

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

A. J. Matineau

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: *April 12, 19,*
1973

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

[Signature]
Subscribed and sworn to before

me this *19* day of *April*
1973

Carmen Wedin
Notary Public,
residing at Moscow, Idaho

County of Latah
My Commission Expires August 10, 1975

RECEIVED

APR 23 1973

Department of Water Administration
Northern District Office

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

No. *86-4009*

Notice is hereby given that Harry W. Glaser filed the above numbered claim to a water right established by diversion and application to beneficial use of 10 gallons per minute of water from a ground water source within the N¹/₂NE¹/₄, Sec. 5, T. 39N. R. 3W. B.M., Latah County.

The water was claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of July, 1950; the place of use was within the N¹/₂NE¹/₄, Sec. 5, T. 39N. R. 3W. B.M.

The claimant now wishes to amend Claim No. 86-4009, claiming 10 gallons per minute of water from a ground water source, to be diverted within the N¹/₂NE¹/₄, Sec. 5, T. 39N. R. 3W. B.M., Latah County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1908; the place of use is within the N¹/₂NE¹/₄, Sec. 5, T. 39N. R. 3W. B.M.

Any exception to this amended claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Room 209, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

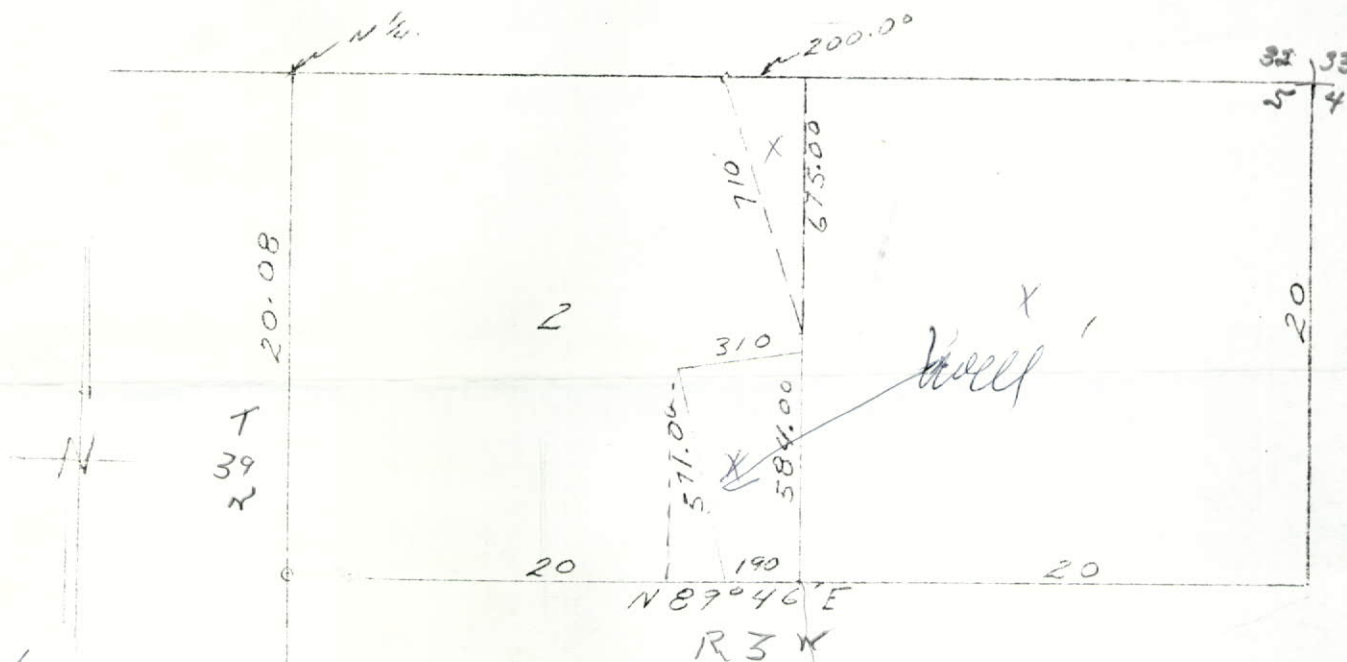
April 12 and 19

86 4009

Harry Glaser Troy, Idaho

April 10, 1970

All of lot No. 1 in Section 5, Township 39 North, Range 3 West of the Boise Meridian and that part of Lot 2 of Section 5, Township 39 North, Range 3 West described as follows: Beginning at a point at the Southeast corner of Lot 2, thence 190.00 feet along the south line of Lot No. 2, thence N 12° 01' W a distance of 571.00 feet, thence N 84° 59' E a distance of 310.00 feet more or less to the line between Lot 1 and Lot No. 2, thence South a distance of 584.00 feet more or less to the point of beginning. Also beginning 1320 feet East of the N1/4 corner, thence West a distance of 200.00 feet to the center of county road thence along the center on said road a distance of 710.00 feet more or less to the said section line between Lot No 1 and 2, thence North along the said section line 675.00 more or less to point of beginning and containing 44.96 Acres more or less.



