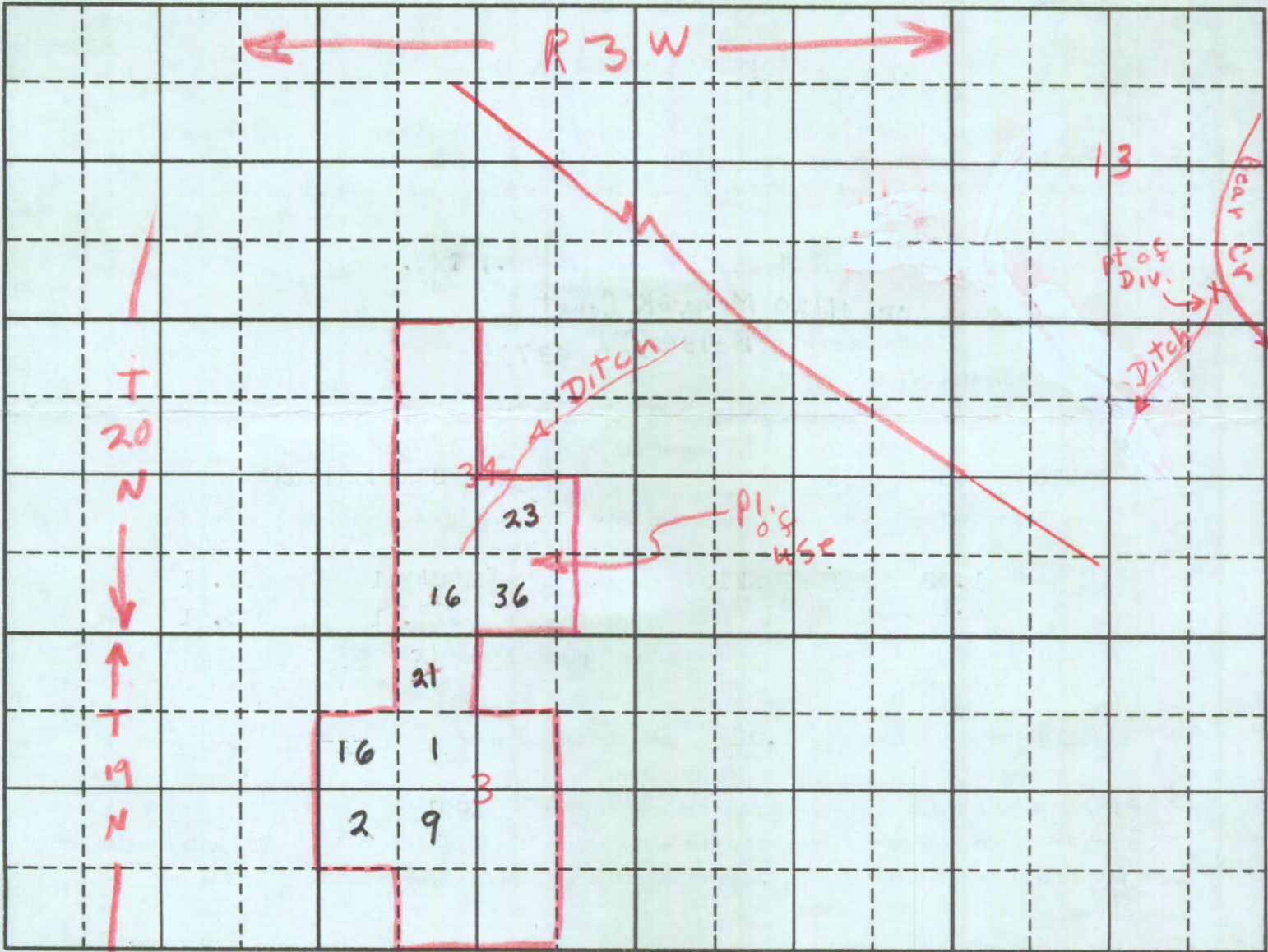


(8) Remarks



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 ADA) 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.

Seven Devils Cattle Co., Inc.

by Alex. Galbraith Vice-Pres.
(Claimant)

Sworn to before me this 27 day of JULY, 1976.

