

NOTICE OF
CORRECTION

Notice is hereby given that Application for Permit No. 97-7232 in the Name of Vance W. Dighans, et al. was advertised incorrectly on 4/7 and 4/14, 1983.

The Diversion Point was incorrectly advertised as Lot 05 Lot 06 Lot 07 Lot 08 NWSW NESE NWSE Sec 02 T57N R5W Lot 08 Sec 03 T 57N R05W; whereas, correctly it should be Lot 05 Lot 06 Lot 07 Lot 08 NWSW NESE NWSE NESW Sec 02 T57N R05W Lot 08 Sec 03 T57N R05W.

Any protest/exception to the above-referenced correction must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before May 23, 1983.

A. KENNETH DUNN

Director

Published PRT May 5, 12, 1983

Dept. of Water Resources

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Pete Thompson

Publisher

being duly sworn, says that he is the
of the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously 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 seven columns each, printed from typematter 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

Dept. of Water Resources 97-4193, 97-4194,
97-4195

Notice of Correction--97-7232

as it was published in the regular and entire issue of said paper for a period of two consecutive weeks, commencing on the 5th day of May, 1983, and

ending on the 12th day of May, 1983, and that said notice was published in said newspaper proper, and not in supplement form.

Pete Thompson

Department of Water Resources
Northern District Office

Subscribed and sworn to before me this

13 day of May, 1983

John M. Thompson

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:

97-4193

KALHAR, DENNIS &/or
ANNA MARGARET
RT. 3 BOX 106, COLBERT,
WA 99005

Source: GROUNDWATER

Priority Date: 09/01/1952

Diversion Pt: SENE Sec 27 T 61N R 05W

Use: IRRIGATION (0.02 CFS)

STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SENE Sec 27 T 61N R 05W FOR 2 ACRES

97-4194

KALHAR, DENNIS

RT. 3 BOX 106, COLBERT,
WA 99005

Source: KALISPELL
CREEK trib. to PRIEST
LAKE

Priority Date: 09/01/1951

Diversion Pt: SWSE Sec 27 T 61N R 05W

Use: IRRIGATION (0.20 CFS)

STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SWSE Sec 27 T 61N R 05W FOR 40 ACRES

97-4195

NACCARATO, CHARLES G.
P.O. BOX 571, PRIEST
RIVER, ID 83856

Source: GROUNDWATER

Priority Date: 01/01/1894

Diversion Pt: SESW Sec 18 T 56N R 04W

Use: IRRIGATION (0.03 CFS)

STOCKWATER (0.02 CFS)

DOMESTIC (0.11 CFS)

In: SWSW Sec 18 T 56N R 04W FOR 2 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

KENNETH DUNN

Director

Published PRT May 5, 12, 1983

60

MICROFILMED

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 Charles G. Naccarato
(Name of Claimant)
P O Box 571 Priest River, ID 83856 Telephone No. 448 1009
(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) 1894 used by my grandfather Charles Naccarato
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)
Groundwater tributary to _____

(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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.11 CFS</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>0.05 CFS</u>	Use <u>Irrigation</u>	Period of Use From <u>5-15</u>	To <u>09-15</u>
Quantity	<u>0.02 CFS</u>	Use <u>Stockwater</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 _____

(4) 0.16 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SW 1/4, Sec. 18 Twp. 56 N Rge. 4 W B.M., County of Bonner
Additional points of diversion: none

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. Cistern and pump and pipe

(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 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
56N	4W	18											X						
56N	4W	18											2						2 acres

in entire farm
No. of acres 300
only 2 irrigated

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: See Item 6 above Two homes The irrigation water is used for the irrigating of two family gardens.

NOTE: Include here the type and number of stock watered: 10 to 15 head
If you are claiming water as a member of an organization, list name of organization: no
SEE 2ND SEC 18 TWP 56 N RGE 4 W B.M. 2ABN

UNRECORDED

~~SEA SW/ Sec 10, Twp 50N, Range 5WBM~~

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.

[illegible]

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.

