

(8)

Remarks

NO NEW USES FOR WATER ARE BEING REQUESTED.

A hand-drawn map on a grid showing a creek, a domestic water well, and an irrigation well. The creek is labeled "CREEK" and has an arrow pointing to it. The domestic water well is labeled "DOMESTIC WATER WELL" and has an arrow pointing to it. The irrigation well is labeled "IRRIGATION WELL" and has an arrow pointing to it. The map is oriented with North at the top.

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 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.

the affiants knowledge.

Sworn to before me this 23rd day of

(Claimant)

74 61

Notary Public

Residing at

Domn 344

My commission expires

66-1-E

For Department Use Only

Received by

Prelim. check by

Date _____

Date 1-24-74

Date 1-24-74 # 12343

Approved for publication by

Published in BONNERS FERRY HERALD

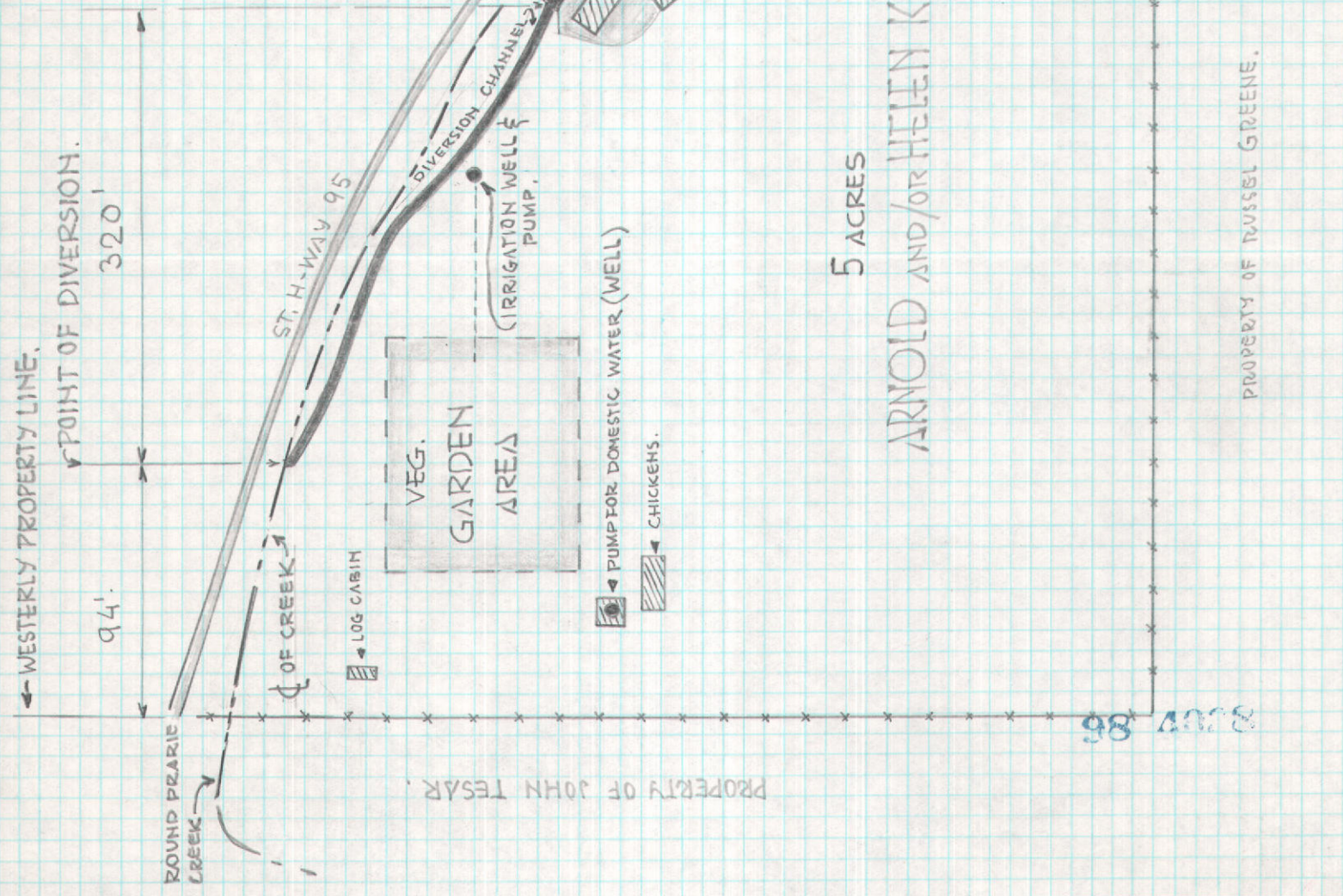
Dates 1-31 & 2-7-74

claimant by:

