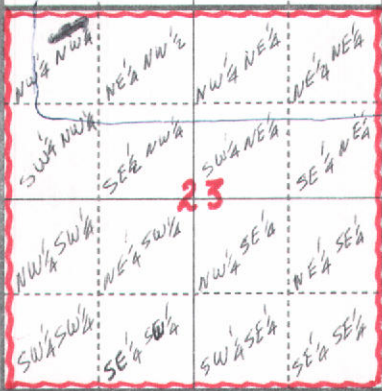


TWP 56 N



R 5 W

RECEIVED

JUL 16 1970

Department of Water Administration

Der Sir:-

I have given up the idea of irrigation as what I need is the assurance that I will have the right to use the water for my cattle about 20 head, the water passes thro my place and into a mill pond East of my property line and on my West there is a new Property diversion of 3 to 5 acres.

I would be able to keep my supply by having a water
weight

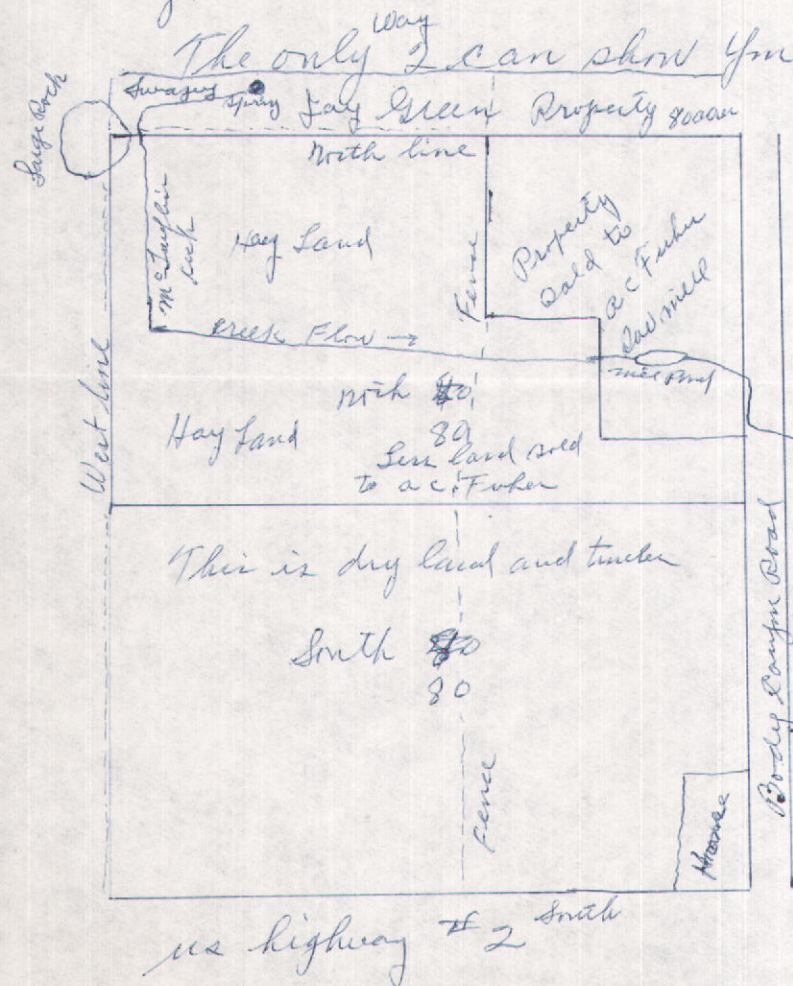
The only ^{way} I can show you is by a small map. The

McLaughlin creek comes from the spring
on Jay Green property which runs a line
stream the year around. During the spring
I have an excess of water on my land
which drains off as the spring goes down.
Right now I am cutting hay on the
north 40 acres. after the hay is off
I pasture my cattle on all of my property

E I am sending the papers back with my check.
Have been busy with hay just haven't taken time to return or answer your letter, sorry about this.

Resp yours

Harold C Robinson



97-4002

Identification No. 97-4002

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 HAROLD E ROBINSON
post office address RT-1- Box 120 Priest River (Bonneco) Idaho
2. The point of diversion is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 23 Township 56 N
Range 5 W B.M. located on Jay Green Property
(name of source)
tributary to McLaughlin Creek 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:

Oct 10 1948 amount: .02 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 water tank 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: none

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 _____

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 _____
_____ ;

97-4002

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

_____, if so, give dates and explain

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 _____;

_____ type of pipe _____; grade of pipe per 1000 feet is _____.

ing date and dimensions if possible

d. If water is stored; name of reservoir

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;

period of storage is from _____ to _____; is reservoir drained each year _____;

_____ explain _____ is reservoir on or off stream

if feeder canal is used give maximum carrying capacity——c.f.s.; if reservoir is off stream, describe

1

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated.

