

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:

95-4429

WHITENER, PHILIP D. &/or
JOANN

5725 CLUB VIEW RIVER,
YORBA LINDA, CA 92686

Source: UNNAMED SPRING

Priority Date: 01/01/1923

Amount: 0.04 CFS

Diversion Point: LOT 01 Sec 30 T

48N R 03W, KOOTENAI Co.

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

Place of Use: LOT 01 (NWNW)
Sec 30 T 48N R 03W

Diversion Means: DEVELOPED
SPRING, PUMP, CISTERN &
PIPE

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.

C. STEPHEN ALLRED
Director

Legal 38

Aug. 9, 16, 1979

STATE OF IDAHO,
County of Kootenai,

} ss.

Carol Hedge

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

Notice

of which the annexed is a printed copy, was published in the regular

issue of said newspaper for

2

consecutive

Three weeks

commencing on the

9

day of

Aug

1979

ending on the

16

day of

Aug

1979

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.

Carol Hedge

Subscribed and sworn to before me this

16

day of

Aug

1979

Department of Water Resources
Northern District Office

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

LEADER

MICROFILMED

RECEIVED

AUG 27 1979

11.88

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 Philip D. or John Whitener
(Name of Claimant)

5725 Club View River, Idaho Falls, Idaho 83406 Telephone No. (714) 528-6923
(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) 1923

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 _____

(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>0.04</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) 0.04 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
1/4 Sec. 30 Twp. 48N 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. Developed spring with pump pipeline to cistern then gravity flow to home.

(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	
48N	3W	30						X	(GL-1)										

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic for one home

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: _____

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Scale: 2 inches equal 1 mile.

section, township and range of the public land survey system.

SS.

affiant's knowledge.

July 27th day of

61 77

OFFICIAL SEAL
AUDREY L. SMITH
OTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
My comm. expires JUL 12, 1980

July 12, 1980

Date 7-12-79 Exception filed by: _____

Date _____

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Prelim. check by

Date _____

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Director of the Idaho Department
of Water Resources, 4065 Gov't
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C. STEPHEN ALLRED
Director

Legal 38
Aug. 9, 16, 1979

STATE OF IDAHO, } ss.
County of Kootenai,

Charles Hedge 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.

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3. The *Notice*

of which the annexed is a printed copy, was published in the regular *three*
issue of said newspaper for *2* consecutive *weeks*
commencing on the *9* day of *Aug*, 19 *79*, and
ending on the *16* day of *Aug*, 19 *79*, 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.

Subscribed and sworn to before me this *16* day of *Aug*

19 79

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

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: 

Right Number

95-4429

Applicant

Whitener

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.

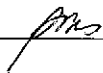
CHECK:

- ☒ 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



Date

8/29/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By



Date

9/5/79

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WHITENER, PHILIP D. &/or JOANN

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

AUGUST 27, 1979

PHILIP D. WHITENER
JOANN WHITENER
5725 CLUB VIEW RIVER
YORBA LINDA CA 92686

RE: Claim No. 95-4429

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

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