

No Color
Documents
In File

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 JAMES WALLACE CARTWRIGHT
(Name of Claimant)

Box 950

(Mailing Address)

Bonneas Ferry Idaho83805

(Zip Code)

Telephone No. 267-2551

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) stock : Nov. 26, 1959
domestic : Nov. 26, 1959

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)

SPRINGtributary to DEEP CREEK

- (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>.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, af)

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

SW 1/4 NW 1/4, Sec. 6 Twp. 60N Rge. 1W B.M., County of BOUNDARY

Additional points of diversion: none

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. CEMENT CASINGS, pump & pipeline (approx. 500 feet; buried)

- (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	
60N	1W	1				X													7

No. of acres 7

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

- general domestic & household use (single residence)- stock water

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

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

MICROFILMED

MICROFILMED

Received by _____
Prelim. check by _____
\$30.00 fee received by _____
Published in _____
Dates _____

Received by _____
Prelim. check by _____
\$30.00 fee received by _____
Published in _____
Dates _____

FOR DEPARTMENT USE ONLY

Forwarded to _____
claimant by: _____
Date _____

Exception filed by: _____
Date _____

4/15/82
4-13-82
4/19/82 (21253)

RAK

My commission expires _____

Sworn to before me this _____ day of _____, 1982.

(Claimant)

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.

State of Idaho

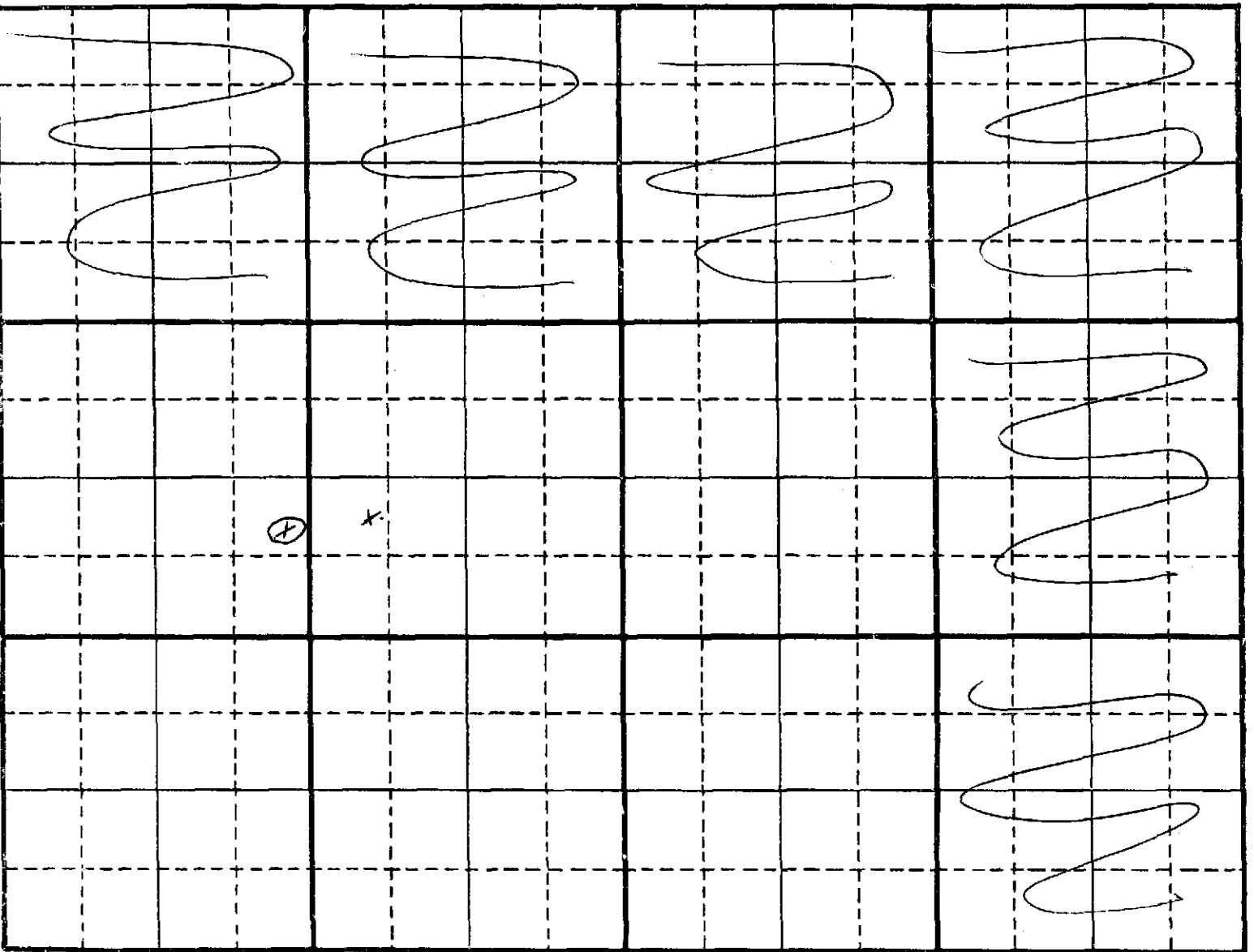
County of _____

) ss. _____

Boundary

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.

Scale: _____



(8) Remarks X = place of use

X = point of diversion

N 1/4 Section 1

W 1/2 N 1/4 Section 6

NOTICE OF CLAIMS TO WATER RIGHTS

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

98-4121

CARTWRIGHT, JAMES WALLACE

BOX 950, BONNERS FERRY, ID 83805

Source: SPRING tributary to DEEP CREEK

Priority Date: 11/26/1959

Amount: 0.06 CFS

Diversion Point: SWNW Sec 06 T 60N R 01W, 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: SENE Sec 01 T 60N R 01W

Diversion Means: PUMP AND PIPELINE.

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 April 29, 1982**

Final publication May 6, 1982-idwr

MICROFILMED

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:

98-4121

CARTWRIGHT, JAMES WALLACE

BOX 950, BONNERS FERRY, ID 83805

Source: SPRING tributary to DEEP CREEK

Priority Date: 11/26/1959

Amount: 0.06 CFS

Diversion Point: SWNW Sec 06 T 60N R 01W, 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: SENE Sec 01 T 60N R 01W

Diversion Means: PUMP AND PIPELINE.

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 April 29, 1982

Final publication May 6, 1982-idwr

MICROFILMED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

Becky Pluid, bkpr. for Pate 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 Right
98-4121 (Cartwright)

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, com-
mencing with the issue dated April 29, 1982 and ending with the
issue dated May 6, 1982.

Becky Pluid
Subscribed and sworn to before me this 7th day of May, 1982.

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

MICROFILMED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

Becky Fluid, bkr. for Pate 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 Right
98-4121 (Cartwright)

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 April 29, 1982, and ending with the
issue dated May 5, 1982.

Becky Fluid
7th
Subscribed and sworn to before me this May, 1982

Jody Lane
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
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Stephen Allen~~
Director

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

April 29, 1982

98 4121

Mr. James W. Cartwright
Box 950
Bonners Ferry, Id. 83805

Dear Mr. Cartwright:

Enclosed is the Amended Claim we discussed on the telephone on April 29, 1982.

Please have it notarized and return it to this office.

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

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claim

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~XXXXXXXXXXXX~~
Director

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

Estimated Entry E.D.

May 24, 1982

MAY 25 1982

Mr. Jerry Stern
District Ranger
U. S. Forest Service
Rt. 1 Box 390
Bonners Ferry, Id. 83805

Re: 98-4121

Dear Mr. Stern:

I am returning your letter of May 10, 1982, regarding Claim No. 98-4121. In order for an exception filed against a claim to be valid, it must be done in affidavit form and as such, must be signed before a notary public.

If you desire to have your statement officially included in the file, please sign same before a notary public and return it to this office.

Sincerely,


TOM D. KING

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Correspondence

6/2/82

Re-Submitted as requested. See attached.

Smith

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Bonners Ferry Ranger District
Route 1, Box 390, Bonners Ferry, Idaho 83805

REPLY TO: 2500 - Watershed

RECEIVED 2500
May 10, 1982

SUBJECT: Application No. 98-4121

MAY 20 1982

Department of Water Resources
Northern District Office



TO: Idaho Department of Water Resources
4055 Gov't Way
Coeur d'Alene, ID 83814

Gentlemen:

Reference Application No. 98-4121, copy enclosed.

The diversion point is apparently in error. It is on National Forest lands five miles from the point of use.

Sincerely,

[Signature]
for JERRY STERN
District Ranger

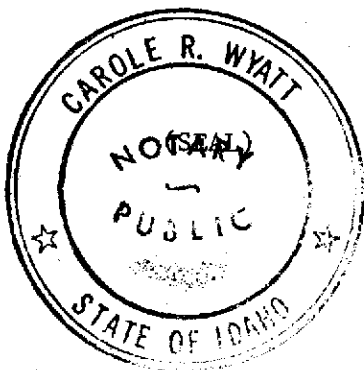
Enclosure

ACKNOWLEDGMENT

STATE OF IDAHO)
County of Boundary) ss.

On this 2nd day of June, 1982, before me, a Notary Public in and for the State of Idaho, personally appeared L. O. SMITH, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Notary Public for the State of Idaho
Residing at Bonners Ferry, Idaho
My commission expires June 1985

- 1 - City pickup box for a 1/2 or 3/4 T. pickup
- 1 - Short Chevrolet pickup box
- 2 - Side mount pickup tool boxes.

Bids shall be submitted on bid forms available at the office of the City Clerk.

The City of Bonners Ferry, Idaho, hereby reserves the right to accept the bids and reserves the right to reject any or all bids and to waive any or all formalities in any bid.

For inspection of any of the above surplus equipment, contact Ed Gross at City Hall.

By Dorothy Funkhouser
City Clerk

First publication May 6, 1982
Final publication May 13, 1982-cbf

NOTICE OF HEARING

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BOUNDARY

MAGISTRATE DIVISION

In the Matter of the Estate of:

KATHERINE L. RAUB, Deceased.

NOTICE IS HEREBY GIVEN that Don A. Nelson, Administrator of Community Hospital, Bonners Ferry, Idaho, has filed herein a Petition for Adjudication of Intestacy and Appointment of a Personal Representative Under Supervised Administration.

Hearing has been set upon said Petition on Tuesday, the 25th day of May, 1982, at 11:00 o'clock a.m. at the courtroom of the above-named Court in Bonners Ferry, Boundary County, Idaho.

DATED this 21st day of April, 1982.

/s/ Don A. Nelson, Petitioner
c/o Box 749

Bonnors Ferry, Idaho 83805

First publication April 29, 1982

Final publication May 13, 1982-ww

INVITATION TO BID

NOTICE IS HEREBY GIVEN that Boundary County Landfill Department will receive bids for parts for the undercarriage of a 1973 955L Caterpillar. Bid specs are available at the County Shop. Delivery date must be by the 17th of May, 1982 with a six (6) month guarantee on materials and workmanship.

Bids must be in the office of the County Clerk on or before Monday, May 10, 1982 at 11:00 a.m. when bids will be opened.

The Board of County Commissioners reserves the right to reject any or all bids, and to accept the bids deemed in the best interest of Boundary County.

BOUNDARY COUNTY COMMISSIONERS

Bill Currie, Chairman
Harold R. Stueve, Member
Dennis Ponsness, Member

First publication April 29, 1982

Final publication May 6, 1982-bcc

Boundary County, Idaho
Bill Currie, Chairman
Harold R. Stueve, Member
Dennis Ponsness, Member

First publication April 29, 1982

Final publication May 6, 1982-bcc

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Boundary County Board of Commissioners will hold a public hearing on May 10, 1982, at 2:30 p.m., in the County Courthouse, first floor, Bonners Ferry, Idaho. The purpose of Hearing is to consider a request by Western Realty, on behalf of Gladys Brewer to rezone Commercially the following described property:

"A tract of land located in the Northeast corner of the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section Fourteen (14), Township Sixty-Two (62) North, Range One (1) East, Boise Meridian - More specifically described as the Gladys W. Brewer - Import Building. This property lies contiguous to the County Highway Shop - atop North Hill and approximately 1/4 mile South of the Three Mile Junction."

The requested rezone is for the purpose of establishing a retail meat counter, custom meat cutting and packing plant, delicatessen food sales with on and off site beer and wine sales. Also the applicant proposes to start a mini-golf recreation facility on-site. The general public is invited to attend this meeting.

John D. Wickizer
Planning Director
Boundary County

First publication April 29, 1982

Final publication May 6, 1982-bcz

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:

98-4121

CARTWRIGHT, JAMES WALLACE
BOX 950, BONNERS FERRY, ID 83805
Source: SPRING tributary to DEEP CREEK
Priority Date: 11/26/1959
Amount: 0.06 CFS

Diversion Point: SWNW Sec 06 T 60N R 01W, 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: SENE Sec 01 T 60N R 01W

Diversion Means: PUMP AND PIPELINE.

