

**CONSERVATION PLAN MAP**

Prepared by SOIL CONSERVATION SERVICE \* UNITED STATES DEPARTMENT of AGRICULTURE

cooperating with

**BONNER SOIL CONSERVATION DISTRICT**

OWNER: **Snow Valley Ranches, Inc.**

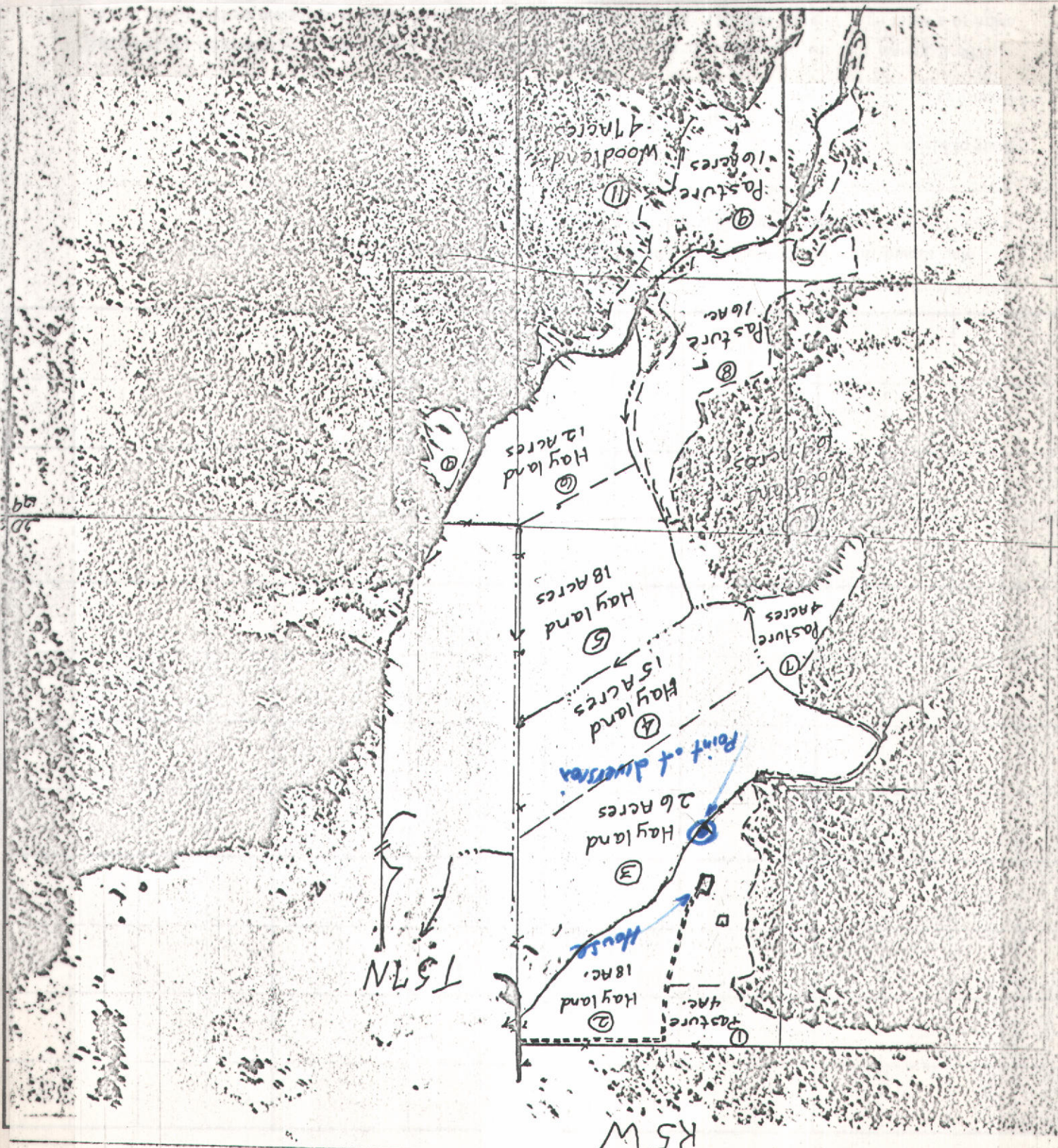
OPERATOR: **D. Kelley - J. Decker**

OWNER: **Bonner**

DATE: **12/4/70**

SCALE: **8" = 1 mile**

PHOTO NO. **Idaho**



the affiant's knowledge.

Sworn to before me this 4<sup>TH</sup> day of MARCH, 1971.

Donald C. Kelley  
(Claimant)

Carla M. Kelly  
Notary Public

Residing at Coeur d'Alene

My commission expires SEPT. 11, 1976

For Department Use Only

Received by TS Date 3-4-74 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_

Prelim. check by TS Date 3-4-74 claimant by: \_\_\_\_\_

Approved for publication by TS Date 3-4-74 # 12381

Published in PEDEST RIVER TIMES 3-14 & 3-21-74

Dates \_\_\_\_\_

97 4041

# Affidavit of Publication

STATE OF IDAHO  
County of Bonner,

ss.

Marie Martin,

being duly sworn, says that she is the ~~Co-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 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

Notice of Claim to a Water Right

as it was published in the regular and entire issue of said paper for a period of two consecutive weeks, commencing on the 14th day of March, 1974, and

ending on the 21st day of March, 1974, and that said notice was published in said newspaper proper, and not in supplemental form.

*Marie Martin*

Subscribed and sworn to before me this

21st day of March, 1974

*George C. Connolly*  
Notary Public for Idaho,  
Residing at Priest River, Idaho.

RECEIVED

MAR 22 1974

Department of Water Administration  
Northern District Office

## NOTICE OF CLAIM TO A WATER RIGHT NO. 97-4041

Notice is hereby given that Donald C. Kelley, 1123 Sherman, Coeur d'Alene, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from North Fork of Snow Creek with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 20, T. 57N, R. 5W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic (0.04 cfs) and stockwatering purposes (0.02 cfs) with a priority of 1920; the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 20, T. 57N.

R. 5W, B.M.

Any exceptions 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 Priest River Times, Priest River, Idaho on March 14 and March 21, 1974.

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# CONSERVATION PLAN MAP

Prepared by SOIL CONSERVATION SERVICE \* UNITED STATES DEPARTMENT of AGRICULTURE  
cooperating with

