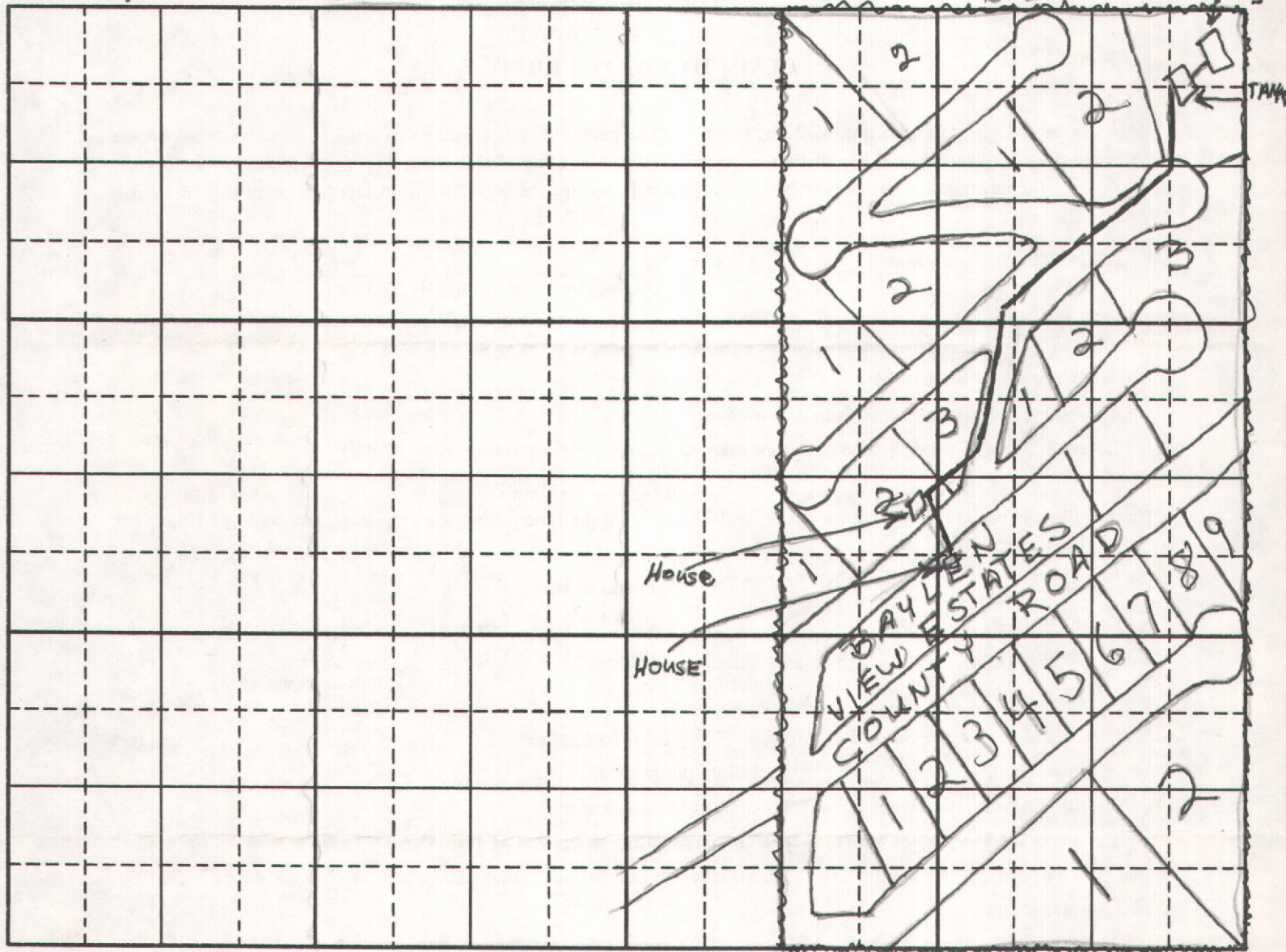


(8) Remarks Right is claimed for E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 17, Township 56N, Range 1 West, Boise Meridian, Bonner County, Idaho. more particularly described as Lot 4, Block 3, Book 2 of plats, page 105, Baylen View Estates, Lot 4, Block 2, Book 2 of Plats, page 105, Baylen View Estates, Lot 1, Block 1, Book 2 of Plats, pg. 105 Baylen View Estates



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)
) ss.
County of Bonner)

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 10 day of August, 1977.

