box 195
Polluck, Idaho 83547

Dear Mr. Owens:

Attached herewith is your receipt No. 8044 in the amount of \$ 10.00
for your claim application
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

78 4027