BONNER SOIL CONSERVATION DISTRICT

OWNER *Snow Valley Ranches Inc.*

FARM NO. —

DATE *12/4/70*

OPERATOR *D. Kelley - J. Deeter E. Kilbey*

SCALE *8" = 1 mile*

ACRES *290*

*Bonner Idaho*

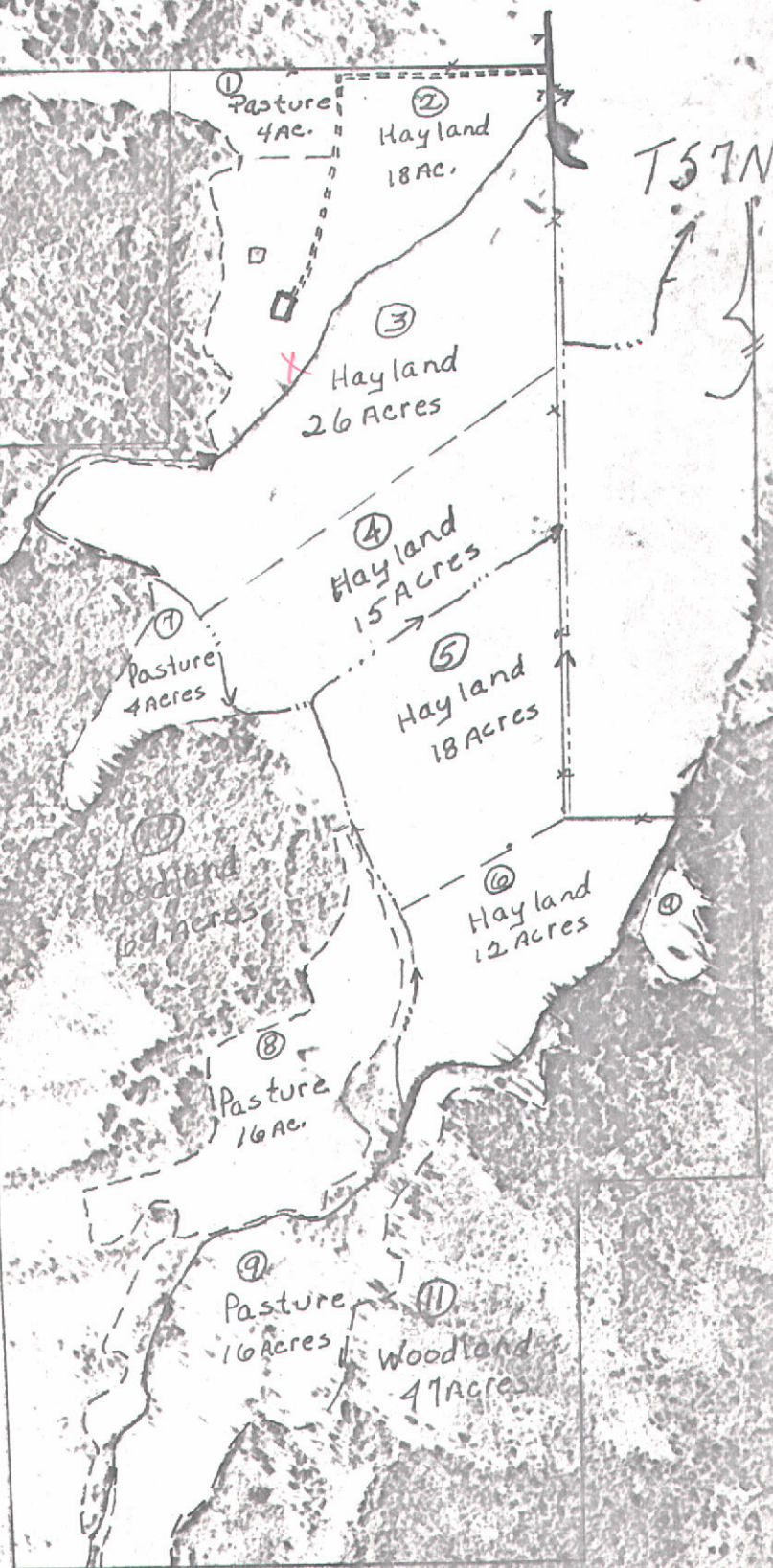
PHOTO NO. —

APR 8 1974

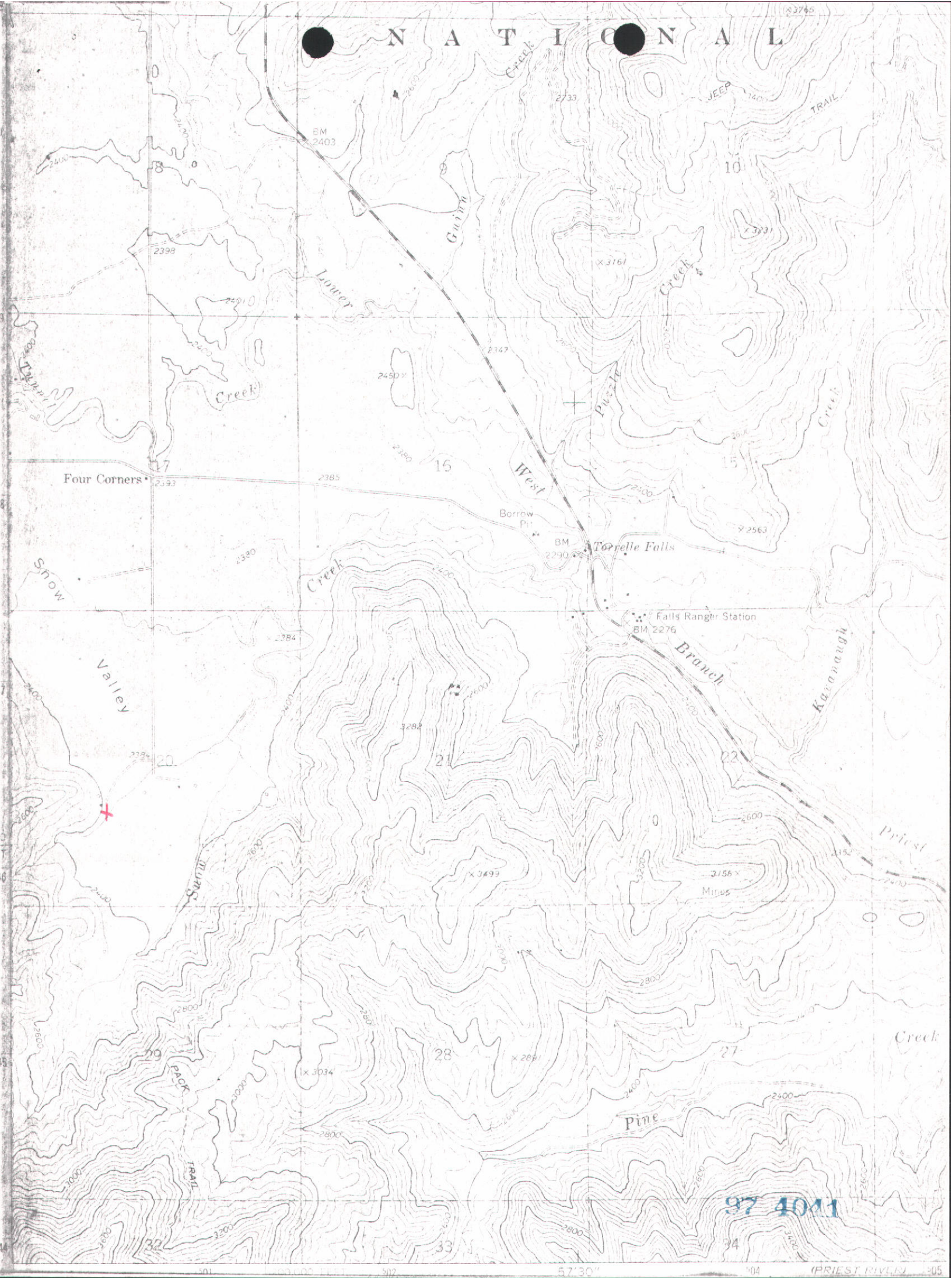
Department of Water Administration  
Northern District Office

R5W

T57N



97 4041



97 4011

NOTICE OF CLAIM  
TO A WATER RIGHT

NO. 97-4041

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ald C. Kelley, 1123 Sherman,

Coeur d'Alene, Idaho has filed a

claim to a water right established

by diversion and application to

beneficial use of 0.06 cubic feet

per second of water from North

Fork of Snow Creek with point of

diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec.

20, T. 57N, R. 5W, B.M., Bonner

County.