(Claimant)

Charles R. Bowers

Sworn to before me this 15th day of April 1961

Notary Public
Residing at Priest River, Idaho

My commission expires

FOR DEPARTMENT USE ONLY

Forwarded to
Date
claimant by:

_____ Dates

Published in

Prelim. check by

Date,

Date _____

Date _____

4/25/20

28/8/14

FOR DE

20997-128/97/1

5/5412/83

[Signature]

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A. KENNETH DUNN

Director

Published PRT May 5, 12, 1983

Dept. of Water Resources

Affidavit of Publication

STATE OF IDAHO

County of Bonner,

ss.

Pete Thompson

Publisher

being duly sworn, says that he is the
of the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously 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 seven columns each, printed from typematter 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

Dept. of Water Resources 97-4193, 97-4194,
97-4195

Notice of Correction--97-7232

as it was published in the regular and entire issue of said paper for a period of
Two consecutive weeks, commencing on the 5th day of May 1983
and
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ending on the 12th day of May 1983
and that said notice was published in said newspaper proper, and not in supplement form.

Pete Thompson

Department of Water Resources
Northern District Office

Subscribed and sworn to before me this

13 day of May, 1983

Odell M Thompson

Notary Public for Idaho,

Residing at Priest River, Idaho

TO WATER RIGHTS

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97-4193

KALHAR, DENNIS &/or ANNA MARGARET
RT. 3 BOX 106, COLBERT, WA 99005

Source: GROUNDWATER

Priority Date: 09/01/1952

Diversion Pt: SENE Sec 27 T

61N R 05W

Use: IRRIGATION (0.02

CFS)

STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SENE Sec 27 T 61N R

05W FOR 2 ACRES

97-4194

KALHAR, DENNIS
RT. 3 BOX 106, COLBERT, WA 99005

Source: KALISPELL CREEK trib. to PRIEST LAKE

Priority Date: 09/01/1951

Diversion Pt: SWSE Sec 27 T

61N R 05W

Use: IRRIGATION (0.20

CFS)

STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SWSE Sec 27 T 61N R

05W FOR 40 ACRES

97-4195

NACCARATO, CHARLES G.
P.O. BOX 571, PRIEST RIVER, ID 83856

Source: GROUNDWATER

Priority Date: 01/01/1894

Diversion Pt: SESW Sec 18 T

56N R 04W

Use: IRRIGATION (0.03

CFS)

STOCKWATER (0.02 CFS)

DOMESTIC (0.11 CFS)

In: SWSW Sec 18 T 56N R

04W FOR 2 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

KENNETH DUNN

Director

Published PRT May 5, 12,

1983

60

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 20, 1983

97-4195

Mr. Charles Naccarato
P. O. Box 571
Priest River, Id. 83856

Dear Mr. Naccarato:

I am returning your Check No. 92-311 in the amount of \$30.00 and your Claim to a Water Right for completion.

You must complete Item No. 1 by listing the date the water from the well was first put to use for the purposes described in Item No. 3. You must also list only the number of acres you have historically irrigated in Item No. 6a, as I have indicated with arrows in the righthand margin. Please complete Item No. 6b by listing the number of homes served.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Check
Claim

MICROFILMED



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

June 10, 1983

RECEIVED

JUN 13 1983

Department of Water Resources
Northern District Office

*please
file*

Mr. Charles G. Naccarato
P. O. Box 571
Priest River, Id. 83856

Re: 97-4195

Dear Mr. Naccarato:

The form which you filed in this office constitutes your statement of what the water right on your property is because the diversion and use of the water has historically existed on that property.

Because of the nature of the water right which you filed, it had to be recorded with us by the 30th of June of this year to be protected. Because the Department does not make any attempt to check the accuracy or validity of the claim, we are not in a position to confirm the fact that a water right as stated in your claim does exist. The only manner in which that can be done is to file a Quiet Title action in District Court.

If you have any more questions, please contact me.

Sincerely,

Robert G. Haynes

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

cc: IDWR - State Office w/enc.

