

No Color
Documents
In File

2

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CECEIVER

JUL 7 1983

P.M. 6-29-83-JK
Department of Water Resources

CLAIM TO A WATER RIGHT

JUL 1 1983

Northern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that RICHARD FOR RITA ARMSTRONG
(Name of Claimant)

Box 44 MOYIE SPRINGS
(Mailing Address)

83845
(Zip Code)

Telephone No. 263-6885 #1012

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) FEB 1 1928

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

BAILEY CREEK tributary to MOYIE RIVER

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

				(Both dates inclusive)	
(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)	(Mo., Day)
Quantity	<u>0.20 CFS</u>	Use	<u>POWER</u>	Period of Use From <u>12-15</u>	To <u>7-15</u>
Quantity	<u>0.02 CFS</u>	Use	<u>DOMESTIC</u>	Period of Use From <u>12-15</u>	To <u>7-15</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) 0.22 cfs TOTAL QUANTITY USED.
(cfs. apd. AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26 Twp. 63N Rge. 2E B.M., County of BOUNDARY
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 4" PIPELINE - GRAVITY FLOW TO WATERWHEEL & TURBINE FOR POWER
A 2" LINE WILL T'off THE 4" FOR DOMESTIC USE - ALL GRAVITY FLOW

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres

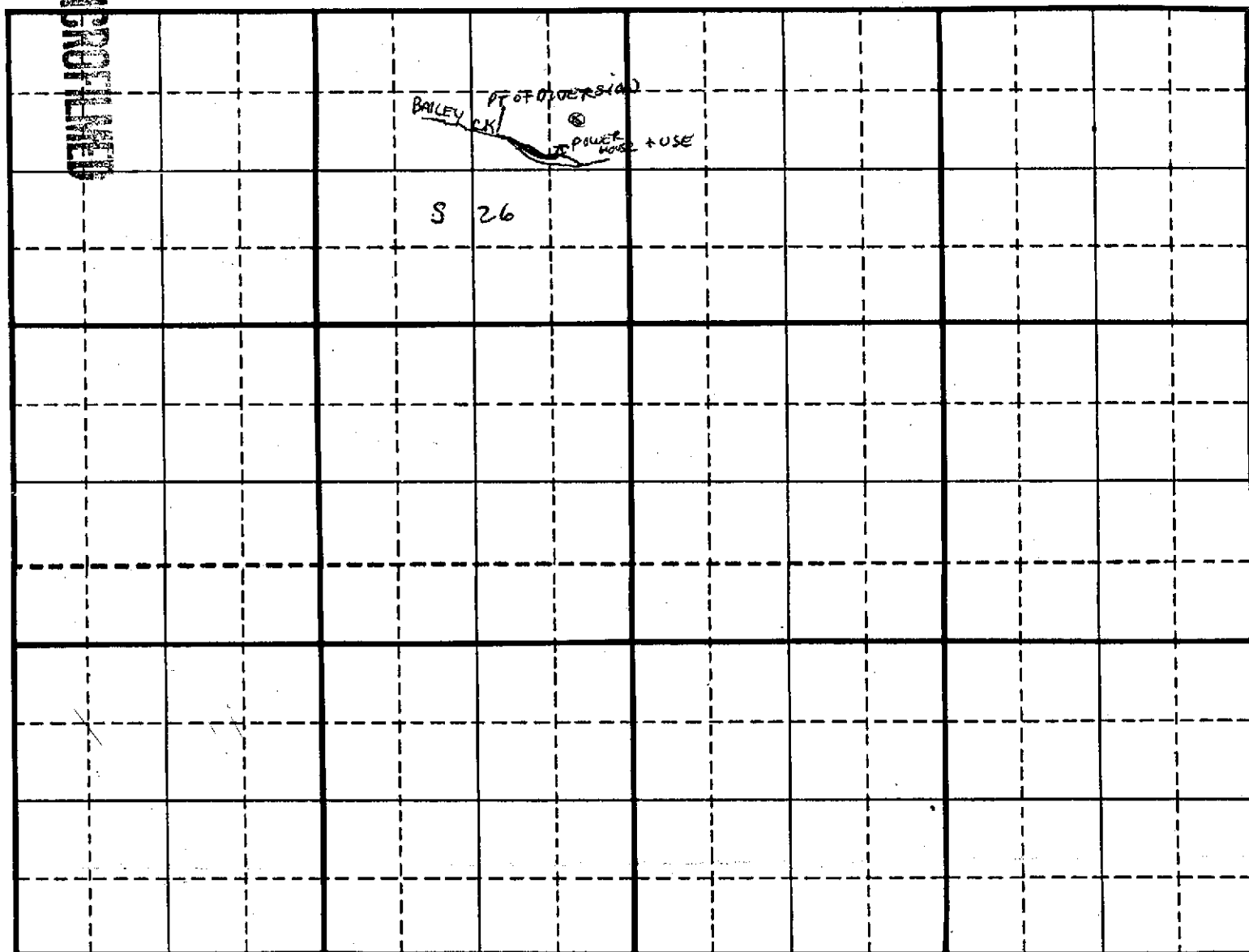
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: THIS CREEK IS A DRY CREEK 3-5 MONTHS OUT OF THE YEAR AND IS A GOOD SOURCE FOR POWER POTENTIAL WHEN IT DOES FLOW. IT IS THE CLOSEST CK. BY WHICH I CAN PRODUCE POWER FOR MY OWN USE AND HAVE ADDITIONAL WATER FOR DOMESTIC USE.

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

WROUFLVED

(8) Remarks THIS CREEK SHOWED SIGNS OF DIVERSION FOR IRRIGATION & OTHER
USES. THIS HOMESTEAD WE ARE NOW OCCUPYING WAS DEVELOPED BY
DON BARTLETT IN 1928 AND THE CREEK SHOWED SIGNS OF RUNNING THRU
SOUTH EDGE OF PROPERTY.



Scale: 2 inches equal 1 mile.

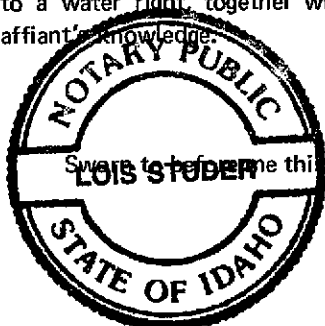
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Boundary)

) 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 affiant's knowledge.



Sworn to before me this

28th

day of

June

19 83

Robert J. Stuber
(Claimant)

Lois Stuber

Notary Public

Residing at Bonners Ferry, Idaho 83805

My commission expires

9-13-86

JK-7-7-83

P.M. 6/29

FOR DEPARTMENT USE ONLY

Received by

SRC

Date

7/1/83

Exception filed by:

Forwarded to

Date

Prelim. check by

JK

Date

7-7-83

claimant by:

\$20.00 fee received by

JK 28737

Date

7/7/83

Published in

Bonners Ferry Herald

Dates

8/18

8/25

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 26 1983

STATE OF IDAHO }
County of Boundary } ss.

Alice Winn, bkpr for Pete Thompson

first duly sworn upon his oath, deposes and says that he is the publisher (or foreman) of the

Publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Notice of Claims to Water Rights

98-4284, 4285, 4286, 4287, 4288, 4289, 4290,

a

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated August 18, 1983, and ending with the issue dated August 25, 1983.

Subscribed and sworn to before me this 30 day of August, 1983

Notary Public in and for the County of Boundary, State of Idaho, residing at Bonners Ferry, Idaho.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

98-4284

MARINE, LOUIS F. &/or GEORGIE
RT. 1 BOX 453, BONNERS FERRY, ID 83805
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1965
Diversion Pt: NWSE Sec 02 T 61N R 01E
Use: IRRIGATION
STOCKWATER

(0.60 CFS)
(0.02 CFS)

In: SWSE SESE Sec 02 T 61N R 01E NWSE SWSE SESE Sec 02 T 61N R 01E FOR 30 ACRES

98-4285

BURLINGTON NORTHERN RAILROAD CO.
350 CENTRAL BLDG., SEATTLE, WA 98104
Source: DEEP CREEK trib. to KOOTENAI RIVER
Priority Date: 10/26/1938
Diversion Pt: SWNE Sec 19 T 61N R 01E
Use: INDUSTRIAL
In: SWNE Sec 19 T 61N R 01E

(0.90 CFS)

98-4286

BURLINGTON NORTHERN RAILROAD CO.
350 CENTRAL BLDG., SEATTLE, WA 98104
Source: UNNAMED STREAM trib. to SPRINGS
Priority Date: 06/28/1943
Diversion Pt: LOT 01 Sec 27 T 61N R 03E LOT 08 Sec 22 T 61N R 03E
Use: INDUSTRIAL
In: LOT 01 Sec 27 T 61N R 03E LOT 08 Sec 22 T 61N R 03E

(1.55 CFS)

98-4287

BURLINGTON NORTHERN RAILROAD CO.
350 CENTRAL BLDG., SEATTLE, WA 98104
Source: TROUT CREEK trib. to KOOTENAI RIVER
Priority Date: 06/07/1892
Diversion Pt: SWNE Sec 07 T 60N R 01E
Use: INDUSTRIAL
In: SWNE Sec 07 T 60N R 01E

(0.08 CFS)

98-4288

FOSTER, RAYMOND STEVE
21059 HAZELNUT RIDGE RD., SCOTT MILLS, OR 97375
Source: SPRINGS trib. to DEEP CREEK
Priority Date: 01/01/1965
Diversion Pt: NESE Sec 26 T 60N R 01W
Use: IRRIGATION
IRRIGATION STORAGE
IRRIGATION FROM STORAGE
In: SENE Sec 26 T 60N R 01W FOR 1 ACRES

(0.02CFS)
(1.0 AF)
(1.0 AF)

98-4289

STUDER, H. C. &/or LOIS
STAR RT. 1 BOX 28, BONNERS FERRY, ID 83805
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1962
Diversion Pt: SWNE Sec 26 T 63N R 01E
Use: STOCKWATER
DOMESTIC
In: SENW Sec 26 T 63N R 01E

(0.25 CFS)
(0.04 CFS)

98-4290

ARMSTRONG, RICHARD &/or RITA
P.O. BOX 44, MOYIE SPRINGS, ID 83845
Source: BAILEY CREEK trib. to MOYIE RIVER
Priority Date: 02/01/1928
Diversion Pt: SWNE Sec 26 T 63N R 02E
Use: POWER
DOMESTIC
In: SWNE SENE Sec 26 T 63N R 02E

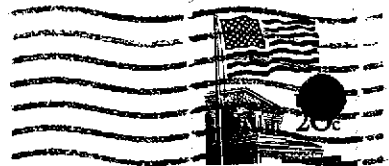
(0.20 CFS)
(0.02 CFS)

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.

First publication August 18, 1983
Final publication August 25, 1983-dwr

R. ARMSTRONG
BOX 44
MOYIE SPRINGS ID
83845



STATE OF IDAHO
DEPT OF WATER RESOURCES
CLAIMS DEPT
BOISE, IDAHO
83707

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 98-4290 Applicant Almota

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

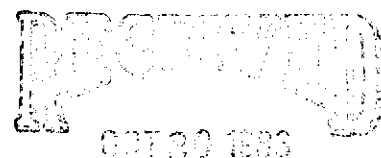
By [Signature] Date 10/1/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 11/1/83

RECEIVED



38-4290

ARMSTRONG, RICHARD &/or RITA

P.O. BOX 44, MOYIE SPRINGS, ID 83845

Source: BAILEY CREEK trib. to MOYIE RIVER

Priority Date: 02/01/1928

Diversion Pt: SWNE Sec 26 T 63N R 02E

Use: POWER	(0.20 CFS)
DOMESTIC	(0.02 CFS)

In: SWNE SENE Sec 26 T 63N R 02E

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

SEPTEMBER 5, 1983

MICROFILMED

RICHARD ARMSTRONG
RITA ARMSTRONG
P.O. BOX 44
MOYIE SPRINGS ID 83845

RE: Claim No. 98-4290

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure