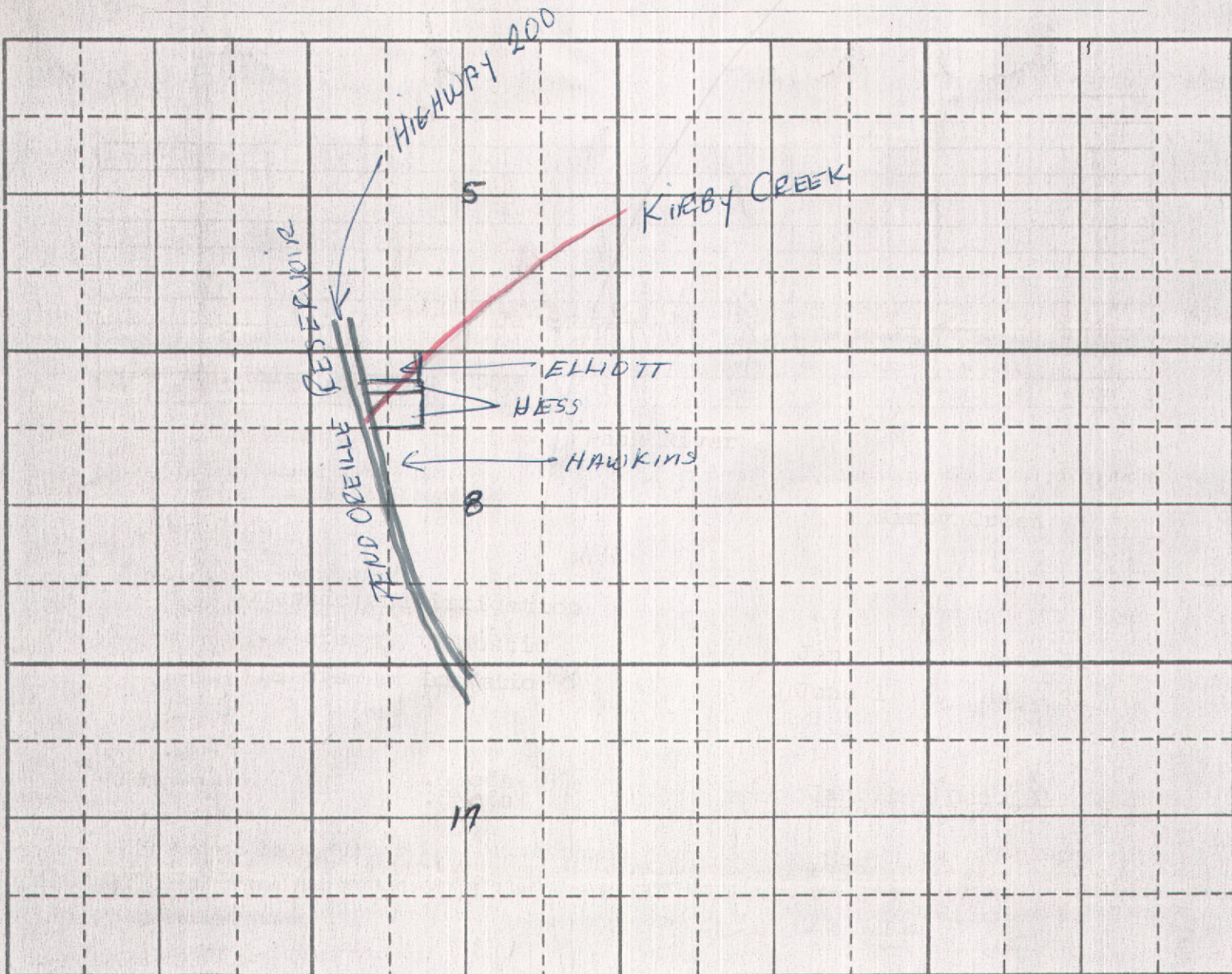


(8) Remarks



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 Teton

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.

Jay Hess
(Claimant)

Sworn to before me this 2 day of October, 19 75.

Virginia Blair
Notary Public

Residing at Jackson, Wyo.

My commission expires May 6, 1979

For Department Use Only

Received by KK Date 12/6/75
Prelim. check by KK Date 12/9/75
\$10.00 fee received by cp Date 12-9-75
Approved for publication by _____
Published in Sandpoint Daily Bee
Dates 12-17 & 12-24-75

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

MICROFILMED

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 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
96-4157- Hess

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 17 day of Dec, 1975

and ending on the 24 day of Dec, 1975

and that said notice was

published in said newspaper and not in

supplemental form.

Pete Thompson

Subscribed and sworn to before me this

7 day of Jan, 1976.

Adrian M Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

RECEIVED

JAN 8 1976

Department of Water Resources
Northern District Office

NOTICE OF CLAIM
TO A WATER RIGHT

No. 96-4157

Notice is hereby given that Jay Hess, Box 128, Wilson, Wyoming has filed a claim to a water right established by diversion and application to beneficial use of 0.50 cubic feet per second of water from Kirby Creek, tributary to Pack River with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 57N, R. 1E, B.M., Bonner County.

The water is claimed to be used from Jan 1, to Dec. 31 for domestic purposes (0.50 cfs); and from June 1 to Aug. 31 for irrigation purposes (0.50 cfs) with a priority of 1950; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 57N, R. 1E, 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. 17 and Dec. 24, 1975.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
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 Jay Hess (name of claimant)
of Box 128, Wilson, Wyoming 83014 (mailing address), claims a right to the diversion and beneficial use of
ground water or surface water tributary to Pack River;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Kirby 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: Domestic and irrigation
- | | | | | | | | |
|--------|-------------------|-----|---------------------------|---------------------|---------------|----|------------------------|
| Amount | <u>.5 cfs</u> | Use | <u>Domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>.5 cfs</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>June 1</u> | To | <u>Aug. 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: .5 cfs cubic feet per second, or Jan. 1 - Dec. 31 acre feet
per annum, and/or June 1 - Aug. 31 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1950

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 ¼ NW ¼, Sec. 8 Twp. 57N Rge. 1E B. M. County of Bonner
Additional points of diversion: See attached.

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. (1) Creek supplied spring, 1" gravity system to residence.

(2) Funnel stream diversion, garden hose, irrigation, summer.

- (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.

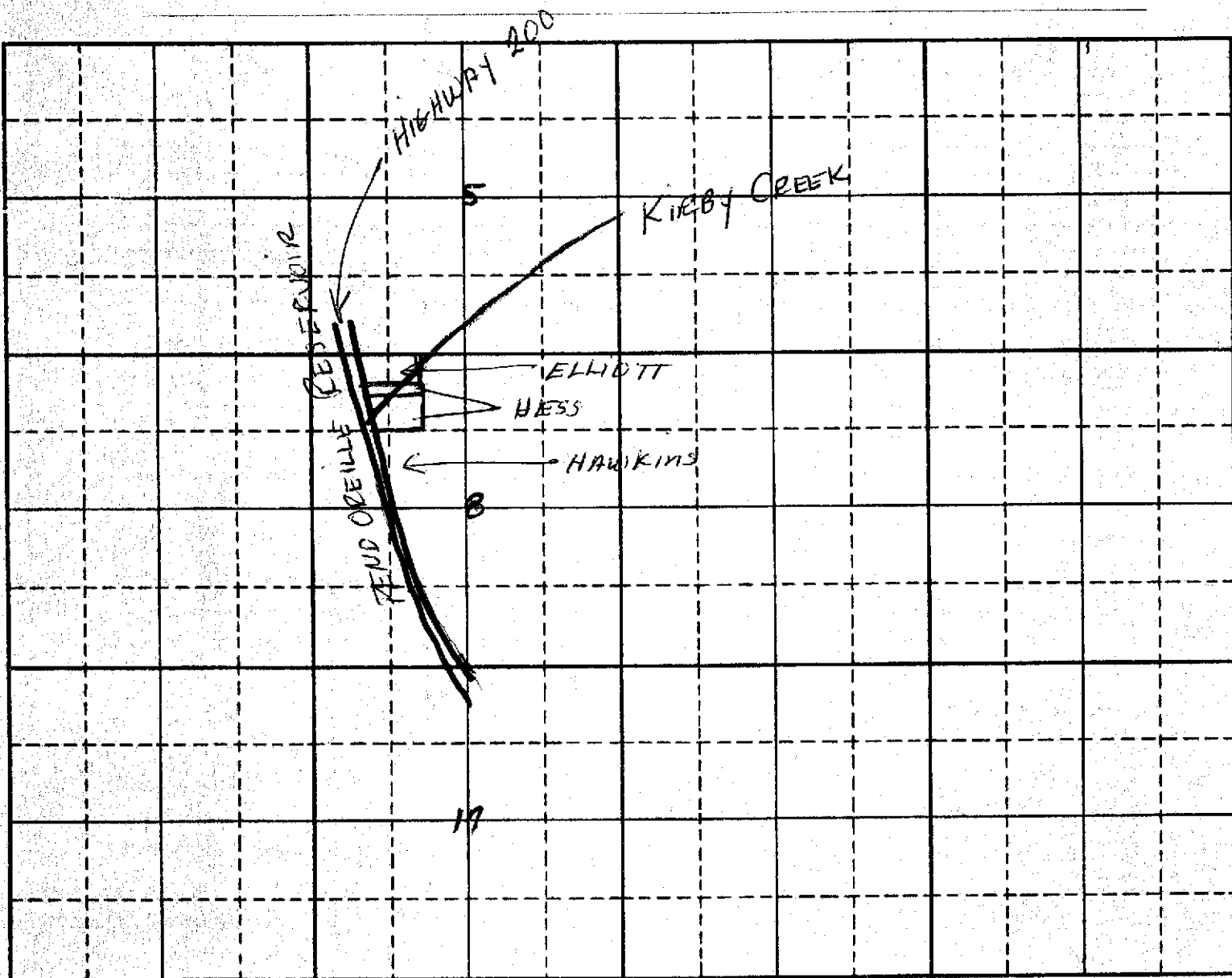
T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
57N	1E	8					X												

Total No. of acres _____

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

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

(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 Teton

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.