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 18-20
Angus & W. F

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

I have owned this Property since 1948 and have used the
creek for cattle watering only as the creek runs thru my
Property to a mill pond for the East River Lumber Co.
I want to get the help of the Soil Conservation to
improve the drainage and plan the irrigation
I would want.

This creek runs a depth of 6 inches in summer,
in the spring it floods the meadow, but it
could be diverted thru another man's property if
they would want to, as I have cattle it would leave
me with out water.

I run about 18-20 head for Beef.
Would like to divert 5 C.F.S by a 1 H.P. Pump 15 acres
on higher ground.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with
all attached information and certifies that all statements are true and accurate to the best of his knowledge.

June 11, 1970

(Date)

Harold E. Robinson

(Signature of Claimant)

State of Idaho

County of Bonner

ss.

On this 11th day of June

19 70

personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (~~she~~) executed the same.

Paula L. Nelson

Notary Public residing at Priest River, Idaho

My commission expires 10/1/73

For Department Use Only

Received by HL Date 6-15-70

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by DL Date 7-27-70

Fee received by ej Date 7-27-70 Fee \$10.00

Approved for publication by _____

Published in Priest River Dates 8- 6 & 13 - 70

Times

97-4003

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 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.

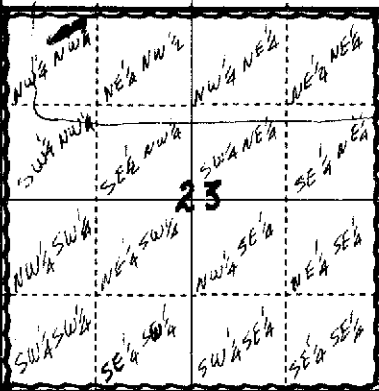
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information 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.

TWP 56 N



R 5 W

Affidavit of Publication

STATE OF IDAHO

County of Bonner,

ss.

Maria Martin,
being duly sworn, says that ~~he~~ 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 6th day of August, 1970,
and _____
_____ ending on the 13th day of August, 1970,
and that said notice was published in said newspaper proper, and
not in supplement form.

Maria Martin

Subscribed and sworn to before me this

13th day of August, 1970

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

NOTICE OF CLAIM TO A WATER RIGHT No. 97-4002

Notice is hereby given that Har-
old E. Robinson, Route 1, Box 120,
Priest River, Idaho, 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 an unnamed
stream, tributary to McLaughlin
Creek with point of diversion in
the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23, T. 56N,
R. 5W, B.M., Bonner County.

The water is claimed to be used
from April 1 to October 31 for
stockwater with a priority of Octo-
ber 10, 1948; the place of use is
within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 23, T.
56N, R. 5W, B.M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water Ad-
ministration.

R. KEITH HIGGINSON
Director

Published in the Priest River
Times, Priest River, Idaho, on Au-
gust 6 and August 13, 1970.

32-2t

August 26, 1970

Re: Claim to a Water Right No. 97-4002

Mr. Harold E. Robinson
Route #1, Box 120
Priest River, Idaho 83856

Dear Mr. Robinson:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

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 evidence that you would like to have included in your claim file, you may add that information 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

Enclosures: Copy of claim
Receipt No. 4971

97-4002

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

July 29, 1970

Re: Claim to a Water Right No. 97-4002 - Harold E. Robinson

Priest River Times
P.O. Box 398
Priest River, Idaho 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 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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Legal notice

*Bill submitted
8-18-70
ds*

97-4002

Priest River Idaho
JUL 23 - 1970

Mr Douan Clay
Appropriation Examiner:

JUL 23 1970

Department of Water Administration

Dear Mr. Clay:

Received your letter today
and thank you very much for your time
spent on this map.

M^{rs} Laughlin Creek starts on my place
N.W. $\frac{1}{4}$ N.W. $\frac{1}{4}$ about 100 ft east of West property
line runs south to the S.W. $\frac{1}{4}$ N.W. $\frac{1}{4}$ turns
east thro S.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$ east thro S.E. $\frac{1}{4}$ N.W. $\frac{1}{4}$
east thro S.W. $\frac{1}{4}$ N.E. $\frac{1}{4}$ thro S.E. $\frac{1}{4}$ N.E. $\frac{1}{4}$ under
the Body Canyon road.

Thanking you again for your attention
to this matter.

Resp Harold Robison

NOTICE OF CLAIM TO A WATER RIGHT

No. 97-4002

Notice is hereby given that Harold E. Robinson, Route 1, Box 120,
Priest River, Idaho,

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.02 cubic feet per second ~~1111/1111~~
of water from an unnamed stream, tributary to McLaughlin Creek
with point of diversion in the SW¹/₄ NW¹/₄ Sec. 23, T. 56N, R. 5W, B.M.,
Bonner County.

The water is claimed to be used from April 1 to October 31 for
stockwater
with a priority of October 10, 1948 ;
the place of use is within the SW¹/₄ NW¹/₄ Sec. 23, T. 56N, R. 5W, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Priest River Times, Priest River, Idaho,
on August 6 and August 13, 1970.

