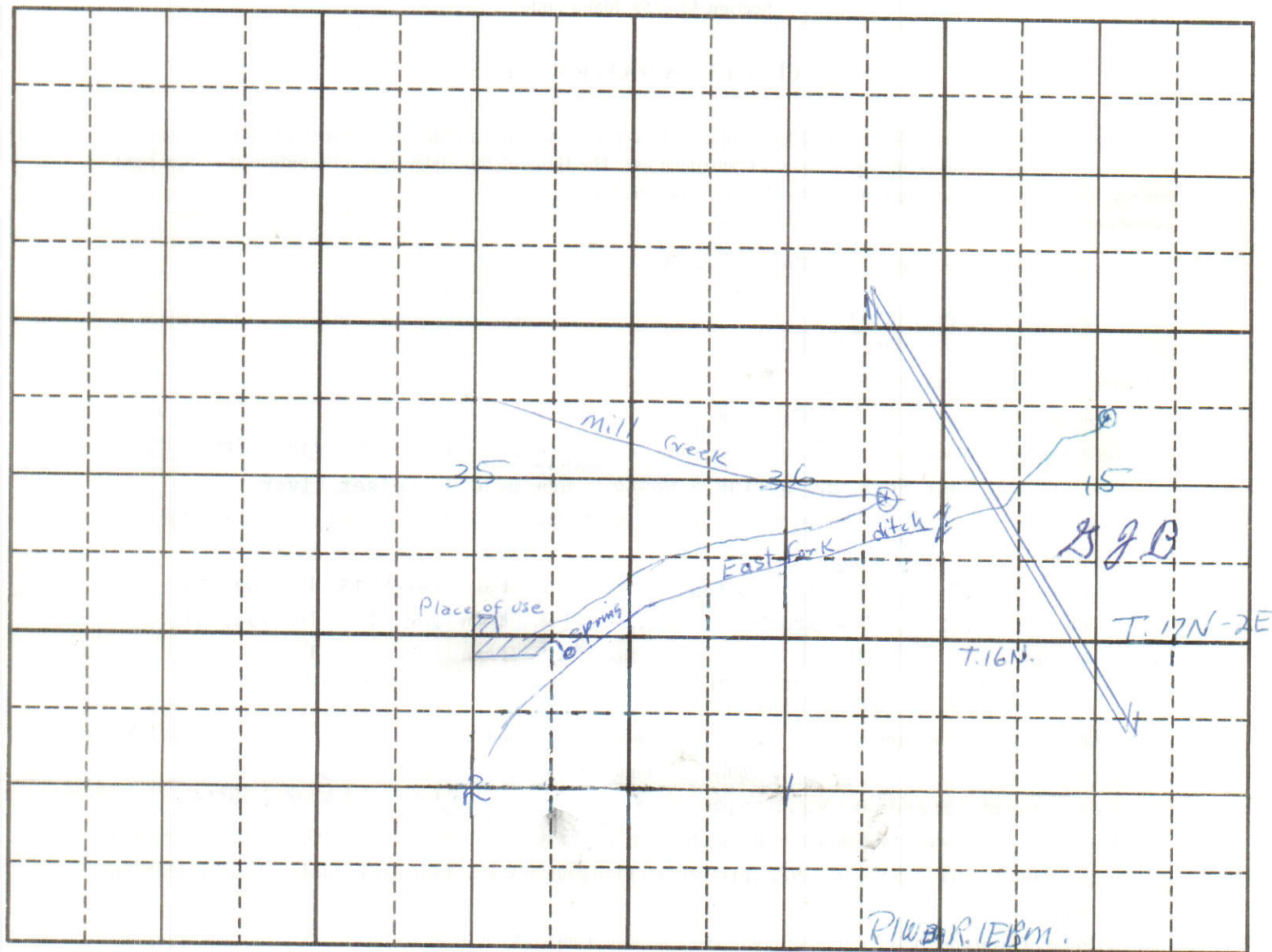


(8) Remarks _____



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 Washington) 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 12th day of March, 19 75.

George J Bell
(Claimant)
Frederick Strong
Notary Public
Residing at Wenatchee, Wash.

My commission expires 8-10-77

For Department Use Only

Received by <u>RW H</u>	Date <u>3-12-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RW H</u>	Date <u>3-12-75</u>		claimant by:	
\$10.00 fee received by <u>Cu</u>	Date <u>3-12-75</u>	<u>#448</u>		
Approved for publication by <u>gg</u>	<u>4-14-75</u>			
Published in _____				
Dates _____				

NOTICE OF CLAIM TO A
WATER RIGHT
No. 67-4109

Notice is hereby given that
GEORGE J. BELL Council, ID
has filed a claim to a water right
established by diversion and ap-
plication to beneficial use of 0.4
cubic feet per second of water
from Flood water from Mill
Creek and East Fork and spring
& waste water with the point of
diversion in the Mill Cr. - NE $\frac{1}{4}$ -
SE $\frac{1}{4}$, Sec. 36, T. 17 N, R. 1 W, B.
M. East Fork Ditch - SW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 15, T. 17 N, R. 2 E, B.
M. Spring & Wastewater - NE $\frac{1}{4}$ -
NE $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 E, B.
M. Adams County.

The water is claimed to be
used from March 15 to Nov. 15
for Irrigation of 14 acres and
from Jan. 1 to Dec. 31 for Stock-
water with a priority of 1943; the
place of use is within the NW $\frac{1}{4}$ -
NE $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 W,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 17 N, R. 1
W, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Adams County
Leader, Council, ID on April 3,
1975 and April 10, 1975.

Affidavit of Publication

State of Idaho, County of Adams, ss:

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

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

No. 67-4109 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 April 3, 1975

and the last in the issue dated April 10, 1975
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 uninterrupted-
ly published in said county during a period of more than sev-
enty-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Subscribed and sworn to before me this 11 TH

day of April, 19 75

Notary Public for Idaho,
Residing at Council, Idaho

OK - yg - 4-14-75
APR 14 1975

EAST FORK DITCH CO.

April 17, 1975

Idaho Dept of Water
State House
Boise, Idaho 83707

Att: R. Keith Higginson, Director

Re: Application #64-4109
George J. Bell

Dear Sir:

The East Fork Ditch Co., wishes to protest the above mentioned filing of Mr. George J. Bell, Council, Idaho on the water right he is asking for coming from Mill Creek and East Fork, as they feel that the water under the filing that he is asking for would be water that is already being used by the East Fork and Mill Creek Ditch users at this time. They therefore feel that they wish to go on record protesting the above application.

If there is anything further needed concerning the protest from the Directors, please advise.

Sincerely,

Gerald Balderson
Gerald Balderson
President
East Fork Ditch Co.
Star Route
Council, Idaho 83612

**NOTICE OF CLAIM TO A
WATER RIGHT
No. 67-4109**

Notice is hereby given that GEORGE J. BELL, Council, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.4 cubic feet per second of water from Flood water from Mill Creek and East Fork and spring & waste water with the point of diversion in the Mill Cr. - NE $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 34, T. 17 N, R. 1 W, B. M. East Fork Ditch - SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 17 N, R. 2 E, B. M. Spring & Wastewater - NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 E, B. M. Adams County.

The water is claimed to be used from March 15 to Nov. 15 for Irrigation of 14 acres and from Jan. 1 to Dec. 31 for Stock-water with a priority of 1943; the place of use is within the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 W, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 17 N, R. 1 W, 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 April 3,
1975 and April 10, 1975.

PROTEST TO CLAIM OF WATER RIGHT, No. 67-4109

GEORGE J. BELL, CLAIMANT

To Department of Water Resources
State of Idaho, and to
R. Keith Higginson, Director
State House
Boise, Idaho 83720

Gentlemen:

Comes now L. O. Vaile, of Council, Idaho, and files this, his Protest to claim of Water Right, No. 67-4109, filed by George J. Bell, of Council, Idaho, and as grounds of Protest alleges:

Claimed points of diversion in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, Twp. 17N. R. 1 E., B. M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, Twp. 16N., R. 1 E., B. M. are both in error:

Among other things, claimant asserts an appropriation of a certain spring and (claimed) wastewater, originating on adjoining premises of Protestant, L. O. Vaile, and all of such water has been used by Protestant, upon his own lands, (and by his predecessors in interest) for upwards of 40 years, last past.

Claimant has no ditch, nor system of ditches, by which the claimed Mill Creek and East Fork water can be conveyed to claimant's premises.

Protestant hereby demands a hearing upon Claimant's Application No. 67-4109, and that upon the evidence to be produced at such hearing, claimant's applicatio be denied.

Dated at Council, Idaho this 13th day of April, 1975.

L. O. Vaile

L. O. Vaile, Protestant, post office
address, P. O. Box 543, Council,
Idaho, 83612

PROTESTVTO CLAIM OF WATER RIGHT, No. 67-4109

GEORGE J. BELL, CLAIMANT

To Department of Water Resources
State of Idaho, and to
R. Keith Higginson, Director
State House
Boise, Idaho 83720

Gentlemen:

Comes now L. O. Vaile, of Council, Idaho, and files this, his Protest to claim of Water Right, No. 67-4109, filed by George J. Bell, of Council, Idaho, and as grounds of Protest alleges:

Claimed points of diversion in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, Twp. 17N. R. 1 E., B. M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, Twp. 16N., R. 1 E., B. M. are both in error:

Among other things, claimant asserts an appropriation of a certain spring and (claimed) wastewater, originating on adjoining premises of Protestant, L. O. Vaile, and all of such water has been used by proestant, upon his own lands, (and by his predecessors in interest) for upwards of 40 years, last past.

Claimant has no ditch, nor system of ditches, by which the claimed Mill Creek and East Fork water can be conveyed to claimant's premises.

Protestant hereby demands a hearing upon Claimant's Application No. 67-4109, and that upon the evidence to be produced at such hearing, claimant's applicatio be denied.

Dated at Council, Idaho this 13th day of April, 1975.

L. O. Vaile

L. O. Vaile, Protestant, post office
address, P. O. Box 543, Council,
Idaho, 83612

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 George J. Bell (name of claimant)
of Council, Idaho 83612 (mailing address), 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) Flood water from Mill Creek and East Fork and spring & waste water, tributary to, Weiser 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 | 0.4 | Use | Irrigation | Period of Use: | From | March 15 | To | Nov. 15 |
| Amount | 0.02 | Use | Stockwater | Period of Use: | From | Jan. 1 | To | Dec. 31 |
| 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: 0.4 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) 1943 HJB

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)
- Mill Creek NE ¼ SE ¼, Sec. 36 Twp. 17 N Rge. 1 W B.M. County of Adams
- Additional points of diversion: East Fork Ditch - SW ¼ NE ¼, Sec. 15, T. 17N, R. 2E.
- Spring & Wastewater - NE ¼ NE ¼, Sec. 2, T. 16N, R. 1E. HJB
- 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. Gravity diversion into open ditches

- (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.

