

NOTICE OF CLAIM TO A WATER RIGHT
NO. 75-4011

Notice is hereby given that Blaine Cook, P. O. Box 127, Salmon, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 4.0 cubic feet per second of water from Little Fourth of July Creek, tributary to Fourth of July Creek with point of diversion in the SE $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 25; T. 24N, R. 21E; Lot 1 (2 pts.), Lot 2, (2 pts), Lot 3 (2 pts.), Lot 4, Sec. 19, T. 24N, R. 22E, B. M.

The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 69 acres, with a priority of May 22, 1913. The place of use is within the E $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 24; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 25, T. 24N, R. 21E; W $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 19, T. 24N, R. 22E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in the Recorder-Herald, Salmon, Idaho on June 22 and June 29, 1972.

6-22-2tc

Affidavit of Publication

RECEIVED

STATE OF IDAHO }
County of Lemhi } SS.

JUL 3 1972

Department of Water Administration
Eastern District Office

JERRY G. ROSIN

_____, being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the Notice of Claim to Water Right #75-4011

_____ a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated June 22, 1972 and ending with the issue dated June 29, 1972.

Jerry S. Rosin
_____ twenty ninth

Subscribed and sworn to before me, this _____ day of June, 1972.

Neil Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 14.43

75-4011

75 4011 P

Identification No. _____

Claim No. _____

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 Blaine Cook
post office address P. O. Box 127 Salmon Idaho
See Attached List
2. The point of diversion is in 1/4 of 1/4 Section 17 Township _____
Range _____ B.M. located on L. 4th July Creek
(name of source)
tributary to 4th of July Creek in Lemhi 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:

May 22, 1913 amount: 4.0 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 4.0 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 irrig. period of use from 1st April to 1st Nov. (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 sand & gravel
_____ ; length is 15 feet; height is 3 feet;
width at bottom is 3 feet; width at top is 5 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 _____

75-4011

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

Average
c. Conveying works: length of ditch to place of use is 800 feet; width of ditch at top is 5 feet; width of bottom of ditch is 3 feet; depth of water is 2½ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____
Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

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 _____

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:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
24N	22E	19						15											15
24N	22E	19							17										17
24N	22E	19										14							14
24N	21E	24												2					2
24N	22E	19										3							3
24N	21E	24															3		3
24N	21E	25	11																11
24N	21E	25				4													4

Total number of acres to be irrigated 69

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
Claimant is currently in the process of filing an application
for permit on this same land so that his right may be administered
and further defined.

State of Idaho

County of Lemhi

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.

Blaine Cook
Claimant

Sworn to before me this 6 day of JUNE, 19 72

James H. Gordon
Notary Public

Residing at SALMON, IDAHO

My commission expires 10/15/74

For Department Use Only

Received by <u>Ba</u> Date <u>6-8-72</u> <u>7/1/72</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>NCY</u> Date <u>6-12-72</u>			
Fee received by <u>Ba</u> Date <u>6-8-72</u> Fee \$ <u>10.00</u>			
Approved for publication by <u>NCY</u>			
Published in <u>Spencer Herald</u> Date <u>6-12-72</u>			

75-4011

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:	May 18, 1871	amount:	0.8 c.f.s. or	_____	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	_____	acre feet
	Total claimed:		1.2 c.f.s. or	_____	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 Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

POINTS OF DIVERSION:

2pts.	Lot 1	Sec. 19	R22E	TWP 24N
2pts.	Lot 2	Sec. 19	R22E	TWP 24N
2pts.	Lot 3	Sec. 19	R22E	TWP 24N
1pt.	Lot 4	Sec. 19	R22E	TWP 24N
1pt.	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Sec. 24	R21E	TWP 24N
1pt.	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 25	R21E	TWP 24N
1pt.	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Sec. 25	R21E	TWP 24N

75-4011

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The water is claimed to be used from Apr. 1 to Nov. 1 for the irrigation of 69 acres, with a priority of May 22, 1913. The place of use is within the E¼-SE¼, Sec. 24; E¼NE¼, Sec. 25; T. 24N, R. 21E; W¼W¼, Sec. 19, T. 24N, R. 22E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
 Director

Published in the Recorder-Herald, Salmon, Idaho on June 22 and June 29, 1972.

6-22-2tc

Affidavit of Publication

RECEIVED

STATE OF IDAHO }
 County of Lemhi } ss.

JUL 3 1972

JERRY G. ROSIN

Department of Water Administration
Eastern District Office

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..... a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated June 22, 1972 and ending with the issue dated June 29, 1972.

