

RECEIVED
APR 5 1972
Department of Water Administration

AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO. }
COUNTY OF BOISE } S.S.

T.R. Adams, being
duly sworn, deposes and says:
That he is the manager and prin-
cipal clerk of THE IDAHO
WORLD a weekly news paper
published at Idaho City, in the
County of Boise and state of
Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

once a week for two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning
with March 2, 1972
and ending with the issue of
March 9, 1972

Fees \$..... T.R. Adams

Subscribed and sworn to before
me this 5th day of April

197 Robert J. Tuffield
Clerk District Court

Deputy

NOTICE OF CLAIM
TO A WATER RIGHT

No. 63-4138

Notice is hereby given that
Julius N. &/or Virginia M.
James, 5002 Bloom, Boise, Ida-
ho, have filed a claim to a wa-
ter right established by diversion
and application to beneficial
use of 2.0 cubic feet per second
of water from Pine Creek, trib-
utary to Grimes Creek with
point of diversion in the NE $\frac{1}{4}$ -
NW $\frac{1}{4}$, Sec. 18, T. 5N., R. 4E.,
B.M., Boise County.

The water is claimed to be
used from March 15 to Nov. 15
for the irrigation of 80 acres
with a priority of August 16,
1912; the place of use is within
the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$ SW-
 $\frac{1}{4}$, Sec. 9, T. 5N., R. 4E., B.M.

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

R. KEITH HIGGINSON
Director

Published in the Idaho World,
Idaho City, Idaho, on March 2
and March 9, 1972

63 4138

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4991
WATER RIGHT NO(S). 63-02852/63-04138

This is to certify that: **WOMYNS COMMUNITY PRODUCTIONS INC**
PO BOX 8874
BOISE ID 83707

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 63-02852 :			
IRRIGATION	04/15 to 10/15	* 2.00 CFS	280.0 AF
Priority: 03/15/1964			
Right No. 63-04138 :			
IRRIGATION	04/15 to 10/15	2.00 CFS	280.0 AF
Priority: 08/16/1912			
TOTAL:		** 4.00 CFS	** 280.0 AF

SOURCE

PINE CREEK

TRIBUTARY OF

GRIMES CREEK

LOCATION OF POINT(S) OF DIVERSION: Lot 9(SESW), Sec. 8, Township 05N, Range 04E
SWNE , Sec. 18, Township 05N, Range 04E
BOISE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	04E	8	NESE 30	SESE 30		60
		9	SWSW 20			20

Total number of acres irrigated: 80

CONDITIONS OF APPROVAL AND REMARKS

1. Approval of Transfer 4991 does not confirm Statutory Claim 63-04138, and use of the claim and Right 63-02852 will be evaluated through review and recommendations of the SRBA.
2. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

MICROFILMED

APR 27 1998

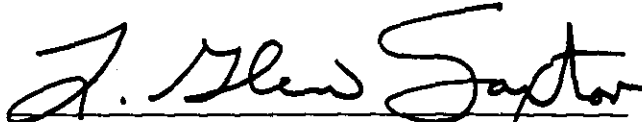
TRANSFER NO. 4991
WATER RIGHT NO(S). 63-02852/63-04138

CONDITIONS OF APPROVAL AND REMARKS

- ** 3. The total instantaneous diversion of water from all points of diversion under Transfer 4991 shall not exceed 4.00 cfs, nor total combined annual volume of 280.0 af delivered to the field headgate.
- 4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 5. Rights 63-02852 and 63-04138 when combined shall not exceed a total annual maximum diversion volume of 280.0 af at the field headgate.
- * 6. The portion of Right 63-02852 used for conveyance losses is 0.40 cfs.
- 7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
- 8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- 9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- 10. Approval of Transfer 4991 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.

