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In File

Identification No. _____
Claim No. 96-4019
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 Harley E. Steiner and Vista C. Steiner, husband and wife,
post office address 803 - 16th Street, Lewiston, Idaho 83501

2. The point of diversion is in Govt. # ~~1~~ Lot 1 Section 36 Township 54 N.
Range 2 W. B.M. located on Lake Pend O'Reille
(name of source)

tributary to _____ in Kootenai 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 1959 amount: 00023 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ 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 1-1 January to 12-31 January (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; 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 _____

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Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. storage tank of approximately 2000
gallons was added to system in 1960; pump capacity of 22
gallons per minute

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]

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? _____ 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 16 families
~~xxxxxx use common storage system~~

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
See Exhibit "A" attached hereto.

State of Idaho

County of Myer } 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.

Harley E. Steiner
Vista E. Steiner
Claimant

Sworn to before me this 12th day of March, 1971.

Joanne E. Schelly
Notary Public
Residing at Leicester, Idaho

My commission expires 4-20-74

For Department Use Only

Received by [Signature] Date 3-15-71 Exception filed by: _____ Forwarded to _____ Date _____
Prelim check by [Signature] Date 3-15-71
Fee received by [Signature] Date 3-15-71 Fee \$ 10.00
Approved for publication by _____
Published in Coeur d'Alene Press Dates 4-1 & 4-8, 1971

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

This water right, although arising from common storage facilities is only for the real property of applicant, which is situate in the County of Kootenai, State of Idaho described as follows, to-wit:

A tract of land situated in Government Lot 1, Section 36, Township 54 North, Range 2, W.B.M., Kootenai County, Idaho, described as beginning at the Southeast corner of said parcel, designated by a hub set in a mound of rocks, said point being coincident with the Southwest corner of the Blackburn parcel from which the Section corners common to Sections 30 and 31, Township 54 North, Range 1, W.B.M. and Sections 25 and 36, Township 54 North, Range 2, W.B.M. bears North $12^{\circ}32'$ East 2563.56 feet; thence North $35^{\circ}01'$ West a distance of 147.5 feet to the Northeast corner of said parcel, designated by a 3" x 3" square hub 8 inches above ground; thence South $72^{\circ}07'$ West a distance of 43.54 feet to the Northwest corner of said parcel designated by a 3" x 3" square hub 8 inches above ground; thence South $24^{\circ}42'$ East a distance of 141.29 feet to the Southwest corner of said parcel, designated by a hub set in a mound of rocks; thence North $72^{\circ}28'$ East a distance of 70.0 feet to the Southeast corner of said parcel and the point of beginning, together with the appurtenances attached thereto, and easements apparent or of record.

AND

A certain parcel of land situated in Government Lot 1, Section 36, Township 54 North, Range 2, W.B.M., Kootenai County, Idaho, beginning at the Southeast corner of said parcel, designated by a hub set in a mound of rocks, said point being coincident with the Southwest corner of the Gorder parcel from which, section corner 25, 30, 31, 36, Township 54 North, Range 2, W.B.M., bears North $13^{\circ}53'$ East, 2599.34 feet; thence North $24^{\circ}42'$ West a distance of 141.29 feet to the Northeast corner of said parcel, designated by 3" x 3" square hub 8 inches above ground; thence South $72^{\circ}07'$ West a distance of 42.5 feet to the Northwest corner of said parcel, designated by a 3" x 3" square hub 8 inches above ground; thence South $24^{\circ}01'$ East a distance of 122.22 feet to the Southwest corner of said parcel, designated by a hub set in a mound of rocks; thence South $85^{\circ}51'$ East a distance of 50.0 feet to the Southeast corner of said parcel and the point of beginning; said parcel containing 0.13 acres more or less, together with the appurtenances attached thereto, and easements apparent or of record.

AFFIDAVIT OF PUBLICATION

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

Ruby Jacobson being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Notice of Claim - 96-4019

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive Thursdays commencing on the 1st day of April, 1971, and ending on the 8th day of April, 1971, and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice. 7 Claim

Ruby Jacobson
Subscribed and sworn to before me this 8th day of April, 1971.

C. Patrick King
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

**NOTICE OF CLAIM
TO A WATER RIGHT**
No. 96-4019

Notice is hereby given that Harley E. and Vista C. Steiner, 803-16th St., Lewiston, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 0.00023 cubic feet per second of water from Lake Pend Oreille with point of diversion in Gov't Lot 1, Sec. 36, T. 54N, R. 2W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of January, 1959; the place of use is within Gov't Lot 1, Sec. 36, T. 54N, R. 2W, 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

April 1, 8, 1971

April 22, 1971

Re: Claim to a Water Right No. 96-4019

Harley E. & Vista C. Steiner
803 16th Street
Lewiston, Idaho 83501

Dear Mr. & Mrs. Steiner:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

cc: Joseph C. Adams
Attorney-at-Law
450 Thain Road
Lewiston, Idaho 83501

96 4019

March 24, 1971

Re: Application No. 95-7136 - Joseph & Lydia Sokol
" " 95-7137 - Lewis R. Marian
Claim No. 95-4029 - L. R. VanDusen
" " 96-4018 - Clair & Lucille Parr
" " 96-4019 - Harley E. & Vista C. Steiner

Coeur d'Alene Press
2nd & Lakeside
Coeur d'Alene, Idaho 83814

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 our 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. McElldowney
Appropriation Supervisor

Bill submitted 4-15-71 by ds

DWM:DR

Enc: Legal notices (5)

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R. KEITH HIGGINSON
Director

April 1, 8, 1971

0.4.71
3.30.71
2.8.8.

NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4019

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803 - 16th St., Lewiston, Idaho, have
~~has~~ filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.00023 cubic feet per second ~~acre feet~~
of water from Lake Pend Oreille, Oreille
with point of diversion in ~~the~~ Gov't. Lot 1, Sec. 36, T. 54N, R. 2W,
B.M., Kootenai County

The water is claimed to be used from Jan. 1 to Dec. 31 for
Domestic purposes
with a priority of January, 1959;
the place of use is within the Gov't. Lot 1, Sec. 36, T. 54N, R. 2W,
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 Coeur d'Alene Press, Coeur d'Alene, Idaho,
on April 1 and April 8, 1971.

March 15, 1971

Harley E. Steiner
803 - 16th Street
Lewiston, Idaho 83501

Dear Mr. Steiner:

Attached herewith is Departmental Receipt No. 5753 in the amount of
\$10.00 for Claim application,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

See Rhon with attorney
Adams
Harley E. Steiner
803 16th St.
Lewiston, Idaho

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