

RECEIVED

JUL 31 1972

Department of Water Administration
Northern District Office

AFFIDAVIT OF PUBLICATION

_____ Gary D. Cash _____ being first duly sworn, says he is the _____ Office Manager _____ of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 19th day of July, 1972, and the last publication on the 26th day of July, 1972; and that the said notice was published in the newspaper proper and not a supplement; 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 or advertisement.

Gary D. Cash

Subscribed and sworn to before me this 26th day of July, 1972.

Richard C. Hatch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT

No. 84-4008

Notice is hereby given that Harold R. Brown, Rt. 1, Kamiah, 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 an unnamed spring with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 19, twp. 33 N, rge. 4E BM, Idaho County.

The water is claimed to be used from January 1 to December 31 for livestock purposes with a priority of November 15, 1955; the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 19, twp. 33 N, rge. 4E BM.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Av., Room 209, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press Grangeville, Idaho on July 19 and July 26, 1972.
Jy19-26

84 4008

See 7-G. 2D

Identification No. 84 4008

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 Harold R. Brown
post office address Rt. 1 Kamiah, Idaho 83536

2. The point of diversion is in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 19 Township 33N
Range 4E B.M. located on A Spring
(name of source)
tributary to _____ 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:
November 15, 1955 amount: 0.01 c.f.s. for ////////// acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed 0.01 c.f.s. for ////////// 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 Livestock period of use from January 1 to December 31 (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; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____
Spring is excavated with 15 feet of 2" Galv. pipe to trough.

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 _____

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_____

[illegible]

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 50 head of cattle and 2 head of horses.

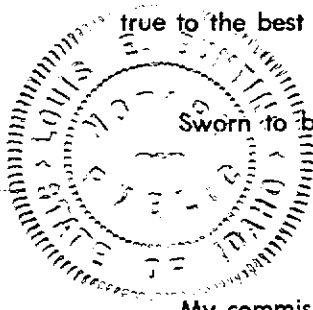
7. Where water is used for domestic or municipal purposes give number of families served _____ name of town supplied _____

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 Idaho } 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 29th day of June, 1972

Harold R. Brown
Claimant

Louise E. Bentley
Notary, Public

Residing at Granville, Idaho

My commission expires April 1, 1975

OK.
FB.

For Department Use Only

Received by <u>ef</u>	Date <u>7-3-72</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>D</u>	Date <u>7-3-72</u>			
Fee received by <u>ef</u>	Date <u>7-3-72</u> Fee \$ <u>10.00</u>			
Approved for publication by <u>FE</u>	<u>7/1/72</u>			
Published in <u>Ida. County Free</u>	Dates <u>7-19 & 26/ 72</u>			
Press				

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 Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

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Northern District Office

AFFIDAVIT OF PUBLICATION

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The water is claimed to be used from January 1 to December 31 for livestock purposes with a priority of November 15, 1955; the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 19, twp. 33 N, rge. 4E-BM.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Av., Room 209, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

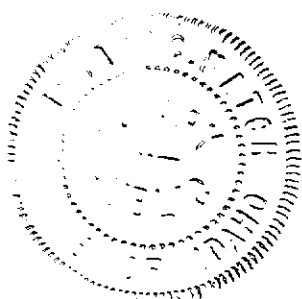
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Jy19-26

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_____ Gary D. Cash _____

Subscribed and sworn to before me this _____ 26th _____ day of _____ July _____, 1972.

_____ Richard C. Hatch _____, Notary Public
for State of Idaho, residing at Grangeville, Idaho.



84 4008

Box

William Kinzer
Rt. 1, Box 47
Kamiah, Idaho 83536

File 84-4008 -
84-4009

March 24, 1983

State of Idaho
Department of Water Administration
Northern District Office
401 Front Ave, Rm. 209
Coeur D'Alene, Idaho 83814

Gentlemen:

I telephoned your office the first part of this week regarding transferring recorded water rights to our name for a place we are in the process of purchasing from Harold R. Brown.

I was told to write you a letter stating the claim numbers that were recorded several years ago. The Claim to a Water Right No. 84-4008 and Claim to a Water Right No. 84-4009 are registered to Harold R. Brown.

We wish any correspondence regarding these two claims to be sent to us.

Thank you.

William Kinzer
Rt. 1, Box 47
Kamiah, Idaho 83536
926-4498

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APR 7 1983

Department of Water Resources
Northern District Office

ACT
ION

N OWNER LAST NAME - BROWN

FIRST NAME - HAROLD R.

