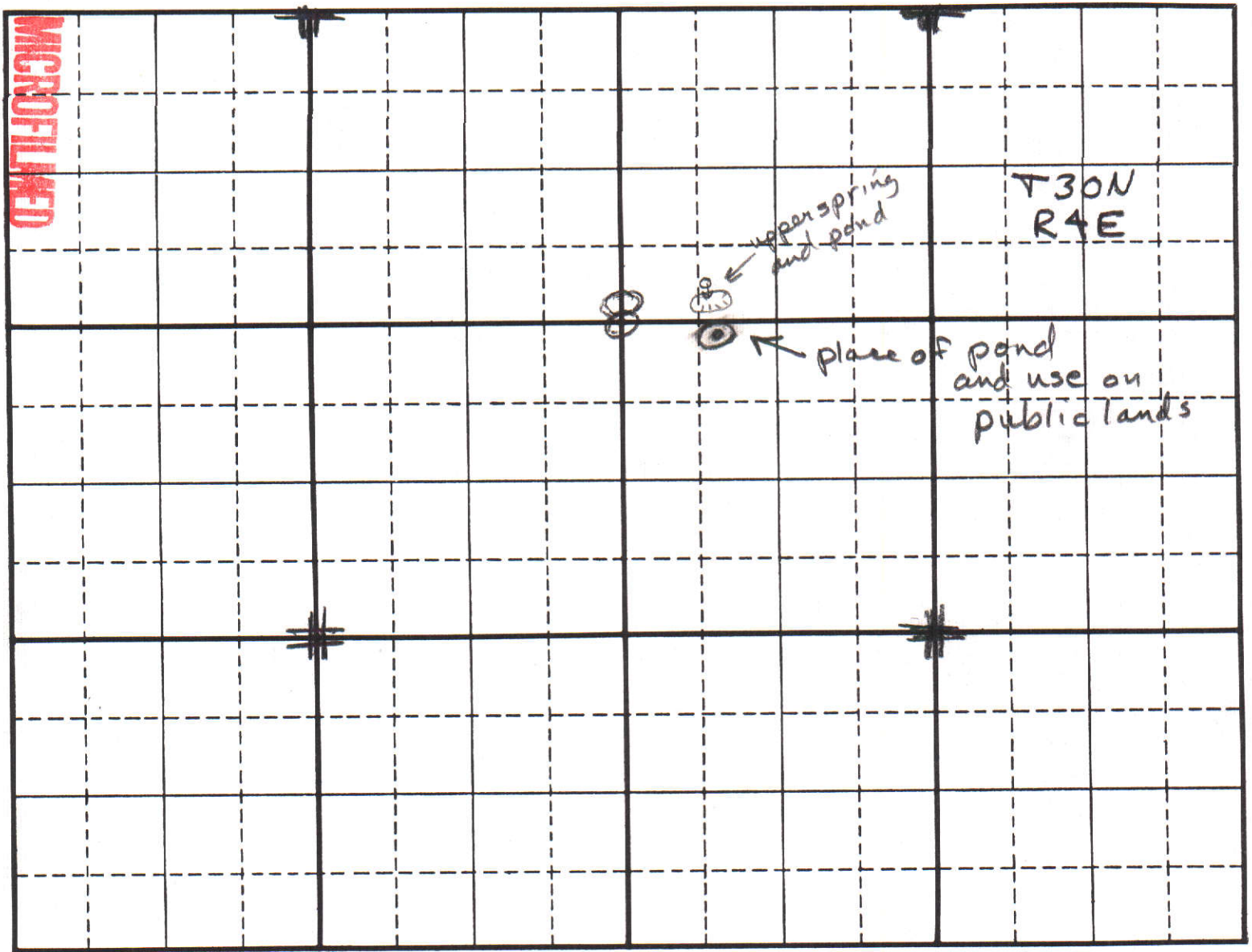


(8) Remarks Applicants include the Bureau of Land Management and the lessee in the Sugarloaf Allotment. The lessee cooperativng in this development is Athol Von Bargaen of Grangeville, Idaho. The priority date was determined by range file information and discussions with the lessee.