Barry Burger
(Claimant)
[Signature]
Notary Public
Residing at Sandpoint

My commission expires _____

For Department Use Only

Received by [Signature] Date 8-15-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JK Date 8-16-77 claimant by: _____
\$10.00 fee received by B. Date 8-12-77 (5735)
Approved for publication by _____
Published in Sandpoint Daily Box
Dates 8-24+31-77
OK 9-12-77 B

1239-12 WARRANTY DEED

For Value Received HELMER STENSLAND, a widower, Star Route,

Sandpoint, Idaho,

the grantor does hereby grant, bargain, sell and convey unto MARDIE REUTHER

CALDWELL, a divorced woman, Star Route, Sandpoint, Idaho,

the grantee, the following described premises, in BONNER County Idaho, to-wit:

Lot 4 in Block 3 of Baylen View Estates
Addition to Bonner County, Idaho, according
to the plat thereof recorded in Book 2 of
Plats, Page 105, in the records of Bonner
County, Idaho.

SUBJECT to existing easements, rights-of-way, re-
strictions or reservations of record, and subject to
an easement 15 feet wide along the Northeasterly side
line of said Lot 4 for the purpose of laying and main-
taining a water line therein to serve lots in said
Baylen View Estates.

TOGETHER with such water and water rights as may be
presently serving said lot together with the right and
use of the lines to the springs furnishing said water.
In the event said water lines may be replaced at some
time in the future, grantees shall without further costs
or expense to them have the right and privilege of hooking
onto said new water system with pipes of the same diameter
and for the same purposes as are now used upon said lot,
with the right to use a like amount of water as has been
furnished previously through the old pipes.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
her heirs and assigns forever. And the said Grantor, does hereby covenant to and
with the said Grantee, that he is the owner, in fee simple, of said premises; that they are free
from all incumbrances.

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 24, 1969

STATE OF IDAHO, County of Bonner
On this 24th day of Sept. 1969
I, Notary Public for the State of Idaho,
do hereby certify that the within instrument was
subscribed by HELMER STENSLAND, a widower,
Sandpoint, Idaho,

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Witness my hand and seal of office this 24th day of September 1969.
Notary Public
Idaho

STATE OF IDAHO, COUNTY OF
I do hereby certify that this instrument was filed for record at
the County Clerk's Office, Bonner County, Idaho, on the 24th day of September 1969, at 3:38 minutes past 1 o'clock p.m.
and duly recorded in Book 129
of the said page.

