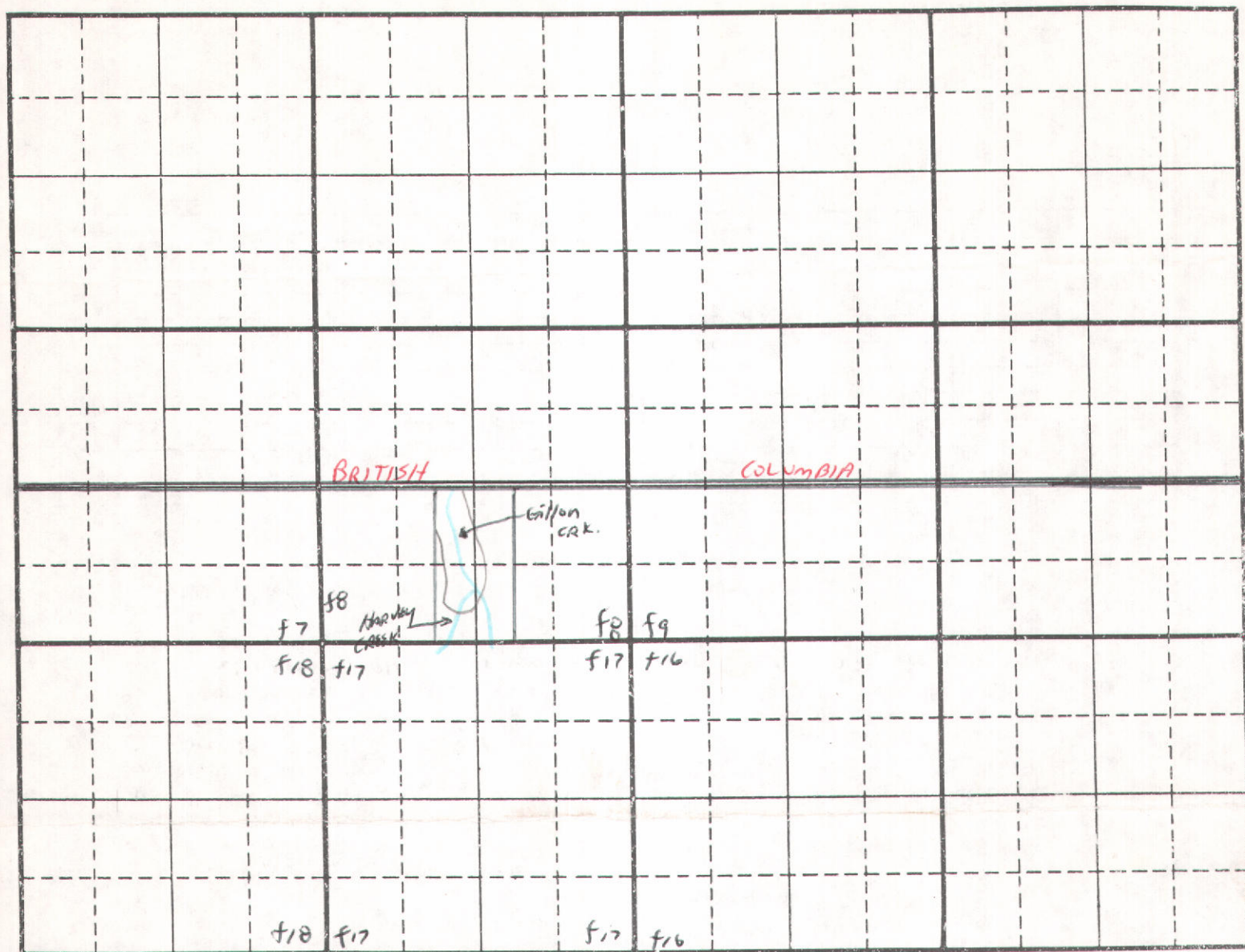


(8) Remarks Circular area is 27 ac. meadow through which  
is distributed the ditches + laterals



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.

David M. Seward  
Jaclyn Seward

Samuel E. Seward  
(Claimant)

Sworn to before me this 15<sup>th</sup> day of July, 19 82.

William K. Bayne  
Notary Public  
Residing at Benners Ferry, Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by PSA Date 7/16/82 Exception filed by: \_\_\_\_\_ Fowarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by PSA Date 8/1/82 claimant by: \_\_\_\_\_  
\$30.00 fee received by PSA Date 8/9/82 (24300)  
Published in Bozeman Daily Herald  
Dates 7/29 + 8/5/82

### NOTICE OF CLAIMS TO WATER RIGHT

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

98-4123

SEWARD, DANIEL E. &/or DAVID M. &/or JACLYN  
P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: GILLON CREEK tributary to ROBINSON LAKE

Priority Date: 09/01/1933

Amount: 0.56 CFS

Diversion Point: NWSE SWSE SESW NESW Sec 08 T 65N R 02E, BOUNDARY Co.