Dated this 8th day of

October, 1998


Chief, Water Allocation Bureau

MICROFILMED

OCT 27 1998

Identification No. _____

Claim No. _____

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 JULIUS N. and/or VIRGINIA M. JAMES
post office address 5002 Bloom Boise, Idaho

2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 18 Township 5 N
Range 4 E B.M. located on Pine Creek
(name of source)

tributary to Grimes Creek in Boise 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:

August 16, 1912 amount: 2.0 c.f.s. or _____ acre feet
_____, amount: _____ c.f.s. or _____ acre feet
_____, amount: _____ c.f.s. or _____ acre feet
Total claimed 2.0 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 irrigation period of use from Mar. 15 to Nov. 15 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (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 _____
wooden head gate with rock diversion; length is 2 feet; height is 1 feet;
width at bottom is 2 feet; width at top is 2 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____
concrete structure with Armco Steel Screw type head gate with machined face, with lock, installed in 1970 - 71

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

63 4138

63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

- Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____
during 1970-71, the ditch was re-built to meet ASCS specifications

- 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_____

- [illegible]

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) _____

6. Where water is used for stock watering, give number of each kind of stock watered four horses
sixty-five cattle

7. Where water is used for domestic or municipal purposes give number of families served _____
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
contact Mr. Roy A. White 1305 McKinney Lane, Boise, Idaho 375-6139, for
verifications of priority date, if necessary. See filing #8661 for information
on original filing to _____

8661
original filing

State of Idaho

County of Ada } ss.

Be it known that the undersigned, being duly sworn, deposes and says that ~~they~~ he, 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 23 Feb 1972

Julius N James

Claimant

Virginia M James

Donald R. Elmore

Notary Public

Residing at Boise Idaho

My commission expires 2-18-1974

For Department Use Only

Received by ej Date 2-23-72

Exception filed by: _____

Forwarded to _____ Date _____
claimant by: _____

Prelim. check by ejb Date 23 Feb 72

63 1118

Fee received by ej Date 2-23-72 Fee \$ 10.00 # 8077

Approved for publication by ec

Published in IDAHO WORLD Dates 2-2-72-4-72

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</u> c.f.s. or	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	<u> </u> acre feet
		Total claimed:	<u>1.2</u> c.f.s. or	<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.

RECEIVED
5 1972

Department of Water Administration

AFFIDAVIT
OF
PUBLICATION

STATE OF IDAHO, } S.S.
COUNTY OF BOISE

T. R. Adams, being
duly sworn, deposes and says:
That he is the manager and prin-
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published at Idaho City, in the
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Idaho; that said paper has been
and is in general circulation
in the county aforesaid, and in
the vicinity of Idaho City; that
the advertisement, a copy of
which is hereto attached, was
published in said newspaper

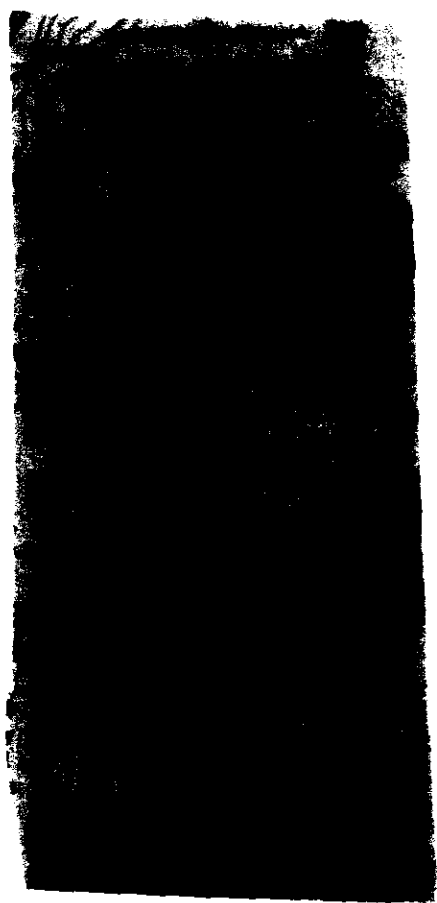
once a week for two con-
secutive weeks in the entire and
regular issue of every number
of said paper during the period
and time of publication, and was
published in the newspaper pro-
per and not in a supplement;
that said paper has been estab-
lished and regularly and contin-
uously published for more than
seventy-eight weeks past pre-
vious to the first publication of
this notice. Such notice was pub-
lished in the issue beginning
with March 2, 1972
and ending with the issue of
March 9, 1972

Fees \$..... T. R. Adams

Subscribed and sworn to before
me this 5th day of April

Robert J. Tuffield
1972
Clerk District Court

Deputy



RECEIVED

JUL 19 2001

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Department of Water Resources

Claim Number(s):

#63-2852 / #63-15120 / #63-4138

Previous Mailing Address:

New Mailing Address:

Womyn's Community Productions
dba PINE CREEK Ranch

P.O. Box 8874

Boise, ID 83707

NEW Number
*

Telephone Number:

CONTACTS: SUZANNE McCorkle / Heidi FINNELAM
(208) 385-9468

Signature of Claimant(s):

Susan McCorkle, Secretary/Managing Owner.

Heidi Finnelam, Owner.

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177SS
ADDRESS FM
Revised 12/13/1999IDWR Use Only:
Data Entry: _____

Date: _____

MEMORANDUM

TO: Files 63-02852 & 63-04138

FROM: Pam Skaggs/State Office

SUBJECT: Transfer 4991

DATE: September 29, 1998

Transfer 4991 adds a new point of diversion and corrects the legal description of the existing point of diversion under Rights 63-02852 and 63-04138.

The applicant is adding a pump in the creek at a location nearer the place of use to circumvent the aging ditch system when necessary. The original ditch system requires a lot of maintenance and may at times be unable to supply the needed flow to the irrigated acres.

Review of the records and region staff review raises questions of the actual historical use of the licensed right and claimed right together. Without any definitive evidence the questions were deferred to the adjudication investigation. This transfer simply adds the second point of diversion and the SRBA will determine the extent of use under these combined rights.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include non-confirmation of claim & SRBA evaluation of combined right use, multiple points of diversion/measuring devices, combined limits, conveyance losses for Right 63-02852, irrigation overlap, right-of-way and standard transfer conditions.

MICROFILMED

OCT 27 1998

MEMORANDUM

TO: FILE 63-4138

FROM: PAM SKAGGS

RE: TRANSFER # 4991

DATE: 6/9/97

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 63-02852.

MICROFILMED

OCT 27 1998

April 17, 1972

Re: Claim to a Water Right No. 63-4138

Julius N. and/or Virginia M. James
5002 Bloom
Boise, Idaho

Dear Mr. James:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:bb
Enclosure: Copy of Claim

63 4138

March 22, 1972

Re: Application for Permit No. 63-4138 - Julius N. &/or Virginia M. James

The Idaho World
Box 144
Idaho City, Idaho 83631

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on March 2nd, and March 9th, 1972.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BL

63 4128

February 25, 1972

Re: Claim No. 63-4138 - Julius N. &/or Virginia M. James

The Idaho World
Box 144
Idaho City, Idaho 83631

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)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:CR

Enc: Legal Notice

Bill submitted 4-12-72 CR

63 4138

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4138

Notice is hereby given that Julius N. &/or Virginia M. James,
5002 Bloom, Boise, Idaho

have ~~was~~ filed a claim to a water right established by diversion and appli-
cation to beneficial use of 2.0 cubic feet per second ~~more or less~~
of water from Pine Creek, tributary to Grimes Creek
with point of diversion in the NE¹/₄ NW¹/₄, Sec. 18, T. 5N, R. 4E, B.M.,
Boise County

The water is claimed to be used from March 15 to Nov. 15 for the
irrigation of 80 acres
with a priority of August 16, 1912;
the place of use is within the E¹/₂ SE¹/₄, Sec. 8; SW¹/₄ SW¹/₄, Sec. 9, T. 5N,
R. 4E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Idaho World, Idaho City, Idaho
on March 2 and March 9, 1972.

63 4128