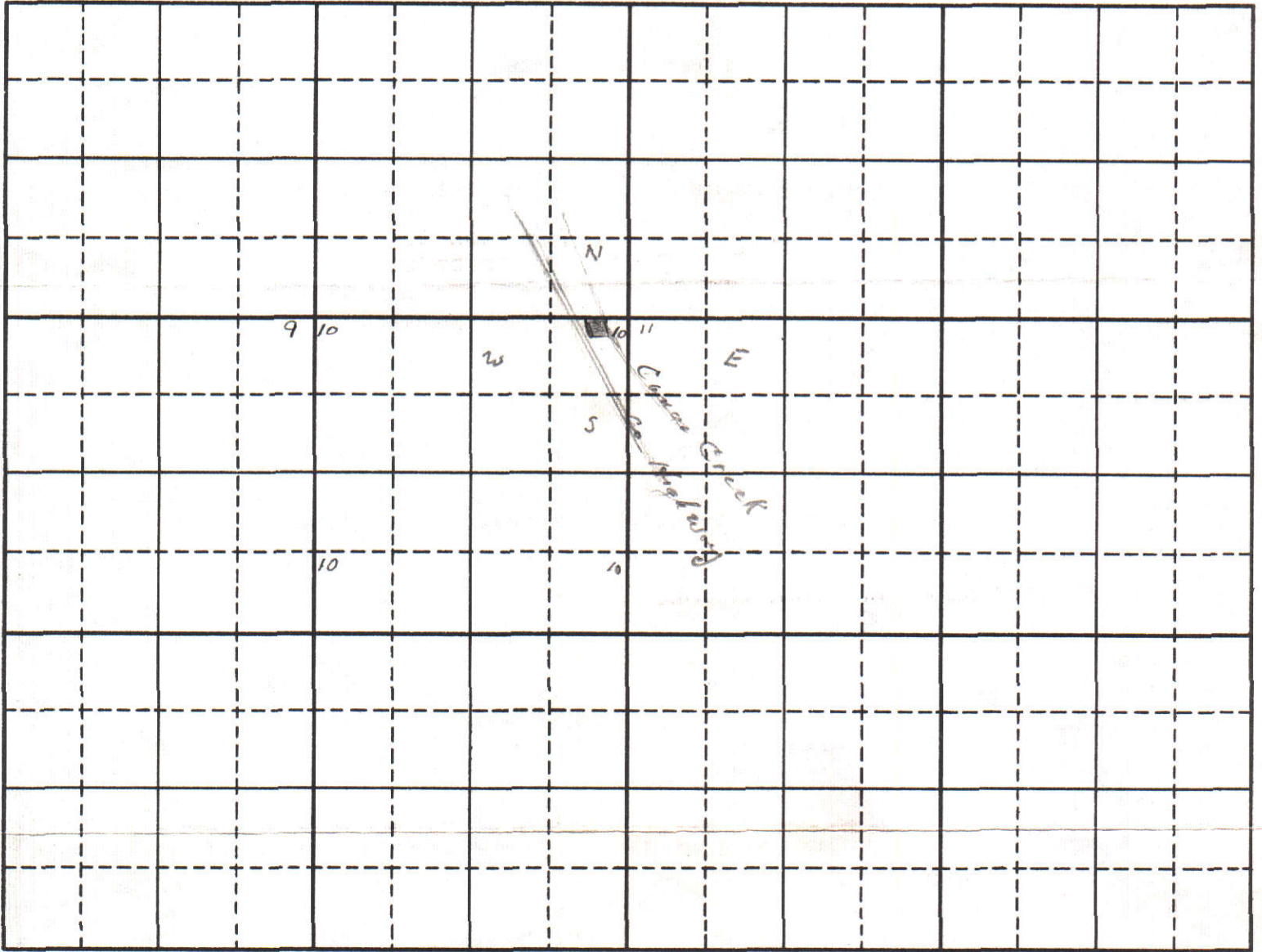


(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Chambers) 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 16th day of March, 1977
Earl Gipsom (Claimant)
Larry D. Cherdron
Notary Public
Residing at Orofino, Idaho

