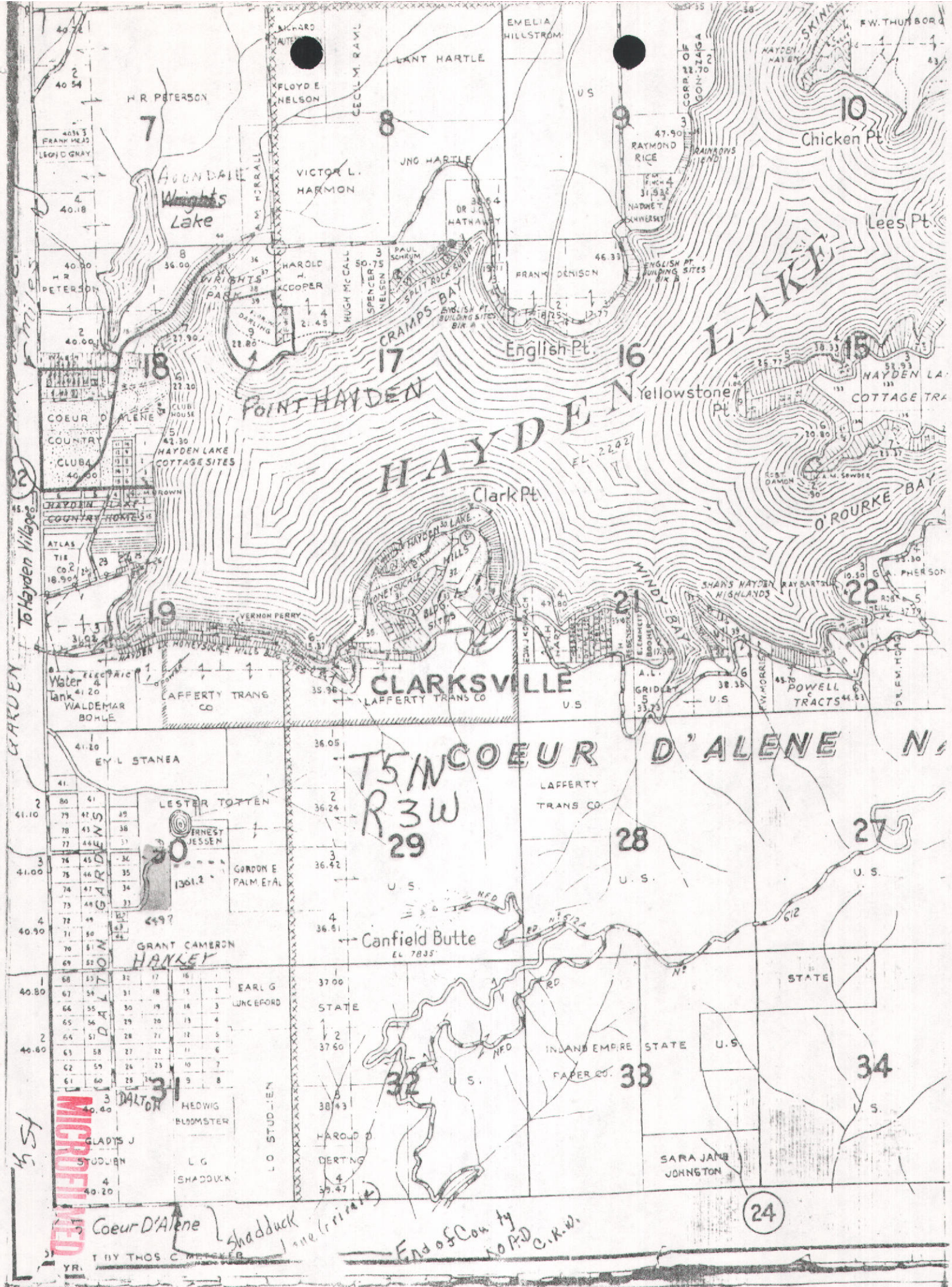




H.R. PETERSON

VICTOR L. HARMON

LANT HARTLE

EMELIA HILLSTROM

Chicken Pt

Lees Pt

Wright's Lake

CRAMPS BAY

English Pt.

