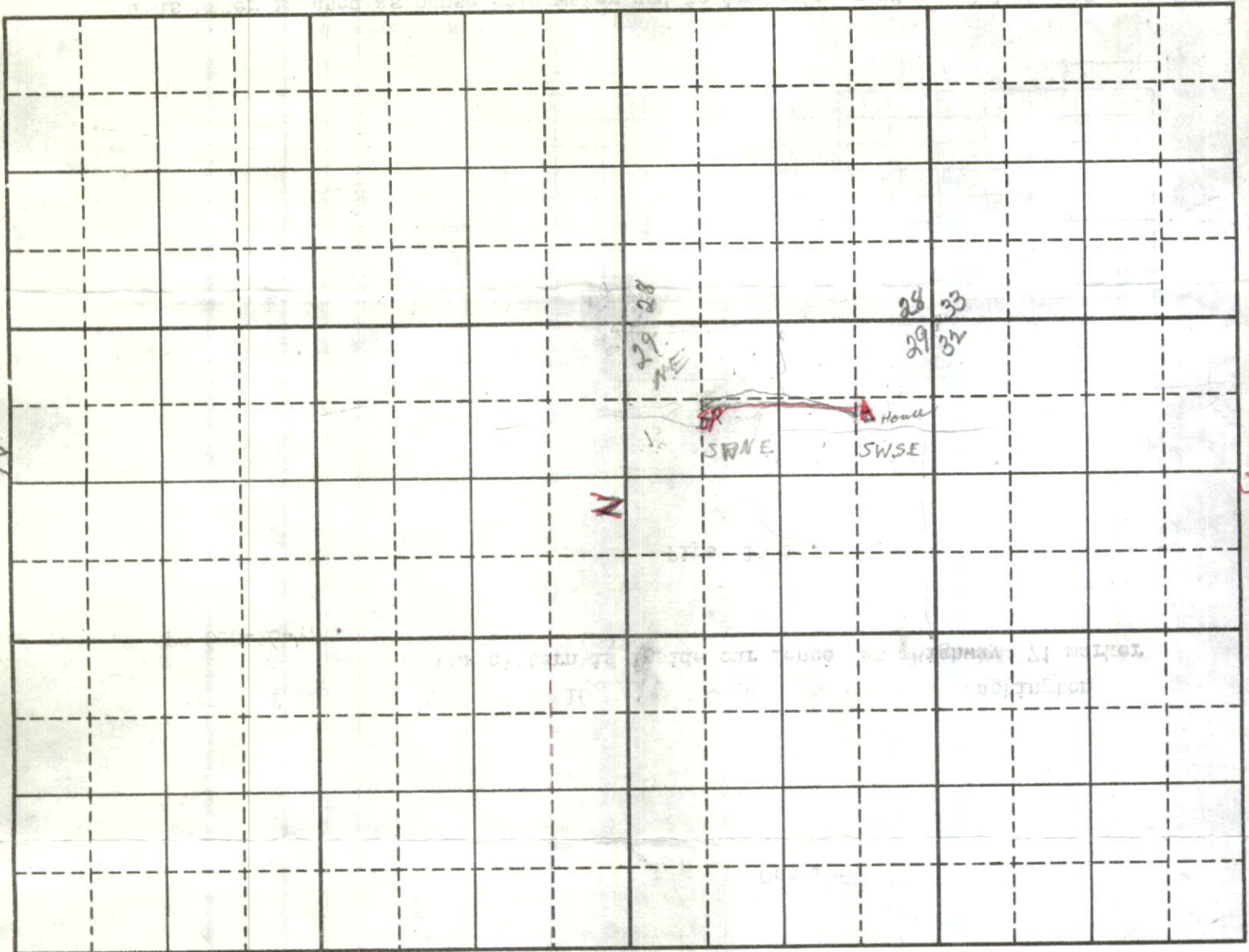


(8) Remarks We have owned this ranch since 1946 and all the land for a mile around this spring so no one should have any claim to it.



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 Washington

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 7th day of May, 19 73.

Lila L. Downey
(Claimant)

John C. Downey
Notary Public

Residing at Cambridge, Idaho 83610

My commission expires 11-18-75

For Department Use Only

Received by ef Date 5-8-73
Prelim. check by R.W.H. Date 5-8-73
\$10.00 fee received by ef Date 5-8-73
Approved for publication by ef
Published in Upper Country News Reporter
Dates 5-19-73 5-24-73

Exception filed by: _____ Date _____
Forwarded to claimant by: _____ Date _____

Corrected

g h

**NOTICE TO CLAIM OF A
WATER RIGHT**

No. 67-4034

Notice is hereby given that
KENNETH A. &/or LILA L.
DOWNEY, CAMBRIDGE, Ida.,
have filed a claim to a water
right established by diversion
and application to beneficial use
of .0114 cubic feet per second of
water from a spring, trib. to
Pine Creek with the point of di-
version in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
29, T. 16 N., R. 4 W., B. M.,
Washington County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic use with a priority of
Oct., 1958; the place of use is
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29,
T. 16 N., R. 4 W., B. M.