My commission expires 1-28-81

Rec. #4963

For Department Use Only

Received by <u>CP</u>	Date <u>3-17-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CP</u>	Date <u>3-17-77</u>		claimant by:	
\$10.00 fee received by <u>CP</u>	Date <u>3-17-77</u>			
Approved for publication by _____				
Published in <u>Lewiston Morning Tribune</u>				
Dates <u>3-24 & 3-31-77</u>				

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that Earl Anthony E. Ripston
(Name of claimant)

of RT 1 Park Plaza, claims a right to the diversion and beneficial use of
(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Big Canon Creek
_____, tributary to, Clearwater River

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

Amount <u>10000</u>	Use <u>Supply</u>	Period of Use: From <u>April</u> To <u>October</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri, stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 0.02 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) for myself since 1973 and at least 10 years before

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

NE $\frac{1}{4}$ $\frac{1}{4}$ NE $\frac{1}{4}$ $\frac{1}{4}$, Sec. 10 Twp. 36N Rge. 1 West B.M. County of Dez Perce
Additional points of diversion: 50' from NE corner of 2 acres

- 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. 1" Pump in Canon Creek then
1" hose

- (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.

[illegible]

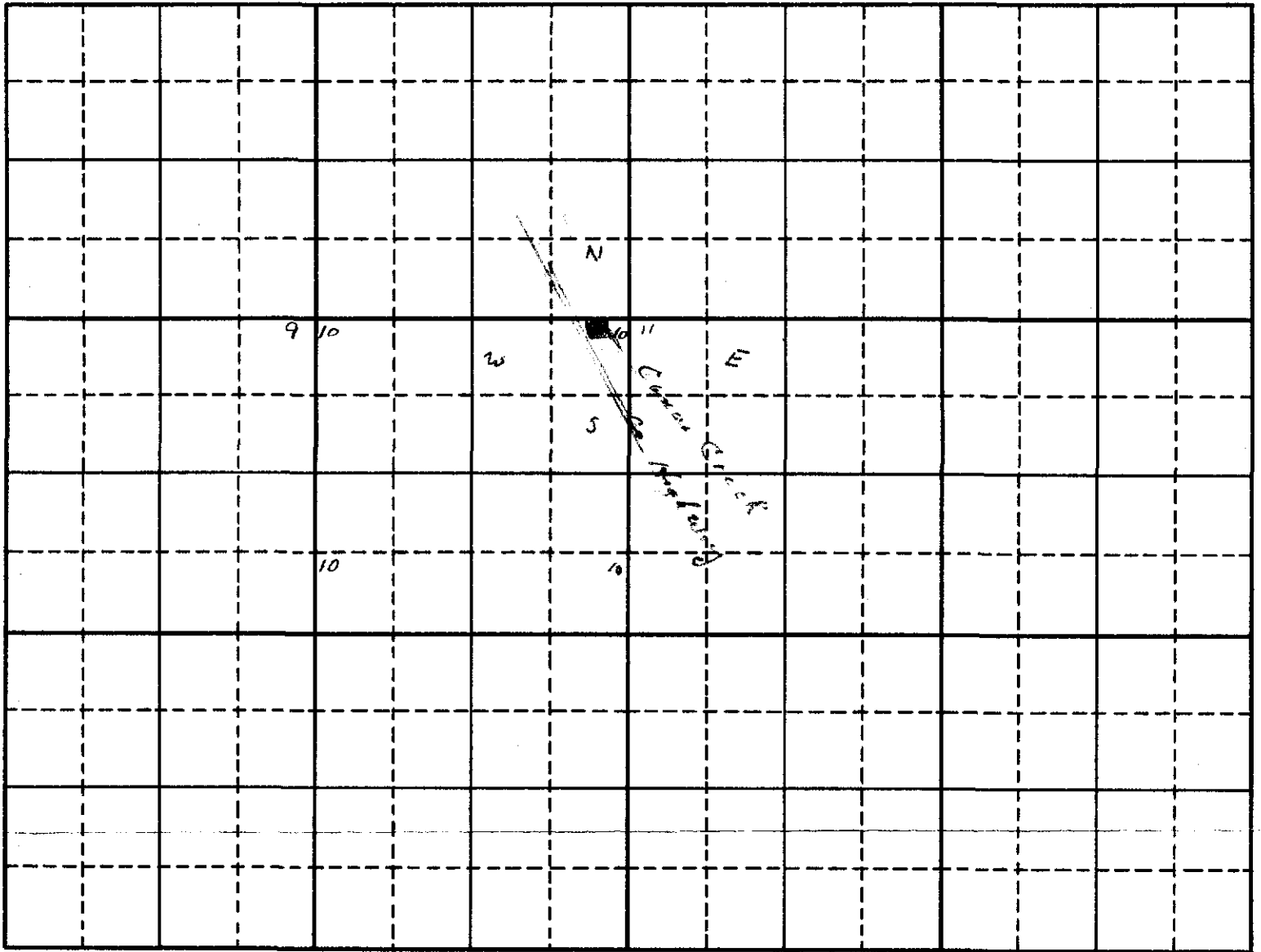
Total No. of acres 2

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Brigade only

- (7) If you are claiming water as a member of an organization, list name of organization: None

(8) Remarks _____



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Chambers) 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 16th day of _____

Earl Gibson
(Claimant)
March, 1977
Larry D. Chubb
Notary Public
Residing at Orpin, Idaho

My commission expires 1-28-81

Rel. #4903

For Department Use Only

Received by CP Date 3-17-77
Prelim. check by CP Date 3-17-77
\$10.00 fee received by CP Date 3-17-77
Approved for publication by _____
Published in Lewiston Morning Tribune
Dates 3-24 & 3-31-77

Exception filed by: _____ Date _____
Forwarded to claimant by: _____ Date _____

That on or about May 31, 1974 she sold to EARL GIPSON and MARY E. GIPSON, husband and wife, the following described real property situate in the County of Nez Perce, State of Idaho, to-wit:

A portion of the Northeast Quarter of the Northeast Quarter of Section 10, Township 36 North, Range 1 W.B.M., described as:

