

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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

Kathy Garison

_____, being duly sworn
deposes and says, I am the Classified Bookkeeper
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 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the Notice of Claims to Water Rights
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 16th day of
July, A. D. 1981, and the last publica-
tion thereof being on the 23rd day of July,
A. D. 1981, and said Notice of Claims to Water Rights
was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the fol-
lowing claim(s) to water right(s) have
been established by diversion and ap-
plication to beneficial use:

85-4159

Burnham, Richard L. and/or Jocene,
424 Veatch St., Moscow, ID 83843;
Source: Springs tributary to Cotton-
wood Creek; Priority Date: 01/01/1909;
Amount: 0.08 cfs; Diversion Point:
NWSW SWSW Sec. 06 T 35N R 02W,
Nez Perce Co.;

Use: Stockwater (0.04 cfs) from 01/
01 to 12/31; Domestic (0.04 cfs) from
01/01 to 12/31.

Place of use: NWSW SWSW Sec. 06 T
35N R 02W SWSW Sec. 06 T 35N R 02W.

Any exception to any claim of water
right may be filed with the Director of
the Idaho Department of Water Re-
sources, 4055 Gov't. Way, Coeur
d'Alene, ID 83814.

A. KENNETH DUNN
Director

RECEIVED
JUL 24 1981

Department of Water Resources
Northern District Office

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

23rd day of July, 1981

Sheral M. Lantz

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

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35N 2W

[illegible]

Received by TK Date 7/6/81 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by JB Date 7/7/81 claimant by: _____
 \$20.00 fee received by me Date 7/6/81 (18222)
 Published in San Jose Morning Tribune _____
 Dates 7/16 & 23/81 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Richard L. or Jocene E. Burnham
(Name of Claimant)

424 Veatch, Moscow, Idaho 83843 Telephone No. 882-4386
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1909

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
2 Springs tributary to Cottonwood Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.04</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>0.04</u>	Use <u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 0.08 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion. (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 6 Twp. 35N Rge. 2W B.M., County of Nez Perce
Additional points of diversion: SWSW, Sec. 6, T35N, R2W,

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. pipd to stock watering tanks and to home for domestic purposes, including yard and garden.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
35N	2W	6									X	X							

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use for one home, (SWSW)

NOTE: Include here the type and number of stock watered: 100 range.

(7) If you are claiming water as a member of an organization, list name of organization:

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(8) Remarks

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County of Nez Perce } ss.

Kathy Garison

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period and times of publication as set forth above.

Kathy Garison

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

____ day of July, 1981

Sheryl M. Lent

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

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JUL 24 1981

Department of Water Resources
Northern District Office

MACROFILMED

Moore Business Forms, Inc. 54 7000 113HJ

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WRD417

WATER RIGHTS PROOF READING REPORT

08/10/81

PAGE 1

WATER RIGHT NUMBER 85-4159

OWNER LAST NAME - BURNHAM
OWNER LAST NAME - BURNHAM
OWNER LAST NAME - BURNHAM

FIRST NAME - RICHARD L.
FIRST NAME - JOCENE
FIRST NAME - JOCENE E.

ORIG OWNER -
ORIG OWNER -
ORIG OWNER -

ADDRESS LINE 1 - 424 VEATCH ST.
ADDRESS LINE 3 -

ADDRESS LINE 2 -
CITY - MOSCOW

STATE - ID ZIP CODE - 83843

SOURCE - SPRINGS

TRIBUTARY OF - COTTONWOOD CREEK

STAGE - STATRY CLM

STATUS -

PRIORITY - 01-01-1909

COUNTY - NEZ PERCE

TOTAL DIV. RATE -

.0800 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NWSW 06 35N 02W LOT

REDIV -

SWSW 06 35N 02W LOT

REDIV -

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

USE DIV. RATE -

.0400 CFS

USE DIV. VOLUME -

.00 AFA

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

USE DIV. RATE -

.0400 CFS

USE DIV. VOLUME -

.00 AFA

USE - STOCKWATER

PLACE OF USE - TWN 35N RNG 02W SEC 06 TRACT NWSW LOT

AC

TRACT SWSW LOT

AC

USE - DOMESTIC

PLACE OF USE - TWN 35N RNG 02W SEC 06 TRACT SWSW LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE - S/100 RANGE, D/1 HOME.

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 85-4159 Applicant Burnham

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By [Signature] Date 7/24/87

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 8/11/81

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IDENT. NO. 85-4159

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

85-4159

BURNHAM, RICHARD L. &/or JOCENE E.

424 VERTCH ST., MOSCOW, ID 83843

Source: SPRINGS tributary to COTTONWOOD CREEK

Priority Date: 01/01/1909

Amount 0.08 CFS

Diversion Point: NWSW SWSW Sec 06 T 35N R 02W, NEZ PERCE Co.

Use: STOCKWATER	(0.04 CFS)	from 01/01 to 12/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: NWSW SWSW Sec 06 T 35N R 02W SWSW Sec 06 T 35N R 02W

*Corrected
on computer
7/10/89*

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

AUGUST 3, 1981

RICHARD L. BURNHAM
JOCENE BURNHAM
424 VEATCH ST.
MOSCOW

ID 83843

RE: Claim No. 85-4159

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

ENCLOSURE