Jerry G. Rosin

Subscribed and sworn to before me, this twenty ninth

day of June, 1972

Veel Pennington

Notary Public for the State of Idaho,
 Residing at Salmon, Idaho

Publication Fee \$ 14.43

75-4011

ACT

TUN

X DIVERSION POINT - 19 24N 22E LOT 01

19 24N 22E LOT 02

L DIVERSION POINT - WNW 19 24N 22E LOT 01

SWNW 19 24N 22E LOT 02

ACT
ION

N OWNER LAST NAME - COOK FIRST NAME - BLAINE
N ADDRESS LINE 1 - P.O. BOX 127
N CITY - SALMON STATE - ID ZIP CODE - 83467
N SOURCE - LITTLE FOURTH OF JULY CREEK TRIBUTARY OF - FOURTH OF JULY CREEK
N STAGE - STATRY CLM PRIORITY - 05-22-1913 COUNTY - LEMHI TOTAL DIV. RATE - 4.0000CFS
N DIVERSION POINT - 19 24N 22E LOT 01 19 24N 22E LOT 02
N DIVERSION POINT - 19 24N 22E LOT 03 19 24N 22E LOT 04
N DIVERSION POINT - SESE 24 24N 21E NENE 25 24N 21E
N DIVERSION POINT - SENE 25 24N 21E
N FROM - 04-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - 4.0000CFS
N USE - IRRIGATION PLACE OF USE - TWN 24N RNG 22E SEC 19 TRACT NWNW AC 15 TRACT SWNW AC 17
N TRACT NWSW AC 14 TRACT SWSW AC 03
N USE - IRRIGATION PLACE OF USE - TWN 24N RNG 21E SEC 24 TRACT NESE AC 02 TRACT SESE AC 03
N USE - IRRIGATION PLACE OF USE - TWN 24N RNG 21E SEC 25 TRACT NENE AC 11 TRACT SENE AC 04
N REMARKS - 2 P/D IN S19, T24N, R22E, L. 1, 2 & 3.

141315 ULS

Macro Business Forms, Inc. dv

SP FAX

3/79

IDENT. NO. 75-4011

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]

75-4011

6. Point of Diversion

[illegible]

- DATA ENTRY -

Old No.

New No. _____

1. Original Owner: Blaine Cook

Present Owner: _____

2. Address: P.O. Box 127

3. City: Spokane State: ID Zip: 83467

4. A. Source of Water: Fourth of July Creek

B. Tributary of: *South of Bull Creek*

5. A. Stage (A,P,L,D,S,J):

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

C. Priority Date: 5-22-1913

D. County: 59

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>	Gov't <u>Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion		19	22E	24N	1	
		19	22E	24N	2	
		19	22E	24N	3	
		19	22E	24N	4	
	SE SE	24	21E	24N	—	
	NW NE	25	21E	24N	—	
	SE NE	25	21E	24N	—	

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

from 4-1 to 11-1 for A purposes. Amount 4.
(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

[illegible]

from to for purposes. Amount

July 10, 1972

Re: Claim to a Water Right No. 75-4011

C Blaine Cook
P. O. Box 127
Salmon, ID 83467

Dear Mr. Cook:

O 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.

P 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.

P 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.

Y 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:bb
Enclosure

75-4011

June 15, 1972

Re: Claim No. 75-4011 - Blaine Cook

Recorder-Herald
P.O. Box 310
Salmon, ID 83467

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,

Norman C. Young
District Engineer
NCY:BA
Enc: Legal notice

Bill submitted 7-10-72. d
75-4011

NOTICE OF CLAIM TO A WATER RIGHT

NO. 75-4011

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has filed a claim to a water right established by diversion and application to
beneficial use of 4.0 cubic feet per second ~~acres feet per annum~~
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with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 25; T. 24N, R. 21E;
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The place of use is within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 24; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 25; T. 24N, R. 21E;
W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 19, T. 24N, R. 22E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON

Director

Published in the Recorder-Herald, Salmon, Idaho
on June 22 and June 29, 1972

NCG
75-4011

June 8, 1972

Re: Claim No. 75-4011

Mr. Blaine Cook
Box 127
Salmon, ID 83467

Dear Mr. Cook:

Attached herewith is departmental receipt No. 7320 in the amount of \$10 for your
Claim to a Water Right which was received in this office.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

75-4011

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

RECEIVED

JUN 8 1972

TELEPHONE 756-2412
AREA CODE 208

J. CHARLES HERNDON [1911-1966]

June 7, 1972

Department of Water Administration
Eastern District Office

Department of Water Administration
540 South Holmes Avenue
Idaho Falls, Idaho 83401

Attention: Director of Water Administration

Re: Blaine Cook -
Claim to a water right

Gentlemen:

Enclosed please find a claim to a water right and a
check for \$10.00 to cover the statutory filing fee.

Very truly yours,


JAMES C. HERNDON

JCH/ts

Enclosures

75-4011

June 5, 1972

Re: Blaine Cook's Claim to a Water Right

Mr. James C. Herndon
P.O. Box 789
Salmon, ID 83467

Dear Mr. Herndon:

We are returning the above referenced Claim to a Water Right, as additional information is needed before processing can be commenced.

1. The list of points of diversion attached is not completed. The township designation is not indicated for each of the points of diversion.
2. The claim is not notarized.
3. The statutory filing fee of \$10 was not included with the claim.

Please return the completed claim with the fee and we will be happy to continue processing.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:ba

Encls.

75-4011

RECEIVED

JUN 5 1972

Department of Water Administration
Eastern District Office

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

TELEPHONE 756-2412
AREA CODE 208

June 2, 1972

Department of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Attention: Director of Water Administration

Re: Blaine Cook - Application
for Permit

Gentlemen:

Enclosed please find a claim to a water right and
application for permit for Blaine Cook of Salmon, Idaho.

Also enclosed is a check for \$55.00 for the applica-
tion for permit.

Very truly yours,

James C. Herndon

JAMES C. HERNDON

JCH/ts

Enclosures

75-4011