RECEIVED

JUN 15 1983

Department of Water Resources
Northern District Office

97-4195

NACCARATO, CHARLES G.

P.O. BOX 571, PRIEST RIVER, ID 83856

Source: GROUNDWATER

Priority Date: 01/01/1894

Diversion Pt: SESW Sec 18 T 56N R 04W

Use: IRRIGATION	(0.03 CFS)
STOCKWATER	(0.02 CFS)
DOMESTIC	(0.11 CFS)

In: SWSW Sec 18 T 56N R 04W FOR 2 ACRES

MICROFILMED

PC

PROFESSIONAL TITLE CO., INC.
Sandpoint, Idaho

WHEN RECORDED MAIL TO

CHARLES G. NACCARATO
PRIEST RIVER, IDAHO

Box 1618

MAIL TAX STATEMENTS TO

SAME AS ABOVE

STATE OF IDAHO, COUNTY OF

I Hereby Certify That this instrument was filed at
the request of Charles Naccarato

at 3:30 AM/PM
this 6 day of March
19 74, in my office, and duly recorded in Book 147
of Deeds, at page 565

DORIS L. KENNEY

Ex-Officio Recorder.

By Betty O'Donnell

Deputy.

Fees: \$ 1.00

565

155914

Warranty Deed

Grantor: CARMELLA NACCARATO, a widow,

FOR A VALUABLE CONSIDERATION does hereby grant, bargain, sell and convey unto

CHARLES G. NACCARATO, ~~husband~~,

, the Grantee

the following property, in Bonner County, State of Idaho, to-wit:

-----The NE 1/4 of Section 18, Township 56 North,
Range 4, W. B. M., and that part of the E 1/2 of
the NW 1/4 of Section 18, Township 56 North
Range 4, W. B. M., lying East of the County Road,
and also the NE 1/4 of the SW 1/4 of Section 18,
Township 56 North, Range 4, W. B. M.-----

*Flora & Carlo deeded all to Carmela, & Gus
& Minnie deeded all to Carmela in 1957.
Gus & Minnie & Flora deeded NE SW to Chas in
1959.*

TOGETHER WITH ALL AND SINGULAR, The tenements, hereditaments and appurtenances hereunto belonging
or in anywise appertaining.

AND the above named grantor, hereby covenant S, that the above described premises are free from
encumbrances, and that She and her heirs, executors and administrators shall warrant and
defend the above premises against all lawful claims and demands, except: current taxes and easements
and rights of way of record and of view.

DATED: 5 day of March, 1974.

Carmela Naccarato

STATE OF IDAHO,

County of

BONNER

On this day personally appeared before me CARMELLA NACCARATO

known to me to be the individual described in and who executed the within and foregoing instrument, and
acknowledged that she signed the same as her free and voluntary act and deed, for the uses and
purposes therein mentioned.

GIVEN under my hand and official seal this

5th day of March 1974
Mary E Cook

Correction

016

WARRANTY DEED -- Short Form

Know All Men by These Presents:

That, CARMELA NACCARATO, a widow,
of Priest River, County of Bonner, State of Idaho
in consideration of -One Dollar & Other Valuable Considerations----- ~~AND~~
does hereby grant, bargain, sell and convey unto CHARLES G. NACCARATO,
of Priest River, County of Bonner, State of Idaho
the following property, in Bonner County, State of Idaho, to-wit:

-----The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1
Township 56 North of Range 4, West of the Boise Meridia

This deed is given to correct the descriptions contained
in that certain deed dated August 29, 1957, and recorded
in Book 97 of Deeds, page 67, records of Bonner County,
Idaho. No Revenue Stamps Necessary.

TOGETHER WITH ALL AND SINGULAR, The tenements, hereditaments and appurtenances
unto belonging or in anywise appertaining.

AND the above named grantor, hereby covenants, that the above described premises
from all encumbrances, and that she will and her heirs, executors and administrators
shall warrant and defend the above premises against all lawful claims and demands, except:

SIGNED, this 14th day of April, 1959.

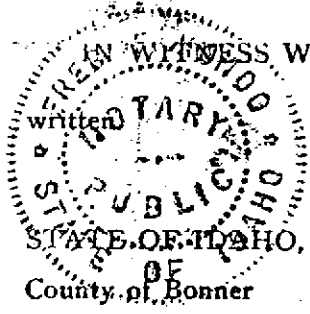
Carmela Naccarato

STATE OF IDAHO,
County of Bonner } ss.

On this 14th day of April, in the year 1959,

Fred F. Kondo, A NOTARY PUBLIC, in and for:

personally appeared Carmela Naccarato, a widow,
known to me to be the person whose name is subscribed to the
instrument and acknowledged to me that she executed the same.



IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the date is

Fred F. Kondo
Notary Public, in and for the
of Idaho, residing at Priest
therein.

Filed for record at the request of Fred Kondo

on the 15 day of April, 1959, at 10:00 o'clock
in Book 101 of Deeds, on page 13.

DORIS L. KENNEY

By Debra Ham Deputy.

Recording fee, \$1.00

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

~~A. KENNETH DUNN~~

~~C. Stephen Alfred~~

Director

June 10, 1983

Suite No. 1

4055 Government Way

Coeur d'Alene, Idaho 83814

(208) 667-6484

RECEIVED

JUN 13 1983

Department of Water Resources

Mr. Charles G. Naccarato
P. O. Box 571
Priest River, Id. 83856

Re: 97-4195

Dear Mr. Naccarato:

The form which you filed in this office constitutes your statement of ~~what~~ the water right on your property is because the diversion and use of the water has historically existed on that property.

Because of the nature of the water right which you filed, it had to be recorded with us by the 30th of June of this year to be protected. Because the Department does not make any attempt to check the accuracy or validity of the claim, we are not in a position to confirm the fact that a water right as stated in your claim does exist. The only manner in which that can be done is to file a Quiet Title action in District Court.

If you have any more questions, please contact me.

Sincerely,

/s/

ROBERT G. HAYNES, P.E.
Regional Supervisor

RCH/pms

✓ cc: IDWR - State Office w/enc.

RECEIVED

RECEIVED

JUN 6 1983

Department of Water Resources
Northern District Office

P O Box 571
Priest River, ID 83856
June 3, 1981

Department of Water Resources
Attn: Forbert G. Haynes, P.E.
4055 Government way
Couer d'Alene, ID 83814

Claim No. 97-4195

Dear Mr. Haynes:

We have your letter of May 23, 1983, which we do not understand. Does this form constitute a Water Right? There should be some priority in that my Grandfather started using water from this source in 1894, and his decendents have used water from the same source continuously since that date.

Will you please advise me the status of my water rights?

Very truly yours,

Charles G. Naccarato
Charles G. Naccarato

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: *[Signature]*

Right Number 97-4195 Applicant *[Signature]*

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 _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *[Signature]* Date 6-15-83

UNRECORDED

RECEIVED
JUN 13 1983
Department of Water Resources

Box 571
Priest River, ID 83856
April 15, 1983

Department of Water Resources
Attn: Bob Haynes
4055 Government Way
Couer d' Alene, ID 83814

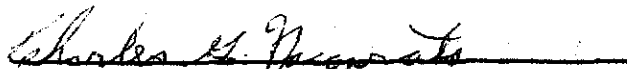
Dear Bob:

Enclosed is my Claim to a Water Right. The letter from Boise says Application for Permit No. 97-7218. Will you please process this and send me a Permit?

I enclose my check for \$30.00.

Thanks for the help you have given me.

Sincerely,


Charles G. Naccarato

RECEIVED

APR 18 1983

Department of Water Resources
Northern District Office

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 20, 1983

Mr. Charles Naccarato
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Priest River, Id. 83856

Dear Mr. Naccarato:

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If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Check
Claim

MICROFILMED

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) 667-6484

MAY 23, 1983

CHARLES G. NACCARATO
P.O. BOX 571
PRIEST RIVER ID 83856

RE: Claim No. 97-4195

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

MICROFILMED