

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

RECEIVED

FEB 5 1974

Department of Water Administration
Northern District Office

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 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 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 17th day of January, 1974,
and

ending on the 24th day of January, 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

29th day of January, 1974.

George O. Connelly
Notary Public for Idaho,
Residing at Priest River, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT NO. 97-4039

Notice is hereby given that Frederick and Mildred W. Constantine, Route No. 5, Priest River, Idaho have 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 Priest Lake with point of diversion in Gov't. Lot. 3, Sec. 12, T. 60N, R. 5W, B.M., Bonner County (Schneider's Beach No. 2, Block 1, SE 1/2 of Lot 6, NW 1/2 of Lot 7).

The water is claimed to be used from Jan. 1 to Dec. 31 for fire protection (0.04 cfs); and from March 15 to Nov. 15 for irrigation (0.02 cfs) with a priority of May, 1952; the place of use is within Gov't. Lot 3, Sec. 12, T. 60N, 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 Jan. 17 and Jan. 24, 1974.

3-2t

97 4039

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 Frederick and Mildred W. Constantine
(name of claimant)
of Route #5, Priest River, Idaho 83856, 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) Priest Lake
- (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>Fire Protec.</u> | Period of Use: | From <u>Jan. 1</u> | To <u>Dec. 31</u> |
| Amount | <u>0.02 cfs</u> | Use | <u>Irrigation</u> | Period of Use: | From <u>March 15</u> | To <u>Nov. 15</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) May of 1952

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't. Lot 3, Sec. 12 Twp. 60N Rge. 5W B. M. County of Bonner
Additional points of diversion: (Schneider's Beach #2, Block 1, SE 1/4 of Lot 6, NW 1/4 of Lot 7)
- 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 1/4 inch plastic pipe, 1/3 h.p. pump for irrigation and fire protection.

- (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									X	(Gov't Lot 3)							

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Irrigation of lawn and fire protection.

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- 97 4039

[illegible]

46

[illegible]

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~~
Washington

County of Alameda

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.

the affiants knowledge.

Sworn to before me this 10 day of

Notary Public

Residing at

My commission expires

Tha, (197)

For Department Use Only

Received by

Prelim. check by

Date _____

~~1/0/74~~
~~1/0/74~~

\$10.00 fee received by

Published in Forest River Times

Dates 1-17 & 1-24-74

Forwarded to
claimant by:

Date _____

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 Frederick & Mildred W. Constantine
 (name of claimant)
 of Rt 5, Priest River, Idaho 83856
 (mailing address) claims a right to the diversion and beneficial use of
 ground water or surface water tributary to Priest Lake;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) For Household Use - Priest Lake for Irrigation (Law) & possible fire logging
- (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>.04</u>	Use	<u>Irrigation</u>	Period of Use: From	<u>" "</u>	To	<u>" "</u>
Amount		Use	<u>fire</u>	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 cfs cubic feet per second, or _____ acre feet per annum, and/or 1836 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1950

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) County Tax Roll #20-11682
Sec. 12 1/4 1/4, Sec. 12 Twp. 6N Rge. 5W B. M. County of Bonner

Additional points of diversion: Schneider's Bench #2 - Blk 1 - S.E. 1/2 lot 6 - N.W. 1/2 lot 7 - lot size 50 X 200 ft

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 1/4 in plastic pipe - pump 1/3 hp irrigation use - 1 1/4 in plastic pipe - 1/2 hp domestic use

- (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	
6N	5W	12																	

Total No. of acres _____

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

Irrigation and Domestic

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

6804 46

Scale: 2 inches equal 1 mile.

The image shows a full page of graph paper. It features a grid of squares defined by solid black lines. Each square is further divided into four smaller quadrants by dashed black lines. The grid covers the entire area of the page, leaving small margins at the top, bottom, left, and right edges. There are no markings, numbers, or text on the grid itself.

County of San Diego
ss.

Sworn to before me this 10th day of

My commission expires Mar 1, 1977 LL/1

Received by	Date	Exception filed by:	Forwarded to	claimant by:
40	12-12-73			
Prelim. check by	Date			

Date _____

Dates

6807 46

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.

55

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(Claimant)

(Claimant)

61

Notary Public

Residing at

My commission expires

John, 1977

For Department Use Only

Received by RA Prelim. check by _____
Date _____ Date _____
Exception filed by: _____
Forwarded to _____
Date _____

Approved for publication by _____

Published in

Dates

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 17th day of January, 1974, and

ending on the 24th day of January, 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

29th day of January, 1974.

George O. Connelly
Notary Public for Idaho,

Residing at Priest River, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT NO. 97-4039

Notice is hereby given that Frederick and Mildred W. Constantine, Route No. 5, Priest River, Idaho have 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 Priest Lake with point of diversion in Gov't. Lot 3, Sec. 12, T. 60N, R. 5W, B.M., Bonner County (Schneider's Beach No. 2, Block 1, SE 1/4 of Lot 6, NW 1/4 of Lot 7).

The water is claimed to be used from Jan. 1 to Dec. 31 for fire protection (0.04 cfs); and from March 15 to Nov. 15 for irrigation (0.02 cfs) with a priority of May, 1952; the place of use is within Gov't. Lot 3, Sec. 12, T. 60N, 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 Jan. 17 and Jan. 24, 1974.

