

12TH

5.25

STANDARD

WEST

PARALLEL

5.61

NORTH

15 13.99	14 13.98	13 27.91	12 27.85	11 6.95	10 6.95	9 13.89
16 20.00	17 20.00	18 20.00	19 20.00	20 20.00	21 20.00	22 20.00
5	6	7	8			

104.00

Sec. 3

103.98

Sec. 1

N. 0° 3' W.

N. 0° 2' W.

80.28

S. 89° 44' W.

Sec. 10

Sec. 1

97-4001

Res

Identification No. _____

Claim No. 97-4001

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 ELWIN R. HARFORD
post office address Box 735, SANDPOINT, IDAHO 83864
2. The point of diversion is in LOTS 9, 10, 18 & 19 Section 3 Township 57 NORTH
Range 4 WEST B.M. located on FOX CREEK
(name of source)
tributary to PRIEST RIVER 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:

JULY 1944 amount: 0.10 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed 0.10 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 JUNE 1 to DECEMBER 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 earth & logs
_____ ; length is 6 feet; height is 3 feet;
width at bottom is 2 feet; width at top is 2 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known.

this small head gate forms an open pond through which the creek runs and is controlled by removable wood stop logs. This is adjacent to a cabin and water is carried in by bucket.

- 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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_____, if so, give dates and explain _____

width of bottom of ditch is _____feet; depth of water is _____feet; grade of ditch per 1000

maximum length of pipe line to first place of use is _____feet; diameter of pipe line is _____inches;

Please explain any changes or increase in size of conveying system since water was first appropriated, giving

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 _____;

location of reservoir by 40-acre subdivisions

100

describe

[illegible][illegible]

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

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 FAMILY 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 _____

State of Idaho }
County of Bonner } 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.

Elwin R. Harford
Claimant

Sworn to before me this 15th day of April, 1970.

Ruth McBurney
Notary Public
Residing at Sandpoint, Idaho.

My commission expires Sept. 1. 1973

For Department Use Only

Received by <u>ej</u>	Date <u>4-17-70</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>Dee</u>	Date <u>4-17-70</u>			
Fee received by <u>ej</u>	Date <u>4-17-70</u>	Fee <u>\$10.00</u>		
Approved for publication by <u>D</u>				
Published in <u>Sandpoint News - Bulletin</u>	Dates <u>4-30 + 5-7, 1970</u>			

97-4001

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 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
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 a Water Right
Elwin R. Harford

as it was published in the regular and entire issue
of the said paper for a period of Two
consecutive weeks, commencing on the 30th
day of April, 1970, and end-
ing on the 7th day of May,
1970, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

28th day of May, 1970.

Byll. Bore

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

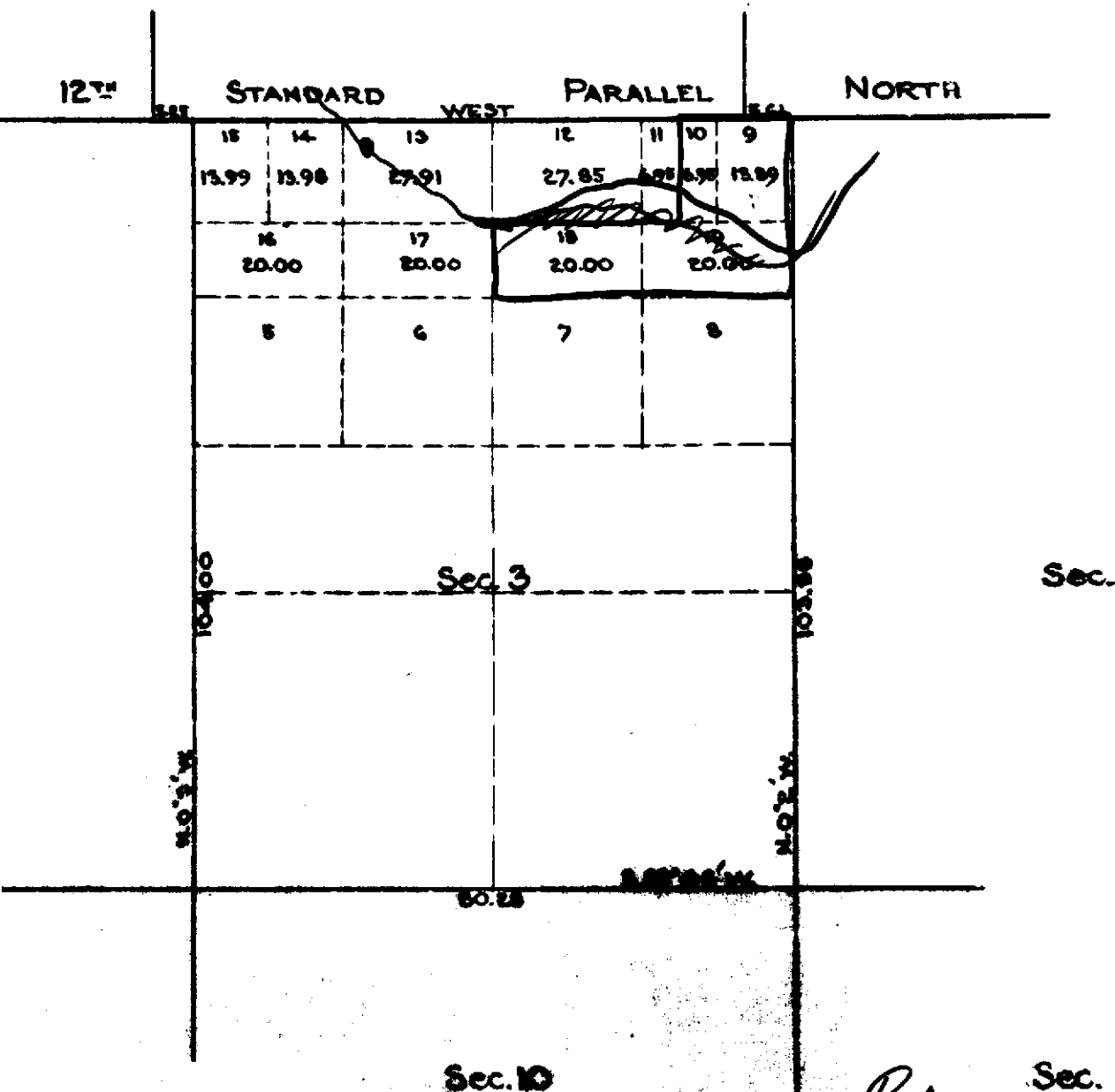
NOTICE OF CLAIM TO A WATER RIGHT No. 97-4001

