

Affidavit of Publication

STATE OF IDAHO

County of Bonner,

ss.

Marie Martin,

being duly sworn, says that she is the Co-Publisher of the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 78 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least seven columns each, printed from typematter or stereotyped forms of at least nineteen and three-fourths inches depth, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed is a true copy of the notice for publication in the case of

Notice of Claim to a Water Right

as it was published in the regular and entire issue of said paper for a period of two consecutive weeks, commencing on the 12th day of October, 1972, and

ending on the 19th day of October, 1972, and that said notice was published in said newspaper proper, and not in supplement form.

Marie Martin

Subscribed and sworn to before me this

24th day of October, 1972

George C. Brundley
Notary Public for Idaho,

Residing at Priest River, Idaho

RECEIVED

OCT 25 1972

Department of Water Administration
Northern District Office

NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4037

Notice is hereby given that Robert W. Anderson, Route No. 1, Box 54-A, Athol, Idaho has 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 Kelso Lake with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 54N, R. 3W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes; and from March 15 to Nov. 15 for the irrigation of 1 acre with a priority of July 1, 1961 (0.03 cfs); July 1, 1966 (0.03 cfs); the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 54N, R. 3W, 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 Priest River Times, Priest River, Idaho on Oct. 12 and Oct. 19, 1972.

41-2t

96 4037

Identification No. 96-4037

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 ROBERT W. ANDERSON
post office address ROUTE 1 BOX 54A, ATHOL, ID 83801
2. The point of diversion is in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 21 Township 54N
Range 3W B.M. located on YELSO LAKE
(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:

JULY 1, 1961 amount: 0.03 c.f.s. or _____ acre feet
JULY 1, 1966 amount: 0.03 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.06 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 JAN 1 to DEC 31 (both dates inclusive)
use IRRIGATIONAL period of use from MAR 15 to NOV 15 (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 _____; 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 _____

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 80 feet; diameter of pipe line is 1 inches; type of pipe PLASTIC; 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 _____.

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 _____; _____ explain _____ is reservoir on or off stream _____

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.

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
COLLECTION BOX WITH A 1 1/2" HOSE TO A 1/2 HP JET PUMP
FOR DOMESTIC SYSTEM.

A CENTRIFUGAL 1/2 HP IS PLACED AT THE END OF THE A
DOCK WITH AN 18 INCH, 1 1/2" HOSE INTO LAKE FOR
IRRIGATION. SYSTEM HAS 3 SPRINKLERS.

IRRIGATION IS IN THE FORM OF FIRE PROTECTION.

State of Idaho

County of KOOTENAI } 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 4TH day of OCTOBER, 1972.

Robert W. Roberts
Claimant
Corda M. Roberts
Notary Public
Residing at Coeur d'Alene, Id.

My commission expires Sept. 11, 1976

For Department Use Only

Received by CL Date 10-4-72 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by FE Date 10/4/72 Fee received by K.K. Date 10-4-72 Fee \$10.00
Approved for publication by _____
Published in PIEST RIVER TIMES Dates 10-12-72

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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

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.

Marie Martin,

being duly sworn, says that she is the Co-Publisher of the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 78 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least seven columns each, printed from typematter or stereotyped forms of at least nineteen and three-fourths inches depth, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed is a true copy of the notice for publication in the case of

Notice of Claim to a Water Right

as it was published in the regular and entire issue of said paper for a period of two consecutive weeks, commencing on the 12th day of October, 19 72, and

ending on the 19th day of October, 19 72, and that said notice was published in said newspaper proper, and not in supplement form.

Marie Martin

Subscribed and sworn to before me this

21th day of October, 19 72

George C. Hunsley
Notary Public for Idaho,

Residing at Priest River, Idaho

RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4037

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The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes; and from March 15 to Nov. 15 for the irrigation of 1 acre with a priority of July 1, 1961 (0.03 cfs); July 1, 1966 (0.03 cfs); the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 54N, R. 3W, 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 Priest River Times, Priest River, Idaho on Oct. 12 and Oct. 19, 1972.

41-2t

96 4037

November 8, 1972

Re: Claim to a Water Right No. 96-4037

Robert W. Anderson
Route #1, Box 54-A
Athol, ID 83801

Dear Mr. Anderson:

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 can be of further assistance, please feel free to call upon us.

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR

Enc: copy of claim

96 4037

October 6, 1972

Re: Claim No. 96-4037 - Robert W. Anderson

Priest River Times
P.O. Box 398
Priest River, ID 83856

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 10-26-72 by CR

FE:CR
Enc: Legal Notice

96 4037

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Route #1, Box 54-A, Athol, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~acre feet per annum~~
of water from Kelso Lake

with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 54N, R. 3W, B.M.,
Bonner County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes; and from March 15 to Nov. 15 for the irrigation of 1 acres
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Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON

Director

Published in the Priest River Times, Priest River, Idaho

on Oct. 12 and Oct. 19, 1972

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R. KEITH HIGGINSON.
Director.

Published in the Priest River Times, Priest River, Idaho on Oct. 12 and Oct. 19, 1972.

41-2t



96 4037

OK.
10-12-72
CR