Jay Hess
(Claimant)

Sworn to before me this 2 day of October, 19 75.

Virginia Blair
Notary Public

Residing at Jackson, Wyo.

My commission expires May 6, 1979

For Department Use Only

Received by [Signature] Date 12/4/75
Prelim. check by [Signature] Date 12/9/75
\$10.00 fee received by cp Date 12-9-75
Approved for publication by _____
Published in Sandpoint Daily Bee
Dates 12-17 & 12-24-75

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

AFFIDAVIT OF PUBLICATION

State of Idaho,

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96-4157- Hess

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 17 day of Dec, 1975

and ending on the 24 day of Dec, 1975

and that said notice was

published in said newspaper and not in

supplemental form.

Pete Thompson

Subscribed and sworn to before me this

7 day of Jan, 1976.

Adell M Thompson

Notary Public for Idaho,
Residing at Sandpoint, Idaho

RECEIVED

JAN 8 1976

Department of Water Resources
Northern District Office

NOTICE OF CLAIM
TO A WATER RIGHT
No. 96-4157

Notice is hereby given that Jay Hess, Box 128, Wilson, Wyoming has filed a claim to a water right established by diversion and application to beneficial use of 0.50 cubic feet per second of water from Kirby Creek, tributary to Pack River with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 57N, R. 1E, B.M., Bonner County.

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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. 17 and Dec. 24, 1975.



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 13, 1976

Re: Claim to a Water Right No. 96-4157

Mr. Jay Hess
Box 128
Wilson, Wyoming 83014

Dear Mr. Hess:

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

4055 Government Way - Suite #1

(208) 667-6484

January 7, 1976

Re: Application No. 96-7423 - Kenneth C. Reed
 Claim No. 96-4156 - Clark C. MacDonald
 " " 96-4157 - Jay Hess

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 17 and December 24, 1975.

Your assistance in this matter is appreciated.

Very truly yours,

Corda M. Patterson
Secretary

CP



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

COEUR D'ALENE, IDAHO 83814

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1

4055 Government Way

(208) 667-6484

December 12, 1975

Re: Application No. 96-7423 - Kenneth C. Reed
Claim No. 96-4156 - Clark C. MacDonald
" " 96-4157 - Jay Hess

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
District Supervisor

RGH:CP

Enc: Legal Notice(s)

Bill: 1-12-76

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4157

Notice is hereby given that Jay Hess,

Box 128, Wilson, Wyoming

has filed a claim to a water right established by diversion and application to beneficial use of 0.50 cubic feet per second ~~gallons per minute~~ of water from Kirby Creek, tributary to Pack River

with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 57N, R. 1E, B.M.,
Bonner County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes (0.50 cfs); and from June 1 to Aug. 31 for irrigation purposes (0.50 cfs)

with a priority of 1950;
the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 57N, R. 1E, 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. 17 and Dec. 24, 1975

**NOTICE OF CLAIM
TO A WATER RIGHT**
No. 96-4157

Notice is hereby given that Jay Hess, Box 128, Wilson, Wyoming has filed a claim to a water right established by diversion and application to beneficial use of 0.50 cubic feet per second of water from Kirby Creek, tributary to Pack River with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8, T. 57N, R. 1E, B.M., Bonner County.

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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. 17 and Dec. 24, 1975.

*O.K.
12-23-75
P*

4055 Government Way - Suite #1

(208) 667-6484

December 12, 1975

Re: Claim to a Water Right No. 96-4157 - Jay Hess

Mr. James E. Hunt
GREENE & HUNT, P. A.
320 North Second Avenue
Sandpoint, ID 83864

Dear Mr. Hunt:

Attached is your receipt No. 3883 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

RAYMOND T. GREENE, JR.
JAMES E. HUNT
BRUCE H. GREENE

GREENE & HUNT, P. A.
LAW OFFICES
320 NORTH SECOND AVENUE
SANDPOINT, IDAHO 83864
TELEPHONE 263-5121

December 2, 1975

RECEIVED
DEC 4 1975

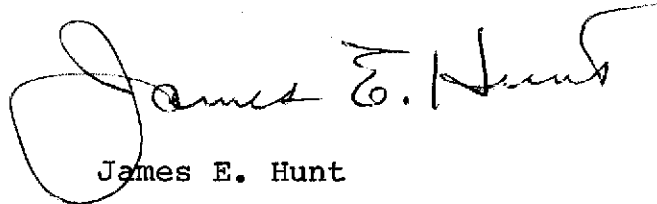
Department of Water Resources
Northern District Office
Coeur d'Alene

Idaho Department of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Gentlemen:

Herewith Claim to a Water Right which has been executed
by Mr. Jay Hess, together with check in the sum of \$10.00
for filing fee.

Very truly yours,


James E. Hunt

JEH:js
Enclosure