Use: IRRIGATION (0.54 CFS) from 04/01 to 11/01

STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NESW SESW NWSE SWSE Sec 08 T 65N R 02E  
FOR 27 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814.

A. KENNETH DUNN

Director

First publication July 29, 1982

Final publication August 5, 1982-dwr

### NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

98-7430

SEWARD, DAVID M. &/or JACLYN  
P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: SPRING tributary to SINKS

Date Filed: 01/16/1982

Amount: 0.08 CFS

Diversion Point: NWSE Sec 08 T 65N R 02E, BOUNDARY Co.

Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: NWSE SWSE Sec 08 T 65N R 02E

Diversion Means: RESERVOIR, PUMP AND PIPE.

98-7431

SEWARD, DAVID M. &/or JACLYN  
P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: SPRINGS tributary to SINKS

HARVEY CREEK tributary to GILLON CREEK

Date Filed: 07/16/1982

Amount: 0.08 CFS

Diversion Point: SESW Sec 08 T 65N R 02E, BOUNDARY Co.

Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 08 T 65N R 02E

Diversion Means: RESERVOIR, PUMP AND PIPE.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814 on or before AUGUST 16, 1982.

A. KENNETH DUNN

Director

First publication July 29, 1982

Final publication August 5, 1982-dwr

#### NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

98-4123

SEWARD, DANIEL E. &/or DAVID M. &/or JACLYN  
P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: GILLON CREEK tributary to ROBINSON LAKE

Priority Date: 09/01/1933

Amount: 0.56 CFS

Diversion Point: NWSE SWSE SESW NESW Sec 08 T 65N R 02E, BOUNDARY Co.

Use: IRRIGATION (0.54 CFS) from 04/01 to 11/01

STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NESW SESW NWSE SWSE Sec 08 T 65N R 02E  
FOR 27 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814.

A. KENNETH DUNN

Director

First publication July 29, 1982

Final publication August 5, 1982-dwr

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98-7430

SEWARD, DAVID M. &/or JACLYN

P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: SPRING tributary to SINKS

Date Filed: 01/16/1982

Amount: 0.08 CFS

Diversion Point: NWSE Sec 08 T 65N R 02E, BOUNDARY Co.

Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: NWSE SWSE Sec 08 T 65N R 02E

Diversion Means: RESERVOIR, PUMP AND PIPE.

98-7431

SEWARD, DAVID M. &/or JACLYN

P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: SPRINGS tributary to SINKS

HARVEY CREEK tributary to GILLON CREEK

Date Filed: 07/16/1982

Amount: 0.08 CFS

Diversion Point: SESW Sec 08 T 65N R 02E, BOUNDARY Co.

Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 08 T 65N R 02E

Diversion Means: RESERVOIR, PUMP AND PIPE.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814 on or before AUGUST 16, 1982.

A. KENNETH DUNN

Director

First publication July 29, 1982

Final publication August 5, 1982-dwr

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
A M E N D E D  
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 David M. Seward and Jaclyn Seward, husband and wife,  
(Name of Claimant)  
P. O. Box 1067, Bonners Ferry, Idaho 83805 Telephone No. ---  
(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) September 1, 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)  
Gillon Creek tributary to Robinson Lake

(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, gpd, AFA) |                | (Domestic, Irrigation, Stock, Etc.) |                 | (Both dates inclusive)           |                   |
|-----------------|----------------|-------------------------------------|-----------------|----------------------------------|-------------------|
|                 |                |                                     |                 | (Mo., Day)                       | (Mo., Day)        |
| Quantity        | <u>.02 cfs</u> | Use                                 | <u>stock</u>    | Period of Use From <u>Jan. 1</u> | To <u>Dec. 31</u> |
| Quantity        | <u>.04 cfs</u> | Use                                 | <u>domestic</u> | Period of Use From <u>Jan. 1</u> | To <u>Dec. 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 cfs TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NW ¼ SE ¼, Sec. 8 Twp. 65 N., Rge. 2 E. B.M., County of Boundary  
Additional points of diversion: SW ¼ SE ¼; SE ¼ SW ¼; NE ¼ SW ¼; all in Sec. 8,  
Township 65 N., R. 2 E. B.M.

