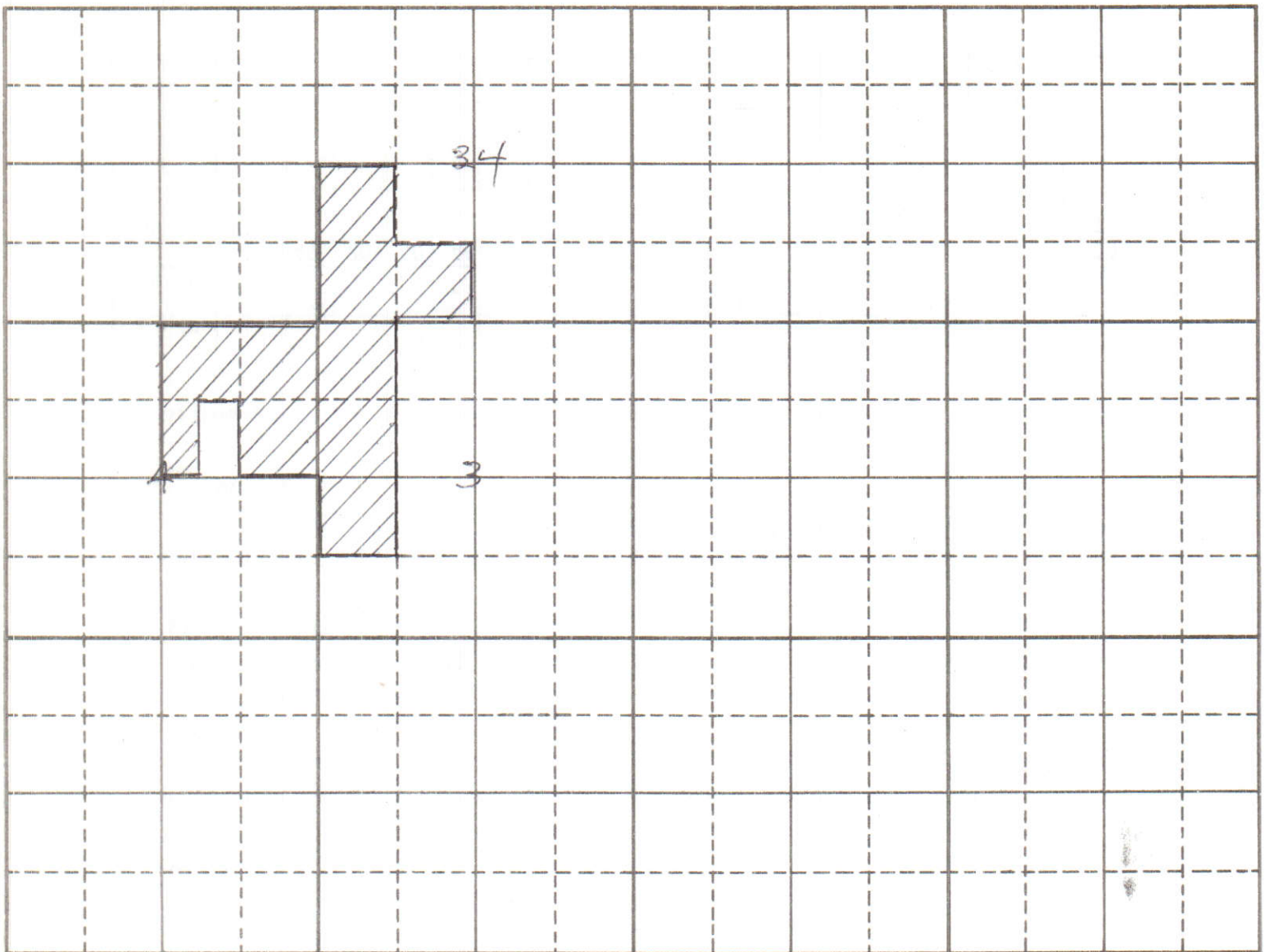


(8) Remarks _____



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.

