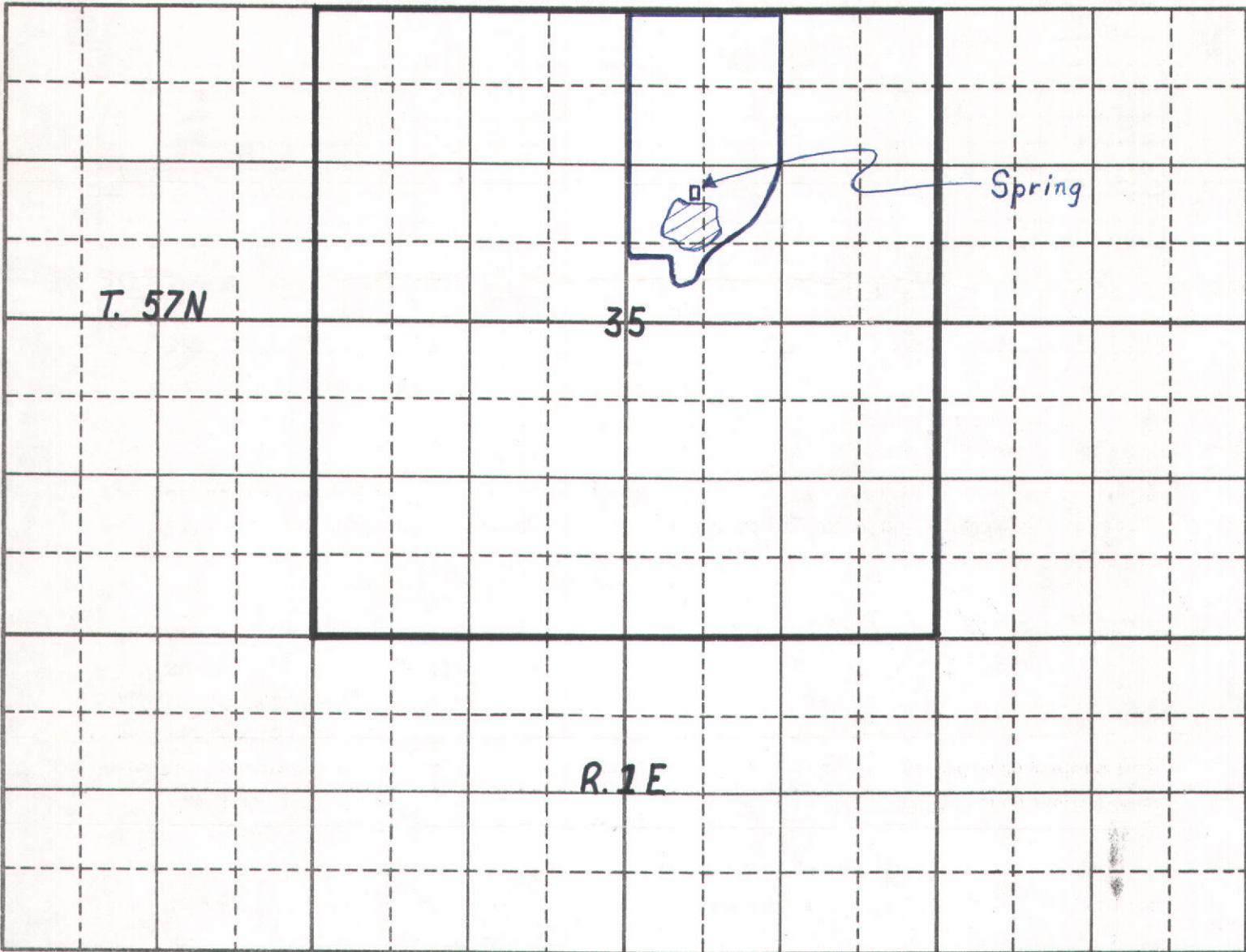


(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

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 Bonner 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 affiants knowledge.

Lorna Elberson  
(Claimant)

Sworn to before me this 11th day of April, 1978.

