

Affidavit of Publication

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

RECEIVED
JUL 2 1971
Department of Water Administration

NOTICE OF CLAIM TO A WATER RIGHT No. 96-4023

Notice is hereby given that Thomas I. and Alice Irene Wilson, Route 1, Box 538, Sandpoint, Idaho has filed a claim to a water right established by diversion and application to beneficial use of .04 cubic feet per second of water from Lake Pend Oreille tributary to Pend Oreille River with point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 57N, R. 1W B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes, and from May 1 to Sept. 15 for the irrigation of one acre with a priority of July 1, 1959 (.02 cfs) and June 1, 1963 (.02 cfs); the place of use is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 14, T. 57N, R. 1W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Sandpoint News-Bulletin, Sandpoint Idaho on June 10 and June 17, 1971.

Je 10-17

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. 96-4023 in the matter of THOMAS I. and ALICE IRENE WILSON, Route 1, Box 538 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 10 day of June, 1971, and ending on the 17 day of June, 1971, and that said notice was published in said newspaper, and not in supplemental form.

L.E. Pietsch

Subscribed and sworn to before me this

1st day of July, 1971.

Cheryl Coatt

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

Identification No. _____
Claim No. 96-40237
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 Thomas I. & Alice Irene Wilson
post office address Route 1, Box 538, Sandpoint, Idaho 83864
2. The point of diversion is in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 14 Township 57N
Range 1W B.M. located on Pend Oreille Lake
(name of source)
tributary to Pend Oreille river 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 1, 1959</u>	amount: <u>.02</u>	c.f.s. or	_____	acre feet
<u>June 1, 1963</u>	amount: <u>.02</u>	c.f.s. or	_____	acre feet
_____	amount: _____	c.f.s. or	_____	acre feet
Total claimed <u>.04</u>				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 <u>domestic</u>	period of use from <u>1/1/</u>	to <u>12/31</u>	(both dates inclusive)
use <u>irrigation</u>	period of use from <u>5/1/</u>	to <u>9/15/</u>	(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 _____

Irrigation system consists of 1 HP, electric motor & pump, 900 feet 2 inch PVC pipe
buried with six outlets, low pressure sprinkler heads

- 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 _____

Domestic system consists of 3/4 HP electric motor & pump drawing from shallow
well (9 ft. deep) casing 3 ft. diam, covered, & sealed in lake.

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 None

7. Where water is used for domestic or municipal purposes give number of families served 1 family
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

Permits to appropriate water have never been secured previously because of
source being Lake Pend Oreille which seems to have unlimited supply with
considerable surplus and use has been primarily gardens, lawns and domestic.
Claim is being filed now in view of new law passed by legislature and going
into effect May. 20.

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.

Thomas J. Wilson
Claimant

Sworn to before me this 13 day of May, 1971.

Dorothy M. Norton
Notary Public

Residing at _____

NOTARY PUBLIC for the State of Idaho
Residing at Sandpoint, Idaho
My commission expires July 7, 1974

My commission expires _____

For Department Use Only

Received by ij Date 5/17/71

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by BDF Date 5/17/71

Fee received by ij Date 5/18/71 Fee \$ 10.00

Approved for publication by _____

Published in SANDPOINT NEWS-BULLETIN Dates 6-10 & 17-71

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:

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.

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County of Bonner, } ss.

L.E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
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Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
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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. 96-4023 in the matter of
THOMAS I. and ALICE IRENE WILSON,
Route 1, Box 538 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 10
day of June, 1971, and end-
ing on the 17 day of June,
1971, and that said notice was published in said
newspaper, and not in supplemental form.

L.E. Pietsch

Subscribed and sworn to before me this

10 day of July, 1971.

Chas. Beall

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

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(.02 cfs); the place of use
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R. KEITH HIGGINSON
Director

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Je 10-17

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

July 8, 1971

Re: Claim to a Water Right No. 96-4023

Thomas I. & Alice Irene Wilson
Route #1, Box 538
Sandpoint, Idaho 83864

Dear Mr. & Mrs. Wilson:

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 your 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 files, 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,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

Enclosure: Copy of Claim

96 4023

June 2, 1971

Re: Application No. 96-4023-Thomas I. and Alice Irene Wilson

Sandpoint News-Bulletin
P.O. Box 218
Sandpoint, Idaho 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 date. 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,

Donald W. McEldeaney
Appropriation Supervisor

DWM:er

Enclosure

Bill submitted 7-8-71 By dr

96 4023

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Bonner County

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domestic purposes, and from May 1 to Sept. 15 for the irrigation of one acre
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Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho
on June 10 and June 17, 1971

May 18, 1971

Thomas I. Wilson
Route #1, Box 538
Sandpoint, Idaho 83864

Dear Mr. Wilson:

Returned herewith is your receipt No. 6439 in the amount of \$10.00
for your claim application,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure