

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

Echo Turnbull, mgr. for W. H. Chubb 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 492-4074

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 May 26, 1977 and ending with the issue dated June 2, 1977

Subscribed and sworn to before me this 2nd day of June, 1977.

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

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that 9 Kenneth Rice & or E. Grace Rice
(name of claimant)
of RT 1 Box 490 Bonners Ferry Idaho, claims a right to the diversion and beneficial use of
(mailing address) 83805
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Natural Spring, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|-----------------|-----|--------------|----------------|------|--------------|----|---------------|
| Amount | <u>0.04 cfs</u> | Use | <u>Dom.</u> | Period of Use: | From | <u>Jan 1</u> | To | <u>Dec 31</u> |
| Amount | <u>0.06 cfs</u> | Use | <u>Stock</u> | Period of Use: | From | <u>Jan 1</u> | To | <u>Dec 31</u> |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
- (cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)

- (3) Total quantity of water claimed: 0.10 cfs cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) Aug. 1 1943

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

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

E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11 Twp. 61 N Rge. 1 E B. M. County of Boundary
Additional points of diversion: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ SEC 11, TWP 61 N Rge 1 E

- 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. Spring fed Pond
also well with pump & pipeline

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: used in two homes 1 for Dom. & Livestock and the other for Livestock

- (7) If you are claiming water as a member of an organization, list name of organization: Paradise Valley Water Ass'n

(8) Remarks _____

SEC 11
TWP 61 N
Rge 1 E

... well

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)
) ss.
County of Boundary)

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 affiants knowledge.

Sworn to before me this 11 day of May

J. Kenneth Rice
(Claimant)

, 19 77

Bertha M. Fry

Notary Public

Residing at Bonners Ferry, Idaho

My commission expires May 6, 1978

For Department Use Only

Received by B Date 5-12-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JK Date 5-13-77 claimant by: _____
\$10.00 fee received by JK Date 5-13-77 (5497)
Approved for publication by B 5-16-77 _____
Published in BOARDS FERRY HELAND _____
Dates 5-24 & 6-2-77 _____
06-06-77 B _____

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 98-4074**

Notice is hereby given that

J. Kenneth &/or E. Grace Rice
Rt. 1, Box 490, Bonners Ferry,
Idaho has filed a claim to a
water right established by di-
version and application to ben-
eficial use of 0.10 cubic feet
per second of water from a
spring with two points of di-
version in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec.
11, T61N, R1E, B.M., Boundary
County.

The water is claimed to be
used from Jan. 1 to Dec 31 for
Domestic (0.04 cfs) and stock-
water (0.06 cfs) purposes with
a priority of August 1, 1943;
the place of use is within the
S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 11, T61N, R1E,
B.M.

Any exception to this claim
of water right may be filed
with the Idaho Department of
Water Resources, 4055 Govern-
ment Way, Coeur d'Alene,
Idaho, 83814.

C. STEPHEN ALLRED

Director

Published in the Bonners
Ferry Herald, Bonners Ferry,
Idaho on May 26 and June 2,
1977.idwr

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 98-4074**

Notice is hereby given that

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Rt. 1, Box 490, Bonners Ferry,
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eficial use of 0.10 cubic feet
per second of water from a
spring with two points of di-
version in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec.
11, T61N, R1E, B.M., Boundary
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Echo Turnbull, bkpr. for W. H. Chubb being
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the advertisement of **Idaho Dept. of Water Resources**

a **Notice of Claim #98-4074**

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 **May 26**, 19 **77**, and ending with the issue dated **June 2**, 19 **77**.

Subscribed and sworn to before me this **2nd** day of **June**, 19 **77**.

