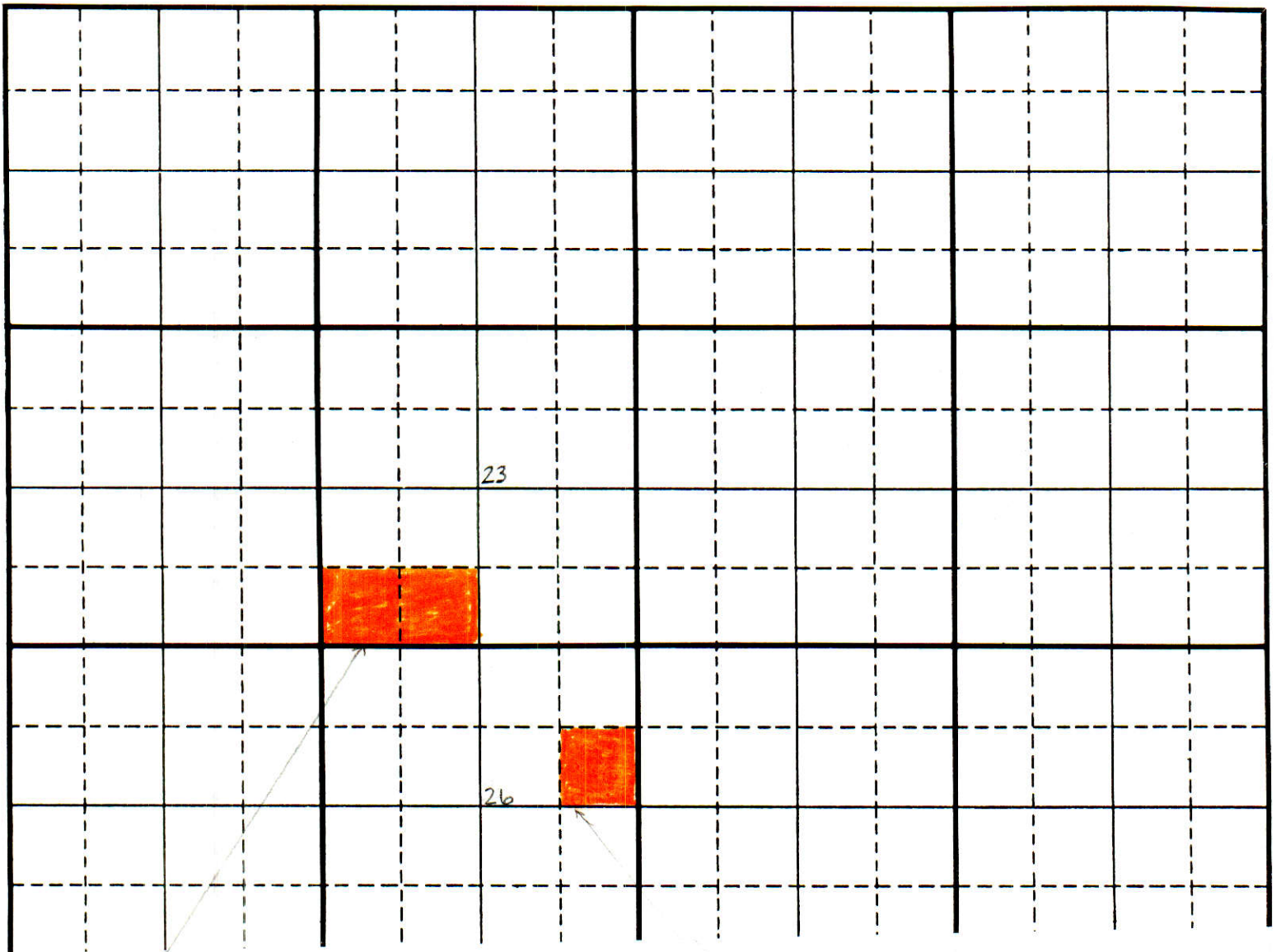


(8) Remarks

MICROFILMED



SW $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 23, Twp. 36 N., Range 1 E., B.M.)
SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 23, Twp. 36 N., Range 1 E., B.M.) Clearwater County, Idaho
SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 26, Twp. 36 N., Range 1 E., B.M.) Clearwater County, Idaho

County of Lewis) 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.

