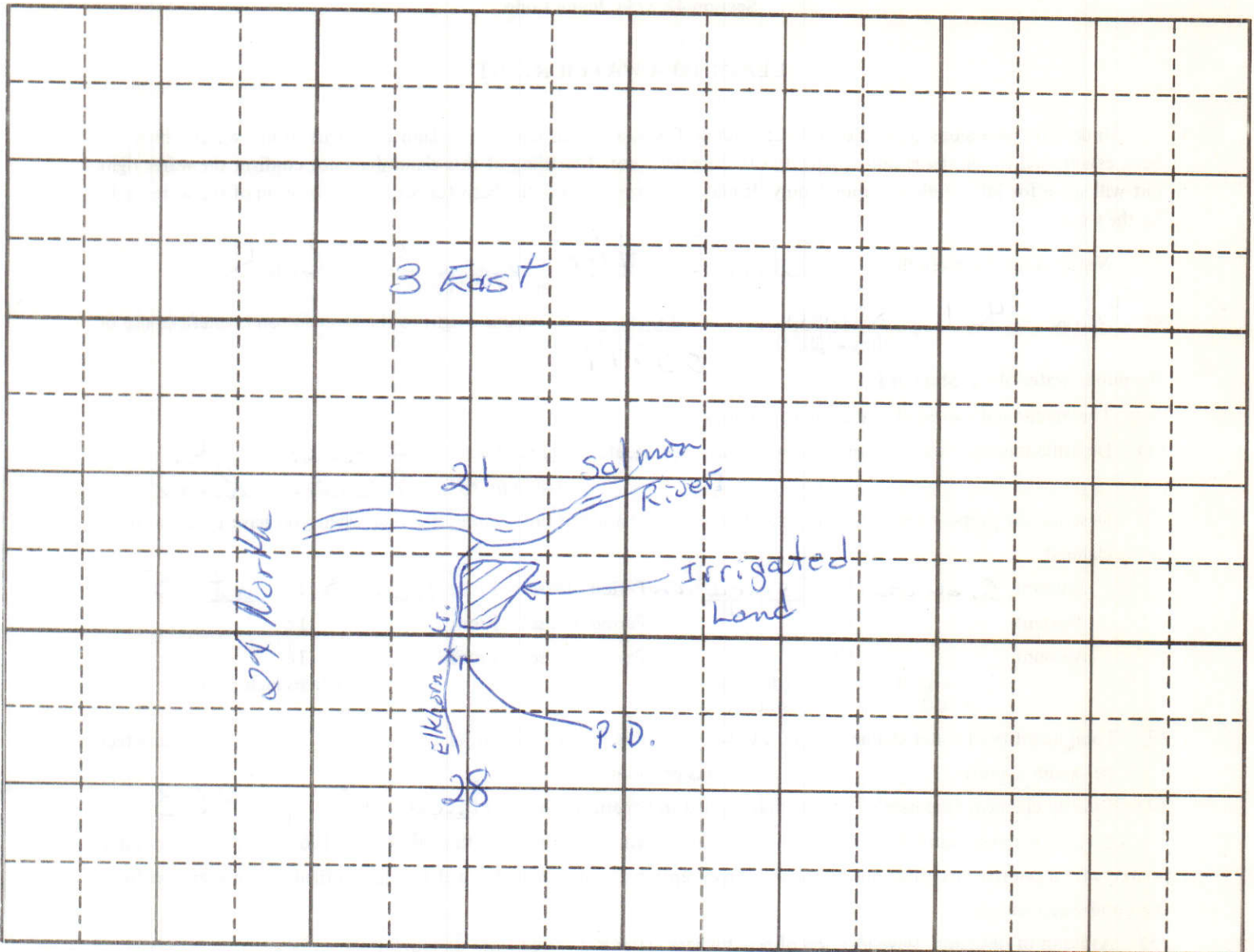


(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) 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 15th day of August, 19 77.
June B. Cook (Claimant)

