

[illegible]

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.

SS.

County of Ada

Donald L. Rising
Theresa K. Rising
(Claimant)

Sworn to before me this 29 day of Nov, 19 73

Ralph E. Gregory
Notary Public
Residing at Meridian, Idaho

My commission expires 5-20-75

Rec'd # 13382 For Department Use Only

Received by if Date 11-30-73 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KUF Date 11/30/73 _____
\$10.00 fee received by if Date 11-30-73 _____
Approved for publication by _____
Published in Star News _____
Dates 12-13 & 12-20-73 _____

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

) ss.

County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for ^{Two} consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began December 13, 1973, and ended December 20, 1973.

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 21st day of Dec, 1973.

My commission expires July 20, 1977.

RECEIVED

DEC 24 1973

Department of Water Administration

77 4018

NOTICE OF CLAIM TO A WATER RIGHT

No. 77-4018

Notice is hereby given that Donald I. Rising &-or Helen W. Rising, Rt. 1, Boise Idaho has filed a claim to a water right established by diversion and application to beneficial use of .06 cubic feet per second of water from Umpqua Creek, trib to Johnson Creek with the point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S. 32, T. 18., R. 8E., B.M., Valley County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use & April 1 to Oct. 31 for irrigation of 3 acres with a priority of July, 1950; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S. 32, T. 18 N., R. 8 E., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Star-News, McCall, Idaho on Dec. 13, 1973 and Dec. 20, 1973.

6 15000 Department 1973

OK df
12-28-73

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
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 Donald I. Rising & Helen W. Rising
(name of claimant)
of Rt #1, Boise, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Johnson Creek;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Umpqua Creek
- (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>.04</u> | Use | <u>Domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>.06</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>Apr. 1</u> | To | <u>Oct. 31</u> |
| 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: .06 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) July 1950
- 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)
N.E. 1/4 N.W. 1/4, Sec. 32 Twp. 18N, Rge. 8E, B. M. County of Valley
Additional points of diversion: none

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. diversion dam, & 2" pipe line 500' in length for domestic & irrigate 1 acre, & diversion to ditch for additional irrigation 2 acres

- (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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
18N	8E	32					3												3

Total No. of acres 3

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water from pipe line is used for domestic, irrigation, & some stock water, occasionally

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

[illegible]

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.

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.

Donald S. Rising
 Helen K. Rising
 (Claimant)

Sworn to before me this 29 day of Nov, 19 73

Ralph E. Gregory
Notary Public
Residing at Meridian, Idaho

My commission expires 5-20-75

Rec'd # 1338 For Department Use Only

Received by Y Date 11-30-73 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KIF Date 11/30/73 claimant by: _____
\$10.00 fee received by ef Date 11-30-73
Approved for publication by _____
Published in Star News _____
Dates 12-13 & 12-20-73 _____

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

) ss.

County of Valley)

Donald E. McMahan, being first duly sworn, deposes and says: That he is the co-editor of the Star-News, a weekly newspaper published at Cascade and McCall, in the County of Valley, State of Idaho; that said newspaper is in general circulation in the county of aforesaid and is a legal newspaper; that the advertisement, a copy of which is hereto attached, was published in said newspaper once a week for ^{Two} consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began December 13, 1973, and ended December 20, 1973.

Donald E. McMahan

Subscribed and sworn to before me a Notary Public in and for the County of Valley, and the State of Idaho, this 20 day of July, 1973.

Donald E. McMahan, Notary Public.

My commission expires July 20, 1977.

RECEIVED

DEC 24 1973

State of Idaho Administration

77 4018

OK of
12-28-73

ACT
ION

N	OWNER LAST NAME - RISING	FIRST NAME - DONALD I.		
N	OWNER LAST NAME - RISING	FIRST NAME - HELEN W.		
N	ADDRESS LINE 1 - RT. 1			
N		CITY - BOISE	STATE - ID	
N	SOURCE - UMPQUA CREEK	TRIBUTARY OF - JOHNSON CREEK		
N	STAGE - STATRY CLM	PRIORITY - 07-01-1950	COUNTY - VALLEY	TOTAL DIV. RATE - .0600CFS
N	DIVERSION POINT - NENW 32 18N 08E			
N	FROM - 04-01 TO - 10-31	USE - IRRIGATION	USE DIV. RATE - .0600CFS	
N	FROM - 01-01 TO - 12-31	USE - DOMESTIC	USE DIV. RATE - .0400CFS	
N	USE - IRRIGATION	PLACE OF USE - TWN 18N RNG 08E SEC 32 TRACT NENW	AC 03	

3/79

IDENT. NO. 77-4018

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]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 77-4018
Old No. New No.

