

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Pete Thompson

being duly sworn, says that he is the publisher
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 cir-
culation 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

Notice - Water Right Claim No. 97-4057

as it was published in the regular and entire issue of said paper
for a period of two consecutive weeks, commencing on
the 26 day of May, 19 77,
and
ending on the 2 day of June, 19 77,
and that said notice was published in said newspaper proper, and
not in supplement form.

Pete Thompson

Subscribed and sworn to before me this

6th day of June, 19 77

Mama R. Miller

Notary Public for Idaho,

Residing at Priest River, Idaho

NOTICE OF CLAIM TO A WATER RIGHT NO. 97-4057

Notice is hereby given that
Bernice Pelleberg Rt. 5 Priest
River Idaho has filed a claim to
a water right established by
diversion and application to
beneficial use of 0.02 cubic feet
per second of water from Priest
Lake with point of diversion in
Gov. Lot 3, Sec. 12 T. 60 N. R5W,
B.M. Bonner County, also
known as Lot 5, Block 2,
Schneider's Beach.

The water is claimed to be
used from Jan 1 to Dec 31 for
domestic purposes with a
priority of May 1954; the place
of use is within the Gov. Lot 3,
Sec 12, T 60 N R5W, B.M.

Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Resources, 4055 Government
Way, Coeur d'Alene, Idaho

C. STEPHEN ALLRED
Director

Published in the Priest River
Times, Priest River, Id on May
26 and June 2, 1977.

O/K.
6-13-77
B

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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 Bernice Pelleberg
(name of claimant)
of Rt 5, Priest River, Id
(mailing address), claims a right to the diversion and beneficial use of
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Priest Lake
, tributary to ,
(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 0.02 Use Domestic Period of Use: From Jan 1 To Dec 31
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: 0.02 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) May 1954

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)
Gov Lot 3 1/4 1/4, Sec. 12 Twp. 60N Rge. 5W B.M. County of Bonner
~~XXXXXXXXXXXXXXXXXXXX~~ also known as Lot 5, Block 2 Schneider's Beach

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. 1/2 horse power pump and pipeline

- (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	
60N	5W	12		GL3	AKA	Lot 5	Block 2	Schneider's	Beach										

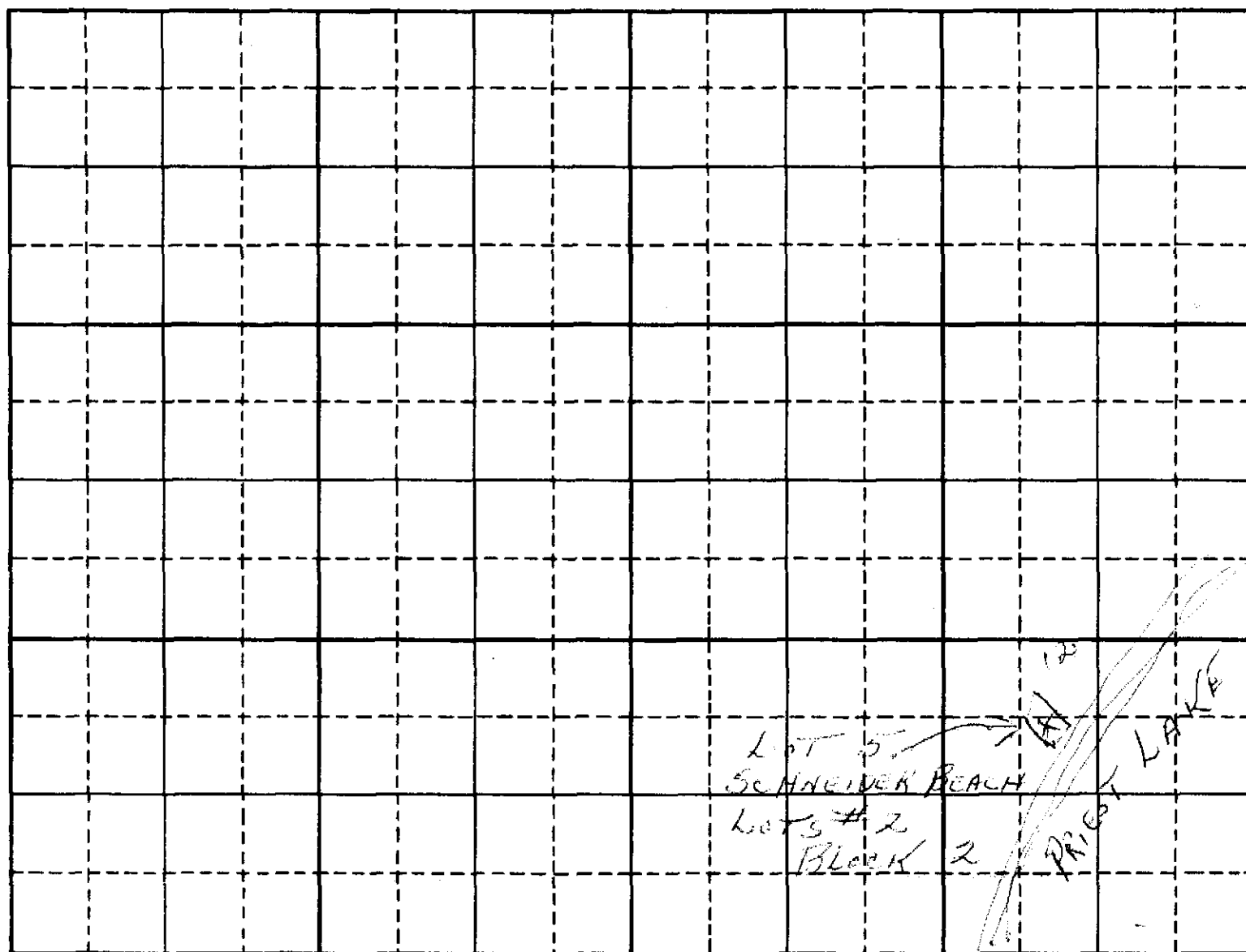
Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic

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

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(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 Boone) 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 14 day of May, 19 77.

Bernice Pelleberg
(Claimant)

Ada Mae Martin
Notary Public

Residing at Nordman Id. 83848

My commission expires July 2, 1977

For Department Use Only

Received by <u>TK</u>	Date <u>5-16-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>TK</u>	Date <u>5-16-77</u>		claimant by:	
\$10.00 fee received by <u>TK</u>	Date <u>5-16-77 (5501)</u>			
Approved for publication by <u>B</u>	Date <u>5-16-77</u>			
Published in <u>PRIEST RIVER TIMES</u>				
Dates <u>5-26-77 6-2-77</u>				
<u>OK 6-13-77</u>				

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Notice - Water Right Claim No. 97-4057

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6th day of June, 19 77

Marna S. Miller

Notary Public for Idaho,

Residing at Priest River, Idaho

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Lake with point of diversion in
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Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Resources, 4055 Government
Way, Coeur d'Alene, Idaho

C. STEPHEN ALLRED

Director

Published in the Priest River
Times, Priest River, Id on May
26 and June 2, 1977.

OK.
6-13-77
B

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STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUPT OF PUBLIC INSTRUCTION

16 August 1977

*Ok to file
12/4/77*

Robert G. Haynes
Department of Water Resources
Northern District
Route #5, Box 203, Suite 1
Coeur d'Alene, ID 83814

RE: Temporary Permit No. 1424
97-4057
Bernice Pelleberg

Dear Bob:

The Department of Lands has no objections to the work proposed in the above numbered water diversion application.

A copy of our permit is attached which grants permission for the maintenance of a water intake line and pump in Priest Lake.

Very truly yours,

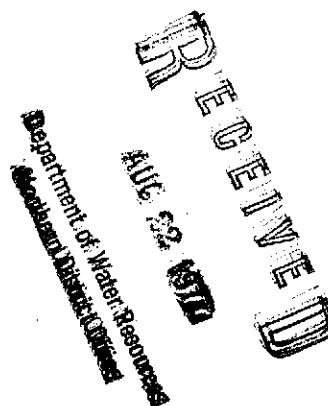
DIVISION OF EARTH RESOURCES

William A. Scribner
WILLIAM A. SCRIBNER, Chief
Bureau of Navigable Waters

WAS:ph

Attachment

cc: Bureau of Navigable Waters - CdA
Bureau of Lands



EQUAL OPPORTUNITY EMPLOYER



STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
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SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUPT OF PUBLIC INSTRUCTION

TEMPORARY PERMIT

NO. 1424

Permission is hereby granted to BERNICE PELLEBERG of Route 5, Priest River, ID, to maintain a water intake line and pump on and across the following described land:

That part of the bed of Priest Lake adjacent to Lot 3, Section 12, Township 60 North, Range 5 West, B.M., Bonner County, Idaho, as shown on the attached exhibit.

This permit is subject to the following terms and conditions:

1. This authorization is effective upon signature by the permittee and payment of the required fee.
2. This permit shall expire on December 31, 1981, but may be extended for an additional five (5) year period upon request of the permittee, subject to such terms and conditions as imposed by the Director, Department of Lands.
3. This permit is granted in consideration of the receipt of Ten Dollars (\$10.00).
4. Any excavation performed under this permit shall be back-filled and smoothed to the profile and cross section of the pre-existing riverbed.
5. The permittee shall indemnify and hold harmless the State of Idaho and its representatives against and from any and all demands, claims or liabilities of every nature whatsoever, arising directly or indirectly from or in any way connected with the use authorized under this permit.
6. This permit may be cancelled after written notice to the permittee of non-compliance with the terms herein and failure of the permittee to correct noted non-compliance.

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7. This permit may be assigned by the permittee during the term of the permit by giving written notice of the name and mailing address of the assignee to the Director, Department of Lands.

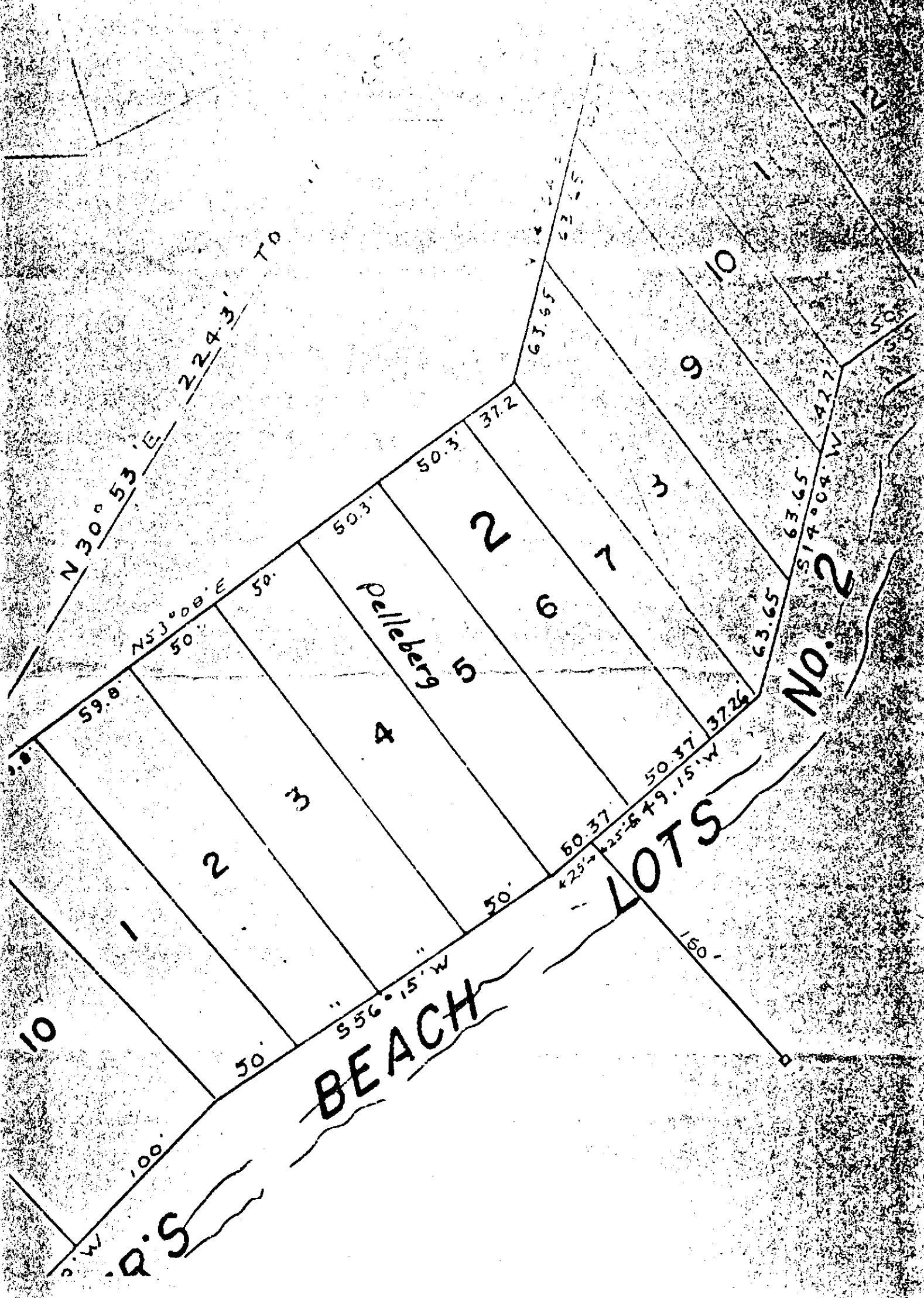
Dated this 2 day of August, 1977.