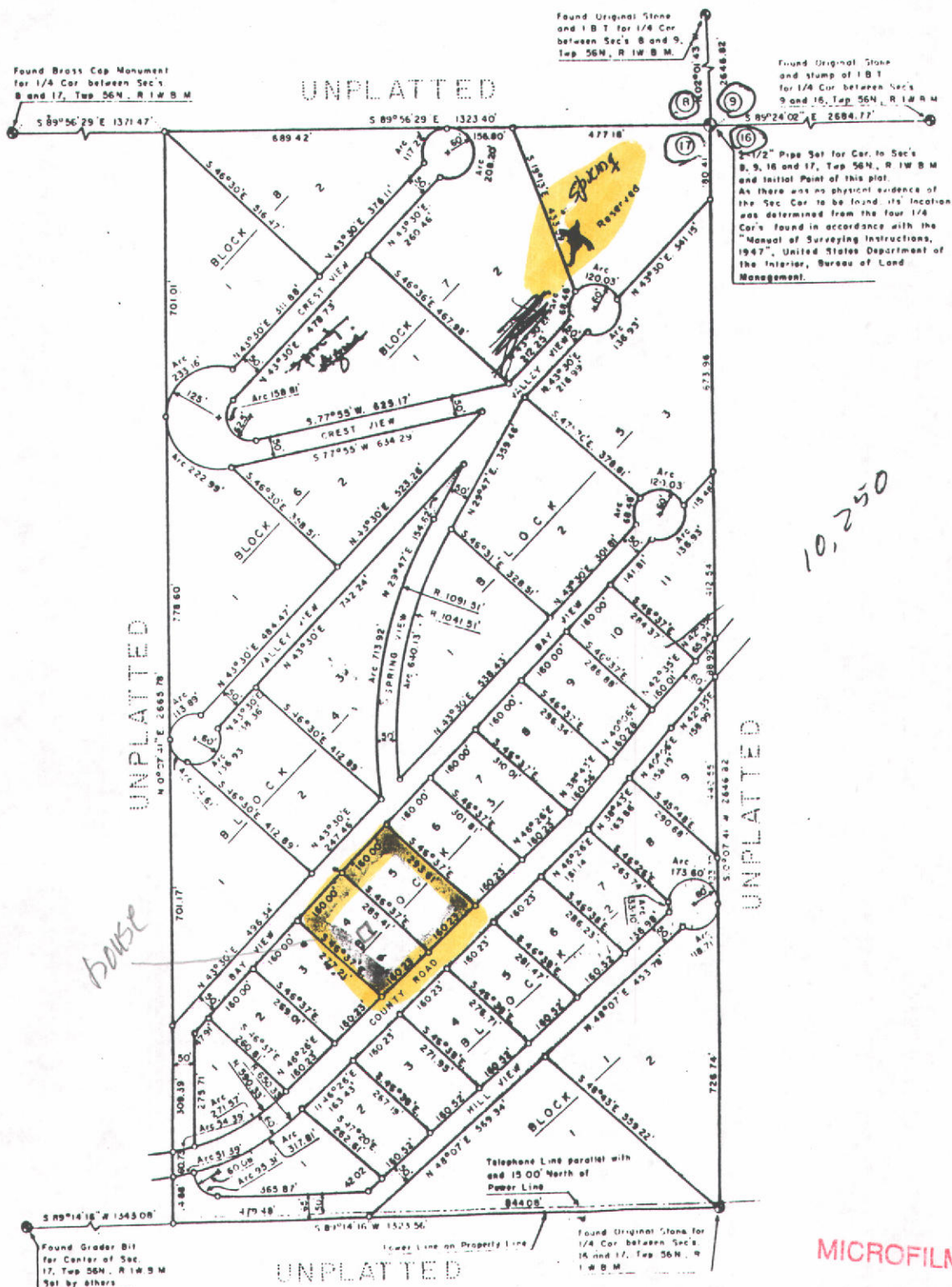
Deputy
MICROFILMED
JUN 10 1997

INSTRUMENT NO.

Exact location
Sec 17. Township
56 N 1 Range
01 W
Bonner County

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.

11111. INSURANCE 15 CROWS
11112. CO. ST. 110 1 2011



MICROFILMED

JUN 10 1997

Book 2 of plats, page 105, Baylen View Estates, Lot 4, Block 2, Book 2 of Plats, page 105,
Baylen View Estates, Lot 1, Block 1, Book 2 of Plats, pg. 105, Bonner County, Idaho
105 Baylen View Estates



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 10 day of August, 1977.

Berry Burgess
(Claimant)
Notary Public
Residing at Sandy, Idaho

My commission expires _____

For Department Use Only

Received by [Signature] Date 8-15-77 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 8-16-77 Forwarded to claimant by: _____
\$10.00 fee received by [Signature] Date 8-12-77 (57255)
Approved for publication by _____
Published in San Jacinto County Record
Dates 8-12-77 to 8-12-77

MICROFILMED
JUN 10 1997

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

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 BARRY BURGESS

(name of claimant)

of HCR 66, Box 938, Sagle, ID 83860
(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) spring
_____, 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>6.1 gal p/min</u>	Use <u>Domestic</u>	Period of Use: From <u>1-1</u> To <u>12-31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 6.1 gal p/min gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) May, 1962

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)

E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 17 Twp. 56N Rge. 1 West 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. 3/4" pipeline, reservoir collection tank whose size is 8' X 10' X 4' containing approximately 1200 gallons.

- (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 _____

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

Domestic, used for household necessities, drinking water, cooking, etc.

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

(8) Remarks Right is claimed for E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 17, Township 56N, Range 1 West, Boise Meridian, Bonner County, Idaho. more particularly described as Lot 4, Block 3, Book 2 of plats, page 105, Baylen View Estates, Lot 4, Block 2, Book 2 of Plats, page 105, Baylen View Estates, Lot 1, E $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 17 Twp 56N R1W BM Block 1, Book 2 of Plats, pg. Bonner County, Idaho 105 Baylen View Estates



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 10 day of August, 1977.

Barry Bungen
(Claimant)
[Signature]
Notary Public
Residing at Sandpoint

My commission expires _____

For Department Use Only

Received by [Signature] Date 8-15-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by [Signature] Date 8-16-77 claimant by: _____
\$10.00 fee received by [Signature] Date 8-12-77 (5735)
Approved for publication by _____
Published in Sandpoint Daily Press
Dates 8-24-77 to 9-12-77

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 # 96-4198

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 24 day of Aug, 19 77
and ending on the 31 day of Aug, 19 77 and that said not-
ice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this

9th day of Sept, 19 77.

