

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

Gary L. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice of Claim to a Water Right,
No. 96-4134, filed by Larry L. &/or
Sylvia L. Smith, Star Route, Box 95, Sand-
point, Idaho.

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 12th
day of September, 1974, and end-
ing on the 19th day of September,
1974, and that said notice was published in said
newspaper, and not in supplemental form.

Larry L. Pietsch

Subscribed and sworn to before me this

19th day of September, 1974.

Oliver's Board

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED

SEP 20 1974

Department of Water Resources
Northern District

NOTICE OF CLAIM TO A WATER RIGHT NO. 96-4134

Notice is hereby given that
Larry L. &/or Sylvia L. Smith,
Star Route, Box 95, Sandpoint,
Idaho have 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
Cocolalla Lake with point of
diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
9, T. 55N, R. 2W, B.M., Bonner
County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic purposes (0.04 cfs)
and stockwatering purposes
(0.02 cfs) with a priority of 1924;
the place of use is within the
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 55N, R. 2W,
B.M.

Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Resources, 401 Front Ave.,
Coeur d'Alene, Idaho, 83814.

R. KEITH HIGGINSON
Director

Published in the Sandpoint
News-Bulletin, Sandpoint,
Idaho on Sept. 12 and Sept. 19,
1974. S12-19

MICROFILMED

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 Larry L. &/or Sylvia L. Smith
(name of claimant)
of Star Route, Box 95, 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, Cocolalla Lake
- (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 or a/f) | | (dom., irri., 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) 1924

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 SE ¼, Sec. 9 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. Pressure pump and pipeline to house and barn and chicken house.

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
55N	2W	9																X	

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 household, irrigation of garden, and stockwater for 5 horses, 3 cows, and 11 goats.

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

UNRECORDED

P

T-55N

① P.D. PLACE OF USE

P-2W

Received by KK Date 8/28/74 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by KK Date 8/28/74 #15047 claimant by: _____
\$10.00 fee received by KK Date 8/28/74 _____
Approved for publication by JB _____
Published in SANDPOINT NEWS-BULLETIN _____
Dates 9-12 & 9-19-74 _____

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County of Bonner, } ss.

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Gary L. Pietsch

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19th day of September, 1974.

Chrysia Bond

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

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beneficial use of 0.06 cubic feet
per second of water from an
unnamed Spring, tributary to
Coeville Lake with point of
diversion in the SE 1/4 SE 1/4, Sec.
9, T. 55N, R. 2W, B.M., Bonner
County.

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used from Jan. 1 to Dec. 31 for
domestic purposes (0.04 cfs)
and stockwatering purposes
(0.02 cfs) with a priority of 1924;
the place of use is within the
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R. KEITH HIGGINSON
Director

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STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

October 1, 1974

Re: Claim to a Water Right No. 96-4134

Larry L. &/or Sylvia L. Smith
Star Route, Box 93
Sandpoint, ID 83864

Dear Mr. and Mrs. Smith:

The Department of Water Administration 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 this 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, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

MICROFILMED

September 6, 1974

Re: Application No. 96-7328 - James H. Fitzpatrick
" " 96-3729 - Kevin W. Fitzpatrick
Claim No. 96-4134 - Larry L. &/or Sylvia L. Smith

Sandpoint News-Bulletin
P.O. Box 218
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 Submitted 9-23-74 by CP

MICROFILMED

ADVERTISING INSERTION ORDER

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRACT AREA

P.O. Box 218, Sandpoint, Idaho 83864

To Whom Billed:

Name **Idaho Dept. of Water Resources**

Address _____

Name of Advertiser _____

Ad No. _____ Ad Size: _____ x _____

Caption **Notice of Claim to a Water Right**

Insertion Dates: **Sept. 13, 19**

Copy:

No. 96-4134

Larry L. &-or Sylvia L. Smith

AIO. NE 14050 DATE 9-13-74 Type of Advertising ☐ National Display ☐ Local Display ☐ Classified Display ☐ Classified ☐ Reader ☐ Card of Thanks ☒ Legal ☐ _____
--

Total Space	35 lines	x	36¢	=	12.60
	(Cal. inches/Words)		(rate)		(Billing)

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~~have~~ filed a claim to a water right established by diversion and application
~~xxx~~ to beneficial use of 0.06 cubic feet per second ~~xxxxxx~~

of water from an Unnamed Spring, tributary to Cocolalla Lake

with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 55N, R. 2W, B.M.,

Bonner County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes (0.04 cfs) and stockwatering purposes (0.02 cfs)

with a priority of 1924;

the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 55N, R. 2W, B.M.

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R. KEITH HIGGINSON

Director

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on Sept. 12 and Sept. 19, 1974

MAINTAINED