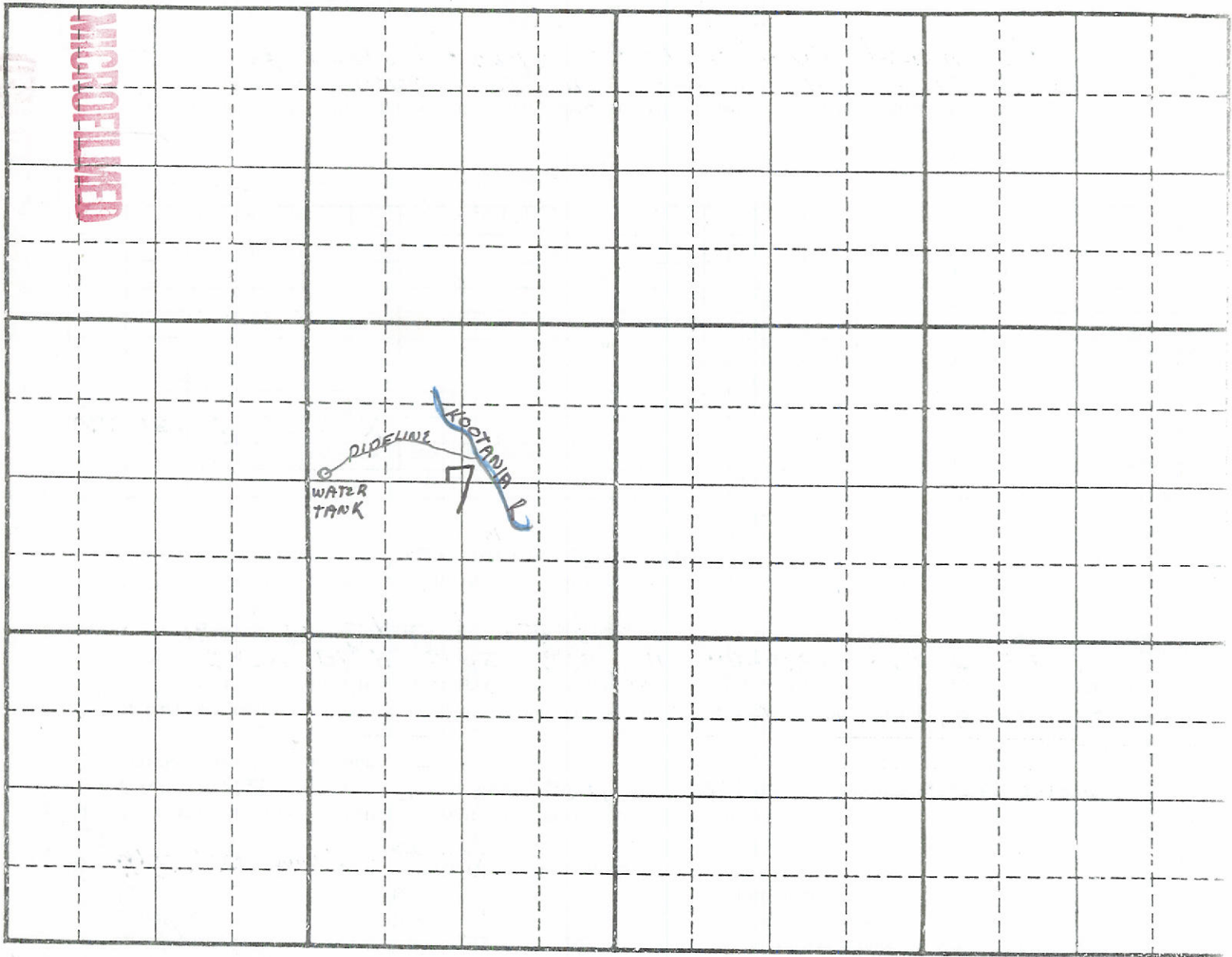


(8) Remarks _____



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~~ WASHINGTON)
County of KING) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, ~~she~~ ^{is attorney for claimant which} 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.

[Signature]
(Claimant)

Sworn to before me this 11th day of April, 19 83.

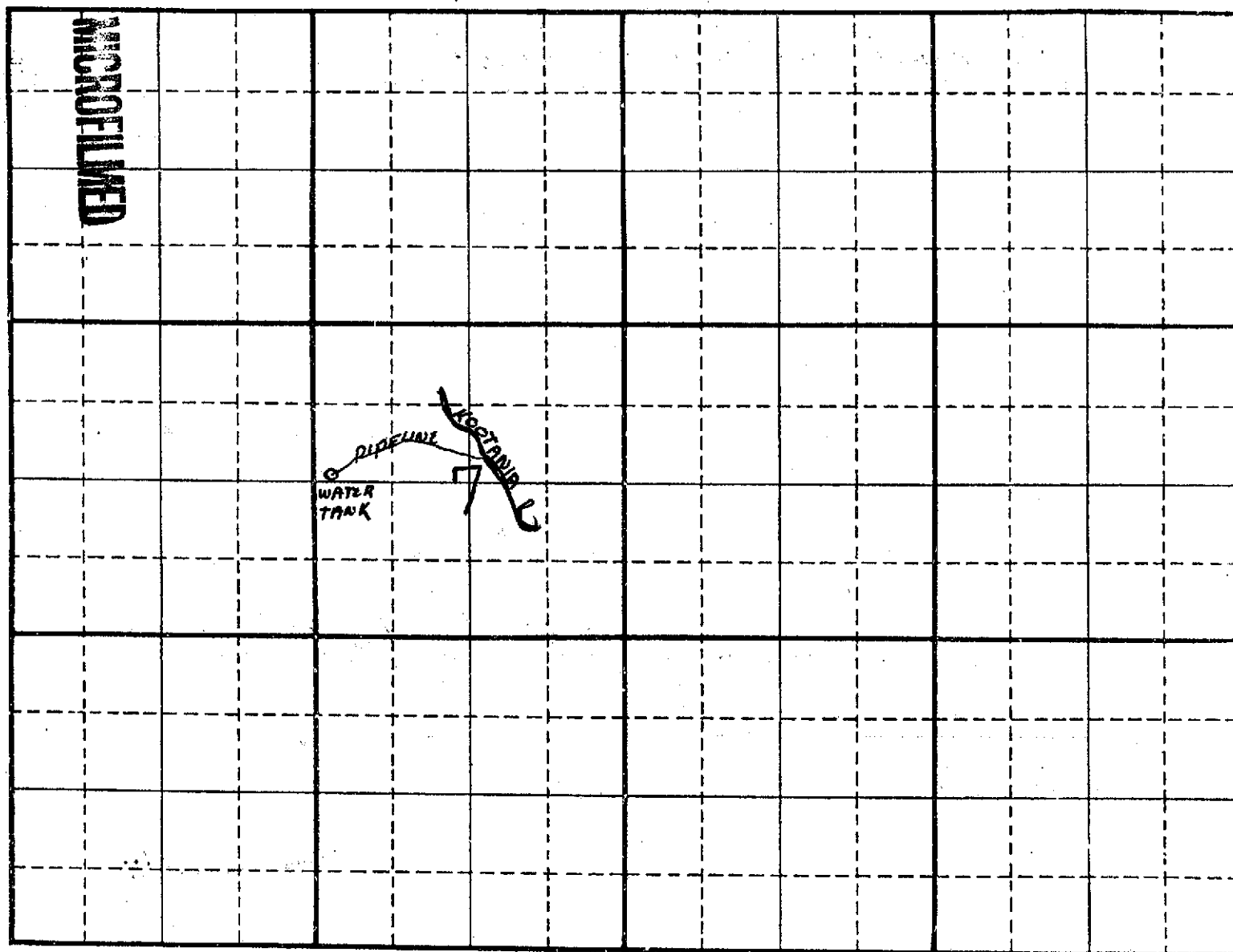
Eather S. Telnes
Notary Public
Residing at Seattle, Washington

My commission expires March 1, 1985

FOR DEPARTMENT USE ONLY

Received by <u>AB SRC</u>	Date <u>4/15/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>2d</u>	Date <u>6-23-83</u>		claimant by:	
\$30.00 fee received by <u>pm</u>	Date <u>7/5/83 (28616)</u>			
Published in <u>Bonners Ferry Herald</u>	Dates <u>8/18 8/26</u>			

(8) Remarks _____



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~~ WASHINGTON)
County of KING) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, ~~James H. King~~ ^{/is attorney for claimant which} 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 11th day of April, 19 83.

Michael P.
(Claimant)
Cather S. Telnes
Notary Public
Residing at Seattle, Washington

My commission expires March 1, 1985

FOR DEPARTMENT USE ONLY
Received by AB Date 4/15/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SA Date 6-23-83
\$30.00 fee received by SA Date 7/5/83 (28616)
Published in Bonners Ferry Herald
Dates 8/18 8/26

NOTICE OF WATER RIGHT.

State of Idaho, } ss.
 County of Nootnai

To all Whom these Presents may Concern:

Be it Known, That the St. Paul, Minneapolis and Manitoba Railway Company, a corporation duly organized under the laws of Minnesota by Elbridge H. Beckler Chief Engineer of its Pacific Extension in said County and State, do hereby publish and declare, as a legal notice to all the world,

I. That it has a legal right to the use, possession and control of and claim four inches of the waters of Front Creek in said County and State, for irrigating and other purposes.

II. That the special purpose for which said water is intended to be used, and the place of intended use is to supply the water tank of said Railway Company at Naples and for other railway purposes

III. That it has taken said water out of, and diverted it from said Front Creek by means of an iron pipe which said iron pipe is two and one half inches by in diameter inches in size and carries or conducts four inches of water from said Creek; said pipe taps and diverts the water from said stream at a point upon its left bank about 2000 ft. Southwest of the Water Tank of said company at Naples and runs thence over unsurveyed land to said water tank

thence running, or to run, to and upon said described land (and through said land, if so desire, to any requisite point of final discharge.)

IV. That it appropriated and took said water on the seventh day of June A. D. 1892, by means of said iron pipe line

V. That the name of the appropriator of said water is the St. Paul, Minneapolis and Manitoba Railway Company

VI. That it also hereby claims said ditch and the right of way therefor, and for said water by it conveyed, or to be conveyed, from said point of appropriation to said land or point of final discharge, and also the right of location upon any lands of any dams, flumes, reservoirs, constructed, or to be constructed, by it in appropriating, and in using said water.

VII. That it also claims the right to keep in repair and to enlarge said means of water appropriation at any time, and the right to dispose of the said right, water, ditch, or said appurtenances, in part or whole, at any time.

Claiming the Same, All and Singular, Under any and all laws, National and State, and rulings and decisions thereunder, in the matter of water rights.

Together with All and Singular The hereditaments and appurtenances thereunto belonging or appertaining or to accrue to the same.

Witness hand at

Idaho, this day of

189

In Witness whereof the said St. Paul, Minneapolis & Manitoba Ry. Co. has caused these presents to be signed on its behalf by Elbridge H. Beckler, Chief Engineer of its Pacific Extension, this

7th day of June A.D. 1892.

Elbridge H. Beckler
 Chf Engr Pac. Ext. St. P. M. & M. Ry.

State of Idaho,

County of _____

ss.

_____ having first been duly sworn depose _____ and say that _____ he _____ of lawful age and _____ the appropriator _____ and claimant _____ of the water and water right mentioned in the foregoing Notice and Statement of appropriation and claim, and the person _____ whose name _____ subscribed thereto as the appropriator _____ and claimant _____ that _____ he _____ know _____ the contents of said notice and statement foregoing, and that the matters and things therein stated are true.

Subscribed and sworn to before me this _____ day of _____ A. D. 189 _____

State of Montana)

ss.

County of Lewis and Clarke)

Elbridge H. Beckler, having been first duly sworn, deposes and says that he is of lawful age and the Chief Engineer of the Pacific Extension of the St. Paul, Minneapolis and Manitoba Railway Company, the appropriator and claimant of the water and water right mentioned in the foregoing notice and statement of appropriation and claim, and the person who signed the foregoing notice and statement on behalf of said St. Paul, Minneapolis and Manitoba Railway Company, as Chief Engineer of its Pacific Extension; that he knows the contents of said notice and statement foregoing, and that the matters and things therein stated are true.

Elbridge H. Beckler

Subscribed and sworn to before me this 7th day of June, A.D. 1892.

Chad A. Spaulding

Notary Public in and for said County and State.

4c
Naples St.
Notice of Water Right.

St. Paul, Minneapolis

Manitoba Ry. Co.

Kootenai County,

Valuation Section

Custodian's No. 50

FILED FOR RECORD,

at _____ o'clock _____ M., and _____ of Water

Recorded in Book _____

Rights, on Page 64

Records of _____

County, Idaho.

County Recorder,

By _____ Deputy.

Fee _____

AFFIDAVIT OF PUBLICATION

RECEIVE

STATE OF IDAHO }
County of Boundary } ss.

SEP 26 1983

Alice Winn, bkpr for Pete Thompson
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman) 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.

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

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 98-4289 Applicant BN

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 JK Date 10/7/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 10/25/83

RECEIVED



98-4287-

BURLINGTON NORTHERN RAILROAD CO.

350 CENTRAL BLDG., SEATTLE, WA 98104

Source: TROUT CREEK trib. to KOOTENAI RIVER

Priority Date: 05/07/1992

Diversion Pt: SWNE Sec 07 T 60N R 01E

Use: INDUSTRIAL (0.08 CFS)

In: SWNE Sec 07 T 60N R 01E

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

BURLINGTON NORTHERN RAILROAD CO.
350 CENTRAL BLDG.
SEATTLE WA 98104

RE: Claim No. 98-4287

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

BURLINGTON NORTHERN RAILROAD

GEORGE C. INMAN, JR. 625-6440
ROBERT C. WILLIAMS 625-6447
Assistant General Counsel

LAWRENCE D. SILVERNALE 625-6444
General Counsel-Seattle Region

MICHAEL HOLLAND 625-6446
CHARLES D. BROWN 625-6448
Attorneys

June 16, 1983

State of Idaho
Department of Water Resources
450 W. State Street
Boise, Idaho 83720

Re: Filing Claims to Water Rights

Attention: Mr. Tom D. King
Senior Water Resource Agent

Dear Mr. King:

Enclosed are 31 individual claims to water rights that are being claimed by Burlington Northern. Burlington Northern does not claim at this time that it is presently using each right claimed, but the Burlington Northern does assert that it has a right to such use pursuant to the agreements attached to each individual claim. Please file the claim as submitted. Should it be necessary to adjudicate these rights in some future proceeding, Burlington Northern will be prepared to do so.

Also enclosed is our original check in the amount of \$990 for filing.

Thank you for your courtesies.

Very truly yours,


Michael Holland

MH/sbhc.1

Encls.

RECEIVED

JUN 23 1983

Department of Water Resources
Northern District Office

RECEIVED