

No Color
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 William H. &/or Musette M. Heideman PH: 267-7484
(name of claimant)
of Box 525, Bonners Ferry, Idaho, 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) Unnamed Spring

(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 _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1900

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 NE ¼, Sec. 27 Twp. 63N 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. Pressure pump from spring through 1½" pipe to 1500 gallon storage tank, to a second pressure pump for house.

(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	
63N	1E	27				X													

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Water used for domestic purposes for one household.

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

For Department Use Only		Claimant by:	
Received by	AR	Forwarded to	Date
Prelim. check by	7/6	Exception filed by:	
\$10.00 fee received by	7/6		
Approved for publication by	7/6		
Published in	Donnell's Ferry Herald		
Dates	5-31 + 6-7-73		

Sept. 11, 1976

1973, C. M. Roberts

Sworn to before me this 18TH day of

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.

State of Idaho
County of BOOTHE
ss.

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.

Scale: 2 inches equal 1 mile.

[illegible]

NOTICE OF CLAIM TO A WATER
RIGHT
NO. 98-4013

Notice is hereby given that William H. &/or Musette M. Heideman, Box 525, 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 an Unnamed Spring with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, 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 1900; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 63N, 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 May 31 and June 7, 1973.

R. Keith Higginson, Director
Idaho Department Water Adm.
Coeur d' Alene, Idaho

Dear Sir,

We do take exception to the claim filed by William H. and Musette M. Heideman for a water right by diversion of 0.04 cubic feet per second of water from an unnamed Spring with point of diversion in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, Twp. 63N, Range 1E B.M., Boundary County as published in the Bonners Ferry Herald on May 31 and June 7, 1973. We want to protest the same.

We own the SW $\frac{1}{4}$ in the same section and use the flow of water from this Spring for livestock. If 0.04 cubic feet per second were taken, we believe there will be no flow through our land.

Mr. Heideman has not used this water since 1900 as claimed in the publication. He now has another supply for his domestic use.

Very truly yours,
George Knoles
Grace Knoles
George and Grace Knoles

Subscribed & sworn to before me this 6th day of June, 1973.

98 4013

*OK
6/21/73*

*Darius Mesenbrink
Notary Public for Idaho
Residing at Bonners Ferry
Comm. Exp 3-1-77*

RECEIVED

JUN 21 1973

Department of Water Administration
Northern District Office Box 218
Bonners Ferry, Idaho
June 6, 1973

RECEIVED

JUN 11 1973

Department of Water Administration
Northern District Office

RECEIVED

Box 218
Bonners Ferry, Idaho
June 6, 1973

R. Keith Higginson, Director
Idaho Department Water Adm.
Coeur d'Alene, Idaho

Dear Sir,

We do take exception to the claim filed by William H. and Musette M. Heideman for a water right by diversion of 0.04 cubic feet per second of water from an unnamed Spring with point of diversion in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, Twp 63N, Range 1E B.M., Boundary County as published in the Bonners Ferry Herald on May 31 and June 7, 1973. We want to protest the same.

We own the SW $\frac{1}{4}$ in the same section and use the flow of water from this Spring for livestock. If 0.04 cubic feet per second were taken, we believe there will be no flow through our land.

Mr. Heideman has not used this water since 1900 as claimed in the publication. He now has another supply for his domestic use.

Very truly yours,
George Knoles
Grace Knoles
George and Grace Knoles

Subscribed and sworn to before me this 20 day of June 1973

Marion Mesentink
Notary Public for Idaho
Residing at Bonners Ferry
Comm Exp 3-1-77

98 4013

Box 218
Bonners Ferry, Idaho
June 6, 1973

RECEIVED

JUN 21 1973

Department of Water Administration
Northern District Office

R. Keith Higginson, Director
Idaho Department Water Adm.
Coeur d'Alene, Idaho

Dear Sir,

We do take exception to the claim filed by William H. and Musette M. Heideman for a water right by diversion of 0.04 cubic feet per second of water from an unnamed Spring with point of diversion in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, Twp 63N, Range 1E B.M., Boundary County as published in the Bonners Ferry Herald on May 31 and June 7, 1973. We want to protest the same.

