

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 WATER RIGHT NO.
96-4016 in the matter of TIGER ENTER-
PRISES, BOX 609, 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 18
day of March, 19 71, and end-
ing on the 25 day of March,
19 71, and that said notice was published in said
newspaper, and not in supplemental form.

L.E. Pietsch

Subscribed and sworn to before me this

25th day of March, 19 71.

Alyce Brail

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED

MAR 29 1971

NOTICE OF CLAIM TO A WATER RIGHT No. 96-4016

Department of Water Administration

Notice is hereby given that Tiger Enterprises, Box 609, Sandpoint, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.5 cubic feet per second of water from Boyer Slough, tributary to Lake Pend Oreille with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7, T. 57N, R. 1W, B.M., Bonner County.

The water is claimed to be used from May 1 to Oct. 30 for irrigation purposes with a priority of May 3, 1951; the place of use is within all of Sec. 7, T. 57N, R. 1W, B.M.

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

R. KEITH HIGGINSON,
Director.

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho, on March 18, and March 25, 1971.
M18-25

96 4016

Note

Approximately 400 acres of
said irrigated land is known
as the - PEND OREILLE LAKE. -

- Ret -

old # 21966 PERMIT #
new # 96-2182

Identification No. _____
Claim No. 96-4016
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 Tiger Enterprises, a Idaho Corporation
post office address Box 609, Sandpoint Idaho
2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 7 Township 57 North
Range 1 West B M B.M. located on Boyer Slough
(name of source)
tributary to Lake Pend Oreille 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:
May 3rd, 1951 amount: 0.5 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.5 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 irrigation period of use from May 1 to October 2 (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 _____
_____;

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 500 feet; diameter of pipe line is 2" inches; type of pipe galvanized; grade of pipe per 1000 feet is 50% maximum. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible none known

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 _____

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 670

Explain any significant increase in area irrigated since first use, give dates and acreages if known.

MEMORANDUM

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 previous unknown
no stock presently

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied 314 approved development beginning June '71 (new use)

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
This property purchased by us in November of 1970-planned for 314 unit development
construction beginning 4/1/71, 1st units completed and water system operational
by 6/1/71 - - priority date shown is from seller's original permit approved 3/3/51
(J.A. Mount, book #78, Page 21966)

State of Idaho

County of Banner

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.

TIGER ENTERPRISES, A IDAHO CORPORATION,

by

Lily E. Hedlund, vice pres. Claimant

Sworn to before me this 2nd day of March, 1971.

Notary Public

Residing at

My commission expires 2-17-73

For Department Use Only

Received by u Date 3/4/71

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by 122 Date 3-4-71

Fee received by 14 Date 3/5/71 Fee \$10.00

Approved for publication by

Published in Sandpoint News Dates 3-18 & 3-25, 1971
Bulletin

96 401C

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:
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.

Affidavit of Publication

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County of Bonner, } ss.

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of the said paper for a period of two
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day of March, 1971, and end-
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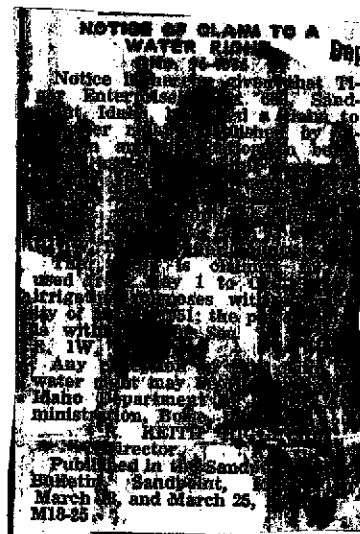
L.E. Pietsch

Subscribed and sworn to before me this

25th day of March, 1971.

Kyle Bove

Notary Public for Idaho,
Residing at Sandpoint, Idaho.



April 7, 1971

Re: Claim to a Water Right No. 96-4016

Tiger Enterprises
Box 609
Sandpoint, Idaho 83864

Gentlemen:

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

96 4016

March 10, 1971

Re: Claim No. 96-4015 - City of Clark Fork
96-4016 - Tiger Enterprises

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 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. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Legal notices (2)

*Bill submitted
3-30-71
dr*

96 4016

NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4016

Notice is hereby given that Tiger Enterprises, Box 609,
Sandpoint, Idaho,

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.5 cubic feet per second ~~acres-foot~~
of water from Boyer Slough, tributary to Lake Pend Oreille
with point of diversion in the NE 1/4 Sec. 7, T. 57N, R. 1W, B.M.,
Bonner County.

The water is claimed to be used from May 1 to Oct. 30 for irri-
gation purposes
with a priority of May 3, 1951;
the place of use is within ~~the~~ all of Sec. 7, T. 57N, R. 1W, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Sandpoint News Bulletin, Sandpoint, Idaho,
on March 18 and March 25, 1971.

X-1

March 5, 1971

Tiger Enterprises
Box 609
Sandpoint, Idaho 83864

Gentlemen:

Attached herewith is Departmental Receipt No. 5718 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