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MAR 04 1988

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Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Theresa Myers

being first duly sworn, on oath,
deposes and says:

That he is the printer of The IDAHONIAN, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following dates:

Oct. 15, 22, 1987

the same being the dates designated for the publication of said legal notice.

Theresa Myers

Subscribed and sworn to before

me this 23 day of October
19 87

Leis A. Akles

Notary Public,
residing at Moscow, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

87-4168

KOESTER, ROBERT P. C/O
GLENORA H. CROSBY, RT. 4
BOX 139, ST. MARIES, ID 83861

Source: GROUNDWATER. Diversion Pt: NESW Sec 28 T 43N R 04W.

Use: STOCKWATER (0.010 CFS)
DOMESTIC (0.010 CFS)

Priority Date: 09/01/1979. In: NESW NWSE Sec 28 T 48N R 04W
NESW Sec 28 T 48N R 04W

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 4055 Government Way, Suite 9, Coeur d'Alene, Idaho, 83814.

R. KEITH HIGGINSON, Dir.

Oct. 15, 22, 1987

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Department of Water Resources
Northern District Office
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that ROBERT P. HOESTER c/o GLENDORA H. CROSBY
(Name of Claimant)

RT 4 BOX 139, ST. MARIES, ID 83861 Telephone No. 245-2488
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) SEPT 1979

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
GROUNDWATER tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Mo., Day)	To	(Mo., Day)
Quantity	<u>0.01</u>	Use	<u>DOMESTIC</u>	Period of Use From	<u>JAN 1</u>	To	<u>DEC 31</u>
Quantity	<u>0.01</u>	Use	<u>STOCKWATER</u>	Period of Use From	<u>JAN 1</u>	To	<u>DEC 31</u>
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) 0.01 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 28 Twp. 43N Rge. 4W B.M., County of LATAH
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. Describe any changes in the system and give the date of the change. WELL & PUMP (WELL DRILLER'S REPORT LIST 1/2 GPM IN SEP 1979) PIPELINE TO SMALL GREENHOUSE & HOME & SMALL GARDEN.

(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	
48N	4W	28									25					5			

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
DOMESTIC USE - ONE HOME SMALL GREENHOUSE & GARDEN
STOCKWATER - 30 COWS, 2 HORSES, 110 POULTRY, 10 GOATS

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NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: MAR 04 1988

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POWER OF ATTORNEY

STATE OF IDAHO)
 : SS.
COUNTY OF LATAH)

I, ROBERT P. KOESTER, OF POTLATCH, County of Latah, State of Idaho, hereby constitute, make, and appoint GLENDORA H. CROSBY, OF ST. MARIES, County of Benewah, State of Idaho, my true and lawful attorney in fact, for me and in my name, place and stead, on my behalf, and for my use and benefit.

1. To exercise or perform any act, power, duty, right, or obligation whatsoever that I now have, or may hereafter acquire the legal right, power, or capacity to exercise or perform, in connection with, arising from, or relating to any person, item, transaction, thing, business property, real or personal, tangible or intangible, or matter whatsoever; and all property keys.

2. To request, ask, demand, sue for, recover, collect, receive, and hold and possess all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interest, stock certificates, bonds, dividends, certificates of deposit, annuities, pension and retirement benefits, insurance benefits and proceeds, any and all documents of title, choses in action, personal and real property, intangible and tangible property and property rights, and demands whatsoever, liquidated or unliquidated, as now are, or shall hereafter become, owned by, or due, owing, payable, or belonging to, me or in which I have or may hereafter acquire interest, to have, use and take all lawful means and equitable and legal remedies, procedures, and writs in my name for the collection and recovery thereof, and to adjust, sell, compromise, and agree for the same, and to make, execute, and deliver for me, on my behalf, and in my name, all indorsements, acquittances, releases, receipts, or other sufficient discharges for the same.

3. To lease, purchase, exchange, and acquire, and to agree, bargain, and contract for the lease, purchase, exchange, and acquisition of, and to accept, take, receive, and possess any real

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or personal property whatsoever, tangible or intangible, or interest thereon, on such terms and conditions, and under such covenants, as said attorney in fact shall deem proper;

4. To maintain, repair, improve, manage, insure, rent, lease, sell, convey, subject to liens, mortgage, subject to deed of trust, and hypothecate, and in any way or manner deal with all or any part of any real or personal property whatsoever, tangible or intangible, or any interest therein, that I now own or may hereafter acquire, for me, in my behalf, and in my name and under such terms and conditions, and under such covenants, as said attorney in fact shall deem proper;

5. To conduct, engage in, and transact any and all lawful business of whatever nature or kind for me, on my behalf, and in my name;