Notary Public

Residing at Boise

My commission expires 1978

For Department Use Only

Received by	HH	Date	7-28-76	Exception filed by:	Forwarded to	Date
Prelim. check by	HH	Date	7-28-76		claimant by:	
\$10.00 fee received by	CS	Date	July 28, 1976 NO. 5096			
Approved for publication by	RB	Date	8-19-76			
Published in	Adams County Leader					
Dates	Aug 5 + 12					

AUG 19 1976

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the " Notice of Claim to a

No. 69-4006 as per clipping

hereto attached, was published in the regular and entire issue

of said newspaper, and not in any supplement thereof, for

two (2) consecutive weeks, the first publication of the

same being made in the issue dated August 5.1976

and the last in the issue dated August 12.1976 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and 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 " as aforesaid.

Subscribed and sworn to before me this

day of AUG 13 1976, 19 . .

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 69-4006

Notice is hereby given that SEVEN DEVILS CATTLE CO., INC. Boise, ID has filed a claim to a water right established by diversion and application to beneficial use of 2.02 cubic feet per second of water from Bear Creek trib Wildhorse River with the point of diversion in the SE $\frac{1}{4}$ -SE $\frac{1}{4}$ Sec. 13 T20N-R3W B.M., Adams County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwater and from May 1 to Nov. 1 for irrigation of 124 acres with a priority of 1901; the place of use is within the E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 3 T-19N-R3W; SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 34 T20N-R3W B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON
Director

Published in the Adams County Leader, Council, ID on August 5, 1976 and August 12, 1976.

OK
8.19.76
RB

MICROFILMED

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 SEVEN DEVILS CATTLE CO., INC. (name of claimant)
of BEAR, IDAHO or 11120 Mohawk Court (mailing address) Boise, Id 83705, claims a right to the diversion and beneficial use of 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) BEAR CREEK
TRIBUTORY WILD HORSE, tributary to, SNAKE 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>1.92</u>	Use	<u>IRRIGATION</u>	Period of Use: From	<u>MAY 1</u>	To	<u>NOV. 1</u>
Amount	<u>0.10</u>	Use	<u>STOCK WATER</u>	Period of Use: From	<u>JAN. 1</u>	To	<u>DEC. 1</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: 2.02 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) 1901

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)
SE 1/4 SE 1/4, Sec. 13 Twp. 20N Rge. 3W B. M. County of ADAMS
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. DITCH 4-5 MILES LONG

(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.

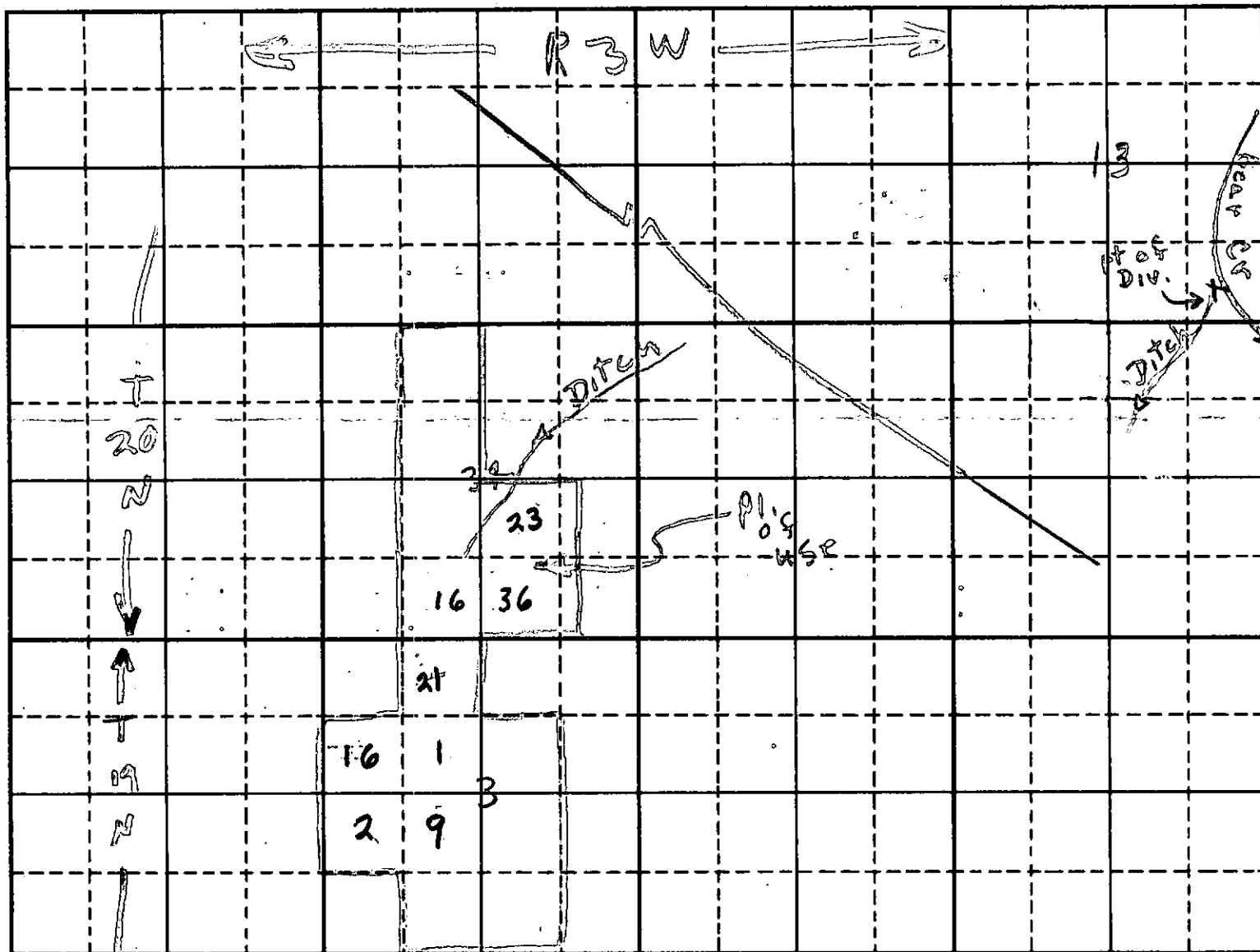
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19N	3W	3					21		16	1	9	2							49
20N	3W	3 1/4											16		23	36			75

