

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint 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 consecutive weeks, commencing on 27 day of 7, 1983 and ending on the 3 day of 8, 1983 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 3 day of 8, 1983.

Allen M. Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

RECEIVED

AUG 8 1983

NOTICE OF CLAIMS TO WATER RIGHTS

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

96-4456
KERNODLE, STRATTON RT. 2 BOX 258, SANDPOINT, ID 83864
Source: UNNAMED STREAMS trib. to JOHNSON CREEK
JOHNSON CREEK trib. to PEND OREILLE RIVER
Priority Date: 04/01/1965
Diversion Pt: NWSW Sec. 33 T 57N R 03W NESE LOT 01 LOT 04 Sec 32 T 57N R 03W
Use: IRRIGATION (0.09 CFS)
STOCKWATER (0.04 CFS)
DOMESTIC (0.04 CFS)
In: NWSW Sec. 33 T 57N R 03W LOT 04 NESE LOT 01 Sec 32 T 57N R 03W FOR 3

96-4457
CONVERSE, HARVEY R. &/or Doris &/or HOWARD L. &/or MYRA
RT. 1 BOX 22, SAGLE ID 83860

Source: GROUNDWATER
Priority Date: 01/01/1945
Diversion Pt: SESW Sec 11 T 56N R 02W
Use: IRRIGATION (0.06 CFS)
DOMESTIC (0.08 CFS)
In: NESW SESW Sec 11 T 56N R 02W FOR 5 ACRES

96-4458
ANDERSON, JUNE J.
STAR RT. BOX 450, HOPE, ID. 83836
Source: PEND OREILLE LAKE trib. to PEND OREILLE RIVER
Priority Date: 01/01/1932
Diversion Pt: SESW Sec. 11 T 56N R 01E
Use: IRRIGATION (0.05 CFS)
DOMESTIC (0.15 CFS)
In: NENE Sec 11 T 56N R 01E FOR 4 ACRES

96-4459
GLEISER, ROBERT W. &/or JOYCE A.
4075 HIGHWAY 200, EAST, SANDPOINT, ID 83864
Source: BOYER SLOUGH trib. to PEND OREILLE LAKE
Priority Date: 08/25/1967
Diversion Pt: NWSE Sec 06 T 57N R 01W
Use: IRRIGATION (0.20 CFS)
DOMESTIC (0.20 CFS)
In: NWSE Sec 06 T 57N R 01W FOR 1 ACRES

96-4460
TIFFT, WARD R.
P.O. BOX 129, SANDPOINT, ID 83864
Source: PEND OREILLE LAKE trib. to PEND OREILLE RIVER
Priority Date: 01/01/1953
Diversion Pt: LOT 01 Sec 29 T 57N R 02W
Use: IRRIGATION (0.03 CFS)
In: LOT 01 Sec 29 T 57N R 02W FOR 2 ACRES

96-4461
CONVERSE, HOWARD L. &/or MYRA
RT. 1 BOX 22, SAGLE, ID 83860
Source: FRY CREEK trib. to SAGLE SLOUGH
Priority Date: 01/01/1928
Diversion Pt: NWSW SWSW Sec 11 T 56N R 02W
Use: STOCKWATER (0.02 CFS)
In: NWSW SWSW Sec 11 T 56N R 02W

96-4462
LINDGREN, LE ROY E. &/or PATRICIA A.
STAR RT. BOX 157, HOPE, ID 83836
Source: TRESTLE CREEK trib. to PEND OREILLE LAKE
Priority Date: 01/01/1920
Diversion Pt: NENE Sec 15 T 57N R 01E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NENE Sec 15 T 57N R 01E FOR 2 ACRES

96-4463
SOLSTAD, ALLAN ARNOLD
8545 RAPID LIGHTNING RD., SANDPOINT, ID 83864
Source: UNNAMED STREAM trib. to RAPID LIGHTNING CREEK
Priority Date: 01/01/1968
Diversion Pt: SENE Sec 18 T 58N R 01E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NESE Sec 18 T 58N R 01E FOR 1 ACRES

96-4464
JONES, JR., EMMETT W.
P.O. BOX 97, SANDPOINT, ID 83864
Source: FRY CREEK trib. to PEND OREILLE LAKE
Priority Date: 01/01/1953
Diversion Pt: SENW Sec 02 T 56N R 02W
Use: IRRIGATION (0.20 CFS)
In: SENW Sec 02 T 56N R 02W FOR 15 ACRES

96-4465
JOHNSON, ROBERT &/or DOROTHY
P.O. BOX 1196, SANDPOINT, ID 83864
Source: PEND OREILLE RIVER trib. to COLUMBIA RIVER
Priority Date: 04/01/1964
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

96-4466
BONAR, CHARLES F.
1207 ELM ST., SANDPOINT, ID 83864
Source: PEND OREILLE LAKE trib. to COLUMBIA RIVER
Priority Date: 01/01/1963
Diversion Pt: LOT 02 Sec 27 T 57N R 02W
Use: IRRIGATION (0.04 CFS)
In: LOT 02 Sec 27 T 57N R 02W FOR 2 ACRES

96-4467
JONES, ROBERT F. &/or SANDRA V.
P.O. BOX 258, RATHDRUM, ID 83858
Source: SYRINGA CREEK trib. to PEND OREILLE RIVER
Priority Date: 10/01/1967
Diversion Pt: NWSW Sec 08 T 57N R 02W
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.06 CFS)
In: SESW Sec 08 T 57N R 02W

96-4469
RANER, JOHN T. &/or JEANNE A.
P.O. BOX 333, PINON HILLS, CA 92372
Source: GROUNDWATER
Priority Date: 01/01/1950
Diversion Pt: LOT 06 Sec 05 T 55N R 02W

96-4475
BRISBOY, JAMES E. &/or ZELMA
HCR 66 BOX 824, SAGLE, ID 83860
Source: SPRING trib. to SINKS
Priority Date: 06/01/1944
Diversion Pt: SENW Sec 17 T 56N R 01W
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: SWNE Sec 17 T 56N R 01W

96-4476
BENSON, JIM
RT. 3 BOX 137, SANDPOINT, ID 83864
Source: SYRINGA CREEK trib. to SINKS
Priority Date: 01/01/1968
Diversion Pt: NWSW Sec 08 T 57N R 02W
Use: DOMESTIC (0.04 CFS)
In: SWSW Sec 08 T 57N R 02W

96-4477
KIEBERT, HAROLD V.
STAR RT. BOX 503, HOPE, ID. 83836
Source: COUGAR CREEK trib. to DENTON SLOUGH
Priority Date: 01/17/1900
Diversion Pt: SENW Sec 17 T 56N 02E
Use: IRRIGATION (3.96 CFS)
DOMESTIC (0.04 CFS)
In: SENE Sec 18 T 56N R 02E FOR 36 ACRES

96-4478
PINECREST CEMETERY ASSN.
P.O. BOX 949, SANDPOINT, ID 83864
Source: CHUCKS SLOUGH trib. to PEND OREILLE RIVER
Priority Date: 01/01/1960
Diversion Pt: NESW Sec 21 T 57N R 02W
Use: IRRIGATION (0.20 CFS)
In: NWNW Sec 21 T 57N R 02W SWSW Sec 16 T 57N R 02W FOR 10 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 7/27 & 8/3/83

MICROFILMED

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 Jim Benson (Name of Claimant)
Rt 3 Box 137, Sandpoint, Id. 83864 (Mailing Address) Telephone No. 263-4743 (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) 1968

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)
Spring Creek tributary to Pinks

(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, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.04</u>		Use <u>Domestic</u>		Period of Use From <u>1-1</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 _____
Quantity _____		Use _____		Period of Use From _____	To _____

(4) 0.04 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SW 1/4, Sec. 8 Twp. 57N Rge. 24 B.M., County of Bonner
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. Describe any changes in the system and give the date of the change. Gravity flow pipe in creek

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>57N</u>	<u>24</u>	<u>8</u>											X						

No. of acres _____

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

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

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

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint 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 consecutive weeks, commencing on 27 day of 7, 1983 and ending on the 3 day of 8, 1983 and that said notice was published in said newspaper.

