

No Color
Documents
In File

Section 42-225a, Idaho Code

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.

ground water or surface water tributary to ~~Burns Creek~~ Kootenai River

The extent and nature of said claim is as follows:

- | | | | | | | | | |
|--------|----------------------|-----|-------------------------------|----------------|------|--------------|----|------------------------|
| Amount | <u>.01 cfs</u> | Use | <u>Livestock</u> | Period of Use: | From | <u>Jan 1</u> | To | <u>Dec 31</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) |

- (4) Priority claimed: (the date water was first applied to beneficial use) Jan. 1, 1947

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)
SW ¼ NE ¼, Sec. 12 Twp. 62N Rge. 2E 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. Diversion dam with reservoir.
Size of reservoir approx 1/2 ac ft.

- (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.

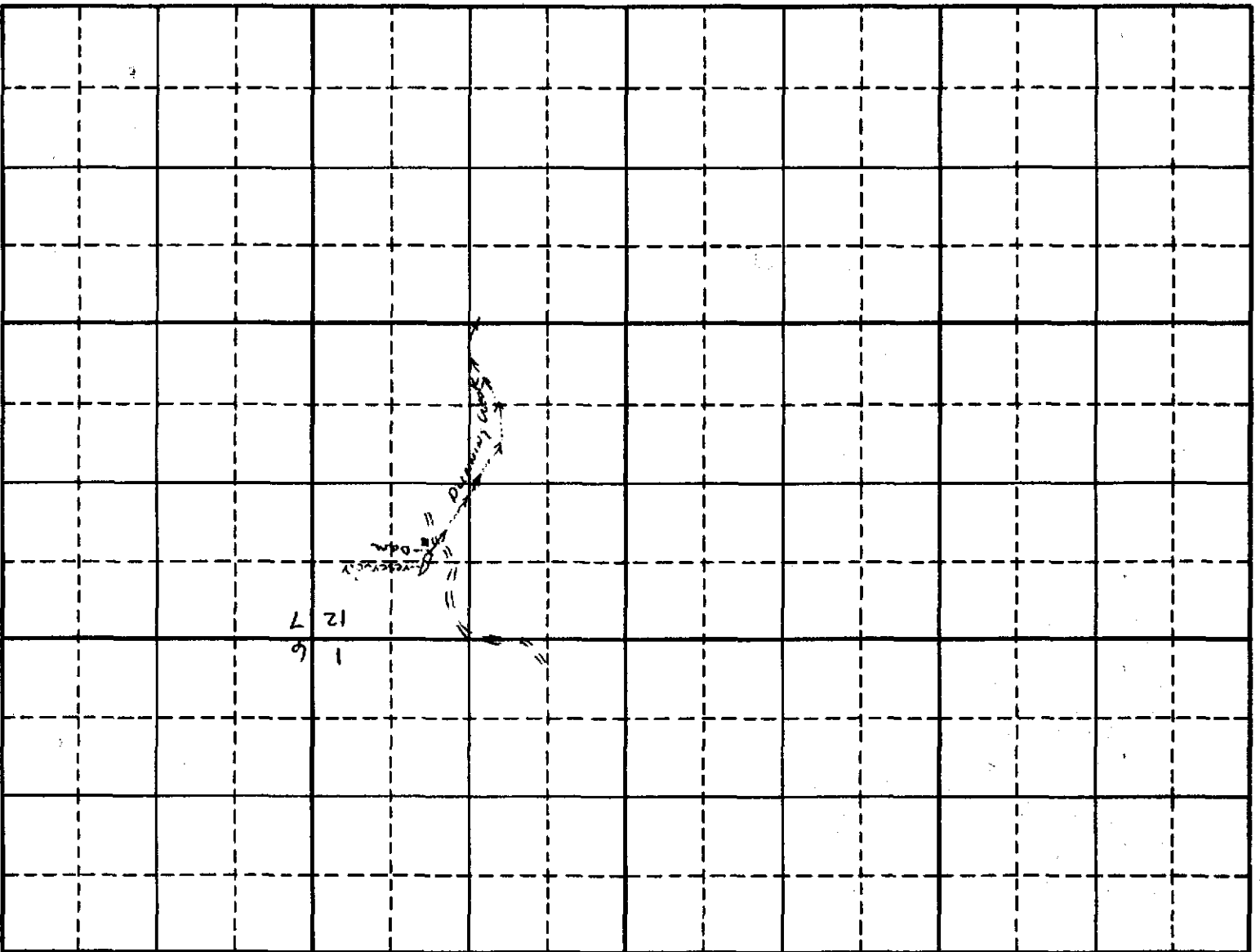
[illegible]

Total No. of acres _____

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

~~Don~~ Stock water - 125 head.