The water is claimed to be used

from Jan. 1 to Dec. 31 for domes-

tic (0.04 cfs) and stockwatering

purposes (0.02 cfs) with a priority

of 1920; the place of use is within

the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 20, T. 57N,

R. 5W, B.M.

Any exceptions 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 Priest River

Times, Priest River, Idaho on

March 14 and March 21, 1974

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3-12-74  
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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 Donald C. Kelley (name of claimant)  
of 1123 Sherman, Coeur d'Alene, Idaho 83814, claims a right to the diversion and beneficial use of  
(mailing address)  
ground water or surface water tributary to Priest River;

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) North Fork of Snow Creek

(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 | <u>0.02 cfs</u>   | Use | <u>Stockwater</u>          | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u>         |
| 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: 0.06 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) Prior to 1920

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)

NE ¼ SW ¼, Sec. 20 Twp. 57N Rge. 5W 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. Pump from creek to cistern on hill, then gravity flow to the 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. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|-----|----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|     |    |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 57N | 5W | 20   |     |     |     |     |     |     |     |     | X   |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
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|     |    |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

Total No. of acres \_\_\_\_\_

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

Domestic purposes for one household. Stockwater for 40 head. Also used for garden irrigation.

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

**CONSERVATION PLAN MAP**

Prepared by SOIL CONSERVATION SERVICE \* UNITED STATES DEPARTMENT OF AGRICULTURE

cooperating with

**BONNER SOIL CONSERVATION DISTRICT**

OWNER: Snow Valley Ranches, Inc.

