

PUBLISHER'S AFFIDAVIT OF PUBLICATION

RECEIVED

MAR 5 1973

Department of Water Administration
Northern District Office

NOTICE OF CLAIM TO A WATER RIGHT NO. 86-4022

Notice is hereby given that Joe I. and-or Sarah J. Thompson, Route No. 1, Box 5, Lenore, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 0.10 cubic feet per second of water from an Un-named Spring, tributary to the Clearwater River with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 37N, R. 2W, B.M., Nez Perce County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes with a priority of 1916; the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 37N, R. 2W, 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

STATE OF IDAHO, }
County of Nez Perce } ss.

DN Sinclair

, being duly sworn

deposes and says, I am the Office Manager of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the Notice of Claim # 86-4022

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for two consecutive weeks, the

first publication thereof being on the 22nd day of February, A. D. 19 73, and the last publica-

tion thereof being on the 1st day of March, A. D. 19 73 and said Notice of Claim

was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

DN Sinclair

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

1 day of March, 1973.

Norman W. Rich 8/28/76

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

Identification No. 86-4022
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 Joe I &/or Sarah J. Thompson
post office address Route #1, Box 5, Lenore, Idaho 83541
2. The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 25 Township 37N
Range 2W B.M. located on Unnamed Spring
(name of source)
tributary to Clearwater River in Nez Perce 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:

1916 amount: 0.10 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.10 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 Jan. 1 to Dec. 31 (both dates inclusive)
use Stockwater period of use from Jan. 1 to Dec. 31 (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 _____

86 4022

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 _____

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 _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

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:

[illegible]

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

NE 1/4 SW 1/4
Section 25

Range 2 West
Township 37N

House spring - supplies household needs, waters lawn. A 1" pipe goes beyond the house 25 yards to a metal stock trough - the water runs continually and used the year around by 15 to 60 head of livestock. Spring box is cement 5' square and 3 feet deep covered top 2" pipe runs downhill 200 yards to the house. From the same spring box a 3/4" pipe goes to the chicken house and pig pen where it is a continuous flow through the troughs. The spring produces 50 gal per minute. It was developed 50 years or more ago.

3-1-73

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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.</u> or _____	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u> or _____	acre feet
		Total claimed:	<u>1.2 c.f.s.</u> 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 a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to ~~one~~ of the following offices:

Northern District
Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District
Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District
Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District
Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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Department of Water Administration
Northern District Office

NOTICE OF CLAIM TO A WATER RIGHT NO. 86-4022

Notice is hereby given that Joe I. and-or Sarah J. Thompson, Route No. 1, Box 5, Lenore, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 0.10 cubic feet per second of water from an Un-named Spring, tributary to the Clearwater River with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 37N, R. 2W, B.M., Nez Perce County.

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

R. KEITH HIGGINSON
Director

STATE OF IDAHO, }
County of Nez Perce } ss.

DN Sinclair

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attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for two consecutive weeks, the first publication thereof being on the 22nd day of February, A. D. 19 73, and the last publica-

tion thereof being on the 1st day of March, A. D. 19 73 and said Notice of Claim

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1 day of March, 19 73.

Norman W. Rich 8/28/76
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

ACT
ION

N OWNER LAST NAME - THOMPSON
N OWNER LAST NAME - THOMPSON
N ADDRESS LINE 1 - RT. 1 BOX 5

N SOURCE - UNNAMED SPRING

N STAGE - STATRY CLM

N DIVERSION POINT - NESW 25 37N 02W

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

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

N USE - STOCKWATER

N NON IRRIG USE - S/60 RANGE.

PLACE OF USE - TWN 37N RNG 02W SEC 25 TRACT NESW

USE DIV. RATE - .1000CFS

CITY - LENORE

TRIBUTARY OF - CLEARWATER RIVER

PRIORITY - 06-01-1916

COUNTY - NEZ PERCE TOTAL DIV. RATE - .1000CFS

STATE - ID ZIP CODE - 83541

FIRST NAME - JOE I.

FIRST NAME - SARAH J.

[illegible]

- DATA ENTRY -

Record

1. Original Owner: Joe T. & Sarah J. Thompson
-
- Present Owner: _____
-
2. Address: Rt. 1 Box 5
3. City: Lenore State: Id Zip: 83541
4. A. Source of Water: unnamed Spring
~~Clearwater River~~
- 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: 6-1-1916
- D. County: 69
- E. Total Diversion Rate: 6-1-1916 . 1
- 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):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't</u> <u>Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>NE SW</u>	<u>25</u>	<u>37^N</u>	<u>2^W</u>		

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

[illegible]

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): S / 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

March 13, 1973

Re: Claim Nos. 86-4019 86-4021
86-4020 86-4022

Joe I &/or Sarah J. Thompson
Route #1, Box 5
Lenore, ID 83541

Dear Mr. & Mrs. Thompson:

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 may be of further assistance, please contact us.

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR

Enc: copies of claims

86 4022

February 16, 1973

Re: Claim No. 86-4019 - Joe I. &/or Sarah J. Thompson
" " 86-4020 - " " " " "
" " 86-4021 - " " " " "
" " 86-4022 - " " " " "

Lewiston Morning Tribune
505 "C" Street
Lewiston, ID 83501

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 Supervisor
Northern District

Bill submitted 3-12-73 by d

FE:CR

Enc: Legal Notices (4)

86 4022

THE *Tribune* PUBLISHING CO.

Producers of Printing of Distinction
5th & C Sts. Lewiston, Idaho 83501
Phone 743-9411

Sold to

State of Idaho

~~XXXXXXXXXXXXXXXXXXXX~~

Dept. of Water Administration

401 Front Ave. Rm 209

Coeur D'Alene, Idaho 83814

Date 3-1-1973

DISPOSITION NO.	JOB NO.	QUANTITY	DESCRIPTION	AMOUNT
			Notice of A Claim to A Water Right #86-4022 J. Thompson 32 Lines, 2 times hereby certify the above account is correct and just, that the supplies were actually furnished and/or the services were actually rendered as charged and that I/We have not received payment therefor Signed; <u>Tribune Publishing Co.</u> By: <u>DN Sinclair</u> DN Sinclair-Office Mgr.	11.6
THANK YOU FOR YOUR PATRONAGE CHECK YOUR ORDER CAREFULLY AND CALL US IF NOT SATISFACTORY				86 4022

NOTICE OF CLAIM TO A WATER RIGHT

NO. 86-4022

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to beneficial use of 0.10 cubic feet per second ~~acre feet per annum~~
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Perce County

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and stockwatering purposes

with a priority of 1916;
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83814.

R. KEITH HIGGINSON

Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho
on Feb. 22 and March 1, 1973

86-4022

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R. KEITH HIGGINSON
Director

LEGAL-- 2TW 2-22-73 S/M

O.K.
2-21-73
ck

86 4022