

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

SS.

Pete Thompson

Publisher

being duly sworn, says that he is the
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been
continuously and uninterruptedly published in said County during
a period of 78 consecutive weeks prior to the first publication of
the annexed notice for publication, is a newspaper of general
circulation made up of at least eight pages of at least seven columns
each, printed from typematter or stereotyped forms of at least
nineteen and three-fourths inches depth, has at least 1250 bona fide
subscribers living within said Bonner County, and is published at
regular weekly intervals. That the annexed is a true copy of
notice for publication in the case of

Idaho Dept. of Water Resources
#96-4319, 97-4110
96-8130

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 6th day of January, 1983,
and
ending on the 13th day of January, 1983,
and that said notice was published in said newspaper proper, and
not in supplement form.

Pete Thompson

Subscribed and sworn to before me this

17 day of Jan, 1983

Adrian M. Thompson

Notary Public for Idaho,

Residing at Priest River, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

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

96-4319

DELAY, JOHN L.
P.O. BOX 589, NEWPORT,
WA 99156

Source: PEND OREILLE
RIVER tributary to COL-
UMBIA RIVER

Priority Date: 04/01/1959

Amount: 0.20 CFS

Diversion Point: LOT 08 Sec
28 T 56N R 05W, BONNER
Co.

Use: IRRIGATION (0.20
CFS) from 05/20 to 09/15

Place of Use: LOT 08 Sec 28
T 56N R 05W FOR 5 ACRES

97-4110

MERRICK, HARRY G.
RT. 2 BOX 169R, CHAT-
TAROY, WA 99003

Source: HORTON CREEK
tributary to PRIEST LAKE

Priority Date: 07/01/1964

Amount: 0.04 CFS

Diversion Point: LOT 04 Sec
02 T 60N R 04W, BONNER
Co.

Use: DOMESTIC (0.04 CFS)
from 01/01 to 12/31

Place of Use: LOT 03 Sec 03
T 60N R 04W

Exceptions to a claim may
be filed with the Director,
Dept. of Water Resources,
4055 Gov't. Way, Coeur
d'Alene, Id. 83814.

KENDUNN, Dir.
Published in Priest River
Times 1/6 & 1/13/83

NOTICE OF APPLICATION FOR WATER RIGHT

The following applica-
tion(s) have been filed to ap-
propriate the public waters
of the State of Idaho:

96-8130

GERKING, MARVIN
RT. 2 BOX 707, BLAN-
CHARD, ID 83804

Source: GROUNDWATER

Date Filed: 12/27/1982

Amount: 0.18 CFS

Diversion Point: NESE Sec
25 T 55N R 06W, BONNER
Co.

Use: IRRIGATION (0.12
CFS) from 03/15 to 11/15

STOCKWATER (0.02 CFS)
from 01/01 to 12/31

DOMESTIC (0.04 CFS) from
01/01 to 12/31

Place of Use: NESE Sec 25 T
55N R 06W FOR 4 ACRES

Diversion Means: WELL,
PUMP AND PIPE.

The permit(s) will be sub-
ject to all prior water rights.
Protests must be filed with

the Director, Dept. of Water
Resources, 4055 Gov't. Way,
Coeur d'Alene, Id. 83814 on
or before JANUARY 24,
1983.

KENDUNN, Dir.

Published 1/6 & 1/13/83
Dept. of Water Resources

37

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JAN 13 1983

Department of Water Resources
Northern District Office

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

John. L. Delay

(Name of Claimant)

PO Box 589

(Mailing Address)

Newport, WA 99156

(Zip Code)

Telephone No. 437-3271

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) April - 1959

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)

Pond Oreille River

tributary to

Columbia River

- (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, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	.20 CFS	Use	Irrigation	Period of Use From 5-20	To 9-15
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) .20 CFS TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Lot 6. Abner RANs 1/4 Sec. 28 Twp. 56N Rge. 5W 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. 10 HP Cent. Pump. 3" Pipeline - 150 ft in length

- (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	
56N	5W	28	Lot 6 Abner RANs Orchard Tracts 90vt Lot 8 5 Acres																

