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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 E. D. Barber
P. O. Box 265 (Name of Claimant)
Bonniers Ferry, Idaho Telephone No. 267-3919
(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) 1/1/1935

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 Fleming 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.02</u>	Use	<u>Domestic</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
Quantity		Use		Period of Use From	To

(4) 0.02 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SE ¼, Sec. 35 Twp. 62N Rge. 1E 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.
Electric Pump - 350 Gallons per hour

(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	
62N	1E	35																X	

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic for 1 family

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

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

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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.

of

affiant's knowledge.

W. A. R.

61

Residing at

18-20-81

Exception filed by:

Forwarded to
claimant by:

Date _____

Received by
Prelim. check
\$20.00 fee re
Published in
Dates

Date _____
Date _____
Date _____

d by _____
[Signature]

3/22/99
[Signature]

3/12/74
18112

3/22/79

**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:

98-4105

BARBER, E. D.

P.O. BOX 265, BONNERS

FERRY, ID 83805

**Source: UNNAMED SPRING
tributary to FLEMING CREEK**

Priority Date: 01/01/1935

Amount: 0.02 CFS

**Diversion Point: SESE Sec 35 T
62N R 01E, BOUNDARY Co.**

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

**Place of Use: SESE Sec 35 T 62N
R01E**

Diversion Means: PUMP

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

C. STEPHEN ALLRED

Director

First pub. March 22, 1979

Final pub. March 29, 1979-idwr

AFFIDAVIT OF PUBLICATION

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C. STEPHEN ALLRED
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STATE OF IDAHO }
County of Boundary } ss.

Echo Turnbull, 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 Idaho Dept. of Water Resources

a Notice of Claim #98-4105

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 March 22, 1979, and ending with the
issue dated March 29, 1979.

Subscribed and sworn to before me this 12 day of April, 1979

Joanne Belmore
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: *SL*
Right Number 98-4105 *Claimant*
Barber

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. 4/13/79
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By *pro* Date 4/13/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *J. J* Date 4/16/79

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

APRIL 9, 1979

E. D. BARBER
P. O. BOX 265
BONNERS FERRY ID 83805

RE: Claim No. 98-4105

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

RECEIVED 1979

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

March 14, 1979

E. D. Barber
Box 265
Bonners Ferry, ID 83805

RE: 98-4105 & 98-7294

Dear Mr. Barber:

Enclosed is Receipt No. 13452 in the amount of \$40.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patricia M. Styrpa

PMS

Enclosure

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