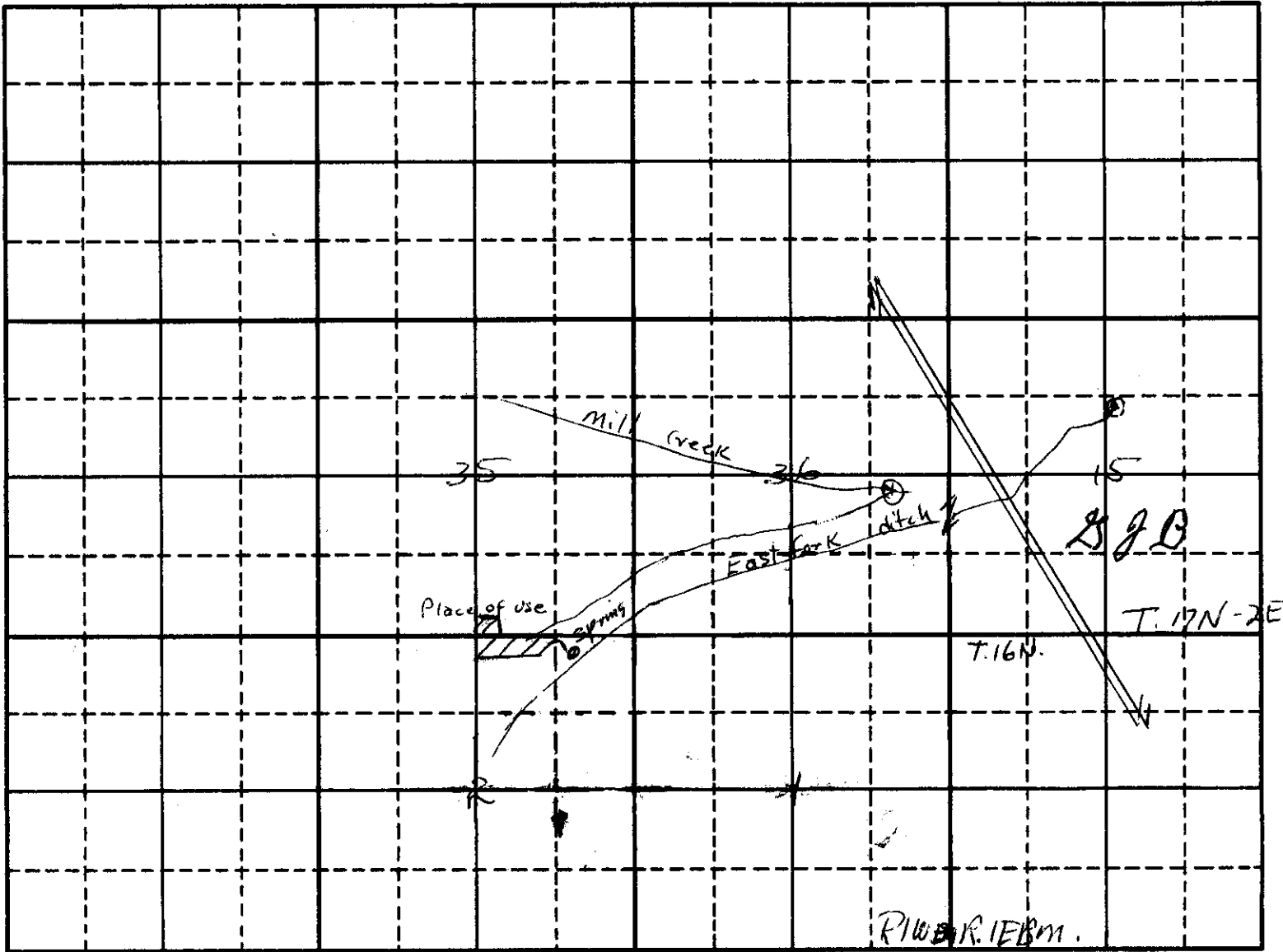
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
16N	1W	2		11															11
17N	1W	35														3			3

Total No. of acres 14

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater from ditch

- (7) If you are claiming water as a member of an organization, list name of organization: No

(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 Washington) ss.
County of Washington)

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 12th day of March, 1975.
George J. Bell
(Claimant)

Freida Strong
Notary Public
Residing at Wenatchee, Wash.

My commission expires 6-10-77

For Department Use Only

Received by <u>R.W.H.</u>	Date <u>3-12-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>3-12-75</u>		claimant by:	
\$10.00 fee received by <u>R.W.H.</u>	Date <u>3-12-75</u>	<u>44X</u>		
Approved for publication by <u>fg</u>	Date <u>4-14-75</u>			
Published in _____				
Dates _____				

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

Co. 67-4109 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 April 3, 1975

and the last in the issue dated April 10, 1975 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 11 TH

day of April, 19 75

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIM TO A WATER RIGHT IN ADAMS COUNTY

Notice is hereby given that GEORGE J. ROGERS, Council ID has filed with the Idaho Department of Water Resources a water right application for beneficial use of 14 cubic feet per second of water from Public Water Right 6822 Creek and East Fork and Spring & waste water from the point of diversion in the East Cr. - NE 1/4 - Sec. 35, T. 17 N. R. 1 E. B. M. East Fork Falls - SW 1/4 - Sec. 35, T. 17 N. R. 1 E. B. M. Spring & waste water - NE 1/4 - Sec. 35, T. 17 N. R. 1 E. B. M. Adams County.

The water is claimed to be used from March 18 to Nov. 15 for irrigation of 14 acres and from Jan. 1 to Dec. 31 for stock water with a priority of 1975. The place of use is Adams County, NE 1/4, Sec. 35, T. 17 N. R. 1 E. B. M. SW 1/4, Sec. 35, T. 17 N. R. 1 E. B. M.

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

R. ERTM HIGGINS

Director
Published in the Adams County
Leader, Council ID on April 3,
1975 and April 10, 1975.

68-4109 - 4-14-75

HONEST BILL WILL HAVE

the recent holiday, going
the camp near Vale dur-
and several days with Warren
Mrs. Warren Osborn and Eddie
stopp
and and children, Susie and
were and Kathy first
the b

Affidavit of Publication

State of Idaho, County of Adams, ss:

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

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

No. 67-4109 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 April 3.1975

and the last in the issue dated April 10.1975
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 uninterrupted-
ly published in said county during a period of more than sev-
enty-eight consecutive weeks prior to the first publication of

said " Notice " as aforesaid.

Bert J. Rogers

Subscribed and sworn to before me this 11 TH

day of April, 19 75

Paul Braun

Notary Public for Idaho,
Residing at Council, Idaho

OK - yg - 4-14-75

June 2, 1975

Gerald Balderson
President
East Fork Ditch Co.
Star Route
Council, ID 83612

Re: Claim to a Water Right No. 67-4109 - George J. Bell

Dear Mr. Balderson:

Your exception to the above numbered claim to a water right must be in affidavit form to be of value in registering your objections to Mr. Bell's claim to a water right. Please sign said statement before a notary public and return it to us.

We are enclosing a copy of your protest in the event you did not retain a copy.

Sincerely,

ROBERT W, HAMILTON
Supervisor of Water Distribution

RWH:cla

Enclosure

June 2, 1975

L. O. Vaile
P.O. Box 543
Council, ID 83612

Re: Claim to a Water Right No. 67-4109 - George J. Bell

Dear Mr. Vaile:

Your exception to the above numbered claim to a water right must be in affidavit form to be of value in registering your objections to Mr. Bell's claim to a water right. Please sign said statement before a notary public and return it to us.

We are enclosing a copy of your protest in the event you did not retain a copy.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

Enclosure

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 67-4109

☒ 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) _____

In form to receipt

(2) NA

Send Copies to:

Idaho State Health Department

Idaho Fish and Game Department

Bureau of Land Management

(3) NA

Request Special Use Permit from U.S.F.S.

Request Easement from B.L.M.

