

A. Kenneth Dunn  
XXXXXXXXXXXX

December 28, 1981

Mr. Thomas E. Martin, Sr.  
306 West Hawthorne  
Battle Ground, Wa. 98604

Dear Mr. Martin:

Enclosed are two printouts of water rights with the point of diversion within Section 25, T56N, R5W. If your water right is not listed here, then it is not on record, unless you have filed with this Department after July 10, 1981.

I have also enclosed a pamphlet to aid you in deciding if you need to file.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms

Enc. -- Printouts (2)  
Pamphlet

MICROFILMED

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**

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 Beulah T. Alford (name of claimant)  
of Rt. 1, Box 86 Priest River, ID (mailing address), claims a right to the diversion and beneficial use of  
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) groundwater source  
\_\_\_\_\_, tributary to, \_\_\_\_\_

(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</u>   | Use <u>domestic</u>           | Period of Use: From <u>Jan 1</u> | To <u>Dec 31</u> |
| Amount _____         | Use _____                     | Period of Use: From _____        | To _____         |
| Amount _____         | Use _____                     | Period of Use: From _____        | To _____         |
| (cfs, gpm<br>or a/f) | (dom., irri.,<br>stock, etc.) | (both dates inclusive)           |                  |

(3) Total quantity of water claimed: 0.04 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) 1930

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)

SE 1/4 SW 1/4, Sec. 25 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. well, pump and pipeline

(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 | 25   |        |        |        |        |        |        |        |        |        |        | X      |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

Total No. of acres \_\_\_\_\_

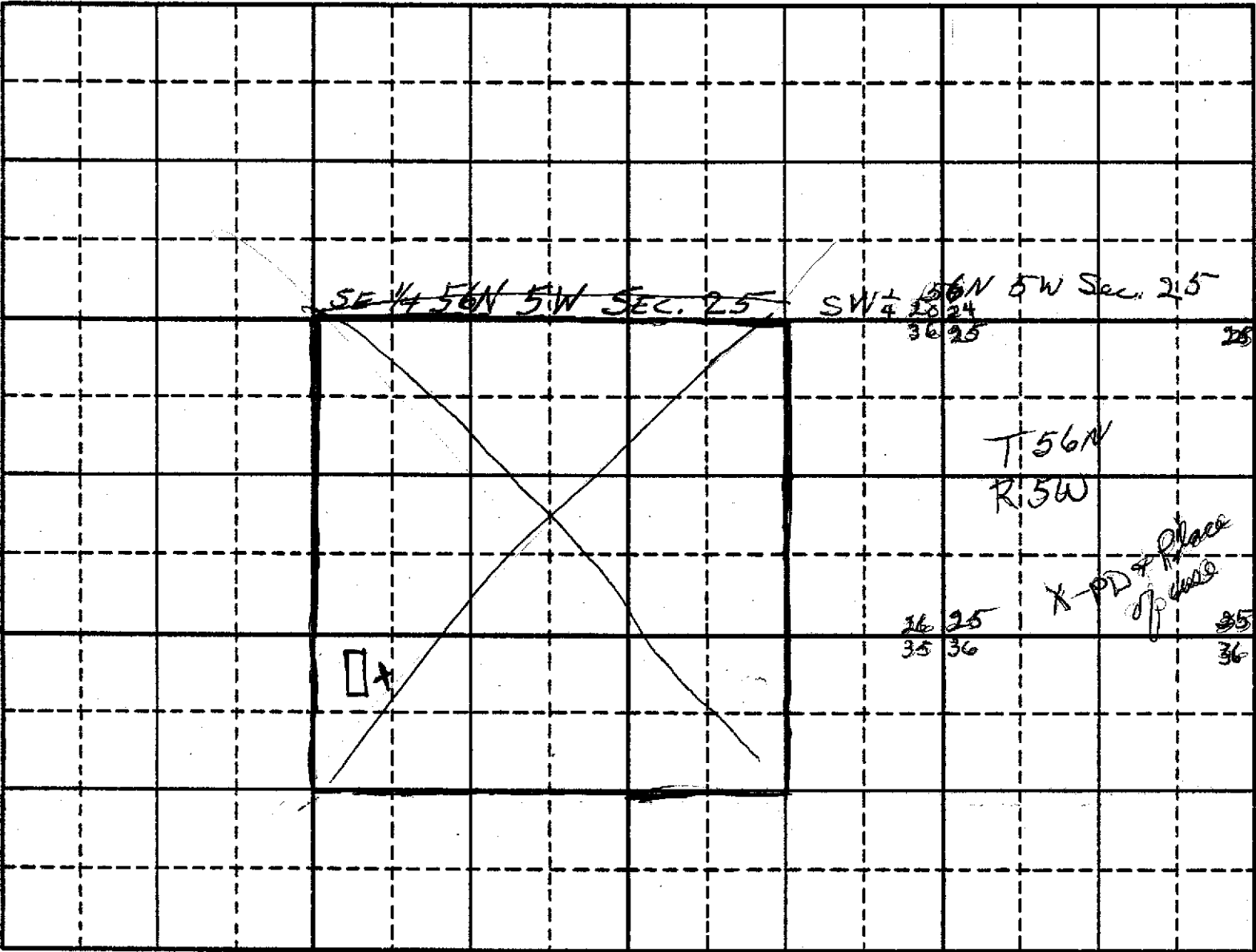
B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

