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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 Robert L Russell and
(name of claimant)
of Box 462 Kellogg, Idaho, 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) MOSQUITO CREEK
_____, tributary to, CLARK FORK RIVER
- (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>April 15, 1988</u> To <u>Present all years</u>
Amount _____	Use _____	Period of Use: From <u>(Jan 1)</u> To <u>(Dec. 31)</u>
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: 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) April 10, 1968

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) Lot 4 and
SW ¼ NW ¼, Sec. 1 Twp. 55N Rge. 2E 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. Low head diversion dam and pipe

- (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.

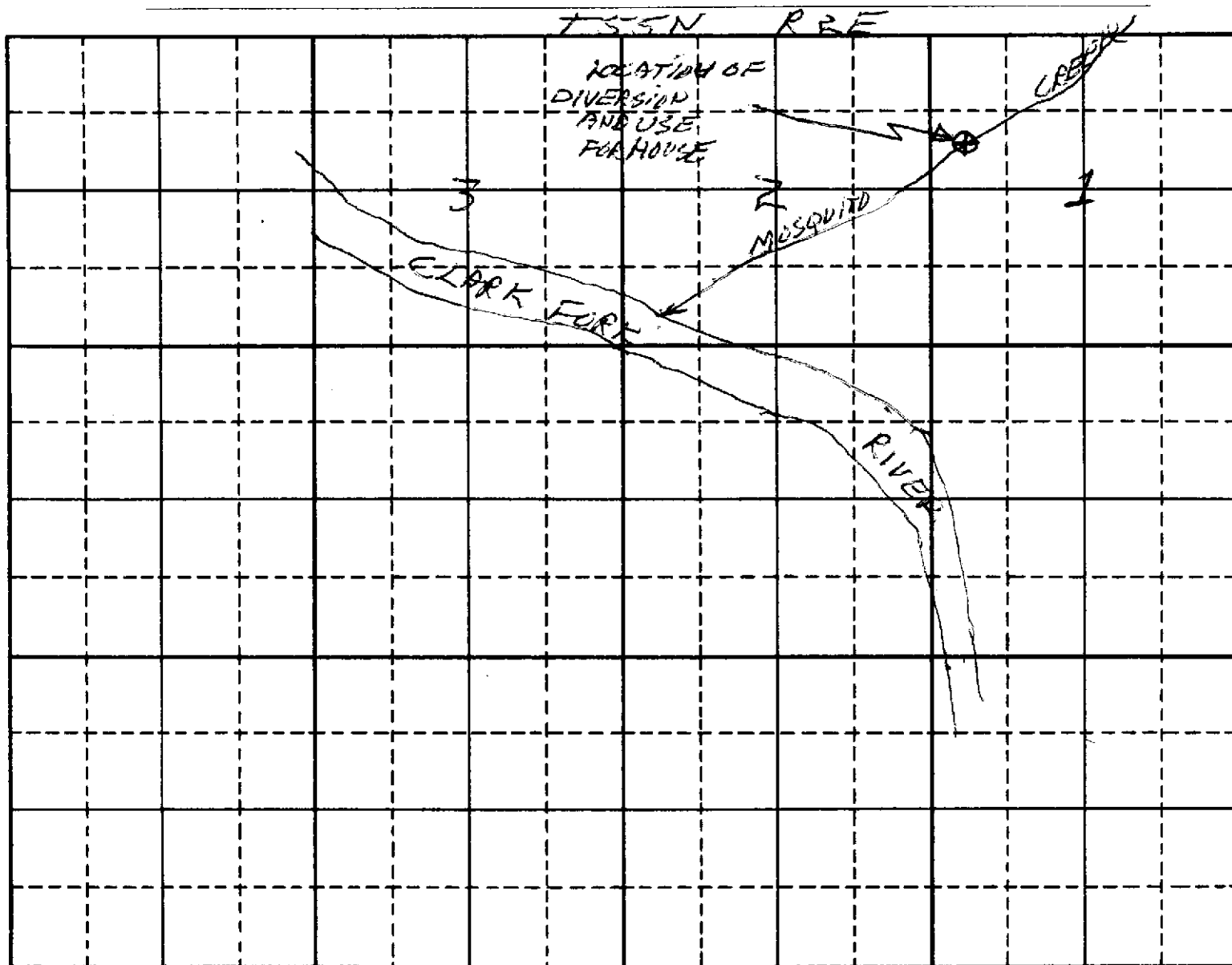
[illegible]

