

b. Do you get water through a ditch owned by several users? _____ 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 2
name of town supplied N A

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 Water is used on lots 1 and 2, Page's Subdivision, Bonner County, Idaho according to the plat thereof recorded in Book 2 of Plats, page 109, records of Bonner County Idaho.

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

Gerald L. Kimzey 2 Konley Drive Kalispell, Montana

J. D. Selle N. 4211 Garry Rd., Otis Orchards, Washington

~~H. C. Stappler 1105 W. Wilson, Pasco, Washington~~

Kenneth J. Kimzey 607 Cedar Street, Sandpoint, Idaho

State of ~~Idaho~~ Montana }
County of Flathead } 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.

Gerald L. Kimzey
Claimant

Sworn to before me this 1st day of February, 1973.

Carter J. Heland
Notary Public

Residing at Kalispell, Montana

My commission expires June 5, 1974

For Department Use Only

Received by CR Date 3-23-73

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by EB Date 23 Mar 73 # 8590

Fee received by EB Date 23 Mar 73 Fee \$ 10.00

Approved for publication by EB

Published in SANDPOINT BULLETIN Dates 4-5-73

4-12-73

96 4050

Identification No. 96-4050

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 See Remarks (Item 9)
post office address _____

2. The point of diversion is in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 27 Township 57N
Range 1 W B.M. located on Unnamed Stream
(name of source)
tributary to Pend Oreille Lake in Bonner 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:

June 20, 1966 amount: .06 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .06 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:

use Domestic period of use from Mar. 15 to Nov. 1 (both dates inclusive)
use _____ period of use from _____ to _____ (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 Wood Storage Tank
_____; length is 4 feet; height is 4 feet;
width at bottom is 3 feet; with at top is 3 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 _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____;

c. Conveying works: length of ditch to place of use is _____feet; width of ditch at top is _____feet;

width of bottom of ditch is _____feet; depth of water is _____feet; grade of ditch per 1000

feet is _____ feet; material through which ditch passes is _____

maximum length of pipe line to first place of use is $\frac{700}{\text{feet; diameter of pipe line is } 1 \text{ inches;}}$

type of pipe plastic; grade of pipe per 1000 feet is 140 feet

Please explain any changes or increase in size of conveying system since water was first appropriated, giving

ing date and dimensions if possible

_____ If water is stored: name of reservoir

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet.

year construction commenced _____; year completed _____; date first used _____

period of storage is from _____ to _____; its reservoir drained each year _____.

_____ explain _____ is reservoir on or off stream

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

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and

describe

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

	NET%	NW%	SW%	SE%
101				

[illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible]

_____ Total number of acres to be irrigated

Enables you to identify significant increases in area irrigated since first use, olive dates and acreages if known

EXPLORE THE WORLD OF THE FUTURE

[illegible]

1. *Journal of the American Medical Association*, 1997; 278: 1039-1044.

(continued)

State of Idaho

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

22nd

day of

February

19 73

Kenneth J. King
Claimant

Sarah E. Thompson
Notary Public

Residing at

Spokane, Washington

My commission expires

July 1975

State of Idaho

County of _____

} 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.

J. D. Selby
Claimant

Sworn to before me this 22nd day of February, 1973

Sarah E. Thompson
Notary Public

Residing at Spokane, Washington

My commission expires July 1975

State of Idaho

County of _____

} 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.

Claimant

Sworn to before me this _____ day of _____, 19____.

Notary Public

Residing at _____

My commission expires _____

b. Do you get water through a ditch owned by several users? _____ 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 2
name of town supplied N A

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 Water is used on lots 1 and 2, Page's Subdivision,
Bonner County, Idaho according to the plat thereof recorded in Book 2 of
Plats, page 109, records of Bonner County Idaho.