Rita Bendale
Notary Public
Residing at Boise, Id

My commission expires March 8, 1980

For Department Use Only

Received by <u>WAm</u>	Date <u>8-15-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>GLS</u>	Date <u>8/16/77</u>		claimant by:	
\$10.00 fee received by <u>WAm</u>	Date <u>8-15-77 #8815</u>			
Approved for publication by				
Published in <u>Idaho County Free Press</u>				
Dates <u>August 24 + 31</u>				

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 24..... day of August....., 197..7..., and the last publication on the 31..... day of August..... 197..7...; 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 31..... day of August....., 197..7....

.....Merilyn J. Stodley....., Notary Public for State of Idaho, residing at Grangeville, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT NO. 77-4031

Notice is hereby given that JOHN B. &/or JUNE B. COOK Box 407 Riggins, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.60 cubic feet per second of water from Elkhorn Creek trib. Salmon River with the point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 28 T24N-R3E B.M., Idaho County.

The water is claimed to be used from May 15 to Oct 15 for irrigation of 30 acres with a priority date of May 15, 1863; the place of use is within Government Lots 6 & 7 Sec 21 T24N-R3E B.M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED
Director

Published in the Idaho County Free Press, Grangeville, ID on August 24, 1977 and August 31, 1977.

A24-31

OK JJS
9-2-77

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

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.

Notice is hereby given that John B. &/or June B. Cook
(name of claimant)
of Box 407 Riggins Id., claims a right to the diversion and beneficial use of
(mailing address) 83549
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Elkhorn Cr.
_____, tributary to, Salmon River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|-----------------|-----|-------------------|----------------|------|---------------|----|----------------|
| Amount | <u>0.60 cfs</u> | Use | <u>irrigation</u> | Period of Use: | From | <u>May 15</u> | To | <u>Oct. 15</u> |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
- (cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: 0.60 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) May 15, 1863

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ NW ¼, Sec. 28 Twp. 24N Rge. 3E B. M. County of Idaho
 Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. headgate and ditch