Beginning at a point on the North line of Section 10, which point is also on the West bank of Big Canyon Creek, said point being approximately 90 feet West of the Northeast corner of said Section 10; thence West 339 feet along the North boundary of Section 10 to the Easterly right of way line of the Peck County Road; thence Southerly along said Easterly right of way line of said Peck County Road 264 feet; thence East, parallel with the North line of said Section 10, 310 feet, more or less, to the West bank of Big Canyon Creek; thence Northerly along the West Bank of Big Canyon Creek 264 feet, more or less to the point of beginning.

SUBJECT, HOWEVER, to an easement for roadway over and across the easterly side of the above described premises to provide ingress and egress to and from the property next easterly and adjacent to the premises hereinabove described, as reserved in that certain warranty deed recorded as Instrument No. 297245, records of Nez Perce County, Idaho, and as corrected in warranty deed recorded as Instrument No. 322369, and

SUBJECT FURTHER, to a right of way given to Nez Perce County, a municipal corporation, under Instrument No. 323540, records of Nez Perce County, Idaho.

PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT NO. 85-4081

Notice is hereby given that Earl &/or Mary E. Gipson, Route 1, Peck, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 1,000 gallons per day of water from Big Canon Creek, tributary of the Clearwater River with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 36N, R. 1W, B.M., Nez Perce County.

The water is claimed to be used from April to October for the irrigation of two acres with a priority of approximately 1967; the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 36N, R. 1W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

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

DeAnna D. Kincart

Department of Water Resources
Northern District Office
being duly sworn

Classified Bookkeeper

deposes and says, I am the _____ 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 to a Water attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week 2 weeks _____ for _____ consecutive _____, the

first publication thereof being on the 23rd day of March _____, A. D. 19 77, and the last publica-

tion thereof being on the 30th day of March _____, A. D. 19 77, and said Right No. 85-4081

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.

DeAnna D. Kincart

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
30th day of March, 19 77

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

September 18, 1984

RE: Claim to a Water Right No. 85-4081

John Reid Tait
Kenton & Tait, Law Offices
P.O. Drawer E
212 Miller St.
Lewiston, ID 83501

Dear Mr. Tatt:

We are in receipt of your letter stating that Earl & Mary E. Gipson have sold their property to Moe John and Georgia Colleen Hudson. We have placed the correspondence in our Claim to a Water Right File No. 85-4081 for future reference.

Enclosed is a copy of Claim No. 85-4081 for Mr. and Mrs. Hudson's records. Since you did not supply their address, we are forwarding this copy through you.

If you, or the Hudsons's, have any questions in regard to this matter, please feel free to contact our office.

Sincerely,

KAY WALKER
Technical Records Specialist

KN:sc

Enclosure

MICROFILMED

Law Offices of
Keeton and Tait

P. O. DRAWER E
312 MILLER STREET
Lewiston, Idaho
83501

Paul C. Keeton
John Reid Tait

Michael J. Trull
ASSOCIATE

10 August 1984

State of Idaho
Department of Water Resources
Northern District
Route 5, Box 203 - Suite #1
4055 N. Government Way
Coeur d'Alene, ID 83814

Gentlemen:

Re: Claim to a Water Right No. 85-4081

Please be advised that Earl Gipson and Mary E. Gipson have sold the real property upon which the above water right has been filed to Joe John Hudson and Georgia Colleen Hudson.

Very truly yours,


John Reid Tait

JRT/dh

RECEIVED
SEP 17 1984

Department of Water Resources

AREA CODE 208
743-6231

RECEIVED
SEP 18 1984

Department of Water Resources
Northern District Office

MICROFILMED

IDENT. NO. 85-4081

WATER RIGHT
DATA ENTRY LOG

[illegible]



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 N. Government Way

COEUR D' ALENE, IDAHO 83814

(208) 667-6484

April 20, 1977

RE: Claim to a Water Right No. 85-4081

Earl and Mary E Gipson
Rt 1
Peck, Id 83545

Dear Mr & Mrs Gipson,

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

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enclosure

MICROFILMED

March 25, 1977

Mr. James H. Matteson, P.E.
Director of Public Works
CITY OF LEWISTON
P.O. Box 617
Lewiston, ID 83501

Dear Mr. Matteson:

In response to your letter of March 23, 1977, in connection with Claim to a Water Right No. 85-4081 filed by Earl and Mary Gipson, the amount of water published in the Lewiston Morning Tribune was in error. The correct amount of water that Mr. and Mrs. Gipson are claiming is 1,000 gallons per day.

We have contacted the Lewiston Morning Tribune to make the necessary correction. Thank you for bringing this to our attention.

Very truly yours,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:CP

RECEIVED



March 23, 1977

Mr. R. Keith Higginson, Director
Department of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Mr. Higginson:

We noticed a water right claim in the Legal Notices today, calling attention to a desire to divert 1,000 cubic feet of water per second from the Clearwater River at Big Canyon Creek. This is your claim Number 85-4081, in the name of Earl and Mary Gipson, Peck, Idaho.

Since this claim is to irrigate only 2 acres of land, a quick calculation shows the water diversion to be about 16.53 acre-feet of water per day. We honestly question the need for this amount of water, since one can only use about 2-3 acre-feet of water per acre per year, for normal purposes. It would appear that Mr. and Mrs. Gipson's need would be more in the order of one cubic foot per second.

Your attention to our concern will be appreciated. We sincerely hope that the Tribune made a typographical error.

Very truly yours,

James H. Matteson, P.E.
Director of Public Works

jl

cc: Armand E. Werle

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 18, 1977

Re: Application No. 85-7138 - Johnny &/or Deborah Ryneerson
Claim No. 85-4081 - Earl &/or Mary E. Gipson

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

Gentlemen:

Enclosed is 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 our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

bill: 4-4-77-4

NOTICE OF CLAIM TO A WATER RIGHT

NO. 85-4081

Notice is hereby given that Earl &/or Mary E. Gipson,
Route 1, Peck, Idaho

~~has~~ ^{have} filed a claim to a water right established by diversion and application
to beneficial use of 1,000 ~~gallons per second~~ ^{gallons per} ~~minute~~ ^{day}
of water from Big Canon Creek, tributary of the Clearwater River
with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 36N, R. 1W, B.M.,
Nez Perce County

The water is claimed to be used from April to October for the irriga-
tion of two acres

with a priority of approximately 1967 ;
the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, T. 36N, R. 1W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

R. KEITH HIGGINSON
Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho
on March 24 and March 31, 1977

FILED

March 17, 1977

Re: Claim to a Water Right No. 85-4081

Mr. Earl Gipson
Route 1
Peck, ID 83545

Dear Mr. Gipson:

Attached is your receipt No. 4963 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment

RECEIVED
MAR 21 1977
FBI - BOZEMAN