

RECEIVED

JUN 15 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 _____ 9th _____ day of _____ June _____, 1971, and the last publication on the _____ 16th _____ day of _____ June _____, 1971 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 _____ June _____, 1971

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

NOTICE OF CLAIM TO A WATER RIGHT

No. 77-4005

Notice is hereby given that James Ranch, P.O. Box 204, Eagle, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.5 cubic feet per second of water from James Creek, tributary to Salmon River with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 24N, R. 7E, B.M., Idaho County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of September 24, 1920; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 24N, R. 7E, 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 June 9 and June 16, 1971.

Jn9-16

77 4005

Identification No. 2

Claim No. 77-4005

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 James Ranch
post office address Post Office Box #204, Eagle, Idaho
2. The point of diversion is in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 20 Township 24 N
Range 7 E B.M. located on James Creek
(name of source)
tributary to 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:
September 24, 1920 amount: 0.5 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.5 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 _____
approximately two 1,000 foot pieces of 1" pipe from point of diversion to place
of use
 - 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 _____

- has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated _____

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? NO 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 _____ 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 the domestic needs are for one family and up to 40 guests

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 12 day of May, 1971.

Steve Woodman
Claimant

Donald E. Eldon
Notary Public

Residing at Boise Idaho

My commission expires 2-18-1974

Rec'd #4415 For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>ef</u>	<u>5-13-71</u>			
Prelim. check by <u>ef</u>	Date <u>5-13-71</u>			
Fee received by <u>ef</u>	Date <u>5-13-71</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>D</u>				
Published in <u>IDAHO COUNTY FREE PRESS</u>	Dates <u>6-9-71 6-16-71</u>			

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.

Deposited

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 June, 1971, and the last publication on the 16th day of June, 1971 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 June, 1971

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

WATER RIGHT NUMBER 77-4005

WATER RIGHTS EDIT REPORT

10/09/79

PAGE 227

CT

ON

N OWNER LAST NAME - JAMES RANCH

N ADDRESS LINE 1 - P.O. BOX 204

N CITY - EAGLE STATE - ID

N SOURCE - JAMES CREEK

TRIBUTARY OF - SALMON RIVER

N STAGE - STATRY CLM

PRIORITY - 09-24-1920 COUNTY - IDAHO

TOTAL DIV. RATE - .5000CFS

N DIVERSION POINT - SWSE 20 24N 07E

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

USE DIV. RATE - .5000CFS

N USE - DOMESTIC

PLACE OF USE - Twn 24N Rng 07E SEC 20 TRACT SWSE

N NON IRRIG USE - D/1 HOME & 40 GUESTS.

IDENT. NO. 77-4005

WATER RIGHT
DATA ENTRY LOG

Item

Keypunched by State Office

• **•**

1.8

[Handwritten signature]

407986 - **2006-07-11**

1 100

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. / 77-4005
 Old No. New No.

Record

1. Original Owner: James Ranch

Present Owner:

2. Address: P.O. Box 204

3. City: Eagle State: SD Zip:

4. A. Source of Water: James 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: 9-24-1920

D. County: 49

E. Total Diversion Rate: .5

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>SWSE</u>	<u>20</u>	<u>24^N</u>	<u>7E</u>		

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

from 1-1 to 12-31 for D purposes. Amount .5
 (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

9.28.20
b

24 ^N	7 ^E	20
-----------------	----------------	----

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information): D/ 1 Home & 40 guests.

12. Other Rights for Same Use:

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

June 23, 1971

Re: Claim to a Water Right No. 77-4005
" " " " " " 77-4006

James Ranch
P. O. Box 204
Eagle, Idaho

Dear Mr. Jordan:

The Department of Water Administration has completed the processing of your claims to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claims 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 claims does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, a copy of your claims. 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/bb

Enclosure: Copy of Claims

77 4005

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R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on June 9 and June 16, 1971.

Jn9-16

Handwritten:
77-4005

77 4005

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

June 2, 1971

Re: Application No. 77-4002
77-4003
77-4004

77-4005

77-4006

79-4002

81-4001

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 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enclosures

*Bill submitted
6-23-71
dw*

77 4005

NOTICE OF CLAIM TO A WATER RIGHT

No. 77-4005

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Eagle Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.5 cubic feet per second ~~maximum~~ of water from James Creek, tributary to Salmon River

with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 24N, R. 7E, B.M.,

Idaho County

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

domestic purposes

with a priority of September 24, 1920;

the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, T. 24N, R 7E, B.M.

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