Scale: 1/2 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 Kootenai ) 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 affiant's knowledge.

Wayne Jennie  
(Claimant)  
19 83

Sworn to before me this 1<sup>ST</sup> day of JUNE

James W. Harrison  
Notary Public  
Residing at Hayden Lake, Id

My commission expires Lifetime

ID-910- BP3-0003

FOR DEPARTMENT USE ONLY

Received by SRG Date 6/20/83 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by SRG Date 6/20/83 Forwarded to claimant by: \_\_\_\_\_  
\$20.00 fee received by Idaho County Free Press Date 9-2-83 #32644  
Published in \_\_\_\_\_  
Dates 6/29-7/6/83

T30N R4E



RECEIVED

JUN 20 1983

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources  
Northern District Office

## CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that U.S.D.I., Bureau of Land Management, Coeur d'Alene District  
(Name of Claimant)

1808 North Third, Coeur d'Alene, Idaho 83814  
(Mailing Address)

Telephone No (208) 765-7356  
(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows

- (1) Date of priority: (When was the water first applied to a beneficial use) Summer, 1962

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water (Name of stream, lake, spring, etc., or ground water)

Overflow from pond and spring above tributary to Hillside draw/ S.F. Clearwater River

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

|          | (ft <sup>3</sup> /sec, AFA) | (Domestic, Irrigation, Stock, Etc) | (Both dates inclusive)        |                 |
|----------|-----------------------------|------------------------------------|-------------------------------|-----------------|
|          |                             |                                    | (Mo., Day)                    | (Mo., Day)      |
| Quantity | <u>0.01</u>                 | Use <u>Livestock</u>               | Period of Use From <u>1/1</u> | To <u>12/31</u> |
| Quantity | <u>0.01</u>                 | Use <u>Wildlife</u>                | Period of Use From <u>1/1</u> | To <u>12/31</u> |
| Quantity |                             | Use                                | Period of Use From            | To              |
| Quantity |                             | Use                                | Period of Use From            | To              |
| Quantity |                             | Use                                | Period of Use From            | To              |

- (4) 0.02 TOTAL QUANTITY USED  
(ft<sup>3</sup>/sec, AFA)

- (5) A) Point of diversion (Location of point where water is diverted from its source)

NW 1/4 SE 1/4, Sec. 8 Twp 30 N. Rge 4 E. B.M., County of Idaho  
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. Describe any changes in the system and give the date of the change.

A detention dam 45 feet wide and 5 feet high collects and stores water in the pond (normally 30x20x3 feet). The pond is fed by overflow from a spring-fed upslope pond. A mud flow in 1982 took out the original pond that was about 39x39x3 feet.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| T   | R  | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL |
|-----|----|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-------|
|     |    |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |       |
| 30N | 4E | 8    |        |        |        |        |        |        |        |        |        |        |        |        |        | X      |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

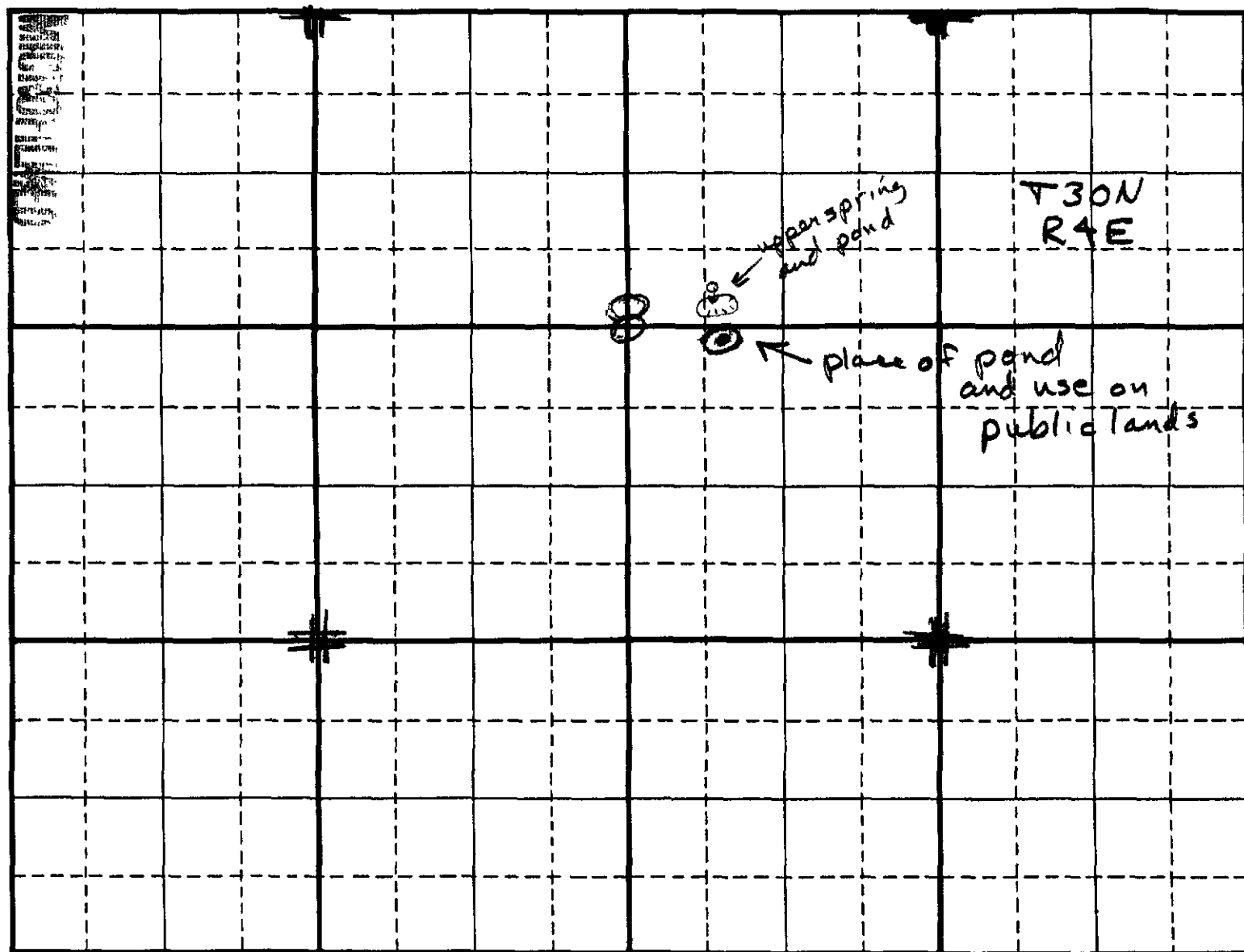
No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: This upland pond serves as the watering source for about a 40 acre fenced pasture and is used by wildlife year-round.

NOTE. Include here the type and number of stock watered: 5 Cattle 3 Horses

- (7) If you are claiming water as a member of an organization, list name of organization U.S.D.I., BLM

(8) Remarks Applicants include the Bureau of Land Management and the lessee in the Sugarloaf Allotment. The lessee cooperativng in this development is Athol Von Bargaen of Grangeville, Idaho. The priority date was determined by range file information and discussions with the lessee.



Scale  $\frac{1}{2}$  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 Kootenai ) 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 affiant's knowledge.

