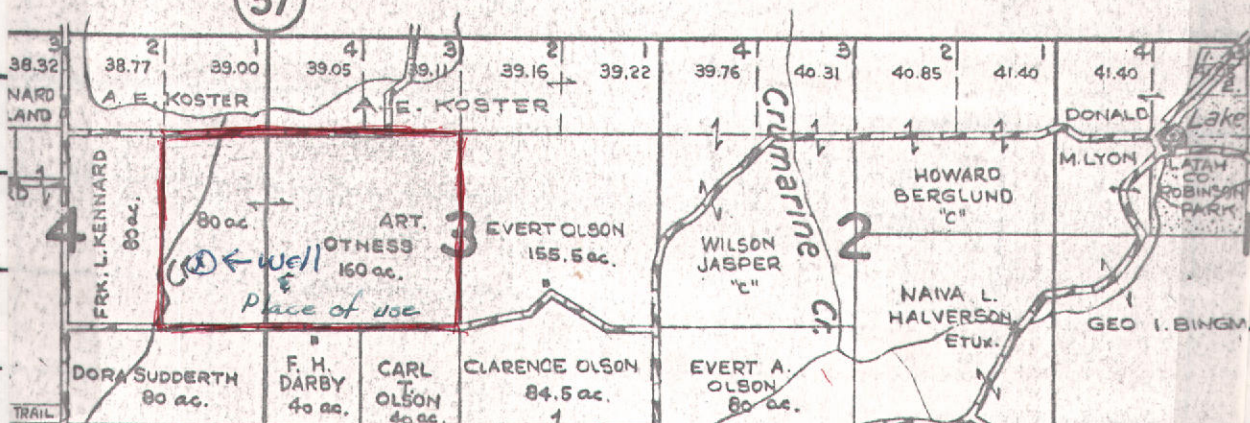


(8) Remarks

Exhibit 1
T39 N., RANGE 5&6 W.B. M.
LATAH COUNTY, IDAHO

DETAIL MAP
ON PAGE



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 Bonner) 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 9th day of Sept

Sarah J. Otness
(Claimant)

, 19 77.

Lois J. Belden
Notary Public

Residing at Bonner County

My commission expires 9/10/81

For Department Use Only

Received by Bloom

Date 9-12-77

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by VR

Date 9-12-77

\$10.00 fee received by B

Date 9-13-77 (5792)

Approved for publication by

Published in DAILY IDAHO NEWS, Moscow

Dates 9-22-77

01/10-4-77

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Thomas Watson

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 there-
to; 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 supple-
ment thereto, upon the following

dates: *September*

23, 29, 1977

the same being the dates desig-
nated for the publication of said
legal notice.

Thomas L. Watson

Subscribed and sworn to before

me this *29th* day of *September*

19 *77*

Carol Fleener

Notary Public,

residing at Moscow, Idaho

NOTICE OF CLAIM TO A WATER RIGHT

NO. 87-4026

Notice is hereby given that Sarah V. Otness, Rt. 2, Box 187-18, Dover Highway, Sandpoint, Id., has filed a claim to water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from a groundwater source with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 4, T39N, R5W, B.M. Latah County.

The water is claimed to be used from Jan. 1 to Dec 31 for domestic (0.04 cfs) and stockwater purposes (0.02 cfs) with a priority of 1900; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 4, T39N, R5W, 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.

C. STEPHEN ALLRED
Director

Sept. 23, 29, 1977

OK
10-4-77
B

RECEIVED

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 Sarah V. Otness

(name of claimant)

of Route 2, Box 187-18 Dover Highway, Sandpoint, ID, 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) groundwater
_____, 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 0.04 Use domestic Period of Use: From Jan 1 To Dec 31

Amount	0.02	Use	stockwater	Period of Use:	From	Jan 1	To	Dec 31
--------	------	-----	------------	----------------	------	-------	----	--------

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: 0.06 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) 1900

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 SE ¼, Sec. 4 Twp. 39N 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. well 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.

[illegible]

Total No. of acres _____

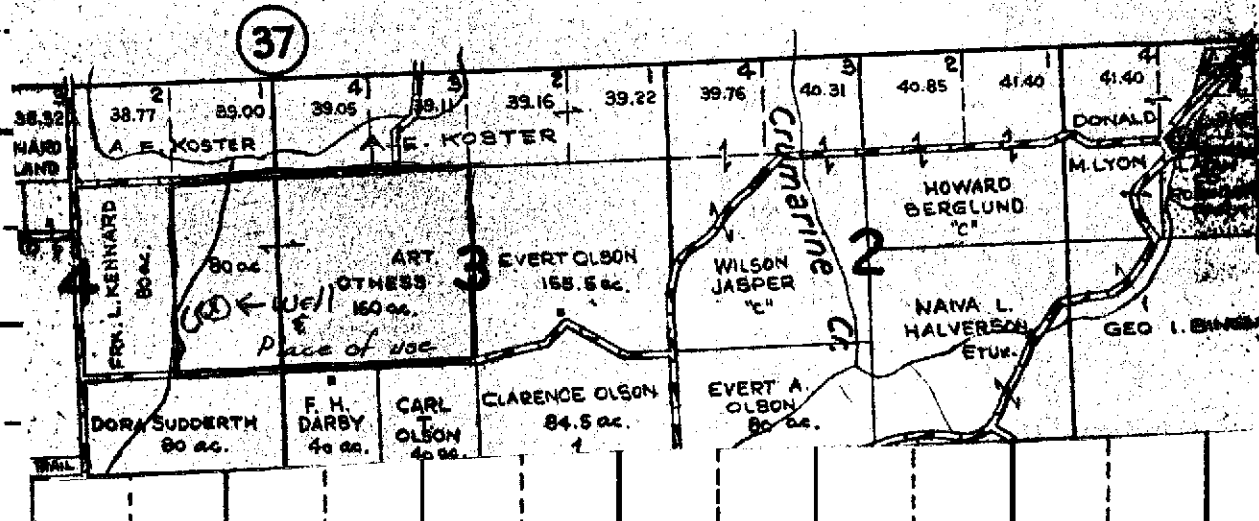
B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic
water for one household, and stockwater for 24 head of cattle.

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

(8) Remarks _____

Exhibit 1
T1P 39 N., RANGE 5&6 W.B. M.
LATAH COUNTY, IDAHO

DETAIL MAP
ON PAGE



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 Bonner) 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 9th day of Sept, 1977.

Larrah V. Otness
(Claimant)
Louis J. Belden
Notary Public
Residing at Bonner County

My commission expires 9/10/81

For Department Use Only

Received by <u>Bloom</u>	Date <u>9-12-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>VR</u>	Date <u>9-12-77</u>		claimant by:	
\$10.00 fee received by <u>B</u>	Date <u>9-13-77 (5792)</u>			
Approved for publication by <u>1</u>				
Published in <u>DAILY IDAHO FALLS PRESS</u>				
Dates <u>9-22-77 to 9-27-77</u>				
<u>04/10-4-77</u>				

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Thomas J. Watson

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

That he is the printer of The
DAILY IDAHONIAN, a newspaper
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Moscow, Latah County, Idaho, in
compliance with Sections 60-106,
60-107, and 60-108 of the Idaho
Code and the amendments there-
to; 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 supple-
ment thereto, upon the following

dates: *Sept 23, 29, 1977*

Sept 23, 29, 1977

the same being the dates desig-
nated for the publication of said
legal notice.

Thomas J. Watson

Subscribed and sworn to before

me this *29th* day of *Sept*

19 *77*

Paul H. H. H.

Notary Public,
residing at Moscow, Idaho

NOTICE OF CLAIM TO A WATER RIGHT

NO. 87-4026

Notice is hereby given that Sarah V.
Otness, Rt. 2, Box 187-18, Dayer Highway,
Sandpoint, Id., has filed a claim to water
right established by diversion and applica-
tion to beneficial use of 0.04 cubic feet per
second of water from a groundwater
source with point of diversion in the
NE 1/4 SE 1/4 Sec 4, T39N, R5W, B.M. Latah
County.

The water is claimed to be used from
Jan 1 to Dec 31 for domestic (0.04 cfs) and
stockwater purposes (0.02 cfs) with a
priority of 1900; the place of use is within
the NE 1/4 SE 1/4 Sec 4, T39N, R5W, B.M.

Any exception to this claim of water
right may be filed with the Idaho Depart-
ment of Water Resources, 4055 Govern-
ment Way, Coeur d'Alene, Idaho 83814.

C. STEPHEN ALLRED
Director

Sept. 23, 29, 1977

OK
10-4-77
B

September 1, 1977

A

Ms. Otness
Rt. 2, Box 187-18
Dover Highway
Snadpoint, ID 83864

File
7-4026

Hear Ms. Otness:

We are returning your Application for Permit for further information. Before the Application can be accepted the following items must be completed:

1. Item #3: a. The location of the well must be described by the 40 acre section sub-division as established by the Public Land Survey.
2. Item # 4. The maximum amount of water usable is 0.04 cfs per household. I am unsure of what is meant by agricultural. If the meaning is stockwater, 24 head of stock would use 0.02 cfs and the words "stockwater" should be used instead of agricultural. If the meaning is irrigation the amount would be 0.02 cfs per acre and the word "irrigation" should be used. If irrigation is meant, then item 8. b. must be completed. I am enclosing a Sample Sheet to aid you completing item 8. b. Complete 8. b. ONLY if the water is for irrigation.
3. Item 6. a. I have completed this item using the typical method of extracting water from a well. If it is inaccurate, please state how the water is removed and transported to the place of use.
4. Item 8. a. 4. List here the number of homes served with water.
5. Item # 9. The owner of the property in which the well is located should be placed in "a". The owner of the property on which the water is to be used should be placed in "b". If "a" or "b" is other than the applicant, item "c" must be completed.

September 1, 1977

Page 2.

Sarah Otness

Item # 11. A map must accompany all Applications. The sample sheet should aid you in completing this item.

A fee is required for filing and is based on the amount of water used.

0.0 cfs up to 0.20 cfs = \$10.00
0.21 cfs up to 1.00 cfs = \$25.00
1.01 cfs up to 2.00 cfs = \$35.00
2.01 cfs up to 3.00 cfs = \$45.00

In reference to your letter, I can find no filing for a Mr. Town.

If this office can be of any further assistance, please do not hesitate to contact.

Sincerely,

TOM KING
Senior Water Resource Agent

TK/edw

Enclosure

RECEIVED

SEP 1 1977

Department of Water Resources
Northern District Office

Leah V. Otness
At 2 Box 187-18
Dover Highway
Sandpoint, Idaho

State Of Idaho
Department Of Water Resources
Northern Region Office
4055 Government Way
Coeur d'Alene, Idaho

Dear Sir,

Enclosed is an application for a water right permit for our well we had drilled on our farm in Moscow, Idaho. Would you please look it over and see if any information is omitted.

Also would you please check to see if Mr. Town of Moscow, Idaho filled out

a permit when he drilled
it.

Would you please send
me a copy when it is
filled.

Thank you for all your
help.

Sincerely
Sarah V. Atness



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D'ALENE, IDAHO 83814

October 4, 1977

Re: Claim to a Water Right No. 87-4026

Ms. Sarah V. Otness
Route 2, Box 187-18
Dover Highway
Sandpoint, ID 83864

Dear Ms. Otness:

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.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosure





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

September 15, 1977

RE: Claim No. 87-4025, 87-4026, & 87-4024.
Correction No. 87-7037

Daily Idahonian
Box 399
Moscow, Id 83843

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:ab

Enc: Legal Notice(s)

Bill McLeod
10-4-77

NOTICE OF CLAIM TO A WATER RIGHT

NO. 87-4026

Notice is hereby given that Sarah V Otness

Rt 2, Box 187-18, Dover Highway, Sandpoint, Id

has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~gallons per minute~~

of water from a groundwater source

with point of diversion in the NE 1/4 SEC 4, T39N, R5W, B.M. Latah County

The water is claimed to be used from Jan 1 to Dec 31 for domestic (0.04 cfs)
and stockwater purposes (0.02 cfs)

with a priority of 1900;

the place of use is within the NE 1/4 SEC 4, T39N, R5W, 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.

C. STEPHEN ALLRED
Director

Published in the Daily Idahonian, Moscow, Id
on September 22 and September 29, 1977



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D'ALENE, IDAHO 83814

September 13, 1977

RE: Claim No. 87-4026

Sarah V Otness
Rt 2 Box 187018 Dover Highway
Sandpoint, Id 83864

Dear Ms Otness,

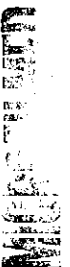
Attached is your receipt No. 5702 in the amount of \$10.00 for the filing fee on the above referenced item which was received in this office.

Sincerely,

Alea Beito
Secretary

AB

Attachment



Sarah V. Atkins
Rt #2 Box 187-18
Dover Highway
Landpoint, Idaho

Mrs. King
Senior Water Resource Agent
Suite #1
4055 Government Way
Coeur d'Alene, Idaho

Dear Mr. King,

Thank you for all of your
help in this matter.

Sincerely,
Sarah V. Atkins

September 7, 1977

Sarah V. Otness
Route 2, Box 187-18
Dover Highway
Sandpoint, ID 83864

We are returning your check #92-49 and Application for Permit.

I have tried to contact you by phone with no success. I notice on your Application that you claim a water right from 1900. To protect the 1900 priority date, it would be best to file a Claim to a Water Right instead of the Application. I have taken the liberty of filling out a claim for your convenience. If you wish to file the Claim, please have it notarized and include the map from the Application.

If you don't wish to file the Claim, you have my appologies for the inconvenience I may have caused you. The Application is acceptable and the filing fee for either the Claim or the Application is \$10.00.

If this office can be of any further assistance, please do not hesitate to contact us.

Sincerely,

TOM KING
Senior Water Resource Agent

TK/sdw

Enclosure