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4/13/83

98-4217

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 JOHN W / MARJORIE J DURKEN  
(Name of Claimant)

SRI BONNERS FERRY ID 83805 Telephone No. 267 5957  
(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) JUNE 1925

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)

TROW CREEK tributary to KOOTENAI 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:

| Quantity | (cfs, af)  | Use | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive) |                             |
|----------|------------|-----|-------------------------------------|------------------------|-----------------------------|
|          |            |     |                                     | (Mo., Day)             | (Mo., Day)                  |
| Quantity | <u>.02</u> | Use | <u>DOMESTIC</u>                     | Period of Use From     | <u>1/1</u> To <u>12/31</u>  |
| Quantity | <u>.04</u> | Use | <u>STOCKWATER</u>                   | Period of Use From     | <u>1/1</u> To <u>12/31</u>  |
| Quantity | <u>.08</u> | Use | <u>IRRIGATION</u>                   | Period of Use From     | <u>12/31</u> To <u>11/1</u> |
| Quantity |            | Use |                                     | Period of Use From     | To                          |
| Quantity |            | Use |                                     | Period of Use From     | To                          |

(4) .14 TOTAL QUANTITY USED.

(cfs, af)

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

NE 1/4 NB 1/4, Sec. 15 Twp. 65N Rge. 1W 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. PUMP, WATERGATE, PIPE, FLUME

(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. | NE1/4 |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | TOTAL |
|-----|----|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
|     |    |      | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |       |
| 65N | 1W | 15   | 4     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       | 4     |
|     |    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
|     |    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |

No. of acres 4

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

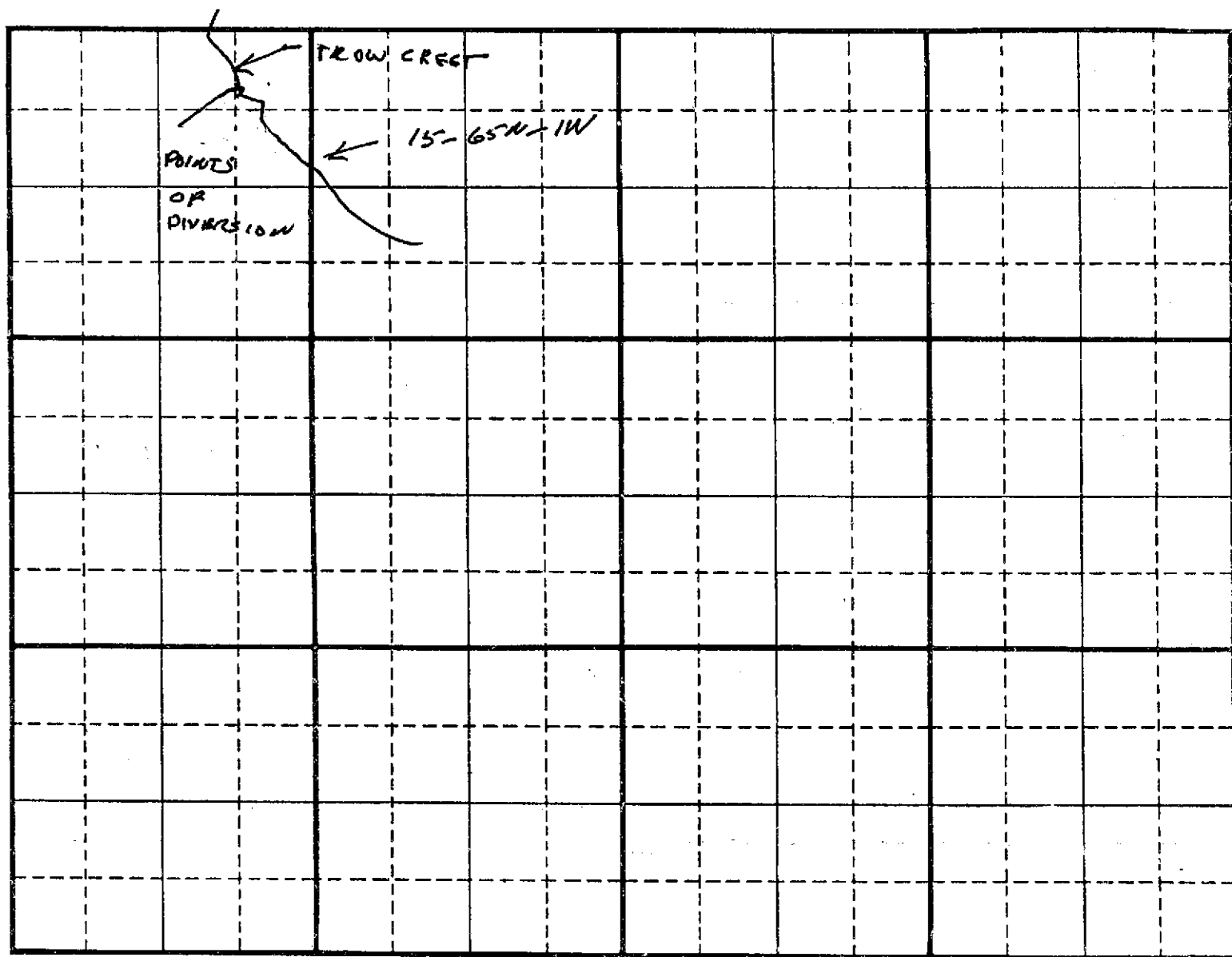
1 HOME DOMESTIC, STOCKWATER

NOTE: Include here the type and number of stock watered: 100 ASSORTED

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

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(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 BONNERS ) 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 18 day of APRIL, 1983.

John W. Perkins  
(Claimant)

Wayne A. Fox  
Notary Public  
Residing at BONNERS FERRY

My commission expires LIFE

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FOR DEPARTMENT USE ONLY

|                                          |                             |                     |              |      |
|------------------------------------------|-----------------------------|---------------------|--------------|------|
| Received by <u>MR</u>                    | Date <u>4/19/83</u>         | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>SR</u>               | Date <u>4-19-83</u>         |                     | claimant by: |      |
| \$30.00 fee received by <u>MS</u>        | Date <u>4/19/83 (27565)</u> |                     |              |      |
| Published in <u>Bonnors Ferry Herald</u> |                             |                     |              |      |
| Dates <u>5/54/83</u>                     |                             |                     |              |      |

13  
The following have been filed on water rights  
ated by diversion and beneficial use.

98-4210

U, THEODORE H. R. &/or MARGARET H.  
AR RT. 1 BOX 101, BONNERS FERRY, ID 83805  
rce: SPRING trib. to SINKS  
ity Date: 03/14/1967  
ersion Pt: SESW Sec 24 T 65N R 01W  
IRRIGATION (0.02 CFS)  
STOCKWATER (0.04 CFS)  
DOMESTIC (0.04 CFS)  
NENE Sec 26 T 65N R 01W FOR 1 ACRES

98-4211

INSON, RONALD L.  
AR RT. 3 BOX 192, BONNERS FERRY, ID 83805  
rce: FRY CREEK trib. to KOOTENAI RIVER  
ity Date: 06/01/1963  
ersion Pt: SWSW Sec 08 T 62N R 02E  
STOCKWATER (0.08 CFS)  
DOMESTIC (0.02 CFS)  
SWSW Sec 08 T 62N R 02E

98-4212

INSON, RONALD L.  
AR RT. 3 BOX 192, BONNERS FERRY, ID 83805  
rce: GROUNDWATER  
ity Date: 06/01/1962  
ersion Pt: SWSW Sec 08 T 62N R 02E  
STOCKWATER (0.12 CFS)  
DOMESTIC (0.02 CFS)  
SWSW Sec 08 T 62N R 02E

98-4213

SHOLM, CONRAD A.  
BOX 473, HAYDEN LAKE, ID 83835  
rce: ENEAS CREEK trib. to KOOTENAI RIVER  
ity Date: 01/01/1901  
ersion Pt: SWNW NWSW Sec 36 T 65N R 01W NESE Sec  
35 T 65N R 01W  
IRRIGATION (0.20 CFS)  
STOCKWATER (0.02 CFS)  
DOMESTIC (0.04 CFS)  
SWNW NWSW Sec 36; NESE Sec 35 T 65N R 01W FOR  
70 ACRES

98-4214

LCH, LAWRENCE &/or JEAN  
1 DEEP CREEK, BONNERS FERRY, ID 83805  
rce: SPRING trib. to SINKS  
ity Date: 06/01/1935  
ersion Pt: NWSW Sec 19 T 61N R 01E  
DOMESTIC (0.15 CFS)  
NWSW Sec 19 T 61N R 01E

98-4215

LCH, LAWRENCE &/or JEAN  
1 DEEP CREEK, BONNERS FERRY, ID 83805  
rce: DEEP CREEK trib. to KOOTENAI RIVER  
ity Date: 06/01/1935  
ersion Pt: NWSW Sec 19 T 61N R 01E NESE Sec 24 T 61N  
R 01W  
IRRIGATION (0.40 CFS)  
NWSW Sec 19 T 61N R 01E NESE Sec 24 T 61N R 01W  
FOR 20 ACRES

98-4216

ITT, LARRY &/or MARILYN  
R RT. 3 BOX 204, BONNERS FERRY, ID 83805  
rce: SPRING trib. to SINKS  
ity Date: 06/01/1935  
ersion Pt: NWSE SESW Sec 08 T 62N R 02E  
IRRIGATION (0.02 CFS)  
STOCKWATER (0.06 CFS)  
DOMESTIC (0.02 CFS)  
SESW SWSE Sec 08 T 62N R 02E FOR 2 ACRES

98-4217

KEN, JOHN W. &/or MARJORIE J.  
R RT. 1, BONNERS FERRY, ID 83805  
rce: TROW CREEK trib. to KOOTENAI RIVER  
ity Date: 06/01/1925  
ersion Pt: NENE Sec 15 T 65N R 01W  
IRRIGATION (0.08 CFS)  
STOCKWATER (0.04 CFS)  
DOMESTIC (0.02 CFS)  
NENE Sec 15 T 65N R 01W FOR 4 ACRES

98-4218

IE, OLGA  
BOX 387, BONNERS FERRY, ID 83805  
rce: SPRING trib. to SINKS  
ity Date: 06/01/1925  
ersion Pt: NENE Sec 35 T 61N R 01W  
domestic (0.04 CFS)  
NENE Sec 35 T 61N R 01W

98-4219

UE, JAMES H.  
BOX 78, NAPLES, ID 83847  
rce: GROUNDWATER  
ity Date: 06/01/1912  
P. N. 01 T 62N R 01W

## AFFIDAVIT OF PUBLICATION

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  
Publisher

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

### Notice of Claims to Water Rights

the advertisement of  
98-4210, 98-4211, 98-4212, 98-4213, 98-4213, 98-4214  
98-4215, 98-4216, 98-4217, 98-4218, 98-4219, 98-4220

Notice for Publication, a printed copy of which is attached hereto was published in sa  
newspaper and not in a supplement thereof for consecutive issues, cor  
mencing with the issue dated May 5, 1983 and ending with  
issue dated May 12, 1983.

Subscribed and sworn to before me this 18th day of May, 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: JP

Right Number 98-4217 Applicant Duken

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 JP Date 5-31-83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jim Date 6-15-83

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RECEIVED  
JUN 13 1983

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

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JOHN V. EVANS  
Governor  
A. KENNETH DUNN  
Director

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

MAY 23, 1983

JOHN W. DURKEN  
MARJORIE J. DURKEN  
STAR RT. 1  
BONNERS FERRY ID 83805

RE: Claim No. 98-4217

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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98-4217

<sup>I</sup>  
DURKEN, JOHN W. &/or MARJORIE J.

STAR RT. 1, BONNERS FERRY, ID 83805

Source: TROW CREEK trib. to KOOTENAI RIVER

Priority Date: 06/01/1925

Diversion Pt: NENE Sec 15 T 65N R 01W

|                 |            |
|-----------------|------------|
| Use: IRRIGATION | (0.08 CFS) |
| STOCKWATER      | (0.04 CFS) |
| DOMESTIC        | (0.02 CFS) |

In: NENE Sec 15 T 65N R 01W FOR 4 ACRES

*changed on  
5/9/53*

MICROFILM

TO \_\_\_\_\_

DATE \_\_\_\_\_ WHILE YOU WERE OUT TIME \_\_\_\_\_

M \_\_\_\_\_

OF \_\_\_\_\_

PHONE: \_\_\_\_\_  
                    AREA CODE                      NUMBER                      EXT.

☐ Telephoned

☐ Returned Your Call

☐ Will Call Again

☐ Please Call

☐ Called to See You

98-4217

Darken → Darkin  
(correct)