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 April 29, 1982

Final publication May 6, 1982-idwr

Bonnors Ferry Harold
5/6/82

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 98-4121 Applicant Cartwright

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. NONE

By KW Date 8/8/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 6/8/82

RECEIVED

RECEIVED
JUN 03 1982

Department of Water Resources

CARTWRIGHT, JAMES WALLACE

BOX 950, BONNERS FERRY, ID 83805

Source: SPRING tributary to DEEP CREEK

Priority Date: 11/26/1959

Amount: 0.06 CFS

Diversion Point: SWNW Sec 06 T 60N R 01W, 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: SENE Sec 01 T 60N R 01W

Diversion Means: PUMP AND PIPELINE.

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

MAY 17, 1982

JAMES WALLACE CARTWRIGHT
BOX 950
BONNERS FERRY ID 83805

RE: Claim No. 98-4121

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

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

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

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

May 24, 1982

Mr. James Cartwright
Box 950
Bonners Ferry, Id. 83805

Re: 98-4121

Dear Mr. Cartwright:

We have received correspondence from the U. S. Forest Service stating that the point of diversion in the above-referenced claim must have been filed in error. They claim that your point of diversion is in National Forest land, five miles from the place of use.

Please check your records and if you find that this is in error, please contact me at this office and we will take steps to amend your claim. We are enclosing a copy of the claim you filed with us for your reference.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claim

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Stephen Alford~~
Director

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

May 24, 1982

Mr. Jerry Stern
District Ranger
U.S. Forest Service
Rt. 1 Box 390
Bonners Ferry, Id. 83805

Re: 98-4121

Dear Mr. Stern:

I am returning your letter of May 10, 1982, regarding Claim No. 98-4121. In order for an exception filed against a claim to be valid, it must be done in affidavit form and as such, must be signed before a notary public.

If you desire to have your statement officially included in the file, please sign same before a notary public and return it to this office.

Sincerely,

TOMDD. KING
Senior Water Resource Agent

TDK/pms

Enc. - Correspondence

RECEIVED

County pickup box a 71 or 74 1. pickup

Idaho County, Idaho
Bill Currie, Chairman

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
Bonners Ferry Ranger District
Route 1, Box 390, Bonners Ferry, Idaho 83805

REPLY TO: 2500 - Watershed

RECEIVED 2500
May 10, 1982.

SUBJECT: Application No. 98-4121

MAY 20 1982

Department of Water Resources
Northern District Office



TO: Idaho Department of Water Resources
4055 Gov't Way
Coeur d'Alene, ID 83814

Gentlemen:

Reference Application No. 98-4121, copy enclosed.

The diversion point is apparently in error. It is on National Forest lands five miles from the point of use.

Sincerely,

for JERRY STERN
District Ranger

Enclosure

RECEIVED



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

May 13, 1982

Mr. Jerry Tinkess
Box 1060
Bonners Ferry, Id. 83805

Dear Mr. Tinkess:

I am returning your letter of May 3, 1982, regarding Claim No. 98-4121. In order for an exception filed against a claim to be valid, it must be done in affidavit form and as such, must be signed before a notary public.

If you desire to have your statement officially included in the file, please sign same before a notary public and return it to us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enc. - Correspondence

MICROFILMED

RECEIVED

MAY 4 1982

Department of Water Resources
Northern District Office

May 3, 1982,

DEAR SIRS,

In the Bonners Ferry Herald in the April 29th edition James Cartwright filed for water right on a source of SW NW sec 06 T60 R01 ~~W~~ it should be SW NW sec 06 T60 R01 E with a constant use since ~~8/26/59~~ 11-26-59 this is not true as they have not used this water in over 10 yrs. The number used to file is 98-4121.

ON Oct 12-1972 G A Tinkess of Naples filed on the source, SWNWsec06T60 R01E the number used is 98-7062.

This water has been used every year since the priority date of Oct 12-1972.

Also in order for Cartwright to use this water he has to lay a pipe line across the Tinkess property a distance of 800 feet to an open well ~~which~~ which they refuse to fence or maintain. If any other information is needed I can be reached at 267-7128.

yours truly,

My address is: Jerry Tinkess

Box 1060

Bonnors Ferry ID 83410

Dear Sir

Please note that the scale has
been adjusted as to scale. If this is
a problem contact me.

Thank you!

James Cartwright

ENCLOSURE