Adell M Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

NOTICE OF CLAIM
TO A WATER RIGHT

NO. 96-4198

Notice is hereby given that
Barry Burgess HCR 66, Box 938,
Sagle, Id. has filed a claim to a
water right established by
diversion and application to
beneficial use of 6.1 gallons per
minute of water from an un-
named spring with point of
diversion in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec.
17, T56N, R1W, B.M., Bonner
County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic purposes with a
priority of May 1962 the place of
use is within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec.
17, T56N, R1W, 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
August 24 and August 31, 1977.

OK
9/17/77
B



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

June 5, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MR AND MRS BILLY J FIELDS
16243 HIGHLAND VALLEY ROAD
RAMONA CA 92065

RE: Water Rights

Dear Mr. and Mrs. Fields:

I am writing in response to your request for information about water rights from a spring or springs located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T56N, R1W, B.M., in Bonner County. According to the water rights database, there are four water right records which list points of diversion at that location. I have enclosed printouts for each of the four records. I have also enclosed a brochure which briefly describes Idaho law pertaining to water rights.

Water rights 96-08579 and 96-08031 have been licensed. Licensing is the final step in the water appropriation process that starts with the filing of an application for permit. Since 1971 anyone proposing a new use of surface water in Idaho has been required to apply for a permit from IDWR. As part of the normal appropriation process, the development under a permit is examined and confirmed by IDWR before a water right license is issued.

The other two records, 96-04198 and 96-04556, are represented by statutory claims, which are not examined or confirmed by IDWR. Statutory claims indicate that the claimant believes he or she has established a water right by diverting water and applying it to beneficial use. Prior to 1971, a right to use surface water in Idaho could be established in this manner. Because no effort is made to confirm the accuracy of the claim, the information relating to claims in our database may or may not be correct. Therefore, while I can say that on claim 96-04198 IDWR has record of a water use claimed by Barry Burgess to have begun in 1962, I cannot provide "formal confirmation" of a water right in effect since 1962. Should such confirmation ever become necessary, it would be accomplished through a future court proceeding called a water rights adjudication.

As you can see, it is not entirely clear from our water right records exactly how many springs are located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, T56N, R1W. However, the field reports for licensed rights 96-08031 and 96-08579 do provide some clues. The field examination for right 96-08031 was conducted in 1989. The field examiner reported that the spring is "also used by 96-04198 and 96-08579." The field examination for right 96-08579 was conducted in 1990. The field examiner reported that three other homes obtain water from the same spring. She listed the other owners

RECEIVED
JUN 10 1997

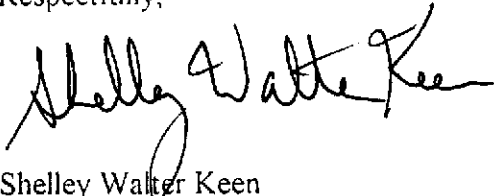
Mr. and Mrs. Billy J. Fields
June 6, 1997
Page 2

as Fagan, Eagan, and Beal. She also stated that 96-04198 and 96-08031 are diverted from different springs. The lot she describes as Eagan's is the same lot described in claim 96-04556 as belonging to Raymond Fulton.

As for future appropriations from the spring(s), there are a few of items you should consider. First, all water right applicants must have legal access to the physical point of diversion. A water right permit or license does not constitute permission to trespass on the land of another. Second, all applications for permit to appropriate water are advertised once each week for two consecutive weeks in the local newspaper. Anyone may protest an application within 10 days of the second publication. There is a formal process for resolving protests. Third, regulation of water rights in Idaho is based upon the doctrine of prior appropriation. Under that doctrine, each water right has a priority date, and older "senior" rights have priority over newer "junior" rights during a time of shortage.

I hope this information is useful to you. If you have any questions, please contact me at 208-327-7946.

Respectfully,



Shelley Walter Keen
Water Rights Supervisor

Enclosures

MICROFILMED
JUN 10 1997

Mr. and Mrs. Billy J. Fields
16243 Highland Valley Road
Ramona, California 92065

May 19, 1997

RECEIVED
MAY 27 1997
Department of Water Resources

State of Idaho, Department of Water Resources
Technical Records Specialist
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Dear Sir:

In August 1991 we purchased a home and 2 acres of property at 1023 Garfield Bay Road, Sagle, Idaho 83860. The water for this property has always come from a spring on nearby property (see maps). We consulted an attorney, Michael C. Stewart, in Sandpoint regarding these water rights at the time of the purchase. It is our understanding that the rights to this spring date back many years, with written evidence of this as far back as 1962. (see attached copies).

