
SPRING

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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.

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.

(Claimant)

Notary Public

My commission expires 7-1-76

For Department Use Only

Received by CP Date 4-8-76
Prelim. check by _____ Date _____
\$10.00 fee received by cp Date 4-8-76
Approved for publication by _____
Published in Sandpoint Daily BEE
Dates 4-14 & 4-21-76

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

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, a daily newspaper printed and published at Sandpoint, in Bonner County, Idaho; that the said Daily Bee has 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 14 day of April, 1976 and ending on the 21 day of April, 1976 and that said notice was published in said newspaper and not in supplemental form.

Pete Thompson

Subscribed and sworn to before me this

30 day of April, 1976.

Adelle M. Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

NOTICE OF CLAIM
TO A WATER RIGHT

NO. 96-4161

Notice is hereby given that Wayne & or Vicki Benner, Route 1, Box 237-C, Sagle, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 2.0 gallons per minute of water from a Spring with point of diversion in the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T56N, R3W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic (0.08 g.p.m.) and stockwatering purposes (0.10 g.p.m.); and from June 1 to Nov. 1 for the irrigation of two acres (0.08 g.p.m.) with a priority of 1900 the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, T56N, R3W, 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 April 14 and April 21, 1976.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

RECEIVED

APR 5 1976

Department of Water Resources
Southern District Office

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 WAYNE WOLVICKI BENNER
(name of claimant)

of RT 1 BOX 237C SAGLE, IDAHO 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) Natural 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 0.08 gpm Use DOMESTIC Period of Use: From JAN 1 To DEC 31
Amount 0.80 gpm Use IRRIGATION Period of Use: From JUNE 1 To NOV 1
Amount 0.10 gpm Use STOCK Period of Use: From JAN 1 To DEC 31
(cfs, gpm (dom., irri., (both dates inclusive)
or a/f) stock, etc.)

(3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet
per annum, and/or 2.0 (Winter) - 1.0 (Summer) gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1900

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)

NW cor S 1/2 SW 1/4 SE 1/4, Sec. 14 Twp. 56N Rge. 3W 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. 200 GAL. RESERVOIR, 500 Ft. 3/4 in pipe into 200 GAL HOLDING TANK FOR HOME, OVER FLOW INTO POND, ALONG OPEN DITCH TO GARDEN, ORCHARD, AND WHAT REMAINS TO IRRIG. FIELD.

(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	
<u>56N</u>	<u>3W</u>	<u>14</u>						<u>1</u>					<u>1</u>						<u>2</u>

Total No. of acres 2 NOT COMPLETE
ACRES

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

DOMESTIC, GARDEN, BERRIES, FRUIT TREES, STOCK (20 chickens, 4 sheep, 1 cows), (STOCK WILL VARY IN NUMBER)

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

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Received by <u>CP</u>	Date <u>4-8-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by _____	Date _____		claimant by:	
\$10.00 fee received by <u>cp</u>	Date <u>4-8-76</u>			
Approved for publication by _____				
Published in <u>Sandpoint Daily BEE</u>				
Dates <u>4-14 & 4-21-76</u>				

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ss.

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as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on the 14 day of April, 1976 and ending on the 21 day of April, 1976 and that said notice was published in said newspaper and not in supplemental form.

Pete Thompson

Subscribed and sworn to before me this

30 day of April, 1976.

Edwin Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

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TO A WATER RIGHT

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R. KEITH HIGGINSON
Director

Published in the Sandpoint Daily Bee, Sandpoint, Idaho on April 14 and April 15, 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

May 10, 1976

Re: Claim to a Water Right No. 96-4161

Wayne &/or Vicki Benner
Route 1, Box 237-C
Sagle, ID 83860

Dear Mr. and Mrs. Benner:

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

April 12, 1976

Re: Claim to a Water Right No. 96-4161

Mr. Wayne Benner
Route 1, Box 237-C
Sagle, ID 83860

Dear Mr. Benner:

Attached is your receipt No. 3976 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Room 209
401 Front Avenue
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 9, 1976

Re: Permit No. 96-7402 Application No. 96-7438
 Appl. No. 96-7436 " " 96-7439
 Appl. No. 96-7437 Claim No. 96-4161

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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill: 5-5-76

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4161

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Route 1, Box 237-C, Sagle, Idaho
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to beneficial use of 2.0 ~~xxxxxx~~ gallons per minute
of water from a Spring
with point of diversion in the S₁SW₄SE₄, Sec. 14, T. 56N, R. 3W, B.M.,
Bonner County

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(0.08 g.p.m.) and stockwatering purposes (0.10 g.p.m.); and from June 1 to
Nov. 1 for the irrigation of two acres (0.08 g.p.m.)
with a priority of 1900 ;
the place of use is within the NW₄NW₄, SW₄SW₄, Sec. 14, T. 56N, R. 3W, B.M.

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Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

R. KEITH HIGGINSON
Director

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on April 14 and April 21, 1976

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R. KEITH HIGGINSON
Director

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OK
RKH