

RECORDED
JUL 30 1970
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 9th day of July, 1967 and the last publication on the 16th day of July, 1967 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 16th day of July, 1967

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

NOTICE OF CLAIM TO A
WATER RIGHT
No. 78-4011
Notice is hereby given that Firmin Gotzinger, Pollock, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.48 cubic feet per second of water from Sater Creek, tributary to Little Salmon River with point of diversion in the NE 1/4 SE 1/4 of Sec. 15, T. 22N, R. 1E, B.M., Idaho County; the water is claimed to be used from May 1 to Oct. 15 for irrigation and Jan. 1 to Dec. 31 for stockwater with a priority of 1900; the place of use is within the NW 1/4, Sec. 15, T. 22N, R. 1E, B.M. Any exception to this claim of water right may be filed with the Department of Water Administration.
R. KEITH HIGGINSON
Director
Published in the Idaho County Free Press, Grangeville, Idaho, on July 9 and July 16, 1970. Jy9-16

78-4011

**NOTICE OF CLAIM TO A
WATER RIGHT**

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Notice is hereby given that Firmin Gotzinger, Pollock, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.48 cubic feet per second of water from Sater Creek, tributary to Little Salmon River with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 15, T. 22N, R. 1E, B.M., Idaho County; the water is claimed to be used from May 1 to Oct. 15 for irrigation and Jan. 1 to Dec. 31 for stockwater with a priority of 1900; the place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 15, T. 22N, R. 1E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho, on July 9 and July 16, 1970.

Jy9-16

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6/9/70

78-4011

Identification No. _____
Claim No. 78-4011
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 Firmin Gotzinger
post office address Pollock, Idaho 83547
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 15 Township 22N
Range 1E B.M. located on Sater Creek
(name of source)
tributary to Little Salmon 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:

<u>1900</u>	amount:	<u>.44</u>	c.f.s. or	_____	acre feet
<u>1900</u>	amount:	<u>.04</u>	c.f.s. or	_____	acre feet
	amount:	_____	c.f.s. or	_____	acre feet
Total claimed <u>0.48</u> 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>irrigation</u>	period of use from <u>May 1</u>	to <u>Oct. 15</u>	(both dates inclusive)
use <u>stockwater</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)
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 _____
_____ ;

78-4011

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]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

500 head beef cattle

name of town supplied _____

one mile to place of use in 1955 ditch was changed to present location.

[illegible]

State of Idaho }
County of Ada } ss.

Sworn to before me this 9 day of June, 1970.

ay of June
Donald E. Elger
Notary Public

Residing at 1315 E. 14th St.

My commission expires 2-18-1974

Received by Rec Date 6-9-70 Exception filed by: _____ Forwarded to _____ Date _____
claimant by: _____
Prelim. check by Rec Date 5-9-70 _____
Fee received by Rec Date 6-9-70 Fee \$ 10.00 _____
Receipt # 4725 _____
Approved for publication by _____
Published in San Diego County Dates 7-9-16-70 _____
Free Press _____

78-7011

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.

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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 9th day of July , 19~~6~~70 and the last publication on the 16th day of July , 19~~6~~70, 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 16th day of July , 19~~6~~70

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

78-4011

July 28, 1970

Re: Claim to a Water Right No. 78-4011

Mr. Firmin Gotzinger
Pollock, Idaho 83547

Dear Mr. Gotzinger:

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

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 evidence that you would like to have included in your claim file, you may add that information 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

78-4011

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 78-4011**

Notice is hereby given that **Frank
G. Genger, Pollock, Idaho**, has filed
a claim to a water right established
by diversion and application to bene-
ficial use of 0.48 cubic feet per sec-
ond of water from Sater Creek, tribu-
tary to Little Salmon River, with
point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of
Sec. 15, T. 22N, R. 1E, B.M., Idaho
County; the water is claimed to be
used from May 1 to Oct. 15 for irri-
gation and Jan. 1 to Dec. 31 for
stockwater with a priority of time;
the place of use is within the NE $\frac{1}{4}$,
NW $\frac{1}{4}$, Sec. 15, T. 22N, R. 1E, B.M.
Any exception to this claim of
water right may be filed with the
Department of Water Administration.

R. KEITH HIGGINS
Director

Published in the Idaho County News
Press, Grangeville, Idaho, on July 8
and July 16, 1970. JPH-10

78-4011

July 1, 1970

Re: Application for Permit No. 79-7001 - Maude N. Wiese
Claim to a Water Right No. 78-4011 - Firmin Gotzinger
78-4012 - Firmin Gotzinger

Idaho County Free Press
Box 267, 221 West Main
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 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 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 the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McElowney
Appropriation Supervisor

DWM:kh
Enclosures

78-4011

NOTICE OF CLAIM TO A WATER RIGHT

No. 78-4011

Notice is hereby given that Firmin Gotzinger, Pollock, Idaho,
 has filed a claim to a water right
established by diversion and application to beneficial use of 0.48
cubic feet per second ~~acre/foot~~ of water from Sater Creek, tributary to
Little Salmon River with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of
Sec. 15, T. 22N, R. 1E, B.M., Idaho County; the water is
claimed to be used from May 1 to Oct. 15 for irrigation and Jan. 1
to Dec. 31 for stockwater with a priority of 1900
 ; the place of use is within the N $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 15, T. 22N, R. 1E, B.M.

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

R. KEITH HIGGINSON

State Reclamation Engineer
Director

Published in the Idaho County Free Press, Grangeville, Idaho,
on July 9 and July 16, 1970.

24

78-4617