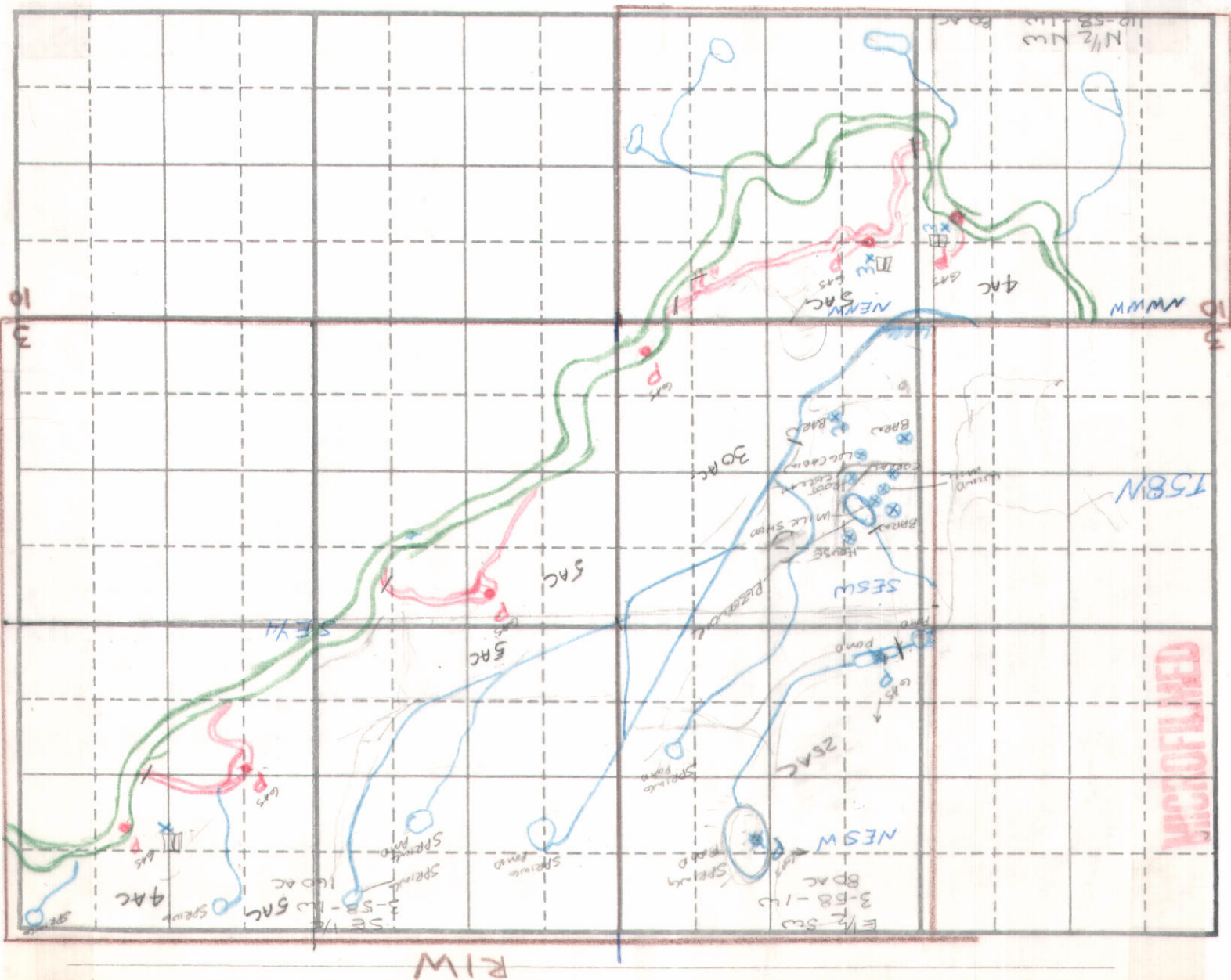




Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of \_\_\_\_\_ )  
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 affiant's knowledge.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(Claimant)

\_\_\_\_\_  
Notary Public  
Residing at \_\_\_\_\_

FOR DEPARTMENT USE ONLY

Received by \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by \_\_\_\_\_ Date \_\_\_\_\_  
\$30.00 fee received by \_\_\_\_\_ Date \_\_\_\_\_  
Published in \_\_\_\_\_  
Dates \_\_\_\_\_