Since there is now some development under way behind our property, we request that you send us formal confirmation that our water rights have been in effect since 1962 and are still in effect now. We are also requesting the names of anyone else who is currently legally entitled to this water supply.

Since some of the lots behind us have been sold recently and some clearing, etc. has been taking place we have experienced difficulties with our water lines being cut, and presumably tapped into by others not entitled to this water. There are only 4 properties in this subdivision (originally known as Baylen View Estates) which are entitled to water from this spring, including ours. However, we feel quite sure others are tapping into it, and this has a serious effect on our water supply.

I am enclosing copies of the paperwork we have regarding the water rights and maps of the property. Please review this information and if anything else is necessary to confirm our original and ongoing rights to water from this spring, please contact us at 16243 Highland Valley Road, Ramona, California.

State recognition of our water rights, including limiting the use of this spring to the 4 properties originally given rights to it, is extremely important to us and we thank you very much for your help with this.

Sincerely,

Patricia J. Fields
(Mrs. Billy J. Fields)

MICROFILMED
JUN 10 1997

123912 WARRANTY DEED

For Value Received **HELMER STENSLAND**, a widower, Star Route,
Sandpoint, Idaho,

the grantor does hereby grant, bargain, sell and convey unto **MARDIE REUTHER**

CALDWELL, a divorced woman, Star Route, Sandpoint, Idaho,

the grantee the following described premises, in **BONNER** County Idaho, to wit:

Lot 4 in Block 3 of Baylen View Estates
Addition to Bonner County, Idaho, according
to the plat thereof recorded in Book 2 of
Plats, Page 105, in the records of Bonner
County, Idaho.

SUBJECT to existing easements, rights-of-way, re-
strictions or reservations of record, and subject to
an easement 15 feet wide along the Northeasterly side
line of said Lot 4 for the purpose of laying and main-
taining a water line therein to serve lots in said
Baylen View Estates.

TOGETHER with such water and water rights as may be
presently serving said lot together with the right and
use of the lines to the springs furnishing said water.
In the event said water lines may be replaced at some
time in the future, grantees shall without further costs
or expense to them have the right and privilege of hooking
onto said new water system with pipes of the same diameter
and for the same purposes as are now used upon said lot,
with the right to use a like amount of water as has been
furnished previously through the old pipes.

TO HAVE AND TO HOLD the said premises, with her appurtenances unto the said Grantee
her heirs and assigns forever. And the said Grantee, Mardie Reuther Caldwell, does hereby covenant to and
with the said Grantor, Helmer Stensland, his heirs and assigns, that they are free
from all incumbrances.

and that he, Helmer Stensland, shall defend the title to the said premises, whatsoever.

Dated: September 24th, 1969.

STATE OF IDAHO, County of Bonner
I, **HELMER STENSLAND**, a widower,
Sandpoint, Idaho,

do hereby certify that the foregoing is a true and correct copy of the original instrument as the same appears from the records of the County of Bonner, Idaho.

[Signature]
Notary Public
Regd. No. 11

CERTIFICATE OF RECORDING
That this instrument was filed for record at
the County Clerk's Office, Bonner County, Idaho,
on the 24th day of September, 1969, at 1:29 p.m.
and duly recorded in Book 129