We own the SW $\frac{1}{4}$ in the same section and use the flow of water from this Spring for livestock. If 0.04 cubic feet per second were taken, we believe there will be no flow through our land.

Mr. Heideman has not used this water since 1900 as claimed in the publication. He now has another supply for his domestic use.

Very truly yours,

George Knoles
Grace Knoles

George and Grace Knoles

Subscribed and sworn to before me this 20 day of June 1973

Marian Muesenkamp
Notary Public for Idaho
Residing at Bonners Ferry
Comm. Exp. 3-1-77

98 4013

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 13 1973

STATE OF IDAHO }
County of Boundary } ss.

NOTICE OF CLAIM TO A WATER RIGHT NO. 98-4013

Notice is hereby given that William H. &/or Musette M. Heideman, Box 525, 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 an Unnamed Spring with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, 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 1900; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27, T. 63N, 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 May 31 and June 7, 1973.

W. H. Chubb ^{Department of Water Administration} ^{Northern District Office} 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. 98-4013-
Heideman.

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 May 31, 1973, ~~196X~~, and ending with the issue dated June 7, 1973, ~~196X~~.

Ruth M. Haglan, bookkeeper

Subscribed and sworn to before me this 8 day of June, 1973

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

98 4013

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 27, 1973

Re: Claim to a Water Right No. 98-4013 - William H. &/or Musette M. Heideman

George and Grace Knoles
Box 218
Bonners Ferry, ID 83805

Dear Mr. & Mrs. Knoles:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration on July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

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

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

98 4013

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor

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

R. Keith Ilginson
Director

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

June 27, 1973

Re: Claim to a Water Right No. 98-4013

William H. &/or Musette M. Heideman
Box 525
Bonners Ferry, ID 83805

Dear Mr. & Mrs. Heideman:

In reference to the above claim, the enclosed is a copy of an exception filed by George and Grace Knoles in connection with this claim under the provisions of Chapter 2, Section 42-225b of the Idaho Code, which states the following:

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration on July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

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

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

98 4013

June 27, 1973

Re: Claim to a Water Right No. 98-4013 - William H. &/or Musette M. Heideman

Richard Delfs
Star Route #1, Box 34-B
Bonners Ferry, ID 83805

Dear Mr. Delfs:

We have enclosed a copy of a letter sent to Mr. Eddie Justus in reference to the above claim. This letter should answer some of your questions concerning the provisions under which this claim has been filed.

Regarding your comment on placing your name on the claim along with Mr. Heideman's; we wish to advise you that a claim is a sworn statement and we have no authority to alter it in any way. Any changes or additions must be made by the claimant.

Please contact this office if we may be of any further assistance in this matter.

Very truly yours,

Corda Roberts
Secretary
Northern District

CR

Enclosure

98 4013

RECEIVED

JUN 21 1973

Department of Water Administration
Northern District Office

Richard Delfs
St. Rt. 1 Box 34 B
Bonners Ferry, Id.
June 20, 1973

Fred Eisenbarth
Northern Dist. Manager

RE: Claim to water right #98-4013- William H. & or Martha M. Heideman.

Dear Sir:

In reference to your letter of June 7, I have purchased this property from Mr. Heideman, with this water running through my land. This water comes from and begins from springs on Mr. Heideman's land. I would like to avoid any future legal complications with possible heirs of Mr. Heideman, or in the event that he should decide to sell his land, with the purchasers. Needless to say, if they were to develop this claim, I would have no water on my property.

Therefore, I would like my name placed on this water right along with Mr. Heideman's, sharing half of it.

Please advise me further on this matter.

Sincerely


RICHARD DELFS
ST. RT. 1 Box 34 B
BONNERS FERRY, ID. 83805

98 4013

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higgenson
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 27, 1973

Re: Claim to a Water Right No. 98-4013 - William H. &/or Musette M. Heideman

Eddie Justus
Bonners Ferry
Idaho 83805

Dear Mr. Justus:

Please refer to our letter of June 14, 1973, in reference to the above claim. In Paragraph 3, we stated that "it is now mandatory since May 20, 1963, to first receive a permit from our Department before diverting or expanding any surface water."

This statement was in error, in that the date for submitting an application for permit before diverting or expanding any surface water is May 20, 1971.

