

No Color  
Documents  
In File

## CLAIM TO A WATER RIGHT

Notice is hereby given that \_\_\_\_\_ Johnnie Tesar

(name of claimant)

(mailing address)

The extent and nature of said claim is as follows:

- |        |                      |     |                              |                |      |        |    |                        |
|--------|----------------------|-----|------------------------------|----------------|------|--------|----|------------------------|
| Amount | 0.014 cfs            | Use | Domestic                     | Period of Use: | From | Jan. 1 | To | Dec. 31                |
| Amount | 0.026 cfs            | Use | Irrigation                   | Period of Use: | From | July 1 | To | Sept. 30               |
| Amount | 0.01 cfs             | Use | Stockwater                   | Period of Use: | From | Jan. 1 | To | Dec. 31                |
|        | (cfs, gpm<br>or a/f) |     | (dom., irri.,<br>stock etc.) |                |      |        |    | (both dates inclusive) |

- 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.

- 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 pipeline from creek (gasoline driven pump with 1½ inch pump and pipeline. Pump rated at 1 gal./min.) Also an electric pump from shallow well for domestic use rated at 9 gal./min. at zero lift. The water from the shallow well comes from creek seepage.

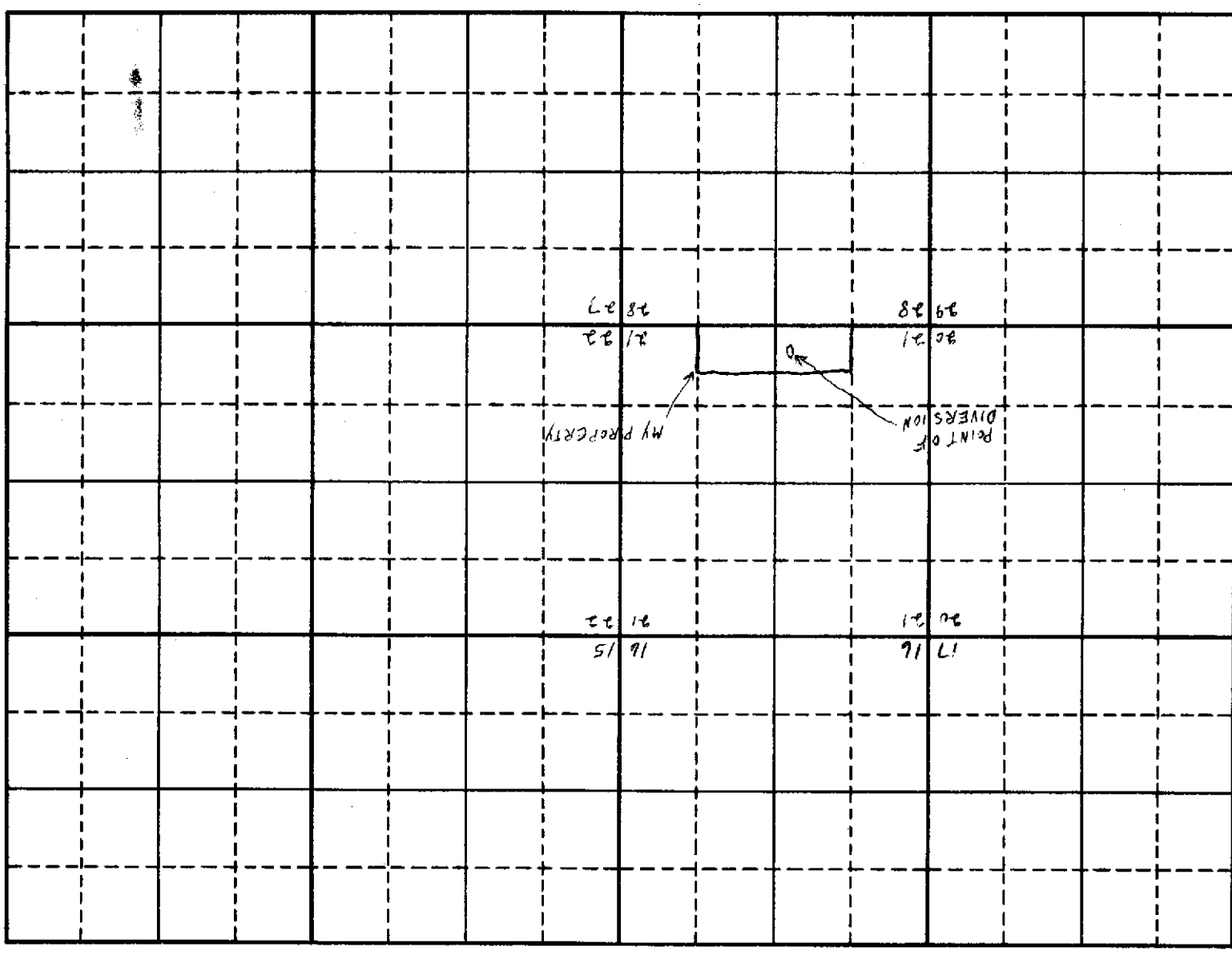
- [illegible]

Total No. of acres  $\frac{1}{2}$

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

(8) Remarks My property includes a portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 21, T.65N, R.2E, and

the SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, T.65N, R.2E, approximately 25 acres in each. Livestock have access to Round Prairie Creek in both portions. May house and garden are in the West half.



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 BOYER 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 13<sup>th</sup> day of JANUARY

John M. Roberts  
(Claimant)  
19 74  
Notary Public  
Residing at CAV

My commission expires SEPT. 11, 1976

For Department Use Only

Received by 78 Date 1/28/74 Prelim. check by 78 Date 1/28/74 \$10.00 fee received by 78 Date 1/23/74 Approved for publication by 78 Date 1/23/74 Published in BOYER'S FERRY HERALD Dates 1-31 & 2-7-74

Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ claimant by: \_\_\_\_\_ Date \_\_\_\_\_

# AFFIDAVIT OF PUBLICATION

## NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4035

Notice is hereby given that Johnnie Tesar, R. R. 2, Bonners Ferry Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.05 cubic feet per second of water from Round Prairie Creek with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , 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 (0.014 cfs) and stockwatering purposes (0.01 cfs); and from July 1 to Sept. 30 for the irrigation of  $\frac{1}{2}$  acre (0.026 cfs) with a priority of July, 1968; the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , 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

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 Idaho Department of Water Administration

a Notice of Claim #98-4035 Tesar

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, com-

mencing 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 7 day of Feb, 1974.

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

98 4035

**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. 98-4035**

**Johnnie Tesar**  
**R. R. 2**  
**Bonniers Ferry, ID 83805**

**Dear Mr. Tesar:**

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 4035

January 25, 1974

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

Bonnors Ferry Herald  
P.O. Box 539  
Bonnors 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 4035

NOTICE OF CLAIM TO A WATER RIGHT

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R.R. 2, Bonners Ferry, Idaho

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to beneficial use of 0.05 cubic feet per second ~~XXXXXXFEETXPERXSECOND~~

of water from Round Prairie Creek

with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , 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  
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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 4135

**NOTICE OF CLAIM TO A WATER  
RIGHT**

**NO. [98-4035]**

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R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on Jan. 31 and Feb. 7, 1974.-idwa

O.K.  
1-30-74  
P

98-4035