

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT NO. 95-4380

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 a groundwater source 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 with a priority of Nov. 1, 1955; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and Gov. Lot 4 of 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. 221
June 2, 9, 1977

STATE OF IDAHO,
County of Kootenai,

} ss.

Carole 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, 1977, and
ending on the 9 day of June, 1977, 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.

Carole Hedge
Subscribed and sworn to before me this 9 day of June, 1977.

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

LEADER

MICROFILMED

OK.
6-10-77
B.

11.52

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 James W. & Jeannette M. Whaley
(name of claimant)
of Rt 3-B 282 Coeur d'Alene, 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) _____
Ground Water, tributary to, _____
- (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 _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(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) Nov. 1, 1955

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)
GL 4 1/4, Sec. 17 Twp. 50 N Rge. 3 W 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. 3/4 hp pump with 3/4" 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.

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	
50N	3W	17				X									GL 4				

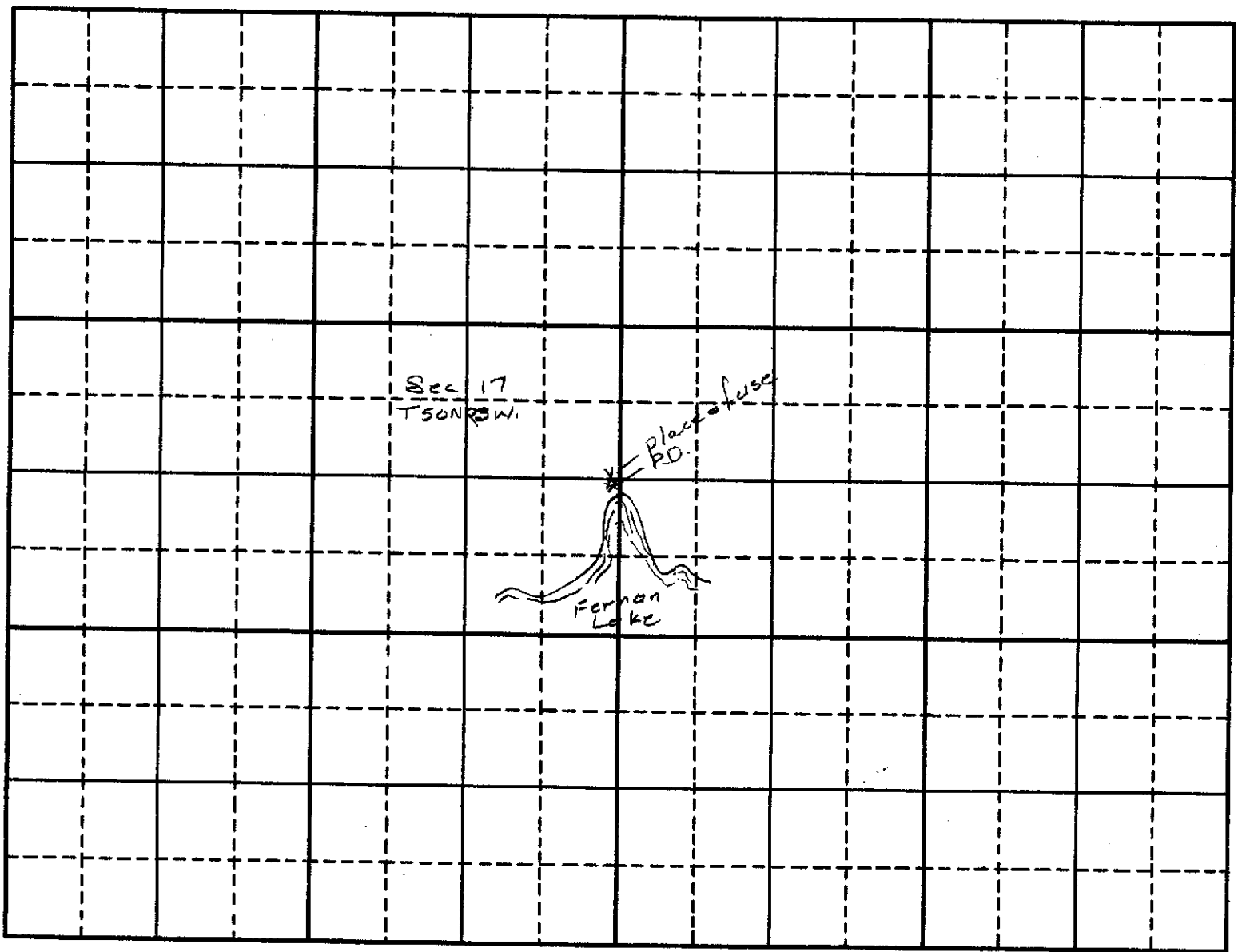
Total No. of acres _____

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

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

REPRODUCED

(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.

James W W Haley Jeannie M. Haley
(Claimant)

Sworn to before me this 19 day of May, 1977.

Robert S. Haynes
Notary Public
Residing at CD'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>CDA Puro</u>				
Dates <u>6-24-77</u>				
<u>OK. 6-10-77</u>				

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT NO. 95-4380

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C. STEPHEN ALLRED
Director

Legal No. 221
June 2, 9, 1977

STATE OF IDAHO,
County of Kootenai,

} ss.

Casae 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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Subscribed and sworn to before me this

Casae Hedge
9 day of June, 1977.

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

LEADER



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. 95-4380

James W & Jeanne M 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



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.
Clarias 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

RECORDED
INDEXED
cp

Legal Notice(s)

Bill Higginson
6-10-77
B

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Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

C. STEPHEN ALLRED
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Id
June 2 and June 9, 1977