No. of acres

5

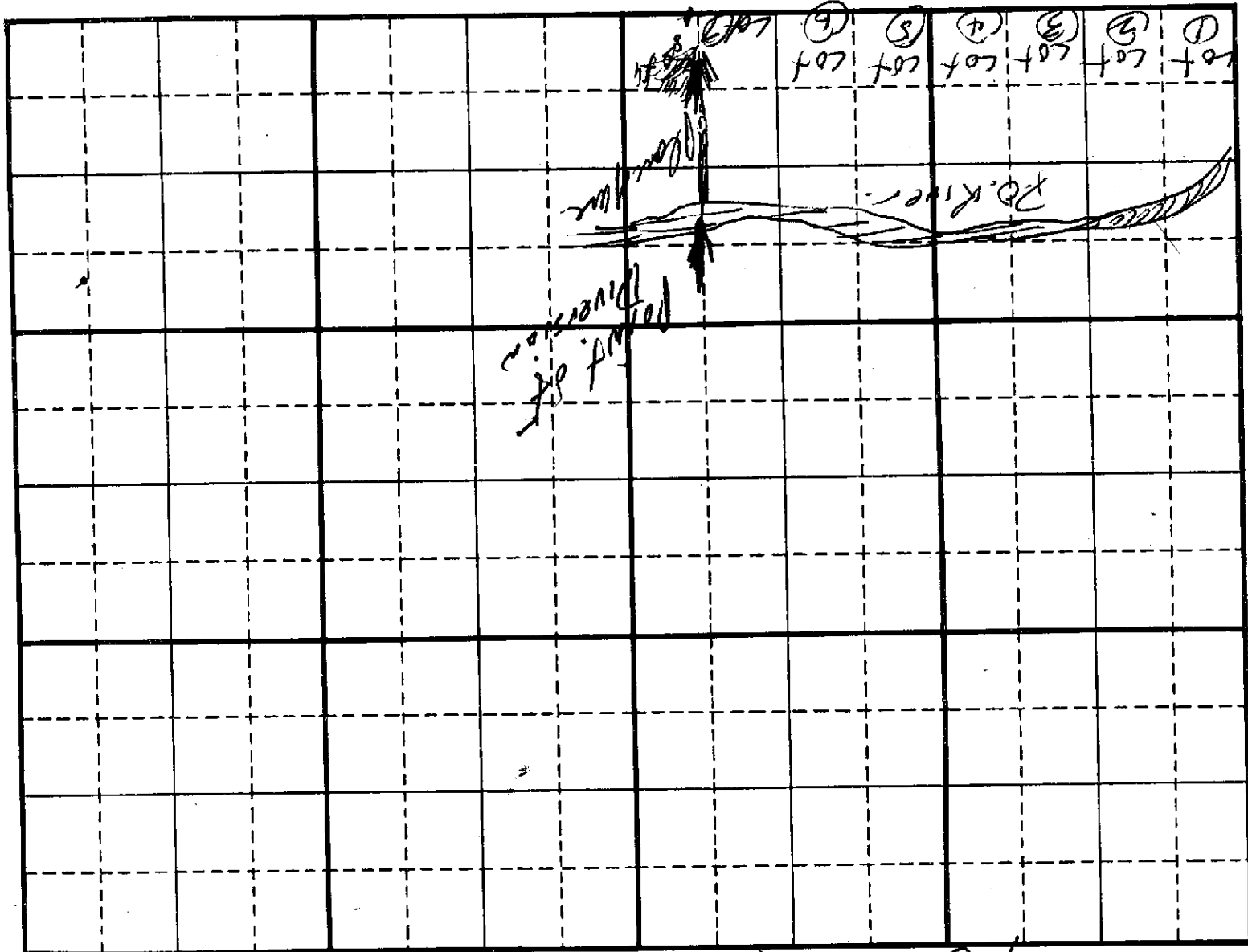
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

to

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:

T-56N - R5W Section 28



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 Bonneville
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 23rd day of November, 1981

James H. May
(Claimant)
David A. Lemburg
Notary Public
Residing at Bonneville, Idaho

My commission expires 1/16/83

FOR DEPARTMENT USE ONLY

Received by Mr. J. F. [unclear] Date 12/20/82 Exception filed by: 12/20/82 Forwarded to 12/20/82 Date
Prelim. check by Mr. J. F. [unclear] Date 12/20/82 Claimant by: 12/20/82
Published in Chief of Mines Date 12/20/82
Dates 1/16/83

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37

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JAN 17 1983
Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JP

Right Number 96-4319 Applicant Delany

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.

By ms Date 1/25/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 1/28/83

RECEIVED
JAN 28 1983

Department of Water Resources

96-4319-

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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

JANUARY 24, 1983

JOHN L. DELAY
P.O. BOX 589
NEWPORT

MA 99156

RE: Claim No. 96-4319

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