

RECEIVED

DEC 30 1974

Department of Water Resources

DEC 30 1974

Affidavit of Publication

County of Elmore

STATE OF IDAHO

ss.

I, James M. Waters do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

...2... consecutive weeks, the first publica-
tion having been made on the 17 day
of Dec, 1974, and
the last publication having been made on the
...26... day of Dec,
1974...; every Thursday issue of the paper
during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Subscribed and sworn to me this 26...

day of Dec, 1974

G. C. Wetherell

Notary Public

NOTICE OF CLAIM TO A WATER RIGHT #62-4286

Notice is hereby given that
GWINN &/OR LENA RICE Box
131, Hill City, ID has filed a claim
to a water right established by
diversion and application to benefi-
cial use of 0.70 cubic feet per
second of water from Bird Creek,
Trib. to S. Fk. Boise River with
the point of diversion in the SE 1/4
NW 1/4, Sec. 31, T. 2 N, R. 10 E,
B.M. Elmore County.

The water is claimed to be used
from April 15 to Oct. 15 for
aesthetic use and for irrigation of
15 acres with a priority of 1949; the
place of use in within the NE 1/4
SW 1/4, Sec. 31, T. 2 N, R. 10 E,
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 Mountain Home
News, Mtn. Home, ID on Dec. 19,
1974 and Dec. 26, 1974.

Ok
12-30-74
ca

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 Gwinn &/or Lena Rice
(name of claimant)
of Box 131, Hill City, Idaho 83337, claims a right to the diversion and beneficial use of
(mailing address)
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) Bird Creek
, tributary to, South Fork Boise 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>0.35 cfs</u>	Use	<u>Irrigation</u>	Period of Use: From	<u>4/15</u>	To	<u>10/15</u>
Amount	<u>0.70 cfs</u>	Use	<u>Aesthetic</u>	Period of Use: From	<u>4/15</u>	To	<u>10/15</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: 0.70 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) 1949

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 ¼ NW ¼, Sec. 31 Twp. 2 N Rge. 10 E B.M. County of Elmore
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: rock & dirt diversion, 12 feet by 3 feet

(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	
2N	10E	31									15								15

Total No. of acres 15

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Aesthetic value for cabin and home and for children & grown ups to play in.

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

The image shows a full page of graph paper. It features a grid of squares defined by solid black lines. Within each square formed by the solid lines, there are horizontal and vertical dashed lines that divide the square into four smaller quadrants. This creates a pattern of larger squares, each containing four smaller squares separated by dashed lines. The entire page is covered by this grid pattern, with no margins or other markings.

State of Idaho)
) ss.
County of Ada)

[Signature]
(Claimant)

_____, 19 74.
Notary Public
Residing at Boise, Idaho

Received by dr Date 12/9/74 Exception filed by: _____ Forwarded-to: _____ Date: _____
Prelim. check by _____ Date: _____ claimant by: _____
\$10.00 fee received by _____ Date 12/9/74 619
Approved for publication by Ca 12-12-74 OK 12-3-74 _____
Published in Mountain Home News _____
Dates Dec. 19 & Dec. 26 _____

IN THE MATTER OF:)

Claim to a Water Right in the name)
of Gwinn &/or Lena Rice)

State of Idaho)

County of Elmore)

Department of Water Resources
AFFIDAVIT

JAMES L. DAVIDSON

being first duly sworn,

deposes and says: _____

The water has been running in this ditch since 1949 when I purchased the property and was being used by the trees and for livestock. I have never since I have lived on the water was being used when I sold the property to Gwinn Rice.

This ditch is from Bird Creek and runs across the NW 1/4 NE 1/4 SW 1/4 W 1/4 NE 1/4 SW 1/4 Sec 31 2N 10E Elmore County, State of Idaho.

James L. Davidson
(signature)

Subscribed and sworn to before me this 1st day of DECEMBER 19 74.

Wernis H. Wetherell
(notary public)

Residing at

My commission expires

Mountain Home, Idaho

5-15-78

**NOTICE OF CLAIM
TO A WATER RIGHT
703-4286**

Notice is hereby given that GWINN &/OR LENA RICE Box 181, Hill City, ID has filed a claim to a water right established by diversion and application to beneficial use of 0.70 cubic feet per second of water from Bird Creek, Trib. to S. Fk. Boise River with the point of diversion in the SE 1/4 NW 1/4, Sec. 81, T. 2 N, R. 10 E, B.M. Elmore County.

The water is claimed to be used from April 15 to Oct. 15 for aesthetic use and for irrigation of 15 acres with a priority of 1949; the place of use in within the NE 1/4 SW 1/4, Sec. 81, T. 2 N, R. 10 E, 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 Mountain Home News, Mtn. Home, ID on Dec. 19, 1974 and Dec. 26, 1974.

*OK
12-30-74
ca*

Affidavit of Publication

County of Elmore
STATE OF IDAHO } ss.

I, *Vincent M. Waters*... do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

...*2*... consecutive weeks, the first publication having been made on the *19*... day of *Dec*..., 19*74*, and the last publication having been made on the *26*... day of *Dec*... 19*74*...; every Thursday issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Vincent M. Waters

Subscribed and sworn to me this *26*...

day of *Dec*..., 19*74*

G.C. Wetherell
Notary Public

MICROFILMED

IDENT. NO. 63-4286

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Old No.

New No.

1. Original Owner: Quinn & Lena Rice

Present Owner: _____

3. City: Hill City State: IO Zip: 83337

B. Tributary of: Boise River, South Fork

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: 6-1-1949

D. County: 39

E. Total Diversion Rate: .7

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):

6. A. Point of Diversion SE NW 31 2N 10E

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

from 4-15 to 10-15 for A purposes. Amount .35
(cfs or AC FT/yr) —

from _____ to _____ for ✓ purposes. Amount .7

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2190

R. Keith Higginson
Director

January 7, 1975

Mr. Gwinn Rice
Box 131
Hill City, ID 83337

Re: Claim to a Water Right No. 63-4286

Dear Mr. Rice:

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

MICROFILMED

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

December 13, 1974

Mountain Home News
P.O. Drawer 0
Mtn. Home, ID 83647

Re: Claim to a Water Right No. 63-4286 - Gwinn &/or Lena Rice

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,

Bill submitted

12-30-74
ca

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4286

Notice is hereby given that GWINN &/OR LENA RICE

Box 131, Hill City, ID

has filed a claim to a water right established by diversion and application
to beneficial use of 0.70 cubic feet per second ~~XXXXXX~~ of water

from Bird Creek, trib. to S. Fk. Boise River

with the point of diversion in the SE 1/4, Sec. 31, T. 2 N, R. 10 E, B.M.

Elmore County

The water is claimed to be used from April 15 to Oct. 15 for aesthetic
~~XXXX~~ use and for irrigation of 15 acres

with a priority of 1949;

the place of use is within the NE 1/4, Sec. 31, T. 2 N, R. 10 E, 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

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