

AFFIDAVIT OF PUBLICATION

RECEIVED

STATE OF IDAHO,
County of Kootenai,

} ss.

SEP 7 1983

Department of Water Resources

Northern District being first duly sworn

DOMESTIC (0.33 CFS)
In: NENW Sec 25 T 48N R 03W
FOR 6 ACRES

94-4271

DOHRMAN, CHARLES E.
RT. 2 BOX 134, ST. MARIES, ID
83861

Source: GROUNDWATER

Priority Date: 05/01/1944

Diversion Pt: NWSW Sec 14 T 47N

R 03W

Use: DOMESTIC (0.04 CFS)

In: SWSW Sec 14 T 47N R 03W

95-4696

MOSS, JOHN T.

4631 86th ST. S.W., MUKILTEO,

WA 98275

Source: SPRING trib. to SINKS

Priority Date: 01/01/1946

Diversion Pt: NWNW Sec 23 T

49N R 04W

Use: DOMESTIC (0.04 CFS)

In: NENW Sec 23 T 49N R 04W

95-4697

SCOTT, DONALD L. &/or
BARBARA

2525 CHURCH RD.,

RATHDRUM, ID 83858

Source: SPRINGS trib. to

HAUSER CREEK

Priority Date: 10/30/1977

Diversion Pt: SWNW Sec 04 T 51N

R 05W NWSW Sec 05 T 51N R 05W

NESW Sec 04 T 51N R 05W

Use: STOCKWATER (0.02 CFS);

DOMESTIC (0.04 CFS)

In: NESW NWSW Sec 04 T 51N

R 05W SWNW Sec 04 T 51N R 05W

95-4699

BENGTSON, JOHN H.

301 KARIN CT., LEWISTON, ID

83501

Source: SPRING trib. to COEUR

D ALENE LAKE

Priority Date: 03/21/1970

Diversion Pt: NWSW Sec 03 T 47N

R 04W

Use: DOMESTIC (0.04 CFS)

In: NWSW Sec 03 T 47N R 04W

96-4518

PAUL, MICHAEL HENRY &/or
ANN LOUISE

E. 650 TWIN LAKES RD.,

RATHDRUM, ID 83858

Source: UNNAMED STREAM

trib. to SPIRIT LAKE

Priority Date: 06/01/1969

Diversion Pt: NWSW Sec 24 T 53N

R 05W

Use: DOMESTIC (0.12 CFS)

In: NWSW Sec 24 T 53N R 05W

Exceptions to a claim may be

filed with the Director, Dept. of

Water Resources, 4055 Gov

Way, Coeur d'Alene, Id. 83817

KEN DUNN, Jr.

Legal 390

Aug. 25, Sept. 1, 1983

deposes and says:

I am now and at all times hereinafter mentioned was a citizen of the United States and resident of the State of Idaho, over the age of twenty-one years and not a party to the above entitled action.

I am now and at all times hereinafter mentioned was the printer (principal) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sundays in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in that county.

The annexed is a printed copy, was published in the regular

and newspaper for consecutive

on the day of, 19, and

the day of, 19, and such

was made as often during said period as said

was regularly issued.

That said newspaper has been continuously and uninterruptedly published in

Kootenai County, during a period of more than seventy-eight consecutive weeks

prior to the first publication of said notice

scribed and sworn to before me this day of

19.

Robert D. Dwyer

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims(s) have been filed on water right(s) created by diversion and beneficial use:

94-4270

KOOTENAI SCHOOL DISTRICT
NUMBER 274

RT. 1 BOX 25, HARRISON, ID

83833

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4698

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4699

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4700

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4701

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4702

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4703

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4704

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4705

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4706

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4707

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4708

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4709

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4710

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4711

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4712

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4713

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4714

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4715

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4716

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4717

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4718

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4719

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4720

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4721

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4722

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4723

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4724

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

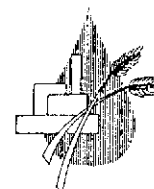
48N R 03W

Use: IRRIGATION (0.33 CFS);

95-4725

Source: GROUNDWATER

1778
RECEIVED
JUL 1 1983
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT



Department of Water Resources
Northern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that JOHN H. BENGTSON
(Name of Claimant)
301 Karin Court, Lewiston, Idaho, 83501 Telephone No. 743-4526
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) Spring of 1970 or prior

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
unnamed spring tributary to Coeur d'Alene Lake

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

claimed:				(Both dates inclusive)	
	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)		(Mo., Day)
Quantity	0.04 cfs	Use Domestic household	Period of Use From Jan. -1	To	Dec. -31
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	
Quantity		Use	Period of Use From	To	

- (4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 3 Twp. 47 N. Rge. 4 W B.M., County of Kootenai
addition xxxxxxxxxx (Lot 18, Block 2, Black's Homesites)

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. Describe any changes in the system and give the date of the change. 3/4" pipe from point of diversion (spring) to point of application for domestic household use, gravity flow.

- (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]

No. of acres _____

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic household use for dwelling situate on Lot 22, Block 2, Black's Homesites, Kootenai County, Idaho.

NOTE: Include here the type and number of stock watered: N/A

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

[illegible]

T. 8N. R. 4W

point of diversion (spring) Lot 18, Block 2, Black's Homesites

point of use (dwelling) Lot 22, Block 2, Black's Homesites

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.

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 affiant's knowledge.

James M. Bengtson
(Claimant)
19 83

Notary Public
Residing at Lewiston, Idaho

My commission expires _____

Received by LB Date 7/1/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by LB Date 7-5-83 claimant by: _____
\$20.00 fee received by LB Date 7/5/83 (28661)
Published in CDA Press
Dates 8/25, 9/11/83

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Kootenai,

}

SEP 2 1983

Department of Water Resources

Notary Public for the State of Idaho

DOMESTIC (0.33 CFS)
In: NENW Sec 23 T 48N R 03W
FOR 6 ACRES

deposes and says:

NOTICE OF CLAIMS TO WATER RIGHTS

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KOOTENAI SCHOOL DISTRICT NUMBER 274

RT. 1 BOX 25, HARRISON, ID 83833

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NWNW Sec 25 T

48N R 03W

Use: IRRIGATION (0.33 CFS);

94-4271

DOHRMAN, CHARLES E.
RT. 2 BOX 134, ST. MARIES, ID 83861

Source: GROUNDWATER

Priority Date: 05/01/1944

Diversion Pt: NWSW Sec 14 T 47N

R 03W

Use: DOMESTIC (0.04 CFS)

In: SWSW Sec 14 T 47N R 03W

95-4695

MOSS, JOHN T.

4631 56th ST. S.W., MUKILTEO, WA 98275

Source: SPRING trib. to SINKS

Priority Date: 01/01/1946

Diversion Pt: NWNW Sec 23 T

49N R 04W

Use: DOMESTIC (0.04 CFS)

In: NENW Sec 23 T 49N R 04W

95-4697

SCOTT, DONALD L. &/or BARBARA
2525 CHURCH RD., RATHDRUM, ID 83858

Source: SPRINGS trib. to HAUSER CREEK

Priority Date: 10/30/1977

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R 05W NWSW Sec 05 T 51N R 05W

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Use: STOCKWATER (0.02 CFS);

DOMESTIC (0.04 CFS)

In: NESW NWSW Sec 04 T 51N

R 05W SWNW Sec 04 T 51N R 05W

95-4699

BENGTSON, JOHN H.
301 KARIN CT., LEWISTON, ID 83501

Source: SPRING trib. to COEUR D'ALENE LAKE

Priority Date: 03/21/1970

Diversion Pt: NWSW Sec 03 T 47N

R 04W

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In: NWSW Sec 03 T 47N R 04W

96-4518

PAUL, MICHAEL HENRY &/or ANN LOUISE
E. 650 TWIN LAKES RD., RATHDRUM, ID 83858

Source: UNNAMED STREAM trib. to SPIRIT LAKE

Priority Date: 06/01/1969

Diversion Pt: NWSW Sec 24 T 53N

R 05W

Use: DOMESTIC (0.12 CFS)

In: NWSW Sec 24 T 53N R 05W

Exceptions to a claim may be filed with the Director, Dept. of

Water Resources, 4055 Gov. Way, Coeur d'Alene, Id. 83814

KEN DUNN, Jr.

Legal 390

Aug. 25, Sept. 1, 1983

I am now and at all times hereinafter mentioned was a citizen of the United States and resident of the State of Idaho, over the age of twenty one years and not a minor at the time of the above entitled action.

I am now and at all times hereinafter mentioned was the printer (principal) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sundays in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in Kootenai County.

The annexed is a printed copy, was published in the regular issue of the Coeur d'Alene Press, a daily newspaper for Kootenai County, Idaho, consecutive days, beginning on the 1st day of September, 1983, and continuing on the 1st day of October, 1983, and such publication was made as often during said period as said newspaper was regularly issued.

That said newspaper has been continuously and uninterruptedly published in Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

I am now and at all times hereinafter mentioned was a citizen of the United States and resident of the State of Idaho, over the age of twenty one years and not a minor at the time of the above entitled action.

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Roberta Franke
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

RANDALL, BENGTON, COX & RISLEY

LAWYERS

POST OFFICE BOX 446

LEWISTON, IDAHO 83501



Idaho Department of Water Resources

Route 5, Box 203

4055 Government Way

Coeur d'Alene, ID 83814

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Nez Perce)

GRACE GRAHAM, being first duly sworn upon oath, deposes and says:

My husband, Robert L. Graham, and I reside at North 710 McCabe Road, Spokane, Washington. We own a dwelling on Coeur d'Alene Lake in Kootenai County, Idaho, on Lot 23, Block 2, Black's Homesites. Immediately adjacent to our property in Kootenai County is Lot 22, Block 2, Black's Homesites, which is now owned by John H. Bengtson and his wife, Marilyn P. Bengtson. The property owned by Mr. and Mrs. Bengtson is supplied with domestic household water from a spring located on Lot 18, Block 22, Black's Homesites in Kootenai County. Such water is conveyed from such spring to the Bengtson's dwelling on Lot 22 by a 3/4 inch gravity flow pipe.

I know from my own knowledge that water from said spring has been used for domestic household purposes for the dwelling on Lot 22, Block 2, Black's Homesites owned by Mr. and Mrs. Bengtson continuously since August of 1970, which is when Mr. Graham and I purchased our property on Coeur d'Alene Lake.


GRACE GRAHAM

SUBSCRIBED AND SWORN to before me this 30th day of June, 1983.


Notary Public in and for the State of Idaho,
Residing at Lewiston therein.

RECORDED
JUN 29 1983

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 95-4699 Applicant Bengton

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By TK Date _____

Post MARK ON ENVELOPE 6-30-83 OK
STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Juni Date 11-1-83



95-4699

BENGTSON, JOHN H.

301 KARIN CT., LEWISTON, ID 83501

Source: SPRING trib. to COEUR D ALENE LAKE

Priority Date: 03/21/1970

Diversion Pt: NWSW Sec 03 T 47N R 04W

Use: DOMESTIC (0.04 CFS)

In: NWSW Sec 03 T 47N R 04W

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

SEPTEMBER 12, 1983

JOHN H. BENGTON
301 KARIN CT.
LEWISTON

ID 83501

RE: Claim No. 95-4699

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure