


20a

Sec. 30

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 6th day of June, 19 75

Notary Public, 19 75.
Joe Harvey
 Notary Public
 Residing at New Meadows, Idaho

My commission expires May 1, 1978

Received by [Signature] Date 6/20/75 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by [Signature] Date 6/20/75 claimant by: _____
\$10.00 fee received by [Signature] Date 6/20/75
Approved for publication by [Signature] sk ch 7-16-75 _____
Published in Adams County Leader _____
Dates July 3 & 10 _____

NOTICE OF CLAIM TO A
WATER RIGHT
No. 67-4131

Notice is hereby given that EVERGREEN FOREST PRODUCTS, INC. P. O. Box 348, New Meadows, Id has filed a claim to a water right established by diversion and application to beneficial use of 6.0 cubic feet per second of water from Mesquito Creek trib to W. Branch - Weiser River with the point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 19 N, R. 1 W, B.M. Adams County.

The water is claimed to be used from April 15 to Oct. 15 for Irrigation of 300 acres with a priority of 1944; the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ -NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 24, T. 19 N, R. 1 W, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30, T. 19 N, R. 1 E, 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 on July 3, 1975 and July 10, 1975.

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 to A Water

No. 67-4131

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 July 3, 1975

and the last in the issue dated July 10, 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.

Bert J. Rogers

Subscribed and sworn to before me this 11TH

day of July, 1975

Paul J. Brian

Notary Public for Idaho,
Residing at Council, Idaho

MICROFILMED

JUL 16 1975

Ok
clw
7-16-75

STATE OF IDAHO

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 EVERGREEN FOREST PRODUCTS, INC.
(name of claimant)
of P. O. Box 348 New Meadows, Idaho 83654, claims a right to the diversion and beneficial use of
(mailing address)
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) Mesquito Creek
tributary to, W. branch - 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>6.0 cfs</u>	Use	<u>irrigation</u>	Period of Use:	From	<u>7-15 6-15</u>	To	<u>10-15</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: 6.0 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) prior to 1944

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~~ ^{NE} ¼ SW ¼, Sec. 13 Twp. 19N Rge. 1W B. M. County of Adams
 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. weir. From point of diversion to
NW $\frac{1}{2}$ NW $\frac{1}{2}$ Sec. 30 T19N R1E

- (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]