Record

1. Original Owner: Donald J. & Helen W. Rising

Present Owner: _____

2. Address: Rt. 13. City: Boise State: ID Zip: _____4. A. Source of Water: Umpqua CreekB. Tributary of: Johnson Creek5. A. Stage (A,P,L,D,S,J): L

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

C. Priority Date: 7-1-1950D. County: 85E. Total Diversion Rate: .06

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>NENW</u>	<u>32</u>	<u>18N</u>	<u>8E</u>		

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

from	<u>4-1</u>	to	<u>10-31</u> ~~10-31~~	for	<u>A</u>	purposes.	Amount <u>.06</u> (cfs or AG-FT/yr)
from	<u>1-1</u>	to	<u>12-31</u>	for	<u>D</u>	purposes.	Amount <u>.04</u>
from		to		for		purposes.	Amount
from		to		for		purposes.	Amount
from		to		for		purposes.	Amount
from		to		for		purposes.	Amount

8. Use Code:

[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

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

September 25, 1974

Re: Permit No. 65-7427

77-4018

D. I. Rising
Star Route
Cascade, Idaho 83611

Dear Mr. Rising:

Pursuant to your telephone call of this date, enclosed is a copy of your approved Application for Permit No. 65-7427.

Please be advised that one-half interest of this permit belongs to Frank &/or Marion Meyers.

Sincerely,

Bobby D. Fleenor

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JFR

Enclosure

(over)

MICROFILMED

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

This is not the permit I inquired
about. I have this one.

The one I inquired about was
47-4018, an application for surface
water from Umdua Creek, in the Johnson
Creek Drainage.

Yours truly
D. H. King

RECEIVED
OCT 1 1974
Department of Water Resources

RECEIVED
MED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higgerson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

September 30, 1974

Re: Claim No. 77-4018

Donald I. Rising
Route 1
Boise, Idaho 83702

Dear Mr. Rising:

Enclosed is a copy of the above referenced claim.

We are sorry for the inconvenience caused in our sending you a copy of Permit No. 65-7427.

Sincerely,

JANICE F. ROHM
Secretary

JFR

Enclosure

MICROFILMED

WATER RESOURCE BOARD:

John F. Streiff
Chairman
Franklin Jones
Member

George L. Yost
Vice-Chairman
M. Reed Hansen
Member

Donald R. Kramer
Secretary
Scott W. Reed
Member

Edwin C. Schlender
Member
Joseph H. Nettleton
Member

January 3, 1974

Donald I. Rising &/or Helen W. Rising
Route #1
Boise, Idaho

Re: Claim to a Water Right No. 77-4018

Dear Mr. & Mrs. Rising:

The Department of Water Administration 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 your 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 this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

Enclosure

77 4018

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigation
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 7, 1973

The Star News
Box 985
McCall, Idaho 83638

Re: Claim to a Water Right No. 77-4018 - Donald I. Rising &/or Helen W. Rising
Application for Permit No. 65-7437 - Harold L. Byard
65-7438 - West Mtn. Lodge &/or Norman Bomengen
65-7440 - F. Lee Eisenbarth
65-7441 - W. E. &/or Lucile Cameron
77-7038 - J. Morton &/or Betty L. Arnold
65-7442 - Harland D. J. &/or Helen J. Ruppert

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department 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 the same has been paid."

(signature of claimant)

Sincerely,

Bill submitted 12-28-73 dy
77 4018

NOTICE OF CLAIM TO A WATER RIGHT

No. 77-4018

Notice is hereby given that DONALD I. RISING &/or HELEN W. RISING,

Rt. #1, Boise, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of .06 cubic feet per second ~~XXXXXXXX~~ of water
from Umpqua Creek, trib to Johnson Creek

with the point of diversion in the NE1/4, S.32, T.18N., R.8E., B.M.,
Valley County

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

& April 1 to Oct. 31 for irrigation of 3 acres

with a priority of July, 1950 ;

the place of use is within the NE1/4, S. 32, T. 18 N., R. 8 E., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Star News, McCall, Idaho

on Dec. 13, 1973 and Dec. 20, 1973

77 4018

C December 7, 1973

D. I. Rising
Route #1
Boise, Idaho

O Re: Claim to a water Right No. 77-4018

Dear Mr. Rising:

Enclosed is your Receipt No. 13382 in the amount of \$10.00 for Claim to a Water Right which was received in this office on November 30, 1973.

P Sincerely,

DEANNA E. FELDT
Secretary

Y DEF:d

Enclosure

77 4018