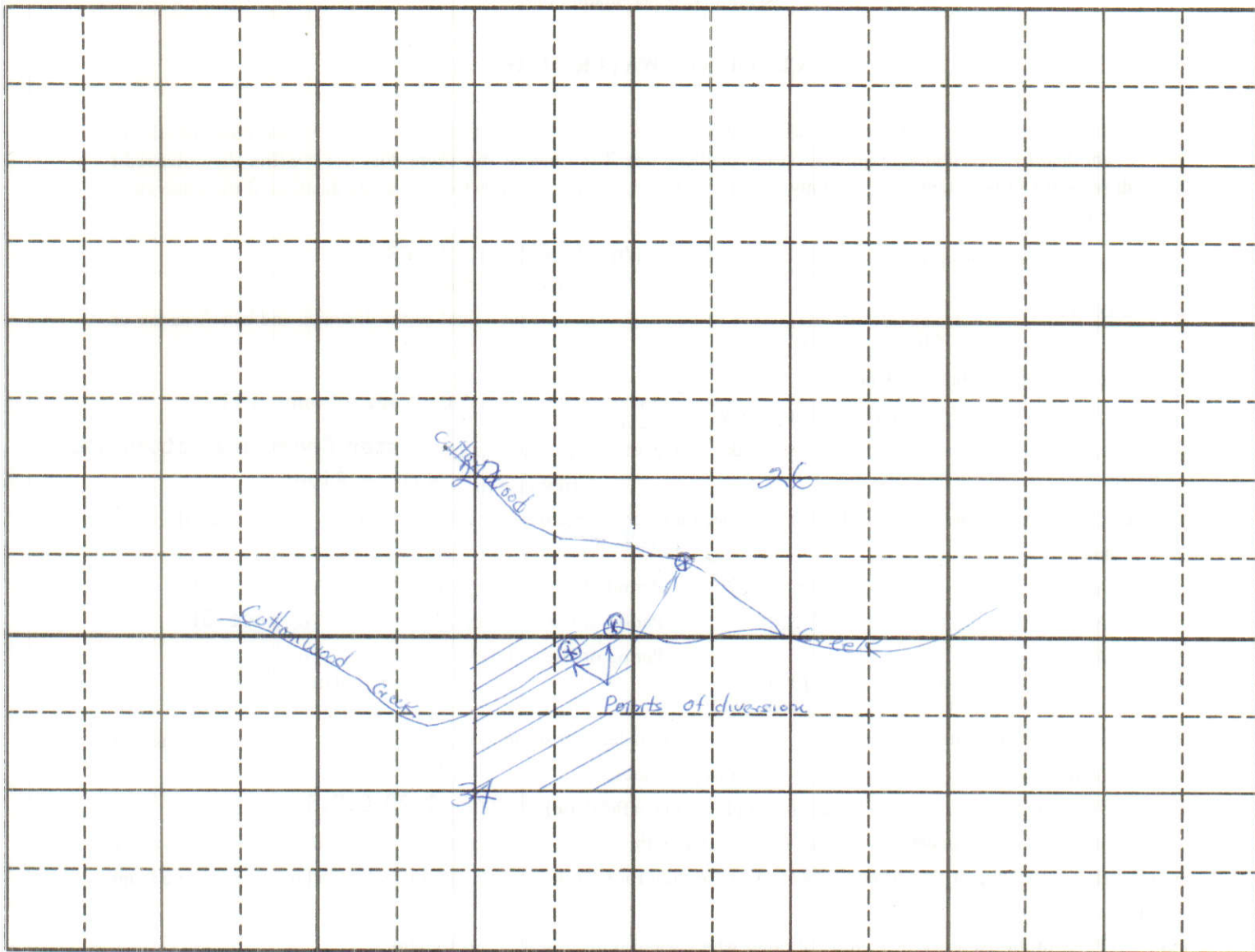


(8) Remarks _____



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 9th day of December, 19 75.

