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Documents
In File

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.

(Name of Claimant)

Box 1104 Sandpoint, Id 83864 Telephone No. 263-6356
(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) March 1934

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)

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

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)			
				(Mo., Day)		(Mo., Day)	
Quantity	<u>0.06 cfs</u>	Use	<u>Irrigation</u>	Period of Use From	<u>3/15</u>	To	<u>11/15</u>
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) 0.06 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 10 Twp. 57N 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 from developed spring*

(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]

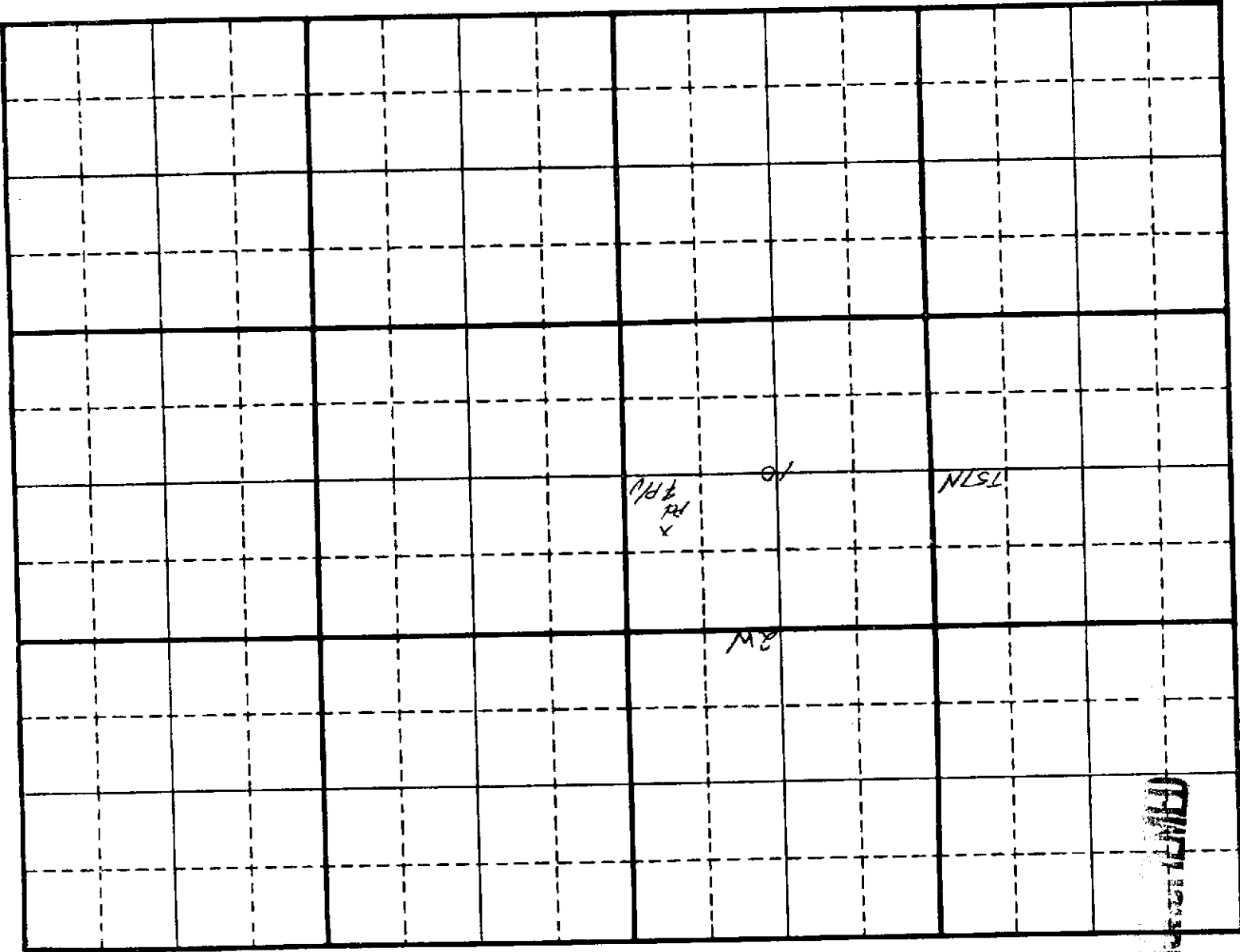
No. of acres 2

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

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: _____

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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
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 27 day of May, 1983

John A. P. P. P.
(Claimant)
Robert J. Mayne
Notary Public
Residing at CA/D

My commission expires February

FOR DEPARTMENT USE ONLY

Received by Bob Date 5/27/83 Exception filed by: _____
Prelim. check by Bob Date 5/27/83 Forwarded to _____
\$30.00 fee received by Bob Date 5/27/83 claimant by: _____
Published in _____ Date 5/27/83 (27054)
Dates 6/9 - 6/16/83

AFFIDAVIT FOR WATER RIGHTS

Regarding that certain piece of property owned by
Leslie R. Peak and Eva M. Peak, husband and wife.

