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Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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 Don M. Bianco

(name of claimant)

of P.O. Box 518, Bonners Ferry, Idaho 83805, claims a right to the diversion and beneficial use of

(mailing address)

ground water or surface water tributary to _____

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Ground water

(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>Domestic</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)

(3) Total quantity of water claimed: 0.04 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) 1954

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)

NE ¼ SE ¼, Sec. 11 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. Well with pump and motor.

(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.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
62N	1E	11													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 purposes for 6 families.

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

(8) Remarks _____

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
County of Bondary 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 26 day of June, 19 74.

Don B. Bianco
(Claimant)

MS. Quendell
Notary Public
Residing at Bonner Ferry Idaho

My commission expires 9/2/74

For Department Use Only

Received by <u>CP</u>	Date <u>6-27-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>FB</u>	Date <u>6-27-74</u>		claimant by:	
\$10.00 fee received by <u>FB</u>	Date <u>6-27-74 + 14/144</u>			
Approved for publication by <u>FB</u>				
Published in <u>BONNERS FERRY HERALD</u>				
Dates <u>7-4 + 7-11-74</u>				

1507 86

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Dan M. Bionco
post office address P.O. Box 518 Bonners Ferry, ID.
2. Source of water supply Underground Well which is a tributary of _____
3. a. Location of point of diversion is well NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 62
Range 1E B.M. Bonvalley County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 20 for domestic purpose from Dec. 31 to Jan 1 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. _____ cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is _____ years.

b. Estimated construction cost is \$ _____.

- (8) Description of proposed uses:

- a. If water is **not** for irrigation:

* (1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 62
Range 1E B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1-2 families

(5) If water is to be used for other purposes describe: _____

Total number of acres to be irrigated-

c. Describe any other water rights used for the same purposes as described above.

9. a. Who owns the property at the point of diversion

b. Who owns the land to be irrigated or place of use.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

10. Remarks

Remarks	This well has been in use often on for domestic use since 1954
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11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T 62

Sec 11

E

Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

x Don. M. Franco
(Applicant)

98 4051

Received by GP Date 6-11-74 Time 11:30 A.M.

Preliminary check by _____ Fee \$ _____

Receipted by _____ Date _____

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

Publication approved _____ Date _____

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19____.

Director

86 4054

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 22 1974

NOTICE OF CLAIM TO A WATER RIGHT

No. 98-4051

STATE OF IDAHO

County of Boundary

ss.

W. H. Chubb

first duly sworn upon his oath, deposes and says that he is ~~Department of Water Resources~~ being

~~publisher~~ publisher Northern Electric

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 Administration

a Notice of Claim #98-4051

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 July 4, 1974, 196, and ending with the issue dated July 11, 1974, 196.

Notice is hereby given that Don M. Bianco, P. O. Box 518, Bonners Ferry, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a ground water source with point of diversion in the NE1/4SE1/4, Sec. 11, T. 62N, 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 1954; the place of use is within the NE1/4SE1/4, Sec. 11, T. 62N, R. 1E, B.M.

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

R. KEITH HIGGINSON,
Director.

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on July 4 and July 11, 1974.

Subscribed and sworn to before me this 18 day of July, 1974

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

98 4051

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

July 23, 1974

Re: Claim to a Water Right No. 98-4051

Mr. Don M. Bianco
P.O. Box 518
Bonnars Ferry, ID 83805

Dear Mr. Bianco:

The Department of Water Administration 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 this 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

98 4051

June 28, 1974

Re: Claim No. 98-4050 - David E. Nickolauson
" " 98-4051 - Don M. Bianco

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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill Submitted 7-22-74 by CP

98 4051

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4051

Notice is hereby given that Don M. Bianco,

P.O. Box 518, Bonners Ferry, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~gallons per minute~~
of water from a ground water source

with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 62N, 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 1954;
the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 62N, R. 1E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho
on July 4 and July 11, 1974

98 4051

**NOTICE OF CLAIM TO A
WATER RIGHT**

No 98-4051

Notice is hereby given that Don M. Bianco, P. O. Box 518, Bonners Ferry, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a ground water

source with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 62N, 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 1954; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 62N, R. 1E, B.M.

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

R. KETH HIGGINSON,
Director.

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho, on July 4 and July 11, 1974.

OK.
7-5-74
8

98 4051

June 28, 1974

Re: Claim to a Water Right No. 98-4051

Mr. Don M. Bianco
P.O. Box 518
Bonners Ferry, ID 83805

Dear Mr. Bianco:

Attached is your receipt No. 14144 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

98 4051

June 18, 1974

Mr. Don M. Bianco
P.O. Box 518
Bonners Ferry, ID 83805

Dear Mr. Bianco:

We have taken the opportunity of typing a Claim to a Water Right form using the information you submitted. Since the water has been used for a number of years and is not a new system, it would not be necessary to submit an Application for Permit.

Please review all items on the Claim form, making any changes or additions necessary. Have your signature notarized and return the Claim to our office along with the \$10 fee, and we shall begin its processing.

Feel free to contact us if there are any questions in this matter.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure