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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that HOWARD W. RUSSELL
(Name of Claimant)
P.O. Box 65, Harrison, Idaho 83833 Telephone No. 689-3425
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1939

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
spring tributary to Priest River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.04</u>	Use	<u>domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .04 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 29 Twp. 59N Rge. 4W B.M., County of Bonner
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. Describe any changes in the system and give the date of the change. 20 ft. x 25 ft. x 5 ft. deep wood plank cistern, 2-inch iron pipe runs 550 ft. southwest to house near left bank of Priest River.

(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.

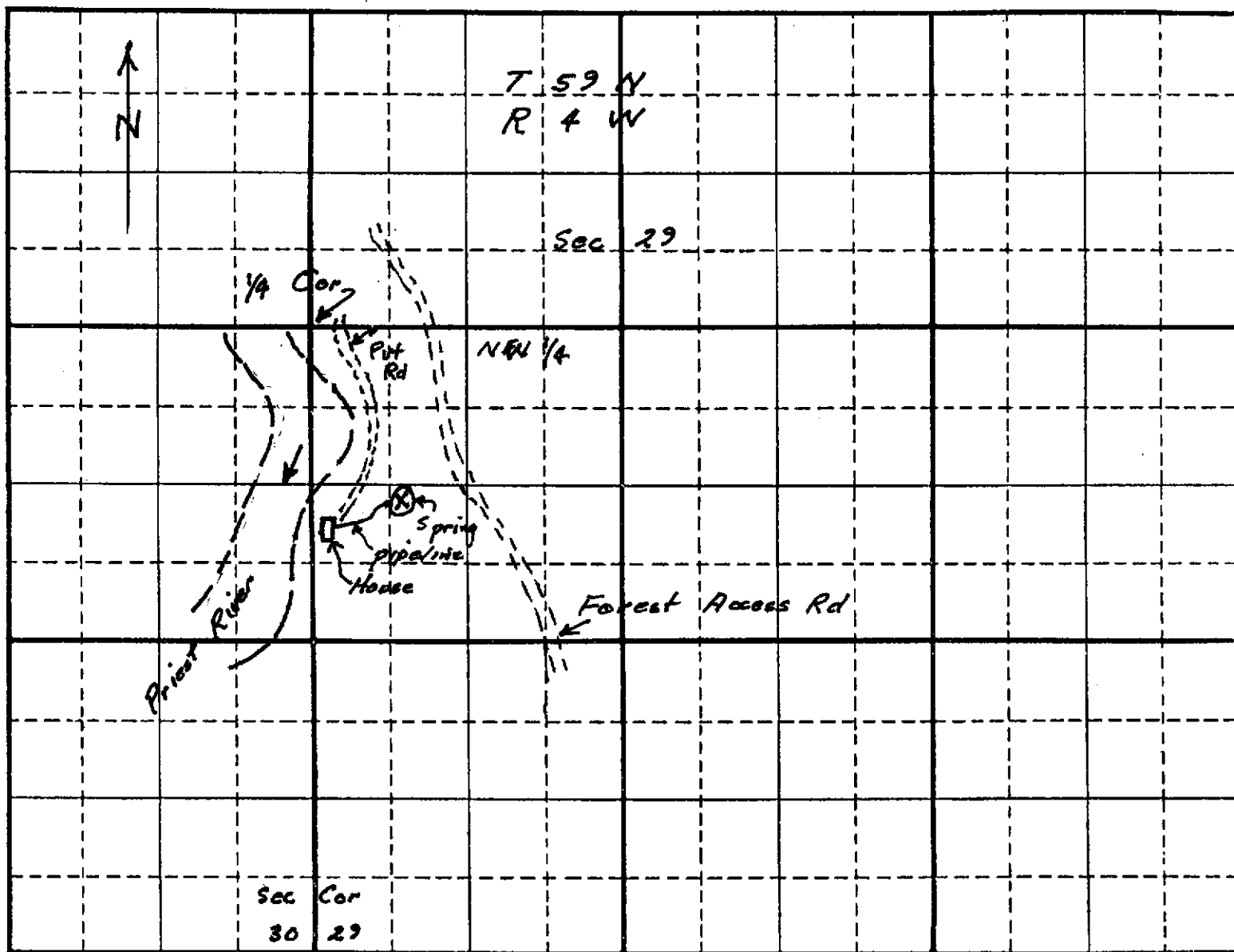
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>59N</u>	<u>4W</u>	<u>29</u>										<u>X</u>							

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Spring and pipeline is to supply domestic needs to one residence and guest cabin in addition to garden and yard irrigation.

