

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

A J Marneau

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

That he is the printer of The DAILY 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: *July 3, 10, 1980*

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

Marneau
Subscribed and sworn to before

me this *9th* day of *July*

19 *80*

Carol Fleener

Notary Public,
residing at Moscow, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

87-4044

CLARK, PATRICIA L.
HART, MERILYN K.
P.O. BOX 699, HAYDEN LAKE, ID 83835
Source: HOWARD CREEK tributary to
PALOUSE RIVER, SOUTH FORK
Priority Date: 01/01/1891
Amount: 0.02 CFS
Diversion Point: NESW Sec 26 T 40N R
05W, LATAH Co.
Use: STOCKWATER (0.02 CFS) from
01/01 to 12/31
Place of Use: NESW Sec 26 T 40N R 05W

87-4045

CLARK, PATRICIA L.
HART, MERILYN K.
P.O. Box 699, HAYDEN LAKE, ID 83835
Source: POND
Priority Date: 01/01/1960
Amount: 0.00 CFS 1.5 AC-FT
Diversion Point: NESW Sec 26 T 40N R
05W, LATAH Co.
Use: IRRIGATION (1.5 AC-FT) from
05/01 to 10/01. STOCKWATER (1.5 AC-FT)
from 05/01 to 10/01
Place of Use: NESW Sec 26 T 40N R 05W
FOR 1 ACRES

Any exception to any claim of water
right may be filed with the Director of the
Idaho Department of Water Resources,
4055 Gov't Way, Coeur d'Alene, Id, 83814.

C. STEPHEN ALLRED
Director

July 3, 10, 1980

RECEIVED

JUL 10 1980

Department of Water Resources
Northern District Office

MICROFILMED

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 PATRICIA L. CLARK AND MERILYN K. HART
(Name of Claimant)

P.O. BOX 699 HAYDEN LAKE, IDAHO 83835 Telephone No. 208-772-2719
(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) 1960

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)

S.C.S. BUILT POND 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:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>1 1/2 AFA</u>	Use <u>IRRIGATE GARDEN AND</u>	Period of Use From <u>MAY 1</u>	To <u>OCT 1</u>
Quantity _____	Use <u>WATER HORSES</u>	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 SW 1/4, Sec. 26 Twp. 40N Rge. 5W B.M., County of LATAH

Additional points of diversion: NONE

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. 1 INCH PIPELINE TO GARDEN GRAVITY FED THEN BY GARDEN HOSE. POND COVERS APPROX. 1/2 ACRE AND IS FILLED BY RUNOFF FROM FIELD ABOVE IT.

(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. APPROX. 1 ACRE AND 5 HEAD OF HORSES.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
40	5	26									X								1 ACRE

No. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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: _____

MICROFILM

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Carl J. Fleener
being first duly sworn, on oath,
deposes and says:

That he is the printer of The DAILY 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: July 3, 1980

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

Carl J. Fleener
Subscribed and sworn to before

me this 9th day of July

1980

Carl J. Fleener

Notary Public,
residing at Moscow, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

87-4044

CLARK, PATRICIA L.
HART, MERILYN K.
P.O. BOX 699, HAYDEN LAKE, ID 83835
Source: HOWARD CREEK tributary to
PALOUSE RIVER, SOUTH FORK
Priority Date: 01/01/1891
Amount: 0.02 CFS
Diversion Point: NESW Sec 26 T 40N R
05W, LATAH Co.
Use: STOCKWATER (0.02 CFS) from
01/01 to 12/31
Place of Use: NESW Sec 26 T 40N R 05W
87-4045

CLARK, PATRICIA L.
HART, MERILYN K.
P.O. Box 699, HAYDEN LAKE, ID 83835
Source: POND
Priority Date: 01/01/1960
Amount: 0.00 CFS 1.5 AC-FT
Diversion Point: NESW Sec 26 T 40N R
05W, LATAH Co.
Use: IRRIGATION (1.5 AC-FT) from
05/01 to 10/01. STOCKWATER (1.5 AC-FT)
from 05/01 to 10/01
Place of Use: NESW Sec 26 T 40N R 05W
FOR 1 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814.

C. STEPHEN ALLRED
Director

July 3, 10, 1980

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number

87-4045

Applicant

Clark/Hart

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.

By

[Signature]

Date

7/11/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

Maureen

Date

7/30/80

8Z-4045.

CLARK, PATRICIA L.
HART, MERILYN K.

P.O. BOX 699, HAYDEN LAKE, ID 83835

Source: POND

Priority Date: 01/01/1960

Amount: 0.00 CFS 1.5 AC-FT

Diversion Point: NESW Sec 26 T 40N R 05W, LATAH Co.

Use: IRRIGATION	(1.5 AC-FT)	from 05/01 to 10/01
STOCKWATER	(1.5 AC-FT)	from 05/01 to 10/01

Place of Use: NESW Sec 26 T 40N R 05W FOR 1 ACRES

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

JULY 21, 1980

PATRICIA L. CLARK
MERILYN K. HART
P.O. BOX 699
HAYDEN LAKE

ID 83835

RE: Claim No. 87-4045

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. Haynes, P.E.
Regional Supervisor

Enclosure

Receipt 15221
760



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

June 16, 1980

Ms. Patricia L. Clark
Ms. Marilyn K. Hart
P. O. Box 699
Hayden Lake, Idaho 83835

Dear Ms. Clark and Ms. Hart:

We are returning two of the claims you filed. There is a discrepancy in the points of diversion and places of use.

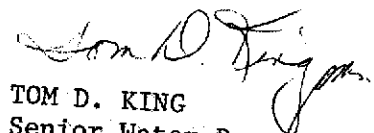
On the claim to Howard Creek, you list the place of use as being within the NWSW, but the map shows it within the NESW.

On the pond, you list the point of diversion as being within the NWSW, but the map shows it within the NESW.

Please clarify these problems, initial the corrections and return to this office prior to July 1, 1980, to avoid excess fees.

If you have any questions, please contact me at this office.

Sincerely,



TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claims (2)

RECEIVED

JUN 24 1980

Department of Water Resources
Northern District Office

The map is correct. Corrections have been made to coincide.

PC

MICROFILMED

June 16, 1980

Ms. Patricia L. Clark
Ms. Marilyn K. Hart
P. O. Box 699
Hayden Lake, Idaho 83835

Dear Ms. Clark and Ms. Hart:

We are returning two of the claims you filed. There is a discrepancy in the points of diversion and places of use.

On the claim to Howard Creek, you list the place of use as being within the NWSW, but the map shows it within the NESW.

On the pond, you list the point of diversion as being within the NWSW, but the map shows it within the NESW.

Please clarify these problems, initial the corrections and return to this office prior to July 1, 1980, to avoid excess fees.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claims (2)

RECEIVED

Receipt, ~~& return~~ make copy send originals
back to claimants

Dear Mr. Clark & Mrs. Hart.

We are returning two of the Claims
you filed. There is a discrepancy in the
Points of diversion ~~and~~ places of use. ~~&~~ On the
Claim to Howard Creek you list the place of use
as being within the NW 50, but the map
~~shows~~ it within the NE 50.

On the Pond you ^{list} ~~labeled~~ the Point of
diversion as being within the NW 50, but
the map shows it within the NE 50.

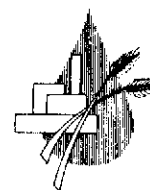
Please clarify these problems, initial
the corrections and return to this office
prior to July 1, 1980, to avoid excess fees.

YB et
LK

RECEIVED

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 PATRICIA L. CLARK AND MERILYN K. HART

(Name of Claimant)

P.O. BOX 699 HAYDEN LAKE, IDAHO 83835

(Mailing Address)

Telephone No. 208-772-2719

(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) 1891

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)

HOWARD CREEK tributary to SOUTH PALOUSE RIVER

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

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	{Both dates inclusive}	
		(Mo., Day)	(Mo., Day)
Quantity <u>200 GPD</u>	Use <u>STOCK</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 _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 SW 1/4, Sec. 26 Twp. 40N Rge. 5W 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. STOCK DRINK FROM CREEK.

(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	
40N	5W	26										X							

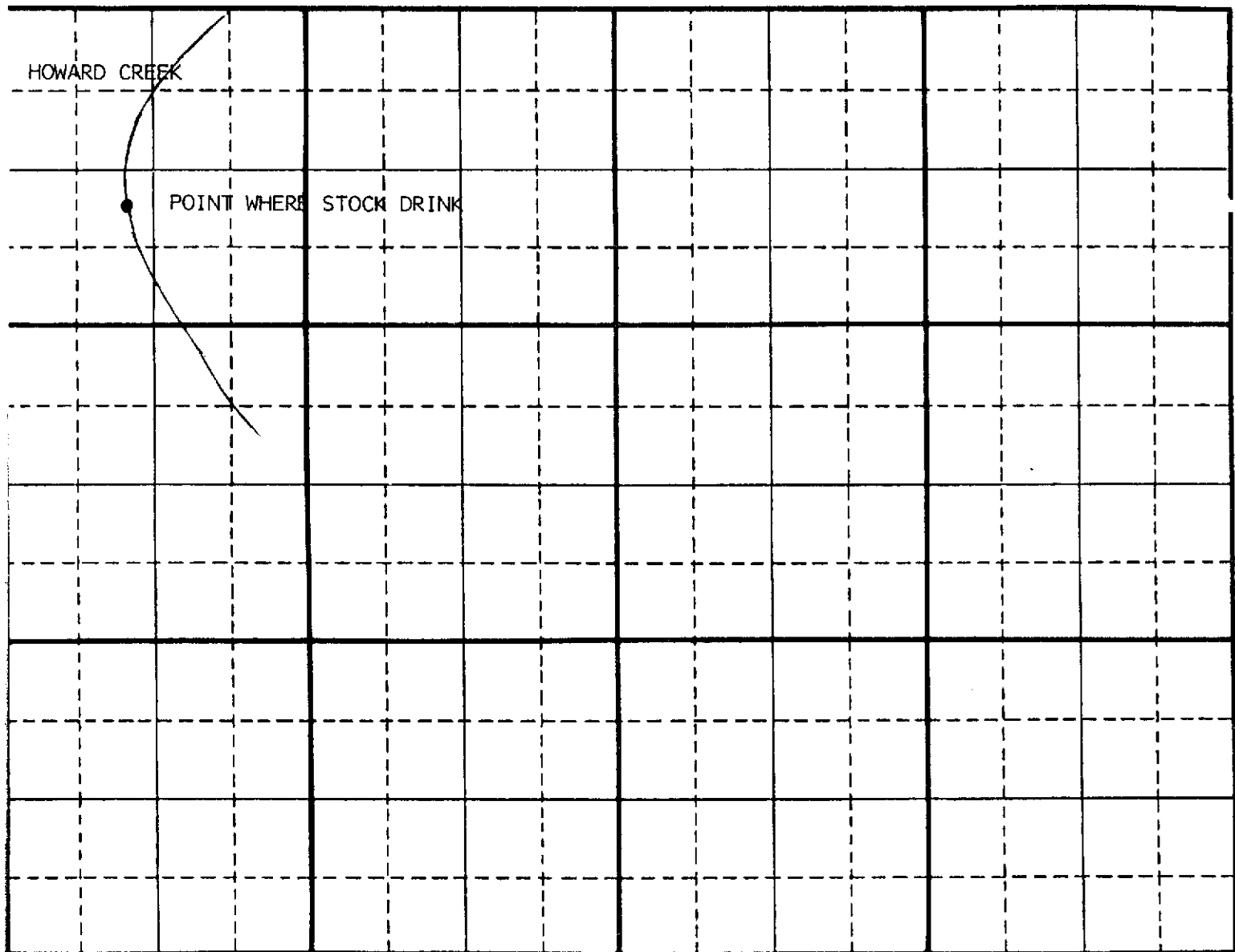
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: STOCK DRINK FROM CREEK.

5 HORSES, 5 DAIRY COWS AND FROM 30 TO 60 HEAD OF SHEEP.

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: _____



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 affiant's knowledge.

Wesley R. Hart
Patricia L. Clark
(Claimant)

Sworn to before me this 12th day of June, 1980.

Janet Kaiser
Notary Public for Idaho
Residing at Dayton Lake

My commission expires 11/30/83

FOR DEPARTMENT USE ONLY

Received by <u>me</u>	Date <u>6/14/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>me</u>	Date		claimant by:	
\$20.00 fee received by <u>me</u>	Date <u>6/16/80 (15221)</u>			
Published in				
Dates				

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

P.O. BOX 699 HAYDEN LAKE, IDAHO 83835 Telephone No. 208-772-2719
(Mailing Address) (Zip Code)

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.

S.C.S. BUILT POND tributary to

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
-----------------	-------------------------------------	------------	------------

Quantity 1½ AFA Use IRRIGATE GARDEN AND Period of Use From MAY 1 To OCT 1

Quantity 1 Use WATER HORSES Period of Use From 12/1/81 To 12/31/81

Quantity	Use	Period of Use From	To

Quantity _____ Use _____ Period of Use From _____ To _____

Quantity _____ Use _____ Period of Use From _____ To _____

(4) _____ TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26 Twp. 40N Rge. 5W B.M., County of IDAHO

Additional points of diversion: NONE

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. 1 INCH PIPELINE TO GARDEN GRAVITY FED THEN BY GARDEN HOSE POND COVERS

APPROX. $\frac{1}{2}$ ACRE AND IS FILLED BY RUNOFF FROM FIELD ABOVE IT.

(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. APPROX. 1 ACRE AND 5 HEAD OF HORSES.

[illegible]

No. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

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:

SECRET

SEC. 26 TWP 40N R5W

POND

GARDEN AND LAWN

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.

County of

Kootenai

matters, and facts therein are used to do
 Marriage & Bond
 Patricia L. Clark
 (Claimant)

Notary Public for Idaho
Residing at Wayden Lake

My commission expires 11/30/83

Received by _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by _____ Date _____
Published in _____
Dates _____

Date 6/16/88
Date _____
Date 6/16/88

Exception filed by:

Forwarded to
claimant by:

Date _____