[Signature]
County Clerk
[Signature]
Deputy
MICROFILMED

JUN 10 1967

Exact location
Sec 17-Township
56 N, Range
01 W
Bonner County

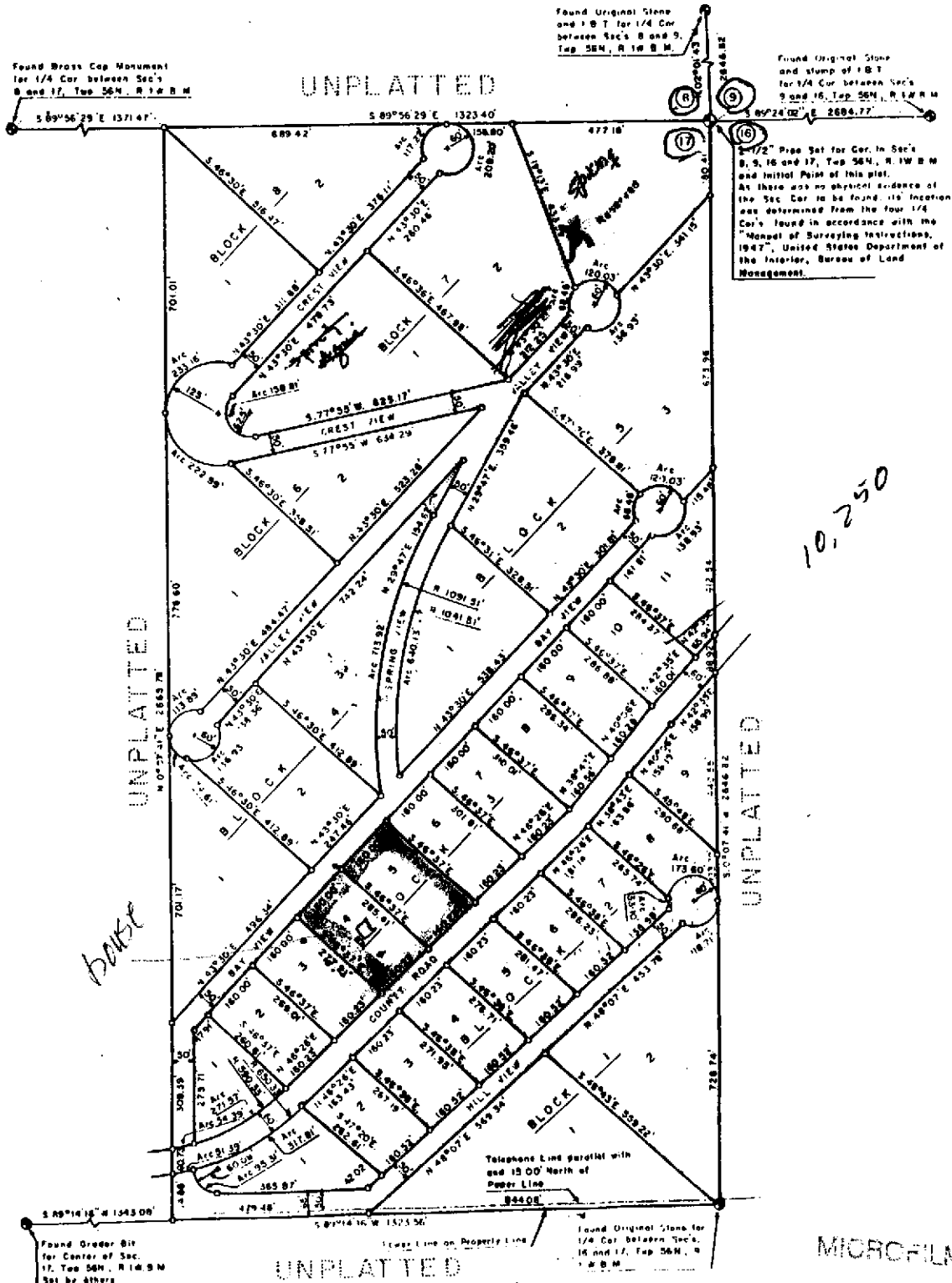
INSTRUMENT NO.

BAYLEN VIEW ESTATES

While this map is a photographic reproduction of that on file in either the recorder's or surveyor's office, the Company assumes no liability for variation, if any, with another or re-survey.

BONNER LAND TITLE COMPANY

TITLE INSURANCE SURVIVORS
111 Cedar St.
Savannah, Georgia 31401



MICROFILMED
JUN 10 1987

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

RECEIVED
MAY 27 1997

Department of Water Resources

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 BARRY BURGESS

(name of claimant)

of HCR 66, Box 938, Sagle, ID 83860, claims a right to the diversion and beneficial use of

(mailing address)

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) spring
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>6.1 gal p/min</u>	Use <u>Domestic</u>	Period of Use: From <u>1-1</u> To <u>12-31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

(3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 6.1 gal p/min gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) May, 1962

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)

E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 17 Twp. 56N Rge. 1 West 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. 3/4" pipeline, reservoir collection tank whose size is 8' X 10' X 4' containing approximately 1200 gallons.

