

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

A. J. Marinian
being first duly sworn, on oath,
deposes and says:

That he is the printer of The DAILY IDAHONIAN, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following

dates: Feb. 8, 15, 1968

the same being the dates designated for the publication of said legal notice.

A. B. Robinson
Subscribed and sworn to before
me this 16th day of Feb.
1968

A. B. Robinson
Notary Public,
residing at Moscow, Idaho

Residing at Moscow, Idaho
County of Latah
My Commission Expires Feb. 26, 1970

RECEIVED

FEB 20 1968

Department of Reclamation

NOTICE OF CLAIM TO A WATER RIGHT No. 86-4000

Notice is hereby given that Milton D. Grant, Box 187, Juliaetta, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 22 (cubic feet per second) of water from Potlatch Creek, tributary to the Clearwater River with point of diversion in SW 1/4 NW 1/4, sec. 3, T. 37 N, R. 3 W. B. M., Latah County; the water is claimed to be used for irrigation purposes from May 1 to October 30 with a priority of May 1955 for 22 c.f.s.; the place of use is the SW 1/4 NW 1/4, sec. 3, T. 37 N, R. 3 W. 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 Daily Idahonian,
Moscow, Idaho, on February 8 and
February 15,
Feb. 8, 15, 1968

86-4000

Identification No. 86-4000

Claim No. 42252

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 Milton C. Grant
post office address Box 187 Juliaetta, Idaho
2. The point of diversion is in SW 1/4 1/4 of NW 1/4 1/4 Section 3 Township 37 N
Range 3 W B.M. located on POTLATCH CREEK
(name of source)
tributary to CLEAR WATER RIVER in LETAH 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:

Pump was started May 1955 amount: 100 gal P.M. c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed 100 gal P.M. 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 OCT. 30 (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 _____
PUMP AND PIPE LINE; 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 _____

86-4000

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]

No changes

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

The water is used for irrigating seeded pasture
which is used for feeding dairy cows, through
the summer months.

With out the water there would only
be pasture for about one month.

Water is taken from the creek with a
7.5 H.P. pump and through a 4 and 3 in. pipe
line to the sprinkler system.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with
all attached information and certifies that all statements are true and accurate to the best of his knowledge.

1-16-68
(Date)

Milton C. Grant
(Signature of Claimant)

State of Idaho

County of Latah } ss.

On this 16 day of January 1968, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he-(she)-(they) executed the same. _____

Dale E. Magnusson
Notary Public residing at Kendrick, Id.

My commission expires 12-6-70

For Department Use Only

Received by <u>ij</u> Date <u>1-18-68</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>PR</u> Date <u>1-18-68</u>	_____	_____	_____
Fee received by <u>ij</u> Date <u>1-18-68</u> Fee \$ <u>10⁰⁰</u>	_____	_____	_____
Approved for publication by _____	_____	_____	_____
Published in _____ Dates _____	_____	_____	_____

rect 372 given 1-18-68

86-4000

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

AFFIDAVIT

State of Idaho
County of Latah

I. Donald I. Gruell being first duly sworn,
deposes and says: In the year 1955 I installed
the pump and pipe line system
which pumps water from the
Potlatch Creek for the purpose
of running an irrigation system
to water seeded pasture, which
was used to feed dairy cows.
The water was used each
summer from May 1st to Oct 31st
thereafter by me.

In Sept 1961, I sold my place
to Mr. & Mrs. Milton Grant and
they have pumped water from
the above mentioned creek for
the past six years to water
the same pasture.

Donald I. Gruell
(signature)

Subscribed and sworn to before me this 15th day of January, 19 68.

Walter H. Fraser
(Notary Public)

Residing at Lewiston, Idaho.
My commission expires 2-1-68.

86-4008

AFFIDAVIT

State of Idaho

County of LatahI Michael F. Hedler

being first duly sworn,

deposes and says:

being a neighbor of Donald
Grumell, the former owner of the property
Milton C. Grant now operates.I personally know being his neighbor that
he installed the water pump and pipe line
system which pumps water out of Pottlatch
Creek for the use of irrigating seeded pasture
to feed dairy cattle.The water has been used every year through
the summer months since 1955, the year
the irrigation system was installed.Michael F. Hedler
(signature)Subscribed and sworn to before me this 16 day of January, 19 68.Geo. E. Magnuson
(Notary Public)

Residing at

Kendrick Id.

My commission expires

12-6-70

86-4000

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

RECEIVED

Department of Reclamation

A. J. Morrison

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

That he is the printer of The
DAILY IDAHONIAN, a newspaper
of general circulation, printed and
published daily except Sunday at
Moscow, Latah County, Idaho, in
compliance with Sections 60-106,
60-107, and 60-108 of the Idaho
Code and the amendments there-
to; that the notice of which the
annexed is a full, true and correct
printed copy was published in the
regular and entire issues of said
newspaper and not in a supple-
ment thereto, upon the following

dates: *Feb. 8, 15, 1968*

the same being the dates desig-
nated for the publication of said
legal notice.