Sworn to before me this 18th day of January, 1974

James L. Benjamin
 (Claimant)
Lyle Glen Layton
 Notary Public
 Residing at Boise, Idaho

My commission expires 14 July 1974

For Department Use Only

Received by <u>R.W.H.</u>	Date <u>1-18-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>R.W.H.</u>	Date <u>1-18-74</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>1-18-74</u>			
Approved for publication by				
Published in <u>Upper County News Reporter</u>				
Dates <u>2-7-74 2-14-74</u>				

RECEIVED

FEB 19 1974

AFFIDAVIT OF PUBLICATION

Department of Water Administration

NOTICE OF CLAIM TO WATER RIGHT

No. 67-4045

Notice is hereby given that JAMES L. BUMGARDNER, Cambridge, ID., has filed a claim to a water right established by diversion and application to beneficial use of 7.0 cubic feet per second of water from Rush Creek, trib. to Weiser River with the point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, S. 34, T. 14 N., R. 3 W., B. M., Washington County. The water is claimed to be used from March 15 to Nov. 15 for irrigation of 380 acres with a priority of 1936; the place of use is within the W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S. 3, NE $\frac{1}{4}$ S. 4, T. 14 N., R. 3 W., W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S. 34, T. 15 N., R. 3 W., 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 Upper Country News-Reporter, Cambridge, Idaho on Feb. 7, 1974 and Feb. 14, 1974.

OK'd
2-19-74

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, 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 thereto; that the publication of said notice began with the issue of Feb. 4, 1974, and ended with the issue of Feb. 14, 1974.

Stuart Dopf

Subscribed and sworn to before me this

14th day of February, 1974.

May Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

67 4045

**NOTICE OF CLAIM TO WATER
RIGHT**

No. 67-4045

Notice is hereby given that JAMES L. BUMGARNER, Cambridge, ID., has filed a claim to a water right established by diversion and application to beneficial use of 7.0 cubic feet per second of water from Rush Creek, trib. to Weiser River with the point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, S. 34, T. 14 N., R. 3 W., B. M., Washington County.

The water is claimed to be used from March 15 to Nov. 15 for irrigation of 380 acres with a priority of 1936; the place of use is within the W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S. 3, NE $\frac{1}{4}$ S. 4, T. 14 N., R. 3 W., W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S. 34, T. 15 N., R. 3 W., 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 Upper Country News-Reporter, Cambridge, Idaho on Feb. 7, 1974 and Feb. 14, 1974.

67 4045

OK'd
2-4-74

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 James L. Bumgarner
(name of claimant)
of Cambridge, Idaho
(mailing address), claims a right to the diversion and beneficial use of
ground water or surface water tributary to Weiser River.

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Rush 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>7.0</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>March 15</u>	To	<u>Nov. 15</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 7.0 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) 1936

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 NW ¼, Sec. 34 Twp. 14 N Rge. 3 W B. M. County of Washington

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. Gravity diversion and ditch to place
of use

- (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.

[illegible]

