

RECEIVED

NOV 9 1970

Public Notices

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 67-4010**

Notice is hereby given that Donald W. Brown, Star Route, Cambridge, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.01 cubic feet per second of water from a ground water source with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, T. 14N, R. 2W, B.M., Washington County.

The water is claimed to be used from Jan. 1, to Dec. 31 for domestic and stock watering purposes with a priority of June 12, 1969; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, T. 14N, R. 2W, B. M.

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

R. KEITH HIGGINSON
Director.

Published in the Upper Country News-Reporter, Cambridge, Idaho, on October 29 and November 5, '70.

AFFIDAVIT OF PUBLICATION

Department of Water Administration

Sate 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 Oct. 29, 1970, and ended with the issue of Nov. 5, 1970.

Stuart Dopf

Subscribed and sworn to before me this

9th day of Nov, 1970

Carl H. Wilson

Notary Public for Idaho, residing at
Cambridge, Idaho

67 4010

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Notice is hereby given that Donald W. Brown, Star Route, Cambridge, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.01 cubic feet per second of water from a ground water source with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, T. 14N, R. 2W, B.M., Washington County.

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R. KEITH HIGGINSON
Director.

Published in the Upper Country News-Reporter, Cambridge, Idaho, on October 29 and November 5, '79.

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Identification No. _____
Claim No. 67-4010
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 Donald W. Brown
post office address Star Route Cambridge Idaho 83610
2. The point of diversion is in NE 1/4 of SE 1/4 Section 16 Township 14 N
Range 2 W B.M. located on subterranean
(name of source)
tributary to 7 in Washington 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: June 12, 1969
5 gallons per min. amount: 0.01 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ 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 Domestic period of use from June 12, 1969 to August 19, 1970 (both dates inclusive)
use Stock water period of use from 11 to 11 (both dates inclusive)
use Domestic period of use from Jan 1 to Dec 31 (both dates inclusive)
use Stock water period of use from Jan 1 to Dec 31 (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 _____; depth of well is 212 feet; diameter of well is 6 inches; type of pump is Deep well Jet
capacity of pump is 4 g.p.m.; name and address of well driller is H. C. Nicholson Payette Idaho;

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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 _____

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 _____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

House &
stock
water
ON

[illegible]

Total number of acres to be irrigated none

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) _____

This is an artesian well

6. Where water is used for stock watering, give number of each kind of stock watered _____

50 cows, 5 horses, 16 pigs, 7 sheep

7. Where water is used for domestic or municipal purposes give number of families served 1 family 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 _____

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

Aug 26, 1970
(Date)

Donald W Brown
(Signature of Claimant)

State of Idaho

County of Washington ss.

On this 26th day of August 1970, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Elizabeth Conner
Notary Public residing at Heiser, Idaho

My commission expires Mar. 1, 1973

For Department Use Only

Received by HA Date 9-17-70
8-28-70

Exception filed by: _____

Forwarded to claimant by: _____ Date _____

Prelim. check by HA Date 9-16-70

Fee received by HA Date 9-17-70 Fee \$ 0.00

Approved for publication by _____

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Published in Upper County Dates 10-29 & 11-05, 1970

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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:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	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 Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

RECORDED

NOV 9 1970

Public Notices

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No. 67-4010

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The water is claimed to be used from Jan. 1, to Dec. 31, for domestic and stock watering purposes with a priority of June 12, 1969; the place of use is within the NE $\frac{1}{4}$ Sec. 16, T. 14N, R. 2W, B. M.

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

R. KETH HIGGINSON
Director.

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AFFIDAVIT OF PUBLICATION

Sate of Idaho
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Stuart Dopf

Subscribed and sworn to before me this
9th day of Nov., 1970

Carl G. Wilson
Notary Public for Idaho, residing at
Cambridge, Idaho



ACT
ION

N OWNER LAST NAME - BROWN FIRST NAME - DONALD W.
N ADDRESS LINE 1 - STAR RT.
N CITY - CAMBRIDGE STATE - ID ZIP CODE - 83610
N SOURCE - GROUNDWATER
N STAGE - STATRY CLM PRIORITY - 06-12-1969 COUNTY - WASHINGTON TOTAL DIV. RATE - .0100CFS
N DIVERSION POINT - NESE 16 14N 02W
N FROM - 01-01 TO - 12-31 USE - STOCKWATER USE DIV. RATE - .0100CFS
N FROM - 01-01 TO - 12-31 USE - DOMESTIC
N USE - STOCKWATER PLACE OF USE - TWN 14N RNG 02W SEC 16 TRACT NESE
N NON IRRIG USE - S/55 RANGE, 16 PIGS, 7 SHEEP.