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. ditches and laterals running throughout a 27 acre meadow

(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. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|----|----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|    |    |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 65 | 2E | 8    |     |     |     |     |     |     |     |     | XX  |     |     | XX  |     | XX  | XX  |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|    |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

No. of acres

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

NOTE: Include here the type and number of stock watered: 50 head of cattle

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

distributed the ditches and laterals

Received by \_\_\_\_\_  
 Return check by \_\_\_\_\_

|  |      |              |               |
|--|------|--------------|---------------|
|  | Date | Adm. Officer | 23/8/6 + 70/3 |
|  | Date |              |               |
|  | Date |              |               |

Forwarded to  
claimant by:

Notary Public  
Residing at Bonners Ferry

August

(Claimant)

David Michael Evans  
Jacky R. Evans

---

Boundary

Scale: 2 inches equal 1 mile.

|                  |                     |      |      |              |      |
|------------------|---------------------|------|------|--------------|------|
|                  | S.18                | S.17 | S.16 | S.17         | S.16 |
|                  |                     |      |      |              |      |
|                  | S.18                | S.17 | S.16 | S.17         | S.16 |
|                  | S.7<br>Harvey Creek | S.8  | S.9  | Gillon Creek |      |
| BRITISH COLUMBIA |                     |      |      |              |      |

BRITISH COLUMBIA

## **NOTICE OF AMENDED CLAIM TO A WATER RIGHT**

Notice is hereby given that on August 16, 1982 Daniel E. and Jaclyn Seward filed Amended Claim to a Water Right No. 98-4123, changing the applicants names, total amount of water used, and the uses. The original claim showed the above information as follows:

Name: Daniel E. &/or David M. &/or Jaclyn Seward

Amount: 0.56 CFS

Use: Irrigation (0.54 CFS) from 04/01 to 11/01

Stockwater (0.02 CFS) from 01/01 to 12/31

The applicants now wish to amend said claim to show the above information as follows:

Name: David M. &/or Jaclyn Seward

Amount: 0.06 CFS

Use: Stockwater (0.02 CFS) from 01/01 to 12/31

Domestic (0.04 CFS) from 01/01 to 12/31

Any exception to the above amended claim may be filed with the Director of the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.

A. KENNETH DUNN, Director

First publication August 26, 1982

Final publication September 2, 1982-dwr

## **NOTICE OF AMENDED CLAIM TO A WATER RIGHT**

Notice is hereby given that on August 16, 1982 Daniel E. and Jaclyn Seward filed Amended Claim to a Water Right No. 98-4123, changing the applicants names, total amount of water used, and the uses. The original claim showed the above information as follows:

Name: Daniel E. &/or David M. &/or Jaclyn Seward

Amount: 0.56 CFS

Use: Irrigation (0.54 CFS) from 04/01 to 11/01  
Stockwater (0.02 CFS) from 01/01 to 12/31

The applicants now wish to amend said claim to show the above information as follows:

Name: David M. &/or Jaclyn Seward

Amount: 0.06 CFS

Use: Stockwater (0.02 CFS) from 01/01 to 12/31  
Domestic (0.04 CFS) from 01/01 to 12/31

Any exception to the above amended claim may be filed with the Director of the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.

A. KENNETH DUNN, Director

First publication August 26, 1982

Final publication September 2, 1982-dwr

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
County of Boundary } ss.

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

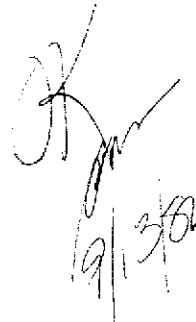
Publisher

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 Amended Claim to a Water  
Right Seward

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, com-  
mencing with the issue dated August 26, 1982, and ending with the  
issue dated September 2, 1982.

  
Subscribed and sworn to before me this 3rd day of September, 1982

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

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
County of Boundary } ss.

Luana Van Hook, 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 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 Amended Claim to a Water  
Right Seward

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 25, 1982, and ending with the issue dated September 2, 1982.

Subscribed and sworn to before me this 3rd day of September, 1982

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

FILED  
33  
DE

Water Resources  
District Office

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 Daniel E. Steward ; and David M. Steward + Jodylyn  
(Name of Claimant)  
Steward h/w ; Pobox 1067 Bonners Ferry 83805 Telephone No. —  
(Mailing Address) Idaho (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) SEPT. 1, 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)  
Gillon CREEK tributary to Robinson LAKE

(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>.02 cfs</u> | Use <u>stock</u>                    | Period of Use From <u>JAN. 1</u>  | To <u>DEC. 31</u> |
| Quantity | <u>.54 cfs</u> | Use <u>irrigation</u>               | Period of Use From <u>April 1</u> | To <u>Nov. 1</u>  |
| Quantity |                | Use                                 | Period of Use From                | To                |
| Quantity |                | Use                                 | Period of Use From                | To                |
| Quantity |                | Use                                 | Period of Use From                | To                |

(4) .56 cfs TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NW 1/4 SE 1/4, Sec. 8 Twp. 65N Rge. 2E B.M., County of BOUNDARY  
Additional points of diversion: SW 1/4 SE 1/4 ; SE 1/4 SW 1/4 ; NE 1/4 SW 1/4 all in  
Sec. 8 T 65N R 2E B.M.

