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2

06/03/83

UNITED STATES OF AMERICA - USDA FOREST SERVICE NORTHERN REGION
PO BOX 7669 MISSOULA, MONTANA 59807
RON RUSSELL 329-3594 OR GAIL DAHL 329-3759

RIGHT NUMBER - 96-4323
STATE BASIN NO. - 96
COUNTY - BONNER

F.S. RECORD ID - 17010213210B00304
NATIONAL FOREST - IDAHO PANHANDLE
RANGER DISTRICT - 6

PRIMARY PURPOSE OF USE - DOMEST(REC)
SECONDARY PURPOSE OF USE -

SOURCE - STREAM
RESERVOIR CAPACITY - 0.00 ACRE FEET

SOURCE NAME - PORCUPINE CREEK

USE NAME - PORCUPINE LAKE

TRIBUTARY TO - LIGHTNING C

POINT OF DIVERSION - NESE SEC 34 57 N 2 E

NO. OF DIVERSION POINTS - 1
NO. OF USE POINTS - 1

MEANS OF DIVERSION - DIVERSION DAM

POINT OF USE - NESE SEC 34 57 N 2 E

ACRES IRRIGATED - 0
NO. OF LIVESTOCK - 0
TYPE OF LIVESTOCK -
ALLOTMENT NO. -
IMPROVEMENT NO. -
RIM NUMBER - 25103
POTABLE WATER NO. -
DAM NUMBER -

PRIMARY USE RATE - .01 CFS
SECONDARY USE RATE - 0.00 AC-FT/YR
0.00 CFS
0.00 AC-FT/YR

TOTAL DIVERSION RATE - .01 CFS
0.00 AC-FT/YR

PERIOD OF USE - JUL AUG SEP
PRIORITY DATE - 19700601
BASIS FOR CLAIM - BENEFICIAL USE

NOTARIZED STATEMENT FOR THIS DOCUMENT SIGNED BY REGIONAL FORESTER,
NORTHERN REGION, ON TRANSMITTAL DOCUMENT.

MICROFILMED

Appt. Sec
11/2-9/83
Rev. OK 12/14/83

06/03/83

96-4323

UNITED STATES OF AMERICA

USDA FOREST SERVICE, FEDERAL BLDG., P.O. BOX 7669, MISSOULA, MT 59807

SOURCE: PORCUPINE CREEK TRIB. TO LIGHTNING C

PRIORITY DATE: 06/01/1970

DIVERSION PT: NESE SEC 34 T 57 N R 2 E

USE: DOMEST(REC)

.01 CFS

0.00 AC-FT/YR

0.00 CFS

0.00 AC-FT/YR

IN: NESE SEC 34 T 57 N R 2 E

MICROFILMED

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 2 day of 11, 1983 and ending on the 9 day of 11, 1983 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 1 day of 12, 1983.

Adell M. Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

NOTICE OF CLAIMS
TO WATER RIGHTS

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

96-4323 R

UNITED STATES OF AMERICA

USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807

SOURCE: PORCUPINE
CREEK TRIB. TO LIGHTN-
ING C.

PRIORITY DATE:

06/01/1970

DIVERSION PT: NESE

SEC 34 T 57N R 2E

USE: DOMESTIC .01 CFS

IN: NESE SEC 34 T 57N R
2E

96-4324 R

UNITED STATES OF AMERICA

USDA FOREST SERVICE,
FEDERAL BLDG., P.O.
BOX 7669, MISSOULA, MT
59807

SOURCE: GROUND-
WATER

PRIORITY DATE:

06/01/1941

DIVERSION PT: NENE

SEC 11 T 56N R 1E

USE: DOMESTIC .01 CFS

IN: NENE SEC 11 T 56N R
1E

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 11/2 & 11/9/83

Dept. of Water Resources

EXHIBIT D

Department of Water Resources
Coeur d'Alene, Idaho



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4085 Government Way.
Coeur d'Alene, Idaho 83814
(208) 667-6484

December 21, 1983

Mr. Gerhart H. Nelson
Director of Range & Watershed
U. S. Forest Service
Federal Building
P. O. Box 7669
Missoula, Mt. 59807

Re: Your File 2540

Dear Mr. Nelson:

The Department of Water Resources has completed the advertising of the following Claims to Water Right in the Northern Region and no further action is authorized under Section 42-243 and 42-244, Idaho Code:

U. S. Forest Service
Claims to Water Right

81-4044 thru 81-4064 inclusive ✓	92-4037 thru 92-4040 inclusive ✓
82-4058 thru 82-4075 inclusive ✓	94-4102 thru 94-4104 inclusive ✓
83-4025 thru 83-4064 inclusive ✓	95-4521 ✓
84-4180 thru 84-4189 inclusive ✓	96-4323 thru 96-4325 inclusive ✓
86-4092 thru 86-4111 inclusive ✓	97-4113 ✓
87-4061 thru 87-4064 inclusive ✓	98-4126 thru 98-4128 inclusive ✓
91-4028 thru 91-4032 inclusive ✓	

Please be advised that Claim Nos. 83-4024 and 85-4248 have been changed to 87-4064 and 84-4189 respectively, due to error in assigning basin numbers.

The filing and advertising of the claims does not confirm the water rights claimed, but will serve to record and preserve the information and the evidence which you included in your claims. The claims will be retained in our files and will be available at any time for use by you or the court.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claims, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

If you have any questions, please contact us.

Sincerely,


ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

MICROFILMED



United States
Department of
Agriculture

Forest
Service

Region One

Federal Building
P.O. Box 7669
Missoula, MT 59807

Reply to: 2540

Date:

JUN 6 1983
RECEIVED

JUL 27 1983

Mr. Robert G. Haynes
Department of Water Resources,
Northern District
4055 Government Way
Coeur d'Alene, ID 83814

Department of Water Resources

Dear Mr. Haynes:

Enclosed are water right forms for the filing of Northern Region, United States Department of Agriculture, Forest Service water claims. The Department of Water Resources, Northern District in Coeur d'Alene will accept all claims by the USDA Forest Service, Northern Region as previously agreed upon (ref. meetings of Jan 25, Coeur d'Alene and Feb. 10, Boise), and will distribute them to the appropriate State of Idaho, Department of Water Resources Regions. The filings of National Forest claims are prepared in the following formats:

1. A notarized statement (transmittal affidavit) signed by the Regional Forester attesting to the validity of the enclosed claims, a listing of state file numbers assigned by State Basins as per list of available numbers provided by the Department of Water Resources and Federal provisions;
2. Computer printouts containing the information compatible with the Idaho State Department of Water Resources claim forms for each water claim;
3. Computer printouts in Idaho's advertising format for each water claim;
4. Computer tape compatible with the State of Idaho's water rights program with water claims sorted by State basin;
5. Computer printouts identifying Federal Reserved rights and/or claims not admissible under Idaho Department of Water Resources administrative codes.

UNPROCESSED



Mr. Haynes

2

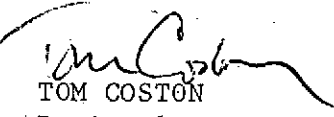
Printouts are sorted by Idaho State Basin within each of the Northern Region National Forests. These include the Bitterroot, Clearwater, Nezperce, and Idaho Panhandle National Forests.

A purchase order for \$13,680 is enclosed to cover the filing cost of 456 claims at \$30 per claim.

Copies of any resultant legal documents associated with the claims should be sent to:

Mr. Lawrence M. Jakub
Attorney-in-Charge
Office of the General Counsel
P.O. Box 7669
Missoula, MT 59807

Mr. Tom Coston
Regional Forester
USDA Forest Service
P.O. Box 7669
Missoula, MT 59807


TOM COSTON
Regional Forester

U. S. Forest Service

Check # 77 495 616

Vendor I.D. # 4003+331135

\$13,680.00

Received 7/15/83

Receipt # 28788

[Signature]

MICROFILMED

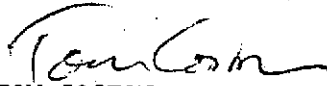
AFFADAVIT OF TRANSMITTAL

I, Charles T. Coston, having been duly sworn, depose and say that I, being the claimant for the National Forest Claims for the Northern Region of the United States Department of Agriculture, Forest Service, attest to the validity of these claims and that the matters and things stated within are true and correct to the best of my knowledge.

The enclosed claims to a water right are for uses established prior to March 25, 1963, for groundwater and prior to May 20, 1971 for surface water right. These claims do not include all USDA Forest Service water uses or rights within each Idaho State Basin. Notification of other USDA Forest Service water uses, not all inclusive, is included in the interest of comity.