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

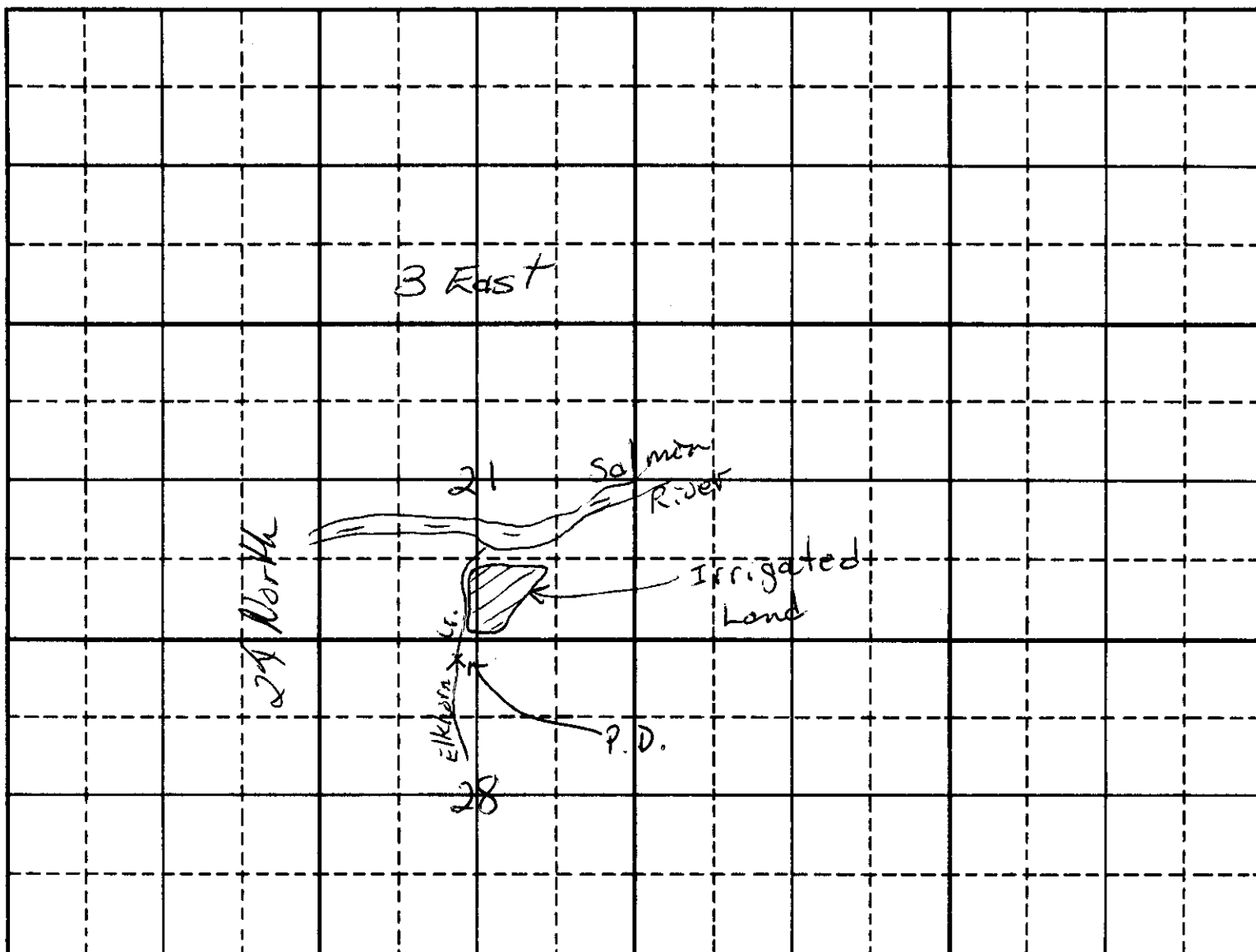
[illegible]

Total No. of acres 30

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) 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 15th day of August, 19 77.

June B. Cook
(Claimant)
Rita Bunde
Notary Public
Residing at Boise, ID

My commission expires March 8, 1980

For Department Use Only

Received by WAM Date 8-15-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by GLS Date 8/16/77 claimant by: _____
\$10.00 fee received by WAM Date 8-15-77 #8815
Approved for publication by _____
Published in Idaho County Free Press _____
Dates August 24 & 31 _____

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 24 day of August 1977, ...
and the last publication on the 31 day of
..... August 1977; 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 31 day
of August 1977.

..... *Merilyn J. Stolley*, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

OK *JS*
9-2-77

ACTION

N	OWNER LAST NAME - COOK	FIRST NAME - JOHN B.
N	OWNER LAST NAME - COOK	FIRST NAME - JUNE B.
N	ADDRESS LINE 1 - P.O. BOX 407	
N		CITY - RIGGINS STATE - ID ZIP CODE - 83549
N	SOURCE - ELKHORN CREEK	TRIBUTARY OF - SALMON RIVER
N	STAGE - STATRY CLM	PRIORITY - 05-15-1863 COUNTY - IDAHO TOTAL DIV. RATE - .6000CFS
N	DIVERSION POINT - NENW 28 24N 03E	
N	FROM - 05-15 TO - 10-15 USE - IRRIGATION	USE DIV. RATE - .6000CFS
N	USE - IRRIGATION	PLACE OF USE - TWN 24N RNG 03E SEC 21 TRACT SESW LOT 07 AC 05 TRACT SWSE LOT 06 AC 25

3/79

IDENT. NO. 77-4031

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

OTd No.

New No.

