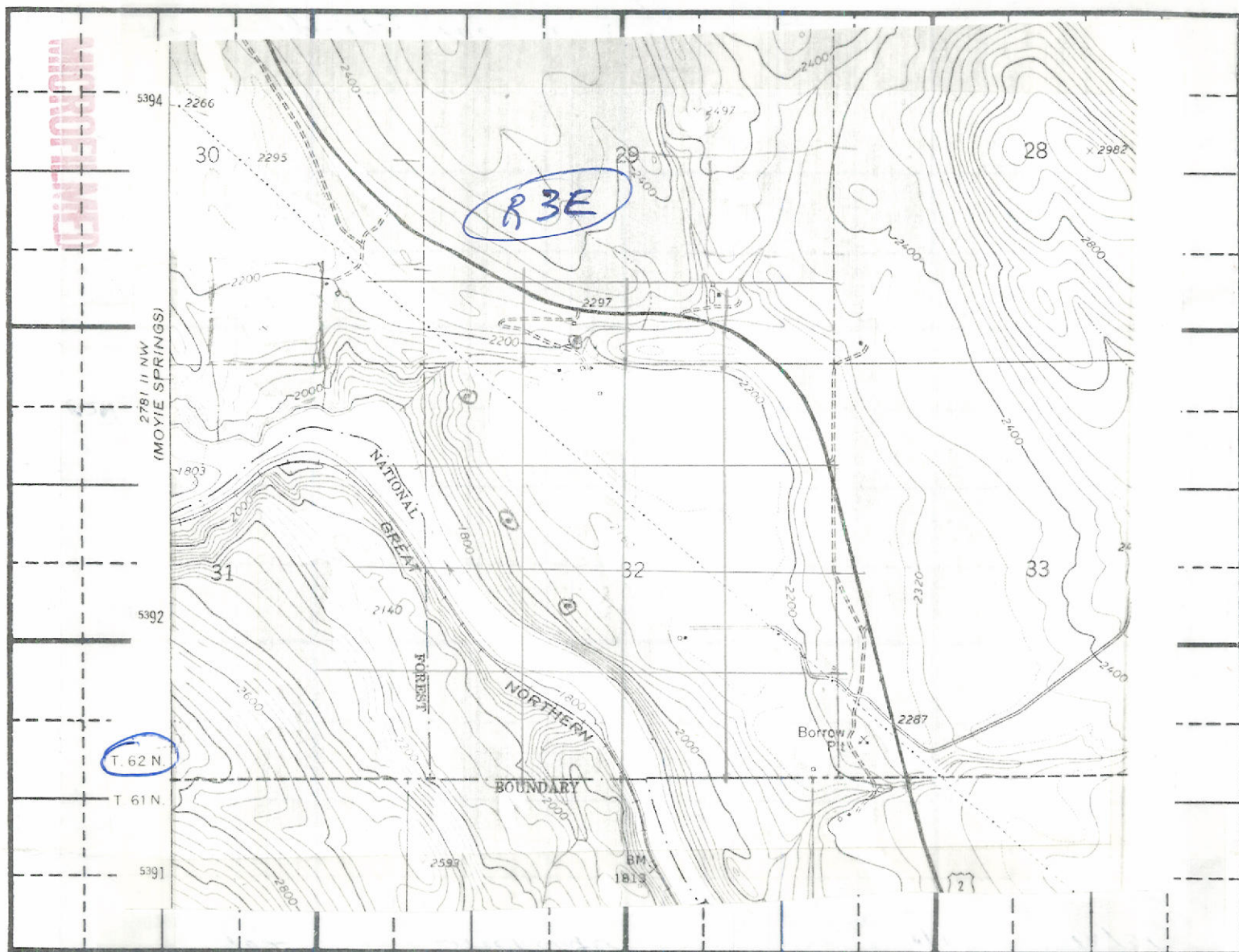


(8) Remarks _____



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)
County of Kootenai) 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 27th day of June, 1983

x Dena Phelan
(Claimant)

Notary Public
Residing at Patricia M. [Signature]

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>[Signature]</u>	Date <u>6/27/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>6-28-83</u>		claimant by:	
\$30.00 fee received by <u>[Signature]</u>	Date <u>6/27/83 (28322)</u>			
Published in <u>Bozeman Daily Herald</u>				
Dates <u>8/4 & 11/83</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

of Boundary

ss.

NOTICE OF CLAIMS TO WATER RIGHTS

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

98-4277

LENKER, ABE

S. 3185 U.S. HIGHWAY 10, COEUR D'ALENE, ID 83814

Source: KOOTENAI RIVER trib. to COLUMBIA RIVER

Priority Date: 01/01/1970

Diversion Pt: LOT 03 Sec 27 T 62N R 01E

Use: IRRIGATION

(0.10 CFS)

In: LOT 03 Sec 27 T 62N R 01E FOR 5 ACRES

98-4279

COBLE, KEITH N. &/or GLADYCE

STAR RT. 1, BONNERS FERRY, ID 83805

Source: MC DOUGAL CREEK trib. to MOYIE RIVER

Priority Date: 01/01/1961

Diversion Pt: SWNW Sec 02 T 63N R 02E

Use: DOMESTIC

(0.04 CFS)

In: SWNW Sec 02 T 63N R 02E

98-4280

DOUTHIT, STEVE &/or RUTH

STAR RT. 1 BOX 198A, BONNERS FERRY, ID 83805

Source: UNNAMED STREAM trib. to HALL CREEK

Priority Date: 01/01/1920

Diversion Pt: NWSE Sec 25 T 65N R 01W

Use: STOCKWATER

(0.03 CFS)

In: NWSE Sec 25 T 65N R 01W

98-4281

DE BOER, JOHN

STAR RT. 1 BOX 94, BONNERS FERRY, ID 83805

Source: UNNAMED STREAM trib. to KOOTENAI RIVER

Priority Date: 01/01/1958

Diversion Pt: SWNW Sec 31 T 65N R 01E

Use: IRRIGATION

(0.02 CFS)

STOCKWATER

(0.02 CFS)

In: SWNW Sec 31 T 65N R 01E FOR 1 ACRES

98-4282

RANDOLPH, JOEL

OHNSTAD, VIRGINIA MARIE

5191 DARRAH RD., MARIPOSA, CA 95338

Source: SPRINGS trib. to KOOTENAI RIVER

UNNAMED STREAM trib. to KOOTENAI RIVER

Priority Date: 01/01/1920

Diversion Pt: NWSE NWSE Sec 01 T 62N R 02E

Use: IRRIGATION

(2.00 CFS)

STOCKWATER

(0.04 CFS)

DOMESTIC

(0.04 CFS)

In: NENE SWNE SENE NESW SESW NWSE SWSE Sec 01 T 62N R 02E NWSE Sec 01 T 62N R 02E FOR 110 ACRES

98-4283

PHELAN, GENE

STAR RT. 1, MOYIE SPRINGS, ID 83845

Source: SPRINGS trib. to KOOTENAI RIVER

Priority Date: 01/01/1933

Diversion Pt: SESW Sec 29 T 62N R 03E NWNW SWNW

NESW Sec 32 T 62N R 03E

Use: STOCKWATER

(0.02 CFS)

DOMESTIC

(0.04 CFS)

In: SESW Sec 29 T 62N R 03E NWNW SWNW NESW Sec 32 T 62N R 03E

OK

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 4, 1983

Final publication August 11, 1983-dwr

ca Winn, bkpr for Pete Thompson

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

Publisher

Bonniers Ferry Herald, a newspaper of general circulation, published weekly in 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 78 months or 78 weeks prior to the first publication of the hereto attached notice; that

publication of Notice of Claims to Water Rights

7,4279,4280,4281,4282,4283

or Publication, a printed copy of which is attached hereto was published in said

er and not in a supplement thereof for 2 consecutive issues, con

with the issue dated August 4, 1983, and ending with the

ed August 11, 1983.

ed and sworn to before me this 16 day of August, 1983.