The state file numbers assigned by State basins are as follows:

Basin	Nezperce	Clearwater	Idaho Panhandle	Bitterroot
77	4094-4116			
78	4190-4249			
79	4134-4283			
79	4291-4375			
81	4044-4053	4054-4064		4065-4067
82	4057-4075	4025		4076
83		4024-4064		
84		4180-4188 4189		
85		4248		
86		4092-4111		
87		4061-4063 4064		
91			4028-4032	
92			4037-4040	
94			4102-4104	
95			4521	
96			4323-4325	
97			4113	
98			4126-4128	


TOM COSTON
Regional Forester

Subscribed and sworn before me this 6th Day of June 1983.


Notary Public for Montana

Residing in: NOTARY PUBLIC for the State of Montana
Residing at Florence, Montana
My Commission Expires May 30, 1988

REPRODUCED

On June 6, 1983, the USDA Forest Service delivered claims for 456 water uses for processing.


for GERHART H. NELSON
Director of Range & Watershed

I have received the above-referenced claims.


ROBERT G. HAYNES
Department of Water Resources, Northern District

UNITED STATES DEPARTMENT OF AGRICULTURE
PURCHASE ORDER

THIS NUMBER MUST
APPEAR ON ALL
INVOICES, PACKAGES AND
PAPERS RELATING TO
THIS ORDER

PAGE NUMBER	CONTRACT NUMBER	ORDER DATE	ORDER NUMBER	SUB
OF 1	04	060633	40-0343-3-1135	

CHECK ONE	TO: (Seller)	SHIP TO: (Consignee and Destination)
☒ Purchase Order (See Reverse)	Department of Water Resources Northern District 4055 Government Way Coeur d'Alene, ID 83814	USDA-Forest Service Federal Building P.O. Box 7669 Missoula, MT 59807
☐ Delivery Order		

LINE ITEM	ACT. CODE	DESCRIPTION	QUANTITY	UNIT ISSUE	UNIT PRICE	AMOUNT
		Water rights filing within the State of Idaho for the Northern Region United States Department of Agriculture, Forest Service.	456	ea	30.00	13,680
SELLER'S ORIGINAL						

FOB POINT	DISCOUNT TERMS	TOTAL	13,680
Destination	Net		
TIME FOR DELIVERY	SHIP VIA		
day			

BILLING INSTRUCTIONS:

Furnish invoice with our ORDER NUMBER to:
U.S. DEPARTMENT OF AGRICULTURE
National Finance Center
P.O. Box 60075
New Orleans, Louisiana 70160

FAILURE TO SHOW OUR PURCHASE ORDER NUMBER ON INVOICE WILL DELAY PAYMENT
FREIGHT CHARGE OVER \$100 REQUIRES BILL OF LADING

ISSUING OFFICE NAME AND ADDRESS	ORDERED BY (Name and Title)
USDA - Forest Service Federal Building P.O. Box 7669 Missoula, MT 59807	JOHN C. SUNDT, Contracting Officer
	PHONE (Area Code and Number)
	(406) 329-3925, FTS 585-3925
	AUTHORIZED SIGNATURE
	<i>John C. Sundt</i>

TREASURY - FISCAL SERVICE TFS 3039 (1-80)
 (Formerly TFS 1295)

VENDOR NAME
STATE OF IDAHO
 AGENCY BILLING ADDRESS:
USDA-NFC
P O BOX 60800
NEW ORLEANS LA 70160
INQUIRIES 504-255-5370

VENDOR I.D. NUMBER
40034331135

CHECK INFORMATION
KANSAS CITY
77 495 616
\$13,680.00
07-12-83

DISBURSING LOC:
 CHECK NUMBER:
 CHECK AMOUNT:
 CHECK DATE:

PAYMENT
 IDENTIFICATION
 INFORMATION

P. O # 40-0343-3-1135
 INV AMOUNT \$13,680.00
 #1
 SCHD/SEQ L23191-00052

RECEIVE D
 JUL 15 1983

CREDIT ACCT OF USDA - FOREST SERVICE

Department of Water Resources
 Northern District Office

Gen-Dev. Inv.-2055

(SEE REVERSE FOR FURTHER INFORMATION)

STATE OF IDAHO
 Department of Water Resources

Nº 28788

Boise, Idaho, 7/15, 1983

RECEIVED FROM U.S. Forest Service of \$13,680.00
Thirteen Thousand Six Hundred Eighty & No/100 DOLLARS
Chk 15-51

FOR		
<u>456 Clements</u>	\$ 13,680	00
<u>Three Eight</u>	\$	
	\$	
	\$	
TOTAL . . .	\$ 13,680	00

Ch # 77 495 616
 Vendor I.D. # 40034331135

[Signature]

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