Request Information from Applicant

(4) 13 3-12-75

In form for advertising

(5) _____

Platted on Map No. _____

(6) R.W.H. 4-21-75

Located within Water District No. 67

(7) NA

Critical groundwater area: yes _____ no _____

(8) NA

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) 19 OK

Affidavit of Publication received(date) 4-14-75

(12) R.W.H. 4-21-75

Final date for protests _____
Protests received: yes ☒ no _____

(13) NA

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

(14) R.W.H. 4-21-75

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 Western

By R. Hamilton

Date 4-21-75



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

April 21, 1975

Re: Claim to a Water Right No. 67-4109

George J. Bell
Council, ID 83612

Dear Mr. Bell:

In reference to the above claim, the enclosed are copies of the exceptions filed by Gerald Balderson and L. O. Vaile in connection with this claim under the provisions of Chapter 2, Section 42-225b of the Idaho Code, which states the following:

"At anytime after filing a claim under the provisions of this section, 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 reclamation (renamed department of water administration on July 1, 1970) 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 administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

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

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

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

April 21, 1975

Re: Claim to a Water Right No. 67-4109 - George J. Bell

L. O. Vaile
P.O. Box 543
Council, ID 83612

Dear Mr. Vaile:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

"At anytime after filing a claim under the provisions of this section, 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 reclamation (renamed department of water administration on July 1, 1970) 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 administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

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

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

PROTEST TO CLAIM OF WATER RIGHT, No. 67-4109

GEORGE J. BELL, CLAIMANT

To Department of Water Resources
State of Idaho, and to
R. Keith Higginson, Director
State House
Boise, Idaho 83720

Gentlemen:

Comes now L. O. Vaile, of Council, Idaho, and files this, his Protest to claim of Water Right, No. 67-4109, filed by George J. Bell, of Council, Idaho, and as grounds of Protest alleges:

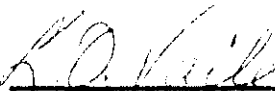
Claimed points of diversion in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, Twp. 17N. R. 1 E., B. M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, Twp. 16N., R. 1 E., B. M. are both in error:

Among other things, claimant asserts an appropriation of a certain spring and (claimed) wastewater, originating on adjoining premises of Protestant, L. O. Vaile, and all of such water has been used by protestant, upon his own lands, (and by his predecessors in interest) for upwards of 40 years, last past.

Claimant has no ditch, nor system of ditches, by which the claimed Mill Creek and East Fork water can be conveyed to claimant's premises.

Protestant hereby demands a hearing upon Claimant's Application No. 67-4109, and that upon the evidence to be produced at such hearing, claimant's application be denied.

Dated at Council, Idaho this 13th day of April, 1975.



L. O. Vaile, Protestant, post office
address, P. O. Box 543, Council,
Idaho, 83612



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

April 21, 1975

Re: Claim to a Water Right No. 67-4109 - George J. Bell

Gerald Balderson, President
East Fork Ditch Co.
Star Route
Council, ID 83612

Dear Mr. Balderson:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-255b of the Idaho Code):

"At anytime after filing a claim under the provisions of this section, 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 reclamation (renamed department of water administration on July 1, 1970) 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 administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

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

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

EAST FORK DITCH CO.

April 17, 1975

Idaho Dept of Water
State House
Boise, Idaho 83707

Att: R. Keith Higginson, Director

Re: Application #64-4109
George J. Bell

Dear Sir:

The East Fork Ditch Co., wishes to protest the above mentioned filing of Mr. George J. Bell, Council, Idaho on the water right he is asking for coming from Mill Creek and East Fork, as they feel that the water under the filing that he is asking for would be water that is already being used by the East Fork and Mill Creek Ditch users at this time. They therefore feel that they wish to go on record protesting the above application.

If there is anything further needed concerning the protest from the Directors, please advise.

Sincerely,

Gerald Balderson
Gerald Balderson
President
East Fork Ditch Co.
Star Route
Council, Idaho 83612

NOTICE OF CLAIM TO A
WATER RIGHT
No. 67-4109

Notice is hereby given that GEORGE J. BELL Council, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.4 cubic feet per second of water from Flood water from Mill Creek and East Fork and spring & waste water with the point of diversion in the Mill Cr. - NE $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 38, T. 17 N, R. 1 W, B. M. East Fork Ditch - SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 15, T. 17 N, R. 2 E, B. M. Spring & Wastewater - NE $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 E, B. M. Adams County.