Sworn to before me this 1<sup>st</sup> day of June

Wayne Jennie  
(Claimant)  
19 83

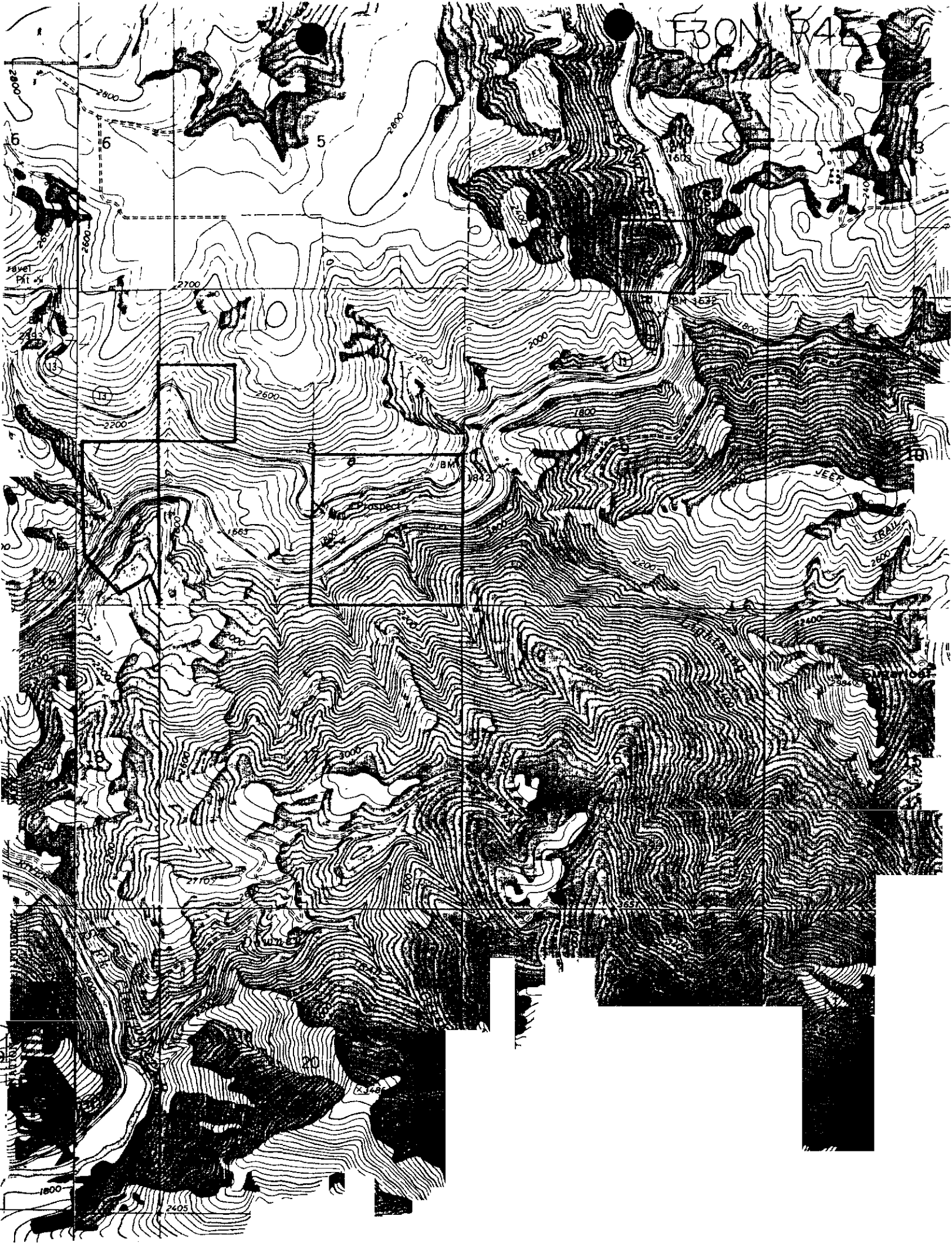
James W. Hower  
Notary Public  
Residing at Hayden Lake, Id