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. ditches + laterals running throughout A 27 ACRE meadow

(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>65N</u> | <u>2E</u> | <u>8</u> |        |        |        |        |        |        |        |        | <u>15</u> |        |        | <u>3</u> |        | <u>6</u> | <u>3</u> |        | <u>27</u> |
| <u>65N</u> | <u>2E</u> | <u>8</u> |        |        |        |        |        |        |        |        | <u>X</u>  |        |        | <u>X</u> |        | <u>X</u> | <u>X</u> |        | <u>—</u>  |
|            |           |          |        |        |        |        |        |        |        |        |           |        |        |          |        |          |          |        |           |
|            |           |          |        |        |        |        |        |        |        |        |           |        |        |          |        |          |          |        |           |
|            |           |          |        |        |        |        |        |        |        |        |           |        |        |          |        |          |          |        |           |
|            |           |          |        |        |        |        |        |        |        |        |           |        |        |          |        |          |          |        |           |
|            |           |          |        |        |        |        |        |        |        |        |           |        |        |          |        |          |          |        |           |
|            |           |          |        |        |        |        |        |        |        |        |           |        |        |          |        |          |          |        |           |
|            |           |          |        |        |        |        |        |        |        |        |           |        |        |          |        |          |          |        |           |
|            |           |          |        |        |        |        |        |        |        |        |           |        |        |          |        |          |          |        |           |

No. of acres 27

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

NOTE: Include here the type and number of stock watered: 50 head of cattle

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



**NOTICE OF CLAIMS TO WATER RIGHT**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

**98-4123**

**SEWARD, DANIEL E. &/or DAVID M. &/or JACLYN  
P.O. BOX 1067, BONNERS FERRY, ID 83805**

**Source: GILLON CREEK tributary to ROBINSON LAKE**

**Priority Date: 09/01/1933**

**Amount: 0.56 CFS**

**Diversion Point: NWSE SWSE SESW NESW Sec 08 T 65N R 02E, BOUNDARY Co.**

**Use: IRRIGATION (0.54 CFS) from 04/01 to 11/01**

**STOCKWATER (0.02 CFS) from 01/01 to 12/31**

**Place of Use: NESW SESW NWSE SWSE Sec 08 T 65N R 02E  
FOR 27 ACRES**

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814.

**A. KENNETH DUNN**

**Director**

**First publication July 29, 1982**

**Final publication August 5, 1982-dwr**

# **NOTICE OF CLAIMS TO WATER RIGHTS**

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**98-4123**

**SEWARD, DANIEL E. &/or DAVID M. &/or JACLYN  
P.O. BOX 1067, BONNERS FERRY, ID 83805**

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**Priority Date: 09/01/1933**

**Amount: 0.56 CFS**

**Diversion Point: NWSE SWSE SESW NESW Sec 08 T 65N R 02E, BOUNDARY Co.**

**Use: IRRIGATION (0.54 CFS) from 04/01 to 11/01**

**STOCKWATER (0.02 CFS) from 01/01 to 12/31**

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FOR 27 ACRES**

**Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814.**

**A. KENNETH DUNN**

**Director**

**First publication July 29, 1982**

**Final publication August 5, 1982-dwr**

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

ss.

Luana Van Hook, 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

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 29, 1982, and ending with the issue dated ..... August 5, 1982.

Subscribed and sworn to before me this 11th day of August, 1982.

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

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
County of Boundary } ss.

Luana Van Hook, bkgr for Pata 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

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, com-  
mencing with the issue dated July 29, 1982, and ending with the  
issue dated August 5, 1982.

Luana Van Hook  
Subscribed and sworn to before me this 11th day of August, 1982

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

State of Idaho  
Department of Water Resources

*AMENDED*  
CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: *LB*

Right Number *98-4123* Applicant *Seward*

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 *pm* Date *9/14/82*

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *kw* Date *9/28/82*

**RECEIVED**  
SEP 27 1982

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

---

JOHN V. EVANS  
Governor  
R. KENNETH DUNN  
Director

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

SEPTEMBER 13, 1982

*Just  
Answered  
Claim*

DAVID M. SEWARD  
JACLYN SEWARD  
P.O. BOX 1067  
BONNERS FERRY ID 83805

RE: Claim No. 98-4123

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 filings 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,

**REC-1**  
Robert G. Hynes, P.E.  
Regional Supervisor

Enclosure

WILSON & WALTER  
ATTORNEYS AT LAW

PETER B. WILSON  
NEIL O. WALTER  
WILLIAM K. BAYERT  
ASSOCIATE

205 W. KOOTENAI  
PHONE 267-3127  
267-3128  
P. O. BOX 749  
BONNERS FERRY, IDAHO — 83805

August 13, 1982

RECEIVED  
AUG 16 1982  
Department of Water Resources  
Northern Idaho Office

Mr. Bob Haynes  
Department of Water Resources  
4055 Government Way  
Suite 1  
Coeur d'Alene, Idaho 83814

Re: David M. Seward - Claim #98-4123

Dear Bob:

Please find enclosed David Seward's amended claim  
to water right claim #98-4123.

