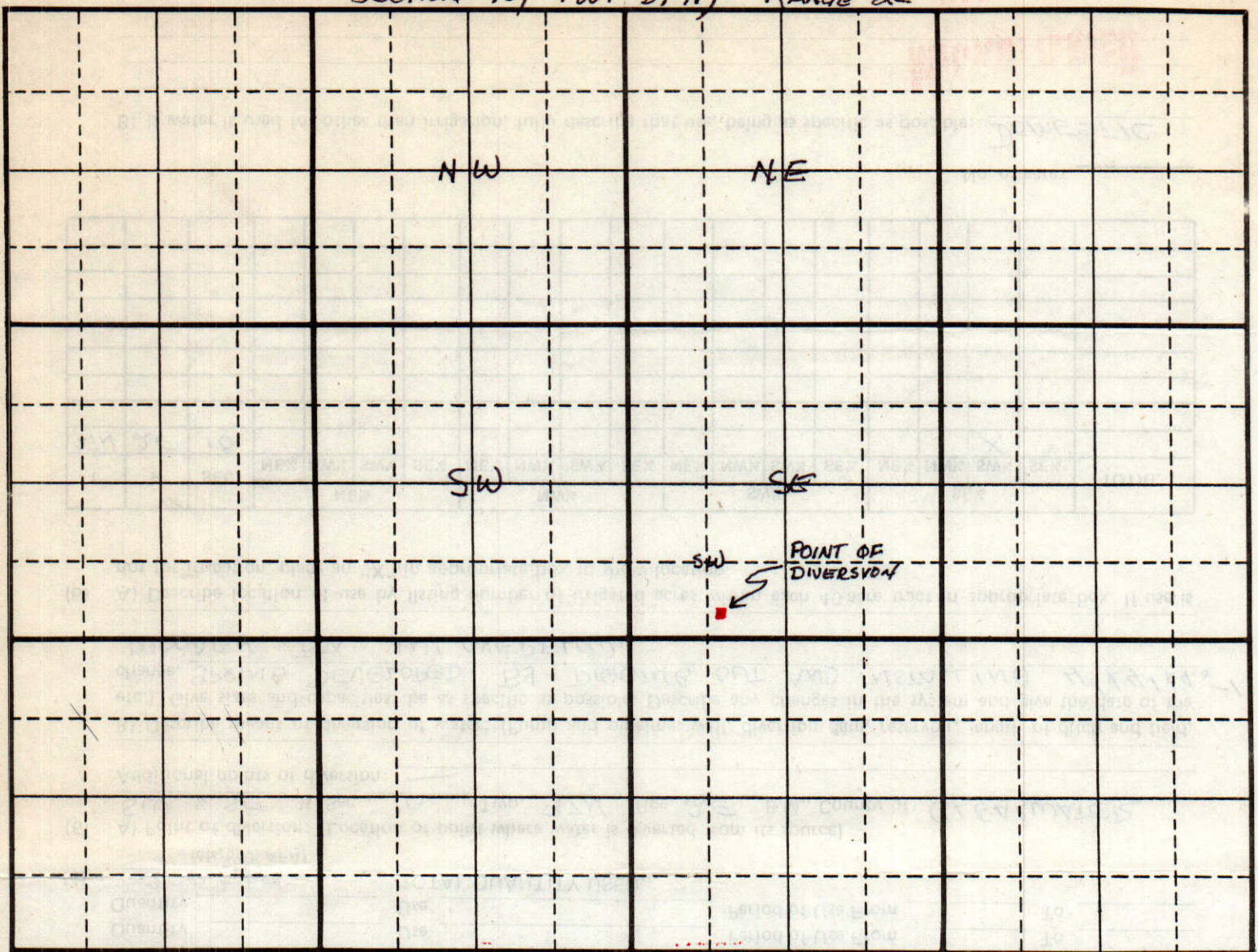


(8) Remarks _____

SECTION 10, TWP 37 N, RANGE 2E



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 _____) 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.

Gerald Mygaard
(Claimant)

Sworn to before me this 2 day of June, 19 81.

Frances Philpot Clerk of Court
By Alice Hardy, Deputy
Notary Public - Clearwater County
Residing at Arpino, Idaho.