Date _____

- ① - ~~1~~ - IRRIGATION WELL, 14' DEEP, 36" DIA. PUMP $\frac{1}{3}$ H.P.
35-40 FT. FROM THE CREEK, 20 FT. FR. DIVERSION CHANNEL.
- ② - ~~2~~ - DOMESTIC WATER SUPPLY WELL, 18 FT. DEEP, 30" DIA.
PUMP $\frac{1}{2}$ H.P.
- ③ - ~~3~~ - POINT OF DIVERSION 94 FT. FR. WESTERLY PROP. LINE.
 - DIVERSION POINT PLUGGED WITH SOIL, WITH A 6" CONCRETE PIPE THROUGH THE SOIL. NO DAM ON ROUND PRARIE CREEK.
 - LENGTH OF CONVEYING CHANNEL, FR. POINT OF DIV. TO POND: - 320 FT.
 - SIZE OF THE POND: - $64' \times 48' = 3,072$ SQ. FT.
 - TOTAL CAPACITY OF THE POND: - 24,576 CU. FT.
 - ACTIVE CAPACITY APPR. - 18,432 CU. FT.
 - LOCATION OF POND: - 6 TO 8 FT. FROM THE CREEK, AND PARALLEL TO THE CREEK.

• POND IS SERVING MAINLY AS A SUPPLY OF WATER FOR FIRE PROTECTION OF WHOLE AREA & NATURAL HABITAT FOR FISH.



NO SCALE.

21	22
28	27

PROPERTY OF RUSSEL GREENE.

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

February 20, 1974

Re: Claim to a Water Right No. 98-4037
" " " " " " 98-4038

Arnold and/or Helen Kask
Star Route 2
Bonners Ferry, ID 83805

Dear Mr. and Mrs. Kask:

The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claims 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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, copies of your claims. 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

Enclosures

98 4038

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 ARNOLD AND/OR HELEN KASIK
(name of claimant)

of STAR ROUTE 2, POWNERS FERRY, IDAHO, 83605, claims a right to the diversion and beneficial use of
(mailing address)

ground water or surface water tributary to MOYIE RIVER

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) ROUND PRAIRIE CREEK
IN BOUNDARY COUNTY
- (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>0.09 cfs.</u>	Use	<u>DOMESTIC</u>	Period of Use:	From	<u>JAN. 1</u>	To	<u>DEC. 31</u>
Amount	<u>0.02 cfs.</u>	Use	<u>IRRIGATION</u>	Period of Use:	From	<u>APR. 1</u>	To	<u>OCT. 15</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: 0.04 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) DOMESTIC - 1962, IRRIGATION - 1962
- 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)
SE ¼ S.E. ¼, Sec. 21 Twp. 65 N Rge. 2 E B. M. County of BOUNDARY
 Additional points of diversion: TWO PUMPS ON 5 ACRE PROPERTY. 1) FOR DOMEST. WATER AT SOUTHERLY PROP. LINE. 2) FOR IRRIGATION, 30-40 FT. FROM CREEK AT NORTHERLY PROP. LINE 94' FR. W. LY PROP. LINE.
 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. 1) DOMESTIC WATER SUPPLY WELL, 18 FT. DEEP 30" DIA.; ½ H.P. ELECTRIC PUMP, 2) IRRIGATION WATER SUPPLY WELL, 14 FT. DEEP, 36" DIA.; ½ H.P. EL. PUMP.
BOTH PUMPS HAVE ¾" PIPE LINE, (SOMETIMES USED INTERCHANGEABLY) ←

- (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.

