

Lake Oreille
Pend Oreille

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DEC 31 2003
IDWR/North

PACIFIC

Property

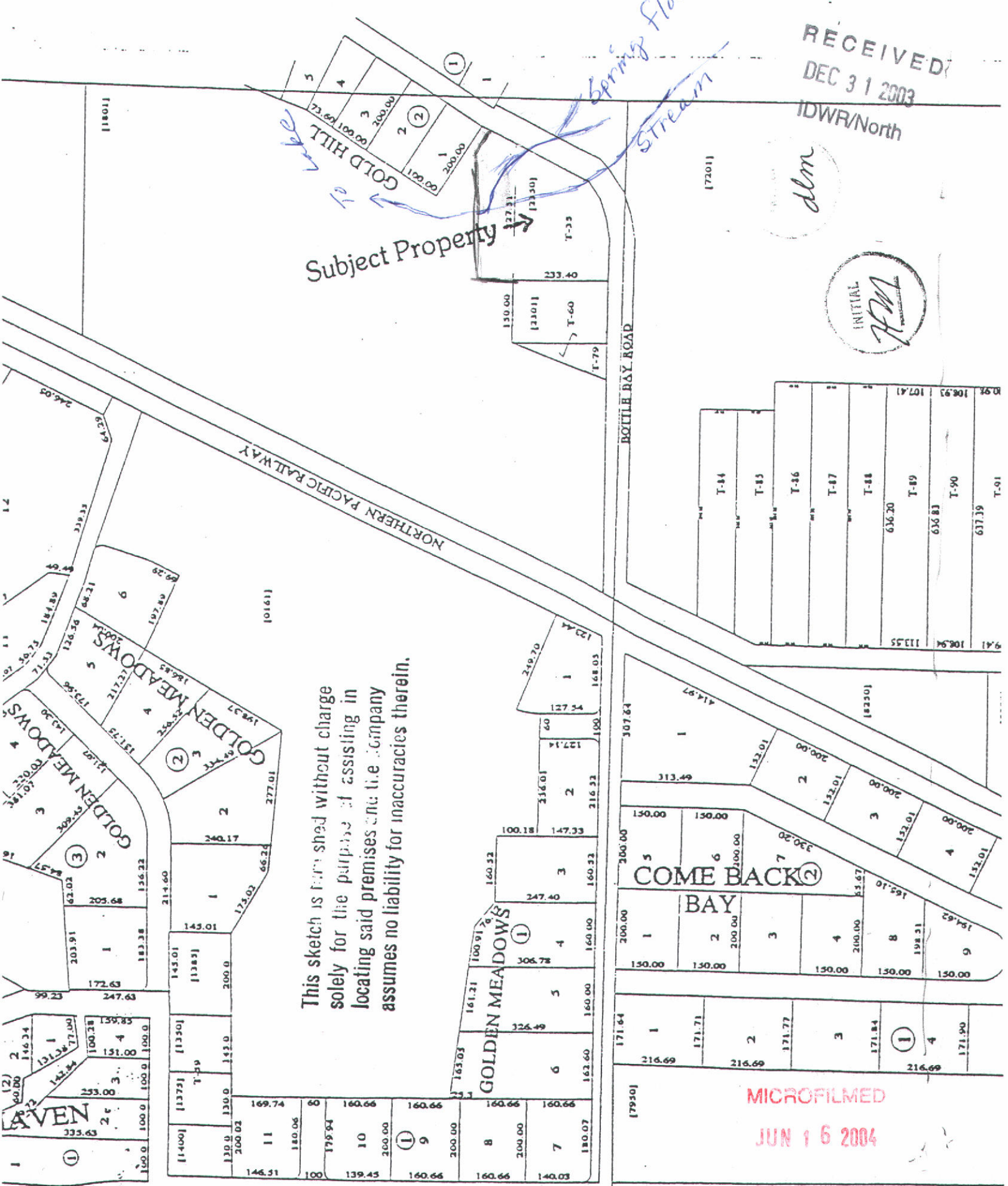
Spring Area

STREAM

Gravel
P.I.

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JUN 16 2004



This sketch is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability for inaccuracies therein.