We apologize for any inconvenience this may have caused.

Very truly yours,

Corda Roberts
Secretary
Northern District

CR

cc: William Heideman

98 4013

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higinson
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 19, 1973

Re: Claim to a Water Right No. 98-4013

William H. &/or Musette M. Heideman
Box 525
Bonners Ferry, ID 83805

Dear Mr. & Mrs. Heideman:

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 further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enclosure

98 4013

June 18, 1973

Re: Claim to a Water Right No. 98-4013 - William H. &/or Musette M. Heideman

George and Grace Knoles
Box 218
Bonners Ferry, ID 83805

Dear Mr. & Mrs. Knoles:

We have received your letter of exception to the above referenced Claim to a Water Right; however, we are returning it for notarization of your signatures.

Section 42-225b of the Idaho Code states that, ". . . any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate." Therefore, in order to accept your letter as an exception to Mr. Heideman's Claim, it should be in duplicate and it should be notarized.

Please contact us if we may be of any further assistance or if you should have any questions in this matter.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enclosure

98 4013

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
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June 14, 1973

Re: Claim to a Water Right No. 98-4013 - William H. & Mrs. Musette M. Heideman

Eddie Justus
Bonners Ferry
Idaho 83805

Dear Mr. Justus:

To better answer your letter of June 8, 1973, it would probably be best to describe what a Claim to a Water Right is.

Under the provisions of Section 42-225a, of the Idaho Code, a person may file a Claim to a Water Right to use water which has been established by the diversion and application of this water to a beneficial use. The filing of a Claim does not confirm the water right, but will serve for informational purposes only. It establishes evidence of a use right which is recorded with our Department.

Therefore, when Mr. Heideman submitted his claim, he has stated that he has established a water right from an Unnamed Spring located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 63 North, Range 1 East, which is and has been used continuously since 1900 for domestic purposes for one household. This Claim does not permit him to expand his right any further than for what the Spring has previously been used. It is now mandatory since May 20, 1963, to first receive a permit from our Department before diverting or expanding any surface water.

One of the questions you asked was, "what rights does his claim give him?" The claim, itself, does not give him a right, but he does have a right to divert only that amount of water which he has diverted in the past.

You also stated that you also use the waters from the Spring for the purpose of a fish pond. It is possible that you have also established a right by diversion and application of this water to a beneficial use. We have enclosed a Claim form if you wish to have your right recorded also.

98 4013

Page 2

Re: Claim No. 98-4013

Eddie Justus

June 14, 1973

In answer to your last question, the following is a quote from the provisions under which this Claim has been filed (Section 42-225b, Idaho Code):

"At anytime after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of reclamation (renamed department of water administration on July 1, 1970) and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

We hope that we have answered some of your questions concerning the filing of a Claim. Please contact us if we may be of any further assistance in this matter.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cr

Enclosure

cc: William Heideman
Box 525
Bonners Ferry, ID 83805

bc: RICHARD DELFS
St Rt. 1, Box 34-B
Bonners Ferry, ID

98 4013

June 8, 1973

Fred Eisenbarth
Northern District Manager.

Re: Claim to a water Right
No. 98-4013

Dear Mr. Eisenbarth

Referring to your letter of June 7 -
A number of questions are at hand.
① (with a priority of 1900) what does
this have reference to?

This place (Mr. Hardemans) was
bought by a Mr. Brockley in the
year about 1925 and it had no
building on it - in fact no one had
lived on it. The White Lumber
Company had been there for

OS 4013

few years prior. Maybe the ^{filed} claim

you state that Mr. Heideman's claim is not for any future development. Can you explain

- ① This further? Why did he file then? if he wasn't going to develop -
- ③ What rights does his claim give him?

I have a fish pond below him. Will my pond receive enough water? ~~Does~~ what I'm in question with.

- ④ ~~With~~ With this claim can he let of his land and promise them water?

- ⑤ How do you file an exception to a water claim?

Thank you for your time and ans.