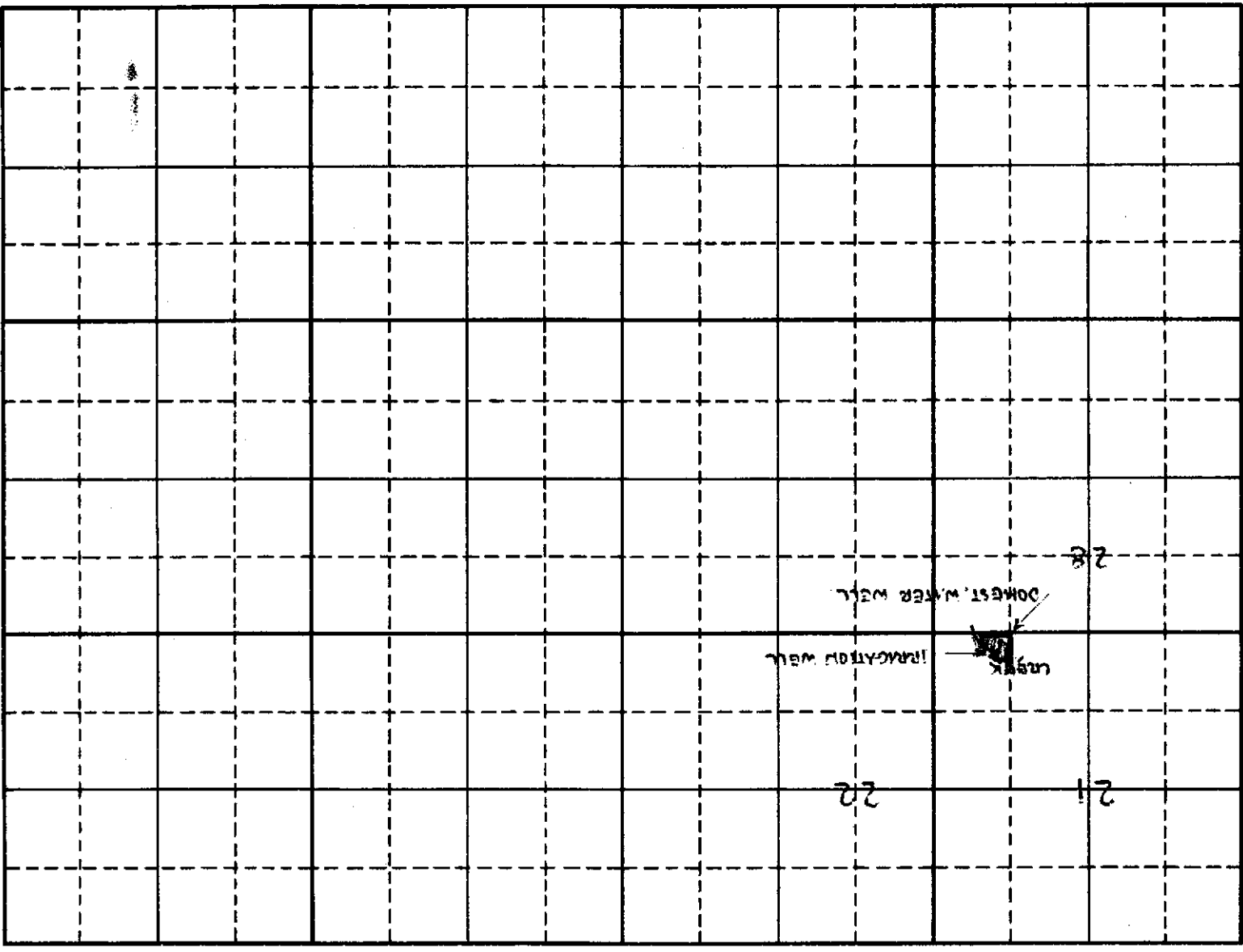
[illegible]

Total No. of acres 2 ACRES

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: ONE WELL & PUMP USED FOR DOMESTIC WATER SUPPLY, SERVING TWO HOUSEHOLDS AND WATER FOR STOCK.

- (7) If you are claiming water as a member of an organization, list name of organization: NOT A MEMBER

(8) Remarks NO NEW USES FOR WATER ARE BEING REQUESTED



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 Boundary
ss.