Shape this is finally right

86 4009

Affidavit of Publication

RECEIVED

NOV 22 1971

Department of Water Administration

STATE OF IDAHO }
County of Latah } ss.

A. J. Mason
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: Nov 11, 18, 1971

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

[Signature]
Subscribed and sworn to before

me this 18 day of Nov

19 71

Carmen Swedin

Notary Public,

residing at Moscow, Idaho

County of Latah

My Commission Expires August 10, 1975

NOTICE OF CLAIM TO WATER RIGHT

No. 86-4009

Notice is hereby given that Harry W. Glaser, Troy, Idaho has filed a claim to water right established by diversion and application to beneficial use of 10 gallons per minute of water from Spring with point of diversion in Lots 1 & 2 (N $\frac{1}{2}$ NE $\frac{1}{4}$), Sec. 5, T. 39N, R. 3 W, B.M., Latah County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of July, 1950 the place of use is within Lots 1 & 2 (N $\frac{1}{2}$ NE $\frac{1}{4}$), Sec. 5, T. 39N, R. 3 W, B.M.

Any exception to this to this claim of water rights may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Nov. 11, 18, 1971

86 4009

Identification No. _____
Claim No. 86-4009
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

AMENDED CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Harry W. Glaser
post office address Troy, Idaho 83871
2. The point of diversion is in N $\frac{1}{2}$ ~~XX~~ of NE $\frac{1}{4}$ Section 5 Township 39N
Range 3W B.M. located on Groundwater
(name of source)
tributary to _____ in Latah County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed: 1908
amount: 10 gpm ~~xxx~~ or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed 10 gpm ~~xxx~~ or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use Domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 18 feet; diameter of well is 4' X 4' inches; type of pump is domestic jet pump
capacity of pump is _____ g.p.m.; name and address of well driller is for shallow well,
approximately 600 gallons per hour.

86 400.9

- [illegible]

- if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

- [illegible]

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 10 cows, 5 horses,
100 chickens

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
All water is used for domestic use and no irrigation. Watering lawn, flowers,
etc.

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.

Sworn to before me this

18th

day of

1973

Mrs. Mary Hester
Claimant

[Signature]
Notary Public

NOTARY PUBLIC for the State of Idaho

Residing at Troy Idaho

My commission expires August 1, 1973

Residing at Troy Idaho

My commission expires August 1, 1973

My commission expires

For Department Use Only

Received by CR Date 4-5-73
CR Date 3-15-73

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by CB Date 2 Apr. 73

Fee received by N/A Date 2 Apr. 73 Fee \$ N/A

Approved for publication by

Published in Daily IDAHOIAN Dates 4-12-73

4-19-73

86 4009

RECEIVED
MAY 4 1973
Department of Water Administration

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u> acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u> acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District
Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District
Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District
Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District
Idaho Dept. of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Identification No. _____

Claim No. 86-4009

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Harry W. Glaser
post office address Troy, Idaho 83871
2. The point of diversion is in Lot 1 & Lot 2 ^{NE 1/4 NE 1/4} Section 5 Township 39 N Sr. Survey
Range 3 W B.M. located on ground water spring
(name of source)
tributary to _____ in Latah ^{KK 005 14, 1971} Oct - 14 - 1971 County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed: July - 1950 ^{prior use}
X 10 gal per year or 1.1 M inches inches
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use domestic period of use from Jan. 1 to Dec. 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works:
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

 - b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 18' feet; diameter of well is 4' x 4' inches; type of pump is domestic jet pump
capacity of pump is _____ g.p.m.; name and address of well driller is for shallow well -
approximately 300 gal/hr 600 gal per hr.

86 4009

b. Do you get water through a ditch owned by several users? NO If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 10 cows, 5 horses and 100 chickens

7. Where water is used for domestic or municipal purposes give number of families served _____ name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation All water is used for domestic use and no irrigation. Watering lawn, flowers, etc.

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.

Larry W. Glaser
Claimant

Sworn to before me this 13th day of October, 1971.

W. Dale McFarlane
Notary Public
Residing at Box 68, Troy, Idaho

My commission expires 7/11/73

10-22-71 For Department Use Only			
Received by <u>ef</u>	Date <u>10-14-71</u>	Exception filed by:	Forwarded to claimant by:
Prelim. check by <u>AS</u>	Date <u>10-26-71</u>		
Fee received by <u>ef</u>	Date <u>10-27-71</u> Fee <u>\$10.00</u>		
Approved for publication by <u>BDF</u>			86 4009
Published in <u>Daily Idahoian</u>	Dates <u>11-11-71-18-71</u>		

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

~~use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.~~

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

Identification No. _____

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Harry W. Glaser
post office address Tray Idaho.