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



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 Bannock
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.

Sworn to before me this 24th day of September, 19 75.

Edward L. Spencer
(Claimant)
Scott M. Higgins
Notary Public
Residing at Bannock Ferry, Idaho.

My commission expires 2-27-78

For Department Use Only

Received by Paul Date 9-26-75
Prelim. check by Paul Date 9-30-75
\$10.00 fee received by CP Date 9-26-75
Approved for publication by CP
Published in Bannock Ferry Herald
Dates 10-9 & 10-16-75
IOWA WATER RESOURCES BOARD
401 First Ave. Room 406
Des Moines, Iowa 50319

**NOTICE OF CLAIM TO A
WATER RIGHT**

NO. 98-4062

Notice is hereby given that Leonard C. Kucera, Star Route, Moyie Springs, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.01 cubic feet per sec- of of water from Dunning Creek, Tributary to Kootenai River with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 62- N, R. 2E, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stock-watering purposes with a priority of January 1, 1947 the place of use is within the SW- $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 62N, R. 2E, 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 Oct. 9 and Oct. 16, 1975-ldwr

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

} ss.

Echo Turnbull, bkpr. for W. H. Chubb

being first duly sworn upon his oath, deposes and says that he is the ~~agent~~ ^{Department of Water Resources} (or foreman)

^{Publication District Office}

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 #98-4062**

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 **Oct. 9, 1975**, 196, and ending with the issue dated **Oct. 16, 1975**, 196.

Subscribed and sworn to before me this 21st day of Oct, 1975.

Caroline L. Lippie
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

October 28, 1975

Re: Claim to a Water Right No. 98-4062

Mr. Leonard C. Kucera
Star Route
Moyie Springs, ID 83845

Dear Mr. Kucera:

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

COEUR D'ALENE, IDAHO 83814

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1

4055 Government Way

(208) 667-6484

October 3, 1975

Re: Claim No. 98-4062 - Leonard C. Kucera

Bonnors Ferry Herald
P.O. 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
District Supervisor

RGH:CP

Enc: Legal Notice(s)

Bill: 10-27-75.4

STATEMENT

BONNERS FERRY HERALD

Complete Newspaper Coverage of Boundary County

P. O. Box 539 — Phone 267-2510

BONNERS FERRY, IDAHO — 83805

RECEIVED

OCT 24 1975

☆

Idaho Dept. of Water Resources
4055 Govt. Way
Rt. 5 Box 203 Suite #1
Coeur d'Alene, Idaho 83814

Department of Water Resources
Northern District Office

Oct. 9 Notice of Claim #98-4062
35 lines 2 times

\$13.65

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4062

Notice is hereby given that Leonard C. Kucera,
Star Route, Moyie Springs, Idaho
has filed a claim to a water right established by diversion and application
to beneficial use of 0.01 cubic feet per second ~~gallons per minute~~
of water from Dunning Creek, Tributary to Kootenai River
with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 62N, R. 2E, B.M.,
Boundary County

The water is claimed to be used from Jan. 1 to Dec. 31 for stock-
watering purposes

with a priority of January 1, 1947;
the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 62N, R. 2E, 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 Oct. 9 and Oct. 16, 1975

RECEIVED
JAN 10 1975

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and application to beneficial

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of water from Dunning

Creek, Tributary to Kootenai

River with point of diversion in

the SW 1/4 NE 1/4, Sec. 12, T. 62-

N, R. 2E, B.M., Boundary

County.

The water is claimed to be

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1/4 NE 1/4, Sec. 12, T. 62N, R. 2E,

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.

R. KEITH HIGGINSON

Director

Published in the Bonners

Ferry Herald, Bonners Ferry,

Idaho on Oct. 9 and Oct. 16,

1975.-ldwr

o.k.
10-8-75
C

Route 5, Box 203
Suite #1
4055 Government Way

XXXXXX
XXXXXXXXXXXX

October 3, 1975

Re: Claim to a Water Right No. 98-4062

Mr. Leonard C. Kucera
Star Route
Moyie Springs, ID 83845

Dear Mr. Kucera:

Attached is your receipt No. 3832 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