1. Original Owner: John B. & June B. Cook

Present Owner: _____

2. Address: *P.O. Box 407*

3. City: Regina State: ID Zip: 83549

4. A. Source of Water: Elkhorn Creek

B. Tributary of: *Salmon River*

5. 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: 5-15-1963

D. County: 49

E. Total Diversion Rate: .4

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):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>NENW</u>	<u>28</u>	<u>24N</u>	<u>3E</u>		

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

from 5-15 to 10-15 for 12 purposes. Amount 6
(cfs or AC-~~11~~/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

pg 928 79

[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):

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 77-4031

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
Papers Sent

(1) 6LS 8/16/77

In form to receipt

(2) _____

Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) _____

Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

Request Dam Safety Information

(4) 6LS 8/16/77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) Y OK

Affidavit of Publication received (date) 9-6-77

(12) _____

Final date for protests N/A

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☐ Approve ☐ Deny

☐ Proposed Priority

☐ Reason for Reduction _____

☐ Measuring device required

☐ See attached sheet for other conditions of approval

☐ No special conditions for approval

(15) District W

By THA

Date 9-8-77



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

September 21, 1977

Re: Claim to a Water Right No. 77-4031

John B. &/or June B. Cook
Box 407
Riggins, ID 83549

Dear Mr. & Mrs. Cook:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-225a 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.

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.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS: rf

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

September 19, 1977

John B. &/or June B. Cook
Box 407
Riggins, ID 83549

RE: Claim 77-4031

Dear Mr. & Mrs. Cook:

In a recent review of the "Claim to a Water Right" which you filed, it appears that the priority claimed (May 15, 1863) should be further documented.

Please submit any documents or information available in support of the 1863 priority claimed. Affidavits from disinterested parties are often good evidence in support of a claim.

If you have further questions in this matter please contact this office.

Sincerely,

L. GLEN SAXTON, P.E.
Western Region Supervisor

LGS/dls



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

August 19, 1977

Re: Notice of Application for Water Permit No. 77-7065 -- John &/or June B. Cook
78-7100 -- U. S. Forest Service
79-7252 -- Marvin Armstrong
Notice of Claim to a Water Right No. 77-4031 -- John &/or June Cook

Idaho County Free Press
Box 267
Grangeville, ID

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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)

Please send the affidavit of publication and publication billing to this office before September 12, 1977.

Sincerely,

RITA FLECK
Secretary

Bill submitted
9-6-77
[Signature]

NOTICE OF CLAIM TO A WATER RIGHT

NO. 77-4031

Notice is hereby given that JOHN B. &/or JUNE B. COOK

Box 407 Riggins, ID

has filed a claim to a water right established by diversion and application
to beneficial use of 0.60 cubic feet per second ~~XXXXXXX~~ acre feet of water

from ~~XXXXXX~~ Elkhorn Creek trib. Salmon River

with the point of diversion in the NE 1/4, Sec 28 T24N-R3E B.M., Idaho

County

The water is claimed to be used from May 15 to Oct 15

for irrigation of 30 acres

with a priority date of May 15, 1863;

the place of use is within the ~~the~~ Government Lots 6 & 7 Sec 21 T24N-R3E

B.M.

Any exception to this claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705.

C. STEPHEN ALLRED

Director

Published in the Idaho County Free Press, Grangeville, ID
on August 24, 1977 and August 31, 1977.

September 7, 1977

Re: Claim to a Water Right

John B. &/or June B. Cook
Box 407
Riggins, ID 83549

Dear Mr. & Mrs. Cook:

I am returning the Claim to a Water Right that you recently sent to us. Claims should be signed before a notary public and a \$10.00 filing fee is required.

I have taken the liberty of filling out a new claim for you with smaller rates of diversion. The rate that you indicated, 3 cubic feet per second, is 1346 gallons per minute, rather high for the use indicated.

If you agree with the claim I have filled out just sign it before a notary and return it to us along with the \$10.00 filing fee.

If I can be of further assistance, please contact me.

Sincerely,

BILL MACALLISTER
Water Resource Agent

BM:rf

Enc.