2. The point of diversion is in LOT 1 1/4 of LOT 2 1/4 Section _____ Township 39
Range 3 W B.M. located on pumped water (name of source)
tributary to _____ in Idaho County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

for domestic use period of use from Jan 1 to Dec 31 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is 4 feet; width at top is 4 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is 18' feet; diameter of well is 4'x4' inches; type of pump is domestic jet pump for shallow well
capacity of pump is _____ g.p.m.; name and address of well driller is _____

approx. 300 gal per hr.

c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

d. If water is stored: name of reservoir _____;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

has there been any enlargement of the reservoir since it was first built_____, if so, give dates and describe_____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated_____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? no If yes, give the name of the ditch
The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 10 Cows
5 horses, 100 Chickens

7. Where water is used for domestic or municipal purposes give number of families served 1
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____
none

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

All water is used for domestic use
and no irrigation. Watering lawn,
flowers etc.

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.

Sworn to before me this

28

day of

June

1971

Mary Ellen Glaser
Claimant

J. D. Brock
Notary Public

Residing at

NOTARY PUBLIC for the State of Idaho
Residing at Troy Idaho

My commission expires August 1, 1973

My commission expires _____

my commission expires August 1, 1973

For Department Use Only

Received by ef

Date

7-20-71
6/29/71

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by _____ Date _____

Fee received by _____ Date _____

Fee \$

Approved for publication by _____

Published in _____ Dates _____

4009

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
		Total claimed:	<u>1.2 c.f.s. or</u>	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

~~use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.~~

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

RECEIVED

FEB 21 1973

DEPARTMENT OF WATER ADMINISTRATION

Department of Water Administration
Northern District Office

Ervin E. Bollan:

This is to affirm that I the undersigned, know that this well on the Harry Glaser farm located section 5, township 39, at Troy, Idaho to be clean with a good solid flow of water prior to 6/8/71. To my knowledge this well has never been pumped dry prior to 6/8/71.

This is to be a fact since the year of 1938.

Betty Scott

Betty Scott

W. Dale McGahan

W. Dale McGahan--Notary

86 40C9

RECEIVED

FEB 24 1973

DEPARTMENT OF WATER ADMINISTRATION

Department of Water Administration
Northern District Office

Ervin E. Bollan:

This is to affirm that I the undersigned, know that this well on the Harry Glaser farm located section 5, township 39, at Troy, Idaho to be clean with a good solid flow of water prior to 6/8/71. To my knowledge this well has never been pumped dry prior to 6/8/71.

This is to be a fact since the year of 1968.

Dwight Pearson

Dwight Pearson

W. Dale McGahan

W. Dale McGahan--Notary

4009

RECEIVED

DEPARTMENT OF WATER ADMINISTRATION

Ervin E. Bollan:

This is to affirm that I the undersigned, know that this well on the Harry Glaser farm located section 5, township 39, at Troy, Idaho to be clean with a good solid flow of water prior to 6/8/71. To my knowledge this well has never been pumped dry prior to 6/8/71.

This is to be a fact since the year of 1941.

Bud B. Boughton

Bud Boughton

W. Dale McGahan

W. Dale McGahan--Notary

86 4009

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

RECEIVED

APR 23 1973

Department of Water Administration
Northern District Office

A. J. Marineau

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: *April 12, 19, 1973*

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

[Signature]
Subscribed and sworn to before

me this *19* day of *April*

1973

[Signature]

Notary Public,

residing at Moscow, Idaho

County of Latah

My Commission Expires August 10, 1977

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

No. *86-4009*

Notice is hereby given that Harry W. Glaser filed the above numbered claim to a water right established by diversion and application to beneficial use of 10 gallons per minute of water from a ground water source within the N¹/₂NE¹/₄, Sec. 5, T. 39N. R. 3W. B.M., Latah County.

The water was claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of July, 1950: the place of use was within the N¹/₂NE¹/₄, Sec. 5, T. 39N. R. 3W. B.M.

The claimant now wishes to amend Claim No. 86-4009, claiming 10 gallons per minute of water from a ground water source, to be diverted within the N¹/₂NE¹/₄, Sec. 5, T. 39N. R. 3W. B.M., Latah County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1908: the place of use is within the N¹/₂NE¹/₄, Sec. 5, T. 39N. R. 3W. B.M.

Any exception to this amended claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Room 209, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

April 12 and 19

86 4009

April 10, 1970

[illegible]

Hope this is finally right.

86 4009

Affidavit of Publication

RECEIVED

NOV 23 1971

Department of Water Administration

STATE OF IDAHO }
County of Latah } ss.

G. J. Marnieau

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 there-
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-
ment thereto, upon the following

dates: Nov. 11, 18, 1971

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

[Signature]
Subscribed and sworn to before

me this 18 day of Nov.