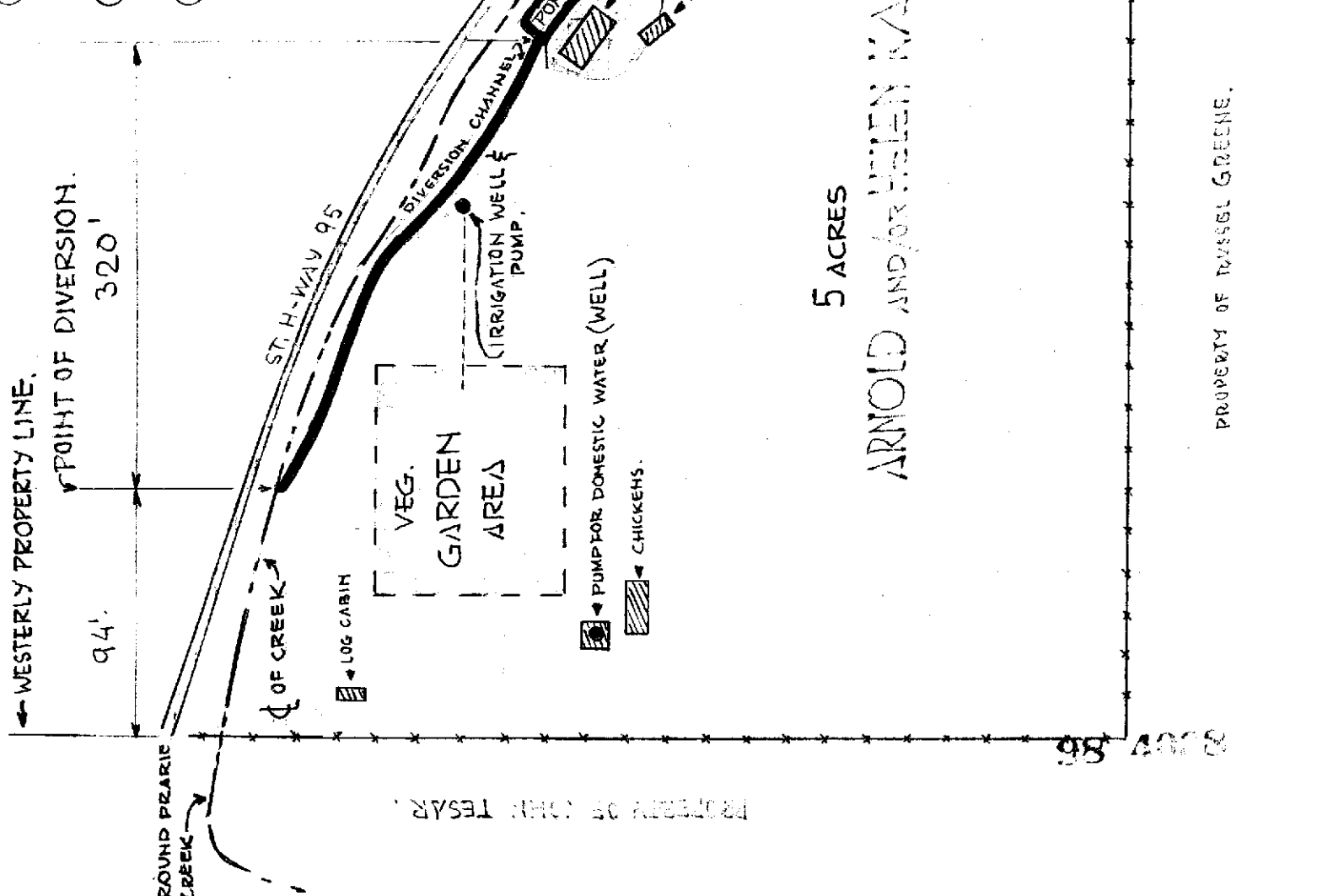
Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 23rd day of January, 1974.
Notary Public
Residing at Boundary Ferry, Idaho
Comm 349
My commission expires 3-1-77

For Department Use Only

Received by af Date 1-24-74 Exception filed by: af Forwarded to af Date 1-24-74
Prelim. check by af Date 1-24-74 \$10.00 fee received by af Date 1-24-74
Approved for publication by af Date 1-24-74
Published in Banner's Ferry Herald Dates 1-31 + 2-7-74

