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## STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

**Section 42-225a, Idaho Code**

Notice is hereby given that Erle H. Fackenthall

(name of claimant)

(mailing address)

(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 .6 gram

Amount

Amount

Domestic,  
Use Stock  
Use \_\_\_\_\_  
Use \_\_\_\_\_  
(dom., irri.,  
stock, etc.)

Use

Use

**Use**

**Period of Use:**

Period of Use:

**Period of Use:**

From Jan. 1 To Dec. 31

From \_\_\_\_\_ To \_\_\_\_\_

From \_\_\_\_\_ To \_\_\_\_\_

(both dates inclusive)

(4) Priority claimed: (the date water was first applied to beneficial use) prior to January 1, 1955.

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water

NE ¼ SE ¼, Sec. 31 Twp. 37N Rge. 1 E.B.M. County of Clearwater

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. 3/4 inch pipe from Spring to 1,000

gallon storage tank served by gravity flow.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is

[illegible]

Total No. of acres 32

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

(7) If you are claiming water as a member of an organization, list name of organization: not applicable

**MICROFILMED**

[illegible]

|                                        |                              |                     |               |       |
|----------------------------------------|------------------------------|---------------------|---------------|-------|
| Received by <u>me</u>                  | Date <u>2/7/80</u>           | Exception filed by: | Forwarded to: | Date: |
| Prelim. check by <u>RJA</u>            | Date <u>2/5/80</u>           |                     | claimant by:  |       |
| \$40.00 fee received by <u>me</u>      | Date <u>2/8/80 (1/68/19)</u> |                     |               |       |
| Approved for publication by <u>me</u>  |                              |                     |               |       |
| Published in <u>Cleanwater Tribune</u> |                              |                     |               |       |
| Dates <u>2/20-27/80</u>                |                              |                     |               |       |

# 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

83-4008 86-4056

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 21st day of February, 1980, and ending on the 29th day of February, 1980

Nancy Noble

Subscribed and sworn to before me this 29th day of February, 1980

Beverly Wood

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:

83-4008

Diamond International Corp.

P.O. Box 580, Superior, Mt. 59872

Source: Unnamed Stream tributary to Clearwater River, North Fork

Priority Date: 06/02/1958

Amount: 0.91 CFS

Diversion Point: SESE Sec 32 T 41N R 11E, Clearwater Co.

Use: Domestic (0.58 CFS) from 05/01 to 03/31; Fire Protection (0.33 CFS) from 05/01 to 03/31.

Place of Use: SESE Sec 32 T 41N R 11E.

Diversion Means: Dam & Pipe.

86-4056

Fackenthall, Erle H.

Rt. 1 Box 46, Lenore, ID 83541

Source: Spring tributary to Unnamed Creek

Priority Date: 01/01/1955

Amount: 0.01 CFS

Diversion Point: NESE Sec 31 T 37N R 01E, Clearwater Co.

Use: Stockwater (0.01 CFS) from 01/01 to 12/31; Domestic (0.01 CFS) from 01/01 to 12/31

Place of Use: NESE Sec 31 T 37N R 01E

Diversion Means: Tank & Pipe.

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

C. STEPHEN ALLRED

Director

2-21,28c

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WATER RIGHT NUMBER 86-4056

OWNER LAST NAME - FACKENTHALL

FIRST NAME - ERLE H.

ORIG OWNER -

ADDRESS LINE 1 - RT. 1 BOX 46

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - LENORE

STATE - ID ZIP CODE - 83541

SOURCE - SPRING

TRIBUTARY OF - UNNAMED STREAM

STAGE - STATRY CLM

STATUS -

PRIORITY - 01-01-1955

COUNTY - CLEARWATER

TOTAL DIV. RATE -

.0100 -CFS

TOTAL DIV. VOLUME -

.00 AFA

TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESE 31 37N 01E LOT

REDIV -

FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE -

.6000

CFS

USE DIV. VOLUME -

.00 AFA

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

USE DIV. RATE -

.6000

CFS

USE DIV. VOLUME -

.00 AFA

USE - STOCKWATER

PLACE OF USE - TWN 37N RNG 01E SEC 31 TRACT NESE 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 - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - TANK &amp; PIPE.

IDENT. NO. 86-4056

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]

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RyA

Right Number 86-4656 Applicant Jackenthall

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 me Date 3/10/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jim Date 3/14/80

**MICROFILMED**

86-4056-

FACKENTHALL, ERLE H.

RT. 1 BOX 46, LENORE, ID 83541

Source: SPRING tributary to UNNAMED CREEK

Priority Date: 01/01/1955

Amount: 0.01 CFS

Diversion Point: NESE Sec 31 T 37N R 01E, CLEARWATER Co.

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

Place of Use: NESE Sec 31 T 37N R 01E

Diversion Means: TANK & PIPE.

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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

**MARCH 10, 1980**

ERLE H. FACKENTHALL  
RT. 1 BOX 46  
LENORE

ID 83541

RE: Claim No. 86-4056

**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**

[illegible]

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

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JOHN V. EVANS  
Governor  
C. STEPHEN ALLRED  
Director

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

February 19, 1980

Mr. Dale O. Cox  
Attorney at Law  
P.O. Box 666  
Orfino, Idaho 83544

RE: 86-4056

Dear Mr. Cox:

Enclosed is Receipt No. 16819 in the amount of \$20.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patricia M. Stypa

pms

Enclosure

MICROFILMED

MICHAEL E. McNICHOLS

DALE O. COX

LAWYERS

227 COLLEGE AVENUE - P.O. BOX 666 - OROFINO, IDAHO 83544  
208-476-5734

February 6, 1980

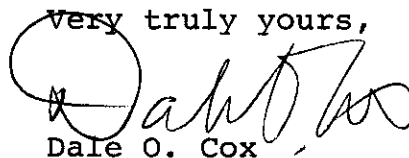
State of Idaho  
Department of Water Resources  
Suite No. 1  
4055 Government Way  
Coeur d'Alene, Idaho 83814

Gentlemen:

Enclosed please find a Claim to a Water Right on behalf of Erle H. Fackenthall, Lenore, Idaho, together with our check in the amount of \$20.00. If the form is in proper order, please publish the same according to law.

In advance, we are thanking you for your cooperation.

Very truly yours,



Dale O. Cox

bek  
encl.

RECEIVED

FEB 11 1980

Department of Water Resources  
Northern District Office

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