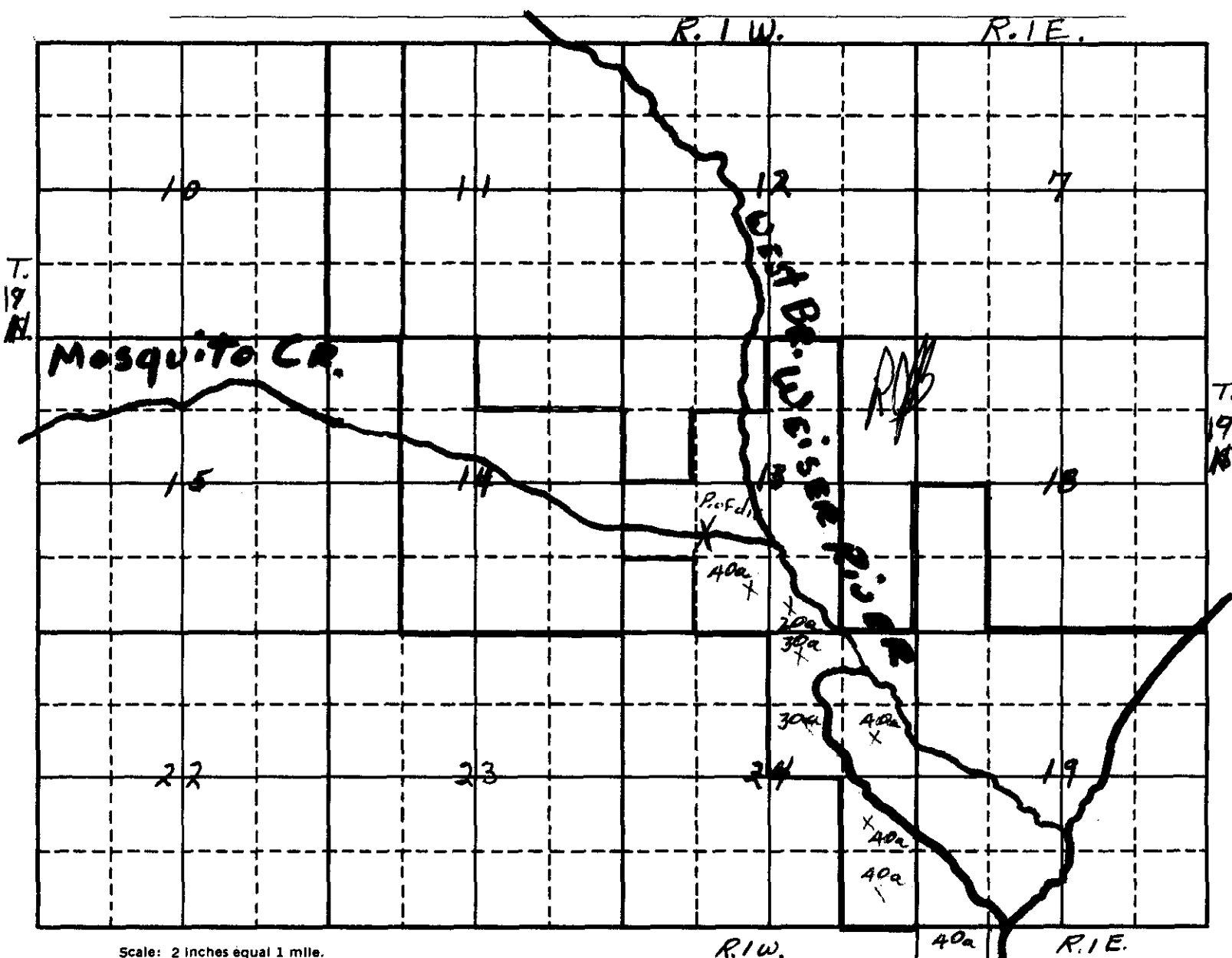
Total No. of acres 300

- 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: _____

SECRET

(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)
) ss.
County of ADAMS)

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.

Robert F. Blacklock president
(Claimant)

Sworn to before me this 6th day of June, 19 75.

Joe Harvey
Notary Public
Residing at New Meadows, Idaho

My commission expires May 1, 1978

For Department Use Only

Received by <u>[Signature]</u>	Date <u>6/20/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>6/20/75</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>6/20</u>			
Approved for publication by <u>[Signature]</u>	Date <u>7-16-75</u>			
Published in <u>Adams County Leader</u>				
Dates <u>July 3 & 10</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 to A Water Right" No. 67-4181

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 July 2, 1975

and the last in the issue dated July 10, 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 11th

day of July, 1975

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 67-4181

Notice is hereby given that EVERGREEN FOREST PRODUCTS, INC. P. O. Box 288, New Meadows, Id. has filed a claim to a water right established by diversion and application to beneficial use of 6.0 cubic feet per second of water from Mesquito Creek trib to W. Branch - Weiser River with the point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, T. 19 N, R. 1 W, B.M. Adams County.

The water is claimed to be used from April 15 to Oct. 15 for Irrigation of 300 acres with a priority of 1944; the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 24, T. 19 N, R. 1 W, W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 30, T. 19 N, R. 1 E, 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. KETH HIGGINS

Published in the Adams County Leader, Council on July 2, 1975 and July 10, 1975.

Ok
ok
7-16-75

ACT
ION

N OWNER LAST NAME - EVERGREEN FOREST PRODUCTS INC.

N ADDRESS LINE 1 - P.O. BOX 348

N CITY - NEW MEADOWS

STATE - ID ZIP CODE - 83654

N SOURCE - MESQUITO CREEK

TRIBUTARY OF - WEISER RIVER, WEST BRANCH

N STAGE - STATRY CLM

PRIORITY - 06-01-1944 COUNTY - ADAMS TOTAL DIV. RATE - 6.0000CFS

N DIVERSION POINT - NESW 13 19N 01W

N FROM - 04-15 TO - 10-15 USE - IRRIGATION

USE DIV. RATE - 6.0000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 19N RNG 01W SEC 13 TRACT SESW

AC 40 TRACT SWSE AC 20

N USE - IRRIGATION

PLACE OF USE - TWN 19N RNG 01W SEC 24 TRACT NWNE

AC 30 TRACT SWNE AC 30

N

TRACT SENE

AC 40 TRACT NESE AC 40

N USE - IRRIGATION

PLACE OF USE - TWN 19N RNG 01E SEC 30 TRACT NWNW

AC 40 TRACT SWNW AC 20

3/79

IDENT. NO.