Total No. of acres 124

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
APPROXIMATELY 300 HEAD OF RANGE CATTLE ARE WATERED.

(7) If you are claiming water as a member of an organization, list name of organization: N/A

(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)

) ss.

County of ADA)

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 affiant's knowledge.

Seven Devils Cattle Co., Inc.

by Alex. Galbreith Vice-Pres. (Claimant)

Sworn to before me this 27 day of JULY

19 76

Notary Public

Residing at Boise

My commission expires 1978

For Department Use Only

Received by <u>PH</u>	Date <u>7-28-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>PH</u>	Date <u>7-28-76</u>		claimant by:	
\$10.00 fee received by <u>CS</u>	Date <u>5.14.28.1976 NO. 5096</u>			
Approved for publication by <u>RB</u>	<u>8.19.76</u>			
Published in <u>Adams County Leader</u>				
Dates <u>Aug 5 & 12</u>				

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Affidavit

I Albert Campbell, being duly sworn, on oath depose and say that:

In October, 1910 I saw and observed that Charles Warner was then irrigating the large pasture behind and south of his homestead which is now the Dwight Gabbert homestead. The water came from a ditch that was from Bear Creek.

Albert Campbell
s/

Subscribed and sworn to before me this 27th day of August 1973.

William Sanders
Notary Public for Idaho
Residing at Weiser, Idaho

RECORDED
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1
2
3
4
5
6
7
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12
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Richard Sanders
Notary Public for Idaho
Residing at Weiser, Idaho

FILED 10 1976

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I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

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said " Notice " as aforesaid.

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day of AUG 13 1976, 19

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT No. 69-4006

Notice is hereby given that SEVEN DEVILS CATTLE CO., INC. Boise, ID has filed a claim to a water right established by diversion and application to beneficial use of 2.02 cubic feet per second of water from Bear Creek trib Wildhorse River with the point of diversion in the SE¼-SE¼ Sec. 13 T20N-R3W B.M., Adams County.

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Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720.

R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID on August 5, 1976 and August 12, 1976.

OK
8.19.76
RB

RECEIVED

Alice Stanley
 Bear Creek Ranch
 Bear, Idaho 83603

AUG 26 1976

Department of Water Resources

AUG 30 1976

August 20, 1976

Idaho Department of Water Resources
 Statehouse
 Boise, Idaho 83720

DIRECTOR	
PLANNING	
WATER PLAN	
TECH. STUDIES	
OPERATIONS	
ENGINEERING	
WATER RIGHTS	
INTERSTATE	
LEGAL	
FISCAL	
BOARD	
FILES	

Dear Sirs:

This letter is written to
 complain and object to the notice
 of claim to water right # 69-4006
 by the Seven Devils Cattle Co. Inc
 Boise, Idaho.