Total No. of acres _____

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

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

(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 Shoshone) 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 11th day of April

Robert L. Russell
Mary (claimant) Russell, 19 77
J. Ann Grover
Notary Public
Residing at Wardner, Idaho

My commission expires 10/1/80

For Department Use Only

Received by 6425 Date 4-12-77
Prelim. check by 6425 Date 4-13-77
\$10.00 fee received by _____ Date _____
Approved for publication by 6425
Published in Landowner Doc
Dates 4-20-77

Exception filed by: _____ Date _____
Forwarded to claimant by: _____

OK B. 9-77

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

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 20 day of April, 1977
and ending on the 27 day of _____
April, 1977 and that said not-
ice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this

6 day of May, 1977.

Cedell M. Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

NOTICE OF CLAIM TO
A WATER RIGHT

NO. 96-4187

Notice is hereby given that
Robert L. and Mary Katherine
Russell Box 462, Kellogg, Idaho
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 Mosquito Creek,
tributary of Clark Fork River
with point of diversion in the Lot
4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T55N,
R2E, B.M., Bonner County.

The water is claimed to be
used from Jan 1 to Dec 31 for
domestic purposes (0.04 cfs)
with a priority of April 10, 1968;
the place of use is within the
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T55N, R2E,
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, Idaho
on April 20 and April 27, 1977.

OK

5-9-77

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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, 1977

RE: Claim to A Water Right No. 96-4187

Robert L & Mary Katherine Russell
Box 462
Kellogg, Id 83837

Dear Mr & Mrs Russell,

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 DISTRICT

COEUR D'ALENE, IDAHO 83814

April 15, 1977

RE: Claim to a Water Right No. 96-4187

Mr. Robert L & Mrs. Mary Katherine Russell
Box 462
Kellogg, Id

Dear Mr & Mrs Russell

Attached is your receipt No. 5425 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

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

April 15, 1977

RE: Application No. 96-7524; 96-7525; 96-7526; 96-7527; 96-7529; 96-7528
Claim No. 96-4187; 96-4188

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:cp

Enc: Legal Notice(s)

Bill Haynes
5-9-77
\$

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4187

Notice is hereby given that Robert L & Mary Katherine Russell

Box 462, Kellogg Idaho

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 Mosquito Creek

Lot 4 &
with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 1, T55N, R2E, B.M., Bonner County

The water is claimed to be used from Jan 1 to Dec 31 for domestic
purposes (0.04 cfs)

with a priority of April 10, 1968;
the place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 1, T55N, R2E, 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, Idaho
on April 20 and April 27, 1977

**NOTICE OF CLAIM TO
A WATER RIGHT**

NO. 96-4187

Notice is hereby given that Robert L. and Mary Katherine Russell Box 462, Kellogg, Idaho 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 Mosquito Creek, tributary of Clark Fork River with point of diversion in the Lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T55N, R2E, B.M., Bonner County.

The water is claimed to be used from Jan 1 to Dec 31 for domestic purposes (0.04 cfs) with a priority of April 10, 1968; the place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, T55N, R2E, 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, Idaho on April 20 and April 27, 1977.

OK
✓

4/11/77
RECEIVED

APR 12 1977

Department of Water Resources
Northern District Office

Enclosed find claim
and check for \$10-

Please place this on
file in your office and
publish notice of same

Thank you -

Robert and Mary K. Russell

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