97-4002

July 20, 1970

Harold E. Robinson
Rte. 1, Box 120
Priest River, Idaho

C Dear Mr. Robinson:

O We have again reviewed your claim to a water right. Please be advised that before we can take any action on this claim, we must know the legal description as to the 40 acre tract that your point of diversion is located within. The enclosed map may assist you in determining where the point of diversion is located. As soon as we are in receipt of this information, we will continue to process your claim.

P If we can be of any further assistance in this matter, please feel free to contact us.

Y Very truly yours,

Dorian Clay
Appropriation Examiner

By: Donald W. McEldowney

Enclosure

97-4002

Brant River Idaho

July 11 - 1970

REC-111

JUL 15 1970

Department of State Administration

Mr Donald W. McElldowney

Appropriation Supervisor

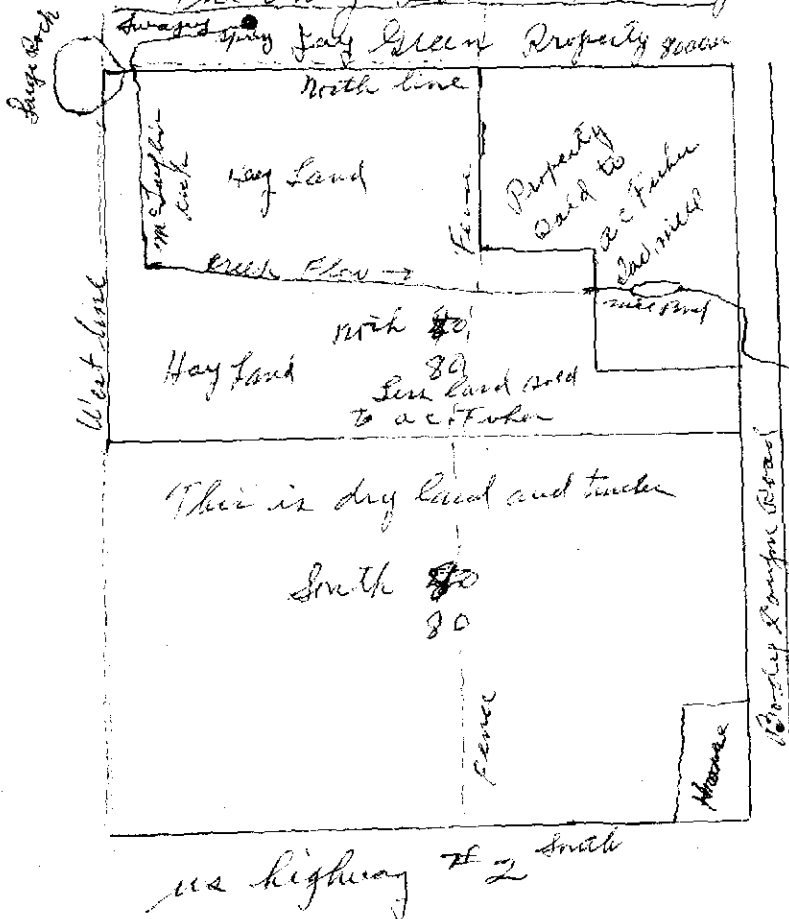
Brant Idaho

Dear Sir:-

I have given up the idea of irrigation as what I need is the insurance that I will have the right to use the water for my cattle about 20 head, the water passes thro my place and into a mill pond East of my property line and on my West there is a new Property division of 3 to 5 acres.

I would be able to keep my supply by having a water right

The only way I can show you is by a small map. The



McLaurin creek comes from the spring on Gay Green property which runs a line stream the year around. During the spring I have an excess of water on my land which drain off as the spring goes down. Right now I am sitting hay on the north 40 acres. after the hay is off I pasture my cattle on all of my property.

I am sending the papers back with my check.

I have been busy with hay just haven't time to return or answer your letter, sorry about this.

Respectfully

Harold Robinson

97-4002

June 17, 1970

C
O
P
Y

Harold E. Robinson
Rte. #1, Box 120
Priest River, Idaho 83856

Dear Mr. Robinson:

We are returning your personal check in the amount of \$10.00 and your claim to water right. In reviewing the claim, we find that we only need clarification of the point of diversion. You list the point of diversion as the SW~~1~~/~~4~~NW~~1~~/~~4~~, Sec. 23. We must have the 40 acre tract identified wherein the point of diversion is located. We assume that the point of diversion is in either the SW~~1~~/~~4~~NW~~1~~/~~4~~ or SW~~1~~/~~4~~NE~~1~~/~~4~~ of Sec. 23. Your clarification of this issue, and entering a quantity appropriated under item 3A will allow the department to process your claim.

In the remarks under the claim, you refer to some proposed work for irrigation to be completed in the future. This should be covered by a permit under the appropriation statutes, as a claim form can only be used to record historical use. We are enclosing an application form and a set of instructions for your use in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/CM

Enclosures: (3)

97-4002