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In File

Identification No. 96-4045

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 Harley F. Turnbull
post office address Route #1, Sagle, Idaho
2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 22 Township 56N
Range 2W 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:

<u>July 2, 1933</u>	amount: <u>0.04</u>	c.f.s. or	<u> </u> acre feet
	amount: <u> </u>	c.f.s. or	<u> </u> acre feet
	amount: <u> </u>	c.f.s. or	<u> </u> acre feet
Total claimed		<u>0.04</u>	c.f.s. or <u> </u> 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 <u>Domestic</u>	period of use from <u>Jan. 1</u>	to <u>Dec. 31</u>	(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 _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with 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 70 feet; diameter of well is 8 inches; type of pump is 3/4 h.p. jet pump
capacity of pump is 16 g.p.m.; name and address of well driller is James J. Zinkgraf,
1606 E. Sharp, Spokane, Washington ;

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 75 feet; diameter of pipe line is 1 inches; type of pipe galvanized; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible pipeline was installed in 1942.

d. 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 _____; is reservoir drained each year _____;
is reservoir on or off stream _____ 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_____

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

[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 _____
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

County of KATANA

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 9TH day of MARCH, 1973.

Harley Turnbull
Claimant

Corda M. Roberts
Notary Public

Residing at Coene d'Alene, Idaho

My commission expires Sept. 11, 1976

For Department Use Only

Received by CR Date 3-9-73

Exception filed by:

Forwarded to
claimant by:

Date _____

Prelim. check by LE Date 3/2/23

Fee received by FC Date 3/7/23 Fee \$ 10.00

Approved for publication by F. E.

Published in SANDPOINT BULLETIN Dates 3-15-73

~~96 4045~~

3-22-73

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:	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 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 a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District

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

Southern District

Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District

Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District

Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

1. WELL OWNER

Name Harley E. Turnbull

Address RT. 1. Scgle Idaho

Owner's Permit No. _____

2. NATURE OF WORK

☒ New well

☐ Deepened

☐ Replacement

☐ Abandoned (describe method of abandoning)

3. PROPOSED USE

☒ Domestic

☐ Irrigation

☐ Test

☐ Municipal

☐ Industrial

☐ Stock

4. METHOD DRILLED

☒ Cable

☐ Rotary

☐ Dug

☐ Other

5. WELL CONSTRUCTION

Diameter of hole 6 inches

Total depth 70 feet

Casing schedule: ☐ Steel ☐ Concrete

Thickness .250 inches

Diameter 6 inches

From -1 feet

To 65 feet

_____ inches

_____ inches

_____ feet

_____ feet

_____ inches

_____ inches

_____ feet

_____ feet

_____ inches

_____ inches

_____ feet

_____ feet

_____ inches

_____ inches

_____ feet

_____ feet

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number _____

From _____

To _____

_____ perforations

_____ feet

_____ feet

_____ perforations

_____ feet

_____ feet

_____ perforations

_____ feet

_____ feet

Well screen installed? ☐ Yes ☐ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No

Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No

To what depth 20 feet

Material used in seal ☒ Cement grout ☐ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

W

22

E

S

County Banner

N. E. 1/4 S. E. 1/4 Sec. 22, T. 56, N. 1/2, R. 2 E/W

7. WATER LEVEL

Static water level 8 feet below land surface

Flowing? ☐ Yes ☒ No

G.P.M. flow _____

Temperature _____ ° F.

Quality _____

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☒ Pump

☐ Bailor

☐ Other

Discharge G.P.M. 23

Draw Down 21

Hours Pumped 10-1/2

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
8	0	2	Top Soil		
8	2	11	Brown Clay		
8	11	18	Bolden cemented gravel		
6	18	21	Gravel Sand		☒
6	21	36	Very sandy Br. Clay		
6	36	39	Sandy Br. silty clay		
6	39	41	Comb. Fine coarse gravel		☒
6	41	48	Br. Silty Clay		
6	48	51	Brownish gray gravel sand		☒
6	51	63	Moist silty clay Br.		
6	63	69	Light Br. Clay, silty		☒
6	69	70	Br. moist clay		

10.

Work started 9/28/71 finished 10/5/71

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

Benjamin W. Dutton

Driller's or Firm's Name

1606 E. Sharp Avenue

Address

Garner J. Johnson

Signed By

59

Number

10/21/71

Date

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. 96-4045, filed by Harley F. Turnbull, Route No. 1, Sagle, 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 15th day of March, 1973, and ending on the 22nd day of March, 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

15th day of March, 1973.

Alfred J. Davis

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED

MAR 20 1973

NOTICE OF CLAIM TO A WATER RIGHT NO. 96-4045

Notice is hereby given that Harley F. Turnbull, Route No. 1, Sagle, Idaho 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 NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 56N, 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 July 2, 1933; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 56N, 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 March 15 and March 22, 1973. M15-22

96 4045

Sagle Id
Apr 19, 1973.

Dear Sir:-

Enclosed is an
affidavit to be added to our
claim to a water right No. 96-4045

Sincerely
Harley Turnbull

RECEIVED

APR 20 1973

Department of Water Administration
Northern District Office

96 4045

IN THE MATTER OF:

AFFIDAVIT

RECEIVED

APR 20 1973

State of Idaho
County of _____

Department of Water Administration
Northern District Office

Kenneth C. Reed being first duly sworn,
deposes and says: To whom it may concern;
I moved onto property in the South
west 1/4 of Sec. 23 township 56 N. Range
2 West on March 29th 1933 and
continuously resided at that address ever
since. Harley & Marilee Turnbull
husband and wife moved in on the
property across the road and Section
line onto the NE 1/4 of the SE 1/4 of Section
22 T. 56 N. R. 2 West Base Meridian some
time that summer of 1933 and have
continuously lived there neighbors
neighbors almost 40 years ago. I had
helped Harley dig his 1st well some
time before they moved on the place
so they had water when they moved
there. They used water for their needs
untill last summer or fall of 1971 they
had a deeper well drilled along side of
old well to get more water and a
better quality of water because of depth.

Kenneth C. Reed
(Signature)

Subscribed and sworn to before me this 18 day of April, 1973

James C. Fenn
(Notary Public)

Residing at San Geronimo, Idaho
My Commission Expires 7-1-75

April 3, 1973

Re: Claim to a Water Right No. 96-4045

Harley F. Turnbull
Route #1
Sagle, ID 83860

Dear Mr. Turnbull:

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, please feel free to call upon us.

Very truly yours,

Fred Eisenbarth
Water Resource Technician
Northern District

FE:CR

Enclosure

96 4045

March 9, 1973

Re: Claim No. 96-4045 - Haeley F. Turnbull

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
Water Resource Supervisor
Northern District

Bill submitted 4-2-73 by de

FE:CR

96 4045

Enc: Legal Notice

ADVERTISING INSERTION ORDER

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA

P.O. Box 218, Sandpoint, Idaho 83864

RECEIVED

MAR 15 1973

Department of Water Administration
Northern District Office

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: March 15, 33

Copy:

Harley F. Turnbull

No. 96-4-45

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

SANDPOINT NEWS-BULLETIN

Glynn Burt

AIO. NO 5213

DATE 3-15-73

Type of Advertising

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

☒ Legal

☐ _____

96 4045

Total Space 33 lines 51¢ = \$ 16.83
(Cal. Inches/Words) (rate) (Billng)

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4045

Notice is hereby given that Harley F. Turnbull,

Route #1, Sage, Idaho

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

with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 56N, 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 July 2, 1933;
the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 22, T. 56N, 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
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Director

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on March 15 and March 22, 1973

96 4045