

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 20 1973

STATE OF IDAHO }
County of Boundary } ss.

W. H. Chubb

first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)

publisher

Department of Water Administration
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 Department of Water Admn.

a Notice of claim to a water right no. 98-4015
(Huff)

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 June 7, 1973, ~~196X~~, and ending with the issue dated June 14, 1973, ~~196X~~.

Ruth M. Hoglan, bookkeeper

Subscribed and sworn to before me this 15 day of June, 1973

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

98 4015 1-31-77

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4015

Notice is hereby given that Charles C. Huff, 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, tributary to Hall Creek with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 65N, R. 1W, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes with a priority of January, 1937; the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 65N, R. 1W, 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 June 7 and June 14, 1973.

Identification No. 98-4015 P

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 Charles C. Huff
post office address Bonners Ferry, Idaho, 83805

2. The point of diversion is in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 30 Township 65N
Range 1W B.M. located on Spring (name of source)
tributary to Hall Creek 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:

January 1937 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 Stockwater 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).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of Spring development
____; 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 well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____;

98 4015

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

if so, give dates and explain.

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet;

width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____;

Maximum length of pipe line to first place of use is 1500 feet; diameter of pipe line is 1 1/2 inches; type of pipe galvanized steel; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible

d. If water is stored: name of reservoir _____

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____

period of storage is from _____ to _____; is reservoir drained each year _____; _____ is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe

has there been any enlargement of the reservoir since it was first built —, if so, give dates and

describe

5. a. 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 35

7. Where water is used for domestic or municipal purposes give number of families served 1
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 25 day of May, 1973
Charles C. Huff Claimant
[Signature] Notary Public
Residing at Bonne Ferry
My commission expires 9/2/74

For Department Use Only

Received by <u>CR</u> Date <u>5-29-73</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>TE</u> Date <u>5/29/73</u>	_____	_____	_____
Fee received by <u>TE</u> Date <u>5/29/73</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>TE</u>	_____	_____	_____
Published in <u>Bonne Ferry Herald</u> Dates <u>6-7-73</u> <u>6-14-73</u>	_____	<u>98 4015</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:

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 if 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 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

AFFIDAVIT OF PUBLICATION

RECEIVED
JUN 20 1973

STATE OF IDAHO }
County of Boundary } ss.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4015

Notice is hereby given that Charles C. Huff, Bonners Ferry, Idaho has made 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, tributary to Hall Creek with point of diversion in the SE 1/4 SW 1/4, Sec. 30, T. 65N, R. 1W, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes with a priority of January, 1937; the place of use is within the SE 1/4 SW 1/4, Sec. 30, T. 65N, R. 1W, 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 June 7 and June 14, 1973.

J. 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 Admn.

a Notice of claim to a water right no. 98-4015 (Huff)

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 June 7, 1973, and ending with the issue dated June 14, 1973

Keith M. Haglase, bookkeeper

Subscribed and sworn to before me this 15 day of June, 1973

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

98 4015 1-31-77

March 10, 1977

Re: Claim to a Water Right No. 98-4015

Mr. Charles C. Huff
Bonners Ferry
Idaho 83805

Dear Mr. Huff:

We are returning the affidavit you submitted in connection with the above referenced claim. In order for the information to be of any value in your claim file, the affidavit should be signed before a Notary Public.

Please return the affidavit to our office after it has been notarized and we will enter it in your file. Feel free to contact us if we may be of any further assistance.

Very truly yours,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:CP

Enclosure

Runners Ferry, Idaho
Mar 1, 1977

Idaho Department of Water Resources
4055 Government Way
Coeur d'Alene, Idaho.

Dear Sir,

I find enclosed the claim for a
water right and affidavit of John
De Baer that we have used the
water from this spring as claimed
in the claim to a water right.

Yours truly,
Charles K. Huff

Identification No. 98-4015

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 Charles C. Huff
post office address Bonniers Ferry, Idaho, 83805

2. The point of diversion is in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 30 Township 65N
Range 1W B.M. located on Spring
(name of source)

tributary to Hall Creek 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:

January 1937 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 Stockwater 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).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of Spring development
_____ ; 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 well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____ ;

_____ ; if so, give dates and explain _____

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. 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 _____

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 35

7. Where water is used for domestic or municipal purposes give number of families served 1
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

25

day of

May

19B

Charles C. Huff
Claimant

Charles C. Huff
Notary Public

Residing at

Bonne Ferry

My commission expires

9/2/74

For Department Use Only

Received by CP Date 5-29-73

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by FE Date 5/29/73

Fee received by FE Date 5/29/73 Fee \$ 10.00

Approved for publication by FE

Published in BONNE FERRY HERALD Dates 6-7-73

6-14-73

Star Rte 1, Box 93
Bonners Ferry, Idaho
Mar. 19, 1977, 83805

State of Idaho, Dept. of Water Resources,
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Sir:

In reply to your letter of March 10, 1977, I am returning the affidavit to "Claim to a Water Right" No. 98-4015 which has been signed by John De Boer and his signature notarized as you had requested.

Very truly yours,
Charles C. Huff

RECEIVED

MAR 21 1977

Department of Water Resources
Northern District Office

As per 3-24-77 call to CWA,
Mr. Huff submitted affidavit in
letter form, not notarized. But re-
turned it, asking for proper form
& notarization

KTW

RECEIVED

MAR 21 1977

Department of Water Resources
Northern District Office

An Affidavit:

I know for a fact that Charles Huff has used the spring since 1937
located in SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 30, Township 65N, Range 1 West, on a
tributary to Hall Creek in Boundary County, Idaho.

Signed:

John W. Brown
Bonners Ferry Box 94

SUBSCRIBED AND SWORN TO BEFORE ME THIS 18 DAY OF March, 1977

Eric Russell

NOTARY PUBLIC
RESIDING AT Bonners Ferry, IDAHO

MY COMMISSION EXPIRES 8/27/78

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

June 26, 1973

Re: Claim to a Water Right No. 98-4015

Charles C. Huff
Bonners Ferry,
Idaho 83805

Dear Mr. Huff:

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:CR

Enclosure

98 4015

June 1, 1973

Re: Claim No. 98-4015 - Charles C. Huff
" " 98-4016 - D. L. Christensen

Bonnors Ferry Herald
212 Main
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 6-25-73 by de

FE:CR

Enc: Legal Notices (2)

98 4015

STATEMENT

BONNERS FERRY HERALD

Complete Newspaper Coverage of Boundary County

P. O. Box 539

BONNERS FERRY, IDAHO — 83805

State of Idaho Dept. of Water Admn.
401 Front Ave. Rm. 209
Coeur d'Alene, Idaho 83814

1973

State 7 Notice of Claim to Water-98-4015

29 lines 2 times(Huff)

\$ 11.31

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

BONNERS FERRY HERALD

SIGNED: _____

BY: _____

98 4015

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4015

Notice is hereby given that Charles C. Huff,
Bonnors 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 ~~acre feet per annum~~
of water from a spring, tributary to Hall Creek

with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 65N, R. 1W, B.M.,
Boundary County

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

with a priority of January, 1937;
the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 65N, R. 1W, 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 Bonnors Ferry Herald, Bonners Ferry, Idaho
June 7
on _____ and June 14, 1973

98 4015

**NOTICE OF CLAIM TO A WATER
RIGHT
NO. 98-4015**

Notice is hereby given that Charles C. Huff, 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, tributary to Hall Creek with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 65N, R. 1W, B.M., Boundary County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes with a priority of January, 1937; the place of use is within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 65N, R. 1W, 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 June 7 and June 14, 1973.

OK.
6-5-73
cl

98 4015

June 1, 1973

Re: Claim to a Water Right No. 98-4015

Charles C. Huff
Bonners Ferry
Idaho 83805

Dear Mr. Huff:

Attached is your receipt No. 10691 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:CR

Enc: Receipt

98 4015