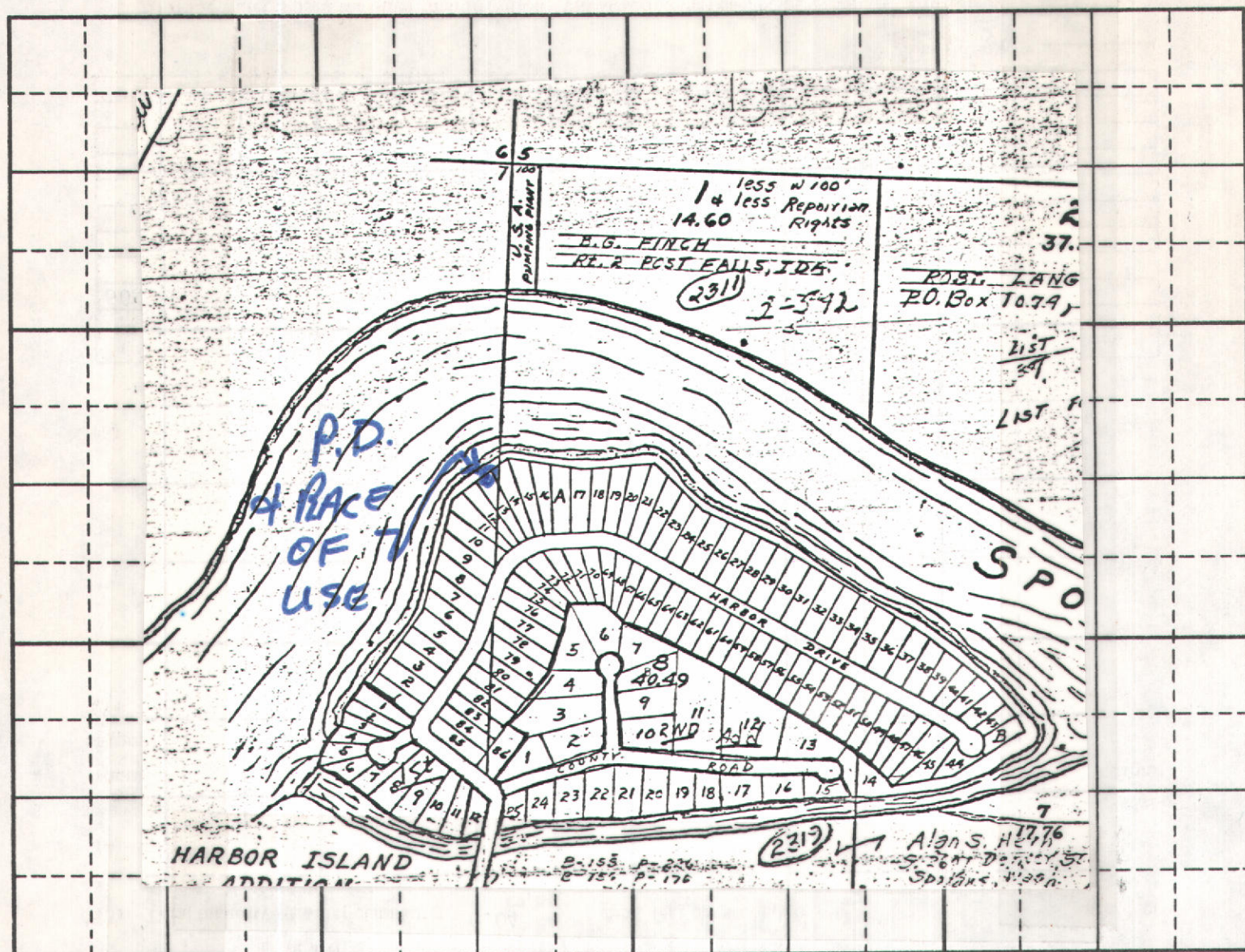


(8) Remarks



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

SS.

County of KOOTENAI

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 Burnham
(Claimant)

Sworn to before me this 5TH day of July, 19 74.

Corda M. Roberts
Notary Public

Residing at Cd'l.