Sincerely

DB 4013

Eddie Justus

June 7, 1973

Re: Claim to a Water Right No. 98-4013 -- William H. &/or Musette M. Heideman

Eddie Justus
Bonners Ferry
Idaho 83805

Dear Mr. Justus:

In reference to your letter of June 5, 1973, we would like to state that a claim is a sworn statement which supplies evidence of an existing water right. The claim filed by Mr. Heideman is not for any future development.

In Claim No. 98-4013, Mr. Heideman has stated that he has used and is using a spring for domestic purposes with a priority of 1900. If you feel that any part of the claim is invalid, you have the right to file an exception to his claim at any time.

If you have any questions in this matter, feel free to contact our office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cr

cc: Richard Delph
Bonners Ferry, ID

William Heideman
Box 525
Bonners Ferry, ID

98 4013

RECEIVED

DEPARTMENT OF LAND AND WATER
SACRAMENTO, CALIF.

Bonners Ferry, Idaho.

June 5 - 72

Dear Sir:

I am, filing a protest to
Claim of Water Right
No. 98-4013

The last three years Heideman
has not used this water but
has joined a community water
project namely Bee Line
Water Ass. Now he wants
to sub-divide and sell at
inflated prices and use this
water (not for personal use
himself. He is retired and
is not ~~too~~ good of health.

Mr. Heideman has already sold
a parcel of land to a Mr. Dick Wolfe

98-4013

with the promise of water on
the land - There is a very
limited supply of water
coming from this spring and
if used too heavily above what
we will be dry.

Please give this full
investigation. Thanking
you in advance.

Sincerely

Eddie Justus

May 25, 1973

Re: Application No. 98-7072 - Richard J. Grantham
Claim No. 98-4013 - William H. &/or Musette M. Heideman
" " 98-4044 - Richard J. Grantham

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

FE:CR

Enc: Legal Notices (3)

Bill submitted 6-18-73 by de

98 4013

STATEMENT

BONNERS FERRY HERALD

Complete Newspaper Coverage of Boundary County

P. O. Box 539

BONNERS FERRY, IDAHO — 83805

Idaho Department of Water Administration
401 Front Avenue
Coeur d'Alene, Idaho 83814

1973

June 7 Notice of Claim to Water right-No.
98-4013-Heideman-26 lines 2 times \$ 10.14

I hereby certify that the foregoing amount 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.

SIGNED: BONNERS FERRY HERALD

BY: [Signature]

98 4013

NOTICE OF CLAIM TO A WATER RIGHT

NO. 98-4013

Notice is hereby given that William H. &/or Musette M. Heideman,
Box 525, 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 ~~acres feet per annum~~
of water from an Unnamed Spring

with point of diversion in the SE 1/4, Sec. 27, 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 1900;
the place of use is within the SE 1/4, Sec. 27, T. 63N, 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 May 31 and June 7, 1973

98 4013

**NOTICE OF CLAIM TO A WATER
RIGHT
NO. 98-4013**

Notice is hereby given that William H. &/or Musette M. Heide-
man, Box 525, Bonners Ferry, Idaho
has filed a claim to a water right
established by diversion and appli-
cation to beneficial use of 0.04 cubic
feet per second of water from an
Unnamed Spring with point of di-
version in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27,
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 1900;
the place of use is within the SE $\frac{1}{4}$
NE $\frac{1}{4}$, Sec. 27, T. 63N, R. 1E, B.M.

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

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry
Herald, Bonners Ferry, Idaho on
May 31 and June 7, 1973.

O.K.
5-30-73
CR

98 4013

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

May 22, 1973

William H. Heideman
Box 525
Bonners Ferry, ID 83805

Dear Mr. Heideman:

Enclosed is your receipt No. 10672 in the amount of \$10 for the filing fee on the claim you submitted to our office for domestic purposes.

We are sorry that there was not someone in the office to answer your questions concerning the filing of your other springs. According to the Idaho Code, there are two items that must be completed before a water right can be established:

1. The water must be put to a beneficial use.
2. The water must be diverted with physical control of the water.

Therefore, as stated in the Idaho Code, cattle drinking directly from a stream does not constitute a water right. However, if you have created any diversion works or impoundment of the water, this could be classified as physical control. We have enclosed several claim forms for your use.

If you have any questions, or if we can be of any further assistance, feel free to contact this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cr

Enclosures

98 4013