M. D. Kirkling  
Notary Public  
Residing at Sandpoint, ID

My commission expires Perpetual

For Department Use Only

Received by SAR Date 4-20-78 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by TR Date 4-13-78 claimant by: \_\_\_\_\_  
\$10.00 fee received by B Date 4-21-78 (0852)  
Approved for publication by \_\_\_\_\_  
Published in Sandpoint Daily Bee \_\_\_\_\_  
Dates 5-4-78 \_\_\_\_\_  
OK 5-26-78 D

## STATE OF IDAHO

## DEPARTMENT OF WATER ADMINISTRATION

## Section 42-225a, Idaho Code

## CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that William A. and/or Lorna Elberson  
(name of claimant)  
of Star Route, Clark Fork, Idaho 83811, claims a right to the diversion and beneficial use of  
(mailing address)  
ground water or surface water tributary to \_\_\_\_\_

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Spring
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

|        |                              |     |                                       |                |      |                 |    |                               |
|--------|------------------------------|-----|---------------------------------------|----------------|------|-----------------|----|-------------------------------|
| Amount | <u>0.04 cfs</u>              | Use | <u>Domestic</u>                       | Period of Use: | From | <u>Jan. 1</u>   | To | <u>Dec. 31</u>                |
| Amount | <u>0.10 cfs</u>              | Use | <u>Irrigation</u>                     | Period of Use: | From | <u>March 15</u> | To | <u>Nov. 15</u>                |
| Amount | <u>(cfs, gpm<br/>or a/f)</u> | Use | <u>(dom., irri.,<br/>stock, etc.)</u> | Period of Use: | From |                 | To | <u>(both dates inclusive)</u> |

- (3) Total quantity of water claimed: 0.14 cubic feet per second, or \_\_\_\_\_ acre feet per annum, and/or \_\_\_\_\_ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1925

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

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

SW ¼ NE ¼, Sec. 35 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. Collection box with pipeline to place  
of use.

- (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.

[illegible]

Total No. of acres 5

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: This water system has been used for many years serving both domestic and irrigation purposes.

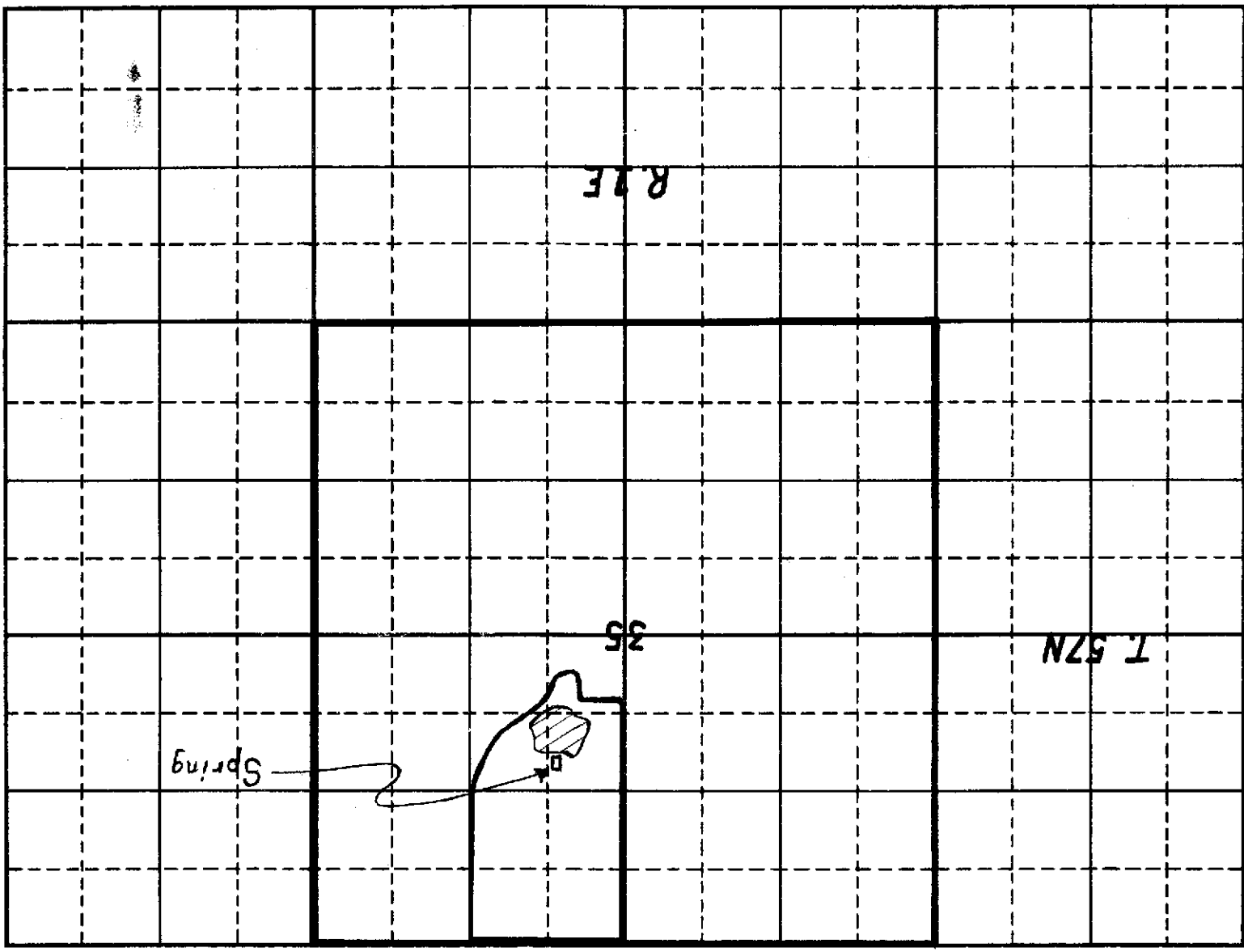
- (7) If you are claiming water as a member of an organization, list name of organization:

Received by State Date 4-13-78 Exception filed by: \_\_\_\_\_  
 Prelim. check by State Date 4-13-78 Forwarded to \_\_\_\_\_  
 \$10.00 fee received by \_\_\_\_\_ Date 4-13-78 claimant by: \_\_\_\_\_  
 Approved for publication by \_\_\_\_\_  
 Published in San Francisco Daily Bee 5-11-78  
 Dates 01.5-26.78  
 For Department Use Only

My commission expires Indefinite  
 Sworn to before me this 11th day of April, 1978  
 Notary Public \_\_\_\_\_  
 Residing at \_\_\_\_\_ Sandpoint, ID

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.  
 County of Bonner SS.  
 State of Idaho

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.  
 Scale: 2 inches equal 1 mile.



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 Bul-  
letin, newspapers printed and published  
at Sandpoint, in Bonner County, Idaho; that  
the said newspapers have been continuously  
and uninterruptedly published in said Bon-  
ner County during a period of 12 months  
prior to the first publication of the  
hereto attached notice of publication

in the case of Water Right  
Claim

as it was published in the regular and en-  
tire issue of the said paper for a Period  
of 2 consecutive weeks, commencing  
on the 3rd day of May, 1978  
and ending on the 10th day of May, 1978 and that said not-  
ice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this

25 day of May, 1978.

Adell M Thompson

Notary Public for Idaho,  
Residing at Sandpoint, Idaho

NOTICE OF CLAIM TO A  
WATER RIGHT

NO. 96-4210

Notice is hereby given that  
William A &-or Lorna Elbertson  
Star Rt. Clark Fork, Id has filed  
a claim to a water right  
established by diversion and  
application to beneficial use of  
0.14 cubic feet per second of  
water from an unnamed spring  
with point of diversion in the  
SW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 35, T57N, R1E,  
B.M., Bonner County.

The water is claimed to be  
used from Jan. 1 to Dec. 31 for  
domestic purposes (0.04 cfs)  
and from March 15 to Nov. 15  
for the irrigation of 5 acres (0.10  
cfs) with a priority of 1925 the  
place of use is within the  
SW $\frac{1}{4}$ NE $\frac{1}{4}$  Sec. 35, T57N, R1E,  
B.M.

Any exception to this claim of  
water right may be filed with  
the Idaho Department of Water  
Resources, 4055 Government  
Way, Coeur d'Alene, Idaho,  
83814.

C. STEPHEN ALLRED

Director

Published in the Sandpoint  
Daily Bee, Sandpoint, Id on May  
3 and May 10, 1978.

