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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 GENE ORLAND NANCY FITZGERALD

(Name of Claimant)

RT 2 BOX 376, SAGE ID

83860

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) 1948

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)

GROUNDWATER

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:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
Quantity	<u>0.04</u>	Use <u>DOMESTIC</u>	Period of Use From <u>JAN 1</u> To <u>DEC 31</u>	
Quantity	<u>0.02</u>	Use <u>COMMERCIAL</u>	Period of Use From <u>JAN 1</u> To <u>DEC 31</u>	
Quantity	<u>0.02</u>	Use <u>STOCKWATER</u>	Period of Use From <u>JAN 1</u> To <u>DEC 31</u>	
Quantity	_____	Use _____	Period of Use From _____ To _____	
Quantity	_____	Use _____	Period of Use From _____ To _____	

(4) 0.08 TOTAL QUANTITY USED.

(cfs, af)

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

SW 1/4 SE 1/4, Sec. 5 Twp. 55N Rge. 24 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. WELL & PUMP

(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>55N</u>	<u>24W</u>	<u>5</u>														X	X		

No. of acres _____

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

DOMESTIC USE - TWO HOUSEHOLDS
COMMERCIAL USE - FOR STORE

NOTE: Include here the type and number of stock watered: 3 HEAD

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

(8) Remarks

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 _____

legitimate
as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 29 day of 6, 1983 and ending on the 6 day of 7, 1983 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 6 day of 7, 1983.

William Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

RECEIVED

JUL 14 1983

Department of Water Resources
Northern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

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

96-4435
VOGT, WILLIAM E. &/or HELEN B.
N. 1407 WILBUR, SPOKANE, WA 99206
Source: PEND OREILLE LAKE trib. to PEND OREILLE RIVER
Priority Date: 01/01/1960
Diversion Pt: NWSW Sec 19 T 57N R 01W
Use: DOMESTIC (0.04 CFS)
In: NWSW Sec 19 T 57N R 01W

96-4436
GRUNER, WILLIAM R. &/or EVELYN M.
1121 EAST RAWHIDE, GILBERT, AZ 85234
Source: SPRING trib. to THREE SISTERS CREEK
Priority Date: 04/01/1941
Diversion Pt: NENW Sec 15 T 54N R 02W
Use: IRRIGATION (0.02 CFS)

STOCKWATER (0.0044 CFS)
DOMESTIC (0.04 CFS)
In: NENW Sec 15 T 54N R 02W FOR 1 ACRES
96-4437
EIDSNES, LANA
W. 703 20th AVE., SPOKANE, WA 99203
Source: GROUNDWATER
Priority Date: 01/01/1953
Diversion Pt: NESW Sec 16 T 56N R 02W
Use: IRRIGATION (0.40 CFS)

STOCKWATER (0.08 CFS)
DOMESTIC (0.04 CFS)
In: NESW SESW Sec 16 T 56N R 02W FOR 20 ACRES
96-4438

FITZGERALD, GENE &/or NANCY
RT. 2 BOX 376, SAGLE, ID 83860
Source: GROUNDWATER
Priority Date: 01/01/1948
Diversion Pt: SWSE Sec 05 T 55N R 02W
Use: STOCKWATER (0.02 CFS)
COMMERCIAL (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NWSE SWSE Sec 05 T 55N R 02W

96-4439
CALLEN, MARTIN A. &/or SHIRLEY J.
HCR 66 BOX 847, SAGLE, ID 83860
Source: GROUNDWATER
Priority Date: 01/01/1972
Diversion Pt: SWSW Sec 18 T 56N R 01W
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.08 CFS)
In: SWSW Sec 18 T 56N R 01W

96-4440
FAUX, HOWARD C. &/or MARY E.
RANCH, DONALD R. &/or SHARON
RT. 2 BOX 194, SANDPOINT, ID 83864
Source: GROUNDWATER
Priority Date: 01/01/1958
Diversion Pt: NWNW Sec 28 T 57N R 02W
Use: DOMESTIC (0.04 CFS)
In: NWNW Sec 28 T 57N R 02W

CFS)
DOMESTIC (0.04 CFS)
In: SENE Sec 18 T 55N R 02W
96-4445
KENNEDY, WILLIAM R. &/or RUTH D.
RT. 1 P.O. BOX 221, ATHOL, ID 83801
Source: SPRING trib. to SINKS
Priority Date: 01/01/1930
Diversion Pt: SWNE Sec 34 T 54N R 03W
Use: DOMESTIC (0.08 CFS)
In: SWNE Sec 34 T 54N R 03W

96-4446
BAIR, FRED D. &/or LILLIAN F.
RT. 1 BOX 171, SAMUELS, ID 83862
Source: GROUNDWATER
Priority Date: 01/01/1947
Diversion Pt: NWSE Sec 04 T 58N R 01W
Use: DOMESTIC (0.04 CFS)
In: NWSE Sec 04 T 58N R 01W

96-4447
MCFARLAND, J.R.
227 S. FIRST AVE., SANDPOINT, ID 83864
Source: PEND OREILLE LAKE trib. to PEND OREILLE RIVER CHUCK SLOUGH trib. to PEND OREILLE LAKE
Priority Date: 01/01/1951
Diversion Pt: NENW SWSW NWSW NESW Sec 28 T 57N R 02W
Use: IRRIGATION (0.39 CFS)
In: SESE Sec 29 T 57N R 02W NENW SWNW SENW NESW NWSW SWSW Sec 28 T 57N R 02W FOR 116 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, ID 83814.
KEND DUNN, Dir.
Published 6/29 & 7/6/83

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RMA

Right Number

96-4438

Applicant

Fitzgerald

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

[Signature]

Date

7/27/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

8/9/83

MICROFILMED

RECEIVED
AUG 05 1983
Department of Water Resources

96-4438-

FITZGERALD, GENE &/or NANCY

RT. 2 BOX 376, SAGLE, ID 83860

Source: GROUNDWATER

Priority Date: 01/01/1948

Diversion Pt: SWSE Sec 05 T 55N R 02W

Use: STOCKWATER	(0.02 CFS)
COMMERCIAL	(0.02 CFS)
DOMESTIC	(0.04 CFS)

In: NWSE SWSE Sec 05 T 55N R 02W

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

GENE FITZGERALD
NANCY FITZGERALD
RT. 2 BOX 376
SAGLE

ID 83860

RE: Claim No. 96-4438

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

RECORDED