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IDWR/North

INITIAL
FM

dlm

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96-9170

RECEIVED
DEC 31 2003

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DEC 31 2003

IDWR/North

71074

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Harvey A. Martin
(Name of Claimant)
P.O. Box 473, Emmett, ID 83617-0473 Telephone No: 208-365-2637
(Mailing Address) (Zip Code)

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

1. Date of Priority: (When the water was first applied to beneficial use) AUGUST 30, 1958
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, *Idaho Code*.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Unnamed Spring tributary to Lake Pend Oreille

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

Quantity	(cfs or af)	Use	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive)	
				(MM/DD)	(MM/DD)
Quantity <u>0.1 CFS</u>		Use <u>domestic</u>		Period of Use From <u>01/01</u> to <u>12/31</u>	
Quantity _____		Use _____		Period of Use From _____ to _____	
Quantity _____		Use _____		Period of Use From _____ to _____	
Quantity _____		Use _____		Period of Use From _____ to _____	

4. 0.1 CFS TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 2 Township 56N Range 2 W B.M., Bonner County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

GRAVITATION flow of 3/4" pipe from said spring
Approx. G.P.S. co-ordinates: 48° 13' 49.18" N
116° 31' 19.72" W

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#7 Attachments

1. Warranty Deed
2. Maps
3. Bonner Co. Tax Map
4. Check

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SEP 19 1980

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	2W	1							1										

TOTAL ACRES 2

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. _____

NOTE: Include here the type and number of stock watered: _____

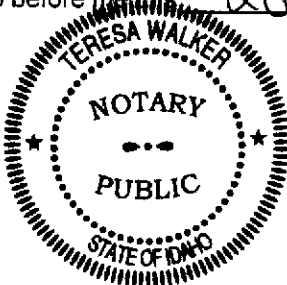
7. Remarks: Attached: Warranty deed w/water right - written 8-30-58 - filed 2-15-1960 - Book 103 pg 255.
Maps showing T57N & T56N with property & spring area.
Bonner County Tax map of property area.
 8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Idaho)
 County of Gem) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing 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.

Harvey A. Martin
 Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 26th day of December, 2003.