NOTE: Include here the type and number of stock watered:
(7) If you are claiming water as a member of an organization, list name of organization: JUL 27 1980

(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 Kootenai) 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.

Howard W. Russell
HOWARD W. RUSSELL

(Claimant)

Sworn to before me this 8th day of March, 1988.

James A. Mackel
Notary Public
Residing at Coeur d'Alene Idaho 83814

My commission expires January 14, 1993

JUL 7 1988

FOR DEPARTMENT USE ONLY

Received by TK Date 3/21/88 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by TK Date 3/22/88 claimant by: _____
\$30.00 fee received by Chris River Date 3/22/88 (-1988)
Published in Chris River _____
Dates 4/6 + 13/88 _____

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

SS.

San Drewry
being duly sworn, says that he is the managing editor
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been con-
tinuously and uninterruptedly published in said County during a period
of 78 consecutive weeks prior to the first publication of the annexed
notice for publication, is a newspaper of general circulation made up of
at least eight pages of at least six columns each, printed from typemat-
ter or stereotyped forms of at least nineteen and three-fourths inches
depth, has at least 1250 bona fide subscribers living within said Bonner
County, and is published at regular weekly intervals. That the annexed
is a true copy of the notice for publication in the case of

587 Russell

as it was published in the regular and entire issue of said paper for a
period of two consecutive weeks, commencing on
the 6 day of April, 19 88,
and

ending on the 13 day of April, 19 88,
and that said notice was published in said newspaper proper, and not in
supplement form.

Subscribed and sworn to before me this

13 day of April, 19 88

Land L. Ramsey
Notary Public for Idaho,
Residing at Priest River, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

97-4236

RUSSELL, HOWARD W.
P.O. BOX 65, HARRISON, ID 83833
Source: SPRING trib. to PRIEST
RIVER
Diversion Pt: NWSW Sec 29 T 59N R
04W

Use: DOMESTIC (0.040 CFS)

Date Filed: 06/01/1939

In: NWSW Sec 29 T 59N R 04W

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Northern Region, 4055
Government Way, Suite 9, Coeur
d'Alene, Idaho 83814.

R. Keith Higginson, Dir.

#587 Apr. 6, 13, 1988

RECEIVED

JUL 27 1988

RECEIVED

Idaho Department of Water Resources
Coeur d'Alene District Office

97-4286

RUSSELL, HOWARD W.

P.O. BOX 65, HARRISON, ID 83833

Source: SPRING trib. to PRIEST RIVER

Diversion Pt: NWSW Sec 29 T 59N R 04W

Use: DOMESTIC (0.040 CFS)

Date Filed: 06/01/1939

In: NWSW Sec 29 T 59N R 04W

REPRODUCED

JUL 27 1988

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 97-4236 Applicant Russell

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By [Signature] Date 5/6/88

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 5-17-86

RECEIVED
MAY 17 1988

Department of Water Resources



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 14, 1988

Mr. Howard W. Russell
P. O. Box 65
Harrison, Id. 83833

Dear Mr. Russell:

I am returning your Check No. 28-8 in the amount of \$530.00 along with your two claims and the composite claim which I prepared from them.

Please have the composite claim notarized and return it to this office with a new check in the amount of \$430.00. This amount represents \$30.00 for the Application for Permit, \$200.00 for the claim to two springs in the Harrison vicinity and \$200.00 for a claim to a spring in the Priest River area.

If I can be of any further assistance or if you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claims (3)

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JUL 27 1988

Celebrate
IDAHO
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 765-4639

APRIL 25, 1988

HOWARD W. RUSSELL
P.O. BOX 65
HARRISON

ID 83833

RE: Claim No. 97-4236

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

RECEIVED

JUL 27 1988