As you will note, the amendment deletes .54 cfs for  
irrigation purposes and adds .04 cfs for domestic  
use.

You advised no further fee would be required and  
that this claim will be re-advertised.

Please advise if you have questions. Thank you.

Very truly yours,

WILSON & WALTER



William K. Bayert

wkb:rb  
encl

MAILED  
AUG 16 1982

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

Notice is hereby given that on August 16, 1982, Daniel E. and Jaclyn Seward filed Amended Claim to a Water Right No. 98-4123, changing the applicants names, total amount of water used, and the uses. The original claim showed the above information as follows:

Name: Daniel E. &/or David M. &/or Jaclyn Seward

Amount: 0.56 CFS

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: Irrigation | (0.54 CFS) | from 04/01 to 11/01 |
| Stockwater      | (0.02 CFS) | from 01/01 to 12/31 |

The applicants now wish to amend said claim to show the above information as follows:

Name: David M. &/or Jaclyn Seward

Amount: 0.06 CFS

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: Stockwater | (0.02 CFS) | from 01/01 to 12/31 |
| Domestic        | (0.04 CFS) | from 01/01 to 12/31 |

Any exception to the above amended claim may be filed with the Director of the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.

A. KENNETH DUNN

Director

98-4123

SEWARD, DAVID M. &/or JACLYN

P.O. BOX 1067, BONNERS FERRY, ID 83805

*Amended  
Claim*

Source: GILLON CREEK tributary to ROBINSON LAKE

Priority Date: 09/01/1933

Amount: 0.06 CFS

Diversion Point: NWSE SWSE SESW NESW Sec 08 T 65N R 02E, BOUNDARY Co.

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: STOCKWATER | (0.02 CFS) | from 01/01 to 12/31 |
| DOMESTIC        | (0.04 CFS) | from 01/01 to 12/31 |

Place of Use: NESW SESW NWSE SWSE Sec 08 T 65N R 02E

Diversion Means: DITCHES AND LATERALS.



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
~~Executive Director~~  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

August 26, 1982

Idaho Department of Fish & Game  
Region I  
2320 Government Way  
Coeur d'Alene, Id. 83814

Re: 98-4123

Gentlemen:

Claim No. 98-4123 has been amended to drop the irrigation portion  
of the claim.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH/pms

RECEIVED

AUG 17 1982

Department of Water Resources  
Northern District Office

**IDAHO DEPARTMENT OF FISH AND GAME  
REGION 1**

2320 Government Way  
Coeur d'Alene • Idaho • 83814

August 16, 1982

Mr. Robert G. Haynes, Supervisor  
Idaho Department of Water Resources  
4055 Government Way  
Coeur d'Alene, ID 83814

Reference: 98-4123

Dear Mr. Haynes:

The notice published July 29 and August 5, 1982 for diversion of 0.56 cfs from Gillian Creek is of concern to us. Some determination should be made as to the flow required to maintain the public interest in regard to the level of Robinson Lake and adequate flow in Gillian and Round Prairie Creeks.

Sincerely,



David S. Neider  
Regional Supervisor, Region 1

cc Bureau of Fisheries

### **NOTICE OF CLAIMS TO WATER RIGHT**

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

**98-4123**

**SEWARD, DANIEL E. &/or DAVID M. &/or JACLY.**  
**P.O. BOX 1067, BONNERS FERRY, ID 83805**  
**Source: GILLON CREEK tributary to ROBINSON LAKE**  
**Priority Date: 09/01/1933**

**Amount: 0.56 CFS**

**Diversion Point: NWSE SWSE SESW NESW Sec 08 T 65N R 02E, BOUNDARY Co.**

**Use: IRRIGATION (0.54 CFS) from 04/01 to 11/01**

**STOCKWATER (0.02 CFS) from 01/01 to 12/31**

**Place of Use: NESW SESW NWSE SWSE Sec 08 T 65N R 02E**  
**FOR 27 ACRES**

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814.

**A. KENNETH DUNN**

**Director**

**First publication July 29, 1982**

**Final publication August 5, 1982-dwr**

### **NOTICE OF APPLICATION FOR WATER RIGHT**

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

**98-7430**

**SEWARD, DAVID M. &/or JACLYN**  
**P.O. BOX 1067, BONNERS FERRY, ID 83805**  
**Source: SPRING tributary to SINKS**

**Date Filed: 01/16/1982**

**Amount: 0.08 CFS**

**Diversion Point: NWSE Sec 08 T 65N R 02E, BOUNDARY Co.**

**Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31**

**Place of Use: NWSE SWSE Sec 08 T 65N R 02E**

**Diversion Means: RESERVOIR, PUMP AND PIPE.**

**98-7431**

**SEWARD, DAVID M. &/or JACLYN**  
**P.O. BOX 1067, BONNERS FERRY, ID 83805**  
**Source: SPRINGS tributary to SINKS**

**HARVEY CREEK tributary to GILLON CREEK**

**Date Filed: 07/16/1982**

**Amount: 0.08 CFS**

**Diversion Point: SESW Sec 08 T 65N R 02E, BOUNDARY Co.**

**Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31**

**Place of Use: SESW Sec 08 T 65N R 02E**

**Diversion Means: RESERVOIR, PUMP AND PIPE.**

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814 on or before AUGUST 16, 1982.

