

RECEIVED

OCT 13 1969

Department of Reclamation

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County Leader, a newspaper; that a copy of the "Claim to a Water

as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two (2) consecutive weeks, the first publication of the same being made in the issue dated October 2, 1969

and the last in the issue dated October 9, 1969 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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 " as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 9th

day of October, 1969

William F. Daniel

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 78-4009

Notice is hereby given that Grace Hemenway Nicholas, New Meadows, Idaho; has filed a claim to a water right established by diversion and application to beneficial use of .1 cubic feet per second of water from Fall Creek tributary of Little Salmon River with point of diversion in NW¼ NW¼, Sec. 27, T. 22N, R. 1E, B. M., Adams County; the water is claimed to be used from April 1 to October 31 for irrigation with a priority of April 1, 1962; the place of use is within the SW¼ NE¼, Sec. 27, T. 22, R. 1E, B.M.

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

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Adams County Leader, Council, Idaho, on October 2 and October 9, 1969.

*Bill submitted
10-17-69 ds*

78-4009

Identification No. _____

Claim No. _____

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 Grace Hemenway-Nicholas

post office address New Meadows, Idaho 83654

2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 27 Township 22 N.

Range 1 E. B.M. located on Fall Creek

(name of source)

tributary to Little Salmon River in Adams 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:

April 1 1962 amount: .1 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 irrigation period of use from April 1 to October 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 Rock

_____ ; length is 14 feet; height is 5 feet;

width at bottom is 8 feet; width at top is 3 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 _____

_____ ;

78-4009

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 _____

b. Do you get water through a ditch owned by several users? yes If yes, give the name of the ditch Not named. The other users and their respective interests in the ditch are (if known) Mark Carlyle, for irrigation & domestic
Walter Overlander, for irrigation

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 _____

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 16 day of Sept, 1969.
Grace Hemmaway Nicholas Claimant
Madge H. Overlander Notary Public
Residing at Pollock, Idaho
My commission expires Aug. 6 1972

For Department Use Only

Received by <u>ej</u>	Date <u>7-19-69</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>DeWitt</u>	Date <u>9-19-69</u>	<u>Lloyd A. Loutin</u>		
Fee received by <u>ej</u>	Date <u>9-19-69</u>	Fee \$ <u>10.00</u>	<u>dr</u>	<u>12-2-69</u>
Approved for publication by _____				
Published in <u>Idaho County</u>	Dates <u>10/2+9/69</u>			

78-4009

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.

IN THE MATTER OF:)
CLAIM TO A WATER RIGHT)
of)
Grace Hemenway-Nicholas)
State of Idaho)
County of _____)

AFFIDAVIT

_____ being first duly sworn,

deposes and says: _____

That for more than 15 years last past he has been familiar with the
diversion of water from Fall Creek, in Adams County, Idaho, to the
lands affected by the Claim to a Water Right in the NW¹/₄ NW¹/₄ Sec. 27,
Twp. 22N., R. 1E B.M., and knows of his own knowledge that
Grace Hemenway-Nicholas has used the water represented in such Claim
to a Water Right to the extent claimed therein since sometime during
the year 1962, and that it has been used continuously upon such lands
since that time, and is now being used thereon; that such water is
used for irrigation and there is no other source of gravity water
therefor; that there has been no interruption in the use thereof, and
no claim of any other person thereto.

Martin D. Coarbyle,
(Signature)

Subscribed and sworn to before me this 30 day of July, 1967

Madge H. Overlander
(Notary Public)

Residing at Pallock, Idaho.
My Commission Expires August 1972.