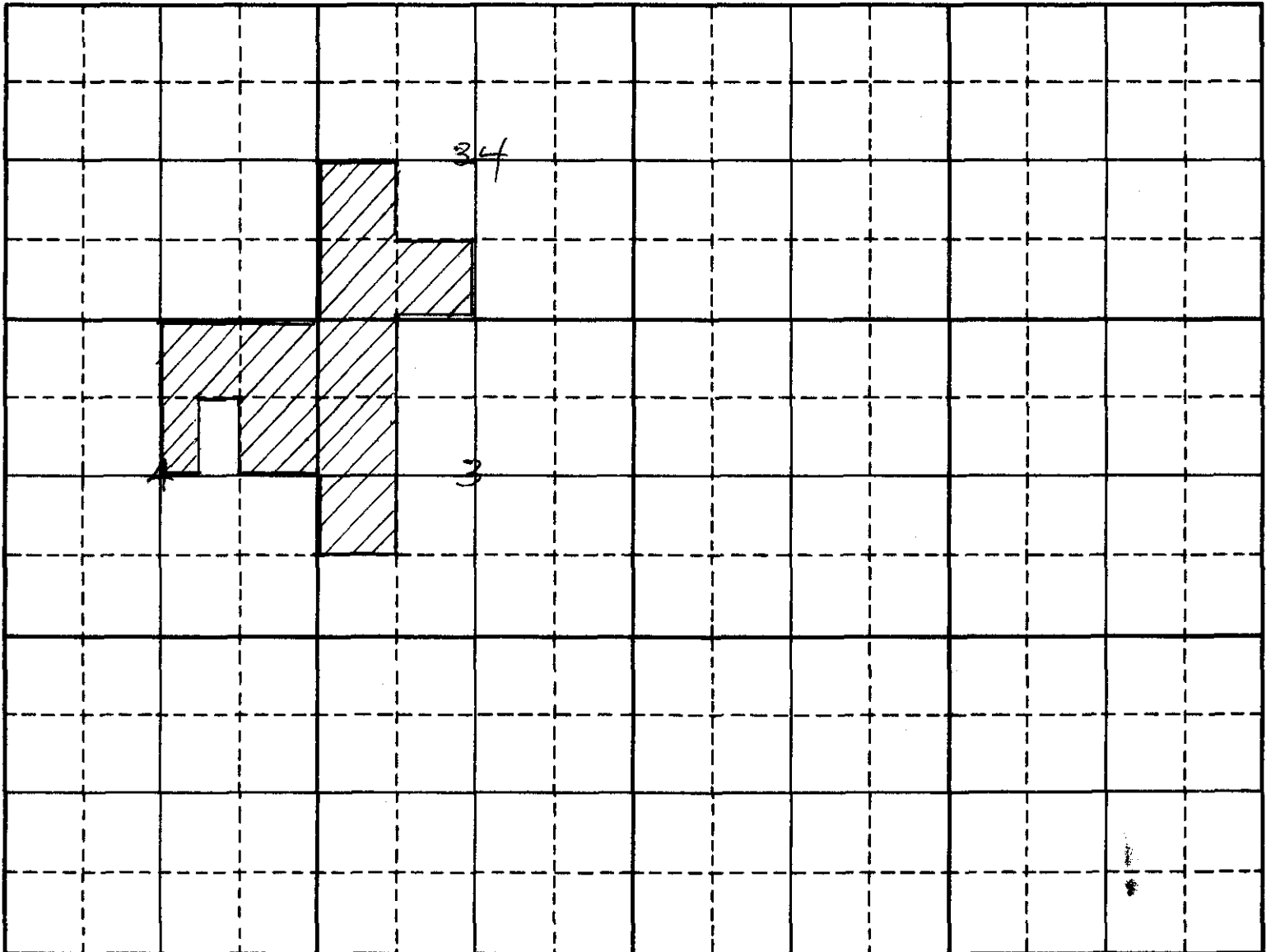
Total No. of acres 380

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

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

67 4045

(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.

Sworn to before me this 18th day of

January, 1974
James L. Beungam (Claimant)
Lytle Glen Saxton
 Notary Public
 Residing at Boise, Idaho

My commission expires 14 July 1974

For Department Use Only

Received by <u>RW.H.</u>	Date <u>1-18-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RW.H.</u>	Date <u>1-18-74</u>		claimant by:	
\$10.00 fee received by <u>[Signature]</u>	Date <u>1-18-74</u>			
Approved for publication by				
Published in <u>Upper County News Reporter</u>				
Dates <u>2-7-74 2-14-74</u>				

NOTICE OF CLAIM TO WATER

No. 67-4045

Notice is hereby given that JAMES L. HIGGINSON, Cambridge, ID., has filed a claim to a water right established by diversion and application to beneficial use of 70 cubic feet per second of water from Bush Creek, trib. to Weiser River with the point of diversion in the SW¹/₄ S. 34, T. 14 N., R. 3 W., B. M., Washington County.

The water is claimed to be used from March 15 to Nov. 15 for irrigation of 360 acres with a priority of 1935; the place of use is within the W¹/₄ NW¹/₄, NW¹/₄ SW¹/₄, S. 3, NE¹/₄ S. 4, T. 14 N., R. 3 W., W¹/₄ SW¹/₄, SE¹/₄ SW¹/₄, S. 34, T. 14 N., R. 3 W., 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 Upper Country News-Reporter, Cambridge, Idaho on Feb. 7, 1974 and Feb. 14, 1974.

OK'd
2-14-74

AFFIDAVIT OF PUBLICATION

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, 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 thereto; that the publication of said notice began with the issue of Feb. 4, 1974, and ended with the issue of Feb. 14, 1974.

Stuart Dopf

Subscribed and sworn to before me this

14th day of February, 1974.

