

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

RECEIVED

MAY 20 1969

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

Department of Reclamation

Callie Painter

....., 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

Notice of Claim to a Water Right

of which a printed copy is annexed hereto, was published in all the regular ~~Wednesday~~ *Thursday* weekly issues of said newspaper for *two* consecutive weeks, commencing on the *8* day of *May*, 196*9*, and ending on the *15* day of *May*, 196*9*.

Callie Painter

Subscribed and sworn to, before me, this *15* day of *May*,

196*9*.

E. Patrick King

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

*will submitted
5-29-69*

NOTICE OF CLAIM TO A WATER RIGHT No. 95-4015

Notice is hereby given that Don L. Lussier, 1625 E. Trent, Spokane, Washington has filed a claim to a water right established by diversion and application to beneficial use of .02 cubic feet per second of water from a ground water source with point of diversion in Lot 10, Sec. 7, T. 50 N, R. 4 W, B.M., Kootenai County, the water is claimed to be used from January 1 to December 31 for domestic purposes with a priority of May 1, 1968; the place of use is Lot 10, Sec. 7, T.

50 N, R. 4 W, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON,
State Reclamation
Engineer

May 8, 15, 1969

95-4015

RECEIVED

APR 13 1968

Department of Reclamation

Identification No.

95-4015

Claim No.

Map No.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant MR. DON L. LUSSIER
post office address 1625 E TRENT - SPOKANE WASH 99202
2. The point of diversion is in Lot 10 ~~1134~~ $\frac{1}{4}$ Section 7 Township 50 North
Range 4 West B.M. located on Ground water
(name of source)
tributary to n.a. in Kootenai County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed: May 1 - 1968 amount: .02 c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 Total claimed .02 c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
 use Domestic period of use from January 1 to December 31 (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive)
 use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____
 _____; length is _____ feet; height is _____ feet;
 width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 67 feet; diameter of well is 6 inches; type of pump is jet
 capacity of pump is 45 g.p.m.; name and address of well driller is Zinkgraf Well Drilling,
E. 1606 Sharp, Spokane, Washington 99202;

95-4015

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is _____feet; width of ditch at top is _____feet; width of bottom of ditch is _____feet; depth of water is _____feet; grade of ditch per 1000 feet is _____feet; material through which ditch passes is _____feet; maximum length of pipe line to first place of use is _____feet; diameter of pipe line is _____inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible.

d. If water is stored: name of reservoir _____

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated.

Explain any significant increase in area irrigated since first use, give dates and acreages if known.

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served Domestic - 1 Family
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

*I request any correspondence to go to
my business address in Spokane as
I seem to spend more time there
than other places.*

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with
all attached information and certifies that all statements are true and accurate to the best of his knowledge.

April 9, 1969
(Date)

David L. Frazier
(Signature of Claimant)

State of ~~Idaho~~ WASH.
County of SPOKANE } ss.

On this 9TH day of APRIL 1969, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]

Notary Public residing at SPOKANE

My commission expires OCT 13, 1970

For Department Use Only

Received by ef Date 4-17-69

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by DeW Date 4-21-69

Fee received by ef Date 4-21-69 Fee \$10.00

Approved for publication by ef 5-8-69

Published in Coeur d'Alene Press Dates 5-8-69
5-15-69

95-4013

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.

2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.

3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:		May 18, 1871	amount:	0.8 c.f.s. or	acre feet
		June 1, 1901	amount:	0.4 c.f.s. or	acre feet
Total claimed:		1.2 c.f.s. or	acre feet		

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
6, 7, & 8. Describe any other uses of water.

9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

AFFIDAVIT OF PUBLICATION—
(WEEKLY)

RECEIVED

PRESS

MAY 23 1969

STATE OF IDAHO,

County of Kootenai,

ss.