07-413

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

Initials

Date _____

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

12.13.79

- DATA ENTRY -

Record

Present Owner: _____

from _____ to _____ for _____ purposes. Amount _____

pf# 11879

[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. 67 4131

☒ 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

(1) EDB 24 June 75

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

(4) EDB 24 June

In form for advertising

(5) _____

Platted on Map No. _____

(6) LS 7-31

Located within Water District No. 67

(7) NA _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increase

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) Clas 7-16-75

Affidavit of Publication received (date) Ok

(12) NA _____

Final date for protests _____

Protests received: yes _____ no _____

(13) _____

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

(14) LS 7-31-75

Action recommended:

☒ Approve

Deny

Proposed Priority

Reason for Reduction

Measuring device required

Department of Water Resources

See attached sheet for other conditions of approval

No special conditions for approval

(15) District Western

By McClayn Burn

Date 7-31-75

RECEIVED

AUG 1 1975



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

July 28, 1975

Evergreen Forest Products, Inc.
P.O. Box 348
New Meadows, ID 83654

Re: Claims No. 67-4130 and 67-4131

Gentlemen:

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,

KENNETH H. FOIT, P.E.
Western District Engineer

RECEIVED
JUL 30 1975
WESTERN DISTRICT
ENGINEER

Fruitvale, Idaho
July 12, 1975

Idaho Department of Water Resources
R. Keith Higginson, Director
Statehouse
Boise, Idaho 83720

RE:Evergreen Forest Products, Inc.
Water Right Application No.67-4130
and 67-4131

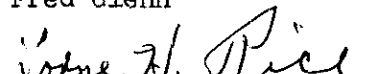
Dear Mr. Higginson,

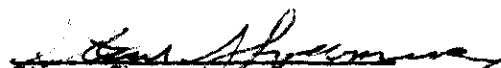
The purpose and intent of this letter is to inform you that we, the shareholders of the Seavey Robertson Ditch Company of Fruitvale, Idaho are filing a complaint to the application, numbers 67-4130 and 67-4131, filed by Evergreen Forest Products, Inc. P. O. Box 348, New Meadows, Idaho, for the use for irrigation of 6.0 cubic feet per second of water, diversion point, Mosquito Creek, a tributary of the main Weiser River.

The reason being, the flow of the Weiser River will not hold up to the adjudicated rights already established, especially during the summer months, from July 15, to October 15.

Yours truly,


Fred Glenn


Lorne Rice


Steve Shumway

Directors of Seavey
Robertson Ditch Company

Mn

Sevey Robertson Ditch Company
% Fred Glenn
P. O. Box 5
Fruitvale, Idaho 83620



Idaho Department of Water Resources
R. Keith Higginson, Director
Statehouse
Boise, Idaho 83720

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

July 21, 1975

Re: Claims numbered 67-4130 and 67-4131, Evergreen Forest Products, Inc.

Seavey Robertson Ditch Co.
% Fred Glenn
P.O. Box 5
Fruitvale, ID 83620

Gentlemen:

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 this claim has been filed (Section 42-225b of the Idaho Code):

"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 (renamed department of water administration on July 1, 1970) 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 water administration. 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.

Sincerely,

Kenneth H. Foit

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:jg

RECEIVED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

July 21, 1975

Re: Claims to a Water Right No.s 67-4130 and 67-4131

Evergreen Forest Products, Inc.
P.O. Box 348
New Meadows, ID 83654

Gentlemen:

In reference to the above claims, the enclosed is a copy of an exception filed by the shareholders of the Seavey Robertson Ditch Co., 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 (renamed department of water administration on July 1, 1970) 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 water administration. 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.

Sincerely,

Kenneth H. Foit

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:jg

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

June 27, 1976

Adams County Leader
Council, ID
83612

Re: Claim to a Water Right No. 67-4129, Earl M. &/or Katherine Upah
67-4130, Evergreen Forest Products, Inc.
67-4131, Evergreen Forest Products, Inc.
Application for Permit No. 67-7249, James F. & Iva M. Casner
67-7250, Homer &/or Enid I. Hooban
67-7251, Stephen P. &/or Iva Hornyak

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
7-16-75
CJ

INDEXED

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4131

Notice is hereby given that EVERGREEN FOREST PRODUCTS, INC.
P.O. Box 848, New Meadows, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 6.0 cubic feet per second ~~acre feet~~ of water
from Meaquito Creek trib to W. Branch - Weiser River
with the point of diversion in the NE1/4, Sec. 13, T. 19 N, R. 1 W,
B.M. Adams County.

The water is claimed to be used from April 15 to Oct. 15
for Irrigation of 300 acres

with a priority of 1944;
the place of use is within the SE1/4, SW1/4, Sec. 13, NE1/4, SE1/4,
E1/4, Sec. 24, T. 19 N, R. 1 W, NE1/4, Sec. 30, T. 19 N, R. 1 E, 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
on July 3, 1975 and July 10, 1975.