My commission expires Sept. 11, 1976

For Department Use Only

Received by <u>KIC</u>	Date <u>7/5/74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KIC</u>	Date <u>7/5/74</u>	<u>#14154</u>	claimant by:	
\$10.00 fee received by <u>KK</u>	Date <u>7/5/74</u>			
Approved for publication by <u>76</u>				
Published in <u>COEUR D'ALENE PRESS</u>				
Dates <u>7-11 & 7-18-74</u>				

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 22 1974

NOTICE OF CLAIM TO A WATER RIGHT

NO. 95-4273

Notice is hereby given that Stan L. &/or Janet Bernhart, E. 10920-21st, Spokane, Washington have 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 Spokane River with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 50N, R. 4W, B.M., Kootenai County (Lot 13, Harbor Island).

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1962; the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 50N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Legal No. 150
July 11, 18, 1974

STATE OF IDAHO,
County of Kootenai,

} ss.

Carol Hedge Department of Water Resources
being first duly sworn
Northern District Office

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 Claim
No. 95-4273*

of which the annexed is a printed copy, was published in the regular *Times* issue of said newspaper for *2* consecutive *weeks*, commencing on the *11* day of *July*, 19*74*, and ending on the *18* day of *July*, 19*74*, 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 *19th* day of *July*, 19*74*.

Roberta Manley

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

LEADER

95 4273

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
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 Stan L. &/or Janet Bernhart
(name of claimant)
of E. 10920 - 21st, Spokane, Wash. 99206, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to _____;

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) 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 cfs</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) 1962

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)
NE ¼ NE ¼, Sec. 7 Twp. 50N Rge. 4W B. M. County of Kootenai
Additional points of diversion: (Lot 13, Harbor Island)

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 and pipeline to place of use.

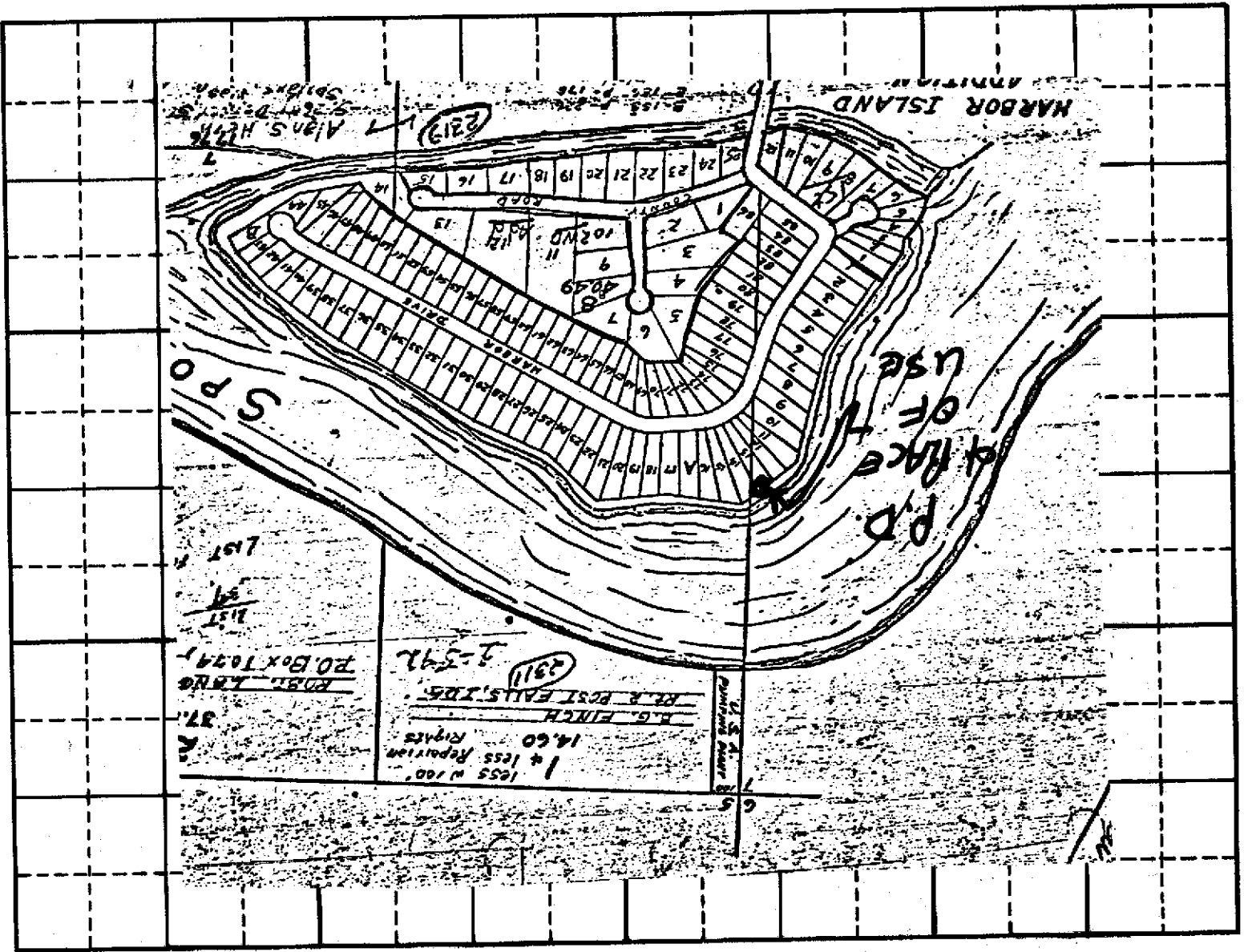
(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
50N	4W	7	X																