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

Gerald L. Kimzey 2 Konley Drive Kalispell, Montana

J. D. Selle N. 4211 Garry Rd., Otis Orchards, Washington

Kenneth J. Kimzey 607 Cedar Street, Sandpoint, Idaho

State of ~~Idaho~~ Montana }
County of Flathead } 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.

Gerald L. Kimzey
Claimant

Sworn to before me this 1st day of February, 19 73.

Carter J. Helsel
Notary Public

Residing at Kalispell, Montana

My commission expires June 5, 1974

For Department Use Only

Received by CR Date 3-23-73

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by EB Date 23 Mar 73 # 8590

Fee received by EB Date 23 Mar 73 Fee \$ 10.00

Approved for publication by FE

Published in SANDPOINT BULLETIN Dates 4-5-73
4-12-73

96 4050

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APR 26 1973

U.S. DEPARTMENT OF AGRICULTURE

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 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:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
Total claimed:	1.2 c.f.s. 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 it 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 Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is \$10.00.

Affidavit of Publication

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

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.

96-4050, filed by Gerald L. Kimzey, 2 Konley Drive, Kalispell, Mont., J. D. Selle, N. 4211 Garry Rd., Otis Orchards, Wash., and Kenneth J. Kimzey, 607 Cedar St., Sandpoint, 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 5th day of April, 1973, and ending on the 12th day of April, 1973, and that said notice was published in said newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

13th day of April, 1973.

Glynn Grass

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT NO. 96-4050

Notice is hereby given that Gerald L. Kimzey, 2 Konley Drive, Kalispell, Montana; J. D. Selle, N. 4211 Garry Road, Otis Orchards, Washington; and Kenneth J. Kimzey, 607 Cedar Street, 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 Stream, tributary to Pend Oreille Lake with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 57N, R. 1W, B.M., Bonner County.

The water is claimed to be used from March 15 to Nov. 1 for domestic purposes with a priority of June 20, 1966; the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 57N, R. 1W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Room 209, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho on April 5 and April 12, 1973.

A5-12

96 4050

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

April 24, 1973

Re: Claim to a Water Right No. 96-4050

Gerald L. Kimzey
2 Konley Drive
Kalispell, Montana

Dear Mr. Kimzey:

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 further assistance, feel free to contact this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enclosures

cc: J. D. Selle
N. 4211 Garry Road
Otis Orchards, Washington

Kenneth J. Kimzey
607 Cedar Street
Sandpoint, ID 83864

96 4050

March 30, 1973

Re: Application No. 96-7134 - Frank Hubbard
" " 96-7138 - Bill Jensen
Claim No. 96-4050 - Gerald L. Kimzey, J. D. Selle, & Kenneth J. Kimzey

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 4-23-73 by CR

FE:CR

Enc: Legal Notices (3)

96 4050

RECEIVED

APR 16 1973

Department of Water Administration
Northern District Office

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: April 5, 12

Copy:

AIO. No. 655

DATE 4-5-73

Type of Advertising

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

Gerald L. Kimzey

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.

SANDPOINT NEWS-BULLETIN

By Alycia Gault

Total Space 39 lines x 36¢ = \$ 14.04
(Col. Inches/Words) (rate) (Billing)

96 4050

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4050

Notice is hereby given that Gerald L. Kimzey, 2 Konley Drive, Kalispell, Montana; J. D. Selle, N. 4211 Garry Road, Otis Orchards, Washington; and Kenneth J. Kimzey, 607 Cedar Street, 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 Stream, tributary to Pend Oreille Lake with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27, T. 57N, R. 1W, B.M., Bonner County.

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R. KEITH HIGGINSON

Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho on April 5 and April 12, 1973.

96 4050

March 30, 1973

Re: Claim to a Water Right No. 96-4050

Kenneth J. Kimzey
607 Cedar Street
Sandpoint, ID 83864

Dear Mr. Kimzey:

Attached is your receipt No. 8590 in the amount of \$10 for the filing fee on the above referenced claim, which was received in this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enc: Receipt

96 4050