Subscribed and sworn to before me this 3 day of 8, 1983.

Allen M. Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

RECEIVED

AUG 8 1983

NOTICE OF CLAIMS TO WATER RIGHTS

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

96-4466
KERNODLE, STRATTON RT. 2 BOX 258, SANDPOINT, ID 83864
Source: UNNAMED STREAMS trib. to JOHNSON CREEK trib. to PEND OREILLE RIVER
Priority Date: 04/01/1965
Diversion Pt: NWSW Sec. 33 T 57N R 03W NESE LOT 01 LOT 04 Sec 32 T 57N R 03W
Use: IRRIGATION (0.00 CFS)
STOCKWATER (0.04 CFS)
DOMESTIC (0.04 CFS)
In: NWSW Sec. 33 T 57N R 03W LOT 04 NESE LOT 01 Sec 32 T 57N R 03W FOR 3

96-4467
CONVERSE, HARVEY R. &/or Doris &/or HOWARD L. &/or MYRA RT. 1 BOX 22, SAGLE, ID 83860

Source: GROUNDWATER
Priority Date: 01/01/1945
Diversion Pt: SWSW Sec 11 T 56N R 02W
Use: IRRIGATION (0.06 CFS)
DOMESTIC (0.02 CFS)
In: NWSW SWSW Sec 11 T 56N R 02W FOR 4 ACRES
96-4468
ANDERSON, JUNE J. STAR RT. BOX 480, HOPE, ID. 83836
Source: PEND OREILLE LAKE trib. to PEND OREILLE RIVER
Priority Date: 01/01/1932
Diversion Pt: SESW Sec. 11 T 56N R 01E
Use: IRRIGATION (0.05 CFS)
DOMESTIC (0.15 CFS)
In: NENE Sec 11 T 56N R 01E FOR 4 ACRES

96-4459
GLEISER, ROBERT W. &/or JOYCE A. 4075 HIGHWAY 200, EAST, SANDPOINT, ID 83864
Source: BOYER SLOUGH trib. to PEND OREILLE LAKE
Priority Date: 08/25/1967
Diversion Pt: NWSE Sec 06 T 57N R 01W
Use: IRRIGATION (0.20 CFS)
DOMESTIC (0.20 CFS)
In: NWSE Sec 06 T 57N R 01W FOR 1 ACRES

96-4460
TIFFT, WARD R. P.O. BOX 129, SANDPOINT, ID 83864
Source: PEND OREILLE LAKE trib. to PEND OREILLE RIVER
Priority Date: 01/01/1953
Diversion Pt: LOT 01 Sec 29 T 57N R 02W
Use: IRRIGATION (0.03 CFS)
In: LOT 01 Sec 29 T 57N R 02W FOR 2 ACRES

96-4461
CONVERSE, HOWARD L. &/or MYRA RT. 1 BOX 22, SAGLE, ID 83860
Source: FRY CREEK trib. to SAGLE SLOUGH
Priority Date: 01/01/1928
Diversion Pt: NWSW SWSW Sec 11 T 56N R 02W
Use: STOCKWATER (0.02 CFS)
In: NWSW SWSW Sec 11 T 56N R 02W

96-4462
LINDGREN, LE ROY E. &/or PATRICIA A. STAR RT. BOX 157, HOPE, ID 83836
Source: TRESTLE CREEK trib. to PEND OREILLE LAKE
Priority Date: 01/01/1920
Diversion Pt: NENE Sec 15 T 57N R 01E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NENE Sec 15 T 57N R 01E FOR 2 ACRES

96-4463
SOLSTAD, ALLAN ARNOLD 8545 RAPID LIGHTNING RD., SANDPOINT, ID 83864
Source: UNNAMED STREAM trib. to RAPID LIGHTNING CREEK
Priority Date: 01/01/1968
Diversion Pt: SENE Sec 18 T 58N R 01E
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NESE Sec 18 T 58N R 01E FOR 1 ACRES

96-4464
JONES, JR., EMMETT W. P.O. BOX 97, SANDPOINT, ID 83864
Source: FRY CREEK trib. to PEND OREILLE LAKE
Priority Date: 01/01/1953
Diversion Pt: SENW Sec 02 T 56N R 02W
Use: IRRIGATION (0.20 CFS)
In: SENW Sec 02 T 56N R 02W FOR 15 ACRES

96-4465
JOHNSON, ROBERT &/or DOROTHY P.O. BOX 1196, SANDPOINT, ID 83864
Source: PEND OREILLE RIVER trib. to COLUMBIA RIVER
Priority Date: 04/01/1964
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

96-4466
BONAR, CHARLES F. 1207 ELM ST., SANDPOINT, ID 83864
Source: PEND OREILLE LAKE trib. to COLUMBIA RIVER
Priority Date: 01/01/1963
Diversion Pt: LOT 02 Sec 27 T 57N R 02W
Use: IRRIGATION (0.04 CFS)
In: LOT 02 Sec 27 T 57N R 02W FOR 2 ACRES

96-4467
JONES, ROBERT F. &/or SANDRA V. P.O. BOX 258, RATHDRUM, ID 83858
Source: SYRINGA CREEK trib. to PEND OREILLE RIVER
Priority Date: 10/01/1967
Diversion Pt: NWSW Sec 08 T 57N R 02W
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.06 CFS)
In: SESW Sec 08 T 57N R 02W

96-4469
RANER, JOHN T. &/or JEANNE A. P.O. BOX 333, PINON HILLS, CA 92372
Source: GROUNDWATER
Priority Date: 01/01/1950
Diversion Pt: LOT 06 Sec 05 T 55N R 02W

96-4475
BRISBOY, JAMES E. &/or ZELMA HCR 66 BOX 824, SAGLE, ID 83860
Source: SPRING trib. to SINKS
Priority Date: 06/01/1944
Diversion Pt: SENW Sec 17 T 56N R 01W
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: SWNE Sec 17 T 56N R 01W

96-4476
BENSON, JIM RT. 3 BOX 137, SANDPOINT, ID 83864
Source: SYRINGA CREEK trib. to SINKS
Priority Date: 01/01/1968
Diversion Pt: NWSW Sec 08 T 57N R 02W
Use: DOMESTIC (0.04 CFS)
In: SWSW Sec 08 T 57N R 02W

96-4477
KIEBERT, HAROLD V. STAR RT. BOX 503, HOPE, ID. 83836
Source: COUGAR CREEK trib. to DENTON SLOUGH
Priority Date: 01/17/1900
Diversion Pt: SENW Sec 17 T 56N R 02E
Use: IRRIGATION (3.96 CFS)
DOMESTIC (0.04 CFS)
In: SENE Sec 18 T 56N R 02E FOR 36 ACRES

96-4478
PINECREST CEMETERY ASSN. P.O. BOX 949, SANDPOINT, ID 83864
Source: CHUCKS SLOUGH trib. to PEND OREILLE RIVER
Priority Date: 01/01/1960
Diversion Pt: NESW Sec 21 T 57N R 02W
Use: IRRIGATION (0.20 CFS)
In: NWNW Sec 21 T 57N R 02W SWSW Sec 16 T 57N R 02W FOR 10 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 7/27 & 8/3/83

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number

96-4476

Applicant

Benson

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

[Signature]

Date

10/7/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

DC

Date

10-25-83

96-4476-

BENSON, JIM

RT. 3 BOX 137, SANDPOINT, ID 83864

Source: SYRINGA CREEK trib. to SINKS

Priority Date: 01/01/1968

Diversion Pt: NWSW Sec 08 T 57N R 02W

Use: DOMESTIC (0.04 CFS)

In: SWSW Sec 08 T 57N R 02W

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

AUGUST 15, 1983

JIM BENSON
RT. 3 BOX 137
SANDPOINT

ID 83864

RE: Claim No. 96-4476

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 filing 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