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

AFFIDAVIT OF PUBLICATION

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

NOTARY



WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>J. Kenneth or E Grace Rice</u> Address <u>RT 1 Box 490 Bonners Ferry</u> Drilling Permit No. <u>98-94W57</u> Water Right Permit No. <u>98-4074</u>	7. WATER LEVEL Static water level <u>5'4"</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature <u>46 °F</u> Quality <u>clear / clean</u> Describe artesian or temperature zones below.																																														
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Modification ☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)	8. WELL TEST DATA ☐ Pump ☒ Bailor ☐ Air ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td><u>400 gals @ 2GPM</u></td> <td><u>17'</u></td> <td><u>15 mins</u></td> </tr> <tr> <td><u>180 gals @ 2GPM</u></td> <td><u>16' 10"</u></td> <td><u>90 mins</u></td> </tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>400 gals @ 2GPM</u>	<u>17'</u>	<u>15 mins</u>	<u>180 gals @ 2GPM</u>	<u>16' 10"</u>	<u>90 mins</u>																																					
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3. PROPOSED USE ☒ Domestic ☐ Irrigation ☐ Monitor ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th rowspan="2">Bore Diam.</th> <th colspan="2">Depth</th> <th rowspan="2">Material</th> <th colspan="2">Water</th> </tr> <tr> <th>From</th> <th>To</th> <th>Yes</th> <th>No</th> </tr> </thead> <tbody> <tr> <td><u>42"</u></td> <td><u>+1</u></td> <td><u>2</u></td> <td><u>Loam</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>42"</u></td> <td><u>2</u></td> <td><u>4</u></td> <td><u>Dry Blue clay</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>42"</u></td> <td><u>4</u></td> <td><u>6</u></td> <td><u>Damp coarse blue sand</u></td> <td></td> <td>☒</td> </tr> <tr> <td><u>42"</u></td> <td><u>6</u></td> <td><u>8</u></td> <td><u>water/red color</u></td> <td>☒</td> <td></td> </tr> <tr> <td><u>42"</u></td> <td><u>8</u></td> <td><u>13'6"</u></td> <td><u>Blue quicksand</u></td> <td>☒</td> <td></td> </tr> <tr> <td><u>42"</u></td> <td><u>13'6"</u></td> <td><u>20'</u></td> <td><u>Yellow/green to Blue clay</u></td> <td></td> <td>☒</td> </tr> </tbody> </table>	Bore Diam.	Depth		Material	Water		From	To	Yes	No	<u>42"</u>	<u>+1</u>	<u>2</u>	<u>Loam</u>		☒	<u>42"</u>	<u>2</u>	<u>4</u>	<u>Dry Blue clay</u>		☒	<u>42"</u>	<u>4</u>	<u>6</u>	<u>Damp coarse blue sand</u>		☒	<u>42"</u>	<u>6</u>	<u>8</u>	<u>water/red color</u>	☒		<u>42"</u>	<u>8</u>	<u>13'6"</u>	<u>Blue quicksand</u>	☒		<u>42"</u>	<u>13'6"</u>	<u>20'</u>	<u>Yellow/green to Blue clay</u>		☒
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4. METHOD DRILLED ☐ Rotary ☐ Air ☒ Auger ☐ Reverse rotary ☐ Cable ☐ Mud ☐ Other _____ (backhoe, hydraulic, etc.)																																															
5. WELL CONSTRUCTION Casing schedule: ☐ Steel ☒ Concrete ☐ Other _____ Thickness Diameter From To <u>2 1/2 inches</u> <u>24 inches</u> + <u>1 foot</u> <u>20 feet</u> Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No drilled How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun Size of perforation? <u>5/8 inch</u> inches by <u>5/8 inch</u> inches Number From To <u>1</u> perforations <u>11'</u> feet _____ feet <u>1</u> perforations <u>10'</u> feet _____ feet <u>1</u> perforations <u>12'</u> feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer _____ Type _____ Top Packer or Headpipe _____ Bottom of Tailpipe _____ Diameter Slot size Set from feet to feet Diameter Slot size Set from feet to feet Gravel packed? ☒ Yes ☐ No Size of gravel _____ Placed from <u>20</u> feet to <u>11</u> feet <u>as per waiver</u> Surface seal depth <u>11'</u> Material used in seal: ☒ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port <u>Top mount</u>																																															
6. LOCATION OF WELL Sketch map location must agree with written location. Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Boundary</u> Address of Well Site <u>CORd 22</u> (give at least name of road) <u>SW 1/4 SE 1/4 Sec. 11</u>, T. <u>61N</u> N ☒ or S ☐ R. <u>1E</u> E ☒ or W ☐																																															
10. Work started <u>9/16/94</u> finished <u>9/28/94</u>																																															
11. DRILLER'S CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>Green Coper Drilling</u> Firm No. <u>342</u> Address <u>PA Box 1166 B.F. 83805</u> Date <u>10/2/94</u> Signed by Drilling Supervisor <u>Stephen F. Howells</u> and (Operator) _____ <i>(If different than the Drilling Supervisor)</i>																																															

USE ADDITIONAL SHEETS IF NECESSARY. FORWARD THE WHITE COPY TO THE DEPARTMENT.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

<u>Item</u>	<u>Initial</u>	<u>Date</u>
-------------	----------------	-------------