Exception filed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Forwarded to: \_\_\_\_\_ Date: \_\_\_\_\_

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Frank F. and/or Judith A. Kerns Jr.  
(Name of Claimant)

Rt 1 Box 160 Samuels, Id. 83862 Telephone No. 263-4077  
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1920

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Grouse Creek (6pts) Pack River

Springs (14) tributary to Grouse Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| (cfs, af)                | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)         |                 |
|--------------------------|-------------------------------------|--------------------------------|-----------------|
|                          |                                     | (Mo., Day)                     | (Mo., Day)      |
| Quantity <u>10 AF</u>    | Use <u>Storage for Stock</u>        | Period of Use From <u>1-1</u>  | To <u>12-31</u> |
| Quantity <u>0.05 cfs</u> | Use <u>Stock</u>                    | Period of Use From <u>1-1</u>  | To <u>12-31</u> |
| Quantity <u>4.0 AF</u>   | Use <u>Storage for Irrigation</u>   | Period of Use From <u>3-15</u> | To <u>11-15</u> |
| Quantity <u>4.0 AF</u>   | Use <u>Irrigation from Storage</u>  | Period of Use From <u>3-15</u> | To <u>11-15</u> |
| Quantity <u>0.60 cfs</u> | Use <u>Irrigation</u>               | Period of Use From <u>3-15</u> | To <u>11-15</u> |

(4) 0.65 cfs, 10 AF TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SW 1/4 SE 1/4, Sec. 3 Twp. 58N Rge. 1W B.M., County of Bonner

Additional points of diversion: NESW (4pts), SESW (2pts), NWSE (3pts), NESF (4pts)  
SEC 3 T58N, R1W; NWNW (2pts), NEWN (4pts) SEC 10 T58N R1W

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. Describe any changes in the system and give the date of the change. portable pump from Grouse Creek for Irrigation (6pts). 14 developed

springs, including 7 ponds for stock. One pond is used for irrigation.  
Man-made ditches from springs used for stock water, flood irrigation

(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.      | NE 1/4 |        |        |        | NW 1/4        |              |        |        | SW 1/4        |        |        |              | SE 1/4        |               |          |        | TOTAL     |
|------------|-----------|-----------|--------|--------|--------|--------|---------------|--------------|--------|--------|---------------|--------|--------|--------------|---------------|---------------|----------|--------|-----------|
|            |           |           | 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 |           |
| <u>58N</u> | <u>1W</u> | <u>3</u>  |        |        |        |        |               |              |        |        | <u>25X</u>    |        |        | <u>30X</u>   | <u>4X</u>     | <u>5X</u>     | <u>5</u> |        | <u>74</u> |
|            |           |           |        |        |        |        |               |              |        |        | <u>(4pts)</u> |        |        | <u>(1pt)</u> | <u>(2pts)</u> | <u>(3pts)</u> |          |        |           |
| <u>58N</u> | <u>1W</u> | <u>10</u> |        |        |        |        | <u>5X</u>     | <u>4X</u>    |        |        | <u>7</u>      |        |        |              |               |               |          |        | <u>9</u>  |
|            |           |           |        |        |        |        | <u>(3pts)</u> | <u>(1pt)</u> |        |        | <u>stock</u>  |        |        |              |               |               |          |        |           |
|            |           |           |        |        |        |        |               |              |        |        |               |        |        |              |               |               |          |        |           |
|            |           |           |        |        |        |        |               |              |        |        |               |        |        |              |               |               |          |        |           |
|            |           |           |        |        |        |        |               |              |        |        |               |        |        |              |               |               |          |        |           |
|            |           |           |        |        |        |        |               |              |        |        |               |        |        |              |               |               |          |        |           |
|            |           |           |        |        |        |        |               |              |        |        |               |        |        |              |               |               |          |        |           |
|            |           |           |        |        |        |        |               |              |        |        |               |        |        |              |               |               |          |        |           |

No. of acres 83

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

NOTE: Include here the type and number of stock watered: up to 400 head cattle

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

(8) Remarks

AFFIDAVIT OF PUBLICATION  
NOTICE OF CLAIMS  
TOWATER RIGHTS

State of Idaho

The following claim(s)  
have been filed on water  
right(s) created by diversion  
and beneficial use:

County of Bonner,

Pete Thompson being first duly sworn on oath  
deposes and says that he is publisher of the Sand-  
point Daily Bee, and News Bulletin, newspapers  
printed and published at Sandpoint, in Bonner  
County, Idaho; that the said newspapers have been  
continuously and uninterruptedly published in  
said Bonner County during a period of 12 months  
prior to the first publication of the hereto attached  
notice of publication in the case of \_\_\_\_\_

Legal Notice

as it was published in the regular and entire issue  
of the said paper for a period of 2 consecu-  
tive weeks, commencing on 3 day of  
8, 1983 and ending on the 10 day of 8,  
19 83 and that said notice was published in said  
newspaper.

