

Affidavit of Publication

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

RECEIVED

AUG 20 1973

Department of Water Administration
Northern District Office

NOTICE OF CLAIM TO A
WATER RIGHT
NO. 96-4073

Notice is hereby given that Clifford J. Hubbell, N. 220 Bowdish Road, Spokane, Washington has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a ground water source with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 55N, R. 2W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of Sept. 1, 1964; the place of use is within the NW $\frac{1}{4}$ - NE $\frac{1}{4}$, Sec. 7, T. 55N, R. 2W, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho on July 26 and August 2, 1973. Jy26-A2

L. E. 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 uninterruptedly 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. 96-4073, filed by Clifford J. Hubbell, N. 220 Bowdish Road, Spokane, Wash.

as it was published in the regular and entire issue of the said paper for a period of two consecutive weeks, commencing on the 26th day of July, 19 73, and ending on the 2nd day of August, 19 73, and that said notice was published in said newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

16th day of August, 19 73.

Glynn Gorall

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

96 4073

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 Clifford J. Hubbell
(name of claimant)
of N. 220 Bowdish Rd., Spokane, Wash. 99206, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to _____;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Ground water
- (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 _____ | 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: 0.04 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) Sept. 1, 1964

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 ¼ NE ¼, Sec. 7 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. 4", 74' well; jet pump with capacity of 10 gallons per minute, and 1½" plastic pipeline to place of use. (60 feet)