19 71

Carmen Swedin

Notary Public,

residing at Moscow, Idaho

County of Latah

My Commission Expires August 10, 1978

NOTICE OF CLAIM TO WATER RIGHT

No. 86-4009

Notice is hereby given that Harry W. Glaser, Troy,
Idaho has filed a claim to water right established by
diversion and application to beneficial use of 10
gallons per minute of water from Spring with point of
diversion in Lots 1 & 2 (N $\frac{1}{2}$ NE $\frac{1}{4}$), Sec. 5, T. 39N, R. 3
W, B.M., Latah County.

The water is claimed to be used from Jan. 1 to Dec.
31 for domestic purposes with a priority of July, 1950
the place of use is within Lots 1 & 2 (N $\frac{1}{2}$ NE $\frac{1}{4}$), Sec. 5,
T. 39N, R. 3 W, B.M.

Any exception to this to this claim of water rights
may be filed with the Idaho Department of Water
Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Nov. 11, 18, 1971

6 4009

ACT

ION

L DIVERSION POINT - NENE 05 39N 03W

NWNE 05 39N 03W

WATER RIGHT NUMBER 86-4009

WATER RIGHTS EDIT REPORT

10/02/79

PAGE 63

ACT
ION

N OWNER LAST NAME - GLAASER

FIRST NAME - HARRY W.

CITY - TROY

STATE - ID ZIP CODE - 83871

N SOURCE - GROUNDWATER

N STAGE - STATRY CLM

PRIORITY - 06-01-1908 COUNTY - LATAH

TOTAL DIV. RATE - .0200CFS

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

USE DIV. RATE - .0200CFS

N USE - DOMESTIC

PLACE OF USE - TWN 39N RNG 03W SEC 05 TRACT NENE

TRACT NWNE

N REMARKS - P/D N 1/2 NE 1/4, S5, T39N, R3W.

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 86-4009
OTd No. New No.

Record

1. Original Owner: Harry W. Glaser

Present Owner: _____

2. Address:

3. City: Troy State: ID Zip: 838714. A. Source of Water: IW

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: 6-1-1908D. County: 57E. Total Diversion Rate: .02

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):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't</u> <u>Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from 1-1 to 12-31 for D purposes. Amount .02
(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: D

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *PID N 1/2 NE 1/4, S 5, T39N, R3W.*
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):

*File in
#86-4009*

September 6, 1977

Re: Claim to a Water Right No.86-4009

Mr. and Mrs. Dan Pitts
Appaloosa Horse Club, Inc.
Box 8403
Moscow, ID 83843

Dear Mr. and Mrs. Pitts:

We are herewith returning your Claim to a Water Right #86-4009. Please retain it for your files.

We have placed Mr. Glaser's letter, dated June 20, 1977 in the portfolio pertaining to Claim #86-4009. No further action will be taken nor is it necessary. The Department does not change names on Claims, since this would create confusion and an unnecessary expense to the tax payer.

If this office can be of any further assistance, please do not hesitate to contact us.

Sincerely,

TOM KING
Senior Water Resource Agent

TK/sdw

Enclosure

June 20
Department of Water Administration
Coeur d'Alene Idaho

Dear Sirs:

This is to inform you that
we are releasing our water
right claim NW(86.4009) to
the new owners Don Pitts and
Pam Pitts of Troy Idaho.

Yours truly

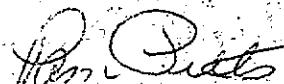
Harry W. Shinn

RECEIVED
JUN 2 1977
Department of Water Resources
Northern District Office

Claim #86-4009

Dear Sir: I am sending this paper in for proper papers to file
for our water rights. If these are not the papers, please advise.

Thank you.


Pam Pitts

RECEIVED
FEB 2 1977
Department of Water Resources
Northern District Court

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

May 3, 1973

Re: Claim to a Water Right No. 86-4009 (Amended)

Harry W. Glaser
Troy
Idaho 83871

Dear Mr. Glaser:

The Department of Water Administration 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 this office.

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

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enc: copy of claim

86 4009

April 6, 1973

Re: Amended Claim No. 86-4009 - Harry W. Glaser

Daily Idahonian
Box 399
Moscow, ID 83843

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Northern District Manager

Bill submitted 4-30-73 by de

FE:CR

Enc: Legal Notice

86 4009

STATEMENT
PUBLISHERS OF THE DAILY IDAHO NIAN

The News-Review Publishing Co., INC.

COMMERCIAL PRINTING — LETTERPRESS and OFFSET

409 SOUTH JACKSON MOSCOW, IDAHO 83843 — TELEPHONE 882-5561

DATE RECEIVED
APR 23 1975

State of Idaho
Dept. of Water Administration
401 Front Ave. Rm. 209
Coeur D'Alene, Idaho 83814

Department of Water Administration
Northern District Office

Order No.

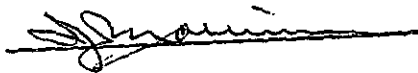
1% per month interest charged on past due accounts

Amended Claim 86-4009 Glaser

\$11.48

I hereby certify that the foregoing account
is just and correct, that the amount claimed
is legally due, after allowing all just credits,
and that no part of same has been paid.

Signed



86 4009

NOTICE OF AMENDED
CLAIM TO A WATER RIGHT
No. 86-4009

Notice is hereby given that Harry W. Glaser filed the above numbered claim to a water right established by diversion and application to beneficial use of 10 gallons per minute of water from a ground water source within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 5, T. 39N, R. 3W, B.M., Latah County.

The water was claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of July, 1950; the place of use was within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 5, T. 39N, R. 3W, B.M.

The claimant now wishes to amend Claim No. 86-4009, claiming 10 gallons per minute of water from a ground water source, to be diverted within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 5, T. 39N, R. 3W, B.M., Latah County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1908; the place of use is within the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 5, T. 39N, R. 3W, B.M.

Any exception to this amended claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Room 209, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Published in the Daily Idahonian, Moscow, Idaho on April 12 and April 19, 1973.

86 4009

RECEIVED

MAR 29 1973

Department of Water Administration
Northern District Office

INTER-OFFICE MEMO

TO: Ervin Ballou, Northern District
FROM: Don McEldowney
SUBJECT: Claim 86-4009
DATE: March 27, 1973

We have reviewed the documents you have submitted in connection with Mr. Harry W. Glaser's request for local Groundwater Board to convene as provided for by Section 42-237d Idaho Code.

After reviewing the matter, we find that Mr. Glaser will have to comply with the Requirements of Section 42-237b Idaho Code before the Department can consider his request. To assist you, it would probably be best if you reviewed Section 42-237a,b,c,d, & e of the Idaho Code, which will give you an insight to the Groundwater Board procedure.

To the best of our knowledge, past court and administrative action in connection with shallow wells, such as Mr. Glaser's, have not been very successful. Matters such as reasonable pumping levels and the fact that artesian pressure has not been held as part of the water right, are items which must be considered in any request for a local Groundwater Board of this nature.

If Mr. Glaser still wishes to request Groundwater Board, please have him follow the steps above referenced.

D

86 4009

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

March 27, 1973

Re: Claim to a Water Right No. 86-4009

Harry W. Glaser
Troy
Idaho 83871

Dear Mr. Glaser:

Comments received by our Main Office in Boise indicate that your letter failed to convey the information necessary to initiate action of a local ground water board. It must comply with Section 42-237b of the Idaho Code, a copy of which we are enclosing for your information and review.

We also wish to inform you that similar cases involving shallow wells have not been very successful; however, if you wish to continue, please follow the enclosed information in making your appeal. It may be advisable to seek assistance in preparing your statement.

Your only other alternatives are to file a civil suit or to expand your existing well. Again, please direct your statement to R. Keith Higginson, Director, Department of Water Administration, Statehouse, Annex 2, Boise, Idaho 83720.

Very truly yours,

Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

Enclosure

bc: STATE OFFICE

6 4009

42-237d

MEMO

RECEIVED
MAR 22 1973
Department of Water Administration

TO: BOB FLEENOR
FROM: Ervin Ballou
DATE: March 20, 1973
SUBJECT: Request for Hearing before a Local Ground Water Board
Claim No. 86-4009 - Harry W. Glaser

Mr. Harry Glaser is requesting a hearing before a local ground water board. His letter was forwarded to our office, and I sent it to Keith for his review. Please refer to this enclosed information and Claim.

Mr. Glaser is amending his Claim to correct the date of priority. We have returned the amended Claim for his signature and requested that he return it to our office as soon as possible.

If you require an explanation or further information, please let me know.



Ervin
NORTHERN DISTRICT

86 4009

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

March 19, 1973

Re: Claim No. 86-4009 (Amended)

Harry W. Glaser
Troy
Idaho 83871

Dear Mr. Glaser:

We are returning your Amended Claim No. 86-4009, as you must sign the claim before a Notary Public and return it to our office for processing.

Your letter concerning a request for a hearing before the local ground water board is in our Main Office in Boise for review and consideration. You should receive a reply shortly.

If you have any questions, or if we may be of further assistance, please contact this office.

Very truly yours,

Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

Enclosures

86 4009

RECEIVED

MAR 15 1973

RECEIVED

Dear Mr. Higgins,

Enclosed you will find a form for a water right amendment changing the priority date of our claim.

We are asking for a ground water board hearing concerning our well.

Since our neighbors (Mike Ruders) drilled & hit an artesian well below our place it has taken most of our water. We don't have enough water to water our lawn properly in the summer, so I certainly think something can & should be done about our problem.

