

RECEIVED

JUN 30 1975

Department of Water Resources
Northern District Office

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

NO. 81-4007

Notice is hereby given that James M. Hunter, Stites, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from a Spring, tributary to an Unnamed Creek with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 31N, R. 4E, B.M., Idaho County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of May 17, 1945; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, T. 31N, R. 4E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on June 18 and June 25, 1975.
JN18-25

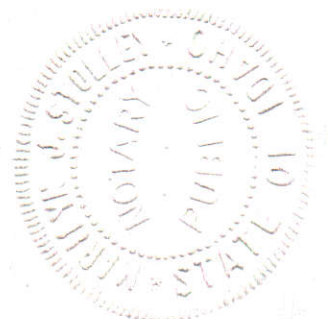
Lori A. Hauger being first duly
..... office manager
sworn, says he is the
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two..... weeks,
being published two..... times, the first publication being
on the 18..... day of June....., 197.....5,
and the last publication on the 25..... day of
.....June..... 197.....5 and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Lori A. Hauger
.....

Subscribed and sworn to before me this 25..... day
of June....., 197.....5

Marilyn J. Stolley
....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.

MICROFILMED



82-4026
Identification No. 81-4007
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 James M. Hunter
post office address Stites, Idaho 83552
2. The point of diversion is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 16 Township 31N
Range 4E B.M. located on a spring
(name of source)
tributary to unnamed creek in Idaho 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:

May 17, 1945 amount: 0.02 c.f.s. ~~xxxxxxxxxxxxxx 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 Domestic period of use from January 1 to December 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 concrete springbox 6'x6'x10'
and galvanized pipe to both houses and barn; 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 _____
_____;

RECORDED

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible.

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? _____ 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 _____
17 head cattle and 2 horses.

7. Where water is used for domestic or municipal purposes give number of families served two
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 _____

State of Idaho }
County of Blaine } 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 9th day of June, 19 75
James M. Hunter Claimant

[Signature] Notary Public
Residing at KAMIAH

My commission expires 8-25-77

For Department Use Only

Received by <u>KK</u> Date <u>6/10/75</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>26</u> Date <u>6/14/75</u> # <u>912</u>	_____	_____	_____
Fee received by <u>26</u> Date <u>6/14/75</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>26</u>	_____	_____	_____
Published in <u>IDA. Cty. FREE PRESS</u> Dates <u>6-18-75</u> <u>4</u> <u>6-25-75</u>	_____	_____	_____

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:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
	Total claimed:		1.2 c.f.s. 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 this claim with the Department of Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

NO. 181-1007

Notice is hereby given that James M. Hunter, Stites, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from a Spring tributary to an Unnamed Creek with point of diversion in the SW 1/4 NE 1/4, Sec. 16, T. 31N, R. 4E, B.M., Idaho County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of May 17, 1945; the place of use is within the SW 1/4 NE 1/4, Sec. 16, T. 31N, R. 4E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho 83814.

R. KENT HIGGINSON
Director

Published in the Idaho
County Free Press,
Grangeville, Idaho on June
18 and June 25, 1975.
JN18-25

Lori A. Hauger being first duly
sworn, says he is the office manager
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two weeks,
being published two times, the first publication being
on the 18 day of June 1975,
and the last publication on the 25 day of
..... June 1975 and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

..... Lori A. Hauger

Subscribed and sworn to before me this 25 day
of June 1975

..... Marilyn J. Stelly Notary Public
for State of Idaho, residing at Grangeville, Idaho.

WATER RIGHT NUMBER 82-4026

WATER RIGHTS EDIT REPORT

10/05/79

PAGE 107

ACT
ION

N OWNER LAST NAME - HUNTER

FIRST NAME - JAMES M.

N

CITY - STITES

STATE - ID ZIP CODE - 83552

N

SOURCE - SPRING

TRIBUTARY OF - UNNAMED STREAM

N

STAGE - STATRY CLM

PRIORITY - 05-17-1945 COUNTY - IDAHO

TOTAL DIV. RATE - .0200CFS

N

DIVERSION POINT - SWNE 16 31N 04E

N

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

USE DIV. RATE - .0200CFS

N

USE - DOMESTIC

PLACE OF USE - TWN 31N RNG 04E SEC 16 TRACT SWNE

IDENT. NO. 82-4026

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 82-4026
Old No. New No.

Record

1. Original Owner: James M. Hunter

Present Owner: _____

2. Address:

3. City: Stites State: ID Zip: 83552

4. A. Source of Water: spring
B. Tributary of: unnamed stream

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: 5-17-1945
D. County: 49
E. Total Diversion Rate: .02
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>SWNE</u>	<u>16</u>	<u>31N</u>	<u>4E</u>		

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

from 1-1 to 12-31 for D purposes. Amount .02
(cfs or AC-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 _____

92179

[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):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Route 5, Box 203
Suite #1
4055 Government Way

~~XXXXXXXXXX~~
~~XXXXXXXXXXXX~~
Coeur d'Alene, Idaho 83814
(208) 667-6484

July 8, 1975

Re: Claim to a Water Right No. 81-4007

Mr. James M. Hunter
Stites
Idaho 83552

Dear Mr. Hunter:

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, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

June 16, 1975

Re: Claim to a Water Right No. 81-4007

Mr. James M. Hunter
Stites
Idaho 83552

Dear Mr. Hunter:

Attached is your receipt No. 912 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Supervisor

FE:CP

Attachment

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Room 209
401 Front Avenue
Coeur d'Alene, Idaho 83814
(208) 667-6484

June 13, 1975

Re: Claim No. 81-4007 - James M. Hunter

Idaho County Free Press
Box 267
Grangeville, ID 83530

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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill: 7-2-75.4

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PRINTING

LETTERPRESS AND OFFSET



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TELEPHONES:
983-1070 OR 983-1071

"PROMPT SERVICE"

STATEMENT

IDAHO COUNTY FREE PRESS

COUNTY SEAT NEWSPAPER OF IDAHO COUNTY — FOUNDED JUNE 18, 1886

E. Q. AND J. L. OLMSTED

PRINTERS AND PUBLISHERS

Grangeville, Idaho 6/26, 1975

Department of Water Resources
Rm. 209 401 Front Ave.
Coeur d'Alene, Idaho
83814

DATE

INVOICE NO. / ITEMS

AMOUNT

June 18-25

not of claim

no.81-4007

34 li 2 t

11.56

RECEIVED
JUN 26 1975
IDAHO COUNTY FREE PRESS

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to beneficial use of 0.02 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~

of water from a Spring, tributary to an Unnamed Creek

with point of diversion in the SW¹/₄NE¹/₄, Sec. 16, T. 31N, R. 4E, B.M.,

Idaho County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes

with a priority of May 17, 1945;

the place of use is within the SW¹/₄NE¹/₄, Sec. 16, T. 31N, R. 4E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho, 83814.

R. KEITH HIGGINSON

Director

Published in the Idaho County Free Press, Grangeville, Idaho

on June 18 and June 25, 1975

FILED
JUN 18 1975
IDAHO COUNTY
CLERK