Total No. of acres _____

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

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



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 5th day of July, 1974.

James B. Smith
(Claimant)
Carole M. Roberts
Notary Public
Residing at Ad.

My commission expires Sept. 11, 1976

For Department Use Only

Received by KIC Date 7/5/74 Exception filed by: #14154 Forwarded to _____ Date _____
Prelim. check by KIC Date 7/5/74 claimant by: _____
\$10.00 fee received by KIC Date 7/5/74
Approved for publication by to
Published in COEUR D'ALENE PRESS
Dates 7-11 & 7-18-74

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

NO 95-4273

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The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1962; the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 50N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Legal No. 150
July 11, 18, 1974

STATE OF IDAHO,
County of Kootenai,

} ss.

Carol Nedge

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 Claim
No. 95-4273

of which the annexed is a printed copy, was published in the regular Issue issue of said newspaper for 2 consecutive weeks commencing on the 11 day of July, 1974, and ending on the 18 day of July, 1974, 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 Nedge

Subscribed and sworn to before me this 19th day of July, 1974.

Roberta Mankley

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

LEADER

95 4273

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

July 30, 1974

Re: Claim to a Water Right No. 95-4273

Stan L. &/or Janet Bernhart
East 10920 - 21st
Spokane, WA 99206

Dear Mr. and Mrs. Bernhart:

The Department of Water Administration 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 this 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, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

95 4273

July 5, 1974

Re: Application No. 95-7464
Claim No. 96-4126
" " 95-4272

Claim No. 95-4273
" " 96-4127

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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill Submitted 7-22-74 by CP

95 4273

NOTICE OF CLAIM TO A WATER RIGHT

NO. 95-4273

Notice is hereby given that Stan L. &/or Janet Bernhart,
E. 10920 - 21st, Spokane, Washington
have ~~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 Spokane River
with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 50N, R. 4W, B.M.,
Kootenai County (Lot 13, Harbor Island)

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes

with a priority of 1962 ;
the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 50N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water ^{Resources} Administration, 401 Front Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on July 11 and July 18, 1974

NOTICE OF CLAIM
TO A WATER RIGHT

NO. 95-4273

Notice is hereby given that

Stan L. &/or Janet Bernhart,
E. 10920-21st, Spokane,
Washington have 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
Spokane River with point of

diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 7, T. 50N, R. 4W, B.M.,
Kootenai County (Lot 13, Har-

bor Island).
The water is claimed to be
used from Jan. 1 to Dec. 31 for

domestic purposes with a
priority of 1962; the place of

use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 7, T. 50N, R. 4W, B.M.

Any exception to this claim of
water right may be filed with

the Idaho Department of Water
Resources, 401 Front Avenue,
Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Legal No. 150

July 11, 18, 1974

6.2.
7-15-74

95 4273