Lorena Halber
 Notary Public

Residing at: Emmett, Idaho

My commission expires: 4/10/09

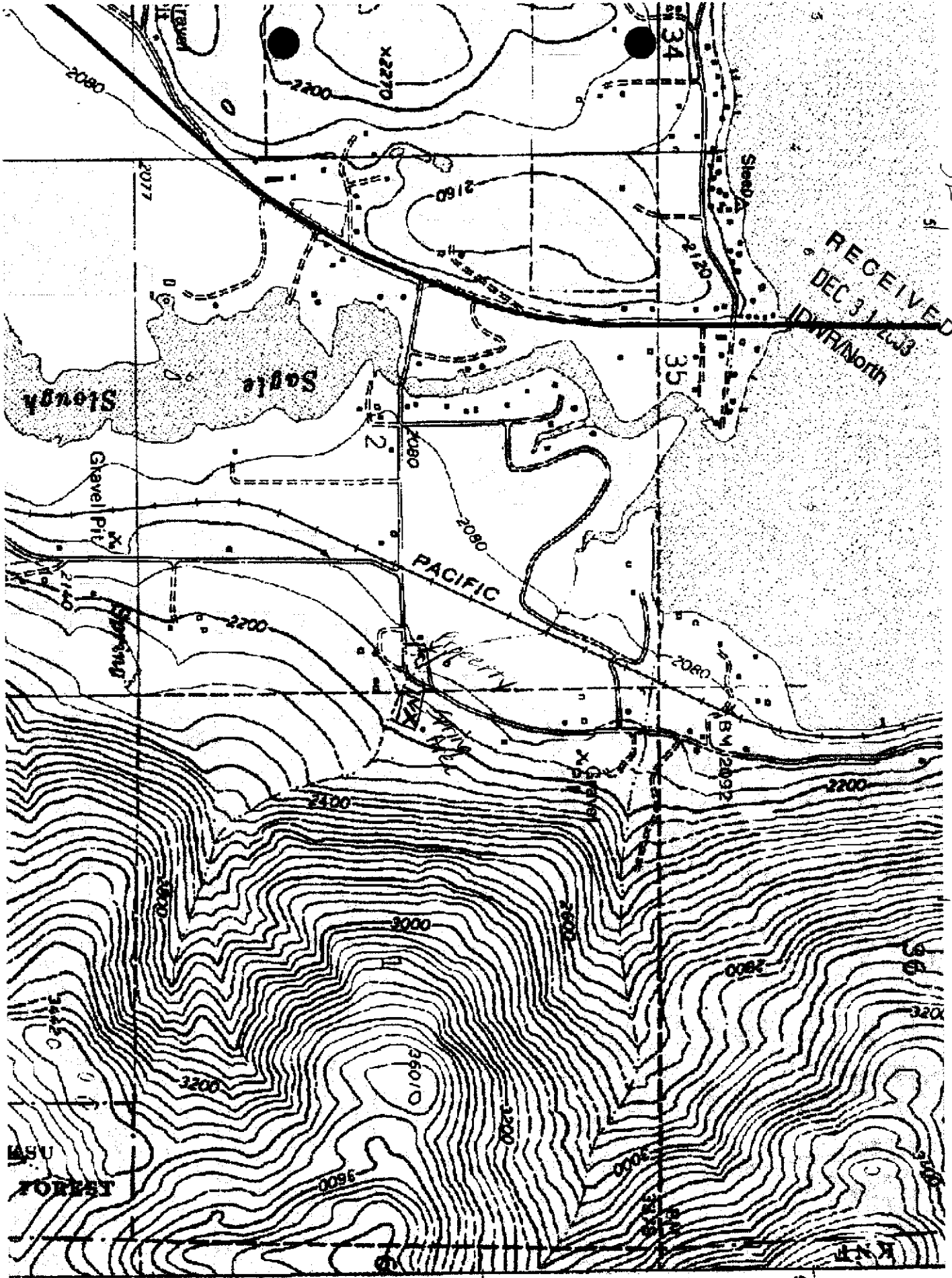
FOR DEPARTMENT USE ONLY

Received by [Signature] Date 12/31/03
 Prelim. check by _____ Date _____
 Fee \$100.00 Receipt # NO16047
 Receipt prepared by [Signature] Date 12/31/03

Published in Bonner Co Daily Bee
 Publication dates 3/4 + 11/26/04
 Publication checked by [Signature] Date 4/6/04
 Exceptions filed by _____

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JUN 16 2006

39° 30'

36

116° 30'