My commission expires _____

MICROFILMED

FOR DEPARTMENT USE ONLY

MAR 03 1988

Received by JK Date 6/3/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JK Date 6-8-81
\$20.00 fee received by JK Date 6/8/81 (18170)
Published in Clearwater Tribune
Dates 6/18 & 25/81

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

Gerald Nygaard 83-4016

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 18th day of June, 19 81, and ending on the 25th day of June, 19 81.

Subscribed and sworn to before me this 1st day of July, 19 81

Betty E. Knight

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

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.

83-4016

Nygaard, Gerald

P.O. Box 209, Orofino, Id.
83544

Source: SPRING tributary to SINKS

Priority Date: 01/01/1926

Amount: 0.01 CFS

Diversion Point: SWSE Sec 10 T 37N R 02E, Clearwater Co.

Use: DOMESTIC (0.01 CFS) from 01/01 to 12/31

Place of Use: SWSE Sec 10 T 37N R 02E

Diversion Means: DEVELOPED SPRING.

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

A. Kenneth Dunn
Director
6-18,25c

INDEXED

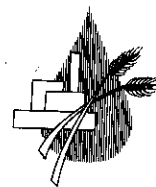
MAR 03 1988

RECEIVED
JUL 99 1988

Department of Water Resources
Northern District Office

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 GERALD NYGAARD
(Name of Claimant)

Box 209 OROFINO IDAHO 83544 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 476-3514

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) 1926

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)
UN NAMED SPRING 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>200 gpd</u>	Use	<u>DOMESTIC</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) 200 gpd. TOTAL QUANTITY USED. (cfs. gpd. AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 10 Twp. 37N Rge. 2E B.M., County of CLEARWATER
 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. SPRING DEVELOPED BY DIGGING OUT AND INSTALLING 4'X4'X4.5' WOODEN BOX W/ OVERFLOW.

- (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

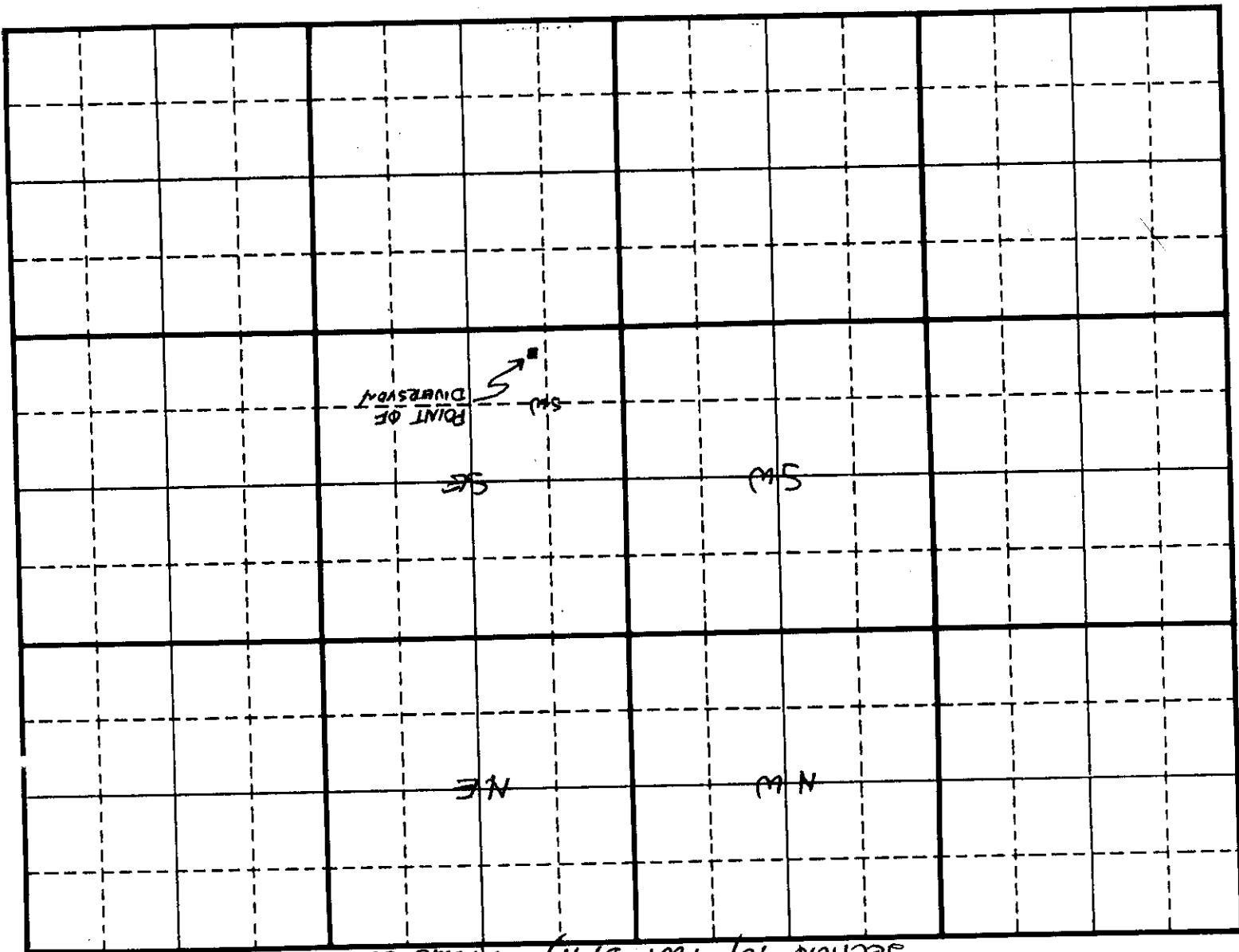
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: DOMESTIC

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: _____

~~MAR 03 1988~~

SECTION 10, TWP 37 N, RANGE 2E



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

) ss.
)

County of _____

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 2 day of June

Donald Mygaard
(Claimant)
1981
Francis Philip Clark Court
By Alice Cleaver, Deputy
Notary Public
Residing at *Clifton, Idaho*

My commission expires _____

FOR DEPARTMENT USE ONLY

MAR 03 1988

Date Forwarded to claimant by:

Exception filed by:

Date

6-8-81

Date

4/8/81 (1817)

Date

4/8/81 (1817)

Date

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

Dates

6/18/85/87

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
Gerald Nygaard 83-4016

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 18th day of June, 19 81, and ending on the 25th day of June, 19 81

Nancy Noble
Subscribed and sworn to before me this 1st day of July, 19 81

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

RECEIVED

MAR 03 1988

Deposited in the office of the
Notary Public for the State of Idaho

WATER RIGHT NUMBER 83-4015

OWNER LAST NAME - NYGAARD

FIRST NAME - GERALD

ORIG OWNER -

ADDRESS LINE 1 - P.O. BOX 209

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - GROFIND

STATE - ID ZIP CODE - 83544

SOURCE - SPRING

TRIBUTARY OF - SINKS

STAGE - STAIRY CLM

STATUS -

PRIORITY - 01-01-1926

COUNTY - CLEARWATER

TOTAL DIV. RATE -

.0100 -CFS

TOTAL DIV. VOLUME -

.00 AFA

PRER/AMEND -

WATER DIST. -

OLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SWSE 10 37N 02E LOT

REGIV -

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE -

.0100

CFS

USE DIV. VOLUME -

.00 AFA

USE - DOMESTIC

PLACE OF USE - TAN 37N RING 02E SEC 10

TRACT SWSE LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FGD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS - DEVELOPED SPRING.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 83-4016 Applicant Hygaard

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 7/13/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 7/16/81

83-4016.

NYGAARD, GERALD

P.O. BOX 209, OROFINO, ID 83544

Source: SPRING tributary to SINKS

Priority Date: 01/01/1926

Amount: 0.01 CFS

Diversion Point: SWSE Sec 10 T 37N R 02E, CLEARWATER Co.

Use: DOMESTIC (0.01 CFS) from 01/01 to 12/31

Place of Use: SWSE Sec 10 T 37N R 02E

Diversion Means: DEVELOPED SPRING.

MICROFILMED

MAR 03 1988

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 6, 1981

GERALD NYGAARD
P.O. BOX 209
OROFINO

ID 83544

RE: Claim No. 83-4016

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

MICROFILMED

MAR 03 1988