OK  
5-26-78  
P

96-4210

February 20, 1974

William A. Elberson  
Star Route  
Clark Fork, ID 83811

Dear Mr. Elberson:

We have taken the opportunity of typing a "Claim to a Water Right" form for your convenience. We have transferred the information you submitted on the Application for Permit. The Claim would be the correct form to submit since this is an existing system which has been used for many years rather than a new system.

Please review all items on the Claim. We have not completed Item 4 so that you may enter the correct priority date. This date would be when the spring was first used by the previous owners.

After completing the above item, please have your signature notarized and return the Claim to our office along with the required \$10 filing fee. If we may be of any further assistance, feel free to contact us.

Very truly yours,

FRED EISENBARTH  
Northern District Manager

FE:cp

Enclosure

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION  
NORTHERN DISTRICT OFFICE



Cecil D. Andrus  
Governor  
R. Keith Higginson  
Director

401 Front Ave., Rm. 209  
Coeur D'Alene, Idaho 83814  
(208) 667-6484

Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Waste Disposal Wells  
Stream Channel Protection  
Geothermal Resources

December 6, 1973

Wm. A. Elberson  
Star Route  
Clark Fork, ID 83811

Dear Mr. Elberson:

An Application for Permit must be filed to develop a legal water right on any water diverted from a ground water source after March 25, 1963 (excepting a well drilled for a single household). Any surface water diverted after May 20, 1971, must also be preceded by an approved permit from this Department. The above includes proposed new systems and enlargements of existing systems for development of larger quantities of water (Section 42-201 through Section 42-229, Idaho Code).

Existing water rights developed through diversion and application of water to a beneficial use prior to the above dates, may be recorded by filing a Claim to a Water Right with our Department; however, it is not mandatory to do so (Section 42-225b, Idaho Code).

We have enclosed an Application for Permit form and also a Claim to a Water Right form for your use. Please complete the necessary form and return it to our office along with the required filing fee.

If we may be of any further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth  
Northern District Manager

FE:cp

Enclosures

RECEIVED  
DEC 11 1973

*Send form letter*

Star Rte.  
Clark Fork, Idaho 83811  
11/28/73

RECEIVED

DEC 3 1973

Department of Water Administration  
Northern District Office

Dept. of Water Administration  
State of Idaho  
401 Front Ave.  
Coeur d'Alene, Idaho 83814

We have a spring on our property near Hope, Idaho which we would like to register and establish a water right in our name.

Will you please send the necessary papers.

*Wm. A. Elbersson*

Wm. A. Elbersson

MICROFILMED



# STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
NORTHERN DISTRICT  
4055 Government Way  
667-6484

COEUR D' ALENE, IDAHO 83814

May 26, 1978

RE: Claim No. 96-2210

William A &/or Lorna Elberson  
Star Rt  
Clark Fork, Id 83811

Dear Mr & Mrs Elberson,

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH:ab

Enclosure

MICROFILMED



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

Suite No. 1  
4056 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

April 27, 1978

RE: Application No. 96-7651  
Claim No. 96-4210

Sandpoint Daily Bee  
PO Box 579  
Sandpoint, Id 83864

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.  
District Supervisor

RGH:ab

Enc: Legal Notice(s)

*Handwritten:* Jm Ball  
5-26-78  
B

RECEIVED  
MAY 1 1978

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4210

Notice is hereby given that William A &/or Lorna Elberson  
Star Rt, Clark Fork, Id  
has filed a claim to a water right established by diversion and application  
to beneficial use of 0.14 cubic feet per second ~~gallons per minute~~  
of water from an unnamed spring  
with point of diversion in the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Sec 35, T57N, R1E, B.M., Bonner  
County

The water is claimed to be used from Jan 1 to Dec 31 for domestic  
purposes (0.04 cfs) and from March 15 to Nov 15 for the irrigation of 5  
acres (0.10 cfs)  
with a priority of 1925 ;  
the place of use is within the SW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> Sec 35, T57N, R1E, B.M.

Any exception to this claim of water right may be filed with the Idaho  
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,  
83814.

C. STEPHEN ALLRED  
Director

Published in the Sandpoint Daily Bee, Sandpoint, Id  
on May 3 and May 10, 1978