

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

Eugene Burger

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 July, 19 85, and ending on the 25th day of July, 19 85.

Nancy Noble

Subscribed and sworn to before me this 26th day of July, 19 85

Carrie Bird

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

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use: BURGER, EUGENE F., P.O. BOX 81, WEIPPE, ID 83553. Source: GROUND-WATER. Priority Date: 06-01-1968. Diversion Pt.: NENE Sec 30 T 36N R 05E. USE: DOMESTIC (0.04 CFS). In: NENE Sec 30 T 36N R 05E. Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

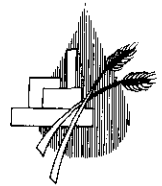
KEN DUNN, Dir.
7-18,25c

OK
8/13/85

RECEIVED
AUG 13 1985
Department of Water Resources
Northern District Office

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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 Eugene J. Burger
(Name of Claimant)
Box 81 Weippe (Hy 11 Timberline) Telephone No. 435-4647
(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: 25ft surface well

(1) Date of priority: (When was the water first applied to a beneficial use) 8/2/78 or (1968)

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)
Well tributary to House

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(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>1-1</u>	To <u>12-31</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) .04 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 30 Twp. 36 Rge. 5 B.M., County of Clearwater
Additional points of diversion: None

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.
3/4 hp submersable pump, with 8ft storage tank, to house 1" water main.
(There is also a 25ft surface well)

(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	
			X																

No. of acres _____

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

NOTE: Include here the type and number of stock watered: _____

☒ If you are claiming water as a member of an organization, list name of organization: _____

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(8) Remarks The date on that new well is correct, ~~on that~~ Now
there is another well it's a surface well about 25 ft
deep that has been used long before this new one (well) it's
been here since 1968 that I know of. I ~~tr~~ tried to call Erma
but I couldn't get a hold of her. N to make sure this is the right date!

Scale: 2 inches equal 1 mile.

State of Idaho)
County of Clearwater) ss.

Sworn to before me this 2nd day of July, 1982.

Eugene J. Burger
(Claimant)
1982.
Magdalena A. Kuchynka
Notary Public
Residing at Wapke

My commission expires life

Received by RWA Date 7/3/85 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by RWA Date 7/3/85 claimant by: _____
\$30.00 fee received by RWA Date 7/3/85 (3/8/86)
Published in Cleveland Tribune _____
Dates 7/18 + 25/85 _____

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

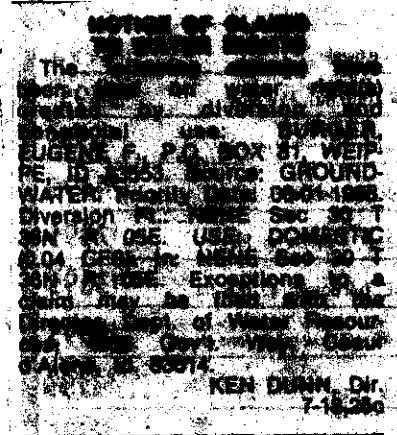
Eugene Burger

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 13th day of July, 1985, and ending on the 25th day of July, 1985

Nancy Noble
Subscribed and sworn to before me this 26th
day of July, 1985

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



RECEIVED
AUG 3 1985
Department of Water Resources
Northern District Office

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RWA

Right Number 84-4304 Applicant Burger

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 8/19/85

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 8/27/85

RECEIVED
AUG 27 1985

Department of Water Resources

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 765-4639

AUGUST 5, 1985

EUGENE F. BURGER
P.O. BOX 81
WEIPPE

ID 38553

RE: Claim No. 84-4304

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

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84-4304-

BURGER, EUGENE F.

P.O. BOX 81, WEIPPE, ID 38553

Source: GROUNDWATER

Priority Date: 06/01/1968

Diversion Pt: NENE Sec 30 T 36N R 05E

Use: DOMESTIC (0.04 CFS)

In: NENE Sec 30 T 36N R 05E

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