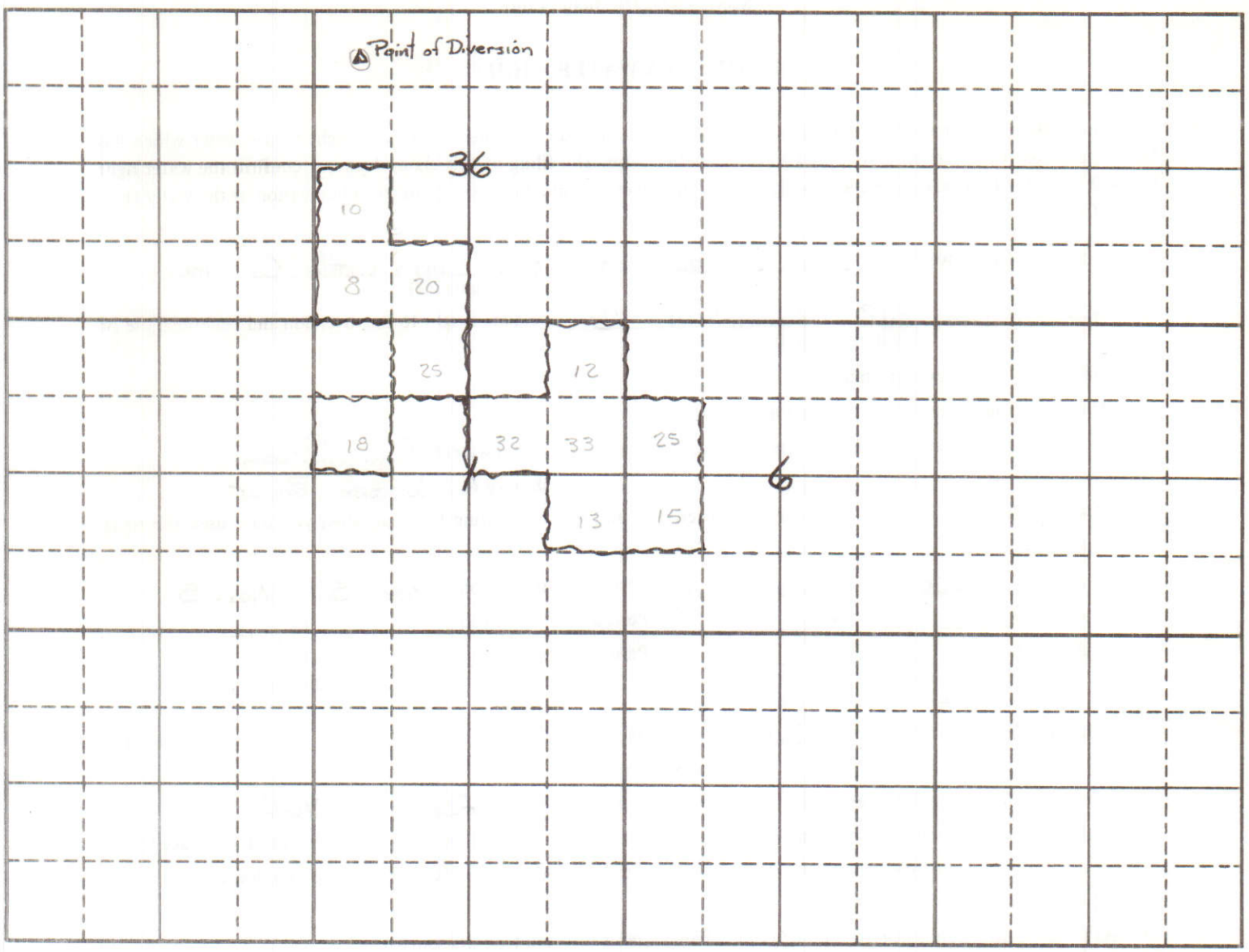


(8) Remarks The same system is used to irrigate this land and that
of License 67-2031, 67-2126 and Decree 67-0306, 69-0503



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.

Sworn to before me this 31st day of January, 1977.
C. Bell
(Claimant)

Thomas J. Woods
Notary Public
Residing at Boise, Idaho

My commission expires 4/15/77

For Department Use Only

Received by <u>BDF</u>	Date <u>1-31-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>BDF</u>	Date <u>1-31-77</u>		claimant by:	
\$10.00 fee received by <u>KW-46327</u>	Date <u>1-31-77</u>			
Approved for publication by <u>rd</u>				
Published in <u>Upper Coeur d'Alene News Reporter</u>				
Dates <u>February 10 & 17</u>				

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Washington)

ss.

Alan V. Dopf, being first duly sworn, deposes and says: That he is the editor and publisher of The Upper Country News-Reporter, a weekly newspaper published at Cambridge, Idaho, in the County of Washington, State of Idaho; that said newspaper is in general circulation in the county of afore-said 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 February 10, 1977, and ended February 17, 1977.

Alan V. Dopf

Subscribed and sworn to before me, a Notary Public in and for the County of Washington, and the State of Idaho, this 22nd day of February, 1977.
William C. Semmway Notary Public
My commission expires Nov 18, 1979.

NOTICE OF CLAIM TO A WATER RIGHT

No. 37-4269

Notice is hereby given that CECIL BILBOA OF B & L LAND & CATTLE CO., INC. Route 1, Box 212, Cambridge, ID has filed a claim to a water right established by diversion and application to beneficial use of 3.0 cubic feet per second of water from Cow Creek trib. Weiser River with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 36 T16N-R3W B.M., Washington County.

The water is claimed to be used from Mar 15 to Nov. 15 for irrigation of 211 acres with a priority of April 1, 1964; the place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 6, T15N-R2W; NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 1 T15N-R3W; NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 36 T16N-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 Upper Country News-Reporter, Cambridge, ID on February 10, 1977 and February 17, 1977.

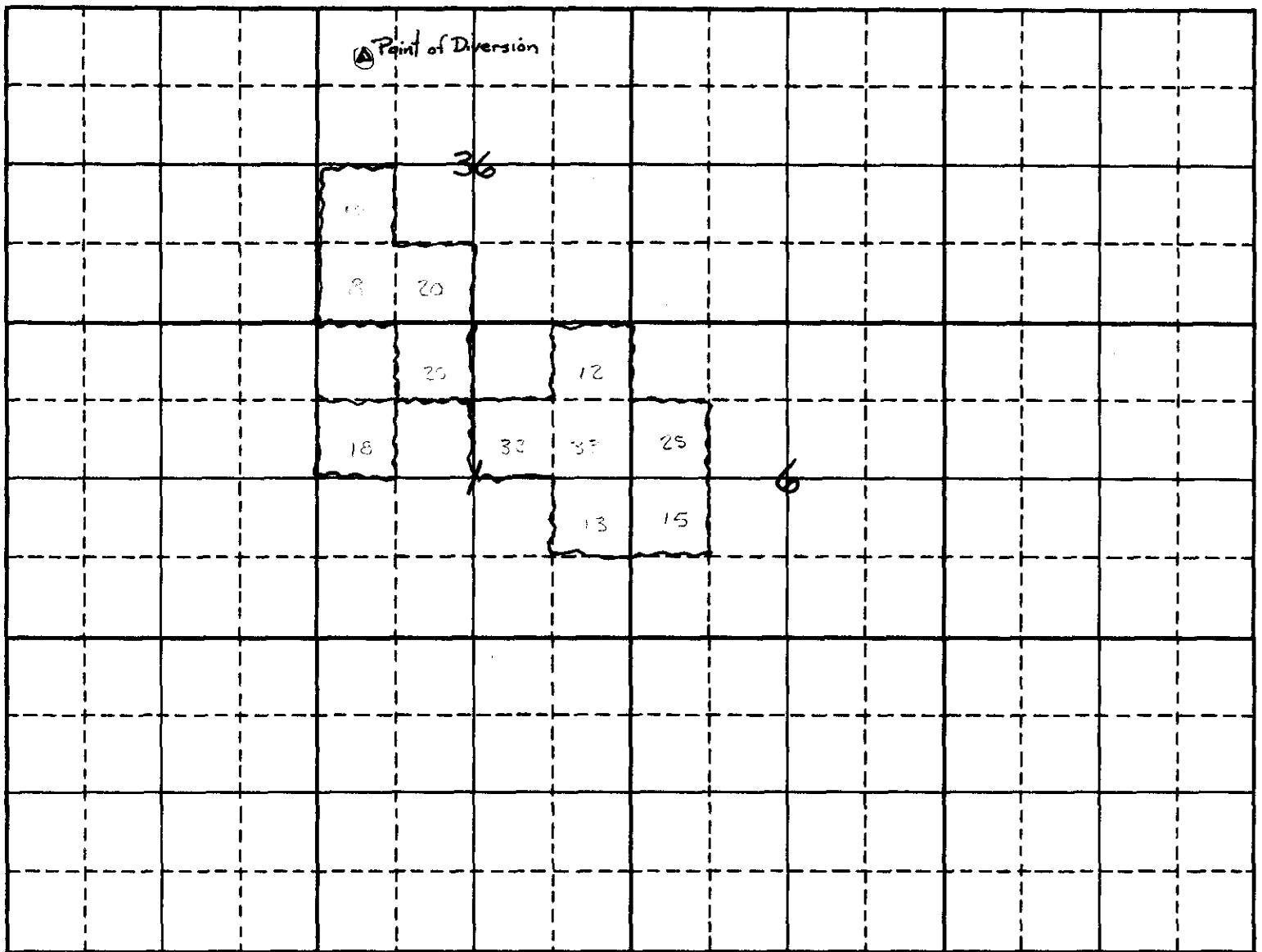
OK
2-23-77
M

RECEIVED
FEB 23 1977

Department of Water Resources
Western Regional Office

MICROFILMED

(8) Remarks The same system is used to irrigate this land and that
of License 67-2031, 67-2126 and Decree 67-0306, 69-0503



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.

Sworn to before me this 31st day of January, 19 77.

C. Belton
(Claimant)

Thomas J. Edwards
Notary Public
Residing at Basin, Idaho

My commission expires 1/15/77

For Department Use Only

Received by <u>BDE</u>	Date <u>1-31-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>BDE</u>	Date <u>1-31-77</u>		claimant by:	
\$10.00 fee received by <u>Kulx6327</u>	Date <u>1-31-77</u>			
Approved for publication by <u>rd</u>				
Published in <u>Upper Country News Reporter</u>				
Dates <u>February 10 & 17</u>				

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Washington)

ss.

Alan V. Dopf, being first duly sworn, deposes and says: That he is the editor and publisher of The Upper Country News-Reporter, a weekly newspaper published at Cambridge, Idaho, in the County of Washington, 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 February 10, 1977, and ended February 17, 1977.

Alan V. Dopf

Subscribed and sworn to before me, a Notary Public in and for the County of Washington, and the State of Idaho, this 22nd day of February, 1977.
[Signature] Notary Public
My commission expires Nov. 18, 1979.

STATE OF IDAHO
COUNTY OF WASHINGTON
FILE NO. 10-22-77

Whereas I hereby given that
CROW CREEK OF B & I LAND
& CATTLE CO., INC. Route 1,
Box 712, Cambridge, ID has filed
a claim to a water right establish-
ed by the person and application to
be made use of 3.0 cubic feet per
second of water from Cow Creek
R.R. River with the point
of diversion in the NW 1/4 NW 1/4
Sec 36 T16N R3W B.M., Wash-
ington County.

The water is claimed to be used
from May 15 to Nov. 15 for
irrigation of 281 acres with a
priority of April 1, 1964; the place
of use is within the SW 1/4 NW 1/4
NW 1/4 SW 1/4 Sec 6, T15N R2W
NE 1/4 NE 1/4, SE 1/4 NE 1/4
NW 1/4 SW 1/4 NW 1/4, NE 1/4 SE 1/4
Sec 1 T15N R3W; NW 1/4 SW 1/4
SW 1/4 SW 1/4 Sec 36 T16N R3W B.M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water Re-
sources, Statehouse, Boise, Ida-
ho, 83720.

R. KEITH HIGGINSON
Director

Published in the Upper Country
News-Reporter, Cambridge, ID
on February 10, 1977 and Feb-
ruary 17, 1977.

OK
2-23-77
[Signature]

MICROFILMED

ACT
ION

N OWNER LAST NAME - B & L LAND & CATTLE CO. INC.
N ADDRESS LINE 1 - C/O CECIL BILLOA ADDRESS LINE 2 - RT. 1 BOX 212
N CITY - CAMBRIDGE STATE - ID
N SOURCE - COW CREEK TRIBUTARY OF - WEISER RIVER
N STAGE - STATRY COM PRIORITY - 04-01-1964 COUNTY - WASHINGTON TOTAL DIV. RATE - 3.0000CFS
N DIVERSION POINT - NWNW 36 16N 03W
N FROM - 03-15 TO - 11-15 USE - IRRIGATION USE DIV. RATE - 3.0000CFS
N USE - IRRIGATION PLACE OF USE - TWN 15N RNG 02W SEC 06 TRACT SWNW AC 25 TRACT NWSW AC 15
N USE - IRRIGATION PLACE OF USE - TWN 15N RNG 03W SEC 12 TRACT SWNE AC 32 TRACT SENE AC 33
N TRACT NENW AC 25 TRACT SWNW AC 18
N TRACT NESE AC 13
N USE - IRRIGATION PLACE OF USE - TWN 16N RNG 03W SEC 36 TRACT NWSW AC 10 TRACT SWSW AC 08
N TRACT SESW AC 20

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 67-4169
Old No. New No.

Record

1. Original Owner: Cecil B. B & L Land & Cattle Co. Inc.

Present Owner: _____

2. Address: c/o Cecil Bilboa, Rt. 1 Box 2123. City: Cambridge State: Id Zip: _____4. A. Source of Water: Cow Creek
B. Tributary of: Weiser River5. 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: 4-1-1964D. County: 87E. Total Diversion Rate: 3.

