



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

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

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Claims to Water
Rights - Waller etc

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 4th day of August, 1983, and ending on the 11th day of August, 1983

Subscribed and sworn to before me this 12th day of August, 1983

Betty E. Knight
NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

MICROFILMED

NOTICE OF CLAIMS
TO WATER RIGHTS
The following claim(s) have been filed on water right(s) created by diversion and beneficial use.

83-4177
WALLER, RICHARD
E. 4065 16TH ST., POST FALLS, ID 83854
Source: INDEPENDENCE CREEK trib. to MOOSE CREEK

Priority Date: 01/01/1948
Diversion Pt: SWSE Sec 19 T 40N R 11E
Use: MINING (0.72 CFS); DOMESTIC (0.04 CFS); FIRE PROTECTION (0.04 CFS)
In: SWSE Sec 19 T 40N R 11E

83-4178
JAMISON, LARRY L.
C/O Y J PACKING, P.O. BOX 357, COEUR D'ALENE, ID 83814

Source: INDEPENDENCE CREEK trib. to MOOSE CREEK

Priority Date: 01/01/1948
Diversion Pt: SWSE Sec 19 T 40N R 11E
Use: MINING (0.72 CFS); DOMESTIC (0.04 CFS); FIRE PROTECTION (0.04 CFS)
In: SWSE Sec 19 T 40N R 11E

83-4179
JAMISON, JR., STANLEY M.
C/O Y J PACKING, P.O. BOX 357, COEUR D'ALENE, ID 83814

Source: INDEPENDENCE CREEK trib. to MOOSE CREEK

Priority Date: 01/01/1948
Diversion Pt: SWSE Sec 19 T 40N R 11E
Use: MINING (0.72 CFS); DOMESTIC (0.04 CFS); FIRE PROTECTION (0.04 CFS)
In: SWSE Sec 19 T 40N R 11E

83-4180
MC INTURFF, NORMAN C.
3303 W. IMNAHA AVE., KENNEWICK, WA 98336
Source: INDEPENDENCE CREEK trib. to MOOSE CREEK

Priority Date: 01/01/1948
Diversion Pt: SWSE Sec 19 T 40N R 11E
Use: MINING (0.72 CFS); DOMESTIC (0.04 CFS); FIRE PROTECTION (0.04 CFS)
In: SWSE Sec 19 T 40N R 11E

84-4282
DAVIS, LINDA A.; KNAPP, BOBBIE R.
RT. 2 BOX 56, OROFINO, ID 83544

Source: SPRING trib. to OROFINO CREEK
Priority Date: 01/01/1940
Diversion Pt: NESE Sec 10 T 36N R 02E
Use: DOMESTIC (0.02 CFS)
In: NESE Sec 10 T 36N R 02E

85-4417
RHODES, R. W. &/or FRANCE M.
RT. 1 BOX 126, OROFINO, ID 83544

Source: SPRING trib. to CLEARWATER RIVER
Priority Date: 06/01/1966
Diversion Pt: SENE Sec 03T 36N R 01E
Use: IRRIGATION (0.10 CFS)
In: SENE Sec 03 T 36N R 01E FOR 5 ACRES

86-4715
HENGEN, ALAN E.
RT. 1 BOX 222, LENORE, ID 8541

Source: LOOSE CREEK trib to BEDROCK CREEK
Priority Date: 01/01/1968
Diversion Pt.: NESE Sec 22 T 37 R 01W
Use: RECREATION STORAGE (13.5 AF); STOCKWATER STORAGE (13.5 AF)
In: NESE NWSE Sec 22 T 37N R 01W

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, ID 83814.

