

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Claim to Water

Right - No. 84-4004

Bridwell

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 16th day of April, 1970, and ending on the 30th day of April, 1970

Nancy Noble

Subscribed and sworn to before me this 8th day of May, 1970.

Lucile O. Brittenstein

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

RECEIVED

Department of Reclamation

NOTICE OF CLAIM TO A WATER RIGHT

No. 84-4004

Notice is hereby given that J. W. Bridwell, Route 2, Orofino, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.2 cubic feet per second of water from an unnamed spring, tributary to Orofino Creek with point of diversion in the NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 18, T. 36N, R. 3E, B.M., Clearwater County; the water is claimed to be used from January 1 to December 31 for stockwater with a priority of 1935; the place of use is within the NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 18, T. 36N, R. 3E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
4-16, 23 c

84-4004

Identification No. _____
Claim No. 84-4004
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 J. W. Bridwell
post office address Route 2, Orofino, Idaho 83544
2. The point of diversion is in NE 1/4 $\frac{1}{4}$ of NE 1/4 $\frac{1}{4}$ Section 18 Township 36 N E
Range 3 B.M. located on same (name of source)
tributary to intermittent-Orofino Creek in Clearwater 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:
1935 amount: .2 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 stock water period of use from 1-1 to 12-31 (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; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____
This is a natural spring fed pond about 1/4 acre. Used for
stock water
 - 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 _____

84-4004

- Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible There has been no change. Water used for stock water. The spring is very near the edge of the pond and flows into it.

- 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 _____
approximately 50 head of cattle and 2 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
Used spring and pond in Section 18 since 1900 for stock water

State of Idaho

County of Clearwater } 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 25th day of March, 1970.

J. W. Bridwell
J. W. Bridwell Claimant

Samuel H. Swartzel
Notary Public
Residing at Orofino, Idaho

My commission expires Nov 17, 1970

Notary Public residing at _____

My commission expires _____

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>DM</u>	<u>3-27-70</u>			
Prelim. check by	<u>DM</u> Date <u>3-27-70</u>			
Fee received by	<u>DM</u> Date <u>3-27-70</u> Fee \$ <u>10.⁰⁰</u>			
Approved for publication by	<u>DM</u>			
Published in	<u>Clearwater</u> Dates <u>4-16+23-70</u>			
	<u>Lulu</u>			

84-4004

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.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Claim to Water

Right - No. 84-4004

Bridwell

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Nancy Noble

Subscribed and sworn to before me this 8th day of May, 1970

Frederic O. Rosenstein

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

NOTICE OF CLAIM TO A WATER RIGHT

No. 84-4004

Notice is hereby given that J. W. Bridwell, Route 2, Orofino, Idaho, has filed a claim to a water right established by diversion of water from a beneficial use application to beneficial use of one cubic foot per second of water from an unnamed spring, tributary to Orofino Creek with point of diversion in the NE 1/4 - NE 1/4, Sec. 36N, R. 3E, B. 1M, Clearwater County, Idaho. The water is claimed to be used from January 1, 1970, for stockwatering and for irrigation of 1935 acres of land within the NE 1/4 - NE 1/4, Sec. 36N, R. 3E, B. 1M.

* Any exception to the claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGENSON
State Reclamation Engineer
4-16, 23 c

84-4004

ACT
ION

N OWNER LAST NAME - BRIDWELL

FIRST NAME - J. W.

N ADDRESS LINE 1 - RT. 2

N

CITY - OROFINO

STATE - ID

N SOURCE - OROFINO CREEK

TRIBUTARY OF - CLEARWATER RIVER

N STAGE - STATRY CLM

PRIORITY - 05-01-1935

COUNTY - CLEARWATER

TOTAL DIV. RATE -

.2000CFS

N DIVERSION POINT - NENE 18 36N 03E

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

USE DIV. RATE -

.2000CFS

N USE - STOCKWATER

PLACE OF USE - TWN 36N RNG 03E SEC 18 TRACT NENE

IDENT. NO. 84-4004

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 84-4004
Old No. New No.

