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97
Identification No. 97-4021 *l*
Claim No. _____
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Annette M. Nelson
post office address 14076 - 117 Avenue N.E., Kirkland, WA 98033
Gov't. Lot 1
2. The point of diversion is in ~~XIV~~ Section 9 Township 61N
Range 4W B.M. located on Spring
(name of source)
tributary to Pend Oreille Lake in Bonner County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed:
June, 1958 amount: 0.02 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 0.02 c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use Domestic period of use from April 1 to Oct. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known concrete tile 5'
diameter, 2' deep with pipe to place of use.
 - b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

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c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____ feet; maximum length of pipe line to first place of use is _____ 25 _____ feet; diameter of pipe line is _____ 1 1/2 _____ inches; type of pipe _____ Plastic _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____.

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
_____ explain _____ is reservoir on or off stream _____

has there been any enlargement of the reservoir since it was first built _____ No _____, if so, give dates and describe _____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known—

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered None

7. Where water is used for domestic or municipal purposes give number of families served one
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities. _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Diversion and place of use are on Lot 24, Diamond Park Subdivision.

State of ~~Washington~~ Washington
County of King } 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 28th day of March, 19 73

My commission expires 3/15/76

For Department Use Only

Received by <u>CR</u> Date <u>4-2-73</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>TR</u> Date <u>4/2/73</u> # <u>10602</u>	_____	_____	_____
Fee received by <u>TR</u> Date <u>4/2/73</u> Fee \$ <u>10.00</u>	_____	_____	_____
Approved for publication by <u>TR</u>	_____	_____	_____
Published in <u>PRIEST RIVER TIMES</u> Dates <u>4-12-73</u>	_____	_____	_____
<u>4-19-73</u>			<u>87 4021</u>

RECEIVED

MAY 4 1973

Department of Water Administration

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:		May 18, 1871	amount:	0.8 c.f.s. or	acre feet
		June 1, 1901	amount:	0.4 c.f.s. or	acre feet
Total claimed:		1.2 c.f.s. or	acre feet		

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to it for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District
Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District
Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District
Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District
Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Affidavit of Publication

STATE OF IDAHO

County of Bonner,

ss.

Maria 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 12th day of April, 1973, and

ending on the 19th day of April, 1973, and that said notice was published in said newspaper proper, and not in supplement form.

Maria Martin

Subscribed and sworn to before me this

19th day of April, 1973.

George C. Rouds
Notary Public for Idaho,

Residing at Priest River, Idaho

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APR 23 1973

Department of Water Administration
Northern District Office

NOTICE OF CLAIM TO A WATER RIGHT No. 97-4021

Notice is hereby given that Annette M. Nelson, 14076 - 117 Avenue N.E., Kirkland, Washington 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 a spring, tributary to Pend Oreille Lake with point of diversion in Gov't. Lot 1, Sec. 9, T. 61N, R. 4W, B.M., Bonner County.

The water is claimed to be used from April 1 to Oct. 31 for domestic purposes with a priority of June, 1958; the place of use is within Gov't. Lot 1, Sec. 9, T.

61N, R. 4W, 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 April 12 and April 19, 1973.

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97-4021

MEMORANDUM

TO: FILE 97-4021

FROM: KAY WALKER

RE: TRIBUTARY

DATE: 14-APR-1989

In John Beal's review of this claim he determined that the source of water under this claim is actually tributary to Priest Lake instead of Pend Oreille Lake. I have adjusted the data entry of this claim to reflect this change.

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

May 3, 1973

Re: Claim to a Water Right No. 97-4021

Annette M. Nelson
14076 - 117 Avenue N.E.
Kirkland, WA 98033

Dear Ms. Nelson:

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:CR

Enc: copy of claim

97 4021

April 6, 1973

Re: Application No. 96-7165 - George R. Belcher &/or William F. Weaver
Claim No. 97-4021 - Annette M. Nelson

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 4-30-73 by de

FE:CR

Enc: Legal Notices (2)

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NOTICE OF CLAIM TO A WATER RIGHT

NO. 97-4021

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14076 - 117 Avenue N.E., Kirkland, Washington

has filed a claim to a water right established by diversion and application
to beneficial use of 0.02 cubic feet per second ~~acre feet per annum~~

of water from a spring, tributary to Pend Oreille Lake

with point of diversion in ~~the~~ Gov't. Lot 1, Sec. 9, T. 61N, R. 4W, B.M.,

Bonner County

The water is claimed to be used from April 1 to Oct. 31 for domestic

purposes

with a priority of June, 1958;

the place of use is within ~~the~~ Gov't. Lot 1, Sec. 9, T. 61N, R. 4W, 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 April 12 and April 19, 1973

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TO A WATER RIGHT
No. 97-4021**

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R. KEITH HIGGINSON,
Director.

Published in the Priest River Times, Priest River, Idaho on April 12 and April 19, 1973.

15-21

*O.K.
4-11-73
ck*

97 4021

April 6, 1973

Re: Claim to a Water Right No. 97-4021

Annette M. Nelson
14076 - 117 Avenue N.E.
Kirkland, WA 98033

Dear Ms. Nelson:

Attached is your receipt No. 19602 in the amount of \$10 for the filing fee on the above referenced claim, which was received in this office.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enc: Receipt

97 4021