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Documents
In File

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 Francis L. Albers (name of claimant)
of Box 11 Colburn, Id 83865 (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) unnamed stream
tributary to, Colburn 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>0.06 cfs</u> | Use <u>irrigation</u> | Period of Use: From <u>3-15</u> To <u>11-15</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: 0.06 cubic feet per second, or 9 acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 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)
NE 1/4 NW 1/4, Sec. 12 Twp. 58N Rge. 2W B. M. County of Benner
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. Diversion farming pond thence by pump & pipe line 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 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	
58N	2W	12					3												3

Total No. of acres 3

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

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

place of use

RD

Sec 12

T 38 N

R 2 W

Received by T K Date 10-28-76 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$10.00 fee received by T K Date 10-28-76
Approved for publication by _____
Published in Sandpoint Daily Bee _____
Dates 11-3 & 11-10-76 _____

AFFIDAVIT OF PUBLICATION

State of Idaho,

ss.

County of Bonner,

Department of Water Resources
Northern District Office

Pete Thompson being first duly sworn on
oath deposes and says that he is publisher
of the Sandpoint Daily Bee, a daily news-
paper printed and published at Sandpoint,
in Bonner County, Idaho; that the said
Daily Bee has been continuously and un-
interruptedly published in said Bonner
County during a period of 12 months prior
to the first publication of the hereto at-
tached notice of publication in the case
of Water Right

96-4175

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 3 day of Nov, 1976
and ending on the 10 day of Nov, 1976 and that said notice was
published in said newspaper and not in
supplemental form.

Pete Thompson

Subscribed and sworn to before me this

26 day of Nov, 1976.

Adrian M. Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 96-4175

Notice is hereby given that
Francis L. Albers, Box 11,
Colburn, 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 Stream, tributary to
Colburn Creek with point of
diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 12, T. 58N, R. 2W, B.M.,
Bonner County.

The water is claimed to be
used from March 15 to Nov. 15
for the irrigation of three acres
with a priority of 1968 the place
of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 12, T. 58N, 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
Nov. 3 and Nov. 10, 1976.



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

December 2, 1976

Re: Claim to a Water Right No. 96-4175

Mr. Francis L. Albers
Box 11
Colburn, ID 83865

Dear Mr. Albers:

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

November 22, 1976

Re: Application No. 96-7476 - Eldon Rainey (Amended)
Claim No. 96-4175 - Francis L. Albers

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 November 3 and November 10, 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
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

October 29, 1976

Re: Application No. 96-7482 - Robert A. Privette
" " 96-7483 - Clarice L. R. Privette
Claim No. 96-4175 - Francis L. Albers

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: 12-1-76-4

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4175

Notice is hereby given that Francis L. Albers,
Box 11, Colburn, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~gallons per minute~~
of water from an Unnamed Stream, tributary to Colburn Creek
with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 58N, R. 2W, B.M.,
Bonner County

The water is claimed to be used from March 15 to Nov. 15 for the
irrigation of three acres

with a priority of 1968;
the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 58N, 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 Nov. 3 and Nov. 10, 1976

**NOTICE OF CLAIM
TO A WATER RIGHT
NO 96-4175**

Notice is hereby given that Francis L. Albers, Box 11, Colburn, 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 Stream, tributary to Colburn Creek with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 58N, R. 2W, B.M., Bonner County.

The water is claimed to be used from March 15 to Nov. 15 for the irrigation of three acres with a priority of 1968 the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 12, T. 58N, 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 Nov. 3 and Nov. 10, 1976.

O.K.
11-3-76
CP