Yellowstone Pt

POINT HAYDEN

HAYDEN LAKE

Clark Pt.

HAYDEN LA.

COTTAGE TR

O'ROURKE BAY

CLARKSVILLE

T5N COEUR D'ALENE N.

R3W 29

28

27

Canfield Butte

STATE

INDIAN EMPIRE STATE

PAPER CO.

33

34

SARA JANE JOHNSTON

Coeur D'Alene

Shaduck

End of Cow by N.P.D.C.R.W.

24

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIMS
TO WATER RIGHTS
Notice is hereby given that the
following claim(s) to water
right(s) have been established by
diversion and application to bene-
ficial use:

95-4506
TOTTEN, LESTER F. &/or
ESTHER B.
2380 E. WILBUR ST., COEUR D
ALENE, ID 83814
Source: CAPPAUL SPRING tribu-
tary to SINKS
Priority Date: 01/01/1906
Amount: 0.04 CFS
Diversion Point: NWSE Sec 30 T
51N R 03W, KOOTENAI Co.
Use: DOMESTIC (0.04 CFS) from
01/01 to 12/31
Place of Use: NESW Sec 30 T 51N
R 03W

98-4307
ELLES, LE ROY
P. O. BOX 24, BAYVIEW, ID
83803
Source: SPRING tributary to
PEND OREILLE LAKE
Priority Date: 01/01/1906
Amount: 0.04 CFS
Diversion Point: NENE Sec 34 T
54N R 02W, KOOTENAI Co.
Use: DOMESTIC (0.04 CFS) from
01/01 to 12/31
Place of Use: SWNE Sec 34 T 54N
R 02W

98-4308
BOCKSTRUCK, LARRY &/or
BETTIE
P. O. BOX 96, BAYVIEW, ID
83803
Source: SPRING tributary to
PEND OREILLE LAKE
Priority Date: 01/01/1906
Amount: 0.04 CFS
Diversion Point: NENE Sec 34 T
54N R 02W, KOOTENAI Co.
Use: DOMESTIC (0.04 CFS) from
01/01 to 12/31
Place of Use: SWNE Sec 34 T 54N
R 02W

98-4309
GLASSLEY, L. W.
RT. 1 BOX 214, ATHOL, ID 83801
Source: SPRING tributary to
PEND OREILLE LAKE
Priority Date: 01/01/1906
Amount: 0.04 CFS
Diversion Point: NENE Sec 34 T
54N R 02W, KOOTENAI Co.
Use: DOMESTIC (0.04 CFS) from
01/01 to 12/31
Place of Use: SWNE Sec 34 T 54N
R 02W

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 4055 Gov't
Way, Coeur d'Alene, ID. 83814.

A. KENNETH DUNN
Director

Legal 881
Aug. 26, Sept. 2, 1982

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

Alene Hancock being first duly sworn
upon oath deposes and says:

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

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

3. The Claims

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks, commencing on the 26 day of Aug, 1982, and ending on the 2 day of Sept, 1982, and such publication was made as often during said period as said daily newspaper was regularly issued.

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

Alene Hancock
Subscribed and sworn to before me this 2 day of Sept, 1982

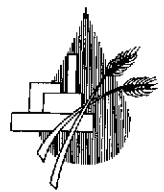
Roberta Manley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

Department of Water Resources
LEADER Northern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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 Lester F. &/or Esther B Totten

2380 E. Wilbur Coeur d'Alene ID 83814 Telephone No. 772-5759
(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) 1935

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)

Capaul Spring tributary to Sinks

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

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
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) .04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

N 1/2 NW 1/4 SE 1/4, Sec. 30 Twp. 51N Rge. 3W B.M., County of Kootenai

Additional points of diversion: _____

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. Catch Basin, Reservoir and pipeline

(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.

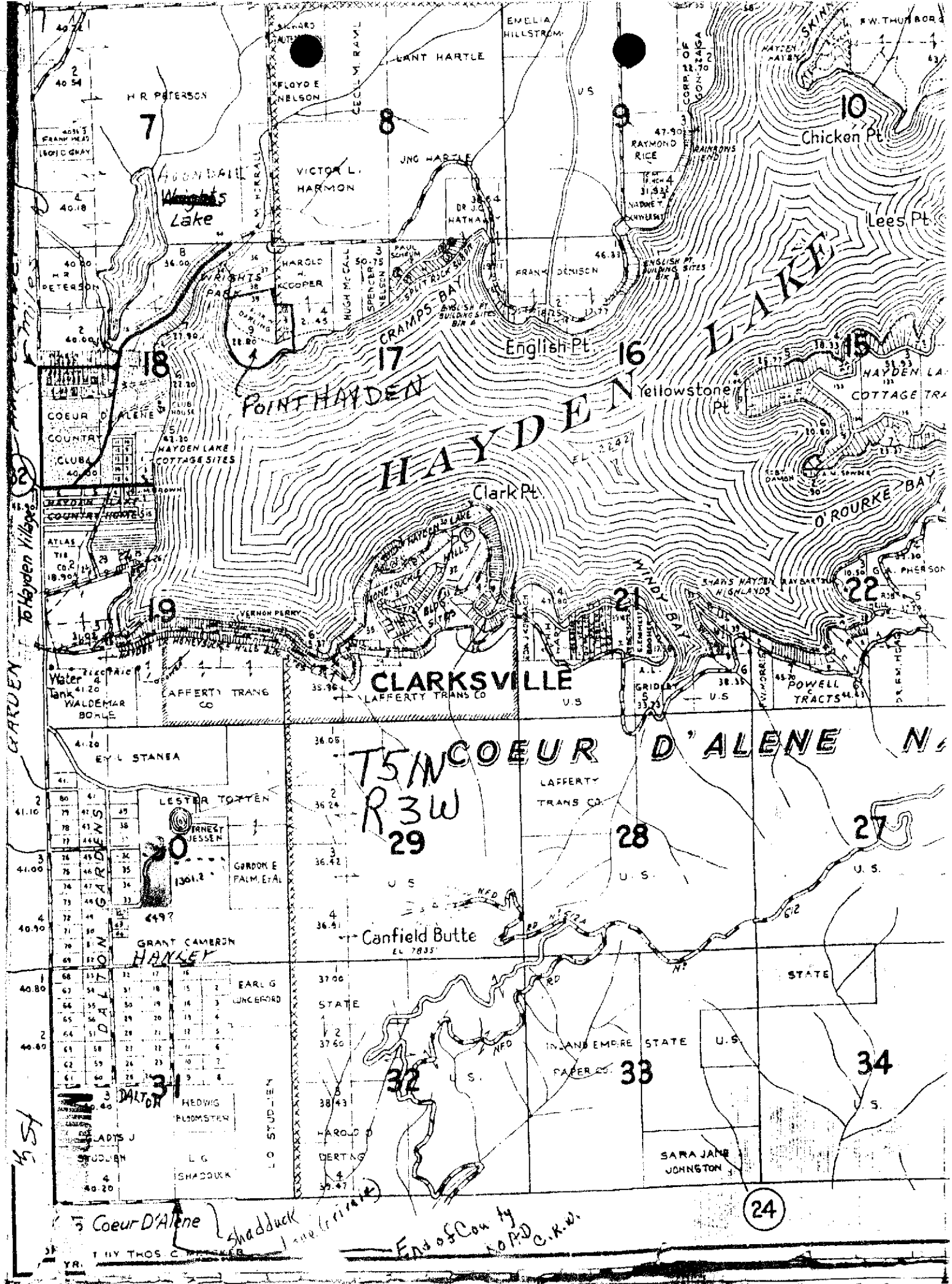
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
51N	3W	30									X								

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 1 house hold

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____



To Hayden Village

4.5

Coeur D'Alene

Shaduck

End of Cow by
N.O.P.D. C.R.W.