86 4009

I'm sorry I'm not very
good at writing a business
letter but surely with the
information Coen & Allen has &
~~our~~ the information on our
claim (And we're certainly not
getting the water we asked for
on the claim) you can help
us somehow.

Our neighbors have no water
right that I know of. Our
well was all right until
they hit the artesian below
us.

If you need any more
information let me know
& I'll try to get it to you.

Would appreciate some

86 4009

help on our problem at
your convenience.

Hoping to hear from you
soon.

Sincerely,
Harry Mason
Roy Blake

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

February 22, 1973

Re: Amended Claim No. 86-4009

Harry W. Glaser
Troy,
Idaho 83871

Dear Mr. Glaser:

We have taken the liberty of re-typing your claim. It is the same as the original, except we have not included a priority date. Please make any additions or changes you feel better describe your water right, include a priority date, and return the amended claim to our office.

Concerning your request to a hearing before a local groundwater board; you must make a written statement, claiming that your right to the groundwater is being adversely affected by another's use of the water which is of a later priority. This must include:

1. The name and post office address of the claimant.
2. A description of the water right claimed by the claimant, with amount of water, date of priority, mode of acquisition, and place of use of said right, if said right is for irrigation, a legal description of the lands to which such right is appurtenant.
3. A similar description of the respondent's water right so far as is known to the claimant.
4. A detailed statement in concise language of the facts upon which the claimant founds his belief that the use of his right is being adversely affected.

(Section 42-237b of the Idaho Code)

This statement should be directed to R. Keith Higginson, Director, Idaho Department of Water Administration, Statehouse, Annex 2, Boise, Idaho 83707.

86 4009

Page 2

Re: 86-4009

Harry W. Glaser

February 22, 1973

We have received the affidavits you submitted and they have been filed with your claim. If you should have any questions, or if we may be of further assistance, please contact us.

Very truly yours,

Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

Enclosure

bcc: R. K. Higginson
STATE OFFICE

86 4009

Ervin Bullard
Water Engineer
North District

2/17/73
RECEIVED

FEB 21 1973

Department of Water Administration
Northern District Office

Dear Mr Bullard.

Enclosed please find affidavits
concerning our well.

We would like to file an amended
claim to correct the priority date
of when the well was dug & put
to use. (1900)

We are also asking for a
ground water board hearing
concerning our well. Claim No
86-4009.

We had lots of water until
our neighbors hit an artesian
well on their place below
us and let it run 3 day & nights
which ran our well completely
dry until they capped theirs.

86 4009

I called Boise a few times
when this first happened in
June 1971. So they should
have a few details.

Our water has never come
back to full capacity. In
fact it has ruined our well.
I tried watering the lawn all
day once this summer & it
never left 2 ft. of water in
the well.

would appreciate your help
on this matter. Hoping to hear
from you.

Sincerely
Harry Blum
Troy Idaho

RECEIVED

FEB 21 1973

DEPARTMENT OF WATER ADMINISTRATION

Department of Water Administration
Northern District Office

Ervin E. Bollan:

This is to affirm that I the undersigned, know that this well on the Harry Glaser farm located section 5, township 39, at Troy, Idaho to be clean with a good solid flow of water prior to 6/8/71. To my knowledge this well has never been pumped dry prior to 6/8/71.

This is to be a fact since the year of 1938.

Betty Scott
Betty Scott

W. Dale McGahan
W. Dale McGahan--Notary

86 4009

RECEIVED

FEB 21 1973

DEPARTMENT OF WATER ADMINISTRATION

Department of Water Administration
Northern District Office

Ervin E. Bollan:

This is to affirm that I the undersigned, know that this well on the Harry Glaser farm located section 5, township 39, at Troy, Idaho to be clean with a good solid flow of water prior to 6/8/71. To my knowledge this well has never been pumped dry prior to 6/8/71.

This is to be a fact since the year of 1968.

Dwight Pearson

Dwight Pearson

W. Dale McGahan

W. Dale McGahan--Notary

86 4009

RECEIVED

RECEIVED

DEPARTMENT OF WATER ADMINISTRATION

Department of Water Administration
District Office

Ervin E. Bollan:

This is to affirm that I the undersigned, know that this well on the Harry Glaser farm located section 5, township 39, at Troy, Idaho to be clean with a good solid flow of water prior to 6/8/71. To my knowledge this well has never been pumped dry prior to 6/8/71.

This is to be a fact since the year of 1941.

Bud B. Boughton

Bud Boughton

W. Dale McGahan

W. Dale McGahan--Notary

Ervin Ballan
Water Engineer
North District

2/19/73
RECEIVED

FEB 22 1973

Department of Water Administration
Northern District Office

Dear Mr. Ballan.

Enclosed please find affidavits
concerning our well.