domestic purposes for one home - irrigating a small orchard & berries.  
raising chickens & other fowls

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

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(8) Remarks Wells on lot 9 Block 5 of Springdale Garden  
Water is used for irrigating and domestic use and raising  
poultry



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.

Sworn to before me this 28th day of March 1978.  
Berulah T. Alford (Claimant)

Notary Public [Signature]  
Residing at Reese River

My commission expires Life

|                                       |                             |                     |                           |
|---------------------------------------|-----------------------------|---------------------|---------------------------|
| For Department Use Only               |                             |                     |                           |
| Received by <u>B. Moon</u>            | Date <u>4-5-78</u>          | Exception filed by: | Forwarded to claimant by: |
| Prelim. check by <u>JK</u>            | Date <u>3-29-78</u>         |                     |                           |
| \$10.00 fee received by <u>D</u>      | Date <u>4-6-78</u>          |                     |                           |
| Approved for publication by           | Date <u>4-23-78 (10032)</u> |                     |                           |
| Published in <u>Reese River Times</u> |                             |                     |                           |
| Dates <u>4-22-78</u>                  |                             |                     |                           |
| <u>affidavit received</u>             |                             |                     |                           |
| <u>5-8-78 - OK - SDW</u>              |                             |                     |                           |

# Affidavit of Publication

STATE OF IDAHO  
County of Bonner,

ss.

Pete Thompson

being duly sworn, says that he is the publisher  
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 cir-  
culation 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 the  
notice for publication in the case of

**Water Right No. 96-4209**

as it was published in the regular and entire issue of said paper  
for a period of two consecutive weeks, commencing on  
the 20 day of April, 19 78,  
and

ending on the 27 day of April, 19 78  
and that said notice was published in said newspaper proper, and  
not in supplement form.

Pete Thompson

Subscribed and sworn to before me this

2 day of May, 19 78

Adrian Thompson

Notary Public for Idaho,  
Residing at Priest River, Idaho

## NOTICE OF TO A WATER RIGHT No. 96-4209

Notice is hereby given that  
Beulah T. Alford Rt. 1 Box 86,  
Priest River, Id. has filed a  
claim to a water right  
established by diversion and  
application to beneficial use of  
0.04 cubic feet per second of  
water from a groundwater  
source with point of diversion in  
the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 25, T56N,  
R5W, B.M. Bonner County.

The water is claimed to be  
used from Jan. 1 to Dec. 31 for  
domestic purposes with a  
priority of 1930; the place of use  
is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 25,  
T56N, R5W, 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 Priest River  
Times, Priest River, Id. on  
April 20 and April 27, 1978.

OK  
5-8-78  
SDW



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
~~G. Stephen Allen~~  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

January 12, 1982

Re: 96-4209

*Please file*

Mr. Thomas E. Martin, Sr.  
306 W. Hawthorne  
Battle Ground, Washington 98604

Dear Mr. Martin:

I am pleased to inform you that with the information provided in your second letter, I was able to locate Claim No. 96-4209 and have enclosed a copy of the claim for your records. The filing of this claim by Mrs. Alford does not confirm a water right, but it does meet the requirements of Idaho Code 42-242, which requires the filing of all water rights prior to June 30, 1983.

I am afraid I cannot provide you with confirmation of this water right, since this can only be done by decree of the district court. The claim, however, is the sworn statement of Mrs. Alford, and as such, it is admissible as evidence in a court of law. This Department will also keep on file any other evidence of your right that you deem necessary.

The closest this Department can come to confirmation of a water right is by issuing a Permit to Appropriate the Public Waters of the State of Idaho. This permit is recognized by the court as prima facie evidence of a water right. You may file an application for this permit if you wish, but the priority date of the water right described by this permit will be the date the application for permit is received in this office.

If you decide you wish to file the application for permit or if I can be of assistance in some other matter, please contact me at this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms  
Enc. - Claim  
cc: - IDWR - State Office

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A. Kenneth Dunn  
~~XXXXXXXXXXXX~~

December 28, 1981

Mr. Thomas E. Martin, Sr.  
306 West Hawthorne  
Battle Ground, Va. 98604

Dear Mr. Martin:

Enclosed are two printouts of water rights with the point of diversion within Section 25, T56N, R5W. If your water right is not listed here, then it is not on record, unless you have filed with this Department after July 10, 1981.

I have also enclosed a pamphlet to aid you in deciding if you need to file.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms

Enc. - Printouts (2)  
Pamphlet

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Battle Ground, Wa.  
December 20, 1981

Idaho Dept. of Water Resources  
Northern Region  
Route #5, Box 203  
Coeur d'Alene, Idaho 83814

Dear Sirs:

My wife and I the following property  
in Bonner County:

25-56-5W SPRINGDALE GARDENS  
BLK 5 LOT 9

I write to be sure that we  
we have the legal water rights  
to/for this property.

Please let me know what we  
must do if we DO NOT have the  
water rights for this property.  
AND, please send me something  
that says we DO have the water  
rights to this property if we  
DO NOT need to do anything to  
claim the water rights on this  
property.

Sincerely

Thomas E. Martin Sr.  
306 West Hawthorne  
Battle Ground, Wa. 98604  
1-206-687-3906

RECEIVED

DEC 28 1981

Department of Water Resources  
Northern District Office

MICROFILMED

96-4209

January 8, 1982

Mr. Tom D. King  
Senior Water Resource Agent  
Northern Region - State of Idaho Department of Water Resources  
Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814

RECEIVED

JAN 11 1982

Department of Water Resources  
Northern District Office

Dear Mr. King;

On December 20, 1981 I wrote your office about the water rights on property located in Bonner County:

25-56-5<sup>th</sup> Springdale Gardens - Blk 5 Lot 9

On December 28, 1981 you sent me two printouts, and a pamphlet. After going over what you sent me I still do not know if I/we have water rights on this property OR whether we need to apply for water rights IF we do not now have them.

The lot in question has had a well on it since 1936. Until the death of Mrs. I.L. Alford the property was part of the estate of Mr. & Mrs. I.L. Alford. My wife, Doris Alford Martin, is the daughter of the Alford's, and was executor of their estate. Please note that the name "ALFORD" is the fifth name on "page 1077" of the printout you sent me "with the point of diversion within Section 25, T 56N, R 5W." Mr. or Mrs. I.L. Alford resided on the property from 1929, or 1930, until their death.

Since my wife is a member of the Alford family, and since we bought this property from the estate of Mr. & Mrs. I.L. Alford, do we have the water rights to this property? If so, what is the "priority date" of this water right?

This property has a house on it and water from the well is used by the residents of this house for "domestic" purposes, and for watering a garden and fruit trees. Some of the water might be used to provide water for chickens, cats, dogs, and/or animals raised for the "eating" of the residents of this house. Does this mean the water is being used for "irrigation" and/or "stockwater"??

I've told you everything I can about this property that I can think of, and now I ask you to give my wife and I the answers to the following questions; (1) If we do not have the water rights to this property DO WE NEED TO APPLY FOR WATER RIGHTS? (2) If we need to apply for water rights to this property what will the "PRIORITY DATE" of this water right be?

I would appreciate hearing from you as soon as possible and your giving me definitive answers to my/our questions.

Sincerely,

*Thomas E. Martin Sr.*

Thomas E. Martin Sr.  
306 West Hawthorne  
Battle Ground, Washington 98604

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# STATE OF IDAHO

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

COEUR D'ALENE, IDAHO 83814

May 10, 1978

Re: Claim No. 96-4209

Buelah T. Alford  
Rt. 1, Box 86  
Priest River, ID

Dear Ms. Alford:

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

MAIL ROOM



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

April 13, 1978

Re: Application No. 97-7119  
Claim No. 96-4209

Priest River Times  
P.O. Box 398  
Priest River, ID 83356

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)

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*Bill received  
5-8-78  
OK - J.D.W.*

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4209

Notice is hereby given that Beulah T Alford

Rt 1 Box 86, Priest River, Id

has filed a claim to a water right established by diversion and application

to beneficial use of 0.04 cubic feet per second gallons per minute

of water from a groundwater source

with point of diversion in the SE1/4 SW1/4 Sec 25, T56N, R5W, B.M. Bonner County

The water is claimed to be used from Jan 1 to Dec 31 for domestic  
purposes

with a priority of 1930;

the place of use is within the SE1/4 SW1/4 Sec 25, T56N, R5W, 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 Praist River Times, Priest River, Id  
on April 20 and April 27, 1978



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

April 7, 1978

Beulah T Alford  
Rt 1 Box 86  
Priest River, Id 83856

RE: Claim No. 96-4209

Dear Mrs Alford,

Attached is your receipt No. 10832 in the amount of \$ 10.00 for the  
filing fee on the above referenced item which was received in this office.

Very truly yours,

Alea Beito  
Secretary

AB

Attachment

RECEIVED  
APR 10 1978  
CLERK OF DISTRICT COURT



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES NORTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

March 31, 1978

Beulah T. Alford  
Rt 1 Box 86  
Priest River, Id 83856

Dear Ms Alford,

We are returning your Claim to a Water Right and your check <sup>676</sup>~~#92-311~~ in the amount of \$10.00. The claim form is your sworn statement; I am, therefore, prohibited from adding, deleting or changing any information thereon. However, to make the claim of the most value to you I would like to suggest some changes.

The map is of the SE $\frac{1}{4}$  of Sec 25. All the other information leads me to believe that your well and homes are located in the SW $\frac{1}{4}$  of Section 25. I have, in pencil, drawn a sketch of where I believe your place of use and well are located. Before resubmitting the claim, the old map should be crossed out and your new map should be drawn in ink.

It might be best to indicate the number of homes served under item 6B.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

  
TOM KING  
Senior Water Resource Agent

TK:ab

Enclosure

Mr. King

I have tried to correct the description & hope I have the correct location this time. I have lived here 49 years - I don't understand these townships etc. Mr. Alford passed away Dec 8-77  
Beulah T. Alford

March 31, 1978

Beulah T. Alford  
Rt 1 Box 86  
Priest River, Id 83856

Dear Ms Alford,

We are returning your Claim to a Water Right and your check #92-311 in the amount of \$10.00. The claim form is your sworn statement; I am, therefore, prohibited from adding, deleting or changing any information thereon. However, to make the claim of the most value to you I would like to suggest some changes.

The map is of the SE $\frac{1}{4}$  of Sec 25. All the other information leads me to believe that your well and homes are located in the SW $\frac{1}{4}$  of Section 25. I have, in pencil, drawn a sketch of where I believe your place of use and well are located. Before resubmitting the claim, the old map should be crossed out and your new map should be drawn in ink.

It might be best to indicate the number of homes served under item 68.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

TOM KING  
Senior Water Resource Agent

TK:ab

Enclosure

RECEIVED