Pete Thompson

Subscribed and sworn to before me this 7 day

of 9, 1983.

Alice M. Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

96-4479  
DONENFELD, MELVIN  
JAY  
P.O. BOX 1692, SAND-  
POINT, ID 83864  
Source: CARIBOU CREEK  
trib. to PACK RIVER  
Priority Date: 01/01/1952  
Diversion Pt: NWNE Sec 14  
T 59N 02W  
Use: IRRIGATION (0.10  
CFS)  
STOCKWATER (0.04 CFS)  
DOMESTIC (0.04 CFS)  
In: NWNE Sec 14 T 59N R  
02W FOR 5 ACRES

96-4480 ✓  
KERNS, JR., FRANK F  
KERNS, JUDITH A.  
RT. 1 BOX 160, SAMUELS,  
ID 83862  
Source: SPRINGS trib. to  
GROUSE CREEK  
GROUSE CREEK trib. to  
PACK RIVER  
Priority Date: 01/01/1920  
Diversion Pt: SWSE NESW  
SESW NWSE NESE Sec 03 T  
58N R 01W NWNW NENW  
Sec 10 T 58N R 01W  
Use: IRRIGATION (0.60  
CFS)  
IRRIGATION STORAGE  
(4.0 AF)  
IRRIGATION FROM  
STORAGE (4.0 AF)  
STOCKWATER (0.05 CFS)  
STOCKWATER STORAGE  
(10.0 AF)  
In: NESW SESW NESE  
NWSE SWSE Sec 03 T 58N R  
01W NENW NWNW Sec 10 T  
58N R 01W NESW SESW  
NESE NWSE Sec 03 T 58N R  
01W NENW NWNW Sec 10 T  
58N R 01W FOR 83 ACRES.

96-4481  
LEWIS, BYRON C. &/or  
MYRALEE  
HCR BOX 625, CLARK  
FORK, ID 83811  
Source: SPRINGS trib. to  
TWIN CREEK  
Priority Date: 01/01/1923  
Diversion Pt: SESE Sec 30 T  
55N R 03E  
Use: IRRIGATION (4.50  
CFS)  
In: SENE NESE SESE Sec  
30 T 55N R 03E NWSW Sec 29  
T 55N R 03E FOR 140 ACRES

96-4482  
KELLOGG, KENNETH S.  
HCR 68, BOX 228,  
CAREYWOOD, ID 83809  
Source: SPRING trib. to  
COCOLALLA CREEK  
Priority Date: 01/01/1968  
Diversion Pt: SENW Sec 07  
T 54N R 02W  
Use: STOCKWATER (0.04  
CFS)  
DOMESTIC (0.04 CFS)  
In: SENW Sec 07 T 54N R  
02W

96-4492  
EVANS, WILLIAM H.  
HCR 68 BOX 260,  
CAREYWOOD, ID 83809  
Source: GROUNDWATER  
Priority Date: 06/01/1954  
Diversion Pt: NESW NWSE  
Sec 32 T 55N R 02W  
Use: IRRIGATION (0.02  
CFS)  
STOCKWATER (0.02 CFS)

96-4486  
WOODELL, ARTHUR A.  
&/or NEOLA L.  
P.O. BOX 1092, SAND-  
POINT, ID 83864  
Source: GROUNDWATER  
Priority Date: 06/01/1960  
Diversion Pt: NWSE Sec 29  
T 56N R 02W  
Use: IRRIGATION (0.58  
CFS)

96-4487  
DAVIS, AMANDA M.  
1100 SELKIRK RD., SAND-  
POINT, ID 83864  
Source: GROUNDWATER  
Priority Date: 05/05/1962  
Diversion Pt: SESW Sec 16 T  
58N R 01W  
Use: DOMESTIC (0.75 CFS)  
In: SESW Sec 16 T 58N R  
01W