My commission expires Lifetime

ID-910- BP3-0003

FOR DEPARTMENT USE ONLY

Received by SPG Date 6/24/83 Exception filed by \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by SPG Date 6/20/83 Forwarded to claimant by \_\_\_\_\_ Date \_\_\_\_\_  
30<sup>00</sup> \$20.00 fee received by Idaho County Free Press Date 9-2-83 #32644  
Published in Idaho County Free Press  
Dates 6/29-7/6/83



## Memorandum .

DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENTRoute 3, Box 181  
Cottonwood, ID 83522

IN REPLY REFER TO:

4120 (580)

TO : Lanny O. Wilson, Area Manager  
FROM : Harpster Grade Pond File  
Gary J. Wright, Range Conservationist  
SUBJECT : Harpster Grade Pond Failure

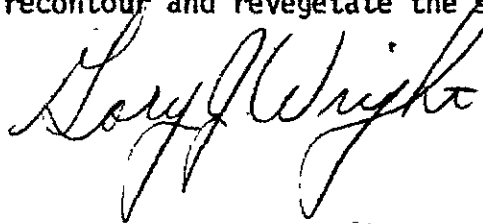
Date: NOV. 10 1982

On 8 July 1982, Dave Fortier, District Hydrologist, and myself visited the Harpster Grade Pond located in T.30N., R.4E., B.M., Section 8, NW $\frac{1}{4}$ SE $\frac{1}{4}$ . The pond was built in 1954 by the present lessee, Sam von Bargaen. The earthen retaining structure failed during the spring of this year. The dam failure was probably caused by water overflowing from a pond on Mr. Art Grooms adjacent private land. Mr. Groom's pond has an appropriate overflow structure but settling and trampling by horses has allowed a section in the middle of the dam to be lower than the overflow spout, thereby allowing water to run straight into the pond on public land.

The slump resulting from the pond failure varies from 40 feet to 80 feet in width and 250 feet long. Water channels throughout the slump average 2 feet deep. The toe of the slump stops about 150 feet from the Harpster Grade road.

The dam structure on public land was rebuilt by Mr. von Bargaen this summer. The new dam is about 5 feet high at the highest point forming a pond 20 feet wide by 20 feet long. The pond was approximately 2 feet deep at the time of the visit.

In an effort to try to avoid another pond failure Mr. Groom should be contacted and asked to build up the low section on his earthen dam. This would make the overflow functional causing the water to be directed away from the pond and slump on BLM land. An effort should also be made to recontour and revegetate the slump area.



GJWright/jr/11/9/82

**NOTICE OF CLAIMS  
TO WATER RIGHTS**

The following claim(s)  
have been filed on water  
right(s) created by diversion  
and beneficial use:

83-4137

MILLER, C. GOSTA &/or  
HELEN P.

P.O. BOX 425, DILLON, MT  
56725

Source: ERICSON CREEK  
trib. to LITTLE ELK  
CREEK

Priority Date: 01/01/1872

Diversion Pt: SWNE Sec 29  
T30N R08E

Use: MINING (1.00 CFS)

In: SWNE NENWSENW Sec  
29 T30N R08E.

83-4175

DAUGHERTY, HOWARD  
W. &/or VIRGINIA C.

RT. 2 BOX 123, KAMIAH, ID  
83536

Source: LITTLE SMITH  
CREEK trib. to CLEAR-  
WATER RIVER, NORTH  
FORK

Priority Date: 07/17/1908

Diversion Pt: NWSE Sec 32  
T30N R08E

Use: IRRIGATION (0.05  
CFS) DOMESTIC (0.04 CFS)

In: NWSE Sec 32 T30N R  
08E FOR 3 ACRES.

85-4385

U.S. DEPT. OF INTERIOR  
BUREAU OF LAND

MGMT., 1806 N. 3RD ST.,  
COEUR D'ALENE, ID 83814

Source: POND trib. to  
CLEARWATER RIVER,  
SOUTH FORK. SPRING  
trib. to CLEARWATER  
RIVER, SOUTH FORK

Priority Date: 06/20/1902

Diversion Pt: NWSE Sec 08  
T30N R04E

Use: STOCKWATER (0.01  
AF) WILDLIFE (0.01 AF)

In: NWSE Sec 08 T30N R  
04E

Exceptions to a claim  
may be filed with the  
Director, Dept. of Water  
Resources, 4055 Gov't. Way,  
Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.