10-1

IN THE MATTER OF:)
CLAIM TO A WATER RIGHT)
of)
Grace Hemenway-Nicholas)
State of Idaho)
County of _____)

AFFIDAVIT

Department of Agriculture

Walter Overlander being first duly sworn,
deposes and says: _____

That for the past 18 years he has been familiar with the
diversion of water from Fall Creek, in Adams County, Idaho, to the
lands affected by the Claim to a Water Right in the NW~~1~~ NW~~4~~ Sec. 27,
Twp. 22 N., R. 1 E., B.M., and knows of his own knowledge that
Grace Hemenway-Nicholas
has used the water represented in such Claim to a Water Right to the
extent claimed therein since sometime during the year 1962, and that
it has been used continuously upon such lands since that time, and
is now being used thereon; that such water is used for irrigation
and there is no other source of gravity water therefor, and there has
been no interruption in the use thereof, and no claim of any other
person thereto.

Walter Overlander
(Signature)

Subscribed and sworn to before me this 30th day of January, 1969

William C. Cline
(Notary Public)

Residing at Payette, Idaho
My Commission Expires July 5, 1972

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County Leader, a newspaper; that a copy of the "Claim to a Water

as per clipping hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two (2) consecutive weeks, the first publication of the same being made in the issue dated October 2, 1969

and the last in the issue dated October 9, 1969 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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 " as aforesaid.

Subscribed and sworn to before me this 9th

day of October, 1969.

William E. Canine

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM
GIVEN THAT
Grace H. Nicholas, New
Mexico, Idaho, has filed a claim
for a water right established by
diversion and application to bene-
ficial use of 1 cubic foot per
second of water from Fall Creek
tributary of Little Salmon River
with point of diversion in NW 1/4
NW 1/4, Sec. 27, T. 22N, R. 13E, S.
M. Adams County; the water is
claimed to be used from April 1
to October 31 for irrigation with
a priority of April 1, 1968; the
place of use is within the SW 1/4
NW 1/4, Sec. 27, T. 22, R. 1E,
S.M.
Any exception to this claim of
water right may be filed with the
Department of Reclamation.
I, KATHY HIGGINSON
State Reclamation Engineer
Published in the Adams County
Leader, Council, Idaho, on Oc-
tober 2 and October 9, 1969.

Bill submitted

10-12-69

78-4009

CONVERSATION MEMORANDUM

DATE 5/27/87
FILE 78-4009

NAME OF PARTY Jean Schultz
EMPLOYEE Brad Dingee

RE: _____

per telephone conversation, Jean Schultz
is the current owner of the
property for which 78-4009 is
appurtenant:

Jean Schultz

HC 75 Box 3580

New Meadows, ID 83654

phone: 628-3786

RECEIVED

MAY 29 1987

Department of Water Resources

MICROFILMED

JUL 09 1987

ACT
ION

N OWNER LAST NAME - NICHOLAS

FIRST NAME - GRACE HEMENWAY

N CITY - NEW MEADOWS STATE - ID ZIP CODE - 83654

N SOURCE - FALL CREEK

TRIBUTARY OF - LITTLE SALMON RIVER

N STAGE - STATRY CLM

PRIORITY - 04-01-1962 COUNTY - ADAMS

TOTAL DIV. RATE - .1000CFS

N DIVERSION POINT - NWNW 27 22N 01E

N FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - .1000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 22N RNG 01E SEC 27 TRACT SWNE

AC 02

N REMARKS - AC. IRR.=2.27.

IDENT. NO. 78-4009

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 178-4009
Old No. New No.

Record

1. Original Owner: Grace Hemenway-Nicholas

Present Owner: _____

2. Address:

3. City: New Meadows State: Id Zip: 836544. A. Source of Water: Fall CreekB. Tributary of: Little Samon River5. A. Stage (A,P,L,D,S,J): S

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

C. Priority Date: 4-1-1962D. County: 03E. Total Diversion Rate: .1

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>NWNW</u>	<u>27</u>	<u>22N</u>	<u>1E</u>		

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

from 4-1 to 10-31 for A purposes. Amount .1
(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 _____

029-25-79

8. Use Code: A

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
22N	1E	27			2														

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. ac. irr. = 2.27.
 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):

224
October 15, 1969

Mr. Keith Higginson
State Reclamation Engineer
Dept. of Reclamation
State House-Annex 2
Boise Idaho

Dear Sir:

Reclamation Engineer

I have read two notices of claims to water rights published in the Adams County Leader. The claim Nos. are No. 78-4008 and No. 78-4009.

