

# AFFIDAVIT OF PUBLICATION

## NOTICE OF CLAIM TO A WATER RIGHT NO. 95-4381

Notice is hereby given that James W. & Jeanne M. Whaley, Rt. 3 Box 282, 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 Fernan Lake with point of diversion in the Gov. Lot 4, Sec. 17, T50N, R3W, B.M., Kootenai County.

The water is claimed to be

used from Jan. 1 to Dec. 31 for domestic purposes and from March 15 to Nov. 15 for the irrigation of 1 acre with a priority of Nov. 1, 1955; the place of use is within the SE 1/4 NE 1/4 & Gov. Lot 4, Sec. 17, T50N, R3W, 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. 220  
June 2, 9, 1977

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 *three* issue of said newspaper for *2* consecutive *weeks* commencing on the *2* day of *June*, 19*77*, and ending on the *9* day of *June*, 19*77*, 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.

*Carol Hedge*

Subscribed and sworn to before me this

*9* day of *June*

19*77*

*Roberta Manley*

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

LEADER

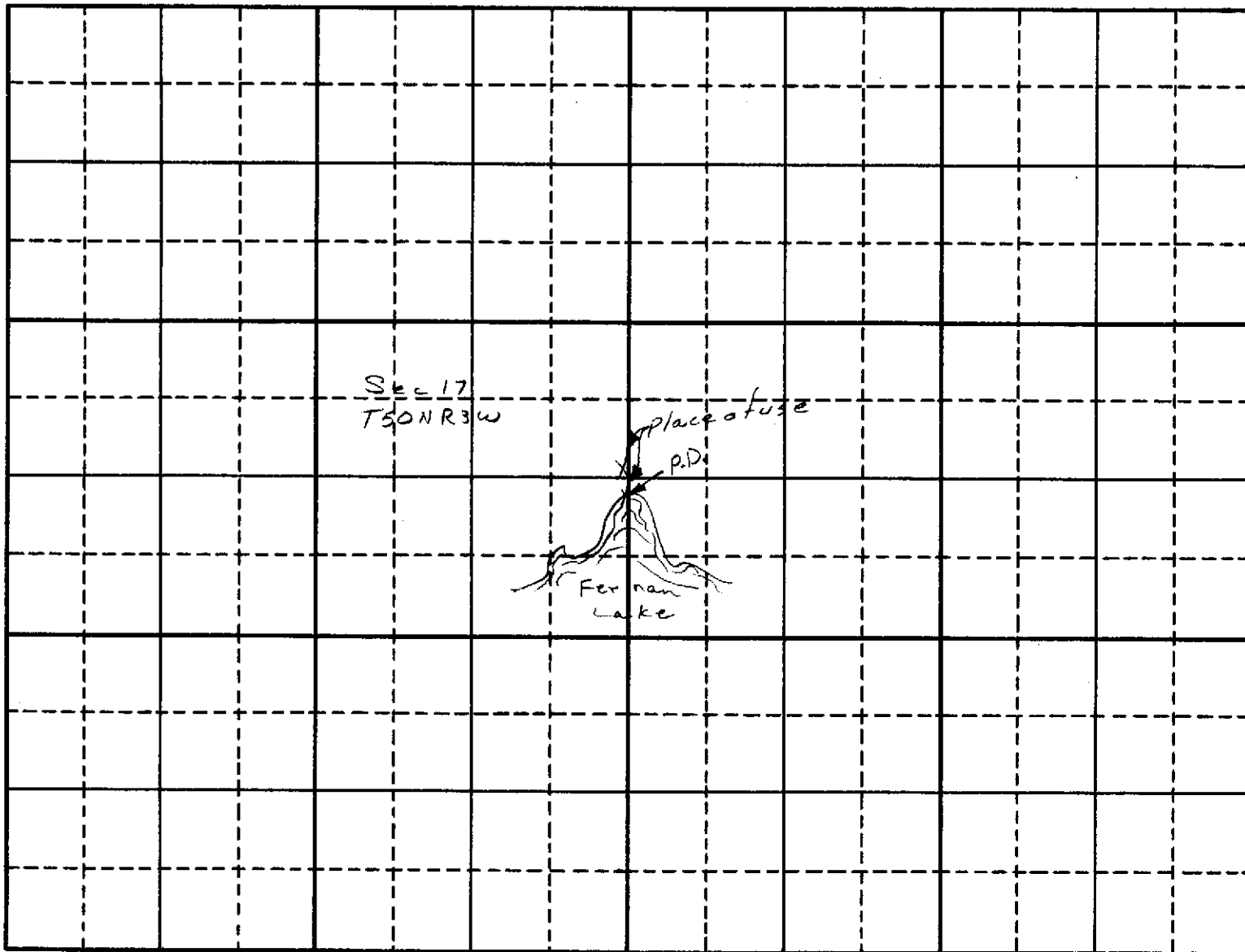
*12-24*

MICROFILMED

*OK*  
*8-10-77*  
*[Signature]*

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

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



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 Idaho ) 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 19 day of May

James W. Whaley Jeanne M. Whaley  
(Claimant)

Robert S. Haynes  
Notary Public  
Residing at C & A

My commission expires Lifetime

For Department Use Only

|                                   |                           |                     |              |      |
|-----------------------------------|---------------------------|---------------------|--------------|------|
| Received by <u>TK</u>             | Date <u>5-17-77</u>       | Exception filed by: | Forwarded to | Date |
| Prelim. check by _____            | Date _____                |                     | claimant by: |      |
| \$10.00 fee received by <u>TK</u> | Date <u>5-17-77(5505)</u> |                     |              |      |
| Approved for publication by _____ |                           |                     |              |      |
| Published in <u>COP News</u>      |                           |                     |              |      |
| Dates <u>6-28-77</u>              |                           |                     |              |      |
| <u>OK 6-10-77</u>                 |                           |                     |              |      |

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*Carol Hedge*

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*9* day of *June*

19*77*

*Roberta Manley*

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

12-24  
LEADER

*OK*  
*8-10-77*  
*[Signature]*



# STATE OF IDAHO

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

COEUR D' ALENE, IDAHO 83814

June 14, 1977

RE: Claim No. 95-4381

James W & Jeanne H Whaley  
Rt 3 Box 282  
Coeur d'Alene, Id 83814

Dear Mr & Mrs Whaley,

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 DISTRICT

Cecil D. Andrus  
Governor

R. Keith Higginson  
Director

Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

May 26, 1977

RE: Applications No. 95-7728, 95-7729, 95-7730.  
Claims No. 95-4381, 95-4380, 94-4031, 95-4382  
Notice of Correction No. 94-7098

Coeur d'Alene Press  
Second & Lakeside  
Coeur d'Alene, Id 83814

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:cp

Enc: Legal Notice(s)

MICROFILMED

*Bill McQuinn*  
*6-10-77*  
*[Signature]*

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of water from Fernan Lake

with point of diversion in the Gov Lot 4, Sec 17, T50N, R3W, B.M.

Kootenai County

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C. STEPHEN ALLRED  
Director

Published in the Coeur d'Alene Press, Coeur d'alene, Id

on June 2 and June 9, 1977

NOTIFIED