

RECEIVED

JAN 29 1973

Department of Water Administration

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

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 January 18, 1973

and the last in the issue dated January 25, 1973 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 25th

day of January, 1973

Paul J. Braun

Notary Public for Idaho,
Residing at Council, Idaho

**NOTICE OF CLAIM TO A
WATER RIGHT**
No. 67-4033

Notice is hereby given that WILLIAM M. CRISS, Star Rt., Council, Ida. has filed a claim to a water right established by diversion and application to beneficial use of .06 cubic feet per second of water from a groundwater source with the point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 16 N., R. 1 W., B.M., Adams County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic, stock, & irrigation purposes with a priority of 1927; the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, 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 Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, Ida. on Jan. 18, 1973 and Jan. 25, 1973.

OK. df
1-29-73

67-4033

Identification No. _____

Claim No. 67-4033

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 William M. Criss
post office address Star Route Council Idaho 83612

2. The point of diversion is in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 2 Township 16 N
Range 1W B.M. located on Groundwater (See item 4.B.) ^{cb}
Council Orchards plat of record in Adams County ^{Lot 4} (name of source) Adams County.
tributary to _____

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: 1927
1 house amount: .02 c.f.s. or _____ acre feet
2 house amount: .02 c.f.s. or _____ acre feet
3 70 head stock & irrg. amount: .02 c.f.s. or _____ acre feet
Total claimed .06 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 1 house period of use from Jan 1 to Dec 31 (both dates inclusive)
use 2 house period of use from Jan. 1 to Dec 31 (both dates inclusive)
use stock & irrg. period of use from Jan. 1 to Dec. 31 (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; width at top is _____ 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 pumped ; depth of well is 187 feet; diameter of well is 8" inches; type of pump is submersible

capacity of pump is _____ g.p.m.; name and address of well driller is The family that drilled this well have all passed away so there is no way of knowing. We have contacted all the previous owners.

We located Mrs Hazel M. Eddy in Red Bluff
Calif. phn 916-527-7775. 1927 is the date she gave
that the well was drilled

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attach well logs if available; has there been any change in pump or motor since well was first completed yes; if so, give dates and explain there was a new pump put in about 4 years ago. This pump is either a 31 or 31 1/2 horse submersible.

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ 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:

[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? _____ 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 at least 60 head of cattle 5 head of horses and some sheep
7. Where water is used for domestic or municipal purposes give number of families served two familys 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. With in the next year there will be to more families using this well as we have the a partments underconstruction.
9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation Several older people in the community believe the well was drilled in the early 30s, when the present hpusewas built.

State of Idaho

County of Adams

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.

William M. Riss
Claimant

Sworn to before me this 27th day of Dec, 19 72

Lud Muller
Notary Public
Residing at Council

My commission expires June - 4th - 74

Sheet #9804 For Department Use Only

Received by ef Date 1-8-73

Exception filed by: _____

Forwarded to
claimant by: _____ Date _____

Prelim. check by ck Date 1/8/73

Fee received by ff Date 1-8-73 Fee \$ 10.00

Approved for publication by _____

67 4033

Published in Adams County Leader Dates 1-18-73
1-25-73

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 a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District
Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District
Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District
Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District
Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

RECEIVED

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

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 January 18, 1973

and the last in the issue dated January 25, 1973
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 uninterrupted-
ly published in said county during a period of more than sev-
enty-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 25th

day of January, 1973

Paul J. Braun

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4033

Notice is hereby given that
WILLIAM M. CRESS, Star Rt.,
Council, Ida. has filed a claim to
a water right established by di-
version and application to benefi-
cial use of .06 cubic feet per sec-
ond of water from a groundwater
source with the point of diversion
in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 16 N.,
R. 1 W., B.M., Adams County.

The water is claimed to be used
from Jan. 1 to Dec. 31 for domes-
tic, stock, & irrigation purposes
with a priority of 1927; the place
of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 2, 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 Ad-
ministration, Statehouse, Boise,
Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Adams Coun-
ty Leader, Council, Ida. on Jan.
18, 1973 and Jan. 25, 1973.

OK. df
1-29-73

67 4033

ACTION

N OWNER LAST NAME - CRISS FIRST NAME - WILLIAM M.
N ADDRESS LINE 1 - STAR RT.
N CITY - COUNCIL STATE - ID ZIP CODE - 83612
N SOURCE - GROUNDWATER
N STAGE - STATRY CLM PRIORITY - 06-01-1927 COUNTY - ADAMS TOTAL DIV. RATE - .0600CFS
N DIVERSION POINT - SENW 02 16N 01W
N FROM - 01-01 TO - 12-31 USE - STOCKWATER USE DIV. RATE - .0200CFS
N FROM - 01-01 TO - 12-31 USE - DOMESTIC USE DIV. RATE - .0400CFS
N REMARKS - P/U IN COUNCIL ORCHARDS , LOTS 7,8,9 1/2 OF 10 BLK. 4,
N LOTS 7,8,9,10 BLK. 3.
N NON IRRIG USE - S/65 RANGE & SHEEP D/2 HOMES.

- DATA ENTRY -

Old No.

New No.

1. Original Owner: William M. Gries

Present Owner: _____

2. Address: Star Rt

3. City: Council State: DC Zip: 203612

4. A. Source of Water: Gw

B. Tributary of:

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: 6-1-1927

D. County: 03

E. Total Diversion Rate: .060

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>	<u>Gov't</u> <u>Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>SE NW</u>	<u>2</u>	<u>16^N</u>	<u>14</u>		

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

from <u>7-5</u>	to <u>12-31</u>	for <u>SE</u> purposes.	Amount <u>~~50~~</u> (cfs or AC-FT/yr)
from <u>1-1</u>	to <u>12-31</u>	for <u>S</u>	Amount <u>.02</u>
from <u>6-5</u>	to <u>~~12-31~~</u>	for <u>~~SE~~</u> purposes.	Amount <u>~~50~~</u>
from <u>1-1</u>	to <u>12-31</u>	for <u>D</u> purposes.	Amount <u>.04</u>
from _____	to _____	for _____ purposes.	Amount _____
from _____	to _____	for _____ purposes.	Amount _____
from _____	to _____	for _____ purposes.	Amount _____
from _____	to _____	for _____ purposes.	Amount _____

B. Decree Date: .

B.
C.
D.
E.

D/ 2 horses

Other Rights for Same Use:

B. Date Permit Approved or Denied:

D. Hearing Date:

F. Proof Made (P or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):



Febraury 5, 1973

Re: Claim to a Water Right No. 67-4033

Mr. William M. Criss
Star Route
Council, Idaho 83612

Dear Mr. Criss:

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:def

Enclosure

67 4033

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 Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

January 11, 1973

Re: Claim to a Water Right No. 67-4033

**Adams County Leader
Council, Idaho 83612**

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,

67 4033

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4033

Notice is hereby given that WILLIAM M. CRISS, Star Rt., Council, Ida.

has filed a claim to a water right established by diversion and application
to beneficial use of .06 cubic feet per second ~~XXXXXX~~ of water
from a groundwater source
with the point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 16 N., R. 1 W., B.M.,
Adams County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic,
stock, & irrigation purposes
with a priority of 1927
the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, 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 Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, Ida.
on Jan. 18, 1973 and Jan. 25, 1973

67 4033

January 9, 1973

Re: Claim to a Water Right No. 67-4033

Mr. William M. Criss
Star Route
Council, Idaho 83612

Dear Mr. Criss:

Attached herewith is your Receipt No. 9804 in the amount of \$10.00 for the Claim to a Water Right No. 67-4033 which was received in this office on January 8, 1973.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

67 4033