(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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
56N	1W	17	X			X													

Total No. of acres _____

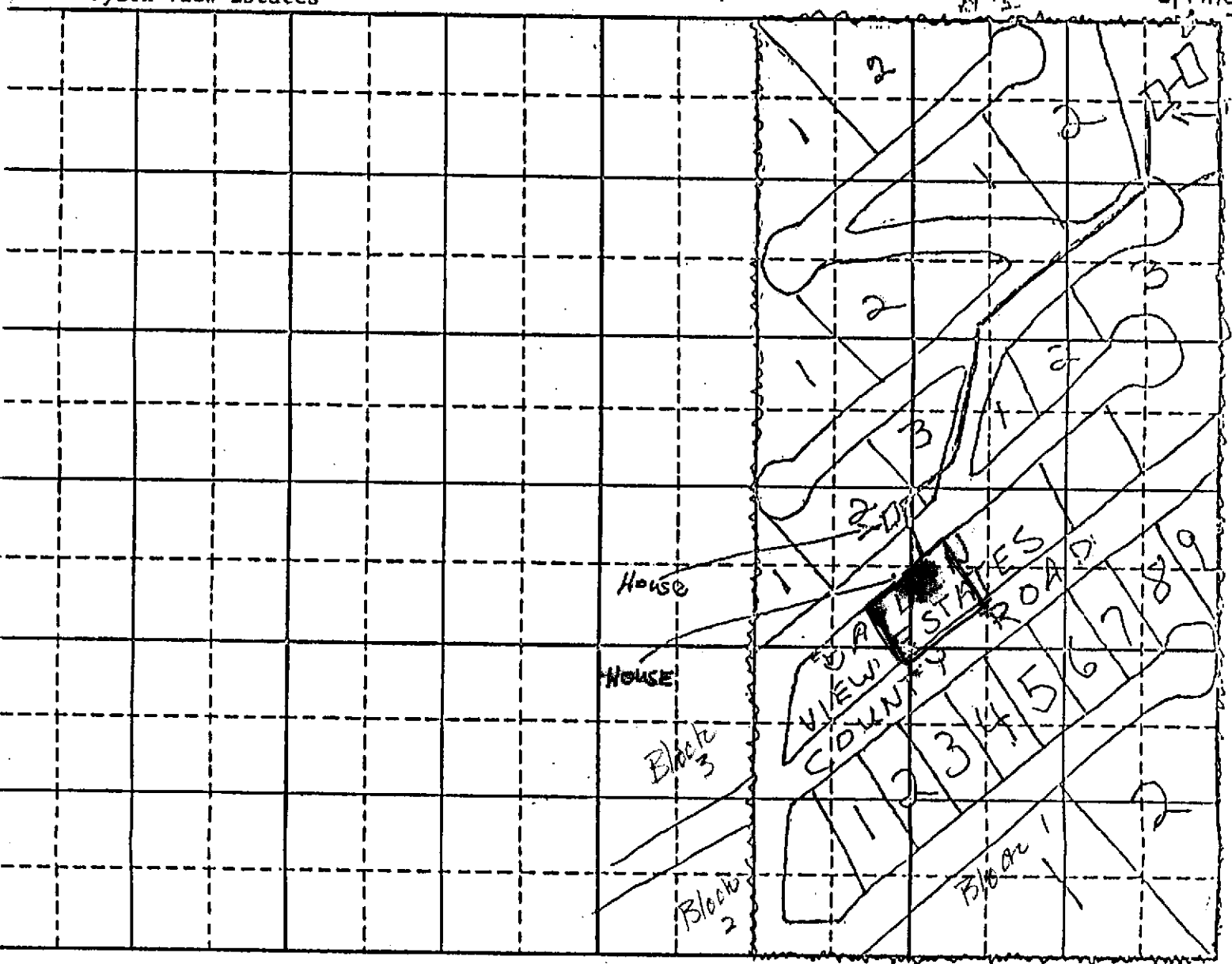
B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic, used for household necessities, drinking water, cooking, etc.