96-4489  
ROJAN, ETHEL M.  
P.O. BOX 1444, SAND-  
POINT, ID 83864  
Source: PEND OREILLE  
RIVER trib. to COLUMBIA  
RIVER  
Priority Date: 01/01/1955  
Diversion Pt: SESE Sec 29 T  
57N R 02W  
Use: IRRIGATION (0.02  
CFS)  
In: SESE Sec 29 T 57N R 02W  
FOR 1 ACRES

96-4490  
NESET, BETTY JO GOLM  
7928 S.W. 5TH AVE.,  
PORTLAND, OR 97219  
Source: CLARK FORK  
RIVER trib. to PEND  
OREILLE LAKE  
Priority Date: 01/01/1955  
Diversion Pt: SENW Sec 11  
T 55N R 02E  
Use: IRRIGATION (0.50  
CFS)  
In: SENW Sec 11 T 55N R 02  
FOR 21 ACRES

96-4491  
NESET, BETTY JO GOLM  
7928 S.W. 5th AVE.,  
PORTLAND, OR 97219  
Source: GROUNDWATER  
Priority Date: 01/01/1955  
Diversion Pt: SENW Sec 11  
T 55N R 02E  
Use: IRRIGATION (0.06  
CFS)  
DOMESTIC (0.04 CFS)  
In: SENW Sec 11 T 55N R  
02E FOR 3 ACRES

96-4493  
DENNING, MARY ANN  
&/or GORDON  
HCR 68 BOX 272, SAND-  
POINT, ID 83864  
Source: SPRING trib. to  
SINKS  
Priority Date: 01/01/1935  
Diversion Pt: NWSW Sec 28  
T 55N R 02W  
Use: IRRIGATION (0.40  
CFS)  
In: NWSW Sec 28 T 55N R  
02W FOR 20 ACRES

96-4278  
ROSS, ANNETTE M.  
ELWELL, EVELYN L.  
RT. 1 BOX 295-A,  
SAMUELS, ID 83862  
Source: GROUNDWATER  
Priority Date: 01/01/1900  
Diversion Pt: SESE Sec 08 T  
59N R 01W  
Use: IRRIGATION (0.09  
CFS)  
DOMESTIC (0.04 CFS)  
In: SESE Sec 08 T 59N R 01W  
FOR 3 ACRES  
Exceptions to a claim may  
be filed with the Director,  
Dept. of Water Resources,  
4055 Gov't. Way, Coeur  
d'Alene, Id. 83814.  
KEN DUNN, Dir.  
Published 8/3 & 8/10/83.

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 96-4480 Applicant Kerns

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

N/A By JK Date 10/7/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 10-25-83

Produced Pursuant to Court Order

WATER RIGHT  
DATA ENTRY LOG

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 Updated

## Transfer Updated

Keypunched by State Office

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96-4480

KERNS, JR., FRANK F.  
KERNS, JUDITH A.

RT. 1 BOX 160, SAMUELS, ID 83862

Source: SPRINGS trib. to GROUSE CREEK  
GROUSE CREEK trib. to PACK RIVER

Priority Date: 01/01/1980

Diversion Pt: SWSE NESH SESW NWSE NESE Sec 03 T 38N R 01W NWNW NENW  
Sec 10 T 38N R 01W

|                         |            |
|-------------------------|------------|
| Use: IRRIGATION         | (0.50 CFS) |
| IRRIGATION STORAGE      | (4.0 AF)   |
| IRRIGATION FROM STORAGE | (4.0 AF)   |
| STOCKWATER              | (0.05 CFS) |
| STOCKWATER STORAGE      | (10.0 AF)  |

In: NESH SESW NESE NWSE SWSE Sec 03 T 38N R 01W NENW NWNW Sec 10 T 38N R 01W  
NESH SESW NESE NWSE Sec 03 T 38N R 01W NENW NWNW Sec 10 T 38N R 01W  
FOR 83 ACRES

NOTIFIED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

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JOHN V. EVANS  
Governor  
A. KENNETH DUNN  
Director

4055 Government Way  
Coeur d'Alene, ID 83814  
(208) 667-6484

AUGUST 23, 1983

FRANK F. KERNS, JR.  
JUDITH A. KERNS  
RT. 1 BOX 160  
SAMUELS

ID 83862

RE: Claim No. 96-4480

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filings and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.  
Regional Supervisor

Enclosure