Lake O'Neill
Pearl O'Neill

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DEC 8 1 2003
IDWR/North

PACIFIC

280

2080

2200

Property

Spring Area

Stream

2400

3000

2600

3600

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JUN 9 5 2004

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DEC 31 2003
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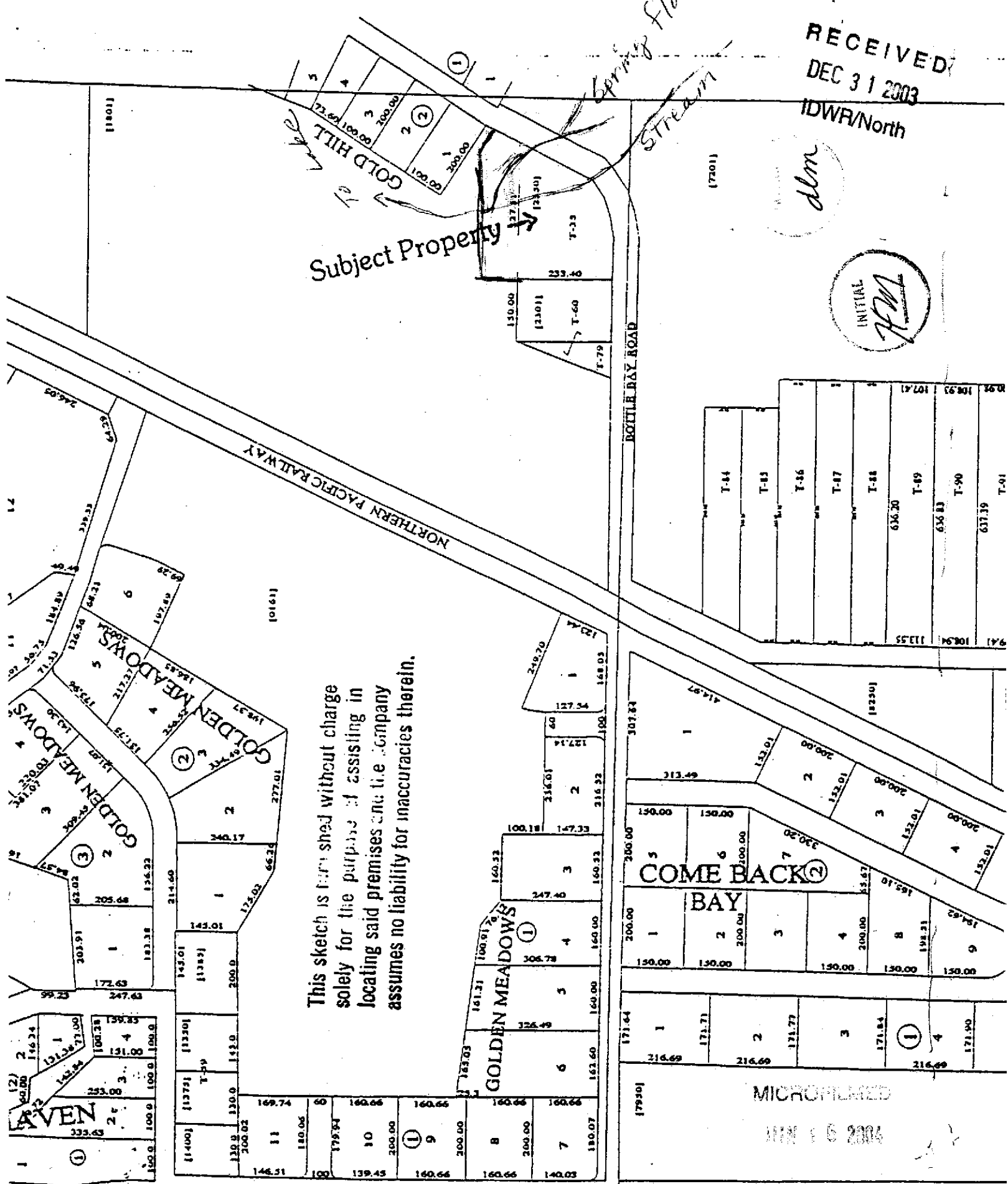
dlm

INITIAL
TMM

Spring flow
Stream

Subject Property →

This sketch is furnished without charge
solely for the purpose of assisting in
locating said premises and the company
assumes no liability for inaccuracies therein.



1326
255

WARRANTY DEED

RECEIVED
DEC 31 2003
IDWR/North

KNOW ALL MEN BY THESE PRESENTS:

That WILLIAM V. STEADMAN and ANNA STEADMAN, husband and wife, of Sagle, County of Bonner, State of Idaho, in consideration of One Dollar and other valuable considerations, do hereby grant, bargain, sell and convey unto LYNN ANDERTON and GLEO B. ANDERTON, husband and wife, of Sandpoint, County of Bonner, State of Idaho, the following property in Bonner County, State of Idaho, to-wit:

A tract of land in Section 2, Township 56 North, Range 2, West B.M. described as follows: From the Quarter corner between Sections 1 and 2 in Township 56 North, Range 2, W. B.M.; thence North 89° 48' West along the East-West subdivision line of Section 2, a distance of 432.18 feet; thence North 0° 02' East a distance of 36.29 feet to the true point of beginning, a point on the Northerly right of way line of the county road; thence North 0° 02' East a distance of 233.40 feet; thence South 89° 48' East a distance of 327.51 feet to the Westerly right of way line of the county road; thence along the right of way line of the said county road as follows: South 26° 15' West a distance of 201.65 feet; thence South 56° 48' West a distance of 50.0 feet; thence South 72° 09' West a distance of 50.0 feet; thence South 80° 44' West a distance of 50.0 feet; thence South 89° 19' West a distance of 100.0 feet to the true point of beginning.

