

AFFIDAVIT OF PUBLICATION

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

Jodi Emery

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 *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *27* day of *April*, 19*78*, and ending on the *4* day of *May*, 19*78*, 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 *Jodi Emery*

Subscribed and sworn to before me this *4* day of *May*, 19*78*

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

LEADER

10.4K

NOTICE OF CLAIM TO A WATER RIGHT NO. 95-4390

Notice is hereby given that Paul J. Huetter Jr. Et al P.O. Box 621, Coeur d'Alene, Id. has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from Coeur d'Alene Lake with point of diversion in the Gov. Lt 4, Sec. 10, T49N, R4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and fire protection with a priority of 1950; the place of use is within the Gov. Lot 4, Sec. 10, T49N, R4W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814.
C. STEPHEN ALLRED
Director

Legal No. 367
April 27, May 4, 1978

OK
5-8-78
SDW

RECORDED
INDEXED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that Paul J Huetter Jr Et al
(name of claimant)
of PO Box 621, Coeur d'Alene, Id 83814, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Coeur d'Alene Lake, tributary to, Spokane River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>0.04</u>	Use	<u>domestic</u>	Period of Use:	From	<u>Jan 1</u>	To	<u>Dec 31</u>
Amount	<u>0.04</u>	Use	<u>fire protect</u>	Period of Use:	From	<u>Jan 1</u>	To	<u>Dec 31</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 0.04 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1950

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
Gov't Lot 4 ¼, Sec. 10 Twp. 49N Rge. 4W 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. _____
_____ pump & pipeline to place of use

- (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]

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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

[illegible]

Scale: 2 inches equal 1 mile.

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.

State of Idaho)
County of Lootenai) 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.

Sworn to before me this 12 day of April


(Claimant)

Notary Public
Residing at

My commission expires lifetime

For Department Use Only

Received by RAH Date 4-12-78 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$10.00 fee received by RAH Date 4-12-78 #10837
Approved for publication by _____
Published in cond' alon Press _____
Dates 4-27-5-4-78 _____
affidavit received 5-8-78
OK - DW

AFFIDAVIT OF PUBLICATION

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

NOTICE OF CLAIM TO A WATER RIGHT NO. 95-4390

Notice is hereby given that Paul J. Huetter Jr. Et al P.O. Box 621, Coeur d'Alene, Id. has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from Coeur d'Alene Lake with point of diversion in the Gov. Lt-4, Sec. 10, T49N, R4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes and fire protection with a priority of 1950; the place of use is within the Gov. Lot 4, Sec. 10, T49N, R4W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814.
C. STEPHEN ALLRED
Director

Legal No. 367
April 27, May 4, 1978

OK
5-8-78
JAW

Jodi Embury 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 Thursday issue of said newspaper for 2 consecutive weeks, commencing on the 4 27 day of April, 1978, and ending on the 4 May day of May, 1978, 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 Jodi Embury

Subscribed and sworn to before me this 4 day of May, 1978.

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D'ALENE, IDAHO 83814

May 10, 1978

Re: Claim No.s 95-4390, 95-4391, 95-4392

Mr. Paul J. Huetter Jr. et al
P.O. Box 621
Coeur d'Alene, ID 83814

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

As you are aware, the filing of a 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 supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosure

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83314
(208) 667-6484

April 26, 1978

RE: Application No. 96-7649
Claims No. 95-4392, 95-4391, 95-4390.
Correction No. 96-4208

Coeur d'Alene PRESS
Second & Lakeside
Coeur d'Alene, Id 83314

Gentlemen:

Enclosed is 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

*Bill received 5-8-78
OK - [Signature]*



NOTICE OF CLAIM TO A WATER RIGHT

NO. 95-4390

Notice is hereby given that Paul J Huetter Jr, Et al
PO Box 621, Coeur d'Alene, Id
has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second gallons per minute
of water from Coeur d'Alene Lake
with point of diversion in the Gov Lot 4, Sec 10, T49N, R4W, B.M., Kootenai
County

The water is claimed to be used from _____
Jan 1 to Dec 31 for domestic purposes and fire protection
with a priority of 1950;
the place of use is within the Gov Lot 4, Sec 10, T49N, R4W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alne Press, Coeur d'Alene, Id
on April 27 and May 4, 1978

1978
APR 27
COEUR D'ALENE PRESS
COEUR D'ALENE, IDAHO