

SSN R3WBM
Bonner
County.
Idaho

22

23

26

VS

US

US

US
SPRING

LONG MOUNTAIN
CREEK

FISH CREEK

BUTTE

Home

Fish Creek Rd.
FISH CREEK

Acad 12/12 Lake

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 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. 96-4014: Richard

L. Little

as it was published in the regular and entire issue of the said paper for a period of Two consecutive weeks, commencing on the 25th day of February, 1971, and ending on the 4th day of March, 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

26th day of March, 1971.

Cheryl Booth

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED

MAR 29 1971

Department of Water Administration

NOTICE OF CLAIM TO A WATER RIGHT No. 96-4014

Notice is hereby given that Richard L. Little, Star Route, Cocolalla, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.05 cubic feet per second of water from an unnamed spring, tributary to Fish Creek with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23, T. 55N, R. 3W, B.M., Bonner County. The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of March 9, 1968; the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23, T. 55N, R. 3W, 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 February 25 and March 4, 1971.
F25-M4

96 4014

Identification No. _____
Claim No. 96-4014
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 RICHARD L. LITTLE
post office address Star Route, Cocolalla, Idaho 83813
2. The point of diversion is in SE $\frac{1}{4}$ $\frac{1}{4}$ of SE $\frac{1}{4}$ $\frac{1}{4}$ Section 23 Township 55 N
Range 3W BM B.M. located on Spring on above 40 Acres
(name of source)
tributary to Fish Creek 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:

According to local history which can be discovered, March 9th 1968 amount: 0.05 c.f.s. or _____ acre feet
the spring has been in use _____ amount: _____ c.f.s. or _____ acre feet
for a period of approximately _____ amount: _____ c.f.s. or _____ acre feet
forty (40) years and there _____ amount: _____ c.f.s. or _____ acre feet
has been no claim filed in that _____
length of time. This will be the first claim made. 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 JAN 1st to DEC 31 (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 _____
_____ ;

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 single 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 This spring is for domestic purposes ^{USED} only by myself and wife, and has been used by us for the past 3 years.

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

State of Idaho }
County of BONNER } 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.

Richard L. Little
Claimant

Sworn to before me this 9th day of February, 19 71.

Margaret N. Burns
Notary Public
Residing at Sandpoint, Idaho 83864

My commission expires July 18, 1973

For Department Use Only

Received by <u>[Signature]</u>	Date <u>2/3/71</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>[Signature]</u>	Date <u>2-10-71</u>			
Fee received by <u>[Signature]</u>	Date <u>2/11/71</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>[Signature]</u>				
Published in <u>Sandpoint - News Bulletin</u>	Dates <u>2-25 & 3-4, 71</u>	dr		

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

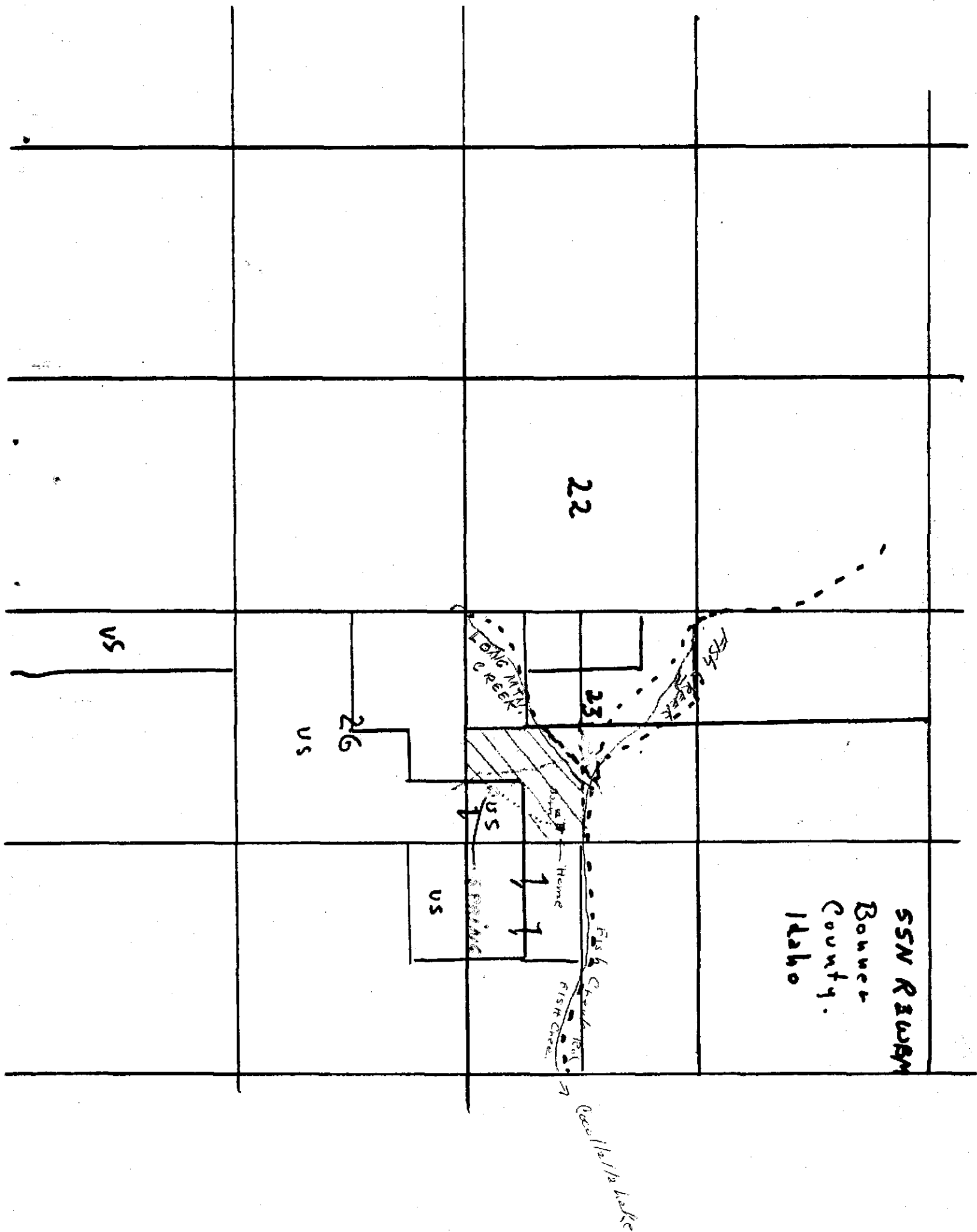
Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:
use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority 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 this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.



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
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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 No. 96-4014; Richard

L. Little

as it was published in the regular and entire issue
of the said paper for a period of Two
consecutive weeks, commencing on the 25th
day of February, 1971, and end-
ing on the 4th day of March,
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

16th day of March, 1971

By: [Signature]
Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT No. 96-4014

Notice is hereby given that Rich-
ard L. Little, Star Route, Cocolalla,
Idaho, has filed a claim to a water
right established by diversion and
application to beneficial use of 0.05
cubic feet per second of water from
an unnamed spring, tributary to
Fish Creek with point of diversion
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23, T. 55N, R.
3W, B.M., Bonner County.
The water is claimed to be used
from Jan. 1 to Dec. 31 for domestic
purposes with a priority of March
5, 1968; the place of use is within
the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23, T. 55N, R.
3W, B.M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water Admin-
istration, Statehouse, Boise, Idaho.
R. KETH HIGGINSON,
Director.

Published in the Sandpoint News-
Bulletin, Sandpoint, Idaho, on Feb-
ruary 25 and March 4, 1971.
F25-M4

96 4014

96 4

2/16/72

January 31, 1972

Mr. Richard L. Little
Star Route
Cocolalla, Idaho 83813

Dear Mr. Little:

We are returning your application for permit, with check #92-58, for \$10.00. During the preliminary processing, we have developed some questions and changes that should be noted on your application.

Under item #2, you list the source as being from a Mountain Drainage. We believe your source is actually Long Mountain Creek and Fish Creek. Under item #3, please list the 40 acre tract (s) where the diversion will occur. Under item #4, you indicate 0.20 cubic feet per second of water for the watering of thirty (30) head of cattle. We feel this would be an excessive amount and would recommend 0.02 cubic feet per second of water. You indicate under item #5a that there are no diverting works. In the State of Idaho, it is mandatory to have some physical means of diverting water to establish a water right. Your cattle drinking from the stream would not establish a water right. If you were to construct a pond in the stream, the diversion would satisfy our requirements. Item #7 should list at least one year for completion of your project and to allow time for us to process your application. You should indicate under item #9a who owns the land at the point of diversion. If necessary, please fill out item #9c.

We are enclosing a blank application for permit form for your use. It is not necessary to have this form notarized. Please list the changes and additions we have mentioned on the new form and return it with the proper fee to this Department.

If you should have any further questions in reference to this matter, please feel free to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

Enc: check #92-58 (\$10.00)
original application for permit
application for permit form, with instructions

96 4014

April 7, 1971

Re: Claim to a Water Right No. 96-4014

Richard L. Little
Star Route
Cocolalla, Idaho 83813

Dear Mr. Little:

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 4014

March 24, 1971

Re: Claim to a Water Right No. 96-4014 - Richard L. Little

Sandpoint News Bulletin
P.O. Box 218
Sandpoint, Idaho 83864

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on February 25th and March 4th, 1971.

Your prompt attention to this matter would be most appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

96 4014

February 17, 1971

Re: Claim No. 96-4014 - Richard L. Little

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

*Bill submitted
3-30-71
ds*

DWM:DR
Enc: Legal notice

96 4014

NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4014

Notice is hereby given that Richard L. Little, Star Route,
Cocolalla, Idaho,
has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.05 cubic feet per second ~~4014/1966~~
of water from an unnamed spring, tributary to Fish Creek
with point of diversion in the SE~~1~~SE~~1~~ Sec. 23, T. 55N, R. 3W, B.M.,
Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for
domestic purposes
with a priority of March 9, 1968;
the place of use is within the SE~~1~~SE~~1~~ Sec. 23, T. 55N, R. 3W, 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 February 25 and March 4, 1971.

February 11, 1971

Richard L. Little
Star Route
Cocolalla, Idaho 83813

Dear Mr. Little:

Attached herewith is Departmental Receipt No. 3616 in the amount of
\$10.00 Claim/ for Application for Permit,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

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

February 5, 1971

Mr. Richard L. Little
Star Route
Cocolalla, Idaho 83813

Dear Mr. Little:

We are returning your check, no. 92-58, in the amount of \$10.00 and your claim to a water right. We are not able to process your claim until you have submitted additional information and have had your claim notarized.

Under item 3a, we must have a date, preferably month, day, and year, and an amount of water which you are claiming a right to appropriate. If this is a single family domestic use, the rate of diversion will probably be 0.02 c.f.s. Item 3b requires a period of use for your domestic purposes, and we would assume this to be a year-round use. Therefore, we have entered January 1 through December 31. If this is not correct, please change it.

Please have your signature notarized and return the claim for processing. If we can be of any assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: check no. 92-58
claim to a water right

96 4014