

RECEIVED
APR 7 1969
Department of Reclamation

AFFIDAVIT OF PUBLICATION

**NOTICE OF CLAIM TO A
WATER RIGHT**
No. 82-4003

Notice is hereby given that Albert C. Pratt, Stites, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.12 cubic feet per second acre feet of water from the South Fork of the Clearwater River, tributary of the Clearwater River with point of diversion in the NE $\frac{1}{4}$ -SE $\frac{1}{4}$, sec. 5, T. 31 N, R. 4 E, B.M., Idaho County; the water is claimed to be used from June 20 to October 1 for irrigation with a priority of July 20, 1962; the place of use is located in the NE $\frac{1}{4}$ -SE $\frac{1}{4}$, sec. 5, T. 31 N, R. 4 E, 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 Idaho County Free Press, Grangeville, Idaho on March 27 and April 3, 1969. M27-A3

..... Gary D. Cash 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 27th day of March 1969, and the last publication on the 3rd day of April 1969; 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.

..... Gary D. Cash

Subscribed and sworn to before me this 3rd day of April 1969.

..... Richard C. Hatch Notary Public
for State of Idaho, residing at Grangeville, Idaho.

82-4003

The basin on this water Right
is possibly wrong. Any correspondence
should be checked for location
(which side of the Clearwater River)
To determine the correct Basin #

A handwritten signature, possibly reading "A. J. L.", written in black ink.

Also # B2-4002

Identification No.

Claim No.

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 Albert C. Pratt
post office address Stites, Idaho 83552
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 5 Township 31N
Range 4E B.M. located on South Fork of Clearwater River
(name of source)
tributary to Clearwater River in Idaho County 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:
July 20, 1962 amount: 0.12 c.f.s. or _____ 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 Irrigation period of use from 20 June to 1 Oct (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 _____
_____ ; 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 _____
_____ ;

82-4003

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]

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? 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
Water is diverted by a pump, pipeline and 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.

State of Idaho

County of Idaho } 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.

Albert C Pratt
Claimant

Sworn to before me this 11th day of March, 1969.

D. G. Emers
Notary Public

Residing at Trangerville Idaho

My commission expires 10-28-1972

Received by Diller Date 3-13-69

Exception filed by:

Forwarded to claimant by:

Date

Prelim. check by Diller Date 3-13-69

Fee received by sj Date 3-14-69 Fee \$10⁰⁰

Approved for publication by sj Date 3-24-69

Published in Idaho Press Dates 3-24-4-3-69

receipt # 2811

82-4003

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.

ALL KINDS
OF
COMMERCIAL
PRINTING
LETTERPRESS AND OFFSET



USE FREE PRESS
CLASSIFIED ADS
"THEY GET RESULTS"



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

April 1, 1969

State of Idaho
Dept. of Reclamation
Statshouse--Annex 2
Boise, Idaho 83707

RECEIVED
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Department of Reclamation

DATE

INVOICE NO. / ITEMS

AMOUNT

Mar. 27-April 3 27 lines, 2 times--Net. Claim. #82-4003

\$ 6.75

"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.

IDAHO COUNTY FREE PRESS

BY Gary D. Cash
Gary D. Cash, Office Mgr.

submitted 4-22-69

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Gary D. Cash

Subscribed and sworn to before me this 3rd day of April, 1969.

Richard C. Hatch, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

PS-4003

ACT
ION

N	OWNER LAST NAME - PRATT	FIRST NAME - ALBERT C.		
N		CITY - STITES	STATE - ID	ZIP CODE - 83552
N	SOURCE - CLEARWATER RIVER, SOUTH FORK	TRIBUTARY OF - CLEARWATER RIVER		
N	STAGE - STATRY CLM	PRIORITY - 07-20-1962	COUNTY - IDAHO	TOTAL DIV. RATE - .1200CFS
N	DIVERSION POINT - NESE 05 31N 04E			
N	FROM - 06-20 TO - 10-01	USE - IRRIGATION	USE DIV. RATE - .1200CFS	
N	USE - IRRIGATION	PLACE OF USE - TWN 31N RNG 04E SEC 05 TRACT NESE	AC 06	

3/79

IDENT. NO. 82-4003

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]

- DATA ENTRY -

OTd No. 182-4003 New No. _____

1. Original Owner: Albert C. Bratt

Present Owner:

3. City: States State: Cal Zip: 93552

4. A. Source of Water: *Clearwater River, South Fork*

B. Tributary of: *Clearwater River*

5. A. Stage (A,P,L,D,S,J): 2

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 7-20-1962

D. County: 49

E. Total Diversion Rate: , 12

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 SE</u>	<u>5</u>	<u>31N</u>	<u>4E</u>		

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

from 6-20 to 10-1 for A purposes. Amount .12
(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 _____

from _____ to _____ for _____ purposes. Amount _____

dc. 9-21

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):

May 2, 1969

Department of Reclamation
Statehouse
Boise, Idaho

MAY 5 1969
Department of Reclamation

Dear sir:

I am writing with reference to Claim
No. 82-4002 (or No 824003 as in Free Press).
We requested two water rights for two
separate places and sent you a
check for \$20.00.

We received your letter stating our
claim has been filed - No 82-4002 and
the notice in the Free Press has the
no 82-4003.

We have the cancelled check for \$20.00
for the filing fee for two water right
claims.

Would you please get this
straightened out?

Yours truly,
Albert Pratt
82-4003

March 20, 1969

Re: Claim No. 82-4003 ✓ Albert C. Pratt
Claim No. 82-4002 -- Albert C. Pratt

Idaho County Free Press
Box 267
Grangeville, Idaho 83530
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 cannot 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.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: legal notice (2)

82-4003

**NOTICE OF CLAIM TO A
WATER RIGHT**

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Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

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M27-A3

WJ

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River, tributary of the Clear/ with point of diversion in the NE 1/4 Sec. 4,
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