6. To make, receive, sign, indorse, execute, acknowledged, deliver, and possess such applications, contracts, agreements, option, covenants, conveyances, deeds, trust deeds, security agreements, bills of sale, leases, mortgages, assignments, insurance policies, bills of lading, warehouse receipts, documents of title, bills, bonds, debentures, checks, drafts, bills of exchange, letters of credit, notes, stock certificates, proxies, warrants, commercial paper, receipts, withdrawal receipts and deposit instruments relating to accounts or deposits in or certificates of deposit of, banks, savings and loans or other institutions or associations, proofs of loss, evidences of debts, releases, and satisfaction of mortgages, liens, judgments, security agreements, and other debts and obligations and such other instruments in writing of whatever kind and nature as may be necessary or proper in the exercise of the rights and powers herein granted.

7. I grant to said attorney in fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, and fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and

confirming all that said attorney in fact or her substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

8. This instrument is to be construed and interpreted as a general power of attorney. The enumeration of specific items, rights, acts, or powers herein is not intended to, nor does it, limit or restrict, and is not to be construed or interpreted as limiting or restricting, the general powers herein granted to said attorney in fact.

9. The rights, powers, and authority of said attorney in fact herein granted shall commence and be in full force and effect on June 19 1987, and such rights, powers, and authority shall remain in full force and effect thereafter until said power is terminated by written notice signed by me. This power of attorney shall not be affected by disability of the principal.

DATED THIS 19th day of June, 1987.

Robert P. Koester

Robert P. Koester

STATE OF IDAHO)
 :
County of Latah)

On this 19th day of, 1987 before me the undersigned,
a Notary public for Idaho, personally appeared ROBERT P. KOESTER,
known to me to be the person whose name is subscribed to the within
instrument, and acknowledged to me that he executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
official seal, the day and year in this certificate last above written.

Terry D. Turner
Notary Public for Idaho

360561

NO.

AT THE REQUEST OF:

Glendora H. Crosby

DATE & HOUR:

July 1, 1987 12:09 P.M.

ELLEN JOHNSTON

LATAH COUNTY RECORDER

FEE \$ 9.00/ea

BY Nancy Dawson

MAR 04 1988

Delivered / Glendora H. Crosby

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Theresa Myers

being first duly sworn, on oath,
deposes and says:

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Oct. 15, 22, 1987

the same being the dates designated for the publication of said legal notice.

Theresa Myers

Subscribed and sworn to before

me this 23 day of October

19 87

Heidi A. Akles

Notary Public,
residing at Moscow, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

87-4168

KOESTER, ROBERT P. C/O
GLENORA H. CROSBY, RT. 4
BOX 139, ST. MARIES, ID 83861

Source: GROUNDWATER. Diver-
sion Pt: NESW Sec 28 T 43N R 04W.

Use: STOCKWATER (0.010 CFS)
DOMESTIC (0.010 CFS)

Priority Date: 09/01/1979. In:
NESW NWSE Sec 28 T 48N R 04W
NESW Sec 28 T 48N R 04W

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Northern Region, 4055
Government Way, Suite 9, Coeur
d'Alene, Idaho, 83814.

R. KEITH HIGGINSON, Dir.

Oct. 15, 22, 1987

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 87-4168 Applicant Kolster

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☐ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
 - ☒ Claim published correctly.
 - ☒ Exceptions processed. - letter from Rick Minden not a protest
- By JK Date 10/27/87

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By se Date 11/9/87

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NOV 03 1987

Department of Water Resources

87-4168

KOESTER, ROBERT P.

C/O GLENDORA H. CROSBY, RT. 4 BOX 139, ST. MARIES, ID 83861

Source: GROUNDWATER

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OCT 27 1987

Department of Water Resources
Northern District Office

Dear Sir;

In response to the water rights
claim as found in the Daily Idahoian by
Koester, Robert B. & Glendora H. Crosby.

Source: 1 Ground water.

Diversion pt. NESW Sec. 28T 43N R 04W
Use: stockwater & Domestic 0.010 CFS

I have using water from this well
since the day it was drilled. I have
had a verbal agreement with Mr. Koester
this whole time. I have also offered to
pay the going rate and am still willing to
but Mr. Koester has told me not to worry
about it.

Thank You.

Rick L Minden
Rt 1 Box 99 1/2
Pocatello Idaho 83455

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MAR 04 1988

208-825-0628

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
R. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 765-4539

NOVEMBER 2, 1987

ROBERT P. KOESTER
C/O GLENDORA H. CROSBY
RT. 4 BOX 139
ST. MARIES ID 83861

RE: Claim No. 87-4168

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Harnes, P.E.
Regional Supervisor

Enclosure

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