Sandra J. James (Claimant)
Cathy L. Shaw
Notary Public
Residing at Boise, Id

My commission expires 12-26-78

For Department Use Only

Received by <u>C/S</u>	Date <u>12-9-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>12-9-75</u>		claimant by:	
\$10.00 fee received by <u>C/S</u>	Date <u>12-9-75</u>	<u>#1392</u>		
Approved for publication by <u>C/S 12-30-75 OK</u>				
Published in <u>Adams County Leader</u>				
Dates <u>Dec. 18 & 25</u>	<u>C/S 12-11-75</u>			

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 "Notice of Claim

No. 67-4148 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 December 18, 1975

and the last in the issue dated December 25, 1975 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 26th

day of December, 1975

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4148

Notice is hereby given that JOSEPH D. JAMES &/OR SANDRA J. JAMES Box 413, Council, ID. has filed a claim to a water right established by diversion and application to beneficial use of 5.07 cubic feet per second of water from Cottonwood Creek, trib. to Weiser River with the point of diversion in the SE $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 27, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 16 N, R. 1 W, B.M. Adams County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stock uses and from April 1 to July 31 for irrigation of 150 acres with a priority of 1882; the place of use is within the S $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 34, T. 16 N, R. 1 W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on Dec. 18, 1975 and Dec. 25, 1975.

OK
CIS
12-30-75
DEC 30 1975

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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 JOSEPH D. JAMES &/or SANDRA J. JAMES
(name of claimant)
of Box 413, Council, ID, claims a right to the diversion and beneficial use of
(mailing address)

The extent and nature of said claim is as follows: (Lester Creek omitted per phone call 12-10-75 R.W.H.)

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) _____ Cottonwood Creek _____, tributary to, _____ Weiser 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>5.0</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>April 1</u>	To	<u>July 31</u>
Amount	<u>0.07</u>	Use	<u>Stock</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

(3) Total quantity of water claimed: 5.07 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) 1882

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)
SE ¼ SE ¼, Sec. 27 Twp. 16N Rge. 1W B.M. County of Adams
 Additional points of diversion: SW¼SW¼ Sec. 26, T.16N, R.1W, B.M.
NE¼NE¼ Sec. 34, T.16 N, R.1W Adams County

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. Gravity diversions from above points

(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.