Any exception to this claim
of water right may be filed
with the Idaho Department of
Water Administration, State-
house, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in Upper Country
News-Reporter, Cambridge, Ida-
ho on May 17, 1973 and May 24,
1973. 46-2

67-4034 29

*OK
mm
4-15-73*

DEPARTMENT OF WATER RESOURCES

DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO



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 established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right of the Court.

(name of claimant)

(mailing address)

, claims a right to the diversion and beneficial use of

ground water or surface water tributary to **Pine Creek**

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Spring

- (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	Use	Period of Use: From	To

(cfs, gpm,
or a/f)

(dom., irri.,
stock, etc.)

(both dates inclusive)

- (3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 5 gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) Oct 1958

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)

SW SW ¼ of NE ¼, Sec. 29, Twp. 16 N Rge. 4 W B. M. County of Washington

Additional points of diversion: Our cistern is inside our fence at Highway 71 marker
PG 600-26-47.

- 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. **Pipe 1½ in.**

- (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 1¹/₂

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

This water is used as house hold water and to irrigate garden and lawn. Some times as stock water in corral.

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

67 4034

55

W

§§.

Sworn to before me this 7th day of May, 1973.

(Claimant)

Notary Public

My commission expires **11-18-75**

Rec'd # 10475

Dates 5-18-73 5-27-73

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	<u>LEB</u>	<u>9 May 73</u>	Application No. <u>67-4034</u> Name <u>Bowney</u>
(2)	<u>LEB</u>	<u>9 May 73</u>	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)	<u>LEB</u>	<u>9 May 73</u>	Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	<u>LEB</u>	<u>9 May 73</u>	☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>LEB</u>	<u>9 May 73</u>	In form for advertising <u>yes</u>
(6)	<u>MP</u>	<u>5-31-73</u>	Affidavit of Publication received <u>O.K.</u>
(7)		<u>NA</u>	Final date for protests _____ Protests received: yes _____ no _____
(8)		<u>NA</u>	Date and Place of hearing _____ Decision reached at hearing _____
(9)	<u>R.W.H.</u>	<u>6-6-73</u>	Located within Water District No. <u>67</u>
(10)	<u>R</u>	<u>NA</u>	Critical groundwater area: yes _____ no <u>✓</u>
(11)		<u>NA</u>	Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	<u>R.W.H.</u>	<u>6-6-73</u>	Action recommended: ☐ Approve Priority _____ ☐ Deny Reason for Reduction _____ <u>NA</u> See attached sheet for conditions of approval No conditions for approval
(14)	<u>R.W.H.</u>	<u>6-6-73</u>	District <u>Western</u> By <u>Robert W. Hamilton</u> Date <u>6-6-73</u> Title <u>Supervisor of Water Dist.</u>

67 4034

2 536

RECOMMENDEDCONDITIONS OF APPROVAL

- ☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.
- ☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- ☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.
- ☐ Maximum rate of diversion shall not exceed _____ c.f.s.
- ☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.
- ☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.
- ☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.
- ☐ The proposed well shall not be drilled within _____ feet of another well.
- ☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.
- ☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.
- ☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.
- ☐ Other: _____

**NOTICE OF CLAIM TO
WATER RIGHT
No. 67-4034**

Notice is hereby given that KENNETH A. &/or LILA L. DOWNEY, CAMBRIDGE, Ida., have filed a claim to a water right established by diversion and application to beneficial use of .0114 cubic feet per second of water from a spring, trib. to Pine Creek with the point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29, T. 16 N., R. 4 W., B. M., Washington County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use with a priority of Oct., 1958; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T. 16 N., R. 4 W., B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in Upper Country News-Reporter, Cambridge, Idaho on May 17, 1973 and May 24, 1973. 46-2

OK
MM
5-31-73

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 30 1973
Department of Water Administration

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of May 17, 1973, and ended with the issue of May 24, 1973.

Stuart Dopf

Subscribed and sworn to before me this

29th day of May, 1973.

May Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

67 4034

WATER RIGHT NUMBER 67-4034

WATER RIGHTS EDIT REPORT

12/14/79

PAGE 134

ACT
ION

N OWNER LAST NAME - DOWNEY
N OWNER LAST NAME - DOWNEY

FIRST NAME - KENNETH A.
FIRST NAME - LILA L.