OPERATOR: D. Kelley - J. Decker

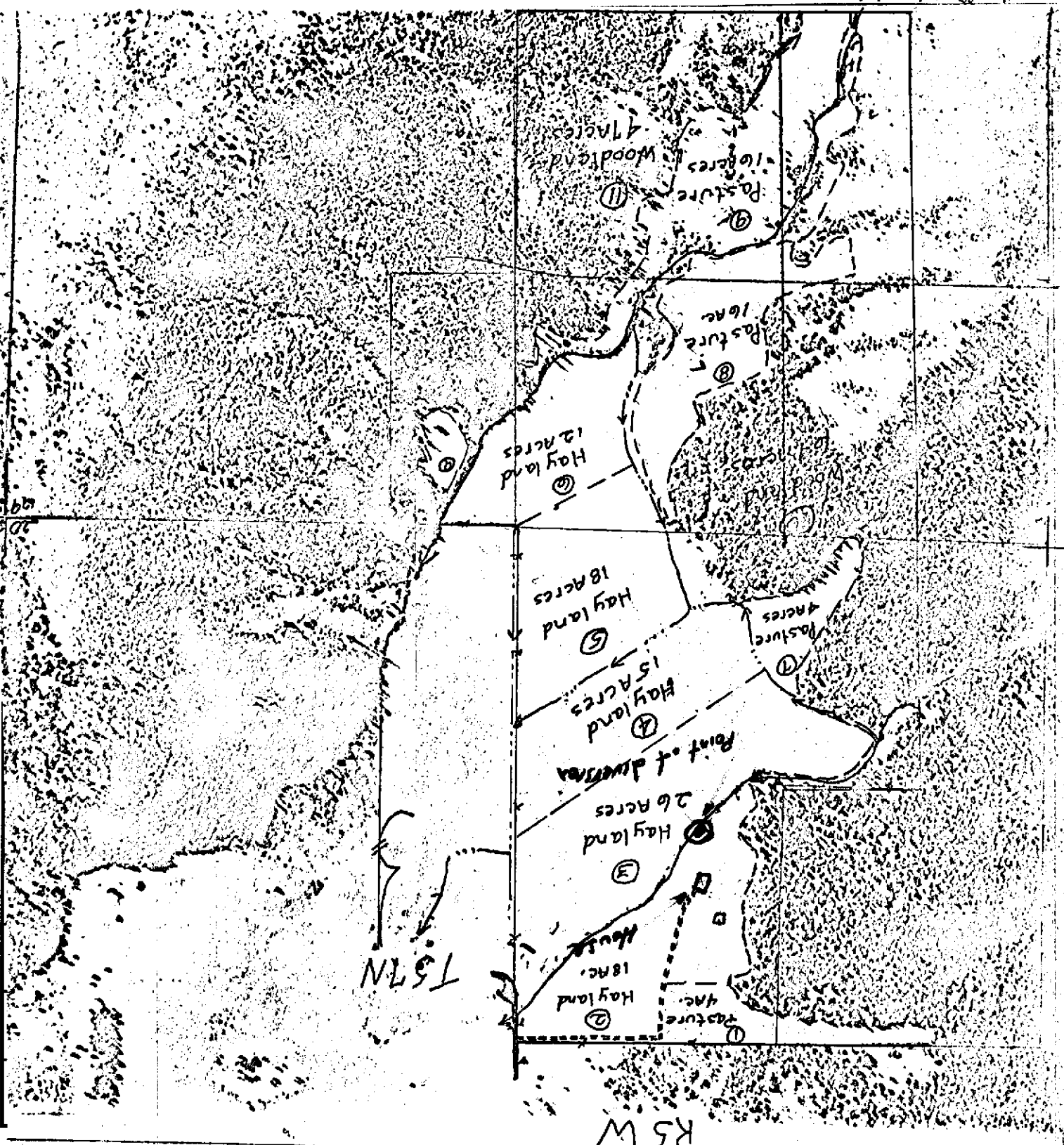
DATE: 12/9/70

SCALE: 1/4" = 1 mile

ACRES: 290

PHOTO NO. 12470





the affiants knowledge.

Sworn to before me this 17<sup>th</sup> day of MARCH, 19 74

Donald C. Kelley  
(Claimant)

Carla M. Kelley  
Notary Public

Residing at Coeur d'Alene

My commission expires Sept. 11, 1976

For Department Use Only

|                                       |                    |                     |              |      |
|---------------------------------------|--------------------|---------------------|--------------|------|
| Received by <u>TS</u>                 | Date <u>3-4-74</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>TS</u>            | Date <u>3-4-74</u> | claimant by:        |              |      |
| Approved for publication by <u>TS</u> | Date <u>3-4-74</u> |                     |              |      |
| Published in <u>PREST RIVER TIMES</u> |                    |                     |              |      |
| Dates <u>3-14 &amp; 3-21-74</u>       |                    |                     |              |      |

# Affidavit of Publication

STATE OF IDAHO

County of Bonner,

ss.

Marie Martin,

being duly sworn, says that she is the Co-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 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

Notice of Claim to a Water Right

as it was published in the regular and entire issue of said paper for a period of two consecutive weeks, commencing on the 14th day of March, 1974, and

ending on the 21st day of March, 1974,

and that said notice was published in said newspaper proper, and not in supplemental form.

*Marie Martin*

Subscribed and sworn to before me this

21st day of March, 1974.

*George C. Connolly*  
Notary Public for Idaho,  
Residing at Priest River, Idaho.

## NOTICE OF CLAIM TO A WATER RIGHT NO. 197-4041

Notice is hereby given that Donald C. Kelley, 1123 Sherman, Coeur d'Alene, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from North Fork of Snow Creek with point of diversion in the NE 1/4 SW 1/4, Sec. 20, T. 57N, R. 5W, B.M., Bonner County, Idaho.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic (0.04 cfs) and stockwatering purposes (0.02 cfs) with a priority of 1920; the place of use is within the NE 1/4 SW 1/4, Sec. 20, T. 57N.

R. 5W, B.M.

Any exceptions 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 GIGGINSON,  
Director.

Published in the Priest River Times, Priest River, Idaho on March 14 and March 21, 1974.

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**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

**April 10, 1974**

**Re: Claim to a Water Right No. 97-4041**

**Mr. Donald C. Kelley**  
**1123 Sherman**  
**Coeur d'Alene, ID 83814**

**Dear Mr. Kelley:**

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:cp

Enclosure

**97 4041**

RECEIVED

April 5, 1974

Department of  
Recreation

Mr. Fred Eisenbarth  
Northern District Manager  
STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION  
401 Front Ave., Rm. 209  
Coeur d'Alene, ID 83814

Re: Claim to a Water Right No. 97-4041

Dear Mr. Eisenbarth:

In reference to your letter of April 2, 1974, I have looked at all of the maps available to us concerning the Snow Valley area of Bonner County, Idaho.

The Government Geological Survey Map shows Snow Creek through our property. The branch of this creek used for domestic water does not have a name indicated on any of the maps. I have heard it called Part of Snow Creek, North Fork of Snow Creek, and just plain Snow Creek. What the right name is, I do not know. It is possible that your suggestion as the Middle Fork of Snow Creek is the appropriate name.

I am enclosing a photocopy of our conservation map and a photocopy of the Geological Survey Quadrangle showing the property. I have indicated with a red "X" where the water is utilized. You will note on both maps that there is no name for this branch of the creek. Your suggestion is probably correct.

Please proceed with the application and if you need anything further, please feel free to contact me.

Sincerely yours,

*Ronald C. Kelley*  
Donald C. Kelley

*OK FD 4/9/74*

DCK/lz

Encl.

97 4041

RECEIVED



# CONSERVATION PLAN MAP

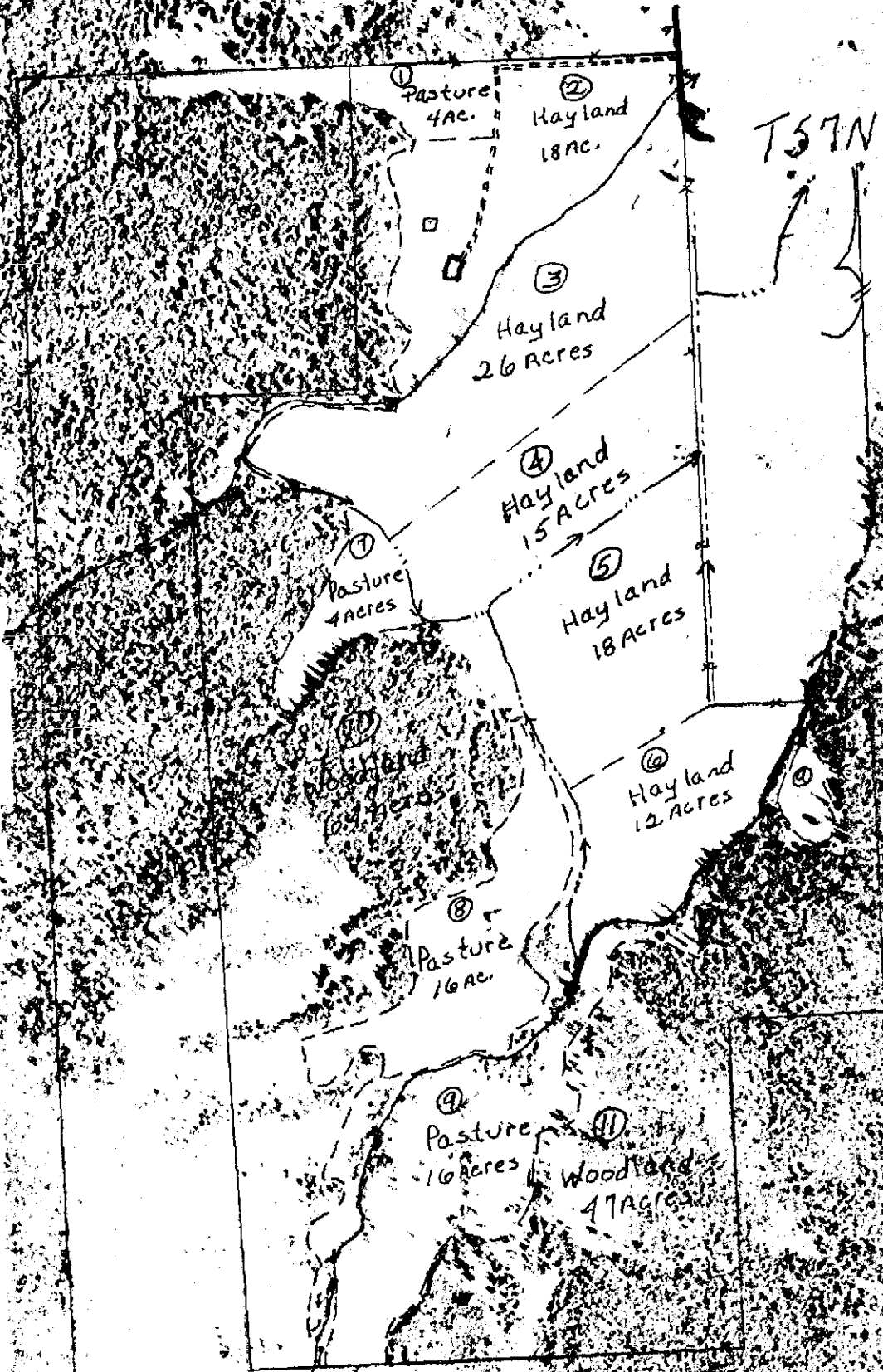
Prepared by SOIL CONSERVATION SERVICE \* UNITED STATES DEPARTMENT of AGRICULTURE  
cooperating with