Department of Reclamation

Callie Painter

....., 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

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Notice of Claim to a Water Right

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weekly issues of said newspaper for *two* consecutive weeks, commencing

on the *8* day of *May*, 196*9*, and ending on the

15 day of *May*, 196*9*.

Callie Painter

Subscribed and sworn to, before me, this *15* day of *May*,

196*9*.

E. Patrick King

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

NOTICE OF CLAIM
TO A WATER RIGHT
No. 95-4015

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50 N, R. 4 W, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON.

State Reclamation
Engineer

May 8, 15, 1969

95-4015

June 12, 1969

C
O
P
Y
Re: Claim to A Water Right No. 95-4015

Mr. Don L. Lussier
1625 E. Trent
Spokane, Washington 99202

Dear Mr. Lussier:

Please be advised that your claim to a water right has been processed and recorded by the Department. The Department does not have the authority under present statutes to evaluate for final censorship the evidence submitted in the claim or to issue a license acknowledging the information submitted in the claim. It is merely a recordkeeping system for historic uses of water.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

LWM:DRR:TG

95-4015

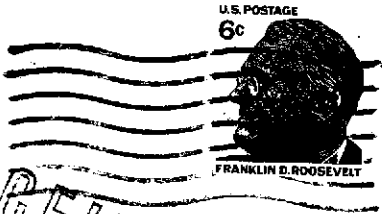
94-4015
954015 June 9.
Mr. McElown

We received the canceled
check for \$10. back but did
not received the water rights
on our property in Idaho.
Would you please check on it for
us.

Don Lussier
2411 N. Atlantic
Spokane Wash.

Idaho property is
Route 1 box 878.
Coeur d'Alene Idaho.

Don Lussier
2411 N. Atlantic
Spokane Wash.



RECEIVED
JUN 10 1969

Donald M. Clement
Dept. of Reclamation
Statehouse Annex 2
Boise Idaho

83707

June 9, 1969

Re: Claim No. 95-4015

Mr. Don L. Lussier
1625 East Trent
Spokane, Washington 99202

Dear Mr. Lussier:

Your claim to a water right has been received and processed by the Department of Reclamation. The information in your claim is filed under Claim No. 95-4015. Please refer to this number when adding or changing the information in your claim.

Enclosed is Receipt No. 2930 in the amount of \$10.00 which covers the filing fee for the claim.

You should be advised that the filing of this claim completes the processing procedure by the Department of Reclamation. No further action is authorized under Section 42-225 a and b of the Idaho Code. Your claim will be filed and will remain of public record until such time as you or the court needs the information.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DRR:jmb

Enclosure: Receipt No. 2930 for \$10.00

95-4015

DON SAMUELSON
GOVERNOR



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

April 24, 1969

Re: Claim to a Water Right No. 94-4015-Don L. Lussier
Application for Permit No. 95-7051-Leonce E. Pollard
Application for Permit No. 95-7050-Lowell R. Armitage

Coeur d'Alene Press
Coeur d'Alene, Idaho

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

An affidavit of publication must be submitted to the Department of Reclamation, 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 same has been paid.

Signature of claimant

Very truly yours,

Donald W. McElDowney
Appropriation Examiner

DWM:tg
Enc: Legal notices (3)

LEGAL

NOTICE OF CLAIM TO A WATER RIGHT No. 95-4015

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R. KEITH HIGGINSON
State Reclamation
Engineer

May 8, 15, 1969

95-4015

NOTICE OF CLAIM TO A WATER RIGHT

No. 95-4015

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Washington has filed a claim to a water right
established by diversion and application to beneficial use of .02
cubic feet per second ~~per second~~ of water from aggroundwater source
with point of diversion in _____
Lot 10, Sec. 7, T. 50 N, R. 4 W, B. M., Kootenai County the water is
claimed to be used from January 1 to December 31 for domestic purposes
with a priority of _____
May 1, 1968; the place of use is Lot 10, Sec. 7, T. 50 N,
R. 4 W, B. M.,

Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on May 8 and May 15, 1969.

95-4015