Notice is hereby given that
Elwin R. Harford, Box 738, Sand-
point, Idaho, has filed a claim
to a water right established by
diversion and application to ben-
eficial use of 0.10 cubic feet per
second of water from Fox Creek,
tributary to Priest River with
point of diversion in Lots 9, 10,
18 and 19, Sec. 3, T. 57N, R.
4 W, B.M., Bonner County; the
water is claimed to be used
from June 1 to December 31
for domestic purposes with a
priority of July, 1944, the place
of use is within Lots 9, 10, 18
and 19, Sec. 3, T. 57N, R. 4W,
B.M.

Any exception to this claim
of water right may be filed with
the Department of Reclamation.
R. KEITH HIGGINSON,
State Reclamation
Engineer.

Published in the Sandpoint
News-Bulletin, Sandpoint, Idaho,
on April 30 and May 7, 1970.
A30-M7

97-4001



June 2, 1970

Re: Claim to a Water Right No. 97-4001

Mr. Elwin R. Harford
Box 735
Sandpoint, Idaho 83864

Dear Mr. Harford:

The Department of Reclamation 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. 4507

97-4001

May 19, 1970

Re: Claim to a Water Right No. 97-4001 - Elwin R. Harford

Sandpoint News-Bulletin
415 North 2nd Avenue
Sandpoint, Idaho 83864

Gentlemen:

Would you please submit an affidavit of publication and a certified bill in connection with the above referenced item(s). The legal notice was to be published in your paper on April 30 and May 7, 1970.

As the above permit application cannot be approved until we are in receipt of the affidavit, it is important that we receive it as soon as possible.

May we please have your prompt attention to this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

263-2107
5-28-70 Tg

97-4001

April 22, 1970

Re: Claim to a Water Right No. 97-4001 - Elwin R. Harford

Sandpoint News-Bulletin
415 North 2nd Avenue
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 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

97-4001

*Bill submitted
6-1-70
ds*

NOTICE OF CLAIM TO A WATER RIGHT

No. 97-4001

Notice is hereby given that Elwin R. Harford, Box 735
Sandpoint, Idaho, has filed a claim to a water right
established by diversion and application to beneficial use of 0.10
cubic feet per second ~~acre~~ ^{foot} of water from Fox Creek, tributary to
Priest River with point of diversion in Lots 9, 10,
18 and 19, Sec. 3, T. 57N, R. 4W, B.M., Bonner County; the water is
claimed to be used from June 1 to December 31 for domestic purposes
with a priority of July, 1944
; the place of use is within Lots 9, 10,
18 and 19, Sec. 3, T. 57N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho,
on April 30 and May 7, 1970.

KH.

97-4001

13

March 27, 1970

C
O
P
Y

Mr. Elwin R. Harford
Box 735
Sandpoint, Idaho 83864

Dear Mr. Harford:

Enclosed is a Claim to a Water Right form, which you requested
in your letter, of March 24, 1970.

If you have any questions, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

Enclosure

97-4001

MARCH 24, 1970
SANDPOINT, IDAHO

DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PLEASE SEND ME THE NECESSARY FORMS
SO THAT I MAY FILE A WATER RIGHT
CLAIM BASED UPON DIVERSION AND
APPLICATION TO BENEFICIAL USE.

ELWIN R. HARFORD
Box 735
SANDPOINT, IDAHO

RECEIVED
MARCH 24 1970
Department of Reclamation

97-4001