

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

A. J. Macnean

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

That he is the printer of The DAILY IDAHONIAN, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following

dates:

December 2,

9, 1976

the same being the dates designated for the publication of said legal notice.

Subscribed and sworn to before

me this 2nd day of December

19 76

Carol Hecner

Notary Public,

residing at Moscow, Idaho

RECEIVED

DEC 10 1976

Department of Water Resources
Northern District Office

NOTICE OF CLAIM TO A WATER RIGHT

NO. 86-4038

Notice is hereby given that L. Gene Feldman, Route 1, Box 16, Troy, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a Spring with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, T. 40N, R. 3W, B.M., Latah County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes with a priority of July 7, 1970; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32, T. 40N, R. 3W, B.M.

An 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.

R. KEITH HIGGINSON
Director

Dec. 2, 9, 1976

NOTIFIED

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 L. GEHE Feldman (name of claimant)
of RTL Box 16 Troy Idaho (mailing address), claims a right to the diversion and beneficial use of
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) Spring, 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>.04 cfs</u> | Use <u>Dam-Stock</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: .04 cfs cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) July 7 1970

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)
SE ¼ NE ¼, Sec. 32 Twp. 40N Rge. 3W B. M. County of LATAH
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.
Submersible Pump & Pressure System

- (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 ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
40N	3W	32				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

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

(8) Remarks _____

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 Latah) 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 affiants knowledge.

L. Lane Feldman
(Claimant)

Sworn to before me this 16th day of November, 19 76.

Diana L. Kirkland
Notary Public
Residing at Bovy, Idaho

My commission expires 5-19-81

Rec. # 4846

For Department Use Only

Received by <u>CPA</u>	Date <u>11-22-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RWA</u>	Date <u>11-22-76</u>		claimant by:	
\$10.00 fee received by <u>CP</u>	Date <u>11-22-76</u>			
Approved for publication by <u>RWA</u>				
Published in <u>Daily Idahonian</u>				
Dates <u>12-2 & 12-9-76</u>				

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} ss.

A. J. Marnan

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to; that the notice of which the
annexed is a full, true and correct
printed copy was published in the
regular and entire issues of said
newspaper and not in a supple-
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dates:

December 2,
9, 1976

the same being the dates desig-
nated for the publication of said
legal notice.

[Signature]
Subscribed and sworn to before.

me this 9th day of December

19 76

Carol Alexner

Notary Public,

residing at Moscow, Idaho

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DEC 10 1976

Department of Water Resources
Northern District Office



WATER RIGHT NUMBER 86-4038

WATER RIGHTS EDIT REPORT

10/02/79

PAGE 92

ACT
ION

N OWNER LAST NAME - FELDMAN
N ADDRESS LINE 1 - RT. 1 BOX 16

FIRST NAME - L. GENE

N
N SOURCE - SPRING

CITY - TROY

STATE - ID ZIP CODE - 83871

N STAGE - STATRY CLM

PRIORITY - 07-07-1970 COUNTY - LATAH

TOTAL DIV. RATE - .0400CFS

N DIVERSION POINT - SENE 32 40N 03W

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

USE DIV. RATE - .0400CFS

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

N USE - STOCKWATER

PLACE OF USE - TWN 40N RNG 03W SEC 32 TRACT SENE

3/79

IDENT. NO. 86-4038

ID 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]

- DATA ENTRY -

Old No.

1 ~~B2~~ 86-4038
New No.

1. Original Owner: L. Gene Feldman

Present Owner: _____

2. Address: Rt. 1 Box 16

3. City: Truy State: TD Zip: 83871

4. A. Source of Water: *spring*

5. A. Stage (A,P,L,D,S,J): ~~4~~ 5

C. Priority Date: 7-7-1970

D. County: 57

E. Total Diversion Rate: .04

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

<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't Lot</u>	<u>Rediv.</u>
JENE	32	40N	3W		

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for ✓ purposes. Amount .04
(cfs or ~~AG~~ FT/yr)

from 1-1 to 12-31 for D 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: ~~X~~

[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 DISTRICT

Route 5, Box 203 - Suite #1
4055 N. Government Way

COEUR D' ALENE, IDAHO 83814

(208) 667-6484

December 20, 1976

Re: Claim to a Water Right No. 86-4038

Mr. L. Gene Feldman
Route 1, Box 16
Troy, ID 83871

Dear Mr. Feldman:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

November 26, 1976

Re: Claim No. 86-4038 - L. Gene Feldman

Daily Idahonian
Box 399
Moscow, ID 83843

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:cp

Enc: Legal Notice(s)

Bill: 12-13-76.4

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with point of diversion in the SE 1/4, Sec. 32, T. 40N, R. 3W, B.M.,
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The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
and stockwatering purposes

with a priority of July 7, 1970;
the place of use is within the SE 1/4, Sec. 32, T. 40N, R. 3W, 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.

R. KEITH HIGGINSON
Director

Published in the Daily Idahoian, Moscow, Idaho
on Dec. 2 and Dec. 9, 1976

November 26, 1976

Re: Claim to a Water Right No. 86-4038

Mr. L. Gene Feldman
Route 1, Box 16
Troy, ID 83871

Dear Mr. Feldman:

Attached is your receipt No. 4846 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment

RECEIVED