

No Color
Documents
In File

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 Barbara D. Hines
(name of claimant)
of 204 Mockingbird Circle, Santa Rosa, Ca, claims a right to the diversion and beneficial use of
(mailing address)
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) unnamed 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>18 gpm</u>	Use <u>domestic</u>	Period of Use: From <u>1 Jan.</u> To <u>31 Dec.</u>
Amount _____	Use _____	Period of Use: From _____ To _____
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: _____ cubic feet per second, or _____ acre feet per annum, and/or 18 gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) Spring of 1944

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)
NW ¼ SE ¼, Sec. 24 Twp. 61N Rge. 1W B.M. County of Boundary
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. pump and 1" 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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
61N	1W	24														X			

Total No. of acres _____

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

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

[illegible]

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.

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.

Barbara D. Hines
(Claimant)

Residing at Santa Rosa, California

Rec. # 4337

OFFICIAL SEAL
ANTOINETTA C. DUNLAP
 NOTARY PUBLIC - CALIFORNIA
 Principal Office in SONOMA County
 My Commission Expires May 1, 1979

Received by CP Date 7-20-76
Prelim. check by _____ Date _____
\$10.00 fee received by CP Date 8-2-76
Approved for publication by _____
Published in Bonnors Ferry Herald
Dates 8-12 & 8-19-76

Exception filed by: _____ Forwarded to _____ Date _____
claimant by: _____

TALBOT SHELTON, JR.
ATTORNEY AT LAW
P. O. BOX 923 TEL. (208) 267-5341
BONNERS FERRY, IDAHO -- 83805

AFFIDAVIT

STATE OF IDAHO)
County of Boundary) ss.

MELVIN COOPER, being first duly sworn, deposes and says:

1. I remember that my father first began taking water from the spring which is the subject of this water claim in the Spring of 1944, using this water for our family's domestic purposes.

2. Our family continued to use that spring water for those purposes until the property was conveyed to Mr. James Hines on 23 August 1972.

Melvin Cooper 6-30-76
Melvin Cooper

SUBSCRIBED and sworn to before me this 30 day of June,
1976.

Talbot Shelton
Notary Public for Idaho
Residing at Bonners Ferry

MICROFILMED

TALBOT SHELTON, JR.
ATTORNEY AT LAW
P. O. BOX 923 TEL. (208) 267-5341
BONNERS FERRY, IDAHO — 83805

AFFIDAVIT

STATE OF IDAHO)
County of Boundary) ss.

BASIL COOPER, being first duly sworn, deposes and says:

1. I remember that my father first began taking water from the spring which is the subject of this water claim in the Spring of 1944, using this water for our family's domestic purposes.

2. Our family continued to use that spring water for those purposes until the property was conveyed to Mr. James Hines on 23 August 1972.

Basil B. Cooper 6-30-76
Basil Cooper

SUBSCRIBED and sworn to before me this 30 day of June,
1976.

[Signature]
Notary Public for Idaho
Residing at Bonners Ferry

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 7 1976

STATE OF IDAHO }
County of Boundary } ss.

NOTICE OF CLAIM TO A WATER RIGHT NO. 98-4069

Notice is hereby given that Barbara D. Hines, 204 Mockingbird Circle, Santa Rosa, California has filed a claim to a water right established by diversion and application to beneficial use of 18 gallons per minute of water from an Un-named Spring with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 61N, R. 1W, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1944; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 61N, R. 1W, 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.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on August 12 and August 19, 1976.idwr

Echo Turnbull, bkpr. for W. H. Chubb
first duly sworn upon his oath, deposes and says that he is the publisher (or forman)

Department of Water Resources
Bonners Ferry, Idaho

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 #98-4069

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 Aug. 12, 1976, and ending with the issue dated Aug. 19, 1976.

Subscribed and sworn to before me this 3 day of Sept., 1976.