Application No. _____

_____ Source
 _____ Point of Diversion
 _____ County
 _____ Quantity of Water and Period of Use
 _____ Description of Diverting Works
 _____ Time required for B/U of water
 _____ Place of Use or Acres Irrigated
 _____ Map
 _____ Signature
 _____ Fee

(1) _____

In form to receipt

(2) _____

Send Copies to:

Idaho State Health Department
Idaho Fish and Game Department
Bureau of Land Management

(3) _____

Request Special Use Permit from U.S.F.S.
Request Easement from B.L.M.
Request Information from Applicant
Request Dam Safety Information

(4)

In form for advertising

(5)

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes_____no_____

(8)

Groundwater levels:

Declining, Stable, Increasing

(comment) _____

(9) _____

R.N.S. Other rights on the same place of use

(10) _____

Comments: _____

(11)

Affidavit of Publication received(date)_____

(12)

Final date for protests _____

Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes no

(14) _____

Action recommended:

 Approve Deny

Proposed Priority

Reason for Reduction

Measuring device required

See attached sheet for other conditions of approval

 No special conditions for approval

(15) District _____ By _____ Date _____

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D' ALENE, IDAHO 8381

June 6, 1977

RE: Claim No. 98-4074

J Kenneth &/or E Grace Rice
Rt 1 Box 490
Bonners Ferry, Id 83805

Dear Mr & Mrs Rice,

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosure

RECEIVED
JUN 10 1977
IDAHO



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

May 19, 1977

RE: Application No. 98-7199
Claim No. 98-4074

Bonnors Ferry Herald
PO Box 539
Bonnors Ferry, Id 83805

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

*Bill Received
6-1-77
P*

RECEIVED
MAY 23 1977
NORTH IDAHO

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4074

Notice is hereby given that J Kenneth &/or E Grace Rice

Rt 1 Box 490, Bonners Ferry, Id

has filed a claim to a water right established by diversion and application
to beneficial use of 0.10 cubic feet per second ~~gallons per minute~~

of water from a ~~natural~~ spring

^{Two} with points of diversion in the S₂SE₄ Sec 11, T61N, R1E, B.M., Boundary

County

The water is claimed to be used from Jan 1 to Dec 31

for Domestic (0.04 cfs) and stockwater (0.06 cfs) purposes

with a priority of Aug 1, 1943;

the place of use is within the S₂SE₄ Sec 11, T61N, R1E, B.M.

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

C. STEPHEN ALLRED
Director

Published in the Bonners Ferry News, Bonners Ferry, Id
on May 26 and June 2, 1977

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 98-4074**

Notice is hereby given that J. Kenneth &/or E. Grace Rice Rt. 1, Box 490, Bonners Ferry, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.10 cubic feet per second of water from a spring with two points of diversion in the S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 11, T61N, R1E, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec 31 for Domestic (0.04 cfs) and stock-water (0.06 cfs) purposes with a priority of August 1, 1943; the place of use is within the S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 11, T61N, R1E, B.M.

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

C. STEPHEN ALLRED
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on May 26 and June 2, 1977.idwr



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Room 209
401 Front Avenue
Coeur d'Alene, Idaho 83814
(208) 667-6484

May 16, 1977

RE: Claim No 98-4074

J Kenneth &/or E Grace Rice
Rt 1 Box 490
Bonners Ferry, Id 83805

Dear Mr & Mrs. Rice

Attached is your receipt No. _____ in the amount of \$ _____ for the
filing fee on the above referenced ⁵⁴⁹⁷ item which was received in ¹⁰⁻⁰⁹ office.

Very truly yours,

Alea Beito
Secretary

AB

Attachment

Apr 15, 1977

To Idaho Dept. of Water Resources

I find that I need a Claim to a Water Right form as I have used this water for many years, will you please send me one with instructions for filing.

Thank You

J Kenneth Rice
R 1 Box 490

Bonnere Ferry
Idaho 83805

RECEIVED

APR 18 1977

Department of Water Resources
Northern District Office

RECEIVED

RECEIVED

Apr 7 1977

Bonniers Ferry Ida

APR 11 1977

Department of Water Resources
Northern District Office

To Idaho Dept of Water Resources

Coeur d'Alene Ida,

I would ^{like} to obtain an application and
all necessary information for
getting a water permit on a spring
on my own property

Thank you

J Kenneth Rice
R1 Box 490

Bonniers Ferry
Idaho 83805

APPL. + INST. SENT 4-12-77.40

RECEIVED