- (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	7		X			X												

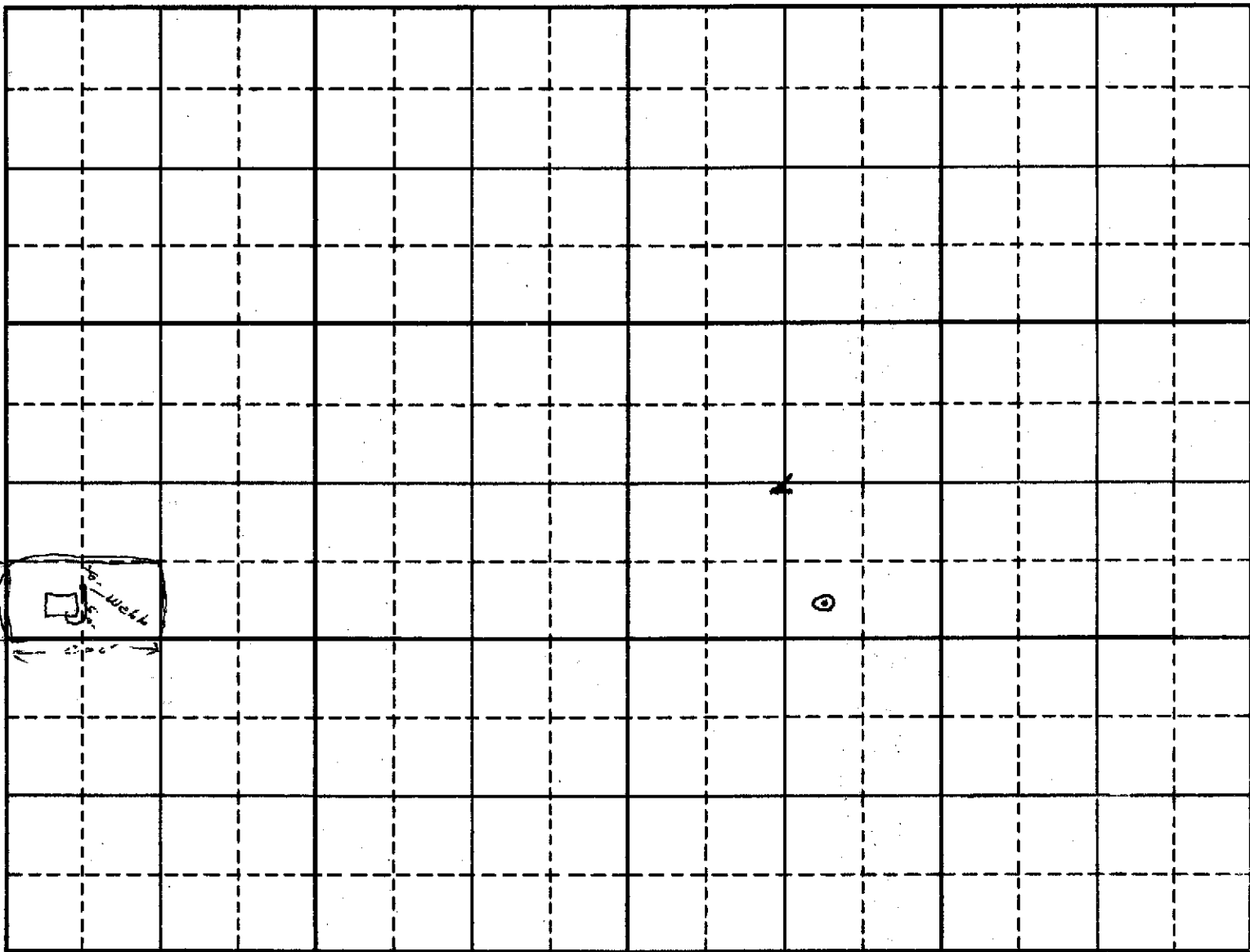
Total No. of acres _____

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

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

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N



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 Washington
County of Yakima
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 affiant's knowledge.

Sworn to before me this 10th day of July

Arthur G. Smith
(Claimant)
Charles J. Smith
Notary Public
Residing at Greenacres

My commission expires 11-9-93

For Department Use Only

Received by 7/6 Date 7/2/93 Exception filed by: Forwarded to Date
Prelim. check by 7/6 Date 7/2/93 Claimant by:
Approved for publication by 7/6 Date 7/2/93 # 10783
Published in SANDPOINT NEWS-BULLETIN
Dates 7-26 & 8-2-93

Affidavit of Publication

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

L. F. 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 uninterruptedly 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. 96-4073, filed by Clifford J. Hubbell, N. 220 Bowdish Road, Spokane, Wash.

as it was published in the regular and entire issue of the said paper for a period of two consecutive weeks, commencing on the 26th day of July, 1973, and ending on the 2nd day of August, 1973, and that said notice was published in said newspaper, and not in supplemental form.

L. F. Pietsch

Subscribed and sworn to before me this

16th day of August, 1973.

Charles Bonar

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT NO. 96-4073

Notice is hereby given that Clifford J. Hubbell, N. 220 Bowdish Road, Spokane, Washington has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a ground water source with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 55N, R. 2W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of Sept. 1, 1964; the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 55N, R. 2W, B.M.

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

R. KEITH HIGGINSON

Director

Printed in the Sandpoint News-Bulletin, Sandpoint, Idaho on July 26 and August 2, 1973. Jy26-A2

96 4073

September 11, 1973

RE: CLAIM TO A WATER RIGHT NO. 96-4073

Mr. Clifford J. Hubbell
N. 220 Bowdish Road
Spokane, Washington 99206

Dear Mr. Hubbell:

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

96 4073

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

August 15, 1973

Re: Application No. 96-7192 - Smith 96-7195 - Scheffler
 " " 96-7193 - Smith 96-4071 - Leaverton
 " " 96-7194 - Smith 96-4073 - Hubbell

Sandpoint News-Bulletin
P.O. Box 218
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 July 26 and August 2, 1973.

