

RECEIVED STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
JUL 5 1983
CLAIM TO A WATER RIGHT

Department of Water Resources
Northern District Office

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 LEITOI RUEN BERENS

(Name of Claimant)

Box 6A Post Falls Tr. Ct. Post Falls, Id. 838

Telephone No.

(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 follows:

(1) Date of priority: (When was the water first applied to a beneficial use) PRIOR to 1945

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)

Lake Pend Oreille tributary to

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Both dates inclusive) (Mo., Day)	To	(Mo., Day)
Quantity	<u>.50 cfs</u>	Use	<u>Domestic</u>	Period of Use From	<u>1-1</u>	To	<u>12-31</u>
Quantity	<u>.50 cfs</u>	Use	<u>Stock</u>	Period of Use From	<u>1-1</u>	To	<u>12-31</u>
Quantity	<u>1.00 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>5-1</u>	To	<u>10-30</u>
Quantity		Use		Period of Use From		To	
Quantity		Use		Period of Use From		To	

(4) 2.00 cfs TOTAL QUANTITY USED.

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

WEST 1/2 SW 1/4 Sec. 13 these areas are legally described as Gov't lots as they border water
NORTH 1/2 NW 1/4 Sec. 13 Twp. 56 Rge. 1 E B.M., County of Bonner

Additional points of diversion: various sites along shoreline

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.

Intermittent usage by livestock drinking area and domestic pump including limited irrigation of grazing area.

(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	
<u>56</u>	<u>1 E BM</u>	<u>13</u>										<u>X5</u>	<u>X10</u>						<u>15</u>
<u>56</u>	<u>1 E BM</u>	<u>13</u>					<u>X20</u>	<u>X5</u>											<u>25</u>

No. of acres 40

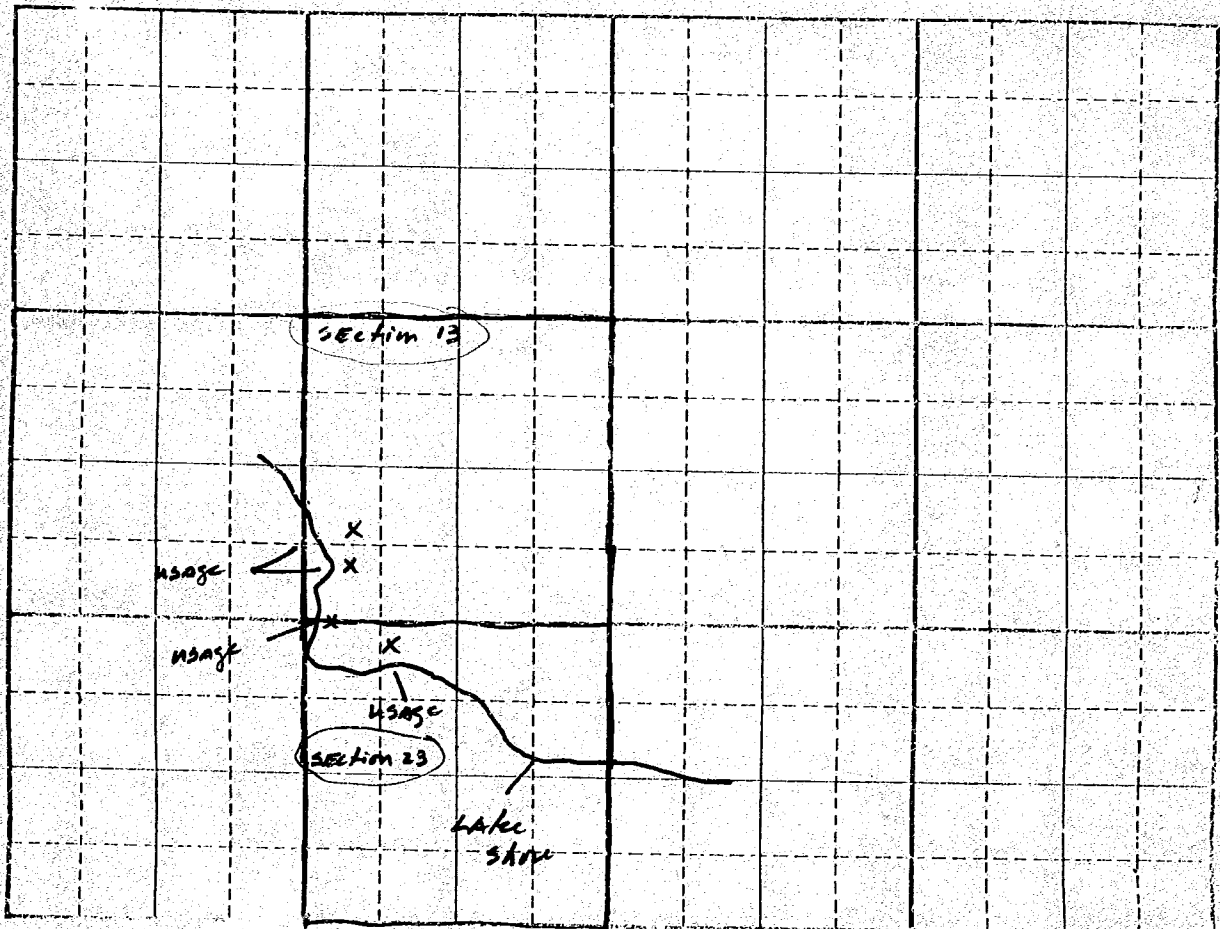
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

water utilized for watering livestock and occasional domestic use

NOTE: Include here the type and number of stock watered: 40 cows and calves

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

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of ~~Idaho~~ WASHINGTON)
County of SPOKANE) 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 30th day of June