Number 78-4008 is a Walter Overlander and No. 78-4009 is a Grace Hemenway Nicholas.

The diversion point given is on land that I own and I have no knowledge that they were doing this. Neither has ever asked nor received permission to come onto my land, and further, during this time my land has been posted with no trespassing signs that they could not have failed to see.

Since I have read these notices I have made a limited investigation and find that what has probably been done is briefly this; There is a party that owns about sixty acres that adjoins my land and is between the Claimants and my property. I have known that he was taking some water and dumping into the next drainage which flows through his property, to supplement the flow for his use on a garden and lawn. The Claimants are evidently tapping this source and are basing their claim on it.

At this time I do not know whether my neighbor has knowledge of this or not.

The people filing these claims have no right of way across my land and I do not plan to give them one.

I have taken steps to close this water source across my land and if they enter onto my land again, they will be subject to prosecution for trespass.

I intend this to be official notice of exception to their claim to a right of way across my land. If this is not the proper method, will you please advise me.

Sincerely,

Lloyd H. Fournier
Route #1
New Meadows, Idaho
83654

Original in 78-4008

78-4009

August 24, 1970

Re: Claim to a Water Right No. 78-4009
- Grace Hemenway Nicholas

C Mr. William B. Taylor, Jr.,
Attorney at Law
Post Office Box # 240
Cottonwood, Idaho 83522

O Dear Mr. Taylor:

P In reference to your letter of July 30, 1970, please be advised that under Section 42-225a and b, of the Idaho Code, neither the Department of Water Administration, nor any other state agency is authorized to make any disposition of an exception filed in connection with a claim. The claim procedure, as we designed it, was to allow the public to record what they felt was their claim to a water right, and should anyone disagree with a claim, that the parties disagreeing, would be able to file such information as would represent what they felt was the truth in the matter. The legislature specifically withheld any evaluation action from this statutory provision.

Y We have been advised on many occasions by the Attorney General's Office that the department must file any documents submitted as an exception, whether they are in the affidavit form, and in duplicate, or not. We would suggest that if your client feels that the exception is not valid because of its lack of conforming with statutory requirements, then this may be information that you would wish to file in the exception. Your letter of July 30, 1970, may reference your exception in this event.

78-4009

August 24, 1970
William B. Taylor Jr.,
Attorney at Law

Re: Claim to a Water Right No.
78-4009 - Grace Hemenway-
Nicholas

Inasmuch as no permit is issued in connection with a claim, nor is any type of water right confirmed or established, we do not feel that the filing of an exception, nor the failing to evaluate the claim, will have any bearing on the case at this time. We understand from the Attorney General's Office, that if a person wishes to clarify the matter, they may proceed to court, or other acceptable practices.

If we can be of further assistance, please contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

C
O
P
Y

78-4009

WILLIAM B. TAYLOR, JR.

ATTORNEY AT LAW

POST OFFICE BOX 326
GRANGEVILLE, IDAHO
TELEPHONE 983-0141
W. 121 NORTH STREET

POST OFFICE BOX 240
COTTONWOOD, IDAHO
TELEPHONE YO-23191
SEUBERT BUILDING

July 30, 1970

Mr. Keith Higginson
Commissioner
Department of Water Resources
State House
Boise, Idaho, 83701

Re: Claim to Water Right Number 78-4009,
Grace Hemenway Nicholas

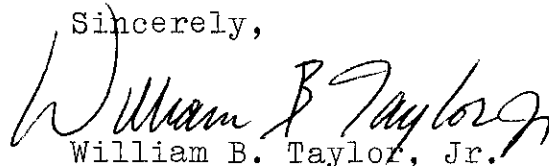
Dear Mr. Higginson:

Reference is made to your letter of December 2, 1969, to Mrs. Nicholas in reference to an exception filed by Lloyd H. Fourtner. Has the department made any disposition of the exception? From my examination of the letter dated October 15, 1969, from Mr. Fourtner, shows that the exception attempted by himth was not in affidavit form and apparently not accompanied by any additional proof that Mr. Fourtner deemed appropriate.