I have a 160 acre ranch
 below the diversion applied for and
 this amount of water withdrawn
 from Bear Creek which runs directly
 through my property would create
 an unfair hardship for me and
 inadequate water to irrigate
 my pastures and I strongly object

The Seven Devils Cattle Co. Please
notify me by mail of any hearings
concerning this matter.

Thank you very much.

Sincerely,

A. L. Stanley
Sole owner of Bear Creek Ranch

September 8, 1976

Re: Claim to a Water Right No. 69-4006 - Seven Devils Cattle Co., Inc.
69-4007

Alice Stanley
Bear Creek Ranch
Bear, ID 83603

Dear Ms. Stanley:

This office acknowledges receipt of your correspondence concerning the above referenced claim to a water right. The following is a portion of Section 42-225b, Idaho Code related to the filing of a Claim to a Water Right:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

Only the above action has been contemplated by the Idaho Legislature. Consequently, this Department is not authorized to hold hearings or evaluate for conformation or final censorship of the described claim.

If we can be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rb

September 20, 1976

Re: Claims to a Water Right NOs. 69-4006 & 69-4007

Alice Stanley
Bear Creek Ranch
Bear, Idaho 83603

Dear Ms. Stanley:

This office has reviewed the letters of exception you submitted with regard to the above referenced claims. Please be advised that your protests are not in proper form as provided in 42-225b of the Idaho Code. This section states that:

"... any person that disagrees that a water right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate."

Please be advised that the Department will keep a copy of the letters of protest which you filed for informative purposes. Please review this matter and submit your exceptions in duplicate and affidavit forms.

If you have further questions concerning this matter, please contact this office.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

September 8, 1976

Re: Claim to a Water Right No. ~~69-4006~~ - Seven Devils Cattle Co., Inc.
69-4007

Seven Devils Cattle Co., Inc.
11120 Mohawk Ct.
Boise, ID 83705

Gentlemen:

Enclosed is a copy of two exceptions filed by Alice Stanley in connection with the above referenced claims as provided by Chapter 2, Section 42-225b of the Idaho Code, which states in part the following:

"At anytime after the filing of a claim, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Resources."

Only the above action has been contemplated by the Idaho Legislature. Consequently, this Department is not authorized to hold hearings or evaluate for conformation or final aensorship of the described claim.

If we may be of further assistance, please contact us.

Sincerely,

L. GLEN SAXTON, P.E.
Western Regional Supervisor

LGS:rf

Enc.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

CLAIM
Application No. 69-4008

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) JH 7-28-76

In form to receipt

(2) _____

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) _____

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) JH 7-28-76

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) Aug 19-76

(12) _____

Final date for protests Aug 23, 1976

Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☐ Approve _____ Deny

☐ Proposed Priority

☐ Reason for Reduction _____

☐ Measuring device required

☐ See attached sheet for other conditions of approval

☐ No special conditions for approval

(15) District W

By JH Date 8-23-76



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

August 24, 1976

Re: Claim to a Water Right No. 69-4006

Seven Devils Cattle Co., Inc.
11120 Mohawk Court
Boise, ID 83705

Gentlemen:

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 this office.

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

Sincerely,

L. GLEN SAXTON, P.E.
Western District Engineer

LGS: rf

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

July 30, 1976

Re: Notice of Claims to a Water Right Nos. 69-4006 & 69-4007
Seven Devils Cattle Co., Inc.
Notice of Application for Permit No. 69-7017 - Seven Devils Cattle Co., Inc.

Adams County Leader
Council, ID 83612

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 in 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."

Sincerely,

(Signature of Claimant)

Bill submitted
8-19-76
KB

NOTICE OF CLAIM TO A WATER RIGHT

No. 69-4006

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Boise, ID
has filed a claim to a water right established by diversion and application
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SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34 T20N-R3W B.M.

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R. KEITH HIGGINSON

Director

Published in the Adams County Leader, Council, ID
on August 5, 1976 and August 12, 1976.