Record

1. Original Owner: J. W. Beidwell

Present Owner: _____

2. Address: Rt. 2

3. City: Orofino State: ID Zip: _____

4. A. Source of Water: Orofino 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: 6-1-1935

D. County: 35

E. Total Diversion Rate: .2

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>NENE</u>	<u>18</u>	<u>36N</u>	<u>3E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 1-1 to 12-31 for S purposes. Amount .2
(cfs or AG 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 _____

CSA 9-20-79

8. Use Code: 8

[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):

May 5, 1970

Re: Claim to a Water Right No. 84-4004 - J. W. Bridwell

Clearwater Tribune
Box 71
Orofino, Idaho 83544

Gentlemen:

Would you please submit an affidavit of publication and a certified bill in connection with the above referenced item(s). The legal notice was to be published in your paper on April 16 and April 23, 1970.

As the above permit application cannot be approved until we are in receipt of the affidavit, it is important that we receive it as soon as possible.

May we please have your prompt attention to this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

84-4004

April 8, 1970

Re: Claim to a Water Right No. 84-4004 - J. W. Bridwell

Clearwater Tribune
Box 71
Orofino, Idaho 83544

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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

*Bill submitted
5-11-70
DW*

84-4004

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 84-4004

Notice is hereby given that J. W. Bridwell, Route 2, Orofino, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.2 cubic feet per second of water from an unnamed spring, tributary to Orofino Creek with point of diversion in the NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 18, T. 36N, R. 3E, B. M., Clearwater County; the water is claimed to be used from January 1 to December 31 for stockwater with a priority of 1935; the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, T. 36N, R. 3E, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

4-16, 23 c

CLEARWATER TRIBUNE
BOX 71 OROFINO, IDAHO 83544

May 13, 1970

Re: Claim to a Water Right No. 84-4004

C
O
P
Y
Mr. J. W. Bridwell
Route #2
Orofino, Idaho 83544

Dear Mr. Bridwell:

The Department of Reclamation 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
Enc: Copy of claim
Receipt No. 4372

84-4004

NOTICE OF CLAIM TO A WATER RIGHT

No. 84-4004

Notice is hereby given that J. W. Bridwell, Route 2,
Orofino, Idaho, has filed a claim to a water right
established by diversion and application to beneficial use of 0.2
cubic feet per second ~~acre/foot~~ of water from an unnamed spring, tributary
to Orofino Creek with point of diversion in the NE¹/₄NE¹/₄
Sec. 18, T. 36N, R. 3E, B.M., Clearwater County; the water is
claimed to be used from January 1 to December 31 for stockwater
with a priority of 1935
; the place of use is within the NE¹/₄NE¹/₄
Sec. 18, T. 36N, R. 3E, B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Clearwater Tribune, Orofino, Idaho,
on April 16 and April 23, 1970.

K.H.

84-4004

TELEPHONE
GRANITE 2-7241
AREA CODE 208

SWAYNE & McNICHOLS
ATTORNEYS
P. O. BOX 786
BURNS BUILDING
BOOFIND, IDAHO
83544

SAMUEL F. SWAYNE
MICHAEL E. McNICHOLS

March 25, 1970

RECEIVED

MAR 27 1970

Department of Reclamation

Department of Reclamation
Room 107
Statehouse
Boise, Idaho 83701

Attention Reclamation Engineer

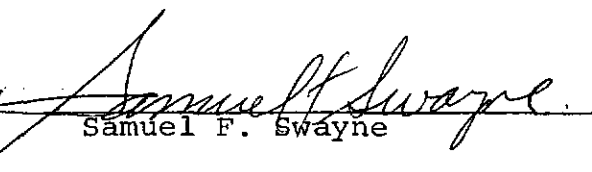
Dear Sir:

We herewith enclose a claim for water right on behalf of
James W. Bridwell for a spring and spring pond on his land.
Our check in the sum of \$10.00 is enclosed to cover the
filing fee.

Yours very truly,

SWAYNE & McNICHOLS

By


Samuel F. Swayne

SFS:lb
Enclosures

84-4004