Raymond Albers
(Claimant)

Sworn to before me this 13th day of May, 1981.

Kelly Young
Notary Public
Residing at Kamiah

My commission expires Dec. 8, 1984

FOR DEPARTMENT USE ONLY

Received by MJ Date 5/20/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by AB Date 5/21/81 claimant by: _____
\$30.00 fee received by AM Date 5/20/81 (18149)
Published in Clearwater Tribune _____
Dates 5/28 & 6/4/81 _____

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

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

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Claims to Water Rights

85-4157 Albers - 86-4075 Huffman

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 23th day of May, 1981, and ending on the 4th day of June, 1981.

Nancy Noble

Subscribed and sworn to before me this 1st day of July, 1981.

Betty E. Knight

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

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

85-4157
Albers, Raymond
Rt. 6 Box 30, Orofino, Id
83541

Source: Wheeler Canyon Creek tributary to Little Canyon Creek

Priority Date: 01/01/1944

Amount: 0.02 CFS

Diversion Point: SENE Sec 26 T 36N R 01E SESW SWSW Sec 23 T 36N R 01E, Clearwater Co.

Use: Stockwater (0.02 CFS) from 01/01 to 12/31; Domestic (0.04 CFS) from 01/01 to 12/31

Place of Use: SWSW SESW Sec 23 T 36N R 01E SENE Sec 26 T 36N R 01E

Diversion Means: Dams.

86-4075

Huffman, Lowell &/or Ellen
Rt. 1 Box 54, Lenore, ID
83541

Source: Groundwater

Priority Date: 01/01/1920

Amount: 0.20 CFS

Diversion Point: SWSW Sec 23 T 37N R 01W, Clearwater Co.

Use: Stockwater (0.02 CFS) from 01/01 to 12/31; Commercial (0.04 CFS) from 01/01 to 10/31; Domestic (0.20 CFS) from 01/01 to 12/31.

Place of Use: SWSW Sec 23 T 37N R 01W

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4033 Gov't Way, Coeur d'Alene, ID 83814.

A. KENNETH DUNN

Director
5-28; 6-4c

RECEIVED
JUL 8 1981

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Pat

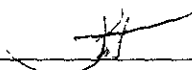
DATE 5/20/81

TO File

SUBJECT

The Place of Use was not indicated on attached claim.
I called Loren Knutson's office and was informed that the
place of use and the points of diversion are the same.

RECEIVED


SIGNATURE

MICROFILM

A 10x10 grid with solid and dashed lines. Two black squares are present: one at row 6, column 3 labeled '23' and another at row 8, column 5 labeled '26' with an arrow pointing to it.

County of Lewis) ss.

Raymond A. Alter
(Claimant)

Kelly Young
Notary Public
Residing at Kamiah

FOR DEPARTMENT USE ONLY

Received by MJ Date 3/20/87 Exception filed by _____ Forwarded to _____ Date _____
Prelim. check by MB Date 3/21/87 claimant by _____
\$0.00 fee received by MJ Date 3/20/87 (18749)
Published in Clearwater Tribune
Dates 3/25 & 4/4/87

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 Raymond Albers
 (Name of Claimant) Rt. 6, Box 30, Orofino, Idaho 83544
 Telephone No. 476-5680
 (Mailing Address) (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

(1)	Date of priority. (When was the water first applied to a beneficial use)	1944
	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)	Wheeler Canyon Creek	tributary to	Little Canyon Creek
-----	---	----------------------	--------------	---------------------

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)	
Quantity	.04 CFS	Use	Domestic	Period of Use From	1/1 To 12/31
Quantity	.02 CFS	Use	Stock Water	Period of Use From	1/1 To 12/31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
TOTAL QUANTITY USED.					

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

SE %	NE %	Sec.	Twp.	Rge.	1E B.M.	County of
		26	36N		Clearwater	

Additional points of diversion

SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec.	23	and SW $\frac{1}{4}$ SW $\frac{1}{4}$	Sec.	23	in

Twp. 36 N., Range 1 E. of B.M., Clearwater County, Idaho.

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.

Dams bulldozed to impound water for livestock with

planned irrigation of secondary importance.

(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.

[illegible]

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible. I have built dams and impoundments to store and I started this work in about 1974 and have continued dam and impoundment work at intervals since that time.

NOTE. Include here the type and number of stock watered: Beef cattle

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

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

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Claim to Water Rights

35-4157 Albion - 36-4075 Huffman

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 25th day of May, 19 51, and ending on the 4th day of June, 19 51

Nancy Noble
Subscribed and sworn to before me this 1st day of July, 19 51

Harry E. Knight

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

Handwritten:
7/10/51

MICROFILMED

WATER RIGHT NUMBER 85-4157

OWNER LAST NAME - ALBERS

FIRST NAME - RAYMOND

ORIG OWNER -

ADDRESS LINE 1 - RT. 6 BOX 30

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - OKOPINO

STATE - ID ZIP CODE - 83544

SOURCE - WHEELER CANYON CREEK

TRIBUTARY OF - LITTLE CANYON CREEK

STAGE - SLAVERY CUM

STATUS -

PRIORITY - 01-01-1944

COUNTY - CLEARWATER

TOTAL DIV. RATE -

.0600 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRF/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SENE 26 36N 01E LOT

REDIV -

SESW 23 36N 01E LOT

REDIV -

SWSW 23 36N 01E LOT

REDIV -

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

USE DIV. RATE -

.0200 CFS

USE DIV. VOLUME -

.00 AFA

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

USE DIV. RATE -

.0400 CFS

USE DIV. VOLUME -

.00 AFA

USE - STOCKWATER

PLACE OF USE - T4N 36N R4G 01E SEC 23 TRACT SWSW LOT

AC

TRACT SESEW LOT

AC

USE - STOCKWATER

PLACE OF USE - T4N 36N R4G 01E SEC 26 TRACT SENE LOT

AC

DECREE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE -

FED EXAM -

COND. OF APPROVAL -

DIVERSION MEANS - DAMS.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number 85-4157 Applicant Albers

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 7/15/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Lawrence Date 7/16/81

MICROFILMED

3/79

IDENT. NO. 85-4157

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

85-4157-

ALBERS, RAYMOND

RT. 6 BOX 30, OPOFINO, ID 83544

Source WHEELER CANYON CREEK tributary to LITTLE CANYON CREEK

Priority Date 01/01/1944

Amount: 0.06 CFS

Diversion Point: SENE Sec 26 T 36N R 01E SESW SWSW Sec 23 T 36N R 01E,
CLEARWATER Co.

Use STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use. SWSW SESW Sec 23 T 36N R 01E SENE Sec 26 T 36N P 01E

Diversion Means. DAMS.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

JUNE 15, 1981

RAYMOND ALBERS
PT. 6 BOX 30
OROFINO ID 83544

RE: Claim No. 85-4157

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. Hynes, P.E.
Regional Supervisor

Enclosure

MICROFILMED

Nezperce-Cottonwood Offices
937-2409—Nezperce
962-3351—Cottonwood
LOREN G. KNUTSON
MICHAEL P. WASKO

LAW OFFICES
RAPAICH & KNUTSON
ASSOCIATES
Knutson Building
NEZPERCE, IDAHO 83543

LEWISTON OFFICE
SUITE 2, PORTER BUILDING
623 MAIN
743-9496
ELI RAPAICH
DAN RADAKOVICH

May 19, 1981

Idaho Department of Water Resources
Route 5, Box 203 - Suite 1
Coeur d' Alene, Idaho 83814

Gentlemen:

Enclosed herewith is a Claim To a Water Right, filed by Mr. Ray Albers of Rt. 6, Box 30, Orofino, Idaho 83544.

Mr. Albers is claiming a water right on Wheeler Canyon Creek, which is a tributary to Little Canyon Creek in Clearwater County, Idaho.

Mr. Alber's utilization of the water apparently dates back to 1944, according to the information that he gave to us and is primarily intended for livestock water, although he had some secondary intent to irrigate several small tracts at the time he started his dams and diversion.

Also enclosed is the filing fee in the sum of \$30.00, which we understand is required in this matter.

Thank you for your assistance.

Very truly yours,

RAPAICH & KNUTSON



Loren G. Knutson

LGK/ky
Enc.
CC: Ray Albers

RECEIVED
MAY 20 1981
Department of Water Resources
Northern District Office

MICROFILMED