3-2t

97 4039

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

February 4, 1974

Re: Claim to a Water Right No. 97-4038

" " " " " " **97-4039**

Frederick and Mildred W. Constantine
Route 5
Priest River, ID 83856

Dear Mr. and Mrs. Constantine:

The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claims 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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, copies of your claims. 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

Enclosures

97 4039

January 11, 1974

Re: Claim No. 97-4038 - Frederick and Mildred W. Constantine
" " 97-4039 - " " " "

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 2-5-74 by P

FE:CP

Enc: Leggl Notices (2)

7 4039

NOTICE OF CLAIM TO A WATER RIGHT

NO. 97-4039

Notice is hereby given that Frederick and Mildred W. Constantine,
Route #5, Priest River, Idaho

~~have~~
~~xxxx~~

has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~xxxxxx~~
of water from Priest Lake

with point of diversion in the ~~xxxx~~ Gov't. Lot 3, Sec. 12, T. 60N, R. 5W, B.M.,
Bonner County (Schneider's Beach #2, Block 1, SE $\frac{1}{2}$ of Lot 6, NW $\frac{1}{2}$ of Lot 7)

The water is claimed to be used from Jan. 1 to Dec. 31 for fire pro-
tection (0.04 cfs); and from March 15 to Nov. 15 for irrigation (0.02 cfs)

with a priority of May, 1952;
the place of use is within the ~~xxxx~~ Gov't. Lot 3, Sec. 12, T. 60N, 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 Jan. 17 and Jan. 24, 1974

**NOTICE OF CLAIM
TO A WATER RIGHT**

NO. 197-4039

Notice is hereby given that Frederick and Mildred W. Constantine, Route No. 5, Priest River, Idaho have 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 Priest Lake with point of diversion in Gov't. Lot. 3, Sec. 12, T. 60N, R. 5W, B.M., Bonner County (Schneider's Beach No. 2, Block 1, SE $\frac{1}{2}$ of Lot 6, NW $\frac{1}{2}$ of Lot 7).

The water is claimed to be used from Jan. 1 to Dec. 31 for fire protection (0.04 cfs); and from March 15 to Nov. 15 for irrigation (0.02 cfs) with a priority of May, 1952; the place of use is within Gov't. Lot 3, Sec. 12, T. 60N, 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. KETH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on Jan. 17 and Jan. 24, 1974.

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97
4039

January 11, 1974

Re: Claim to a Water Right No. 97-4038
" " " " " " 97-4039

Frederick and Mildred W. Constantine
Route #5
Priest River, ID 83856

Dear Mr. & Mrs. Constantine:

Attached is your receipt No. 12319 in the amount of \$20 for the filing fees on the
above referenced claims which were received in this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CP

Enclosure

97 4039

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

January 3, 1974

Frederick and Mildred W. Constantine
Route #5
Priest River, ID 83856

Dear Mr. and Mrs. Constantine:

When we last typed your Claim and sent it to you for signature, we did not know you were claiming rights to both your well and Priest Lake. We therefore did not mention that we can accept only one source of water per claim.

We have taken the liberty of re-typing a claim for each source; however, you will need to complete Item 4 on each form. Please have your signatures notarized once again, return the claims to our office with the required filing fee, and we shall begin their processing. The filing fee is \$10 per claim.

If you should have any questions in this matter, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cp

Enclosures

97 4029

December 17, 1973

Frederick and Mildred W. Constantine
Route #5
Priest River, ID 83856

Dear Mr. and Mrs. Constantine:

Enclosed is a Claim to a Water Right which we have typed using the information you submitted. From our records, we have determined that your point of diversion and place of use are located in Gov't. Lot 3 (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 12, Township 60 North, Range 5 West, B.M.

Please review all items on the Claim, have your signature notarized once again, return the form to our office with the \$10 filing fee, and we shall begin its processing.

If you should have any questions, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cp

Enclosure

07 4033

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

November 13, 1973

Mrs. Frederick Constantine
Route #5
Priest River, ID 83856

Dear Mrs. Constantine:

In researching our records, we can not find any recorded water rights in your area under the name of E. E. Miller.

We have enclosed a "Claim to a Water Right" which you may wish to file. The filing of this claim will record with our Department, those water rights which have been established by diversion and beneficial use of the water. The priority should be based upon the time the water was first used by the previous owners.

If you are uncertain of the amount of water you have been using and have no method of taking a measurement, we would recommend 0.04 cubic feet per second (18 gallons per minute) to be stated on the claim. This is an adequate amount of water to supply the needs of one domestic household.

If you should need any further assistance, or have any questions in completing this form, feel free to contact our office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cp

Enclosure

97 4039

97-1010
97-4066
97-4065
97-7067

Monday 11/13/73

Idaho Dept of Water

RECEIVED

401 Front Ave

NOV 6 1973

Coeur d'Alene, Idaho.

Department of Water Administration
Northern District Office

Gentlemen,

We noticed in the Priest River Times that our neighbors the Bedrauns have applied for water rights with priority from 1936.

With this in mind we would like to know if an application had been made on this property we purchased in 1964 from C.E. Miller.

The property is described as Lot 7-Block 1- Schneiders Beach lots # 2.

97 4039

● If an application has not been
we would like to apply for one

This application is being made for
domestic purposes from Jan 1 to Dec 31.

We do not know how much water
this will involve for two people.

Our water has been pumped from
the ground and we presume it would
be termed a ground water source.

Sincerely

Mrs. Frederick Constantine

Rt 5

Priest River

Idaho 83856