Mary Calland

Notary Public for Idaho, residing at
Cambridge, Idaho

ACTION

N	OWNER LAST NAME - BUMGARNER	FIRST NAME - JAMES L.		
N		CITY - CAMBRIDGE	STATE - ID	
N	SOURCE - RUSH CREEK	TRIBUTARY OF - WEISER RIVER		
N	STAGE - STATRY CLM	PRIORITY - 06-01-1936	COUNTY - WASHINGTON	TOTAL DIV. RATE - 7.0000CFS
N	DIVERSION POINT - SWNW 34 14N 03W			
N	FROM - 03-15 TO - 11-15	USE - IRRIGATION	USE DIV. RATE -	7.0000CFS
N	USE - IRRIGATION	PLACE OF USE - TWN 14N RNG 03W SEC 03	TRACT NWNW	AC 40
N			TRACT NWSW	AC 40
N	USE - IRRIGATION	PLACE OF USE - TWN 14N RNG 03W SEC 04	TRACT NENE	AC 40
N			TRACT SENE	AC 40
N	USE - IRRIGATION	PLACE OF USE - TWN 15N RNG 03W SEC 34	TRACT NWSW	AC 40
N			TRACT SESW	AC 40

4000

IDENT. NO. 47-4045

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

Initials

Date

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

12-13-77

- DATA ENTRY -

Record

Present Owner: _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: A

[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):

February 25, 1974

James L. Bumgarner
Cambridge, ID 83610

Re: Claim to a Water Right No. 67-4045

Dear Mr. Bumgarner:

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 which 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

KBF:def

Enclosure

67 4045

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

February 1, 1974

Upper Country News Reporter
Box 98
Cambridge, ID 83610

Re: Notice of Claim to a Water Right No. 67-4044 - Morris B. McCoy
67-4045 - James L. Bumgarner
Notice of Proposed Change No. 67-0241, 67-0242, 67-0243, 67-0244, 67-0245,
67-0261, 67-0262, 67-0272, 67-0273 - James Bumgarner
Notice of Proposed Change No. 67-0246, 67-0249, 67-0248, 67-0257, 67-0248 -
Morris B. McCoy
Application for Permit No. 67-7192 - Maurice W. Sanders &/or Edwin C. De Moss
67-7193 - Maurice W. Sanders &/or Edwin C. De Moss

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)

67 4045

Sincerely,

Bill submitted 2-19-74 by df

NOTICE OF WATER RIGHT
No. 2474

Notice is hereby given that JAMES L. BURGARNER, Cambridge, ID., has filed a claim to a water right established by diversion and application to beneficial use of 7.9 cubic feet per second of water from Rush Creek, trib. to Weiser River with the point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, S. 34, T. 14 N., R. 3 W., B. M., Washington County.

The water is claimed to be used from March 15 to Nov. 15 for irrigation of 300 acres with a priority of 1936; the place of use is within the W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S. 3, NE $\frac{1}{4}$ S. 4, T. 14 N., R. 3 W., W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S. 34, T. 15 N., R. 3 W., 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 Upper County News-Messenger, Cambridge, Idaho, on Feb. 1, 1936 and Feb. 24, 1936.

67 4045

NOTICE OF CLAIM TO A WATER RIGHT

No. ~~67-4045~~

Notice is hereby given that JAMES L. BUMGARDNER, Cambridge, ID

has filed a claim to a water right established by diversion and application
to beneficial use of 7.0 cubic feet per second ~~XXXXXX~~ of water
from Rush Creek, trib. to Weiser River

with the point of diversion in the SW1/4, S. 34, T. 14 N., R. 3 W., B.M.,
Washington County

The water is claimed to be used from March 15 to Nov. 15 for irrigation
of 380 acres

with a priority of 1936 ;

the place of use is within the W1/4, NW1/4, S. 3, NE1/4 S. 4, T. 14 N.,
R. 3 W., W1/4, SW1/4, SE1/4, S. 34, T. 15 N., R. 3 W., 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 Upper Country News Reporter, Cambridge, Idaho
on Feb. 7, 1974 and Feb. 14, 1974

67 4045

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
WESTERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2190

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

January 29, 1974

James L. Bumgarner
Cambridge, ID 83610

Re: Claim to a Water Right No. 67-4045
Application for Transfer

Dear Mr. Bumgarner:

Enclosed is your Receipt No. 13583 in the amount of \$ 40.00 for
above referenced claim & transfer which was received in this office
on Jan. 18, 1974.

Sincerely,

DEANNA E. FELDT
Secretary

DEF:d

Enclosure

67 4045