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**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 J. R. Bennett (name of claimant)  
of HCR-68, Box-259-D, Sandpoint, 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) Unnamed Spring  
, tributary to, Kreiger Creek
- (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>0.02 cfs</u> | Use <u>Stockwater</u>         | Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u> |
| 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: 0.06 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 1, 1969

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 ¼ NW ¼, Sec. 34 Twp. 55N Rge. 2W 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. Developed Spring with pump and 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.

| T   | R  | SEC. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | TOTAL |
|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|
|     |    |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |       |
| 55N | 2W | 34   |      |      |      |      |      |      |      | X    |      |      |      |      |      |      |      |      |       |
|     |    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |       |
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Total No. of acres \_\_\_\_\_

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for domestic purposes for one family and stockwater for 20 head of stock.

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

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

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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 Kootenai ) 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 2 day of December, 1976.

J R Bennett  
(Claimant)  
Robert G Haynes  
Notary Public  
Residing at cd'A

My commission expires 11-20-78

|                                         |                     |                         |              |
|-----------------------------------------|---------------------|-------------------------|--------------|
| Rec. #4857                              |                     | For Department Use Only |              |
| Received by <u>RAH</u>                  | Date <u>12-2-76</u> | Exception filed by:     | Forwarded to |
| Prelim. check by                        | Date                |                         | claimant by: |
| \$10.00 fee received by <u>cp</u>       | Date <u>12-2-76</u> |                         |              |
| Approved for publication by             |                     |                         |              |
| Published in <u>Sandpoint Daily Bee</u> |                     |                         |              |
| Dates <u>12-8 &amp; 12-15-76</u>        |                     |                         |              |

RECEIVED

AFFIDAVIT OF PUBLICATION

JAN 9 1977

State of Idaho

ss.

County of Bonner,

Department of Water Resources  
Northern District Office

NOTICE OF CLAIM  
TO A WATER RIGHT

NO 96-4177

Notice is hereby given that J. R. Bennett, HCR-68, Box 259-D, Sandpoint, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from an Unnamed Spring, tributary to Kreiger Creek with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, T. 55N, R. 2W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic (0.04 cfs) and stock-watering purposes (0.02 cfs) with priority of April 1, 1969; the place of use if within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, T. 55N, R. 2W, 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.

R. KEITH HIGGINSON

Director

Published in the Sandpoint Daily Bee, Sandpoint, Idaho on Dec. 8 and Dec. 15, 1976.

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 \_\_\_\_\_

*Water Right*

as it was published in the regular and entire issue of the said paper for a Period of 2 consecutive weeks, commencing on the 8 day of dec, 1976 and ending on the 15 day of dec, 1976 and that said notice was published in said newspaper.

*Pete Thompson*

Subscribed and sworn to before me this

31 day of dec, 1976.

*Adell M Thompson*

Notary Public for Idaho,  
Residing at Sandpoint, Idaho



# STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
NORTHERN DISTRICT

Route 5, Box 203 - Suite #1  
4055 N. Government Way

COEUR D' ALENE, IDAHO 83814

(208) 667-6484

January 4, 1977

Re: Claim to a Water Right No. 96-4176

" " " " " " 96-4177

Mr. J. R. Bennett  
HCR-68, Box 259-D  
Sandpoint, ID 83864

Dear Mr. Bennett:

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.

Very truly yours,

ROBERT G. HAYNES  
District Supervisor

RGH:CP

Enclosure

December 28, 1976

Re: Application No. 96-7490  
" " 96-7491

Claim No. 96-4176  
" " 96-4177

Sandpoint Daily Bee  
P.O. Box 579  
Sandpoint, ID 83864

Gentlemen:

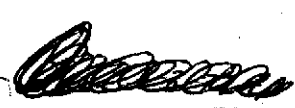
Could you please submit the affidavits of publication and bills in connection with the above referenced items. The legal notices were to have been published in your newspaper on December 8 and December 15, 1976.

Your assistance in this matter is appreciated.

Very truly yours,

Corda M. Patterson  
Secretary

CP





**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN DISTRICT

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Suite No. 1  
4066 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

December 3, 1976

Re: Application No. 96-7490      Claim No. 96-4176  
      "              " 96-7491      " 96-4177

Sandpoint Daily Bee  
P.O. 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: 1-3-77

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to beneficial use of 0.06 cubic feet per second ~~gallons per minute~~  
of water from an Unnamed Spring, tributary to Kreiger Creek  
with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, T. 55N, R. 2W, B.M.,  
Bonner County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic  
(0.04 cfs) and stockwatering purposes (0.02 cfs)  
with a priority of April 1, 1969;  
the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 34, T. 55N, R. 2W, 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.

R. KEITH HIGGINSON  
Director

Published in the Sandpoint Daily Bee, SAndpoint, Idaho  
on Dec. 8 and Dec. 15, 1976

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**R. KEITH HIGGINSON**  
Director

Published in the Sandpoint Daily Bee, Sandpoint, Idaho on Dec. 8 and Dec. 15, 1976.

O.K.  
12-17-76  
d