24

AFFIDAVIT OF PUBLICATION

**NOTICE OF CLAIMS
TO WATER RIGHTS**
Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

95-4306
TOTTEN, LESTER F. &/or
ESTHER B.
2380 E. WILBUR ST., COEUR D
ALENE, ID 83814
Source: CAPPAUL SPRING tribu-
tary to SINKS
Priority Date: 01/01/1935
Amount: 0.04 CFS
Diversion Point: NWSE Sec 30 T
51N R 03W, KOOTENAI Co.
Use: DOMESTIC (0.04 CFS) from
01/01 to 12/31
Place of Use: NESE Sec 30 T 51N
R 03W

95-4307
BLAIR, LE ROY
P. O. BOX 34, BAYVIEW, ID
83803
Source: SPRING tributary to
PEND OREILLE LAKE
Priority Date: 01/01/1908
Amount: 0.04 CFS
Diversion Point: NENE Sec 34 T
54N R 02W, KOOTENAI Co.
Use: DOMESTIC (0.04 CFS) from
01/01 to 12/31
Place of Use: SWNE Sec 34 T 54N
R 02W

95-4308
BOCKSTRUCK, LARRY &/or
BETTIE
P. O. BOX 36, BAYVIEW, ID
83803
Source: SPRING tributary to
PEND OREILLE LAKE
Priority Date: 01/01/1908
Amount: 0.04 CFS
Diversion Point: NENE Sec 34 T
54N R 02W, KOOTENAI Co.
Use: DOMESTIC (0.04 CFS) from
01/01 to 12/31
Place of Use: SWNE Sec 34 T 54N
R 02W

95-4309
GLASSLEY, L. W.
RT. 1 BOX 214, ATHOL, ID 83801
Source: SPRING tributary to
PEND OREILLE LAKE
Priority Date: 01/01/1908
Amount: 0.04 CFS
Diversion Point: NENE Sec 34 T
54N R 02W, KOOTENAI Co.
Use: DOMESTIC (0.04 CFS) from
01/01 to 12/31
Place of Use: SWNE Sec 34 T 54N
R 02W

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 4055 Gov't
Way, Coeur d'Alene, ID. 83814.

A. KENNETH DUNN
Director

Legal 881
Aug. 26, Sept. 2, 1982

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

Alene Hancock being first duly sworn
upon oath deposes and says:

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

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

3. The Claims

of which the annexed is a printed copy, was published in the regular Thursday issue of said newspaper for 2 consecutive weeks commencing on the 26 day of Aug, 1982, and ending on the 2 day of Sept, 1982 and such publication was made as often during said period as said daily newspaper was regularly issued.

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

Alene Hancock

Subscribed and sworn to before me this 2 day of Sept

1982

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

Deposited
LEADER
1982

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 95-4506 Applicant Kotten

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 ms Date 9/14/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 9/28/82

RECEIVED
SEP 27 1982

Department of Water Resources

95-4506-

TOTTEN, LESTER F. &/or ESTHER B.

2380 E. WILBUR ST., COEUR D ALENE, ID 83814

Source: CAPAUL SPRING tributary to SINKS

Priority Date: 01/01/1935

Amount: 0.04 CFS

Diversion Point: NWSE Sec 30 T 51N R 03W, KOOTENAI Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NESW Sec 30 T 51N R 03W

MICROFILMED

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 13, 1982

LESTER F. TOTTEN
ESTHER B. TOTTEN
2380 E. WILBUR ST.
COEUR D ALENE ID 83814

RE: Claim No. 95-4506

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 filings 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