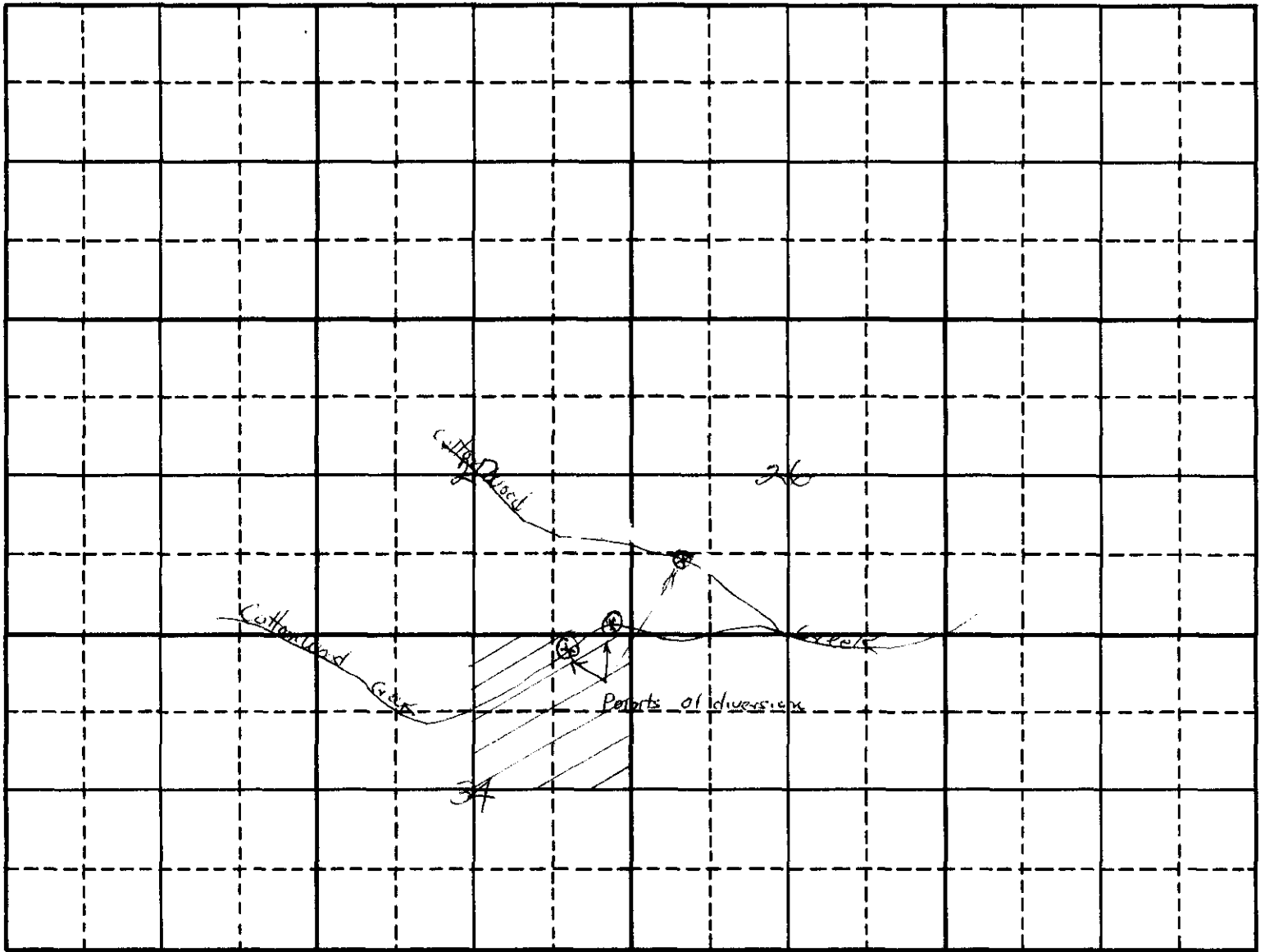
[illegible]

Total No. of acres 150

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
Stock water 330 Head beef cattle

(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 9th day of December, 1975.
Sandra J. James (Claimant)
Cathy L. Shaw
Notary Public
Residing at Boise, Id

My commission expires 12-26-78

For Department Use Only

Received by <u>CLS</u>	Date <u>12-9-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>12-9-75</u>		claimant by:	
\$10.00 fee received by <u>CLS</u>	Date <u>12-9-75</u>	<u>#1392-</u>		
Approved for publication by <u>CLS 12-30-75 OK</u>				
Published in <u>Adams County Leader</u>				
Dates <u>Dec. 18 & 25</u>	<u>CLS 12-11-75</u>			

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 "Notice of Claim

No. 67-4148 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 December 18, 1975

and the last in the issue dated December 25, 1975 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 26th

day of December, 1975

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT

Notice is hereby given that JOSEPH D. JAMES &/OR SANDRA J. JAMES Bar 413, Council, ID. has filed a claim to a water right established by appropriation and application to beneficial use of 3.00 cubic feet per second of water from Cottonwood Creek, trib. to Weiser River with the point of diversion in the SE 1/4-SE 1/4, Sec. 27, SW 1/4 SW 1/4, Sec. 28, NE 1/4 NE 1/4, Sec. 34, T. 18 N, R. 1 W, B.M. Adams County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stock uses and from April 1 to July 31 for irrigation of 150 acres with a priority of 1888; the place of use is within the SE 1/4-SE 1/4, Sec. 27, NE 1/4 NE 1/4, Sec. 34, T. 18 N, R. 1 W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on Dec. 18, 1975 and Dec. 25, 1975.

OK
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12-30-75

75

ACT
ION

N OWNER LAST NAME - JAMES

FIRST NAME - JOSEPH D.

N OWNER LAST NAME - JAMES

FIRST NAME - SANDRA J.

N ADDRESS LINE 1 - P.O. BOX 413

CITY - COUNCIL

STATE - ID ZIP CODE - 83612

N SOURCE - COTTONWOOD CREEK

TRIBUTARY OF - WEISER RIVER

N STAGE - STATRY CLM

PRIORITY - 06-01-1882 COUNTY - ADAMS TOTAL DIV. RATE - 5.0700CFS

N DIVERSION POINT - SESE 27 16N 01W

SWSW 26 16N 01W

N DIVERSION POINT - NENE 34 16N 01W

N FROM - 04-01 TO - 07-31 USE - IRRIGATION

USE DIV. RATE - 5.0000CFS

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

USE DIV. RATE - .0700CFS

N USE - IRRIGATION

PLACE OF USE - TWN 16N RNG 01W SEC 27 TRACT SWSE

AC 35 TRACT SESE

AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 16N RNG 01W SEC 34 TRACT NENE

AC 35 TRACT NENE

AC 40

N NON IRRIG USE - S/330 RANGE.

IDENT. NO. 67-4148

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]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

OTd No.

New No.

1 67-~~4~~ 4148

Record

1. Original Owner:

Joseph D. & Sandra J. James

Present Owner:

2. Address:

P.O. Box 413

3. City:

Council

State: ID

Zip: 83612

4. A. Source of Water:

Cottonwood Creek

B. Tributary of:

Weiser 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:

6-1-1882

D. County:

C3

E. Total Diversion Rate:

5.07

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):

6. A. Point of Diversion

Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
SE SE	27	16N	1W		
SW SW	26	16N	1W		
NENE	34	16N	1W		

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

from

4-1

to

7-31

for

A

purposes.

Amount

5

(cfs or AG-FT/yr)

from

1-1

to

12-31

for

S

purposes.

Amount

.07

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

8. Use Code: *A*

R/11879

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<i>16N</i>	<i>1W</i>	<i>27</i>															<i>35</i>	<i>40</i>	<i>'75</i>
		<i>34</i>	<i>35</i>	<i>40</i>															<i>75</i>
																			<i>150</i>

9. A. Decree Name:

B. Decree Date:

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

11. Other Uses (Non-irrigation explanatory information):

R/330 range

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):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

January 5, 1976

Joseph D. James
Box 413
Council, ID 83612

RE: Claim to a Water Right No. 67-4148

Dear Mr. James:

The Department of Water Resources has completed the processing 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.

As you are aware, the filing of a 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 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.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of further assistance, please feel free to call upon us.

Sincerely,

L. GLEN SAXTON, P.E.
Western District Engineer

LGS: cls

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

December 11, 1975

Adams County Leader
Council, ID 83612

RE: Claim to a Water Right No. 67-4148 - Joseph D. James &/OR Sandra J. James

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. 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 in 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)

Sincerely,

Bill submitted
12-30-75
CLS

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4148

Notice is hereby given that JOSEPH D. JAMES &/OR SANDRA J. JAMES

Box 413, Council, ID

has filed a claim to a water right established by diversion and application
to beneficial use of 5.07 cubic feet per second ~~XXXXXX~~ of water
from Cottonwood Creek, trib. to Weiser River

with the point of diversion in the SE¹SE¹, Sec. 27, SW¹SW¹, Sec. 26, NE¹NE¹,
Sec. 34, T. 16 N, R. 1 W, B.M. Adams County

The water is claimed to be used from Jan. 1 to Dec. 31
for ~~stock uses and from April 1 To July 31 for irrigation of 150 acres~~

with a priority of 1882;

the place of use is within the S¹SE¹, sec. 27, NE¹NE¹, Sec. 34, T. 16 N,
R. 1 W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID

on Dec. 18, 1975 and Dec. 25, 1975