

NOTICE OF CLAIM TO A WATER RIGHT

No. 63-4019

Notice is hereby given that Louis E. Rudisill and Ann Rudisill, Feather-
erville, Idaho has filed a claim to
a water right established by di-
version and application to benefi-
cial use of .02 cubic feet per second
of water from an unnamed spring
with point of diversion in SE 1/4 NE
1/4, sec. 9 T. 3 N., R. 10 E., B.M.,
Elmore County; the water is claim-
ed to be used from January 1 to
December 31 for domestic use with
a priority of June 1, 1948; the place
of use is the SE 1/4 NE 1/4, sec. 9, T.
3 N., R. 10 E., B.M.

Any exception to this claim of
water right may be filed with the
Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
First publication June 20, 1968.
Last publication June 27, 1968.

RECEIVED
JUL 1 1968

Department of Reclamation

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. 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 20 day
of June, 1968, and
the last publication having been made on the
... 27 ... day of June
1968; 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.

Lloyd S. Waters

Subscribed and sworn to me this 27
day of June, 1968.

William M. Waters
Notary Public

63 4019

Sub. 7-8-68

Identification No. 63-4019 P

Claim No. 425707

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Louis E Rudisill and Ann Rudisill, Husband and wife.
post office address Featherville, County of Elmore, Idaho
2. The ~~point of diversion~~ ^{spring} is in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 9 Township 3N
Range 10 E B.M. located on Boise National Forest 1545 feet west of
my property line. Owned in the name of the above. (name of source)
tributary to _____ in Elmore County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

- a. Date of priority claimed:

~~Note: This is application for use of a spring so the items omitted in this application do not apply;~~ amount: _____ c.f.s. or _____ acre feet

amount: _____ c.f.s. or _____ acre feet

L.E.R. June 1, 1948 amount: .02 c.f.s. or _____ acre feet

Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use domestic period of use from water year (both dates inclusive)

L.E.R. use Domestic period of use from Jan 1 to Dec 31 (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

Note-The spring is boxed by a concrete tank having a capacity of about 100 gallons

63 4019

- Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. Pipe buried in ground about 2 feet.

- has there been any enlargement of the reservoir since it was first built no, if so, give dates and describe _____

~~Not used for irrigation~~

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served One
name of town supplied None

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The property served by the spring water was acquired by the above named parties from McBride Logging, Inc on June 13 1963.
The deed of the transaction has been duly recorded in Elmore County on June 13, 1963.

To my best knowledge this spring in it's present state of developemnt was used by the former owners of the property for about 15 years.
There is no positive/when the spring was first used or developed.
knowledge

We, the present owners of the property have used the spring in it's present state since we acquired the property.

We have made application to the United States Forest Service to obtain a Special Use for the pipe line on National Forest land and the concrete box at the spring.

The flow of the spring as near as we can calculate is about 8 gallons per hour more or less depending upon time of year and annual rainfall on the watershed.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

June 5, 1968
(Date)

State of Idaho

County of Ada } ss.

On this 5th day of June 1968, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Louis E Rudisill
(Signature of Claimant)

Ann Rudisill

Margaret L. Trelatson
Notary Public residing at Boon, Idaho

My commission expires March 24, 1972

For Department Use Only

Received by <u>ef</u>	Date <u>6-5-68</u>	Exception filed by: <u>rect # 965 given</u>	Forwarded to claimant by:	Date
Prelim. check by <u>SSP</u>	Date <u>June 5, 1968</u>			
Fee received by <u>ef</u>	Date <u>6-5-68</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>ef</u>	Date <u>6-6-68</u>			
Published in <u>MT. Elmore News</u>	Dates <u>6-13-68</u>			

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u> acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u> acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.



Department of Registration

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. 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 20 day
of June, 1968, and
the last publication having been made on the
... 27 ... day of June
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And I further swear that the said MOUN-
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Lloyd S. Waters

Subscribed and sworn to me this 27...

day of June, 1968.

Vivian M. Waters
Notary Public

63 4019

Will Sub. 7868

WATER RIGHT NUMBER 63-4019

WATER RIGHTS EDIT REPORT

12/11/79

PAGE 117

ACT
ION

N OWNER LAST NAME - RUDISILL
N OWNER LAST NAME - RUDISILL

FIRST NAME - LOUIS E.
FIRST NAME - ANN

CITY - FEATHERVILLE STATE - ID

N SOURCE - SPRING

N STAGE - STATRY CLM

N DIVERSION POINT - SENE 09 03N 10E

N DIVERSION POINT - SENE 09 03N 10E

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

N USE - DOMESTIC

PRIORITY - 06-01-1948 COUNTY - ELMORE

TOTAL DIV. RATE - .0200CFS

USE DIV. RATE - .0200CFS

PLACE OF USE - TWN 03N RNG 10E SEC 09 TRACT SENE

3/79

IDENT. NO.

1000
63-4019

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

[Signature]

12-10

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

OTd No.

New No.

163-4019

Record

1. Original Owner: Louis E. + Ann Rudisill

Present Owner: _____

2. Address:

3. City: Geatherville State: IO Zip: _____4. A. Source of Water: spring

B. Tributary of: _____

5. 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: 6-1-1948D. County: 39E. Total Diversion Rate: .02

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>SENE</u>	<u>9</u>	<u>3N</u>	<u>10E</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 1-1 to 12-31 for D purposes. Amount .02
(cfs or ~~AC-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 _____

AD 11-6

8. Use Code: 0

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	
3N	10E	9				0													

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):

July 9, 1968

Re: Claim No. 63-4019

Louis E. Rudisill and Ann Rudisill
Featherville,
Idaho

Dear Mr. Rudisill:

The Department of Reclamation has received and processed your claim to a water right. The information in your claim is filed under Claim No. 63-4019.

Receipt No. 965 in the amount of \$10.00 was given to you at the time you filed your claim. Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

June 6, 1968

Re: Claim No. 63-4019
Louis A. Rudisill and Ann Rudisill

Mountain Home News
Mountain Home, Idaho

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 date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.

(Do not sign this letter)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWk:ks

Enclosure: Legal notice

63 4019

NOTICE OF CLAIM TO A WATER RIGHT

No. 63 4019

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Idaho has filed a claim to a water right
established by diversion and application to beneficial use of .02
cubic feet per second ~~per~~ foot of water from an unnamed spring
with point of diversion in SE¹/₄NE¹/₄, sec. 9
T. 3 N., R. 10 E., B.M., Elmore County; the water is
claimed to be used from January 1 to December 31 for domestic use
with a priority of June 1, 1948
; the place of use is the SE¹/₄NE¹/₄, sec. 9, T.
3 N., R. 10 E., B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Mountain Home News, Mountain Home, Idaho
on June 13 and June 20.