- ① - ~~1~~ - IRRIGATION WELL, 14' DEEP, 36" DIA. PUMP $\frac{1}{3}$ H.P.
35-40 FT. FROM THE CREEK; 20 FT. FR. DIVERSION CHANNEL.
- ② - ~~2~~ - DOMESTIC WATER SUPPLY WELL; 18 FT. DEEP, 30" DIA.
PUMP $\frac{1}{2}$ H.P.
- ③ - POINT OF DIVERSION 94 FT. FR. WESTERLY PROP. LINE.
 • DIVERSION POINT PLUGGED WITH SOIL, WITH A 4" CONCRETE
 PIPE THROUGH THE SOIL. NO DAM ON ROUND PRARIE CREEK.
 • LENGTH OF CONVEYING CHANNEL FR. POINT OF DIV. TO POND: 220 FT.
 • SIZE OF THE POND: $64' \times 48' = 3,072$ SQ. FT.
 • TOTAL CAPACITY OF THE POND: 18,432 CU. FT.
 • ACTIVE CAPACITY APPR. 18,432 CU. FT.
 • LOCATION OF POND: 184 FT. FROM THE CREEK, AND
 184 FT. TO THE BRIDGE.



5 ACRES
ARNOLD AND/OR HELEN WASK.

PROPERTY OF RUSSEL GREENE.

NO SCALE.
21 22
28 27

**NOTICE OF CLAIM TO A WATER
RIGHT**

NO. **98-4038**

Notice is hereby given that Arnold &/or Helen Kask, Star Route 2, Bonners Ferry, Idaho have 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 Round Prairie Creek with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 65N, R. 2E, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes (0.02 cfs); and from April 1 to Oct. 15 for the irrigation of 2 acres (0.02 cfs) with priority of 1962; the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21 T. 65N, R. 2E, 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 Jan. 31 and Feb. 7, 1974.-jdwa

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

ss.

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 **Notice of Idaho Department of Water**

Administration

a **Notice of Claim #98-4038 Kask**

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 **Jan. 31, 1974**, 196, and ending with the issue dated **Feb. 7, 1974**, 196.

Subscribed and sworn to before me this

day of

Feb

19**74**

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

98 4038

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

February 20, 1974

Re: Claim to a Water Right No. 98-4037
" " " " " " 98-4038

Arnold and/or Helen Kask
Star Route 2
Bonners Ferry, ID 83805

Dear Mr. and Mrs. Kask:

The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claims 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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, copies of your claims. 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

Enclosures

98-4038

February 20, 1974

Re: Claim to a Water Right No. 98-4037
" " " " " " 98-4038

Mrs. Arnold Kask
Star Route 2
Bonners Ferry, ID 83805

Dear Mrs. Kask:

The best manner in which to describe and explain the situation concerning your shallow well is to enter your letter of February 12, 1974 in your claim files. This will verify that the well has a direct relationship with Round Prairie Creek and should be considered as the same source as the creek.

If you believe it should be explained further, you may write another letter describing the situation in more detail and we will include that letter as additional evidence in your claim files.

The main objective is to let it be known that your well is directly related to Round Prairie Creek and that when water rights are to be determined from the creek, your well should be included. By our correspondence in your files, this objective will be reached.

If you should have any other questions, or if we may be of any further assistance, please contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

98-4038

RECEIVED

FEB 14 1974

Department of Water Administration
Northern District Office

Star Bl. 2
Bonneville Ferry, Idaho
83808
Feb. 12, 1974

Re: Claims #
98-4037 / 98-4038

Dear Mr. Eisenbarth,

After speaking with our neighbor, John Texas about our respective water claims, which terms were expressed differently in the public notice, although our situation is identical, I decided to write for clarification.

John's claim asks for water use directly from the Round Prairie Creek although ~~it~~ is via his well, approx-imately 20' deep. Our claim is domestic and irrigation, also, is expressed as directly from each of 2 wells, both of which are less than 20'.

Is it to be assumed by all that the source of water feeding the wells is Round Prairie Creek because the

Wells are shallow? Or does it mean —
that we "goofed" in following instructions
and are not actually claiming water
from the Truly only reliable source, the
Creek?

John says a special notation was
entered on his claim which assures
him of creek water, whereas, the well
source is not reliable when and if
the water table drops.

If there is an error concerning
meaning and intent on our claim,
it is best that we correct it now.
May I ask, then, that you clarify
and instruct us in this matter?

Also, may I convey my apologies for
causing so much correspondence
in our stead.