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

MICROFILMED

JUN 10 1997

Book 2 of plats, page 105, Baylen View Estates, Lot 4, Block 3, Baylen View Estates, Lot 1, Block 2, Book 2 of Plats, page 105, Block 1, Book 2 of Plats, pg. 105 Baylen View Estates, Donner County, Idaho



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)
) ss.
County of Bonner)

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 10 day of August, 1977.
Benny Burger
(Claimant)

Notary Public
Residing at Sandy, Idaho

My commission expires _____

For Department Use Only

Received by [Signature] Date 8-15-77 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 8-16-77 Forwarded to claimant by: _____ Date _____
\$10.00 fee received by [Signature] Date 8-12-77 (5:235)
Approved for publication by _____
Published in Sandy, Idaho _____
Dates 8-12-77 _____

MICROFILMED
JUN 10 1987



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor



KEITH HIGGINSON
Director

MAR 14 1988

March 10, 1988

Department of Water Resources

Mr. Barry Burgess
909 E. Third
Moscow, Id. 83843

Re: 96-4198

Dear Mr. Burgess:

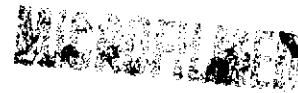
Pursuant to your request, enclosed is a copy of the only recorded water right we have on file in your name for the E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 17, T56N, R1W.

If this is not the water right you requested, please advise.

Sincerely,

PATRICIA M. STYPA
Secretary/Office Coordinator

Enc. - Claim



APR 06 1988



BURGESS
909 E. 3RD
MOSCOW, ID 83843



MAR 14 1988

Department of Water Resources

March 8, 1988

RECEIVED
MAR 14 1988

Department of Water Resources
Northern District Office

Department of Water Resources
Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Mr. King,

I have misplaced my application for permit completed on May 30, 1979.

Please send a copy of permit pertaining to Lot 4, Block 2 Baylen View Estates, E 1/2 of NE 1/4 of Section 17, Township 56N, Range 1W.

Thank you.

Sincerely,

Barry Burgess

Barry Burgess
909 East Third
Moscow, Idaho 83843

MICROFILMED

APR 06 1988



STATE OF IDAHO

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

COEUR D' ALENE, IDAHO 83814

September 13, 1977

RE: Claim No. 96-4198

Barry Burgess
HCR 66, Box 938
Sagle, Id 83860

Dear Mr Burgess,

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

RECEIVED
SEP 15 1977
WATER RESOURCES
NORTHERN DISTRICT
COEUR D' ALENE, IDAHO



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

August 18, 1977

RE: Claims No. 96-4197 & 96-4198.

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

~~SECRET~~ ab

Enc: Legal Notice(s)

letter is appreciated.

Bill Munnich
9-12-77
B

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4198

Notice is hereby given that Barry Burgess

HCR 66 Box 938, Sagle, Id

has filed a claim to a water right established by diversion and application
to beneficial use of 6.1 ~~XXXXXXXXXXXXXXXXXXXX~~ cubic feet per second gallons per minute

of water from an unnamed spring

with point of diversion in the E1NE1, Sec 17, T56N, R1W, B.M., Bonner County

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

for Domestic purposes

with a priority of May 1962;

the place of use is within the E1NE1, Sec 17, T56N, R1W, 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 August 24 and August 31, 1977

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 96-4198**

Notice is hereby given that Barry Burgess HCR 66, Box 938, Sagle, Id. has filed a claim to a water right established by diversion and application to beneficial use of 6.1 gallons per minute of water from an unnamed spring with point of diversion in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 17, T56N, R1W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of May 1962 the place of use is within the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 17, T56N, R1W, 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 August 24 and August 31, 1977.

OK
A
8-25-77



STATE OF IDAHO

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

COEUR D' ALENE, IDAHO 83814

August 17, 1977

RE: Claim No. 96-4198

Barry Burgess
MC 66, Box 938
Sagle, Id 83860

Dear Mr Burgess,

Attached is your receipt No. 5735 in the amount of \$10.00 for the filing fee on the above referenced item which was received in this office.

Sincerely,

Alea Beito
Secretary

AB

Attachment

Steven L. Herndon
Jon K. Hammarberg
Roger M. Hanlon

Law Offices of
HERNDON, HAMMARBERG & HANLON, Chartered
First and Main — P. O. Box 216
Sandpoint, Idaho 83864
Telephone: (208) 263-7511

Glenn E. Bandelin,
of Counsel

August 11, 1977

State of Idaho
Department of Water Resources
Northern District
Route 5, Box 203
Coeur d'Alene, Idaho 83814

RECEIVED
AUG 15 1977
Department of Water Resources
Northern District Office

RE: Water Right Application, BARRY BURGESS

Dear Sir:

Enclosed herewith you will find a Water Right Application for BARRY BURGESS and a check for \$10.00 to cover the cost of filing the same. Please process this application and let this office know if there is anything more that needs to be done.

Thank you.

Sincerely,

HERNDON, HAMMARBERG & HANLON, CHARTERED

Barbara Drake
Barbara Drake, Secretary

bld

Encl.