TOGETHER with the perpetual right to use the gravitation flow of a three-fourths inch pipe from that certain spring which is 200 feet at right angles from the South line of the Southwest Quarter of the Northwest Quarter of Section 1, Township 56 North, Range 2, West B.M., situate upon the Southerly extension of the East line of Lot 1, Block 1, Gold Hill Plat, together with a perpetual easement over and across Sections 1 and 2, Township 56 North, Range 2, West B.M. to maintain the existing pipe line from said spring to the premises herein conveyed, and the Grantees herein for themselves, their heirs, assigns and personal representatives do further covenant that with respect to said spring that they shall never use more than the gravitation flow of a three-fourth's inch pipe and to maintain the existing line at their expense without enlarging the same and that they will not augment or increase the flow by the use of electric, gasoline or other driven pumps nor divert from the line service for other dwellings or properties.

Feb 15, 1960
SANDPOINT COUNTY REGISTER
L. L. ANDERTON, County Clerk
By *[Signature]* Deputy Clerk

177 out of 61

Tiff Agency
City

MICRO
JUN 15 2004

①

State of Idaho
Department of Water Resources

71074
CLAIM ANALYSIS SHEET

ok to publish
RECEIVED

Department of Water Resources

INITIAL REVIEW BY: PGA

Right Number

96-9170

Applicant

Martin

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.
- BC Daily Bee
Shus. 3/22/04

FINAL REGIONAL PROCESSING REVIEW:

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

By

AS

Date

04-08-04

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By

Date

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Debra Bergman

_____ being first duly sworn on oath

deposes and says that he/she is Bookkeeper

of the Bonner County Daily Bee, a newspaper printed and

published at Sandpoint, Bonner County, Idaho; that the

said newspaper has 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:

Notice of Application
for Water Right

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 4th day of March, 2004

and ending on the 11th day of March 2004

and that said notice was published in said newspaper.

On this 11th day of March in the year

of 2004, before me, a Notary Public, personally

appeared Debra Bergman,

known or identified to me to be the person whose name

subscribed to the within instrument, and being by me

first duly sworn, declared that the statements therein are

true, and acknowledged to me that he executed the same.

Carolyn L. Dugg
Notary Public for Idaho
Residing at Sandpoint
My Commission expires: 8/06

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APR 06 2004

IDWR/North

NOTICE OF APPLICATION FOR WATER RIGHT

The following claim(s) have been filed based on diversion and beneficial use of water:
96-9170

HARVEY A MARTIN

4495 HANNA AVE

PO BOX 473

EMMETT ID 83617

Point(s) of Diversion SENE S2 T56N R02W BONNER County

Source UNNAMED SPRING Tributary To PEND OREILLE LAKE

Use: DOMESTIC 01/01 To 12/31 0.1 CFS

Total Diversion: 0.1 CFS

Priority Date: 8/30/1958

Place Of Use: DOMESTIC T56N R02W S1 SWNW

Remark: Domestic use is for one home.

Exceptions to a claim may be filed with the Department of Water Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with an exception fee of \$25.00.

KARL J DREHER, Director

Legal 5039

March 4, 11, 2004

MICROFILMED

JUN 15 2004

5039

Bonner County Daily Bee
P.O. Box 159
Sandpoint, Id 83864
Phone: (208) 263-9534

**ADVERTISING
 INVOICE/STATEMENT**

Statement		Agency/Client Name		
03/31/04		DEPARTMENT OF WATER RESOURCES		
Total Amount Due		Terms of Payment		
70.52		net 15th		
Current Amount Due	1-30 Days	31-60 Days	61-90 Days	Over 90 Days
70.52	0.00	0.00	0.00	0.00

Page #	Billing Date	Billed Account #	Agency/Client Number		
1	03/31/04	30101775-000			
Billed Account Name & Address			Remittance Address		
DEPARTMENT OF WATER RESOURCES 1910 NW BLVD. SUITE #210 COEUR D'ALENE, ID 83814			Bonner County Daily Bee P.O. Box 159 Sandpoint, Id 83864		

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APR 06 2004
 IDWR/North

PLEASE DETACH AND RETURN UPPER PORTION WITH YOUR REMITTANCE

Date	Reference #	Description-Other Comments/Charges	Type	Units	Runs	Rate	Amount	Total
03/04/04	31560686-001	Beginning Balance					62.72	62.72
03/11/04	31560687-001	#5039 APP#96-9170	DIS	5.00 in	1	UL	35.28	98.00
		#5039 APP#96-9170	DIS	5.00 in	1	UL	30.24	128.24
		Affidavit Charge					5.00	133.24
03/29/04	32526400-001	117773064	PAY				-62.72	70.52

*To Brenda Corbett
 ok to pay
 [Signature]*

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APR 15 2004

Statement of Account Aging of Past Due Amounts					
Current Amount Due	1-30 Days	31-60 Days	61-90 Days	Over 90 Days	Total Amount Due
70.52	0.00	0.00	0.00	0.00	70.52
Bonner County Daily Bee P.O. Box 159 Sandpoint, Id 83864			Past due accounts are subject to finance charges of 1 1/2% per month, which is an annual percentage of 18%, applied to the previous balance.		
Advertiser Information					
Statement Date	Billed Account #		Agency/Client Number		Agency/Client Name
03/31/04	30101775-000				



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 27, 2004

HARVEY A MARTIN
PO BOX 473
EMMETT ID 83617-0473

RE: Water Right Claim No 96-9170

Dear Claimant(s):

The Department of Water Resources acknowledges receipt of your water right claim. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the claim has been prepared and is scheduled for publication in the Bonner County Daily Bee on March 4 and 11, 2004. If exceptions to the claim are filed you will be sent a copy of the exceptions(s).

The filing and advertising of the claim does not confirm the water right claimed. It will serve to record and preserve the information and the evidence, including any exceptions, regarding the 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 the information or evidence added at any time. Corrections to the claim may be made by filing an amended claim; no additional filing fees are required to amend a claim.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

We are enclosing a copy of the claim for your records. Please feel free to contact this office if you have any questions.

Sincerely,

Allen Beardslee
Senior Water Resource Agent

Enclosure - Receipt No. N016047

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APR 6 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 27, 2004

=PLEASE FAX PROOF PRIOR TO PUBLICATION=

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

e-mailed to Sheri at sjones@abonnercountydailybee.com

RE: Statutory Claim No. 96-9170

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, March 4 and 11, 2004, (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 03/22/2004. Your cooperation is GREATLY appreciated, and as always, it's a pleasure to work with you.

Sincerely

Dianne

Dianne Ball
Administrative Assistant

MICROFILMED

JUN 10 2005

Ball, Dianne

From: Ball, Dianne
Sent: Friday, February 27, 2004 3:42 PM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal notice for publication on March 4 and 11, 2004

Good afternoon, Sheri,

Attached you will find a cover letter requesting publication of a legal notice on March 4 and 11, 2004. Also attached is the legal notice.

If you have ANY questions, please call me at 208-769-1450.

Also, **please fax proof copy prior to publication.**

Thank you very much, and have a great day and a simply *marvelous* weekend.

Dianne

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 FAX 208-769-1454

MICROFILMED

APR 15 2005

2/27/2004

The following claim(s) have been filed based on diversion and beneficial use of water:

96-9170

HARVEY A MARTIN
4495 HANNA AVE
PO BOX 473
EMMETT ID 83617

Point(s) of Diversion SENE S2 T56N R02W BONNER County
Source UNNAMED SPRING Tributary To PEND OREILLE LAKE

Use: DOMESTIC 01/01 To 12/31 0.1 CFS

Total Diversion: 0.1 CFS

Priority Date: 8/30/1958

Place Of Use: DOMESTIC T56N R02W S1 SWNW

Remark: Domestic use is for one home.

Exceptions to a claim may be filed with the Department of Water Resource,
Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814
together with an exception fee of \$25.00.

KARL J DREHER, Director Published on March 4 and 11, 2004

MICROFILM

SEP 15 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 20, 2004

CHARLES CORSI
STATE OF IDAHO
DEPT OF FISH & GAME
2750 KATHLEEN AVE
COEUR D ALENE, ID 83814

FAXED TO CHIP 2/20/04

6 pages total

Claim to a Water Right 96-9170

Dear Chip:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application follows this cover letter, for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Dianne'.

Dianne Ball
Administrative Assistant

Enclosure(s)

ENCLOSURE

FEB 25 2004