

**NOTICE OF CLAIM TO A
WATER RIGHT
NO. 98-4055**

Notice is hereby given that James H. Tift, Star Route 1, Box 29, Bonners Ferry, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from a Spring with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 63N, R. 1E, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1914; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 63N, R. 1E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Oct. 31 and Nov. 7, 1974.-idwr

MICROFILMED

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 publisher (or foreman)
publisher
Department of Water Resources
Northern 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 #98-4055

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. 31, 1974, 196, and ending with the issue dated Nov. 7, 1974, 196.

Echo Turnbull, bkpr.
Subscribed and sworn to before me this 21 day of Nov., 19674.

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

Identification No. 98-4055

Claim No.

Map No.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant James H. Tilt
post office address Star Rt. 1 Box 29 BONNERS FERRY ID.
2. The point of diversion is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 26 Township 63 N
Range 1 E B.M. located on Spring (name of source)
tributary to _____ in Boundary County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

- a. Date of priority claimed:

Domestic 1914 amount: .03 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .03 c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Domestic period of use from Jan. 1 to Dec 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

- b. Underground water diverting works: is ^{spring} ~~well~~ flowing or pumped pumped ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is 1/3 horse
capacity of pump is 13.5 g.p.m.; name and address of well driller is _____
_____ ;

RECORDED

_____, if so, give dates and explain

ing date and dimensions if possible

is reservoir on or off stream _____ explain _____

describe

Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated.

Explain any significant increase in area irrigated since first use, give dates and acreages if known

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served 1 family
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation _____

State of Idaho

County of Boundary

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 affiants knowledge.

Sworn to before me this 11th day of October, 1974.

Ruth M. Haglan
Notary Public
Residing at Boundary Ferry, Idaho

My commission expires 2-27-78

For Department Use Only

Received by <u>CP</u>	Date <u>10-16-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>TP</u>	Date <u>10-16-74</u>		claimant by:	
Fee received by <u>TP</u>	Date <u>10-16-74</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>TP</u>				
Published in <u>Boundary Ferry Herald</u>	Dates <u>10-31-74</u> <u>11-7-74</u>			

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
	Total claimed:	1.2 c.f.s. or	acre feet	

- Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:
- use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.
4. Describe the diversion works and explain any changes since the right was first initiated.
 5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
 - 6, 7, & 8. Describe any other uses of water.

9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to it for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District *Idaho Water Resource Board*
 Idaho Dept. of Water Administration
 401 Front Avenue, Room 209
 Coeur d'Alene, Idaho 83814

Southern District
 Idaho Dept. of Water Administration
 1041 Blue Lakes Blvd. North
 Twin Falls, Idaho 83301

Eastern District
 Idaho Dept. of Water Administration
 240 South Holmes
 Idaho Falls, Idaho 83401

Western District
 Idaho Dept. of Water Administration
 Statehouse - Annex 2
 Boise, Idaho 83707

**NOTICE OF CLAIM FOR A
WATER RIGHT
NO. 98-4055**

Notice is hereby given that James H. Tift, Star Route 1, Box 29, Bonners Ferry, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from a Spring with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 63N, R. 1E, B.M. Boundary.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1914; the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 63N, R. 1E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Oct. 31 and Nov. 7, 1974. idwr

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 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 #98-4055

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. 31, 1974, 196, and ending with the issue dated Nov. 7, 1974, 196.

Subscribed and sworn to before me this 21 day of Nov., 1974.

C. Don Kerby
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 REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Assistant Director~~
Director

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

October 4, 1982

Re: 98-4055

Mr. J. H. Tift
Star Route 1, Box 29
Bonners Ferry, Id. 83805

Dear Mr. Tift:

According to the Department's records, you have filed a statement claiming that you have water rights to a spring for domestic purposes for one home. It is not necessary that you re-file this claim. You may, if you wish, file any evidence you deem appropriate to substantiate this statement.

If you are using any water other than that described on this claim, however, you must file that use prior to July 1, 1983.

If you need any assistance, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

✓ cc: IDWR - State Office - w/enc.

J. H. Tift
Star Route 1,
Box 29
Bonners Ferry,
Idaho 83805

22Sept. '82

Dept of Water Resources
State of Idaho
Room 209
401 Front Avenue
Coeur d'Alene,
Idaho 83814

Sirs;

In October of 1974 I filed with your office a claim to a water right, no. 98-4055, I now understand that it is necessary to record such water right.

Please forward to me the necessary forms, and advise of any charges, for completing such recording.

Yours truly,



J. H. Tift

RECEIVED

OCT 1 1982

Department of Water Resources
Northern District Office



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

November 26, 1974

Re: Claim to a Water Right No. 98-4055

Mr. James H. Tift
Star Route 1, Box 29
Bonners Ferry, ID 83805

Dear Mr. Tift:

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, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

November 19, 1974

Re: Claim No. 98-4055 - James H. Tift

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

Gentlemen:

Could you please submit the affidavit of publication in connection with the above referenced item. The legal notice was to have been published in your newspaper on October 31 and November 7, 1974.

Your assistance in this matter would be appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

October 25, 1974

Re: Claim No. 98-4055 - James H. Tift

Bonnars Ferry Herald
P.O. Box 539
Bonnars 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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill Submitted 11-11-74 by CP

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4055

Notice is hereby given that James H. Tift,

Star Route 1, Box 29, Bonners Ferry, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.03 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~

of water from a Spring

with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 63N, R. 1E, B.M.,

Boundary County

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

with a priority of 1914;

the place of use is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 26, T. 63N, R. 1E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho, 83814.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho

on Oct. 31 and Nov. 7, 1974

October 29, 1974

Re: Claim to a Water Right No. 98-4055

Mr. James H. Tift
Star Route 1, Box 29
Bonners Ferry, ID 83805

Dear Mr. Tift:

Attached is your receipt No. 15108 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Attachment