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

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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 Gene Phelan (Name of Claimant)

Star Route 1 Moyie Springs, Id. 83845 Telephone No. 267-7640
(Mailing Address) (Zip Code)

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) _____ 1933

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)

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

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.04</u>	Use	<u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>.02</u>	Use	<u>Stockwater</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) 06 TOTAL QUANTITY USED.
(cfs. at)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 29 Twp. 62N Rge. 3E B.M., County of Boundary
 Additional points of diversion: NW¼ NW¼, SW¼ NW¼, NE¼ SW¼ all
in Sec. 32 T62N-R3E.

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. Developed spring with gravity flow pipeline to 1 household. The other 3 springs are used for stockwater

(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]

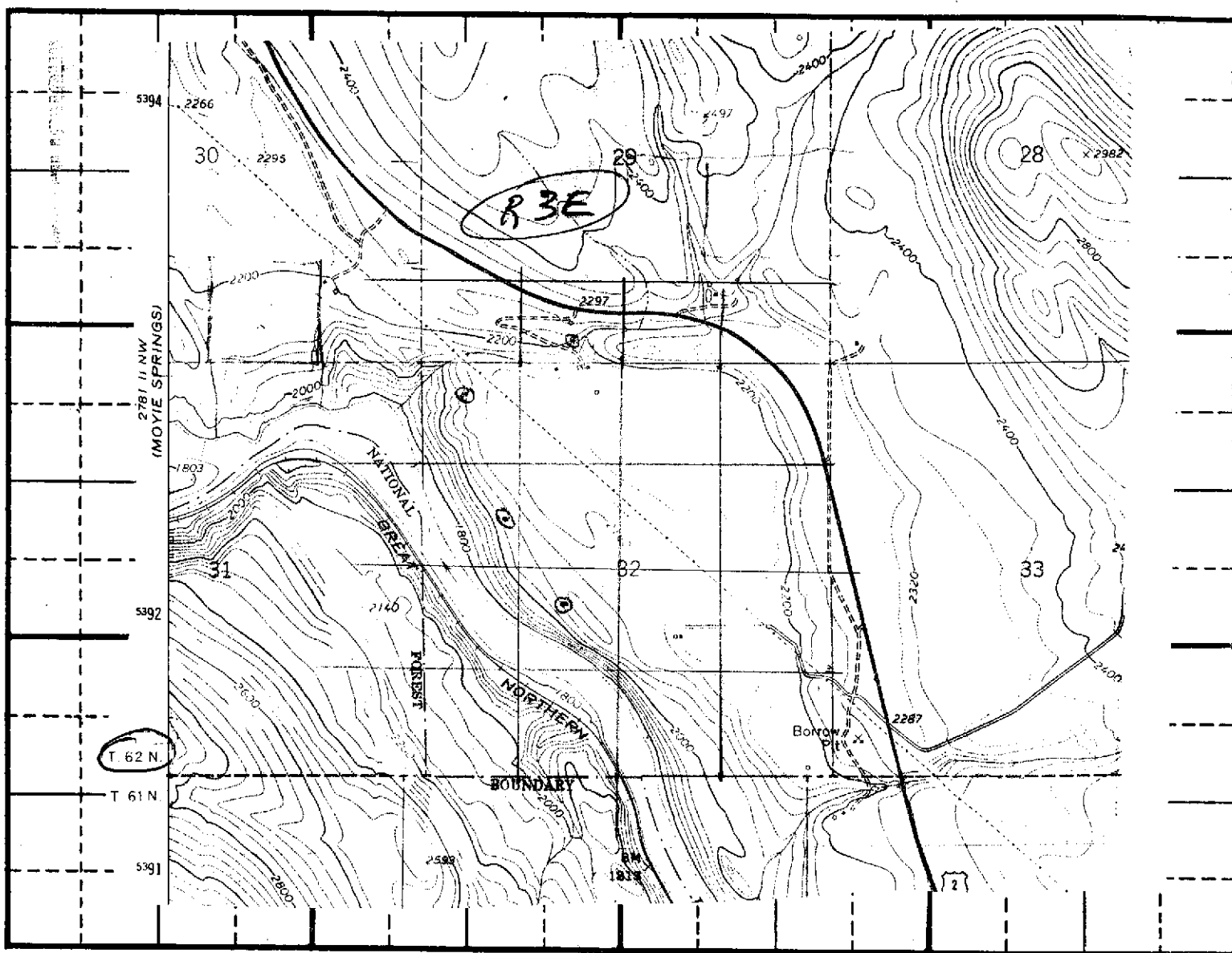
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic purposes for 1 household and stockwater for approx. 100 head of cattle

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: _____

(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)
County of Kootenai) 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 27th day of June, 1983

James Phelan
(Claimant)

Notary Public
Residing at Paterson, N.J.

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 6/27/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by [Signature] Date 6/28/83
\$30.00 fee received by [Signature] Date 6/28/83 (28322)
Published in [Signature]
Dates 8/4 & 11/83

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

of Boundary

ss.

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In: LOT 03 Sec 27 T 62N R 01E FOR 5 ACRES

98-4279

COBLE, KEITH N. &/or GLADYCE
STAR RT. 1, BONNERS FERRY, ID 83805
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Priority Date: 01/01/1961
Diversion Pt: SWNW Sec 02 T 63N R 02E
Use: DOMESTIC (0.04 CFS)
In: SWNW Sec 02 T 63N R 02E

98-4280

DOUTHIT, STEVE &/or RUTH
STAR RT. 1 BOX 198A, BONNERS FERRY, ID 83805
Source: UNNAMED STREAM trib. to HALL CREEK
Priority Date: 01/01/1920
Diversion Pt: NWSE Sec 25 T 65N R 01W
Use: STOCKWATER (0.03 CFS)
In: NWSE Sec 25 T 65N R 01W

98-4281

DE BOER, JOHN
STAR RT. 1 BOX 94, BONNERS FERRY, ID 83805
Source: UNNAMED STREAM trib. to KOOTENAI RIVER
Priority Date: 01/01/1958
Diversion Pt: SWNW Sec 31 T 65N R 01E
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
In: SWNW Sec 31 T 65N R 01E FOR 1 ACRES

98-4282

RANDOLPH, JOEL
OHNSTAD, VIRGINIA MARIE
5191 DARRAH RD., MARIPOSA, CA 95338
Source: SPRINGS trib. to KOOTENAI RIVER
UNNAMED STREAM trib. to KOOTENAI RIVER
Priority Date: 01/01/1920
Diversion Pt: NWSE NWSE Sec 01 T 62N R 02E
Use: IRRIGATION (2.00 CFS)
STOCKWATER (0.04 CFS)
DOMESTIC (0.04 CFS)
In: NENE SWNE SENE NESW SESW NWSE SWSE Sec 01 T 62N R 02E NWSE Sec 01 T 62N R 02E FOR 110 ACRES

98-4283

PHELAN, GENE
STAR RT. 1, MOYIE SPRINGS, ID 83845
Source: SPRINGS trib. to KOOTENAI RIVER
Priority Date: 01/01/1933
Diversion Pt: SESW Sec 29 T 62N R 03E NWNW SWNW NESW Sec 32 T 62N R 03E
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SESW Sec 29 T 62N R 03E NWNW SWNW NESW Sec 32 T 62N R 03E

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 4, 1983

Final publication August 11, 1983-dwr

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Publisher

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ed and sworn to before me this 16 day of August, 1983.

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

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: sk

Right Number 98-4283 Applicant _____

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 KK Date 9/13/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By sc Date 11-8-83

RECEIVED

RECEIVED
NOV 08 1983

Department of Water Resources

98-4223

PHELAN, GENE

STAR RT. 1, MOYIE SPRINGS, ID 83845

Source: SPRINGS trib. to KOOTENAI RIVER

Priority Date: 01/01/1933

Diversion Pt: SESW Sec 29 T 62N R 03E NWNW SWNW NESW Sec 32 T 62N R 03E

Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)

In: SESW Sec 29 T 62N R 03E NWNW SWNW NESW Sec 32 T 62N R 03E

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

AUGUST 23, 1983

RECEIVED

GENE PHELAN
STAR RT. 1
MOYIE SPRINGS

ID 83845

RE: Claim No. 98-4283

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