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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 Orville R. Barton
(name of claimant)
of Route #1, Box 68, Coeur d'Alene, ID 83814, 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) Ground water
- (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 | <u>0.02 cfs</u> | Use | <u>Stockwater</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| 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) 1967

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. 17 Twp. 50N Rge. 4W B.M. County of Kootenai
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. 98 foot well with 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
50N	4W	17	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 household, and stockwatering purposes for three mules.

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

0814 96

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.

→ 55

700 TENANT

the affiant's knowledge.

July

Carda M. Retuta

Residing at D.A. Lalo

92611-11

For Department Use Only

Received by KK Date 7/31/73
 Prelim. check by KK Date 7/31/73
 Exception filed by: _____
 Forwarded to _____
 Date _____
 Claimant by: _____

Received by *KK* Date *7/31/73*
 Prelim. check by *KK* Date *7/31/73*
 \$10.00 fee received by *KK* Date *7/31/73*
 Approved for publication by *ZZ* Date *7/31/73*
 Published in *Leone's Alien Press* *7/31/73*
 Dates *8-9 + 8-16-73*

8-9 * 8-16-73

Published in

Approved for publication by

\$10.00 fee received by _____ Date 1/31/73

Prelim. check by KK Date 7/3/73

Received by *KK* Date *7/31/73*

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

RECEIVED

STATE OF IDAHO, }
County of Kootenai, } ss.

10.80

AUG

CAROL J Hedge, being first duly sworn,
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 Water Right
Orville Barton Rt 1 box 68
CdA

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for 2 consecutive weeks, commencing on the 9th day of August, 1973, and ending on the 16th day of August, 1973.

Subscribed and sworn to, before me, this 16th day of August, 1973
Carol J Hedge
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 195-4120,

Notice is hereby given that
Orville R. Barton, Route No. 1,

Box 68, Coeur d'Alene, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from a ground water source with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 50N, R. 4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic (0.04 cfs) and stockwatering purposes (0.02 cfs); the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 50N, R. 4W, B.M.

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

R. KEITH HIGGINSON
Director

Aug. 9, 16, 1973

195 4120

September 11, 1973

RE: CLAIM TO A WATER RIGHT NO. 95-4120

Mr. Orville R. Barton
Route 1, Box 68
Coeur d'Alene, Idaho 83814

Dear Mr. Barton:

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 4120

August 3, 1973

Re: Application No. 95-7332	Claim No. 95-4121
" " 95-7333	" " 95-4122
Claim No. 95-4118	" " 95-4124
" " 95-4119	" " 95-4125
" " 95-4120	" " 95-4126

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department 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 claimant)

Very truly yours,

Fred Eisenbarth
Northern District Manager

Bill submitted 8-27-73 by cr

FE:CR

Enc: Legal Notices (10)

5 4120

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has filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~acre feet per annum~~
of water from a ground water source

with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 50N, R. 4W, B.M.,
Kootenai County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
(0.04 cfs) and stockwatering purposes (0.02 cfs)
with a priority of 1967;
the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 50N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water 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 August 9 and August 16, 1973

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water from a ground water
source with point of diversion in
the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 50N,
R. 4W, B.M., Kootenai County.
The water is claimed to be
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R. 4W, B.M.

Any exception to this claim of

water right may be filed with
the Idaho Department of Water
Administration, 401 Front
Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON

Director

Aug. 9, 16, 1973

95 4120

OK.
8-15-73