Sincerely,

Mrs. Arnold Lark

January 25, 1974

Re: Application No. 98-7104 Claim No. 98-4036
 " " 98-7105 " " 98-4037
 Claim No. 98-4035 " " 98-4038

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

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

~~"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."~~

~~-----
(signature of claimant)~~

Very truly yours,

FRED EISENBARTH
Northern District Manager

Bill submitted 2-19-74 by CP

FE:CP

Enc: Legal Notices (6)

98 4 38

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4038

Notice is hereby given that Arnold &/or Helen Kask,

Star Route 2, Bonners Ferry, Idaho

have

~~has~~ filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~acres feet per second~~
of water from Round Prairie Creek

with point of diversion in the SE¹SE¹, Sec. 21, T. 65N, R. 2E, B.M.,

Boundary County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes (0.02 cfs); and from April 1 to Oct. 15 for the irrigation of
2 acres (0.02 cfs)

with a priority of 1962;

the place of use is within the SE¹SE¹, Sec. 21, T. 65N, R. 2E, 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 Jan. 31 and Feb. 7, 1974

98 4038

**NOTICE OF CLAIM TO A WATER
RIGHT**

NO. 198-40387

Notice is hereby given that Arnold &/or Helen Kask, Star Route 2, Bonners Ferry, Idaho have 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 Round Prairie Creek with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21, T. 65N, R. 2E, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes (0.02 cfs); and from April 1 to Oct. 15 for the irrigation of 2 acres (0.02 cfs) with priority of 1962; the place of use is within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21 T. 65N, R. 2E, 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 Jan. 31 and Feb. 7, 1974.-idwa

C.R.
1-30-74
A

98
2-2-74

January 25, 1974

Re: Claim to a Water Right No. 98-4037
" " " " " " 98-4038

Arnold &/or Helen Kask
Star Route 2
Bonners Ferry, ID 83805

Dear Mr. and Mrs. Kask:

Attached is your receipt No. 12343 in the amount of \$20 for the filing fees on the
above referenced claims which were received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enclosure

98 4038

January 21, 1974

Arnold Kask
Star Route #2
Bonners Ferry, ID 83805

Dear Mr. Kask:

We regret that we must return your well-prepared claim, for the reason that we can only accept one source of water per claim. You should transfer the information to separate forms--one for the creek and one for the wells.

There is a filing fee of \$10 for each claim, which should be submitted along with the forms.

Please contact us if we may be of any further assistance.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosures

98 4 38

RECEIVED

JAN 18 1974

Department of Water Administration
Northern District Office

Star Rt. 2
Bonners Ferry, Idaho
Jan. 17, 1974

Dear Sir,

Inadvertently, we neglected to include our 10⁰⁰ fee with application for water right.

Enclosed is same.

Thank you —

Helva Kark

Star Route 2
Bonners Ferry, Idaho
January 13, 1974

RECEIVED

JAN 16 1974

Department of Water Administration
401 Front Avenue, Room 205
Coeur d'Alene, Idaho

Department of Water Administration
Northern District Office

Dear sir,

In submitting our claim to a water right, we found some difficulty in supplying answers to the required information, answers that describe our situation correctly. The following is additional, simplified information which might make our claim more comprehensible.

1. Property: 5 acres, including a part of Round Prairie creek, in Boundary County, located at SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sect. 21, T65N, R2E, B.M. along State highway #95.
2. In seeking your kind approval of our claim, a total amount of 0.05 cubic feet per second, we shall mention that this request is based on our three needs for water; irrigation, domestic, and pond.
3. We have two shallow wells and two pumps.
 - a. For irrigation purposes (designated in question 4b as b1)
 - b. For domestic use (designated in question 4b as b2)
4. Pond: fed through a 4" diameter, concrete pipe and a small ditch from the creek. (designated on the list as 3)
5. Property includes 2 houses (separate housekeeping)
6. Wells, pumps and pond have been in existence and use since, at least, 1960 to the present time, although there have been different owners during that span of time.
7. No new uses for water are being requested.
8. There is no dam on the creek at diversion point, or elsewhere.
9. Water diverted into pond is returned to creek without contamination. Pond is used only for fire protection.

We trust this will further clarify our situation.

Sincerely,

98 4938

Arnold Kram
Arnold Kram