Your assistance in this matter would be appreciated.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

96 4073

July 20, 1973

Re: Application No. 96-7192 96-7195
 " " 96-7193 96-4071
 " " 96-7194 96-4073

Sandpoint News-Bulletin
P.O. Box 218
Sandpoint, ID 83864

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Northern District Manager

Bill submitted 7-27-73 by LF

FE:CR

Enc: Legal Notices (6)

96 4073

ADVERTISING INSERTION ORDER

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA

P.O. Box 218, Sandpoint, Idaho 83864

To Whom Billed:

Name Idaho Department of Water
Administration
 Address _____

Name of Advertiser _____

Ad No. _____ Ad Size: _____ x _____

Caption Notice of Claim to a Water
Right.

Insertion Dates: July 26-- , Aug. 2

Copy:

Clifford J. Hubbell

No. 96-4073

AIO. 2 7233

DATE 7-26-73

Type of Advertising

- ☐ National Display
- ☐ Local Display
- ☐ Classified Display
- ☐ Classified
- ☐ Reader
- ☐ Card of Thanks
- ☒ Legal
- ☐ _____

Total Space	<u>34 lines</u>	x	<u>36¢</u>	=	\$ <u>12.24</u>
	(Col. Inches / Words)		(rate)		(Billing)

96 4073

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4073

Notice is hereby given that Clifford J. Bubbell,

N.220 Bowdish Road, Spokane, Washington

has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~and 1000 per acre~~
of water from a ground water source

with point of diversion in the NW1/4, Sec. 7, T. 55N, R. 2W, B.M.,
Bonner County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes

with a priority of Sept. 1, 1964;
the place of use is within the NW1/4, Sec. 7, T. 55N, R. 2W, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho

on July 26 and August 2, 1973

96 4073

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

July 10, 1973

Clifford J. Hubbell
N. 220 Bowdish Road
Spokane, WA 99206

Dear Mr. Hubbell:

We are returning your Claim to a Water Right, and also your Money Order in the amount of \$10.

We have typed your claim on our new form, listing only domestic use under Item 2. Irrigation of up to one-half acre in connection with a household is considered domestic use.

Please list the date of priority under Item 4 (the date the water was first put to a beneficial use, which has resulted in continuous use since that time), and also draw a sketch of the location of your system on the back of the form.

If all items on the Claim describe your water right, please have your signature notarized once again and return the form to our office along with the required \$10 filing fee. Your assistance in this matter is appreciated, and if you have any questions, feel free to contact us.

Very truly yours,

Kenneth Knoblock
Water Resource Technician
Northern District

KK:cr

Enclosures

96 4073

Identification No. _____

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Elifford J. Hubbell
post office address N. 220 Bowditch Rd. Spokane, Wash-99206
2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 7 Township 55N
Range 2 W B.M. located on Ground Water
(name of source)
tributary to _____ in BONNER County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

Irrigating Lawn and Household Use
use Irrigating Lawn period of use from APRIL 1 to OCT 31 (both dates inclusive)
use Household Use period of use from Year around (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

- b. Underground water diverting works: is well flowing or pumped PUMPED ; depth of well is 14 feet; diameter of well is 4 inches; type of pump is Jet
capacity of pump is 10 g.p.m.; name and address of well driller is SAMS Drilling
drilled in 1964 (Aug) Elk, Wash.

N 0; if so, give dates and explain _____

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? no If yes, give the name of the ditch _____ . The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered_____

7. Where water is used for domestic or municipal purposes give number of families served one
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities_____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

State of Idaho WA 64

County of SPOKANE

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 3 day of July, 1973.

X Clifford J. Haskell
Claimant

~~Claimant~~

Mary V. German
Notary Public

Notary Public

Residing at Spokane, Wn

My commission expires 11-10-74

For Department Use Only

Received by uj Date 7-5-73

Exception filed by:

Forwarded to _____ Date _____

claimant by:

Prelim. check by _____ Date _____

Fee received by _____ Date _____ Fee \$ _____

Approved for publication by _____

Published in _____ Dates _____

~~96-4073~~

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s.</u> or _____	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u> or _____	acre feet
	Total claimed:		<u>1.2 c.f.s.</u> or _____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

8209 96