In view of the passage of the time involved, and in view of my letter to Mr. James L. Schoenhut, attorney at Cascade, Idaho, dated June 12, 1970, a copy of which is in your file, does the department now consider that the exception on the part of Mr. Fourtner should remain a part of the proceedings so as to preclude Mrs. Nicholas from obtaining her permit?

If you do not conduct hearings or make any other determinations with respect to the water rights, then what procedure would you suggest in order to clarify the exception that has previously been filed with you?

Sincerely,


William B. Taylor, Jr.

WBT:mb

Copies: Mr. and Mrs. Red Nicholas
Mr. James L. Schoenhut
Mr. Lloyd Fourtner

December 2, 1969

Re: Claim to a Water Right No. 78-4009

Mrs. Grace Hemenway-Nicholas
New Meadows,
Idaho 83654

Dear Mrs. Nicholas:

In reference to the above claim, the enclosed is a copy of an exception filed by Lloyd H. Fourtner in connection with this claim under the provisions of Chapter 2, Section 42-225b of the Idaho Code, which states the following:

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Reclamation and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Reclamation. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for final censorship or conformation of the described rights.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Copy of exception

78-4009

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

December 2, 1969

Re: Claim to a Water Right No. 78-4008 - Walter Overlander
78-4009 - Grace Hemenway-Nicholas

Mr. Lloyd H. Fourtner
Route 1
New Meadows, Idaho 83654

Dear Mr. Fourtner:

We are in receipt of your correspondence concerning the above referenced claims to a water right. The following is a quote from the provisions under which these claims have been filed (Idaho Code, Sec. 42-225b):

"At anytime after filing a claim under the provisions of this section any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Reclamation and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Reclamation. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the Department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

78-4009

October 21, 1969

Re: Claim to a Water Right No. 78-4009

Grace Hemenway Nicholas
New Meadows,
Idaho 83654

Dear Ms. Nicholas:

Please be advised that the Department of Reclamation has received and processed your claim to a water right. The information in your claim has been filed under claim no. 78-4009, please refer to this number when you add or change information in your claim.

You should be aware that the filing of the claim completes the Department's work in processing the claim. Under Idaho Statutes, no further processing is pending at this time. Your claim will merely be filed on record with the Department until such time you or a court may be in need of the information.

Enclosed is departmental receipt #3638 in the amount of \$10.00 covering the filing fee.

If we may be of help at any time, please feel free to contact the Department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Receipt #3638
Copy of claim

78-4009

September 24, 1969

Re: Claim to a Water Right No. 78-4009 - Grace Hemenway Nicholas

Adams County Leader
Council,
Idaho 83612

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. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

78-4009

NOTICE OF CLAIM TO A WATER RIGHT

No. 78-4009

Notice is hereby given that Grace Hemenway Nicholas, New Meadows,
Idaho, has filed a claim to a water right
established by diversion and application to beneficial use of .1
cubic feet per second ~~gpps feet~~ of water from Fall Creek tributary of
Little Salmon River with point of diversion in NW¹/₄ NW¹/₄, Sec. 27,
T. 22N, R. 1E, B.M., Adams County; the water is
claimed to be used from April 1 to October 31 for irrigation
with a priority of April 1, 1962;
the place of use is within the SW¹/₄ NE¹/₄,
Sec. 27, T. 22N, R. 1E, B.M.

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

R. KEITH HIGGINSON
State Reclamation Engineer

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on October 2 and October 9, 1969.

K.H.

78-4009