**A. KENNETH DUNN**

**Director**

**First publication July 29, 1982**

**Final publication August 5, 1982-dwr**

Darolef

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RyA

Right Number 98-4123 Applicant Seward

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 \_\_\_\_\_ Date \_\_\_\_\_

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By \_\_\_\_\_ Date \_\_\_\_\_

98-4123

SEWARD, DANIEL E. &/or DAVID M. &/or JACLYN

P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: GILLON CREEK tributary to ROBINSON LAKE

Priority Date: 09/01/1933

Amount: 0.56 CFS

Diversion Point: NWSE SWSE SESW NESW Sec 08 T 65N R 02E, BOUNDARY Co.

|                 |            |                     |
|-----------------|------------|---------------------|
| Use: IRRIGATION | (0.54 CFS) | from 04/01 to 11/01 |
| STOCKWATER      | (0.02 CFS) | from 01/01 to 12/31 |

Place of Use: NESW SESW NWSE SWSE Sec 08 T 65N R 02E FOR 27 ACRES

*See  
Amended  
Claim*



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor  
A. Kenneth Dunn  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

August 4, 1982

Mr. William Bayert  
Wilson & Walter  
205 Kootenai  
Bonners Ferry, Id. 83805

Re: 98-4123, 98-7430 and 98-7431 - David and Jaclyn Seward

Dear Bill:

Enclosed is your Check No. 92-95 in the amount of \$120.00 which you submitted with the above-referenced applications and claim on July 16, 1982.

Pursuant to our recent conversation, please forward this office another check for the correct filing fee of \$90.00.

If we have not received this check within thirty days, we will take steps to void the above.

Sincerely,

  
ROBERT G. HAYNES, P.E.  
Regional Supervisor

pms

Enc. - Check

Check No. 27442 in the amount of  
\$90.00 enclosed.

Thank you.

WKB

RECEIVED  
AUG 9 1982  
Department of Water Resources  
Northern District Office



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
~~EX-SUBSTANTIAL~~  
Director

Suite No. 1  
4056 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

August 11, 1982

Mr. and Mrs. Robert H. Schwarze  
Star Route 2, Box 185A  
Bonners Ferry, Id. 83805

Dear Mr. and Mrs. Schwarze:

We hereby acknowledge receipt of your letter of August 10, 1982, taking exception to Claim No. 98-4123 and protesting Applications for Permit Nos. 98-7430 and 9807431, which are filed in the name of the Swards.

Your protest of Applications for Permit Nos. 98-7430 and 98-7431 will be processed after August 16, 1982, which is the last date for accepting protests against the applications.

Please be advised that a copy of your August 10, 1982 letter will be placed in the file with Claim No. 98-4123. However, in order for your letter to become an official exception to this claim, you must submit it in affidavit form and have it signed before a notary public.

If you have any questions, please contact me at this office.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

pms

MICROFILMED  
2000-10-10

RECEIVED

AUG 11 1982

Department of Water Resources  
Bozeman District Office

Robert H. and Lois R. Schwarze  
Star Route 2, Box 185A  
Bonners Ferry, Idaho 83805  
August 10, 1982

Director of the Idaho Department of Water Resources  
4055 Gov't Way  
Coeur d'Alene, Idaho 83814

RE: Application for Water Right - SEWARD, DAVID M. &/or JACLYN  
Claims to Water Rights - SEWARD, DANIEL E. &/or DAVID M. &/or  
JACKLYN

---

Dear Sir:

We, the undersigned, as property owners along the course of Round Prairie Creek, Boundary County, Idaho, strenuously protest the granting of a water right on the following, and to the State's recognition of the Claims to Water Rights as published:

98-7430 SPRING tributary to SINKS in the amount of 0.08 CFS

98-7431 SPRINGS tributary to SINKS - HARVEY CREEK tributary to  
GILLON CREEK in the amount of 0.08 CFS

98-4123 GILLON CREEK tributary to ROBINSON LAKE in the amount of  
0.56 CFS

The diversion of such excessive amounts of water from Harvey and Gillon Creeks would almost completely deplete the flow of water into Round Prairie Creek, Robinson Lake, and the Moyie River, thereby nullifying costly fish conservation efforts to create a spawning area, i. e., replacement of culvert with bridge in the road to Robinson Lake Campground, already expended by the Department of Fish and Game.

