

ADVERTISING INSERTION ORDER

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA

P.O. Box 218, Sandpoint, Idaho 83864

RECEIVED

MAR 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: Feb. 23, March 1

Copy:

Leo A. & or Mari Anne Benoit

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 Phyllis Gault

AIO. No 5980

DATE 2-23-73

Type of Advertising

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

96 4042

Total Space 35 lines 36¢ = \$ 12.60

Identification No. 96-4042 ⁹⁶ *P*

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 Leo A. &/or Mari Anne Benoit
post office address Route #1, Athol, Idaho 83801

2. The point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 30 Township 54N
Range 2W B.M. located on Unnamed Spring
(name of source)

tributary to Sinks 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:

January, 1930 amount: 0.45 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.45 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:

(0.03 cfs) use Domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
(0.02 cfs) use Stockwater period of use from Jan. 1 to Dec. 31 (both dates inclusive)
(0.40 cfs) use Irrigation period of use from March 15 to Nov. 15 (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 _____
collection box; length is 5 feet; height is 5 feet;
width at bottom is 5 feet; width at top is 5 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 _____
_____;

96 4042

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

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 650 feet; diameter of pipe line is 1 inches; type of pipe Galv. steel; grade of pipe per 1000 feet is 50. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

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 _____

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 120

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 20 head of cattle,
4-6 pigs

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

County of KOOTENAI

55.

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 14TH day of FEBRUARY, 1973.

Leod Benoit
Claimant

Claimant

Corda M. Roberts
Notary Public

Notary Public

Residing at Coeur d'Alene, Idaho

My commission expires Sept. 11, 1976

For Department Use Only

Received by BB Date 14 Feb 73

Exception filed by:

Forwarded to
claimant by:

Date _____

Prelim. check by CSB Date 14 Feb 73 # 8544

Fee received by FE Date 2/14/73 Fee \$ 10.00

Approved for publication by F.O. 2/14/73

Published in SANDPOINT NEWS-BULLETIN Dates 2-22-73

96 4042

CORRECTION: 3-22-73

3-1-73

RECEIVED
APR 11 1901
DEPARTMENT OF RECLAMATION

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

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 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 Correction, Claim No. 96-4042
in the name of Leo A. &/or Mari Anne
Benoit.

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 22nd
day of March, 19 73, and end-
ing on the 29th day of March,
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

29th day of March, 19 73.

Glynn Gorale

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED

MAR 22 1973

Department of Water Administration
Boise, Idaho 83726

NOTICE OF CORRECTION

Notice is hereby given that
Claim No. 96-4042 in the name
of Leo A. &-or Mari Anne Be-
noit was advertised incorrectly
on February 22 and March 1,
1973. The priority date was
omitted from the legal descrip-
tion. Leo A. &-or Mari Anne
Benoit are claiming a priority
date of January, 1930.

Any exception to this correc-
tion may be filed with the Idaho
Department of Water Adminis-
tration, 401 Front Avenue,
Room 209, Coeur d'Alene, Ida-
ho 83814.

R. KEITH HIGGINSON
Director

Published in the Sandpoint
News-Bulletin, Sandpoint, ID
on March 22 and March 29,
1973 M22-29

96 4042

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 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, sub-
mitted by Leo A. &/or Mari Anne Benoit,
Route 1, Athol, 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 22nd
day of February, 19 73, and end-
ing on the 1st day of March,
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

one day of March, 19 73.

Chyllis Gerath

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT

Notice is hereby given that
Leo A. & or Mari Anne Benoit,
Route 1, Athol, Idaho have filed
a claim to a water right
established by diversion and
application to beneficial use of
0.45 cubic feet per second of
water from an Unnamed Spring
with point of diversion in the
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 54N,
R. 2W, B.M., Bonner County.

The water is claimed to be
used from Jan. 1 to Dec. 31
for domestic (0.03 cfs)
and stockwater purposes
(0.02 cfs); and from March 15
to Nov. 15 for the irrigation of
120 acres (0.40 cfs); the place
of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 30, T. 54N, 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, Room 209,
Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published in the Sandpoint
News-Bulletin, Sandpoint, Ida-
ho on Feb. 22 and March 1,
1973. F22-M1

no priority

96 4042

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 10, 1973

Re: Claim to a Water Right No. 96-4042

Leo A. &/or Mari Anne Benoit
Route #1
Athol, ID 83801

Dear Mr. & Mrs. Benoit:

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 contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enclosure

96 4042

March 16, 1973

Re: Application No. 96-7131 - Elberta Walker
Claim No. 96-4042 - Leo A. &/or Mari Anne Benoit (Correction)
" " 96-4046 - George A. Widel

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 Technician
Northern District

Bill submitted 4-2-73 by ch

FE:CR

Enc: Legal Notices (3)

96 4042

ADVERTISING INSERTION ORDER

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA

P.O. Box 218, Sandpoint, Idaho 83864

RECEIVED

MAR 20 1973

Department of Water Administration
Northern District Office

To Whom Billed:

Name State of Idaho

Address Dent. of Water Admin.

Name of Advertiser

Ad No.: Ad Size: x

Caption Correction

Insertion Dates: Mar. 22-29

Copy:

AIO. NO 6296

DATE 3-31-73

Type of Advertising

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

Re: Leo A. &/or Mari Anne
Benoit. Calim No. 96-4042

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

96 4042

Ally Bore

Total Space 24 lines x @36¢ = \$ 8.64
(lines/words) (rate) (billing)

NOTICE OF CORRECTION

Notice is hereby given that Claim No. 96-4042 in the name of Leo A. &/or Mari Anne Benoit was advertised incorrectly on February 22 and March 1, 1973. The priority date was omitted from the legal description. Leo A. &/or Mari Anne Benoit are claiming a priority date of January, 1930.

Any exception to this correction 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, ID on March 22 and March 29, 1973.

96 4042

February 16, 1973

Re: Claim No. 96-4042 - Leo A. &/or Mari Anne Benoit

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 3-12-73 by CR

FE:CR

96 4042

Enc: Legal Notice

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: Feb. 23, March 1

Copy: _____

Leo A. & or Mari Anne Benoit

I hereby certify that the foregoing is correct
and correct. For the amount enclosed is
due after allowing all past credits, and
no part of the same has been paid.
SANDPOINT NEWS-BULLETIN

AIO. No 5980

DATE 2-22-73

Type of Advertising

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

Total Space 35 lines 36¢ = \$ 12.60

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4042

Notice is hereby given that Leo A. &/or Mari Anne Benoit, Route #1, Athol, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.45 cubic feet per second of water from an Unnamed Spring with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 54N, R. 2W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic (0.03 cfs) and stockwatering purposes (0.02 cfs); and from March 15 to Nov. 15 for the irrigation of 120 acres (0.40 cfs); the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30, T. 54N, 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, Room 209, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON

Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho on Feb. 22 and March 1, 1973.

96 4042