IDENT. NO. 67-4010

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

- J. Right|Basis (for adjudication claims A,B,C only):

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: S

[illegible]

9. A. Decree Name:

B. Decree Date:

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

11. Other Uses (Non-irrigation explanatory information): $5 \frac{55}{55}$ Range, $16 \frac{16}{16}$ pigs + 7 sheep.

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):

November 19, 1970

Re: Claim to a Water Right No. 67-4010

Mr. Donald W. Brown
Star Route
Cambridge, Idaho 83610

Dear Mr. Brown:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

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 evidence that you would like to have included in your claim file, you may add that information 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.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr

Enclosures: Copy of claim
Receipt No. 5158

67-4010

**NOTICE OF CLAIM TO A
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R. KEITH HUGHINSON
Director.

Published in the Upper Country News-Reporter, Cambridge, Idaho, on October 29 and November 5, '70.

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October 22, 1970

Re: Claim No. 67-4010 - Donald W. Brown

Upper County 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 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,

Donald W. McEldowney
Appropriation Supervisor

67 4010

DWM:DR
Enc: Legal notice

Bill submitted 11-10-70 By ds

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has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.01 cubic feet per second ~~app/1969/~~
of water from a ground water source
with point of diversion in the NE~~1~~SE~~1~~ Sec. 16, T. 14N, R. 2W, B.M.,
Washington County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
and stock watering purposes
with a priority of June 12, 1969;
the place of use is within the NE~~1~~SE~~1~~ Sec. 16, T. 14N, R. 2W, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Upper County News Reporter, Cambridge, Idaho,
on October 29 and November 5, 1970.

67 4010

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

RECEIVED

OCT 20 1970

Water Rights Administration

October 9, 1970

Re: Claim No. 67-4010

Mr. Donald W. Brown
Star Route
Cambridge, Idaho 83610

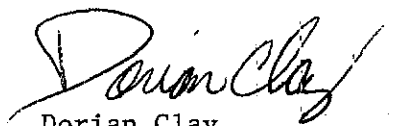
Dear Mr. Brown:

In the final review of your claim to a water right form that you have submitted on September 17, 1970, we find that you have listed the time during the year when you have used the water as June 12, 1969, through August 26, of 1970, for domestic use and stock watering purposes. This period of use should be listed during the time of each year that you are intending to use the water, such as January 1, through December 31, for domestic and stock watering use, if this is the case.

Please verify by return mail at your earliest convenience that time of each year that you are using the water, so that we can continue with the processing of your claim.

If we may be of any further assistance in this matter, please advise.

Very truly yours,


Dorian Clay
Appropriation Examiner

DC:cm

67 4010

Dear Sir

We use the water from January 1, through December 31, of each year, for domestic and stock watering purposes.

Thank you
Donald W Brown

October 9, 1970

Re: Claim No. 67-4010

Mr. Donald W. Brown
Star Route
Cambridge, Idaho 83610

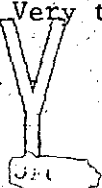
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Please verify by return mail at your earliest convenience the time of each year that you are using the water, so that we can continue with the processing of your claim.

If we may be of any further assistance in this matter, please advise.

Very truly yours,


Dorian Clay
Appropriation Examiner

DC:cm

67 4010

September 11, 1970

Mr. Donald W. Brown
Star Route
Cambridge, Idaho 83610

Dear Mr. Brown:

We are herewith returning your claim to a water right form, and personal check in the amount of \$10.00, as we find in reviewing this claim that in its present state, it is incomplete. Please note under item 3b, that you have failed to list the nature of use of the water. In reviewing this claim, we would assume that its use is for domestic and stock watering purposes. If this is the case, please indicate so under item 3b, and re-submit the claim with the \$10.00 filing fee, and we shall begin its processing.

If we may be of any further assistance in this matter, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

ENC: original claim to a water right form
personal check in the amount of \$10.00

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