

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS
(WEEKLY)

STATE OF IDAHO,

County of Kootenai, } ss.

Callie Painter

deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on Wednesdays; and that the

Notice of Claim Re a Water Right
No. 94-4001

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for *two* consecutive weeks, commencing

on the *25* day of *Sept*, 196*9*, and ending on the *2* day of *October*, 196*9*.

Callie Painter

Subscribed and sworn to, before me, this *2* day of *October*,

196*9*.

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

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 94-4001

Notice is hereby given that Dorothy J. Robinson, 1945 Main St., St. Maries, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .016 cubic feet per second of water from an unnamed spring with point of diversion in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T. 48N, R. 3W, B.M., Kootenai County; the water is to be used from January 1 to December 31 for domestic purposes with a priority of August, 1947; the place of use is within Gov't. Lot 1, Sec. 20, T. 48 N., R 3W. B.M. Any exception to this claim or water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

Sept. 25, Oct. 2, 1969

RECEIVED

OCT 8 1969

Department of Reclamation

Bill submitted
94-4001 10-15-69 dw

AL 2 copies

NOTICE OF CLAIM
TO A WATER RIGHT
No. 94-4001

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Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Sept. 25, Oct. 2, 1969

94-4001

Assigned to Chester L. Canode
Box 594 Moscow Idaho

Identification No. _____
Claim No. 94-4001 P 95-4350
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant DOROTHY J. ROBINSON
post office address 1945 Main Street, St. Maries, Idaho
2. The point of diversion is in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 20 Township 48 N.
Range 3 W. B.M. located on Spring located 1.40 ch. E. of NW corner
of South Half, South Half, NE $\frac{1}{4}$, Section 20, Twp. 48 N., R. 3 W. B.M.
tributary to _____ in Kootenai County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed: _____ 6 gal. per minute
August 1947 amount: .016 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use Domestic period of use from Aug. 1947 to present (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of concrete block
_____ ; length is _____ feet; height is 8 feet;
width at bottom is 5 feet; width at top is 2 $\frac{1}{2}$ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known originally wood -
replaced with concrete block
 - b. Underground water diverting works: is well flowing or pumped gravity flow ; depth of well is 208 feet; diameter of well is 60 inches; type of pump is gravity flow
capacity of pump is _____ g.p.m.; name and address of well driller is hand dug
Gordon Bolich - 1947

94-4001

_____, if so, give dates and explain

Conveying works: length of ditch to place of use is _____feet; width of ditch at top is _____feet;

width of bottom of ditch is _____feet; depth of water is _____feet; grade of ditch per 1000

feet is _____; material through which ditch passes is _____.

maximum length of pipe line to first place of use is 2000 feet; diameter of pipe line is 3/4 inches;

_____ galvanized _____; grade of pipe per 1000 feet is 30' / 1000.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving

~~As shown by attached map~~

f water is stored: name of reservoir

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;

Year construction commenced _____; Year completed _____; date first used _____

period of storage is from _____ to _____; is reservoir drained each year _____;

_____ explain _____s reservoir on or off stream

Age Group	Percentage
18-24	10%
25-34	20%
35-44	25%
45-54	20%
55-64	15%
65-74	10%
75-84	5%
85+	5%

Feeder canal is used give maximum carrying capacity——c.f.s.; if reservoir is off stream, describe

location of reservoir by 40-acre subdivisions

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and

aquapla

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated 11,563 acres

Explain any significant increase in area irrigated since first use, give dates and acreages if known.

~~Area same since 1947~~

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:		May 18, 1871	amount:	0.8 c.f.s. or	acre feet
		June 1, 1901	amount:	0.4 c.f.s. or	acre feet
		Total claimed:		1.2 c.f.s. or	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.

9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

RECEIVED
OCT 13 1970
Department of Water Administration

I, Dorothy J. Robinson, hereby assign to Chester L. Canode,
of Box 594, Moscow, Idaho 83843 Name
Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 94-4601 P Claim NO. 94-4601 P
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho. (Give that portion of the permit being assigned by describing the land list and the point of diversion - describe by acreage within each 40-acre subdivision.)

Made this 7th day of October, 19 70.

Dorothy J. Robinson
Permit Holder

Dorothy J. Robinson
Wife of Permit Holder

State of Idaho)
County of Bannock) ss.