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 N. Government Way

COEUR D'ALENE, IDAHO 83814

(208) 667-6484

September 7, 1976

Re: Claim to a Water Right No. 98-4069

Ms. Barbara D. Hines
204 Mockingbird Circle
Santa Rosa, California

Dear Ms. Hines:

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.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enclosure

August 31, 1976

Re: Application No. 98-7175 - Philip F. Jenison
Claim No. 98-4069 - Barbara D. Hines

Bonnars Ferry Herald
P.O. Box 539
Bonnars Ferry, ID 83805

Gentlemen:

Could you please submit the affidavits of publication and bills in connection with the above referenced items. The legal notices were to have been published in your newspaper on August 12 and August 19, 1976.

Your assistance in this matter is appreciated.

Very truly yours,

Corda M. Patterson
Secretary

CP

August 9, 1976

Re: Claim to a Water Right No. 98-4069 - Barbara D. Hines

Mr. Talbot Shelton, Jr.
Attorney at Law
P.O. Box 923
Bonners Ferry, ID 83805

Dear Mr. Shelton:

Attached is your receipt No. 4337 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment



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

August 6, 1976

Re: Application No. 98-7175 - Philip F. Jenison
Claim No. 98-4069 - Barbara D. Hines

Bonniers Ferry Herald
P.O. Box 539
Bonniers 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: 9-7-76.4

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4069

Notice is hereby given that Barbara D. Hines,
204 Mockingbird Circle, Santa Rosa, California
has filed a claim to a water right established by diversion and application
to beneficial use of 18 ~~XXXXXXXXXXXXXXXXXXXX~~ cubic feet per second gallons per minute
of water from an Unnamed Spring
with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 61N, R. 1W, B.M., Boundary
County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes

with a priority of 1944;
the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T. 61N, R. 1W, 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.

R. KEITH HIGGINSON
Director

Published in the Bonnors Ferry Herald, Bonners Ferry, Idaho
on August 12 and August 19, 1976



TALBOT SHELTON, JR
ATTORNEY AT LAW

RECEIVED

AUG 2 1976

Department of Water Resources
Northern District Office

30 July 1976

Department of Water Resources
Northern District Office
4055 Government Way
Coeur d' Alene, Idaho

Att: Mr. Haines

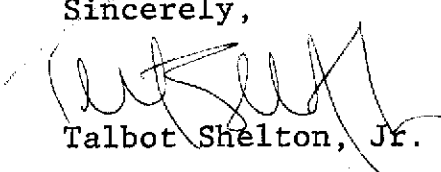
Re: Hines Water Claim

Dear Mr. Haines,

Please find enclosed a check to cover the Claim to
a Water Right of Barbara D. Hines.

Thanks again for the information you provided re-
garding this claim.

Sincerely,


Talbot Shelton, Jr.

TS/rs

OLD SAMARIA BUILDING : POST OFFICE BOX 923
BONNERS FERRY, IDAHO 83805 : (208) 267-5517

TALBOT SHELTON, JR.
ATTORNEY AT LAW
P. O. BOX 923 TEL. (208) 267-⁵⁵¹⁷~~6347~~
BONNERS FERRY, IDAHO — 83805

19 July 1976

RECEIVED
JUL 20 1976

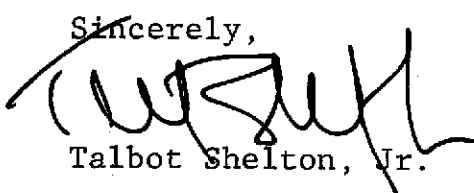
Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources
Northern District Office
4055 Government Way
Coeur d' Alene, Idaho 83814

Dear Persons,

On behalf of Mrs. Hines, please find enclosed a Claim to Water Right. Two Affidavits are also enclosed which indicate the age of this water use. There is some question though whether a Claim to a Water Right or a Water Permit would be more valuable to Mrs. Hines, so in light of these Affidavits, I would be interested in whether you think she would be better advised to apply for a permit.

Sincerely,


Talbot Shelton, Jr.

TS/rs

enc.

Questions answered in telephone conversation of 7-30-76. Mr. Shelton is also forwarding filing fee for Ms. Hines's Claim to a Water Right.