Published 6/29 & 7/6/83.

Jy 6-13

**R E C E I V E D**

JUL 20 1983

Department of Water Resources  
Northern District Office

**AFFIDAVIT OF PUBLICATION**

Wona Donaldson being first duly  
office manager

sworn, says he is the  
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which  
is published and issued weekly at Grangeville, Idaho County,  
State of Idaho, and which is of general circulation in said county  
and state, that the said notice, of which the one hereto attached  
is a true copy, was published in said paper for 2 weeks,  
being published 2 times, the first publication being  
on the 6 day of July, 19 83,  
and the last publication on the 13 day of  
July, 19 83, and that the said notice  
was published in the newspaper proper and not a supplement,  
that said newspaper has been continuously and uninterruptedly  
published in said county during a period of more than seventy-  
eight consecutive weeks prior to the first publication of said  
notice or advertisement

*Wona Donaldson*

Subscribed and sworn to before me this 15 day  
of July, 19 83

Notary Public  
for State of Idaho, residing at Grangeville, Idaho

**R E C E I V E D**

JUL 20 1983

Department of Water Resources  
Northern District Office

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: PSA

Right Number 85-4395 Applicant BLM

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 m Date 7/25/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By ku Date 9.8.83

RECEIVED

RECEIVED  
AUG 3 1983

Department of Water Resources

## ID AHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT  
DATA ENTRY LOG

Initials

Date \_\_\_\_\_

Item ..

KK

6/20/53

Original form entered

Edit Report Correct

Date Protested

**Date of Hearing**

Date Approved/Denied  
(Proof due date, stage and/or status,  
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

### Partial Proof

**Proof Complete**

Field Exam Received

Field Exam Accepted  
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

85-4395

U.S. DEPT. OF INTERIOR

BUREAU OF LAND MGMT., 1808 N. 3RD ST., COEUR D'ALENE, ID 83814

Source: POND trib. to CLEARWATER RIVER, SOUTH FORK  
SPRING trib. to CLEARWATER RIVER, SOUTH FORK

Priority Date: 06/20/1962

Diversion Pt NWSE Sec 08 T 30N R 04E

|                 |           |
|-----------------|-----------|
| Use. STOCKWATER | (0.01 AF) |
| WILDLIFE        | (0.01 AF) |

In: NWSE Sec 08 T 30N R 04E

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

---

JOHN V. EVANS  
Governor  
A. KENNETH DUNN  
Director

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

JULY 18, 1983

U.S. DEPT. OF INTERIOR  
BUREAU OF LAND MGMT.  
1808 N. 3RD ST.  
COEUR D ALENE ID 83814

RE: Claim No. 85-4395

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



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Idaho State Office  
3380 Americana Terrace  
Boise, Idaho 83706

IN REPLY  
REFER TO

7250 (931)

RECEIVED

JUN 20 1983

Department of Water Resources  
Northern District Office

June 15, 1983

CERTIFIED---RETURN RECEIPT REQUESTED

Water Allocation Division  
Department of Water Resources  
Statehouse  
Boise, Idaho 83720

*Southern 1*  
*Western 11*  
*Northern 12*

Gentlemen:

Enclosed are 24 Claims for processing. Billing is to be made through  
order number ID-910-~~PH3~~<sup>BP3</sup>-0003.

Please return approved applications to the following address:

State Hydrologist  
Bureau of Land Management  
Idaho State Office  
3380 Americana Terrace  
Boise, Idaho 83706

Thank you for your cooperation.

Sincerely yours,

*Guy E. Baier*

Guy E. Baier  
Deputy State Director for  
Lands and Renewable Resources

Enclosures as stated

