No Color Documents In File

Form No. 243
9/81

Claim No. 96-4536

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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 E. H. Suddeath (Name of Claimant)

N. 11504 Monroe - Spokane, Wash. 99205 (Mailing Address) (Zip Code) Telephone No. (509) 328-1120

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) 1959

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)
Cocolalla Lake tributary to Cocolalla 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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) Period of Use From (Mo., Day)	To (Mo., Day)
Quantity	0.01	Use Domestic	Period of Use From 3/15	To 11/15
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

(4) 0.01 (cfs, af) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
GL 7 ¼ ____ ¼, Sec. 7 Twp. 55N Rge. 2W B.M., County of Bonner
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. Pump and pipeline.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
				NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
G.L.7	55N	2W	7																	½

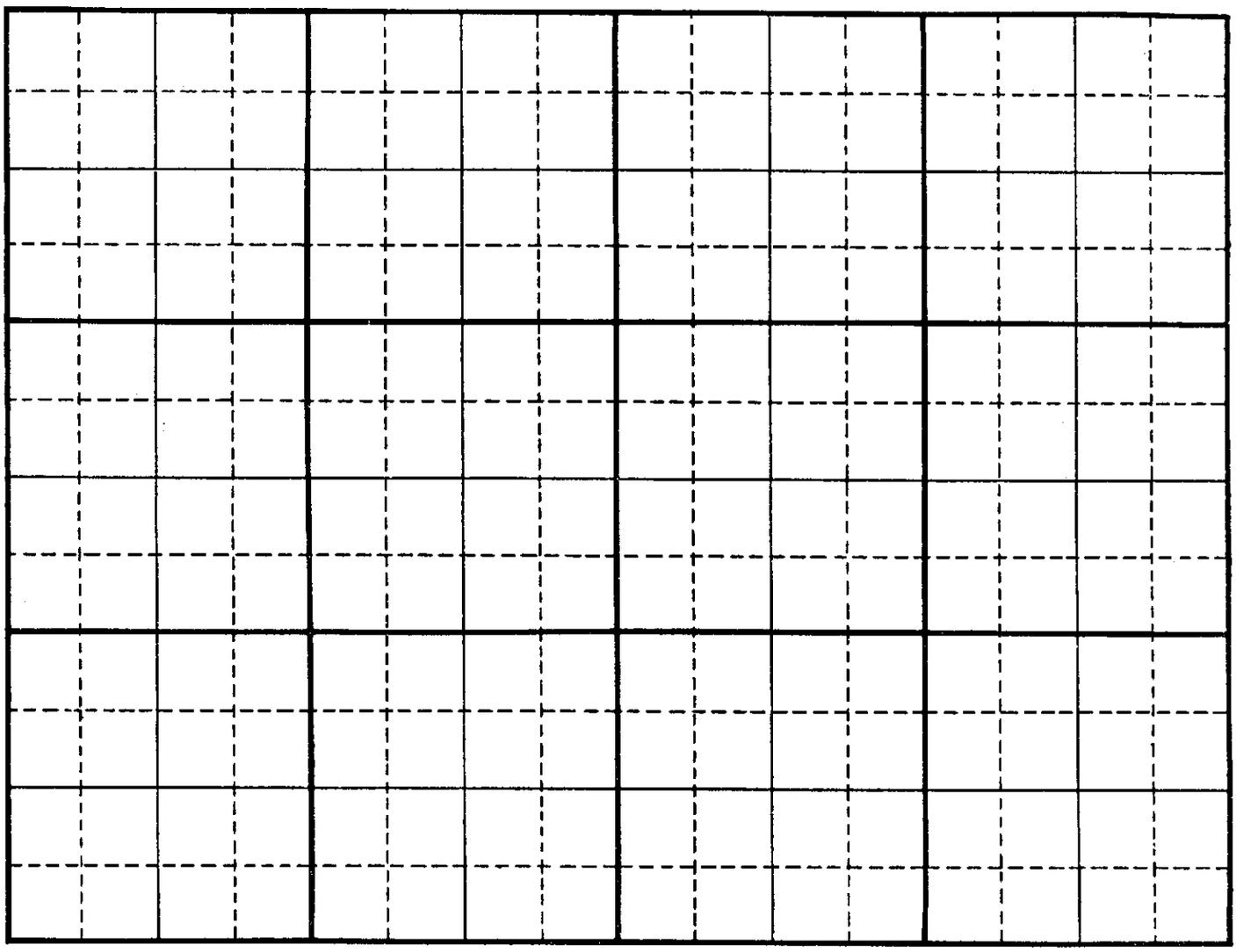
No. of acres ½

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Use is for irrigation of ½ acre of lawn &/or garden only.

NOTE: Include here the type and number of stock watered:

(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)
) ss.
County of Kootenai)

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.

(Claimant)

Sworn to before me this 2nd day of July, 1984.

