

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

L. E. Pietsch being first duly sworn on
oath deposes and says that he is publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of

Notice of Claim to Water Right

Patricia Breeden

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 24th
day of June, 1971, and end-
ing on the 1st day of July,
1971, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

1st day of July, 1971.

Phyllis Gault

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED

JUL 9 1971

Department of Water Administration

NOTICE OF CLAIM TO A WATER RIGHT No. 97-4006

Notice is hereby given that
Patricia L. Breeden, North
7313 Mahr Ct., Spokane, Wash-
ington, has filed a claim to a
water right established by div-
ersion and application to ben-
eficial use of 0.10 cubic feet
per second of water from a
spring with point of diversion
in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T.

60N, R. 5W B.M., Bonner
County.

The water is claimed to be
used from Jan. 1 to Dec. 31
for domestic purposes for five
families with a priority
of 1932; the place of use is
within the above description.

Any exception to this claim
of water right may be filed
with the Idaho Department of
Water Administration, State-
house, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Sandpoint
News-Bulletin, Sandpoint, Ida-
ho, on ~~June 24~~ and July 1,
1971. Je24-Jy 1.

97 4006

Identification No. _____

Claim No. 97-4006

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 PATRICIA BREEDEN
post office address NORTH 7313 MAHR CT, SPOKANE, WA 99208
2. The point of diversion is in NE ¼ of SW ¼ Section 12 Township 60 N
Range 5 W B.M. located on GROWN WATER SPRING FED
(3 LOTS) (name of source)
tributary to _____ 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:

1932 amount: .02 x 5 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ 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 JAN 1 to DEC 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 pumped
_____ ; length is _____ feet; height is 7 feet;
width at bottom is 2 feet; width at top is 3 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

- b. Underground water diverting works: is well flowing or pumped PUMP WITH PRESSURE TANK
CENTRIFUGAL ; depth of well is 3 feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

b. Do you get water through a ditch owned by several users? _____ 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 _____

7. Where water is used for domestic or municipal purposes give number of families served 5 FAMILIES 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

WELL IS SPRING FED

State of Idaho }
County of _____ } 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.

Patricia L. Breder
Claimant

Sworn to before me this 28th day of April, 1971

Jed Van Skank
Notary Public
Residing at 12425 E 19th

My commission expires 4/15/74

For Department Use Only

Received by <u>[Signature]</u>	Date <u>6-7-71</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>[Signature]</u>	Date <u>6-7-71</u>			
Fee received by <u>[Signature]</u>	Date <u>4/7/71</u>	Fee \$ <u>10.00</u>		
Approved for publication by _____				
Published in <u>Sandpoint News Bulletin</u>	Dates <u>6-24 + 7-1-71</u>			

INSTRUCTIONS

Paragraph No.

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.

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 that you initiated each new use of the water. List separately the dates and amounts of water involved 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 this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

L. E. Pietsch being first duly sworn on
oath deposes and says that he is publisher
of The Sandpoint News-Bulletin, a weekly
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during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice of Claim to Water Right

Patricia Breeden

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 24th
day of June, 1971, and end-
ing on the 1st day of July,
1971, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

15 day of July, 1971.

Angela Small

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF CLAIM TO WATER RIGHT

Notice is hereby given that
Patricia L. Breeden, North
7313 Mahr Ct., Spokane, Wash-
ington, has filed a claim to a
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per second of water from a
spring with point of diversion
in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T.

60N, R. $\frac{1}{4}$ 5W B.M., Bonner
County.

The water is claimed to be
used from Jan. 1 to Dec. 31
for domestic purposes for five
families with a priority
of 1962; the place of use is
within the above description.

Any exception to this claim
of water right may be filed
with the Idaho Department of
Water Administration, State-
house, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Sandpoint
News-Bulletin, Sandpoint, Ida-
ho on June 24, 1971, July 1,
1971. 97-4086

97 4086

July 16, 1971

Re: Claim to a Water Right No. 97-4006

Patricia L. Breeden
North 7313 Mahr Ct.
Spokane, Washington 99208

Dear Ms. Breeden:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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 your 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 can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

97 4006

June 15, 1971

Re: Application No. 96-7061 - Albert D. Bomba
Claim No. 97-4006 - Patricia L. Breeden

Sandpoint News-Bulletin
P.O. Box 218
Sandpoint, Idaho 83864

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 our 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 date. 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,

BOBBY D. FLEENOR
Assistant Director

BDF:CR

Enclosure

*Bill submitted
7-8-71
df*

97 4006

NOTICE OF CLAIM TO
A WATER RIGHT

No. 97-4006

Notice is hereby given that Patricia L. Breeden, North 7313 Mahr Ct., Spokane, Washington, has filed a claim to a water right established by diversion and application to beneficial use of 0.10 cubic feet per second of water from a spring with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T.

60N, R. 5W B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for five families with a priority of 1932; the place of use is within the above description.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho, on June 24 and July 1, 1971. Je24-Jy 1.

NOTICE OF CLAIM TO A WATER RIGHT

No. 97-4006

Notice is hereby given that Patricia L. Breedan, North 7313
Mahr Ct., Spokane, Washington,

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.10 cubic feet per second ~~acre feet~~
of water from a spring

with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 12, T. 60N, R. 5W, B.M.,
Bonner County

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

with a priority of 1932;
the place of use is within the above description

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Sandpoint News Bulletin, Sandpoint, Idaho,
on June 24 and July 1, 1971

June 7, 1971

Patricia L. Breeden
North 7313 Mahr St.
Spokane, Washington 99208

Dear Ms. Breeden:

Returned herewith is your receipt No. 6595 in the amount of \$10.00
for your claim application,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure



"WON'T IT BE DIRTY, COMING OUT
OF THE GROUND LIKE THAT?"

RECEIVED
JUN 4 1971

Department of Water Administration

Dear Robin

Rec'd letter of April 30, 1971 —
Not knowing much about wells
I did make a boo boo! Sori —

Mrs. Patricia Breeden
N 7313 MAHR CT
SPOKANE, WA 99208

April 30, 1971

Mrs. Patricia Breeden
North 7313 Mahr Court
Spokane, Washington 99208

Dear Mrs. Breeden:

We are returning your claim to a water right and personal check in the amount of \$10.00, numbered 28-313. We find in reviewing this claim that there is some question as to the source of water supply.

Under item #2 of the claim, you have listed the source of water as being ground water. However, you have further indicated that the well is spring-fed. The Department would not consider this to be a ground water source, unless the well is eighteen (18) feet or deeper. If it is a shallow spring-fed well, then it would be a surface water source and should be so indicated under item #2 of the claim.

As soon as you have made this necessary clarification and re-submitted the claim, we shall begin its processing.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosure check #28-313 (\$10.00)
original claim to a water right