

A hand-drawn map on a 3x3 grid. The grid is formed by solid lines, with dashed lines in the middle of each row and column. The labels are as follows:

	1	2	3
1			5E
2			
3	24N		17

At the bottom right, outside the grid, is the handwritten text "opp" with an arrow pointing towards the bottom-right corner of the grid.

Received by [Signature] Date 11 July 75 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by [Signature] Date 11 July 75 list claimant by: _____
\$10.00 fee received by [Signature] Date 11 July 75 # 11313
Approved for publication by _____
Published in Idaho County Free Press
Dates 7-19 x 7-26-75

RECEIVED
AUG 1 1973
Department of Water Administration

AFFIDAVIT OF PUBLICATION

**NOTICE OF CLAIM TO
A WATER RIGHT**
No. 77-4011
Notice is hereby given that
HERSHELL DONOHO, Box 762,
Chillicothe, Mo. has filed a
claim to a water right estab-
lished by diversion and applica-
tion to beneficial use of .08
cubic feet per second of water
from an unnamed stream, trib.
to Little Bear Lake with the
point of diversion in the SW $\frac{1}{4}$ -
SE $\frac{1}{4}$, Sec. 17, T. 24 N., R. 5 E.,
B. M., Idaho County.
The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic use for two families
with a priority of 1923; the place
of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 24 N.,
R. 5 E. B.M.
Any exception to this claim
of water right may be filed with
the Idaho Department of Wat-
er Administration, Statehouse,
Boise, Idaho, 83707.
R. KEITH HIGGINSON
Director
Published in the Idaho Coun-
ty Free Press, Grangeville, Ida-
ho on July 18, 1973 and July 25,
1973. Jy18-25

OK of
8-1-73

_____ 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 _____ 18th _____ day of _____ July _____, 1973 _____,
and the last publication on the _____ 25th _____ day of
_____ July _____, 1973 _____; 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 _____ 25th _____ day
of _____ July _____, 1973 _____
_____ Richard C. Hatch _____, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

77 4011

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 HERSHELL DONOHO (name of claimant)
of Box 762, Chillicothe, Missouri 64601, claims a right to the diversion and beneficial use of (mailing address)
ground water or surface water tributary to Little Bear Lake;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed stream
- (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>.08</u> | Use | <u>Domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</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: .08 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) 1923

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)
SW ¼ SE ¼, Sec. 17 Twp. 24 N Rge. 5 E B. M. County of Idaho
Additional points of diversion: _____

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 with pipeline to houses 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.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
24N	5E	17												X			X		

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic for 2 household with irrigation of lawn and garden.

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

(8) Remarks

5E

24N

17

02D

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 San 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.

Hershell Enoke
(Claimant)

Sworn to before me this 11 day of July, 19 23

Notary Public

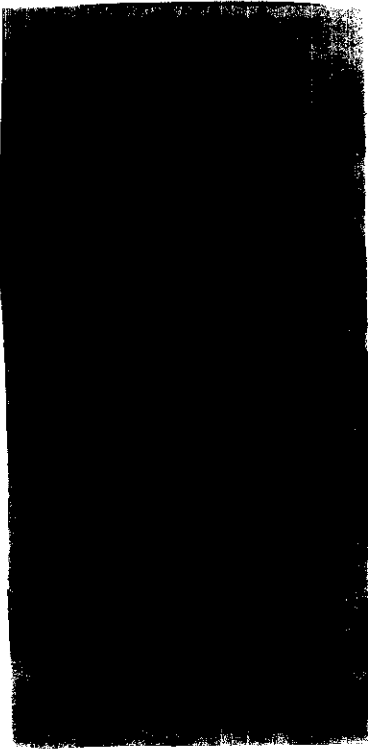
Residing at Besse Idaho

My commission expires June 15, 1977

For Department Use Only

Received by *[Signature]* Date *11 July 73* Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by *[Signature]* Date *11 July 73* *list* claimant by: _____
 \$10.00 fee received by *[Signature]* Date *11 July 73 #11313*
 Approved for publication by _____
 Published in *Ashe County Free Press*
 Dates *7-19 & 7-26-73*

AFFIDAVIT OF PUBLICATION



OK of
8-1-73

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 18th day of July, 1973, and the last publication on the 25th day of July, 1973; 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 25th day of July, 1973

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

ACT
IONN OWNER LAST NAME - DONOHO
N ADDRESS LINE 1 - P.O. BOX 762

FIRST NAME - HERSHELL

N SOURCE - UNNAMED STREAM

CITY - CHILLICOTHE
TRIBUTARY OF - LITTLE BEAR LAKE

STATE - MO

N STAGE - STATRY CLM

PRIORITY - 06-01-1923 COUNTY - IDAHO

TOTAL DIV. RATE - .0800CFS

N DIVERSION POINT - SWSE 17 24N 05E

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

USE DIV. RATE - .0800CFS

N USE - DOMESTIC

PLACE OF USE - TWN 24N RNG 05E SEC 17 TRACT NESE

TRACT SESE

3/79

IDENT. NO. 77-4011

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 -

Old No.

New No.

1. Original Owner: Heraldell Donoho

Present Owner: _____

2. Address: P.O. Box 762

3. City: Chillicothe State: mo. Zip: _____

4. A. Source of Water: Unnamed stream

B. Tributary of: Little Bear Lake

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: 6-1-1923

D. County: 49

E. Total Diversion Rate: .08

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 Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>SW 3 E</u>	<u>17</u>	<u>24^N</u>	<u>5E</u>		

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

from 1-1 to 12-31 for Δ purposes. Amount .08
(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

9.28.79
C

[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):

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cubic feet per second of water
from an unnamed stream, trib-
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The water is claimed to be
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with a priority of 1923; the place
of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 24 N.,
R. 5 E. B.M.

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

R. KEITH HIGGINSON
Director

Published in the Idaho Coun-
ty Free Press, Grangeville, Ida-
ho on July 18, 1973 and July 25,
1973. Jy18-25-

August 2, 1973

Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Gentlemen:

On July 28, 1973, I mailed an "Application for Permit" to your office. After re-checking the spring and stream, and re-reading your instructions, please void my application dated July 24, 1973, and mail me a form for "Claim to Water Right", priority being since 1902.

I followed the stream, the only stream whose tributary is Bear Lake in Sec. 9, T24N 5E BM.

Mr. Donoho has filed his claim in error. (see attached). The only stream which empties into Bear Lake, as mentioned above, comes from a spring in Sec. 15 T24N 5E BM. If he has a stream in Sec. 17 T24N 5E BM, it's tributary must be Bear Creek. Also, the flow of water in my stream is .01 cfs, not .08 as I stated before.

I do not want to divert this stream myself, nor do I want it diverted by other parties. It is my only source of domestic use water.

Sincerely,



Shirley M. Johnson
P.O. Box 489
Riggins, Idaho 83549

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77-4011

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Director

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1973.

Jy18-25

July 24, 1973

RECEIVED

JUL 30 1973

Dept. of Water Admin.
Statehouse - Anney
Boise, Idaho 83707

Department of Water

Gentlemen -

I do not take exception to the water claim of Hershell Donoho except that I request a clause put in his claim that his use of the water will not deteriorate our supply from the same stream. This stream is our only source of domestic use water.

Sincerely,

Shirley M. Johnson

77 4011

August 6, 1973

Hershell Donoho
Box 762
Chillicothe, Missouri 64601

Re: Claim to a Water Right No. 77-4011

Dear Mr. Donoho:

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

KMF:def

Enclosure

77 4011

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

July 12, 1973

Re: Claim to a Water Right No. 77-4011 Hershell Donoho

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. 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,

77 4011

NOTICE OF CLAIM TO A WATER RIGHT

- No. 77-4011

Notice is hereby given that HERSHELL DONOHO, Box 762, Chilllicothe, Mo.

has filed a claim to a water right established by diversion and application
to beneficial use of .08 cubic feet per second ~~acres feet~~ of water
from an unnamed stream, trib. to Little Bear Lake
with the point of diversion in the SW¹/₄ Sec. 17, T. 24 N., R. 5 E., B.M.,
Idaho County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic use
for two families
with a priority of 1923;
the place of use is within the NE¹/₄ Sec. 17, T. 24 N., R. 5 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 Idaho County Free Press, Grangeville, Idaho
on July 18, 1973 and July 25, 1973

77 4011

**PROOF TO BOISE
NOTICE OF CLAIM TO
A WATER RIGHT**

No. 77-4011

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77-4011 22