Notary Public
Residing at Rathdrum, Idaho

My commission expires December 10, 1989

FOR DEPARTMENT USE ONLY

Received by	Date 7/2/84	Exception filed by:	Fowarded to claimant by:	Date	
Prelim. check by	Date 7/3/84				
$30.00 fee received by	Date 7/2/84 (3578) $30.00				
Published in Sandpoint Bee					
Dates 7/10 & 18/84					

WARRANTY DEED -- Short Fo

151786

395

Know All Men by These Presents:

That ~~WILLIAM~~ WALTER E. STURGIS and SARAH E. STURGIS, his wife,

of Spokane, County of Spokane, Sate of Washington

in consideration of $ 12,000.00 Dollars, ~~and other valuable considerations~~ do hereby grant, bargain, sell and convey unto E. H. SUDDERTH, a single man,

of Spokane, County of Spokane, State of Washington

the following property, in Bonner County, State of Idaho, to-wit: The North 100 ft. of that portion of Lot 7, Section 7, Township 55 North, Range 2, W.B.M. described as follows: Beginning at the Norhteast corner of said Lot 7, being a point on the meander line of COCOLALLA LAKE; the Southerly along said meander line to a point distant 200 ft. from the North line of said Lot 7; thence due West a distance of 200 ft.; thence due North 200 ft. to the North line of said Lot 7; thence East along the North line of said Lot 7 a distance of 270 ft. more or less, to the point of beginning; ALSO the North 100 feet of that portion of said Lot 7 described as follows: Beginning at a point 933 ft. East of the Northwest corner of said Lot 7; being a point on the North line of said Lot 7; thence West 130 ft.; thence South 200 ft.; thence East 130 ft.; thence North 200 ft. to the point of beginning; ALSO all improvements on the premises and all personal property left on the premises upon the date of possession.

TOGETHER WITH ALL AND SINGULAR, The tenements, hereditaments and appurtenances hereunto belonging or in anywise appertaining.

AND the above named grantor s, hereby covenant, that the above described premises are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and defend the above premises against all lawful claims and demands, except: 1969 Real Estate Taxes which shall be pro rated.

SIGNED, this 16th day of September, 19 69.

SARAH E. STURGIS

By: Her (X) mark

Walter E. Sturgis

~~William~~ WALTER E. Sturgis

Witnesses to the signature by mark:

Mrs Raymond T. Colella

Mrs H K Musco Valley

STATE OF ~~IDAHO~~ WASHINGTON } ss.
County of Spokane

On this 16th day of September, in the year 19 69, before me, Thomas F. Curran, A NOTARY PUBLIC, in and for said state personally appeared ~~William~~ WALTER E. Sturgis and Sarah E. Sturgis, his wife, known to me to be the person s whose name s are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the date last above written.

My commission expires 3/27/70.

Thomas F Curran
Notary Public in & for the State of Washington residing at Spokane

Filed for record Aug 22, 1972 at 11:02 A. M., Request of E N Sudderth

Book 145 of Deeds Page 395 Recording fee, $ 1.00

DORIS L. KENNEY, Bonner County Recorder By [signature], Deputy

E. N. Sudderth
N. 3109 Monroe
Spokane, Wn

MICROFILMED

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 11 day of July, 1984 and ending on the 18 day of July, 1984 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 6 day of Aug., 1984.

Adele M Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

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

96-4536

SUDDERTH, E.H.
N. 4504 MONROE ST., SPOKANE, WA 99205
Source: COCOLALLA LAKE trib. to COCOLALLA CREEK
Priority Date: 01/01/1959
Diversion Pt: LOT 07 Sec 07 T 55N R 02W
In: LOT 07 Sec 07 T 55N R 02W

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 7/11 & 7/18/84
Dept. of Water Resources

8/8/84

RECEIVED

AUG 8 1984

Department of Water Resources
Northern District Office

96-4836
5

August 27, 1984

TO WHOM IT MAY CONCERN:

I, Ernest Sprecher and Erna E. Sprecher, Man and Wife, who resides at N. 5018 Elm - Spokane, Wash. 99205, Purchased the Property described below on Cocolalla Lake, Idaho in 1963.

6 - 55 -2W
B 2 N2 of Lot 1 - Pools Shore Tracts.
B 2 52 of Lot 2 - Pools Shore Traxts.

At that time Walter E. Sturgis and Sarah E. Sturgis Man and wife owned the Property 50' South of us. Described as: N 100' of Lot 7 Section 7 Township 55 North Range 2 at Cocolalla Lake, Idaho.

At the time we purchased our property, Mr. & Mrs. Walter E. Sturgis were living on their property and pumping water form Lake for Irrigation purposes.

They also had a Well they used for Domestic Use.

They Sold out to E. H. Sudderth - Residing at N. 4504 Monroe - Spokane, Wash. 99205 in 1969 and he and his Renters Continued the use of Lake water for Irrigation, But Mr. Sudderth had a New Larger Well dug in 1971.

SINCERELY,

SIGNER Ernest Sprecher
ERNEST SPRECHER

SIGNED Erna E. Sprecher
ERNA E. SPRECHER

no response
reqd - KW
9/28/84

MICROFILMED

I, Madelon S. McDuhausen, A NOTARY PUBLIC, In and for the STATE of Washington, Do say that Ernest Sprecher and Erna E. Sprecher, man & wife, Personally appeared before me and signed this as their own free will.

Signed this 6th day of September 1984.

SIGNED Madelon S. McDuhausen
NOTARY PUBLIC

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: _____.

Right Number 96-4536 Applicant Sudduth

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. SEE ATTACHED LEGAL DESCRIPTION
- ☑ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received.
- ☑ Claim published correctly.
- ☑ Exceptions processed.

By _____ Date 8/14/84

STATE OFFICE PROCESSING:

- ☑ Claim review complete.

By SL Date 8/17/84

RECEIVED
AUG 17 1984
Department of Water Resources

96-4536_

SUDDERTH, E. H.

N. 4504 MONROE ST., SPOKANE, WA 99205

Source: COCOLALLA LAKE trib. to COCOLALLA CREEK

Priority Date: 01/01/1959

Diversion Pt: LOT 07 Sec 07 T 55N R 02W

In: LOT 07 Sec 07 T 55N R 02W

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 23, 2984

E. H. SUDDERTH
N. 4504 MONROE ST.
SPOKANE WA 99205

RE: Claim No. 96-4536

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