The water is claimed to be used from March 15 to Nov. 15 for Irrigation of 14 acres and from Jan. 1 to Dec. 31 for Stock-water with a priority of 1943; the place of use is within the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 2, T. 16 N, R. 1 W, B. M. SE $\frac{1}{4}$, Sec. 35, T. 17 N, R. 1 W, 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 April 3,
1975 and April 10, 1975.



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

April 21, 1975

Re: Claim to a Water Right No. 67-4109

George J. Bell
Council, ID 83612

Dear Mr. Bell:

In reference to the above claim, the enclosed are copies of the exceptions filed by Gerald Balderson and L. O. Vaile in connection with this claim under the provisions of Chapter 2, Section 42-225b of the Idaho Code, which states the following:

"At anytime after filing a claim under the provisions of this section, 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 reclamation (renamed department of water administration on July 1, 1970) 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 administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

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

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla

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

April 21, 1975

Re: Claim to a Water Right No. 67-4109 - George J. Bell

L. O. Vaile
P.O. Box 543
Council, ID 83612

Dear Mr. Vaile:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

"At anytime after filing a claim under the provisions of this section, 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 reclamation (renamed department of water administration on July 1, 1970) 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 administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

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

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla



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

Cecil D. Andrus
Governor

H. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

April 21, 1975

Re: Claim to a Water Right No. 67-4109 - George J. Bell

Gerald Balderson, President
East Fork Ditch Co.
Star Route
Council, ID 83612

Dear Mr. Balderson:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-255b of the Idaho Code):

"At anytime after filing a claim under the provisions of this section, 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 reclamation (renamed department of water administration on July 1, 1970) 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 administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship of the described rights.

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

Very truly yours,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:cla



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

April 21, 1975

George J. Bell
Council, ID 83612

Re: Claim to a Water Right No. 67-4109

Dear Mr. Bell:

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,

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

KHF: cla

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

March 28, 1975

Adams County Leader
Council, ID 83612

Re: Claim to a Water Right No. 67-4109 - George J. Bell

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
4-14-75
Jg
ok

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~67-4109~~

Notice is hereby given that GEORGE J. BELL

Council, ID
has filed a claim to a water right established by diversion and application
to beneficial use of 0.4 cubic feet per second ~~XXXXXXX~~ acre feet of water
from ~~Flood water from Mill Creek and East Fork and spring & wastewater~~
with the point of diversion in the ~~Mill Cr. NE 1/4 Sec. 36, T. 17 N, R. 1 W, B.M.~~
~~East Fork Ditch - SW 1/4 Sec. 15, T. 17 N, R. 2 E. B.M.~~
~~Spring & Wastewater - NE 1/4 Sec. 2, T. 16 N, R. 1 E. B.M. Adams County.~~

The water is claimed to be used from March 15 to Nov. 15 for Irrigation
~~for~~
~~XXXX of 14 acres and from Jan 1 to Dec. 31 for Stockwater~~

with a priority of 1943;
the place of use is within the NE 1/4 Sec. 2, T. 16 N, R. 1 W,
SW 1/4 Sec. 35, T. 17 N, R. 1 W, 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
on April 3, 1975 and April 10, 1975.

March 13, 1975

Re: Claim to a Water Right no. 67-8109

George J. Bell
Council, ID 83612

Dear Mr. Bell:

I am returning your Claim to a Water Right as I had shown the place of use ~~1/4 mile~~ South of the point it should have been. The spring was also shown as being in the NE~~1/4~~SE~~1/4~~ rather than the NE~~1/4~~NE~~1/4~~ of Sec. 2. I have made corrections on the map and the location of the spring on page 1. If you agree with the map now, please initial both the map and the correction on page 1 and return the claim to us.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:jg

Enclosure