A. J. Morrison

Subscribed and sworn to before
me this *16th* day of *Feb.*

19*68*

A. B. Robinson

Notary Public,

residing at Moscow, Idaho

Residing at Moscow, Idaho

County of Latah

My Commission Expires Feb. 26, 1970

NOTICE OF CLAIM TO A WATER RIGHT

No. 86-4000

Notice is hereby given that Mil-
ton *X* Grant, Box 187, J. Maetta,
Idaho has filed a claim to a water
right established by diversion and
application to beneficial use of *2*
(cubic feet per second) of water
from Potlatch Creek, tributary to the
Clearwater River with point of di-
version in SW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 3, T.
37 N, R. 3 W, B. M., Latah County;
the water is claimed to be used for
irrigation purposes from May 1 to
October 30 with a priority of May
1968 for 22 c.f.s.; the place of
use is the SW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 3, T.
37 N, R. 3 W, 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 Daily Idahonian,
Moscow, Idaho, on February 8 and
February 15,
Feb. 8, 15, 1968

86-4000

INVOICE

PUBLISHERS OF THE DAILY IDAHONIAN

The News-Review Publishing Co., INC.

COMMERCIAL PRINTING — LETTERPRESS and OFFSET

409 SOUTH JACKSON MOSCOW, IDAHO 83843 — TELEPHONE 882-5561

DATE Feb. 16, 1968

Department of Reclamation
State of Idaho
107 State House
Boise, Idaho 83701

Order No.

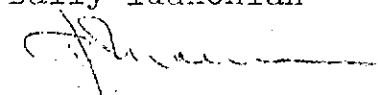
Net—No Discount Allowed

NOTICE OF A CLAIM TO A WATER RIGHT
NO. 86-4000

Feb. 8	28 lines @ 15¢	\$4.20
Feb. 15	28 lines @ 10¢	<u>2.80</u>
		\$7.00

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credit and that no part of same has been paid.

The Daily Idahonian

By: 

86-4000

ACT
ION

N	OWNER LAST NAME - GRANT	FIRST NAME - MILTON C.			
N	ADDRESS LINE 1 - P.O. BOX 187				
N		CITY - JULIAETTA	STATE - ID		
N	SOURCE - POTLATCH CREEK	TRIBUTARY OF - CLEARWATER RIVER			
N	STAGE - STAIRY CLM	PRIORITY - 05-01-1955	COUNTY - LATAH	TOTAL DIV. RATE -	.2200CFS
N	DIVERSION POINT - SWNW 03 37N 03W	USE DIV. RATE -	.2200CFS		
N	FROM - 05-01 TO - 10-30	USE - IRRIGATION			
N	USE - IRRIGATION	PLACE OF USE - TWN 37N RNG 03W SEC 03 TRACT SWNW	AC 05 TRACT SENW	AC 05	

IDENT. NO. 86-4006

WATER RIGHT
DATA ENTRY LOG

Item

Keypunched by State Office

10-2-79

- DATA ENTRY -

Record

Present Owner: _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A

[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):

February 20, 1968

Re: Claim No. 86-4000

Milton C. Grant
Box 187
Juliaetta, Idaho

Dear Mr. Grant:

Your claim to a water right has been received and processed by the Department of Reclamation. The information in your claim is filed under Claim No. 86-4000.

Receipt No. 372 was given to you at the time you filed your claim. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

C
O
P
Y

86-4000

February 2, 1968

Re: Claim No. 86-4000
Milton C. Grant

The Daily Idahonian
Moscow,
Idaho

Gentlemen:

We are sending you a copy of our original legal notice submitted to you on January 29, 1968 and a copy of the galley proof from you which we received February 2, 1968. Please note that there has been an error in the galley proof. Instead of the SW~~AN~~N, sec. 3, T. 37 N, R. 3 W, E.M., it should read the SW~~AN~~N, sec. 3, T. 37 N, R. 3 W, B.M.

Please correct this error and proceed with our transmittal letters instructions.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: Copy of legal notice
Copy of galley proof

86-4000

**NOTICE OF CLAIM TO
A WATER RIGHT**

No. 86-4000

Notice is hereby given that ~~William C. Grant~~, Box 167, Juliaetta, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 22 (cubic feet per second) of water from Potlatch Creek, tributary to the Clearwater River with point of diversion in SW1/4, sec. 3, T. 37 N. R. 3 W. B. M., Latah County; the water is claimed to be used for irrigation purposes from May 1 to October 30 with a priority of May 1955 for 22 cfs; the place of use is the SW1/4, sec. 3, T. 37 N. R. 3 W. 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 Daily Idahonian,
Moscow, Idaho, on February 8 and
February 25.
Feb. 8, 15, 1968

5 1/2 NW 1/4

7/2

86-4000

January 29, 1968

Re: Claim No. 86-4000

The Daily Idahonian
Moscow,
Idaho 83843

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 can not 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 same has been paid.

(Do not sign letter)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:ks

Enclosure: legal notice

Form 3

86-4000

NOTICE OF CLAIM TO A WATER RIGHT

No. 86-4000

Notice is hereby given that Milton C. Grant, Box 187, Juliaetta, Idaho
_____ has filed a claim to a water right established
by diversion and application to beneficial use of .22 (cubic feet per second)
to the Clearwater River
(~~acre/feet~~) of water from Potlatch Creek, tributary / with point of diversion
in SW 1/4, sec. 3, T. 37 N, R. 3 W, B.M., Latah County ;
the water is claimed to be used for irrigation
purposes from May 1 to October 30 with a priority of May
1965 for .22 c.f.s. ; the place of use is the S 1/4, sec. 3, T. 37 N, R. 3 W, 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 The Daily Idahonian, Moscow
Idaho, on February 8 and February 15.

86-4000