BERNICE PELLEBERG

Bernice Pelleberg
July 5, 1977
Date

G.C. Trombley
For G.C. TROMBLEY, Director





BEACH

LOTS

No. 2



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D'ALENE, IDAHO 83814

June 14, 1977

RE: Claim 97-4057

Bernice Pelleberg
Rt 5
Priest River, Id 83856

Dear Mrs Pelleberg,

The Department of Water Resources 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 our 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, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosure

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STATE OF IDAHO

DEPARTMENT OF LANDS

STATEHOUSE, BOISE, IDAHO 83720

GORDON C. TROMBLEY
DIRECTOR

STATE BOARD OF LAND COMMISSIONERS

JOHN V. EVANS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
WAYNE L. KIDWELL
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
ROY TRUBY
SUPT OF PUBLIC INSTRUCTION

26 May 1977

Robert G. Haynes
Department of Water Resources
Northern District
Route #5, Box 203, Suite 1
Coeur d'Alene, ID 83814

RE: Bernice Pelleberg
97-4057

Dear Bob:

Thank you for the copy of the Claim to a Water Right. The installation has a prescriptive right established.

The claimant will be contacted to suggest that she make her installation on record on our plats.

Very truly yours,

DIVISION OF EARTH RESOURCES

William A. Scribner
WILLIAM A. SCRIBNER, Chief
Bureau of Navigable Waters

WAS:ph

MAIL ROOM

RECEIVED

MAY 26 1977

Department of Water Resources
Northern District Office

EQUAL OPPORTUNITY EMPLOYER



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

May 19, 1977

RE: Claims No. 97-4057 & 97-4058
Application No. 96-7549

Priest River Times
PO Box 398
Priest River, Id 83856

Gentlemen:

Enclosed is 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 our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

MICROFILMED

Bill Haynes
6/13/77
B

May 19, 1977

RE: Application No. 96-7549
Claim to a Water Right No's. 97-4058 & 974057

Mr William A Scribner
Idaho Dept of Lands
Statehouse
Boise, Id 83720

Dear Bill,

Enclosed are copies of the above referenced application and claims which may be of interest to your agency. There filings involve waters which appear to be navigable.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosures

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 97-4057

Notice is hereby given that Bernice Pelleberg

Rt 5, Priest River, Id

has filed a claim to a water right established by diversion and application
to beneficial use of 0.02 cubic feet per second gallons per minute
xxxxxxxxxxxxxxxxxxxx

of water from Priest Lake

with point of diversion in the xxx Gov Lot 3, Sec 12, T60N, R5W, B.M., Bonner
County, also known as Lot 5, Block 2, Schneider's Beach

The water is claimed to be used from Jan 1 to Dec 31

for domestic purposes

with a priority of May 1954;

the place of use is within the Gov Lot 3, Sec 12, T60N, R5W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

C. STEPHEN ALLRED
Director

Published in the Priest River Times, Priest River, Id
on May 26 and June 2, 1977

MICROFILMED

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 97-4057**

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C. STEPHEN ALLRED
Director

Published in the Priest River Times, Priest River, Id on May 26 and June 2, 1977.

OK
5-26-77
P

RECEIVED

MAY 26 1977

Department of Water Resources
Northern District Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

May 16, 1977

RE: Claim No. 97-4057

Bernice Pelleberg

Rt 5

Priest River, Id 83856

Attached is a ~~check~~ receipt No. _____ in the amount of \$ _____ for the
filing fee on the above referenced ~~5500~~ ^{10.00} item which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment

MICROFILMED

May 4, 1977

Bernice Pelleberg
Rt 5
Priest River, Id 83856

Dear Ms. Pelleberg,

We have been able to obtain the enclosed platt of the subdivision in which your property is located and have arrived at a legal description. I have included it on the Claim to a Water Right form which I have taken the liberty of preparing. Please examine it for accuracy, sign it in front of a notary, and return it to us along with your check.

If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosures: Check #92-311
Claims to a Water Right
Platt Copy

MICROFILMED

April 27, 1977

Ms Bernice Pelleberg
Rt 5
Priest River, Id 83856

Dear Ms. Pelleberg,

I have taken the liberty of returning your check #92-311 and claim to you. I feel it would be in your best interest to make the additions which I have penciled in under Item 6A, if you should desire to do so before resubmitting your claim.

Your claim to a water right is your sworn statement describing your water right. To be of the most value to you, it should contain a description of the place of use.

If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,

TOM KING
Senior Water Resource Agent

TK:ab

Enclosure

MICROFILMED

March 28, 1977

Ms. Bernice Pelleberg
Route 5, Box 189
Priest River, ID 83856

Dear Ms. Pelleberg:

Pursuant to your letter of March 21, 1977, and our telephone conversation, enclosed is a "Claim to a Water Right" form for your use. Please complete this form, have your signature notarized on the back of the claim, and return it to our office along with the required \$10 filing fee.

If we may be of any further assistance, please do not hesitate to contact us.

Very truly yours,

Tom King
Water Resource Agent

TK:cp

Enclosure

MICROFILMED

Priest River, Ida

Mar. 21, 1977

RECEIVED

Dear Sirs:

MAR 24 1977

Department of Water Resources
Northern District Office

Will you please send me
the necessary forms to
file for drawing water
from Priest Lake for
domestic use.

Thank you.

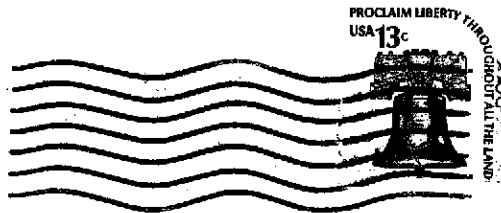
Bernice Pelleberg
Rt. 5 Box 189
Priest River, Ida.
83856

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RECEIVED

MAR 22 1977

Department of Water Resources



State of Idaho
Dept. of Water Administration
Statehouse - Annex 2
Boise, Ida. 83707