KEN DUNN, Director
8-4,11c

RECEIVED

SEP 16 1983

Department of Water Resources
Northern District Office

9/87
RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 21 1983



Department of Water Resources
Northern District Office

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 RICHARD WALLER
(Name of Claimant)

E. 4065 16 TH. ST. POST FALLS IDAHO 83854 Telephone No. 208 773 5485
(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) 1948

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)

INDEPENDENCE CREEK tributary to MOOSE CREEK

(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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.04 CFS</u>	Use	<u>DOMESTIC</u>	Period of Use From	<u>2-1</u> To <u>11-1</u>
Quantity	<u>.04 CFS</u>	Use	<u>FIRE PROTECTION TANK</u>	Period of Use From	<u>2-1</u> To <u>11-1</u>
Quantity	<u>.72 CFS</u>	Use	<u>MINING</u>	Period of Use From	<u>1-1</u> To <u>12-31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .8 CFS TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SE 1/4, Sec. 19 Twp. 40N Rge. 11E B.M., County of CLEARWATER

Additional points of diversion: * THIS IS AN EXISTING DAM - AS NOTED ON ATTACHED SURVEY COPY - LOCATED ON "HARRY MINE CLAIM" (DESCRIPTION ALSO ATTACHED)

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. DAM (EXISTING SINCE 1948) ACCUMULATING WATER - THEN DIRECTED INTO A 10 INCH ALUMINUM PIPE - GRAVITY FLOW THEN TO THE USE SITES - DESCRIBED AS "DICK CLAIM"

(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	
40N	11E	19															X		

No. of acres _____

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

DOMESTIC - SERVICE EXISTING & PROPOSED CABIN SITE
FIRE PROTECTION TANK - 500 GALLON PLASTIC TANK FOR
STORAGE ABOVE CABIN
MINING - FOR PLACER OPERATIONS AS APPROVED BY
FOREST SERVICE.

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: _____

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(8) Remarks

SEE ATTACHED SURVEY FOR DETAIL
OF DAM POINT OF DIVERSION.
USE FOR THIS APPLICATION WILL
OCCUR ON "DICK CLAIM",

[illegible]

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.

Sworn to before me this 14 day of June, 1983

Richard M. Wall
(Claimant)

(Claimant)

Sandra L. Gibson
Notary Public
Residing at Hayden Lake

Notary Public

Residing at

My commission expires _____

Lifetime

FOR DEPARTMENT USE ONLY

Received by

Date _____

6/21/83

Exception filed by:

Prelim. check by

Date _____

6/29/83

\$30.00 fee received by

Date _____

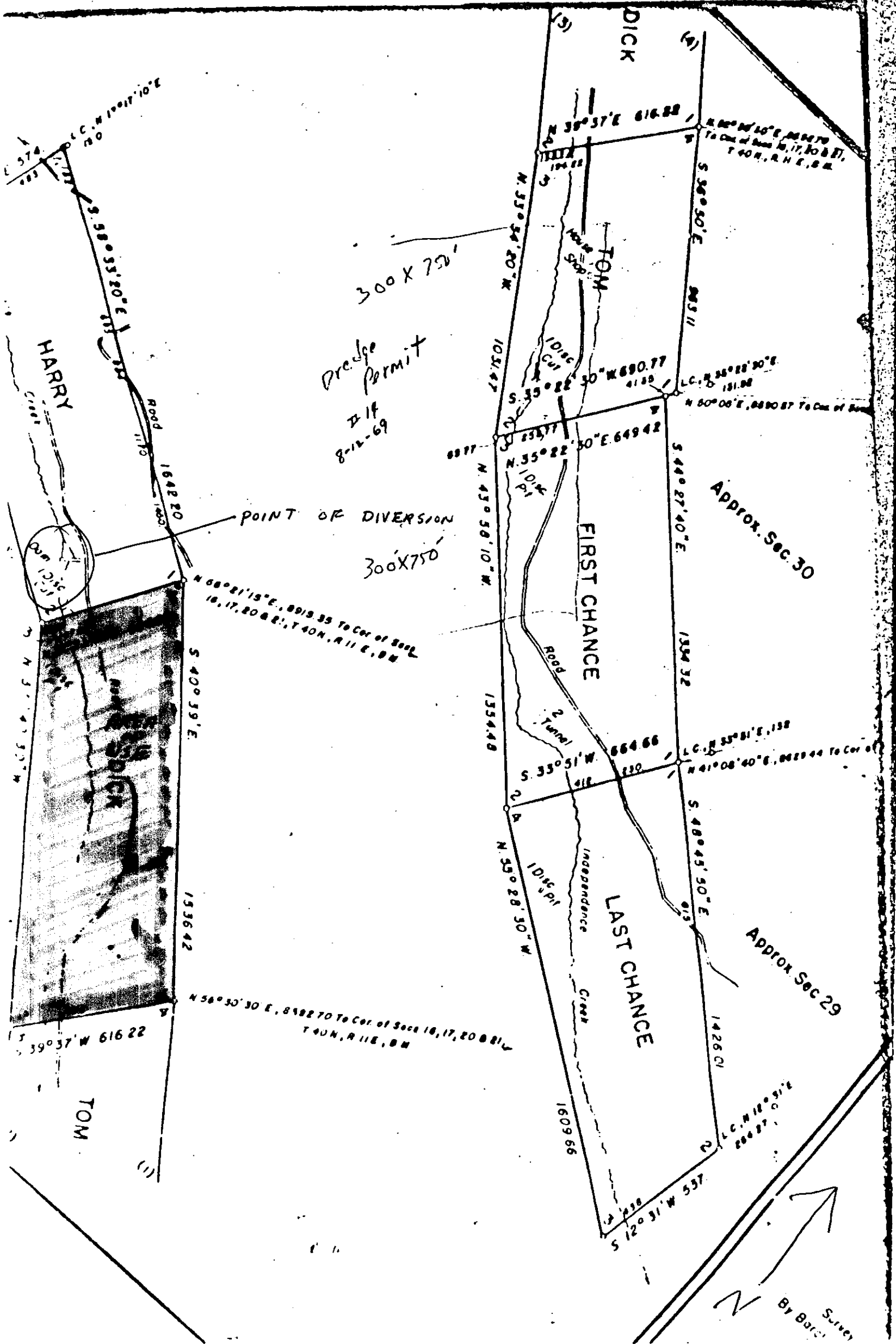
10/29/83 (25436)

Published in

Dates

Forwarded to
claimant by:

Date _____



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RICHARD WALLER

Dick Placer Mining Claim lying in the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 19, the NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 29, and in the NE $\frac{1}{4}$ of Section 30, Township 40 North, Range 11 E.B.M., Clearwater County, Idaho, more particularly described as:

Beginning at corner No. 1 of Dick Placer, identical with corner No. 4 of Tom Placer of said survey; thence South 39°37' West 616.22 feet to corner No. 2, identical with corner No. 3 of Tom Placer of said survey; thence North 37°40'30" West 1,480.76 feet to corner No. 3, identical with corner No. 2 of Harry Placer of said survey; thence North 32°23'40" East 554.69 feet to corner No. 4, identical with corner No. 1 of the Harry Placer of said survey; thence South 40°39' East 1,536.42 feet to corner No. 1 and place of beginning. Being a portion of Mineral Survey No. 3539.

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Department of Water Resources
Northern District Office

JAMES
C/O Y
BIRMINGHAM
ID 1081
Source
CHERRY
CHERRY
JAMES
JAMISON
MAY 1967
BOX 257
ID 10814
Source
CHERRY
CHERRY
R
SWSE Sec 19 T NN R
11E

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 83-4177 Applicant Walter

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 10/7/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By DC Date 10-25-83

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RECEIVED
OCT 25 1983
DEPT. OF WATER RESOURCES

3/83

IDENT. NO. 83-4177

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

83-4177

WALLER, RICHARD

E. 4065 16TH ST., POST FALLS, ID 83854

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Priority Date: 01/01/1948

Diversion Pt: SWSE Sec 19 T 40N R 11E

Use: MINING	(0.72 CFS)
DOMESTIC	(0.04 CFS)
FIRE PROTECTION	(0.04 CFS)

In: SWSE Sec 19 T 40N R 11E

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

AUGUST 15, 1983

RICHARD WALLER
E. 4065 16TH ST.
POST FALLS

ID 83854

RE: Claim No. 83-4177

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

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Enclosure



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

Date: 6/22, 1983

Dear Richard Waller:

This office is in receipt of your Claim to a Water Right and Check No. 92-310 in the amount of \$30.00 and we are returning same to you because the Claim cannot be formally receipted until the following information is provided:

_____ Complete Name.	_____ Location of Point(s) of Diversion - Item 5.
_____ Complete Mailing Address.	☒ Location of Place of Use (Acres irrigated if water is claimed for irrigation.) - Item 6.
_____ Date of Priority - Item 1.	_____ Filing Fee. (\$30.00)
_____ Source of Water - Item 2.	_____ Signature.
_____ Amount, Nature & Period of Use - Item 3.	_____ Notarization of Signature.
_____ Total Quantity Claimed - Item 4.	
Other <u>Need 40 Acre legal description of Sec 30</u>	

Please note that your Claim has been stamped and initialed as received. If you amend the Claim by adding the needed information and return the Claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee. INITIAL ALL CHANGES.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,

MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES

pms

Enc. - Claim
Check
Instructions



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

Date: 6/22, 1983

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_____ Source of Water - Item 2.	_____ Signature.
_____ Amount, Nature & Period of Use - Item 3.	_____ Notarization of Signature.
_____ Total Quantity Claimed - Item 4.	
~~Other~~ <u>Need 40 Acre legal description of Sec 30</u>	

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Sincerely,

MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES

pms

Enc. - Claim
Check
Instructions

JUN 21 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Department of Water Resources
Northern District Office

CLAIM TO A WATER RIGHT

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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 RICHARD WALLER
(Name of Claimant)

(Name of Claimant)

(Name of Claimant)
E. 4065 16 TH. ST. POST FALLS IDAHO 83854 Telephone No. 208 773 5485
 (Mailing Address) (Zip Code)

(Mailing Address)

(Zip Code)

Telephone No. 208 772 5425

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) 1948

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.

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INDEPENDENCE CREEK tributary to MOOSE CREEK

(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, af)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)

(Mo., Day)

(Mo., Day)

Quantity .04 CFS Use DOMESTIC Period of Use From 2-1 To 11-1

Quantity .04 CFS Use FIRE PROTECTION TANK Period of Use From 2-1 To 11-1

Quantity .72 CFS Use MINING Period of Use From 2-1 To 11-1
Period of Use From 1-1 To 12-31

Quantity 1 Use 1-1 Period of Use From 1-1 To 12-31

Quantity _____ Use _____ Period of Use From _____ To _____
 _____ Use _____ Period of Use From _____ To _____

(4) .8 cfs TOTAL QUANTITY USED.

(cfs, af)

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

SW 1/4 SE 1/4, Sec. 19 Twp. 40N Rge. 11E B.M., County of CLEARWATER

Additional points of diversion: * THIS IS AN EXISTING DAM - AS NOTED ON ATTACHED SURVEY COPY - LOCATED ON "HARRY MINE CLAIM" (DESCRIPTION ALSO ATTACHED)

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. DAM (EXISTING SINCE 1942)

change. DAM (EXISTING SINCE 1948) ACCUMULATING WATER - THEN
DIRECTED INTO A 10 INCH ALUMINUM PIPE - GRAVITY FLOW
THEN TO THE USE SITES - DESCRIBED AS "PICK CLAIM"

(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]

No. of acres

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

DOMESTIC - SERVICE EXISTING @ PROPOSED CABIN SITE
FIRE PROTECTION TANK - 500 GALLON PLASTIC TANK FOR
STORAGE ABOVE CABIN
MINING - FOR PLACER OPERATIONS AS APPROVED BY
FOREST SERVICE.

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: _____

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