

No Color
Documents
In File

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 Arley Stewart (name of claimant)
of Priest River, Idaho, claims a right to the diversion and beneficial use of
(mailing address)

ground water or surface water tributary to ground water

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) _____
well-located on our property

- (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>5gpm</u>	Use <u>domestic</u>	Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u>
Amount		Use <u>lawn & garden</u>	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: _____ cubic feet per second, or _____ acre feet per annum, and/or 5gpm gallons per minute.

- (4) Priority claimed: (the date water was first applied to 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 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)
S.W. 1/4 SW. 1/4, Sec. 24 Twp. 56 N Rge. 5E. 6W B. M. County of Bonner tax #116
 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.

well-pump and pipeline

5gpm. pump operated by 3/4hp motor

- (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.

[illegible]

Total No. of acres _____

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

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

10/25/76

726

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

State of Idaho

35.

County of Maricopa

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.

Scale: 2 inches equal 1 mile.

A full-page sheet of graph paper. It features a grid of squares defined by solid black lines. Within each square, there are horizontal and vertical dashed lines, creating a finer grid pattern. The paper is otherwise blank, with no text or markings other than a few small dark specks.

(8) Remarks

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 first day of November, 1973, and

ending on the 8th day of November, 1973, and that said notice was published in said newspaper proper, and not in supplement form.

Marie Martin

Subscribed and sworn to before me this

19th day of November, 1973.

George Connolly
Notary Public for Idaho,

Residing at Priest River, Idaho

RECEIVED

NOV 21 1973

BOYD COUNTY
PRIEST RIVER

NOTICE OF CLAIM TO A WATER RIGHT NO. [97-4033]

Notice is hereby given that Arley Stewart, Priest River, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 5 gpm of water from a ground water source with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 56N, R. 5W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1939; the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 56N,

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 Nov. 1 and Nov. 8, 1973.

44-2t

97 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 20, 1973

Re: Claim to a Water Right No. 97-4032

" " " " " " **97-4033**

**Arley Stewart
Priest River
Idaho 83856**

Dear Mr. Stewart:

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 4033

October 26, 1973

Re: Application No. 97-7045 97-4034
 Claim No. 97-4032 97-4035
 " " 97-4033

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 11-20-73 by CP

FE:CP

Enc: Legal Notices (5)

97-4033

NOTICE OF CLAIM TO A WATER RIGHT

NO. 97-4033

Notice is hereby given that Arley Stewart, Priest River, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 5 gpm ~~xxxxxx cubic feet per second~~ ~~xxxxxx acre feet per annum~~
of water from a ground water source

with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 56N, R. 5W, B.M.,
Bonner County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes

with a priority of 1939;
the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 56N, 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 Nov. 1 and Nov. 8, 1973

97 4033

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 97-4033**

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R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on Nov. 1 and Nov. 8, 1973.

44-2t

97 4033

O.K.
10-30-73
CP

October 26, 1973

Re: Claim to a Water Right No. 97-4032

" " " " " " 97-4033

Arley Stewart
Priest River
Idaho 83856

Dear Mr. Stewart:

Attached is your receipt No. 12221 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 4033

October 17, 1973

Arley Stewart
Priest River
Idaho 83856

Dear Mr. Stewart:

We are returning the two Claims to a Water Right you submitted to our office. The Claims appear to be in order; however, before we can begin their processing, a \$10 filing fee must be submitted for each Claim.

Please return the Claims along with the required filing fees, and we shall begin their processing. If you should have any questions, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:cp

Enclosures

97 4013