BONNER SOIL CONSERVATION DISTRICT

OWNER Snow Valley Ranches Inc. FARM NO.            DATE 12/4/70  
OPERATOR D. Kelley - J. Decker - E. Kilbey SCALE 8" = 1 mile ACRES 290  
Bonner Idaho PHOTO NO.            APPROXIMATE

R5W

T57N



1011



**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

April 2, 1974

Re: Claim to a Water Right No. 97-4041

Mr. Donald C. Kelley  
1123 Sherman Avenue  
Coeur d'Alene, ID 83814

Dear Mr. Kelley:

On March 28, 1974, two people were in our office requesting more information concerning your Claim No. 97-4041.

The problem was not with the validity of the Claim, but with the name of the source of water listed in the Claim. You have listed the source as the North Fork of Snow Creek. They stated that the North Fork of Snow Creek does not enter your property and perhaps the source would be the Middle Fork of Snow Creek.

If your Claim needs to be corrected, please contact us and we will amend it accordingly. Your assistance in this matter is appreciated.

Very truly yours,

FRED EISENBARTH  
Northern District Manager

FE:cp

97 4041

March 8, 1974

Re: Application No. 97-7050      Application No. 97-7053  
     "        "      97-7051              Claim No. 97-4040  
     "        "      97-7052              "      97-4041

Priest River Times  
P.O. Box 398  
Priest River, ID 83856

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 3-26-74 by CP

FE:CP

Enc: Legal Notices (6)

97 4041

NOTICE OF CLAIM TO A WATER RIGHT

NO. 97-4041

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has filed a claim to a water right established by diversion and application  
to beneficial use of 0.06 cubic feet per second ~~acre feet per annum~~  
of water from North Fork of Snow Creek

with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 20, T. 57N, R. 5W, B.M.,  
Bonner County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic  
(0.04 cfs) and stockwatering purposes (0.02 cfs)

with a priority of 1920;  
the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 20, T. 57N, R. 5W, 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 Priest River Times, Priest River, Idaho

on March 14 and March 21, 1974

97 4041

97-4041

**NOTICE OF CLAIM  
IN A WATER RIGHT**

NO. 97-4041

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Idaho Department of Water Ad-

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Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON,

Director.

Published in the Priest River

Times, Priest River, Idaho on

March 14 and March 21, 1927.

11-8

O.K.  
3-13-24