On this 7 day of October, 19 70, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

James D. Shroy
Notary Public residing at St. Maries, Idaho

NOTARY PUBLIC for the State of Idaho
Residing at St. Maries, Idaho
My commission expires May 23, 1974

My commission expires _____

IN THE MATTER OF:)

AFFIDAVIT

State of Idaho)
County of Kootenai)

DOROTHY J. ROBINSON being first duly sworn,

deposes and says: The affiant is of legal age and is the owner of a part of Government Lot 1 and the South Half of the South Half of SW $\frac{1}{4}$ Of NE $\frac{1}{4}$, Section 20, Township 48 N. Range 3 W. B. M., and makes this affidavit pursuant to the provisions of 42-225 (a) (h) Idaho Code. To affiant's own personal knowledge Gordon Bolich in 1947 constructed a wooden reservoir for the collection of waters from a spring located 1.40 chains east of the NW corner of South Half of South Half of NE $\frac{1}{4}$, Section 20, Township 48 N. R. 3 W. B. M. and installing a 1 $\frac{1}{2}$ inch pipe for a distance of approximately 100 feet and a 3/4" pipe for the further distance of approximately 1800 feet for the transmission of water upon the properties above described. That said system has at all times been maintained in affect since said date and serves the property which affiant is the owner. After affiant became owner, the Spring reservoir was cribbed with cement blocks and capped. Affiant states that no other person or persons have ever used any of said waters and said waters have been used exclusively upon the property which the affiant is the owner and used for domestic purposes and household purposes. Affiant believes that said Spring flows at the rate of approximately 10 gallons per minute. Affiant further states that the location of said Spring was physically located by a survey made by Ray Kindler, County Surveyor, for and on behalf of Bolich in approximately 1950.

Dorothy J. Robinson
(Signature)

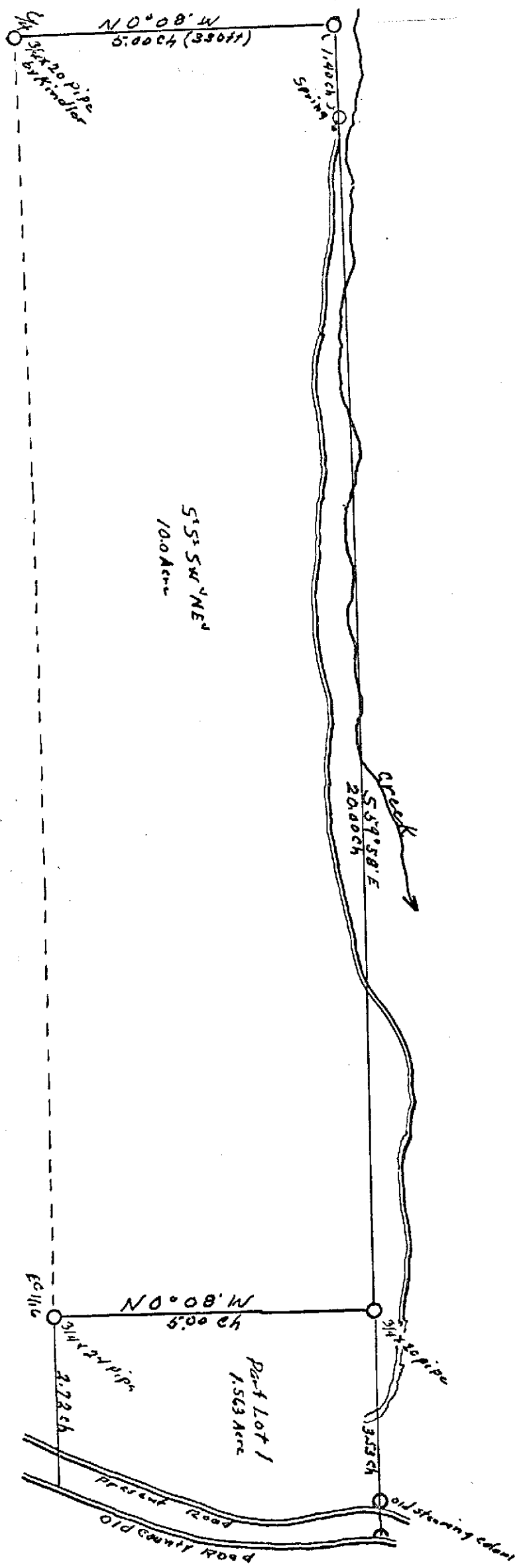
Subscribed and sworn to before me this 5th day of September, 1969.

E. R. [Signature]
(Notary Public)

Residing at Coeur d'Alene
My Commission Expires 1/14/72

94-4001

Retrocement
 Tract in $5\frac{1}{2}$ Sec NE $\frac{1}{4}$ Section 20, Twp 48N, R3W BM
 1 inch = 200 feet



94-4001

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(WEEKLY)

STATE OF IDAHO, }

County of Kootenai, }

ss.

Callie Painter, being first duly sworn,
deposes and says:

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newspaper on Wednesdays; and that the

Notice of Claim Re a Water Right
No. 94-4001

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for *two* consecutive weeks, commencing on the *25* day of *Sept*, 196*9*, and ending on the *2* day of *October*, 196*9*.

Callie Painter

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

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TO A WATER RIGHT**
No. 94-4001

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R. KEITH HIGGINSON
State Reclamation Engineer
Sept. 25, Oct. 2, 1969

RECEIVED

Copy submitted

94-4001 10-15-69

MILLER & KNUDSON

ATTORNEYS AT LAW

COEUR DALENE PROFESSIONAL CENTER - P.O. BOX E

COEUR D'ALENE, IDAHO 83814

PHONE MO 4-8115

September 5, 1969

E. L. MILLER
J. T. KNUDSON

RECEIVED
SEP 8 1969
Department of Reclamation

Department of Reclamation
Room 107 Statehouse
Boise, Idaho 83701

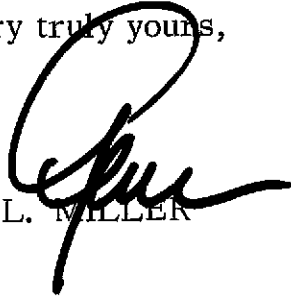
RE: DOROTHY J. ROBINSON

Gentlemen:

I am enclosing herewith Claim to a Water Right, Affidavit and Map of Mrs. Dorothy J. Robinson.

Also enclosed is my check in the amount of \$10.00.

Very truly yours,


E. L. MILLER

ELM:kh
Enclosures

94-4001

November 24, 1970

Re: Claim No. 94-4001

Mr. Chester L. Canode
Box 594
Moscow, Idaho 83843

Dear Mr. Canode:

Please find enclosed a copy of the assignment and the claim in connection with
claim no. 94-4001.

If we can be of any assistance in the future, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: copy of claim no. 94-4001
copy of assignment

911-4001

Mr. and Mrs. Chester L. Canode

P.O. Box 594 Moscow, Idaho 83843

Department of Reclamation
State of Idaho
Boise, Idaho

Gentlemen:

I would like to file this assignment of permit for
Claim No 94-4001. If you need additional information or
if there are any fees involved please let me know.

Sincerely
Chester L Canode
Chester L Canode
Box 594
Moscow, Idaho

94-4001

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 13, 1969

Re: Claim to a Water Right No. 94-4001

Dorothy J. Robinson
1945 Main Street
St. Maries, Idaho

Dear Ms. Robinson:

Please be advised that the Department of Reclamation has received and processed your claim to a water right. We have enclosed a copy of the claim for your files; please refer to the claim number if you desire to add or change information in your claim.

You should be aware that the filing of the claim completes the Department's work in processing the claim. Under Idaho Statutes, no further processing is pending at this time. Your claim will merely be filed on record with the Department until such time you or a court may be in need of the information.

Enclosed is a departmental receipt in the amount of \$10.00 covering the filing fee.

If we may be of assistance at any time, please feel free to contact the Department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:sc
Enc: Copy of claim
Receipt No. 3613

94-4001

September 18, 1969

Re: Claim to a Water Right No. 94-4001 - Dorothy J. Robinson
Application for Permit No. 94-7008 - Mrs. Sadie J. Brooten

Coeur d'Alene Press
Coeur d'Alene,
Idaho

Gentlemen:

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

An affidavit of publication must be submitted to the Department of Reclamation along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(Signature of the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Legal notice (2)

94-4001

AL 2 copies

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TO A WATER RIGHT**

No. 94-4001

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Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Sept. 25, Oct. 2, 1969

B
21W
94-4001

October 10, 1969

Re: Claim to a Water Right No. 94-4001 - Dorothy J. Robinson

Coeur d'Alene Press
Coeur d'Alene,
Idaho

Gentlemen:

Enclosed you will find we are returning the certified bill for the above referenced claim.

Please sign the certification before resubmitting to the Department.

Your cooperation in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Bill

94-4001

NOTICE OF CLAIM TO A WATER RIGHT

No. 94-4001

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; the place of use is within Gov't. Lot 1,
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Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho,
on September 25 and October 2, 1969.

94-4001
SC