We would like to file an amended
claim to correct the priority date
of when the well was dug & put
to use. (1900)

We are also asking for a
ground water board hearing
concerning our well. Claim No
86-4009.

We had lots of water until
our neighbors hit an artesian
well on their place below
us and let it run 3 day & nights
which ran our well completely
dry until they capped theirs.

I called Boise a few times
when this first happened in
June 1971. So they should
have a few details.

Our water has never come
back to full capacity. In
fact it has ruined our well.
I tried watering the lawn all
day once this summer & it
never left 2 ft. of water in
the well.

would appreciate your help
on this matter. Hoping to hear
from you.

Sincerely
Harry Kluse
Boyd Idaho

January 23, 1973

Re: Claim to a Water Right No. 86-4009

Harry W. Glaser
Troy,
Idaho 83871

Dear Mr. Glaser:

We would like to know what action, if any, you have decided to take on your well, filed under the above referenced claim.

We have been expecting you to file an amended claim to correct your priority date to the date the well was first dug and put to use.

If we can be of any assistance in this matter, please do not hesitate to contact this office.

Very truly yours,

Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

86 4009

RECEIVED

OCT 12 1972

Department of Water Administration
Northern District Office

October 11, 1972

C
Mrs. Harry Glaser
Troy, Idaho 83871

Dear Mrs. Glaser:

Mr. Ervin Ballou of our Northern District office has advised that he visited your well and reviewed your claim of interference from the well drilled by Mr. Rudeen. He apparently advised you of the possibility of having the matter reviewed by a local groundwater board. If you wish us to take a further look at this situation and to convene a local groundwater board, we will be happy to consider it. However, you should be prepared to present concrete evidence showing that the Rudeen well is the cause of any difficulty you are having with your well.

Please let me know what further action you wish us to take concerning this matter.

Very truly yours,

Y
R. KEITH HIGGINSON
Director

RKH:mjl

cc: Mr. Ervin Ballou
Idaho Department of Water Administration
Northern District Office
First Federal Savings & Loan Building
401 Front Street, Room 210
Coeur d'Alene, Idaho 83814

86 4009

INTER-DEPARTMENT MEMO

FROM: Ervin E. Ballou

TO: R. Keith Higginson

SUBJECT: Interference to a Well Owned By Mr. Harry Glaser (86-4009)

After speaking with Mr. and Mrs. Glaser and reviewing their problem, I advised them to request a hearing before a local ground water board. I was unable to contact Mr. or Mrs. Rudeen to see if any solution could be worked out but Mr. Glaser said they were not willing to co-operate and had been using their well excessively causing his well to remain at a critical level.

Summary of Situation

Harry Glaser Well (86-4009)

Dug well approx. 7' X 7' square hole to a depth of 18' with a 6" extension pipe driven 6' below bottom. Before Rudeen's well was drilled, Glaser's well maintained a water depth of 10.5'. Now it has a max. water depth of 30" and can not maintain this level if pump is running. This well completely dried up when Rudeen's well was allowed to run uncontrolled for 4 days before it was capped. The well driller did not seal the well until Glaser's well went dry. He drilled, then pulled his rig off.

Rudeen's Well

The Rudeen's well is approx. 300' from the Glaser well. Artesian water was hit a 52' with a natural flow of 35 cubic feet per minute, and is pumped at 100 cubic feet per minute. The well ran for 4½ days before it was controlled. It is now used for domestic, stockwater, and irrigation of pasture which I believe to be in excess of 1.0 acre.

There is probably enough water for the two domestics if we could control the excessive use for irrigation.



Ervin E. Ballou
Field Examiner II

86 4009

Phone 835-2853

R E C E I V E D

September 8, 1972

SEP 12 1972

Department of Water Administration
Northern District Office

C
Mrs. Harry Glaser
Troy, Idaho 83871

O
Dear Mrs. Glaser:

I am sending your recent letter concerning your well problem to our Northern District Office in Coeur d'Alene and have requested that one of the employees of that office visit you and review this matter at the first opportunity.

P
Very truly yours,

R. KEITH HIGGINSON
Director

RKH:mjl

Y
cc: Mr. Fred Eisenbarth
Idaho Department of Water Administration
First Federal Savings & Loan Building
401 Front Street, Room 210
Coeur d'Alene, Idaho 83814

86 4009

RECEIVED

Sept 11 1972

128

SEP 12 1972

Dear Mr. [Name]
 Department of Water Administration
 Northern District Office

A year ago this last May I had a few conversations over the phone with different ones in your department about our well situation up here. That is, our neighbor drilling & hitting an artesian well and letting it run 24 days & nights taking our water from our well.

One of the persons I talked to said there would be some one from there come to check on it.

As yet no one has showed up.

86 4009

We tried to represent
George Brooke and he was
going to (+ did) talk to you
about our situation but
he passed away before we
had a chance to find out
any information he might
have had.

We have waited a year to
see if we would get our
water back, but haven't
by any means. We don't
even have enough to water
our lawn.

We are making a
request that something
be done about it

86 4009

Our water claim No is
86-4009

would appreciate it if
you would look into this
as soon as possible

Hoping to hear from you
soon

Thank you

Mrs Harry Glaser
Joy Lake.

December 2, 1971

Re: Claim to a Water Right No. 86-4009

Harry W. Glaser
Troy, Idaho 83871

Dear Mr. Glaser:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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 your 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 this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr

Enclosure: Copy of claim

86 4009

November 2, 1971

Re: Claim No. 86-4009 - Harry W. Glaser

Daily Idahonian
Box 399
Moscow, Idaho 83843

Gentlemen:

Enclosed you will find 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 our 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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Bill submitted 11-23-71 By ce

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notice

86 4009

NOTICE OF CLAIM TO A WATER RIGHT

No. 86-4009

Notice is hereby given that Harry W. Glaser, Troy, Idaho

has filed a claim to a water right established by diversion and appli-
cations to beneficial use of 10 ~~cubic feet per second~~ ^{gallons per minute}
of water from ~~approx~~ Spring
with point of diversion in ~~the~~ Lots 1 & 2 (N $\frac{1}{2}$ NE $\frac{1}{4}$), Sec. 5, T. 39N, R.
3 W, B.M., Latah County

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

with a priority of July, 1950;
the place of use is within ~~the~~ Lots 1 & 2, (N $\frac{1}{2}$ NE $\frac{1}{4}$), Sec. 5, T. 39N, R. 3W,
B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Daily Idahonian, Moscow, Idaho
on Nov. 11 and Nov. 18, 1971.

86 4009

October 27, 1971

Harry W. Glaser
Troy,
Idaho 83871

Dear Mr. Glaser:

Attached herewith is your receipt No. 8419 in the amount of \$ 10.00
for your claim application
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

October 15, 1971

Mr. Harry W. Glaser
Troy,
Idaho 83871

Dear Mr. Glaser:

We have received your claim to a water right and we are returning it with money order #15-119, in the amount of \$10.00, as we find in reviewing it that there are several questions that need clarification before we can process it.

Under item #2, listing the point of diversion, please indicate whether Lots #1 and #2 are Government Survey Lots. If they are not, your point of diversion will need to be described by the specific 40 acre subdivision, section, township and range that it will lie within. Example: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 8 S, Range 25 E., B.M. Also, under item #3a, the date of priority will need to be listed.

Please return the corrected form and proper filing fee to this office and we shall begin the processing of your claim to a water right.

Very truly yours,

Kenneth Knoblock
Water Resource Examiner

KK:cs

Enc: claim to a water right
money order #15-119 (\$10.00)

86 4009

July 21, 1971

Mr. Harry W. Glaser
Troy,
Idaho 83871

Dear Mr. Glaser:

Due to the various changes on your claim to a water right, we have taken the liberty of re-typing it for your convenience.

Please complete item #3a, listing the first date of use and the quantity of water used.

Upon completion of this item, please return the claim with the \$10.00 filing fee and we shall begin its processing.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosure

86 4009

July 2, 1971

Mr. Harry Glaser
Troy,
Idaho 83871

Dear Mr. Glaser:

We are returning your claim to a water right, as you have neglected to list the source of water supply under item #2. We would assume from further reviewing the claim that the source would be ground water.

As to the other questions referenced in your letter, we wish to advise you that the Director of the Department of Water Administration has the authority to require all flowing wells to be capped or equipped with valves, so the flow of the wells can be stopped when not in use.

We also wish to advise you that since you feel your water right has been injured, you may request a ground water board investigation. We are enclosing copies of Sections 42-237a and 42-237d of the Idaho Code, which deals with these matters.

If you should have any further questions, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosures

86 4009

42-2372

RECEIVED

JUN 20 1971

Dear Mr. Clay,

I have filled out these
Department of
papers as well as I could.
I hope I have all the
information I need.

About the artisan well
that was struck on the
Mike Ruden place just
below us, you know I
told you I ran for 3 days
& 3 miles from an 8" pipe
at 35 gal a minute. Either
you or one of the other
Men I talked to said to
patch to a lawyer & we
did.

86 4009

If we understand the
law right it says that
well has to be checked
by the Bureau or Water
Administration to see if
it is copped right. Is that
right or wrong?

Will they be able to
use the water as long
as we don't have Nelly
as much or not?

Our well has been here
for over 40 years & has
never been pumped dry
until they let the artesian
run so long.

We feel the well drillers
were certainly in the

wrong when they didn't
cap it right away. There
surely ought to be laws
to take care of a situation
like this.

As much water as we
hadn't going to be
pretty hard to replace.

Would sure appreciate
an answer & any
advise you may have

Sincerely, Steve
Hawley, Idaho