

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT NO. 95-4373

Notice is hereby given that Leslie A. &/or Bonnie J. Mitson, Route 5, Box 924, Post Falls, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.08 cubic feet per second of water from a ground water source with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 50N, R. 4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes (0.04 cfs); and from March 15 to Nov. 15 for the irrigation of 2 acres (0.04 cfs) with a priority of August 4, 1953; the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 50N, R. 4W, 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.

Director

Legal 18
Apr. 7, 14, 1977

STATE OF IDAHO,
County of Kootenai,

} ss.

Carole Hedges

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 *weeks* commencing on the *7* day of *April*, 19*77* and ending on the *14* day of *April*, 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.

Carole Hedges

Subscribed and sworn to before me this

14 day of *April*

19*77*

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

LEADER

11.88

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*OK
4-28-77
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RECEIVED
APR 27 1977

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 Leslie A. Mitson &/or Bonnie J. Mitson
(name of claimant)
of Route 5, Box 924, Post Falls, Idaho 83854, 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 cfs</u> | Use | <u>Domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>0.04 cfs</u> | Use | <u>Irrigation</u> | Period of Use: From | <u>March 15</u> | To | <u>Nov. 15</u> |
| 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: 0.08 cubic feet per second, or _____ acre feet per annum, and/or 36 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) August 4, 1953

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)
SW ¼ SE ¼, Sec. 5 Twp. 50N 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. 6" well, 150' deep with submersible 1½ h.p. pump and motor.

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
50N	4W	5															X 2		2

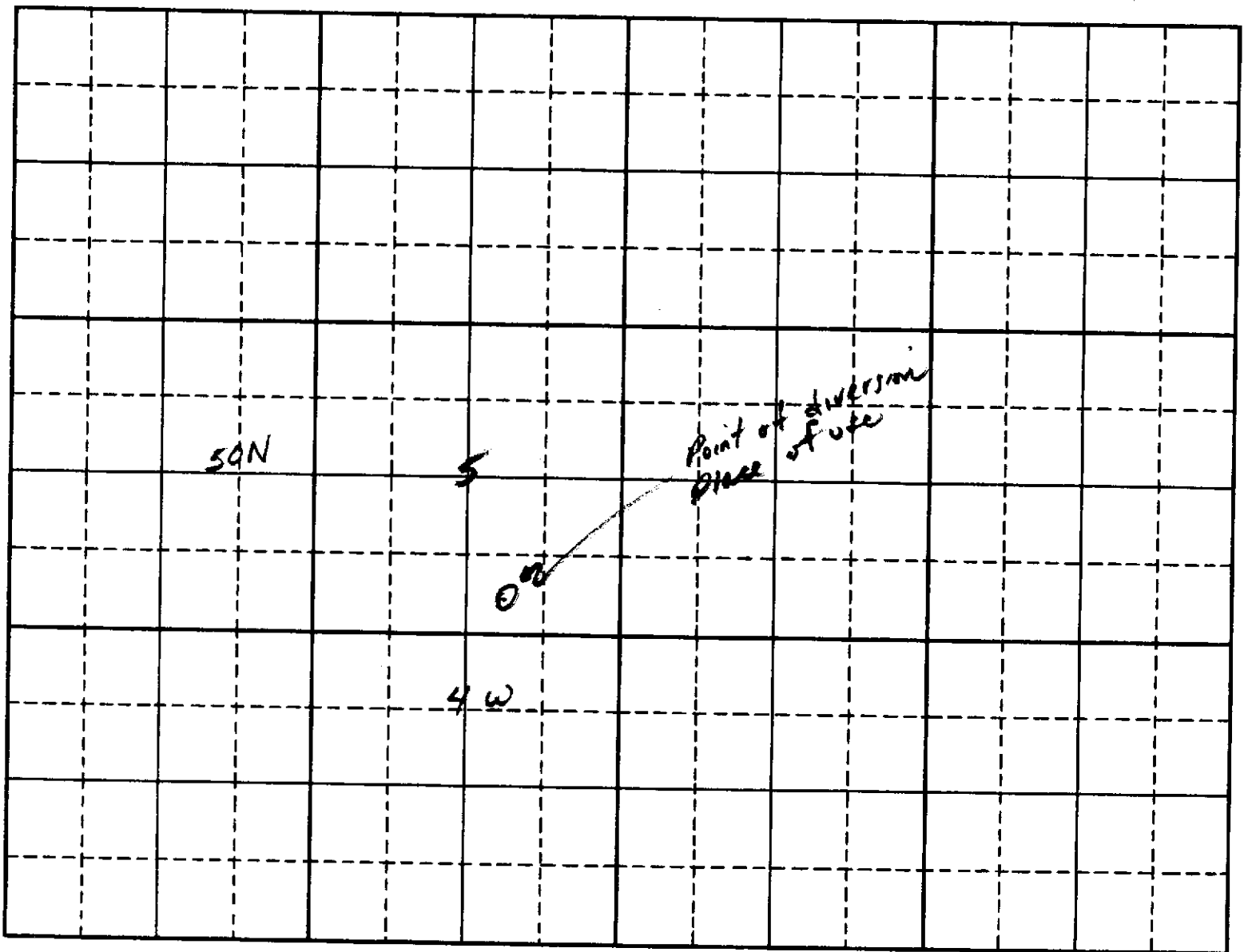
Total No. of acres 2

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for domestic purposes for one household.

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

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(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 KOOTENAI) 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 29TH day of MARCH / Bonnie J. Mitson / 19 77.

Leshia A. Mitson
(Claimant)

Carla M. Patterson
Notary Public
Residing at COEUR D'ALENE, IDAHO

My commission expires LIFETIME

Rec. #4978

For Department Use Only

Received by FE Date 3-29-77
Prelim. check by FE Date 3-29-77
\$10.00 fee received by cp Date 3-29-77
Approved for publication by _____
Published in Coeur d'Alene Press
Dates 4-7 & 4-14-77

Exception filed by:	Forwarded to claimant by:	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

42977 OK P

AFFIDAVIT OF PUBLICATION

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 95-4373**

Notice is hereby given that Leslie A. &/or Bonnie J. Mitson, Route 5, Box 924, Post Falls, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.08 cubic feet per second of water from a ground water source with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 50N, R. 4W, B.M., Kootenai County.

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Director

Legal 18
Apr. 7, 14, 1977

STATE OF IDAHO,
County of Kootenai,

} ss.

Carole Hedge

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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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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 14 day of April, 1977.

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 N. Government Way

COEUR D' ALENE, IDAHO 83814

(208) 667-6484

April 29, 1977

RE: Claim No. 95-4373

Leslie A & Bonnie J Mitson
Rt 5 Box 924
Post Falls, Id 83854

Dear Mr. & Mrs. Mitson,

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.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enclosure

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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

April 1, 1977

Re: Application No. 94-7095 Application No. 95-7713
 " " 95-7710 " 96-7518
 " " 95-7711 Claim No. 95-4373
 " " 95-7712

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)

Bill Received
4-29-77
B

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NOTICE OF CLAIM TO A WATER RIGHT

NO. 95-4373

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with point of diversion in the SW₄SE₄, Sec. 5, T. 50N, R. 4W, B.M.,

Kootenai County

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acres (0.04 cfs)

with a priority of August 4, 1953;

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

~~RLX KETX HIGGINSON~~
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho

on April 7 and April 14, 1977

NOTICE