

[illegible]

Received by B. Mann Date 7-28-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by TK Date 7-28-77 claimant by: _____
\$10.00 fee received by B Date 7-29-77 (5688)
Approved for publication by TK _____
Published in Chronicle Tribune - opus _____
Dates 8-14-77 _____
OK 8-22-77

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 Claim to a Water

Right - Edith Mullikin

No. 84-4040

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 11th day of August, 19 77, and ending on the 18th day of August, 19 77.

Nancy Noble

Subscribed and sworn to before me this 19th day of August, 19 77

Joellen Ruschhoff

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

NOTICE OF CLAIM TO A WATER RIGHT

NO. 84-4040

Notice is hereby given that Edith A. Mullikin, Rt. 3, Box 93, Orofino, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 6 gallons per minute of water from a groundwater source with point of diversion in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 28, T37N,R2E, B.M. Clearwater County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of Feb. 2, 1974 the place of use is within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 28, T37N,R2E, BM.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814.

C. Stephen Allred
Director

Published in the Clearwater Tribune, Orofino, Idaho on August 11 and August 18, 1977.

OK
829.77
B

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
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 Edith A Mullikin (name of claimant)
of Rt 3 Box 93, Orofino, Id 83544, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) groundwater, tributary to ,

(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>6 gpm</u>	Use <u>Domestic</u>	Period of Use: From <u>Jan 1</u> To <u>Dec 31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
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: _____ cubic feet per second, or _____ acre feet per annum, and/or 6 = _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) Feb. 2, 1974

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)
SW ¼ SE ¼, Sec. 28 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.
pump & pipeline 50 ft to house

(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	
37N	2E	28															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 & garden use. This is a very small garden less than ½ acre

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Clearwater } ss.

Nancy Noble

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C. Stephen Allred
Director

Published in the Clearwater Tribune, Orofino, Idaho on August 11 and August 18, 1977.

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829.77
B

ACT
ION

N OWNER LAST NAME - MULLIKIN

FIRST NAME - EDITH A.

N ADDRESS LINE 1 - RT. 3 BOX 93

CITY - OROFINO

STATE - ID ZIP CODE - 83544

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 02-02-1974 COUNTY - CLEARWATER TOTAL DIV. RATE - .0100CFS

N DIVERSION POINT - SWSE 28.37N 02E

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

USE DIV. RATE - .0100CFS

N USE - DOMESTIC

PLACE OF USE - TWN 37N RNG 02E SEC 28 TRACT SWSE

IDENT. NO. 84-4046

WATER RIGHT
DATA ENTRY LOG[illegible]

- DATA ENTRY -

Old No.

New No.

1. Original Owner: Edith A. Mullikin

Present Owner: _____

2. Address: Rt 3 Box 93

3. City: Orofino State: ID Zip: 83544

4. A. Source of Water: *sw*
B. Tributary of:

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 2-2-1974

D. County: 35

E. Total Diversion Rate: .013

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

6. A. Point of Diversion SW, R/F 28 37N 26

Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
SWSE	28	37N	2E		

from 1-1 to 12-31 for D purposes. Amount .013
(cfs or AC-Ft/yr) →

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from to for purposes. Amount

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: 4

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

August 4, 1977

RE: Claims No. 84-4040 & 84-4039

Clearwater Tribune
Box 71
Orofino, Id 83544

Gentlemen:

Enclosed is 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 our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

Bill Newell
8-29-77
\$

MICROFILMED

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NO. 84-4040

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Rt 3Box 93, Orofino, Id

has filed a claim to a water right established by diversion and application
to beneficial use of 6 ~~XXXXXXXXXXXXXXXXXXXX~~ cubic feet per second, gallons per minute
of water from a groundwater source

with point of diversion in the SW 1/4 Sec 28, T37N, R2E, B.M.

The water is claimed to be used from Jan 1 to Dec 31
for domestic purposes

with a priority of Feb 2, 1974;

the place of use is within the SW 1/4 Sec 28, T37N, R2E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

C. STEPHEN ALLRED
Director

Published in the Cleanwater Tribune, Orofino, Id

on August 11 and August 18, 1977

RECORDED
INDEXED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

4055 Government Way

667-6484

COEUR D'ALENE, IDAHO 83814

July 29, 1977

RE: Claim No. 84-4040

Edith A. Mullikin
Rt 3 Box 93
Orofino, Id 83544

Dear Ms Mullikin

Attached is your receipt No. 5388 in the amount of \$10.00 for the filing fee on the above referenced item which was received in this office.

Sincerely,

Alea Beito
Secretary

AB

Attachment

RECEIVED

June 29, 1977

Edith A Mullikin
Rt 3 Box 93
Groffno, Id 83544

Dear Ms Mullikin,

We are having a communication problem and Mr King has ask me to try my hand at this situation.

We understand what you are trying to claim as a water right but the information is improperly presented on the form. Also there is a discrepancy in your legal descriptions of your well and house and your letter to us. Therefore, I have taken the liberty of contacting the Clearwater County Courthouse and getting the legal description of your property. Based on that and the information you have given me on your letters and form, I have worked up a new form which I believe states accurately what you are trying to claim. I am returning this new Claim to you along with your old one and your check #92-138 for \$10.00. Please look it over, sign it in front of a notary and return it & your check to me once more.

If you have any questions please call me collect at 667-6484. I have been trying to reach you by telephone but can find no listing.

Sincerely,

ALEA BEITO
Secretary

AB

Enclosure

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My house is almost in center
of my 43 acres. Therefore my well
is almost in center.

A little North East -

I hope this is O.K. now

Thanks

Edith Mulliken

MICROFILMED

June 2, 1977

~~Edith Mullikin~~
RT 3 Box 93
Crofton, Id 83544

Dear Ms. Mullikin,

We are returning your check #92-138 in the amount of \$10.00 and your Claim to a Water Right.

Since the claim is your sworn statement, I am not at liberty to add or to delete any information which you have provided. However, for the claim to be of the most value to you, I would like to suggest the following changes and additions:

Under item 1, please write in ground water in the space provided. This indicates that your water comes from a well.

Under item 4, please write the date that the well was drilled in the space provided.

Under item 6, I have placed a faint penciled "X" in the box indicating that your house, lawn and garden are located within the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 28. IF this is correct, please make the "X" in ink. If this is not correct, erase the "X" and place it in the correct box.

IF we can be of any further assistance, please do not hesitate to contact us.

Sincerely,

TOM KING
Senior Water Resource Agent

TK:ab

Enclosure

June 16, 1977

Edith A. Mullikin
Rt 2 Box 93
Orofino, Id 93544

Dear Ms Mullikin,

We are returning your check #92-133 in the amount of \$10.00 and your Claim to a Water Right. You indicate on your claim that your priority date is Feb 2, 1974. A claim with this priority date is acceptable only on a well which provides water for the domestic use of a single household. Domestic use is defined as that water which is put to regular household use and the irrigation of up to $\frac{1}{2}$ acre of land. If you are not irrigating or watering more than $\frac{1}{2}$ acre of land, please delete irrigation from your claim. If you are irrigating more than $\frac{1}{2}$ acre, you must submit an Application for Permit. I will send you a copy of this form if you need one.

As I outlined in my last letter, if you are using water for domestic purposes, as described above, please place an "x" in ink, over the "x" I have penciled in under item 6a.

If we may be of any further assistance, please do not hesitate to contact us.

Sincerely,

TOM KING
Senior Water Resource Agent

TK:ab

Enclosures