

RECEIVED

JUL 1 1974

Department of Water Administration
Northern District Office

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF IDAHO, } ss.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 84-4018

Notice is hereby given that Gene L. Cox, Star Route, Box 11, Kamiah, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from an Unnamed Creek with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 34N, R. 3E, B.M., Idaho County.

The water is claimed to be used from May 1 to Oct. 1 for the irrigation of 2 acres with a priority of July 10, 1960 the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 34N, R. 3E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published in the Cottonwood Chronicle, Cottonwood, Idaho on June 20 and June 27, 1974.

I, LLOYD D. ROSE, being first duly sworn, depose and say that I am the Publisher of the COTTONWOOD CHRONICLE, a weekly newspaper, published and issued weekly at Cottonwood, Idaho County, State of Idaho, which is of general circulation in said county and state, that the said notice, of which the one hereto is attached is a true copy, was published in said newspaper for two weeks being published two times, the first publication being on the 20th day of June, 1974, and the last publication on the 27th day of June, 1974; and that the said notice was published in the newspaper proper and not in a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight (78) consecutive weeks prior to the first publication of said notice or advertisement.

Lloyd D. Rose

Subscribed and sworn to before me this 28th day

of June, 1974.

L. M. Martin, Notary Public,
for the State of Idaho, residing at Cottonwood, Idaho.

84 4018

Identification No. 84-4018 P

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 Gene L. Cox
post office address Star Route, Box 11, Kamiah, Idaho 83536

2. The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 25 Township 34N
Range 3E B.M. located on an unnamed creek
(name of source)
tributary to Clearwater River in Idaho 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:

July 10, 1960 amount: 0.04 c.f.s. or ////////// acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed 0.04 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 May 1 to October 1 (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 _____
_____ ; 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 _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

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 _____

- 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 900 feet; diameter of pipe line is 1 inches; type of pipe Plastic; grade of pipe per 1000 feet is 60. 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:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
34N	3E EM	25									2								2

Total number of acres to be irrigated 2

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 _____

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

State of Idaho

County of Bo Idaho

\$5.

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 affiant's knowledge.

Sworn to before me this 4th day of June, 1974.

Gene L. Coy
Claimant

Claimant

Notary Public

Notary Public

Residing at Kauka, Ida

My commission expires _____

For Department Use Only

Received by CP Date 6-13-74

Exception filed by:

Forwarded to
claimant by:

Date _____

Prelim. check by JS Date 6-13-74 "14130

Fee received by JE Date 6-13-74 Fee \$ 10.00

Approved for publication by:

Published in COTTONWOOD CHRON. Dates 6-20-74

6-27-74

34 4018

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 this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

RECEIVED

JUL 1 1974

Department of Water Resources
Noble D. H. H. H.

Affidavit of Publication

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COUNTY OF IDAHO, } ss.

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R. KEITH HIGGINSON
Director

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Lloyd D. Rose

Subscribed and sworn to before me this 28th day

of June, 1974.

L. H. H. H., Notary Public,
for the State of Idaho, residing at Cottonwood, Idaho.

ACT
ION

N OWNER LAST NAME - COX

FIRST NAME - GENE L.

N ADDRESS LINE 1 - STAR RT. BOX 11

N

CITY - KAMIAH

STATE - ID ZIP CODE - 83536

N SOURCE - UNNAMED STREAM

TRIBUTARY OF - CLEARWATER RIVER

N STAGE - STATRY CLM

PRIORITY - 07-10-1960 COUNTY - IDAHO

TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - NESW 25 34N 03E

N FROM - 05-01 TO - 10-01 USE - IRRIGATION

USE DIV. RATE - .0400CFS

N USE - IRRIGATION

PLACE OF USE - TWN 34N RNG 03E SEC 25 TRACT NESW

AC 02

IDENT. NO. 84-4018

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

OTd No.

New No.

1 84-4018

Record

1. Original Owner:

Gene L. Cox

Present Owner:

2. Address:

Star Rt. Box 11

3. City:

Kamiah

State:

ID

Zip:

83536

4. A. Source of Water:

creek

B. Tributary of:

Clearwater River

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:

7-10-1960

D. County:

49

E. Total Diversion Rate: .

04

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):

6. A. Point of Diversion

Tract

Sec.

Twp.

Rge.

Gov't

Lot

Rediv.

NE SW

25

34N

3E

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

from

5-1

to

10-1

for

A

purposes.

Amount

.04

(cfs or AC-FT/yr)

from

to

for

purposes.

Amount

from

to

for

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:

[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):

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

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

July 8, 1974

Re: Claim to a Water Right No. 84-4018

Mr. Gene L. Cox
Star Route, Box 11
Kamiah, ID 83536

Dear Mr. Cox:

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 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 any further assistance, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

84 4018

June 14, 1974

Re: Claim No. 84-4018 - Gene L. Cox

Cottonwood Chronicle
Box 157
Cottonwood, ID 83522

Gentlemen:

Enclosed is 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 our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill Submitted 7-2-74 by cp

84 4018

NOTICE OF CLAIM TO A WATER RIGHT

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Star Route, Box 11, Kamiah, Idaho

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to beneficial use of 0.04 cubic feet per second ~~gallons per minute~~
of water from an Unnamed Creek

with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 34N, R. 3E, B.M.,
Idaho County

The water is claimed to be used from May 1 to Oct. 1 for the irriga-
tion of 2 acres

with a priority of July 10, 1960 ;
the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 34N, R. 3E, B.M.

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Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON
Director

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R. 3E, B.M., Idaho County.

The water is claimed to be used
from May 1 to Oct. 1 for the irri-
gation of 2 acres with a priority
of July 10, 1960 the place of use
is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25,
T. 34N, R. 3E, B.M.

Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Administration, 401 Front Ave-
nue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published in the Cottonwood
Chronicle, Cottonwood, Idaho on
June 20 and June 27, 1974.

*o.k.
6-30-74
CP*

84 4018

June 14, 1974

Re: Claim to a Water Right No. 84-4018

Mr. Gene L. Cox
Star Route, Box 11
Kamiah, ID 83536

Dear Mr. Cox:

Attached is your receipt No. 14130 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Attachment

84 4018