Victor Kump Behrens
by Paul Kump Behrens (Claimant)
Ronan Patten

19 83

Notary Public
Residing at Spokane

My commission expires 12-21-84

FOR DEPARTMENT USE ONLY
Received by RAA Date 7/5/83 Exception filed by: _____ Forwarded to: _____ Date: _____
Prelim. check by RAA Date 8/1/83
\$30.00 fee received by RAA Date 8/30/83 # 31321
Published in Spokane
Dates 7/14/83

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint Daily Bee, and News Bulletin, newspapers printed and published at Sandpoint, in Bonner County, Idaho; that the said newspapers have been continuously and uninterruptedly published in said Bonner County during a period of 12 months prior to the first publication of the hereto attached notice of publication in the case of _____

Legal notice

as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 7 day of 9, 1983 and ending on the 14 day of 9, 1983 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 3 day of 10, 1983.

Paul M Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

NOTICE OF CLAIMS
TO WATER RIGHTS

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

96-4523

BERENS, LEITOI RUEN
POST FALLS TRAILER
COURT, BOX 6A, POST
FALLS, ID 83854

Source: PEND OREILLE
LAKE trib. to PEND
OREILLE RIVER

Priority Date: 01/01/1945

Diversion Pt: NWSW SWSW

Sec 13 T 56N R 01E NENW

NWNW Sec 24 T 56N R 01E

Use: IRRIGATION (1.00
CFS)

STOCKWATER (0.50 CFS)

DOMESTIC (0.50 CFS)

In: NWSW SWSW Sec 13 T

56N R 01E NENW NWNW

Sec 24 T 56N R 01E FOR 40

ACRES

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

KENDUNN, Dir.

Published 9/7 & 9/14/83

RECEIVED
OCT 7 1983

Department of Water Resources
Northern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

Water Resources
Department

North Region
4055 Greenwood St., W.
Coeur d'Alene, Id. 83814
(208) 766-4481

July 7, 1983

Leitoi Ruen Berens
Box 6A
Post Falls Tr. Ct.
Post Falls, Id. 83854

Re: Hubbard Street Apartments

Dear Leitoi Berens:

Your claim to a Water Right and \$30.00 check #92-7009 are being returned to you since the postmark on your envelope is dated after June 30, 1983.

You may refile the claim and retain the original water right, by returning the claim with a filing fee of \$100.00, or you may create a new water right by completing the enclosed Application in accordance with the instructions and return the Application to this office with a filing fee corresponding to the fee schedule in the instructions.

If you have any questions please contact me at this office.

Sincerely,

Tom D. King
Senior Water Resource Agent

TDK/paa

Enclosure-Application for Permit

773-0934
778-9034

Tom King.

Dear Mr. King,

As per your phone
instructions, we are returning
the enclosed water right claims.

The claim was timely filed
on June 30, 1983.

Sincerely,
Lewell R. Rasmussen

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

SEPTEMBER 26, 1983

LEITOI RUEN BERENS
POST FALLS TRAILER COURT
BOX 6A
POST FALLS ID 83854

RE: Claim No. 96-4523

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

96-4523-

BERENS, LEITOI RUEN

POST FALLS TRAILER COURT, BOX 6A, POST FALLS, ID 83854

Source: PEND OREILLE LAKE trib. to PEND OREILLE RIVER

Priority Date: 01/01/1945

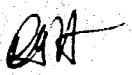
Diversion Pt: NWSW SWSW Sec 13 T 56N R 01E NENW NNNW Sec 24 T 56N R 01E

Use: IRRIGATION	(1.00 CFS)
STOCKWATER	(0.50 CFS)
DOMESTIC	(0.50 CFS)

In: NWSW SWSW Sec 13 T 56N R 01E NENW NNNW Sec 24 T 56N R 01E
FOR 40 ACRES

MEMORANDUM

TO: File 96-4525

FROM: Bob Haynes 

RE: Late Claim Filing

DATE: November 21, 1983

To the best of the recollection of everyone in the office, this claim was contained in a letter postmarked July 1, 1983.

However, the envelope containing this claim was inadvertently thrown away so we cannot substantiate that it was, in fact, postmarked July 1, 1983.

Because other claims from members of the same family did come in letters postmarked June 30, we felt that the best procedure was just to accept the claim as being filed in a timely manner.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JA

Right Number 96-4523 Applicant Sevens

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 JA Date 10/11/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 11-30-83

Department of Water Resources

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