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>NW/4</u>	<u>36</u>	<u>16N</u>	<u>3W</u>		

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

from 3-15 to 11-15 for A purposes. Amount 3-
(cfs or AG-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 _____

CR 11-8-79

8. Use Code: A

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
15N	2W	6							25			15							40
15N	3W	1	12		32	33	25		18					13					133
16N	3W	36										10	8	20					38
																			<u>211</u>

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):

Mary Hobson
assistant U.S. attorney

384-1699

- Max vel $\approx 4'/\text{sec}$

- 84"

- Decree file

- App filed by

Cecil
Billbo

Monday

67-4169

67-7429

67-0228

S.M. Rutledge
17"

- 1) Dispatch from Region
- 2) Notify dam safety
- 3) " owner
- 4) " State office
- 5)

▲ call F+B to shorten
response

14

67-4169
RE: File 67-0225 & 67-4160

July 30, 1979

Mr. Monte Florence
U.S.D.A. Forest Service
Weiser Ranger District
27 West Commercial Street
Weiser, ID 83672

Dear Mr. Florence:

In reply to your letter of July 20 and our telephone conversation of the 18th, I wish to reiterate that the issuance of water rights by this department in no way grants any right-of-way or easement across the land of another. If disputes arise concerning a right-of-way or easement, it would constitute a civil matter and have to be settled between the land owner and the appropriator. I might add that a water right may be forfeited through continual nonuse for a period of five years, forfeiture to be determined by district court.

In the case of Muir vs. Allison, only the lands the water is appurtenant to is listed. Therefore, I cannot confirm a decreed right with a point of diversion from East Pine Creek in the SE $\frac{1}{4}$ of Section 25, Township 16 North, Range 4 West. As discussed, there are decreed rights on Pine and Little Pine creeks with the following right showing a portion of the place of use in the SW $\frac{1}{4}$ of Section 25:

Decreed Right No. 67-0226 - priority date of May 1, 1902 for 0.34 cfs of the waters of Pine Creek decreed to S. M. Rutledge for irrigation of the following lands:

T. 16 N., R. 4 W.

Section 25: S $\frac{1}{4}$ SW $\frac{1}{4}$
26: SE $\frac{1}{4}$ SE $\frac{1}{4}$
35: NE $\frac{1}{4}$ NE $\frac{1}{4}$
36: NW $\frac{1}{4}$

Mr. Florence

2

July 30, 1979

Our name index did not turn up any rights in the name of Cecil Bilboa of
B & L Lands & Cattle Co., Inc., other than Claim No. ~~67-4160~~ for 3 cfs of
the waters of Cow Creek. *67-4169*

If you have additional questions or need further assistance, please feel free
to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Weiser Ranger District
27 West Commercial St.
Weiser, Idaho 83672

RECEIVED

JUL 24 1979

Department of Water Resources

2710

July 20, 1979

Department of Water Resources
State Office
373 W. Franklin
Boise, Idaho 83702



Dear Ms. Garrett:

We recently found that Mr. Cecil Bilboa of Cambridge, Idaho plans to construct a ditch for water diversion from the East Pine Creek. An old ditch has been in existence for many years. The ditch crosses Forest Service land and then private land in East Pine. Construction is to start immediately.

Mr. Bilboa is currently in the process of developing his private property for subdivision and summer home development.

Sincerely,

Monte Florence
MONTE FLORENCE
Fuels Management Officer

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 67-

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

☐ Pre-permit exam
☐ Adjudication Claim
☐ Dam Construction
Papers Sent

(1) R.W.H. 2-2-77

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) R.W.H. 2-2-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) Y OK

Affidavit of Publication received(date) 2-23-77

(12) Y _____

Final date for protests N/A

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 YH Date 2-25-77

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Anderson
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

February 4, 1977

Re: Notice of Claim to a Water Right No. 67-4169 - Cecil Bilboa of B & L Land
& Cattle Co.

Upper Country News
Box 98
Cambridge, ID 83610

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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)

Please send the affidavit of publication and publication billing to this office before February 28, 1977.

Sincerely,

Bill Submitted
2-23-77
y

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4169

Notice is hereby given that CECIL BILBOA OF B & L LAND & CATTLE CO.,
INC. Route 1, Box 212 Cambridge, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 3.0 cubic feet per second ~~XXXXXXXX~~ of water
from Cow Creek trib. Weiser River
with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 36 T16N-R3W B.M., Washington
County.

The water is claimed to be used from ~~XXXXXXXXXXXX~~ Mar 15 to Nov 15
for irrigation of 211 acres

with a priority of April 1, 1964;
the place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 6 T15N-R2W; NE $\frac{1}{4}$ NE $\frac{1}{4}$,
SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 1 T15N-R3W; NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 36 T16N-
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 Upper Country News Reporter, Cambridge, ID
on February 10, 1977 and February 17, 1977.

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