

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

Alice Winn, bkpr for Pete Thompson being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)
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
98-4257, 4258, 4259, 4260, 4261, 4262, 4263

a

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for consecutive issues, commencing with the issue dated July 21, 1983, and ending with the issue dated July 28, 1983.

Subscribed and sworn to before me this 29th day of July, 1983.

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

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Department of Water Resources
Northern District Office

98-4257
BEHRMAN, HARRY J. &/or ETHEL.
RT. 1, MOYIE SPRINGS, ID 83845
Source: SPRING trib. to SINKS
Priority Date: 01/01/1937
Diversion Pt: NWNE Sec 03 T 62N R 02E
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NENE Sec 03 T 62N R 02E

98-4258
COOK, BERNICE E.
STAR RT. 2 BOX 132, BONNERS FERRY, ID 83805
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1935
Diversion Pt: NESE Sec 29 T 63N R 01E (0.12 CFS)
Use: DOMESTIC
In: SWNW SENW Sec 29 T 63N R 01E

98-4259
BLOCKHAN, SR., KENNETH E.
BLOCKHAN, BARBARA M.
P.O. BOX 863, BONNERS FERRY, ID 83805
Source: SPRINGS trib. to BRUSH CREEK
Priority Date: 01/01/1956
Diversion Pt: SWNE Sec 20 T 64N R 01E (0.06 CFS)
Use: IRRIGATION (0.04 CFS)
STOCKWATER (0.04 CFS)
DOMESTIC
In: SWNE Sec 20 T 64N R 01E NWNE SWNE Sec 20 T 64N R 01E FOR 3 ACRES

98-4260
MAAS, GERHART &/or MARVA
STAR RT. 3 BOX 234, BONNERS FERRY, ID 83805
Source: SPRING trib. to SINKS
Priority Date: 06/01/1948
Diversion Pt: SWNW Sec 10 T 62N R 02E (0.04 CFS)
Use: STOCKWATER (0.04 CFS)
DOMESTIC
In: SWNW Sec 10 T 62N R 02E

98-4261
MAAS, GERHART &/or MARVA
STAR RT. 3 BOX 234, BONNERS FERRY, ID 83805
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1937
Diversion Pt: SWSW Sec 10 T 62N R 02E
Use: STOCKWATER (0.04 CFS)
DOMESTIC (0.04 CFS)
In: SWSW Sec 10 T 62N R 02E

98-4262
MAAS, GERHART &/or MARVA
STAR RT. 3 BOX 234, BONNERS FERRY, ID 83805
Source: GROUNDWATER
Priority Date: 01/01/1925
Diversion Pt: NWNE Sec 16 T 62N R 02E
Use: STOCKWATER (0.04 CFS)
DOMESTIC (0.04 CFS)
In: NWNE Sec 16 T 62N R 02E

98-4263
FOSTER, RAYMOND STEVE
21059 HAZELNUT RD., SCOTTMILLS, OR 97375
Source: UNNAMED STREAM trib. to DEEP CREEK
Priority Date: 01/01/1946
Diversion Pt: SENE Sec 26 T 60N R 01W
Use: WILDLIFE (1.0AF)
WILDLIFE STORAGE (1.0AF)
DOMESTIC (0.02 CFS)
In: SENE Sec 26 T 60N R 01W

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 July 21, 1983
Final publication July 28, 1983-dwr

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 Harry J or Ethel Behrman

(Name of Claimant)

Rt 1 Moyie Springs, Id 83845

(Mailing Address)

(Zip Code)

Telephone No. 267-3435

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) 1937

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)

Spring

tributary to

Sinks

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.04cfs</u>		Use <u>Domestic</u>		Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity <u>0.02cfs</u>		Use <u>Stock</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) 0.06 TOTAL QUANTITY USED.
(cfs, af)

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

NW 1/4 NE 1/4, Sec. 3 Twp. 62N 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. developed spring and pipeline

(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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>62N</u>	<u>2E</u>	<u>3</u>	X																

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Single Family domestic.

NOTE: Include here the type and number of stock watered: 10 head cattle

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

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[illegible]

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.

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.

Harry J. Behrman
(Claimant)

1954
R. L. Hayner

My commission expires Lifetime

Received by SLB Date 6/24/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by SLB Date 6/24/83 claimant by: _____
\$30.00 fee received by SLB Date 6/24/83 (28262)
Published in Boston Herald _____
Dates 7-21-83-83 _____

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

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

Publisher

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the advertisement of Notice of Claims to Water Rights 98-4257, 4258, 4259, 4260, 4261, 4262, 4263

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

Department of Water Resources
Boundary District Office

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98-4257

BEHRMAN, HARRY J. &/or ETHEL
RT. 1, MOYIE SPRINGS, ID 83845
Source: SPRING trib. to SINKS
Priority Date: 01/01/1937
Diversion Pt: NWNE Sec 03 T 62N R 02E
Use: STOCKWATER
DOMESTIC
In: NENE Sec 03 T 62N R 02E

(0.02 CFS)
(0.04 CFS)

98-4258

COOK, BERNICE E.
STAR RT. 2 BOX 132, BONNERS FERRY, ID 83805
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1935
Diversion Pt: NESE Sec 29 T 63N R 01E
Use: DOMESTIC
In: SWNW SENW Sec 29 T 63N R 01E

(0.12 CFS)

98-4259

BLOCKHAN, SR., KENNETH E.
BLOCKHAN, BARBARA M.
P.O. BOX 863, BONNERS FERRY, ID 83805
Source: SPRINGS trib. to BRUSH CREEK
Priority Date: 01/01/1956
Diversion Pt: SWNE Sec 20 T 64N R 01E
Use: IRRIGATION
STOCKWATER
DOMESTIC
In: SWNE Sec 20 T 64N R 01E NWNE SWNE Sec 20 T 64N R 01E FOR 3 ACRES

(0.06 CFS)
(0.04 CFS)
(0.04 CFS)

98-4260

MAAS, GERHART &/or MARVA
STAR RT. 3 BOX 234, BONNERS FERRY, ID 83805
Source: SPRING trib. to SINKS
Priority Date: 06/01/1948
Diversion Pt: SWNW Sec 10 T 62N R 02E
Use: STOCKWATER
DOMESTIC
In: SWNW Sec 10 T 62N R 02E

(0.04 CFS)
(0.04 CFS)

98-4261

MAAS, GERHART &/or MARVA
STAR RT. 3 BOX 234, BONNERS FERRY, ID 83805
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1937
Diversion Pt: SWSW Sec 10 T 62N R 02E
Use: STOCKWATER
DOMESTIC
In: SWSW Sec 10 T 62N R 02E

(0.04 CFS)
(0.04 CFS)

98-4262

MAAS, GERHART &/or MARVA
STAR RT. 3 BOX 234, BONNERS FERRY, ID 83805
Source: GROUNDWATER
Priority Date: 01/01/1925
Diversion Pt: NWNE Sec 16 T 62N R 02E
Use: STOCKWATER
DOMESTIC
In: NWNE Sec 16 T 62N R 02E

(0.04 CFS)
(0.04 CFS)

98-4263

FOSTER, RAYMOND STEVE
21059 HAZELNUT RD., SCOTTMILLS, OR 97375
Source: UNNAMED STREAM trib. to DEEP CREEK
Priority Date: 01/01/1946
Diversion Pt: SENE Sec 26 T 60N R 01W
Use: WILDLIFE
WILDLIFE STORAGE
DOMESTIC
In: SENE Sec 26 T 60N R 01W

(1.0 AF)
(1.0 AF)
(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 July 21, 1983
Final publication July 28, 1983-dwr

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 98-4257 Applicant Schma

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 8/19/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 9/8/83

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RECEIVED
SEP 07 1983
Department of Water Resources

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 9, 1983

HARRY J. BEHRMAN
ETHEL BEHRMAN
RT. 1
MOYIE SPRINGS ID 83845

RE: Claim No. 98-4257

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

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98-425Z

BEHRMAN, HARRY J. &/or ETHEL

RT. 1, MOYIE SPRINGS, ID 83845

Source: SPRING trib. to SINKS

Priority Date: 01/01/1937

Diversion Pt: NWNE Sec 03 T 62N R 02E

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

In: NENE Sec 03 T 62N R 02E

NOT FILMED