Very truly yours,

*Robert H. Schwarze*

Robert H. Schwarze

*Lois R. Schwarze*

Lois R. Schwarze

cc: Board of Commissioners  
Boundary County, Idaho



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
NORTHERN REGION

John V. Evans  
Governor  
A. Kenneth Dunn  
~~Executive Director~~  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

August 11, 1982

Mr. Howard I. Monks, Jr.  
Star Route 2 Box 162  
Bonners Ferry, Id. 83805

Re: 98-4123, 98-7430 and 98-7431

Dear Mr. Monks:

We hereby acknowledge receipt of your letter of August 9, 1982, taking exception to Claim No. 98-4123 and protesting Applications for Permit Nos. 98-7430 and 98-7431, which are filed in the name of the Swards.

Your protest of Applications for Permit Nos. 98-7430 and 98-7431 will be processed after August 16, 1982, which is the last date for accepting protests against the applications.

Please be advised that a copy of your August 9th letter will be placed in the file with Claim No. 98-4123. However, in order for your letter to become an official exception to this claim, you must submit it in affidavit form and have it signed before a notary public.

If you have any questions, please contact me at this office.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

pms

**RECEIVED**  
AUG 15 1982  
WATER RESOURCES



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
~~Executive Director~~  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

August 9, 1982

Mr. Wayne A. Fox  
Boundary County Director of Planning  
County of Boundary  
P. O. Box 419  
Bonners Ferry, Id. 83805

Dear Mr. Fox:

This is in response to your letter of August 5, 1982, relating to Claim No. 98-4123, Applications for Permit 98-7430 and 98-7431.

Claim No. 98-4123 is a statement of a water right which the Swards claim exists because diversion and beneficial use of water has existed as outlined in the notice published in the Bonners Ferry Herald. No approval of that claim is issued by the Department of Water Resources. It stands for what it is, an affidavit that water has been diverted and beneficially used.

Regarding Applications for Permit No. 98-7430 and 98-7431, objections to the issuance of the permits must be entered in this office by August 16, 1982. If Boundary County does desire to object to the issuance of the permits, the five criteria to be considered are:

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purpose intended?
3. Is the application made in good faith or for delay or speculation?
4. Has the applicant sufficient financial resources with which to complete the project?

Mr. Wayne A. Fox  
Page Two  
August 9, 1982

5. Will the proposed use conflict with the local public interest?

Both applications are for domestic use for two households. The amount of water consumptively removed from a water source on an annual basis is estimated to be approximately one acre foot. I would estimate the surface area of Robinson Lake to be approximately 60 acres.

If all of the water used for domestic purposes proposed in the applications were to be effectively removed from Robinson Lake, which it is not, the net effect would be to lower the level of the lake less than one inch.

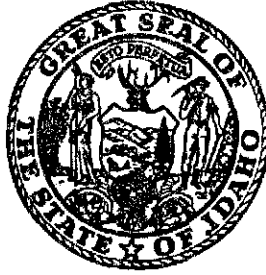
If we have not heard from you by August 16, 1982, we will assume that Boundary County does not have any objections to the issuance of the permit.

If you have any questions, please do not hesitate to contact me.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH/pms



*County of Boundary*

P.O. Box 419

*Bonnere Ferry, Idaho--83805*

**RECEIVED**  
AUG 6 1982

Department of Water Resources  
Northern District Office

A. Kenneth Dunn  
Idaho Department of Water Resources  
4055 Government Way  
Coeur d'Alene, Idaho 83814

August 5, 1982

Dear Mr. Dunn,

This letter is in response to Notice of Claims to Water Rights #98-4123, by Seward, et al and Notice of Application for Water Rights #98-7430 and #98-7431 by Seward, et al.

Gillon Creek is the only significant surface fresh water inlet to Robinson Lake. Robinson Lake is one of the largest and most popular fishing and camping lakes in Boundary County.

Before any of the above claims or applications are approved, there needs to be a determination made of the impact of these diversions upon the ecology of Robinson Lake and lower Gillon Creek(also a popular fishing spot).

Gillon Creek also flows through Robinson Lake State Campground. Deceased or turbid water flow might lessen or negate the values exemplified by this State Park.

Depending on the points of diversion involved in these projects, many acres of prime moose habitat could be affected.

The Boundary County Comprehensive Plan calls for the protection of water quality and the protection and enhancement of existing fish and wildlife habitat.

Boundary County considers itself an interested party in the above claims and applications and requests more information so that a proper determination can be made. We hope that no final decision will be made until the matter is studied very carefully.

Please forward relevant information and comments to myself.

Thank you.

*Wayne A. Fox*

Wayne A. Fox  
Boundary County Director of Planning

cc: Darold Morgan, Fish and Game  
Larry Smith, USFS  
Idaho Dept. of Parks and Recreation

#### NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

98-4123

SEWARD, DANIEL E. &/or DAVID M. &/or JACLYN  
P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: GILLON CREEK tributary to ROBINSON LAKE

Priority Date: 07/01/1933

Amount: 0.56 CFS

Diversion Point: NWSE SWSE SESW NESW Sec 08 T 65N R 02E, BOUNDARY Co.

