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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 Ad &/or Rose Sylvester
(Name of Claimant)
Star Rt Box 127 Hope, Id 83836 Telephone No. 264-5493
(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) July 1940

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)
Trestle Creek tributary to Pond Oreille Lake

(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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.04 cfs</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, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SW 1/4, Sec. 16 Twp. 57N Rge. 1E 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 feed to cistern then pumped to house

(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>57N</u>	<u>1E</u>	<u>16</u>											X						

No. of acres

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

NOTE: Include here the type and number of stock watered:
If you are claiming water as a member of an organization, list name of organization:

5-17-1982

To whom it may concern

The creek-truth-That is in question,
has been there since early 1900.

My father & I moved here in 1937.
& that part of the creek was there then.

Also there was a few families used
water from it.

Also there was a family that had
a real nice apple orchard, & they water
it from this part of the creek.

The house where Mr & Mrs Al Sylvesters are living in.
The water has been used, for house hold use ever since
around the middle of 1940 & from there on & still is
in used for the house hold use. Also for yard & gardening.
Sincerely,

Mrs. Ray Simmet

MICROFILMED

pe, Idaho
18, 1982

Leonard W. Anderson, a notary for the State of Idaho, residing
Hope therein do solemnly swear that Mrs. Ray Simmet did appear
before me on this date above and signed the above statement.

Leonard W. Anderson
Notary Public of State of Idaho
Residing in Hope (Comm- Life)

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 28 day of 7, 1982 and ending on the 4 day of 8, 1982 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 5 day of Aug, 1982.

Adelle M Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

**NOTICE OF CLAIMS
TO WATER RIGHTS**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

96-4301

SYLVESTER, AL &/or
ROSE
STAR RT. BOX 127, HOPE,
ID 83836

Source: TRESTLE CREEK
tributary to PEND
OREILLE LAKE

Priority Date: 07/01/1940

Amount: 0.04 CFS

Diversion Point: SWSW Sec
16 T 57N R 01E, BONNER
Co.

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

Place of Use: SWSW Sec 16 T
57N R 01E

Any exception to any
claim of water right may be
filed with the Director of the
Idaho Department of Water
Resources, 4055 Gov't Way,
Coeur d'Alene, Id. 83814.

A. KENNETH DUNN

Director

Published July 28, Aug. 4,
1982

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RENA

Right Number 96-43251 Applicant Sylvester

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 Mr Date 8/16/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 8/24/82

RECEIVED
AUG 28 1982

Department of Water Resources

96-4301

SYLVESTER, AL &/or ROSE

STAR RT. BOX 127, HOPE, ID 83836

Source: TRESTLE CREEK tributary to PEND OREILLE LAKE

Priority Date: 07/01/1940

Amount: 0.04 CFS

Diversion Point: SWSW Sec 16 T 57N R 01E, BONNER Co.

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

Place of Use: SWSW Sec 16 T 57N R 01E

RECORDED
INDEXED
JAN 1941

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 16, 1982

AL SYLVESTER
ROSE SYLVESTER
STAR RT. BOX 127
HOPE

ID 83836

RE: Claim No. 96-4301

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