N
N SOURCE - SPRING

CITY - CAMBRIDGE
TRIBUTARY OF - PINE CREEK

STATE - ID ZIP CODE - 83610

N STAGE - STATRY CLM

PRIORITY - 10-01-1958 COUNTY - WASHINGTON TOTAL DIV. RATE - .0100CFS

N DIVERSION POINT - SWNE 29 16N 04W

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

USE DIV. RATE - .0100CFS

N USE - DOMESTIC

PLACE OF USE - TWN 16N RNG 04W SEC 29 TRACT SWSE

IDENT. NO. 67-4034

WATER RIGHT
DATA ENTRY LOG[illegible]

- DATA ENTRY -

Old No.

New No.

1. Original Owner: Kenneth A. & Lila B. Downey

Present Owner: _____

3. City: Cambridge State: Id Zip: 83610

4. A. Source of Water: spring
B. Tributary of: Pine Creek

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: 10-1-1958

D. County: 851

E. Total Diversion Rate: .01

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	SW NE	29	16 ^N	4 ^W		

from	to	for	purposes.	Amount
~~1-1~~	~~0-31~~	~~1-1~~	~~for~~	~~Amount~~ (cfs or AC-FT/yr)
from	1-1	to	12-31	for ^D ~~1-1~~ purposes. Amount .01
from	~~1-1~~	to	~~0-31~~	for ~~1-1~~ 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: 1

[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):

file

SNAKE RIVER



HYDRO POWER

IDAHO POWER COMPANY

Payette, Idaho

March 17, 1977

RE: 67-4034

Clarence Craven
Rt. #3
Weiser, Idaho 83672

Dear Mr. Craven:

In answer to your request for information on the billing records of your irrigation pumping account, I was unable to locate any of these records back as far as you are trying to establish priority as these records have been destroyed.

However, I did enlist the help of the Engineering Dept. and they found on their plat maps that the extension to serve your pump was in fact constructed in 1947 on our Work Order PY3724. As your pump is the only load connected on this spur extension this should be of some help to establish your filing.

If I can be of any further help please let me know.

Very truly yours,

J. B. Landon
Div Acctg Mgr

JBL:id

June 4, 1973

RE: CLAIM TO A WATER RIGHT NO. 67-4034

Mr. Kenneth A. Downey
Cambridge
Idaho 83610

Dear Mr. Downey:

The Department of Water Administration 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 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.

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 can be of further assistance, please feel free to call upon us.

Sincerely,

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

KHF:mkp

Enclosure

67 4034

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4034

Notice is hereby given that KENNETH A. &/pr LILA L. DOWNEY, CAMBRIDGE, Ida.

has filed a claim to a water right established by diversion and application
to beneficial use of .0114 cubic feet per second ~~XXXXXXX~~ of water
from a spring, trib. to Pine Creek

with the point of diversion in the SW¹/₄NE¹/₄, Sec. 29, T. 16 N., R. 4 W., B.M.,
Washington County

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

with a priority of Oct., 1958 ;
the place of use is within the SW¹/₄SE¹/₄, Sec. 29, T. 16 N., R. 4 W., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Upper Country News Reporter, Cambridge, Ida.
on May 17, 1973 and May 24, 1973

67 4034

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

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



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

May 11, 1973

Re: Claim to a Water Right No. 67-4034 Kenneth A/ &/or Lila L. Downey

Upper Country News Reporter
Box 98
Cambridge, Idaho 83610

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 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)

Sincerely,

Bill submitted 5-31-73
Mary Pressley

67 4034

Corrected

g *to*

**NOTICE TO CLAIM OF A
WATER RIGHT**

No. 67-4034

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KENNETH A. &/or LILA L.
DOWNEY, CAMBRIDGE, Ida.,
have filed a claim to a water
right established by diversion
and application to beneficial use
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Pine Creek with the point of di-
version in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
29, T. 16 N., R. 4 W., B. M.,
Washington County.

The water is claimed to be
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Oct., 1958; the place of use is
within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29,
T. 16 N., R. 4 W., B. M.

Any exception to this claim
of water right may be filed
with the Idaho Department of
Water Administration, State-
house, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in Upper Country
News-Reporter, Cambridge, Ida-
ho on May 17, 1973 and May 24,
1973. 46-2

67 4034

OK
mm
4-15-73

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

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

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

May 8, 1973

Re: Claim to a Water Right No. 67-4034

Kenneth A. Downey
Cambridge, Idaho 83610

Dear Mr. Downey:

Attached herewith is your Receipt No. 10475 in the amount of \$ 10.00
for Claim to a Water Right No. 67-4034
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

67 4034

67 4034