Use: IRRIGATION (0.54 CFS) from 04/01 to 11/01

STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NESW SESW NWSE SWSE Sec 08 T 65N R 02E  
FOR 27 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814.

A. KENNETH DUNN

Director

First publication July 29, 1982

Final publication August 5, 1982-dwr

#### NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

98-7430

SEWARD, DAVID M. &/or JACLYN

P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: SPRINGS tributary to SINKS

Date Filed: 01/16/1982

Amount: 0.08 CFS

Diversion Point: NWSE Sec 08 T 65N R 02E, BOUNDARY Co.

Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: NWSE SWSE Sec 08 T 65N R 02E

Diversion Means: RESERVOIR, PUMP AND PIPE.

98-7431

SEWARD, DAVID M. &/or JACLYN

P.O. BOX 1067, BONNERS FERRY, ID 83805

Source: SPRINGS tributary to SINKS

HARVEY CREEK tributary to GILLON CREEK

Date Filed: 07/16/1982

Amount: 0.08 CFS

Diversion Point: SESW Sec 08 T 65N R 02E, BOUNDARY Co.

Use: DOMESTIC (0.08 CFS) from 01/01 to 12/31

Place of Use: SESW Sec 08 T 65N R 02E

Diversion Means: RESERVOIR, PUMP AND PIPE.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814 on or before AUGUST 15, 1982.

A. KENNETH DUNN

Director

First publication July 29, 1982

Final publication August 5, 1982-dwr

August 9,

**RECEIVED**

Idaho Department of Water Resources  
4055 Government Way  
Coeur d'Alene, Idaho 83814

**AUG 10 1982**

**Department of Water Resources  
Northern District Office**

Gentlemen:

This letter is to protest the claim to water rights #98-4123 by the Swards on Gillon Creek and the two applications for water right #98-7430 and 98-7431 by the same applicants on Harvey Creek and springs in the vicinity.

Gillon Creek would be barely able to furnish water in the amounts requested during periods of low stream flow. As the principal land owner on Robinson Lake, which is maintained by diversion of Gillon Creek into the lake, a diversion created in 1914 if we want to get into priority dates for use of that water, I am vitally interested in having enough water in Gillon Creek to provide both flow in the stream itself to maintain spawning capabilities but also flow into the lake to maintain a decent oxygen level for winter holdover of fish.

I will be most happy to air further my views on this matter at any time in the future.

Very truly yours,

*Howard I. Monks Jr*

Howard I. Monks, Jr

Star Route 2 Box 162  
Bonners Ferry, Idaho 83805

**MICROFILMED**



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

August 11, 1982

Mr. Les Butters  
Star Route 2  
Bonners Ferry, Id. 83805

Re: 98-4123

Dear Mr. Butters:

This letter is in response to your letter received in this office on August 10, 1982, regarding Claim No. 98-4123.

A Claim to a Water Right is a statement of a right that the claimant believes to exist because water has been diverted and used in the past as outlined in the claim. No action is taken by the Department of Water Resources.

If the information presented in the claim is not correct, an exception to the claim stating which information is faulty may be filed with the Department. That exception must be filed in affidavit form as is the claim itself.

If you have any questions, or if we may be of any further assistance, please don't hesitate to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

RGH/pms

RECEIVED

AUG 10 1982

Department of Water Resources  
Northern District Office

Les Butters  
Star Route #2  
Bonners Ferry  
261-5396

Dear Mr Dunn,

I am writting to express my concern for the application of Daniel & David Jacklyn #98-413 for .54CFS of water from Gillon Creek.

Gillon Creek is a small creek flowing threw there property it then winds approx. 3 miles before entering Round Prairie Creek. It is a very nice trout stream and is the main source of water for Robinson Lake.

I feel that the diversion of the amount of water asked for would #1) be harmful to the creeks fishery #2) Possibly stagnate Robinson Lake #3) Be detrimental to the spawning of trout for Robinson Lake, Round Prairie and the Moyie River.

Thank You  
Les Butters

CC. Id. 796, USFS - Bonners Ferry



# STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
~~C. Stephen Alford~~  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

August 4, 1982

Mr. William Bayert  
Wilson & Walter  
205 Kootenai  
Bonners Ferry, Id. 83805

Re: 98-4123, 98-7430 and 98-7431 - David and Jaclyn Seward

Dear Bill:

Enclosed is your Check No. 92-95 in the amount of \$120.00 which you submitted with the above-referenced applications and claim on July 16, 1982.

Pursuant to our recent conversation, please forward this office another check for the correct filing fee of \$90.00.

If we have not received this check within thirty days, we will take steps to void the above.

Sincerely,

ROBERT G. HAYNES, P.E.  
Regional Supervisor

pms

Enc. - Check