N ADDRESS LINE 1 - RT. 1

CITY - KAMIAH

STATE - ID

N SOURCE - SPRING

N STAGE - STAIRY CLM

PRIORITY - 11-15-1955 COUNTY - IDAHO

TOTAL DIV. RATE - .0100CFS

N DIVERSION POINT - SESE 19 33N 04E

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

USE DIV. RATE - .0100CFS

N USE - STOCKWATER

PLACE OF USE - TWN 33N RNG 04E SEC 19 TRACT SESE

N NON IRRIG USE - S/52 RANGE.

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 184-4008
OTd No. _____ New No. _____

Record

1. Original Owner: Harold R. Brown

Present Owner: _____

2. Address: Rt. 13. City: KamiahState: ID

Zip: _____

4. A. Source of Water: Spring

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: 11-15-1955D. County: 49E. 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	<u>SESE</u>	<u>19</u>	<u>33N</u>	<u>4E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 1-1 to 12-31 for S purposes. Amount .01
(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: 8

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
33N	4E	19																8	

9. A. Decree Name:

B. Decree Date:

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

11. Other Uses (Non-irrigation explanatory information):

8/ 52 range.

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

August 14, 1972

Re: Claim to a Water Right No. (84-4008) - Harold R. Brown
" " " " " " 84-4009

Harold R. Brown
Route #1
Kamiah, ID 83536

Dear Mr. Brown:

The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claims 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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, copies of your claims. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Fred Eisenbarth
Water Resource Examiner
Northern District

FE:CR

Enc: copy of claims

84 4008

XXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXX
XXXXXXXXXXXX

401 Front Ave., Room 209
Coeur d'Alene, Idaho 83814

July 13, 1972

Re: Claims No. 84-4008 & 84-4009 - Harold R. Brown

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

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
Water Resource Examiner II

Bill submitted 7-³¹~~24~~-72 by CR

FE:DR
Enc: Legal notice (2)

84 4008

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JUL 17 1972

NOTICE OF CLAIM TO
A WATER RIGHT

No. 84-4008

Department

Division

Northern District Office

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R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press Grangeville, Idaho on July 19 and July 26, 1972.
Jy19-26

84 4008

ALL KINDS
OF
COMMERCIAL
PRINTING

LETTERPRESS AND OFFSET



JUL 31 1972

USE FREE PRESS
CLASSIFIED ADS

"THEY GET RESULTS"



TELEPHONES:
983-1070 OR 983-1071

"PROMPT SERVICE"

STATE

IDAHO COUNTY FREE PRESS

COUNTY SEAT NEWSPAPER OF IDAHO COUNTY — FOUNDED JUNE 18, 1886

PRINTERS AND PUBLISHERS

Department of Water Administration
Northern District Office

Grangeville, Idaho 83530 July 28, 1972

State of Idaho
Dept. of Water Administration
~~Stat~~ 401 Front Ave., Room 205
Couer d'Alene, Id 83814

DATE

INVOICE NO. / ITEMS

AMOUNT

Jy 19-26 32 li, 2 t., Not. Claim. #4008

\$ 11.84

"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."

IDAHO COUNTY FREE PRESS

BY: Gary D. Cash
Gary D. Cash, Office Mgr.

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Rt. 1, Kamiah, Idaho

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BM, Idaho County

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for livestock purposes

with a priority of November 15, 1955 ;

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BM,

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R. KEITH HIGGINSON

Director

Published in the Idaho County Free Press Grangeville, Idaho
on July 19 and July 26, 1972.

84 4008

July 12, 1972

Harold R. Brown
Rt. 1,
Kamiah, Idaho 83536

Dear Mr. Brown:

Attached herewith is your receipt No. 9720 in the amount of \$20 for two claims to a water right which was received in this office.

Very truly yours,

Fred Eisenbarth
Water Resource Examiner II

FE:sds

Enclosures

84 400

State of Idaho
Department of Water Administration
Statehouse, Annex 2
Boise, Idaho 83707

Check for \$10.00 each application or \$20.00 total

RECEIVED

JUL 5 1972

Department of Water Administration

PA 1008

INTER-DEPARTMENT MEMO — 1

FROM Corda

DATE July 5, 1972

TO Fred

SUBJECT New Claim

per. 7-6-72 [initials]

Attached is a new claim for Harold R. Brown which has been receipted in our office. Please send us a copy as soon as you have issued a number for it.

Thanks.

84 4008

Corda

SIGNATURE