Description as follows:

The South 210 feet of the North 360 feet
of the South Half of the Southwest Quarter
of the Northeast Quarter(S1/2SE1/4NE1/4); Section
Ten(10), Township Fifty-Seven(57)North, Range
Two(2) West, Boise Meridian, Bonner County, Idaho
Except Highway right-of-way.

TO WHOM IT MAY CONCERN:

In March 1934 when I moved in the Sandpoint area a
Mr.(Hahueget) run a dairy on said property and the
Spring was already developed and in use supplying
water for the milk house, home and dairy.

Property sold to Alex T. Russell and they had the
farm for several years using water from spring until
city water became available and they needed a number
of hookups to make water project affordable. So the
Russell's hooked on city water. The spring was used
after that for irrigation for garden and yard for the
next several years. Mr. Peak bought the property in
1973.

I, W. Earl Noble have lived neighbors to said individuals
and property all these years.

W Earl Noble

Subscribed and Sworn to before me this 19 day of May 1983.

LeAnn Greener
Notary Public for Idaho Residing
at Sandpoint

5/19/83

To whom it may concern,

In March 1934 when I moved in the Sandpoint Area Mr. Lahueget run a dairy on said property and the spring was already developed and in use supplying water for the milk house + home + dairy.

The property sold to Alex T. Russell and they had the farm for several years using water from the spring until city water became available.

And they needed a number of hookups to make water project affordable so Russell hooked on city water. But the spring was used after that for irrigation for garden + yard for several years.

Mr. Peak bought the property in 1973.

I W. Carl Noble has lived neighbors to said individuals + property owners all these years.

Sincerely,

W. Carl Noble

Subscribed + Sworn to before me this 19th day of May 1983

Let Jora Greenen
Notary Public for Idaho - Sandpoint

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 8 day of 6, 1983 and ending on the 15 day of 6, 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

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JUL 14 1983

Department of Water Resources
Northern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

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

96-4414
HAYES, ARDEN M.
P.O. BOX 1512, SAND-
POINT, ID 83864
Source: UNNAMED
STREAM trib. to PEND
OREILLE LAKE
Priority Date: 11/16/1923
Diversion Pt: SESW Sec 25 T
57N R 02W
Use: DOMESTIC (0.04 CFS)
In: LOT 05 Sec 25 T 57N R
02W

96-4415
MC ALLISTER, CLIFFORD
E. &/or GRATIAL
515 E. SHILOH HILLS DR.,
SPOKANE, WA 99208
Source: COCOLALLA LAKE
trib. to COCOLALLA
CREEK
Priority Date: 01/01/1954
Diversion Pt: LOT 03 Sec 07
T 55N R 02W
Use: DOMESTIC (0.04 CFS)
In: LOT 02 LOT 03 Sec 07 T
53N R 03W

96-4416
SAUER, MILDREDE E.
702 W. WALNUT ST.,
COEUR D'ALENE, ID 83814
Source: PEND OREILLE
LAKE trib. to PEND
OREILLE RIVER
Priority Date: 04/01/1971
Diversion Pt: LOT 05 Sec 02
T 56N R 01E
Use: DOMESTIC (0.04 CFS)
In: LOT 05 Sec 02 T 56N R
01E

96-4417
MOODY, WILLIAM N.
RT. 3 BOX 149, SAND-
POINT, ID 83864
Source: SYRINGA CREEK
trib. to TURNIPSEED
CREEK
Priority Date: 01/01/1929
Diversion Pt: NWNE Sec 17
T 57N R 02W
Use: IRRIGATION (0.04
CFS)
In: NWNE Sec 17 T 57N R
02W FOR 2 ACRES

96-4418
NORDGAARDEN, EDDIE
O. &/or SONYA K.
RT. 3 BOX 138, SAND-
POINT, ID 83864
Source: SYRINGA CREEK
trib. to BERRY CREEK
Priority date: 07/01/1970
Diversion Pt: SWSW Sec 08
T 57N R 02W
Use: DOMESTIC (0.04 CFS)
In: SWSW SESW Sec 08 T
57N R 02W

96-4419
GREEN ENTERPRISES
INC.
HCR 66 BOX 461, SAND-
POINT, ID 83864
Source: SPRING trib. to
PEND OREILLE LAKE
Priority Date: 01/01/1957
Diversion Pt: NWSE Sec 18
T 56N R 01E
Use: DOMESTIC (0.11 CFS)
In: NESE NWSE SWSE
SESE Sec 18 T 56N R 01E

96-4423
PEAK, LES
P.O. BOX 1104, SAND-
POINT, ID 83864
Source: SPRING trib. to
SAND CREEK
Priority Date: 03/01/1934
Diversion Pt: SENE Sec 10 T
57N R 02W
Use: IRRIGATION (0.06
CFS)
In: SENE Sec 10 T 57N R
02W FOR 2 ACRES

96-4424
WILLIAMS, CLYDE &/or
SHIRLEY
15624 E. BROADWAY ST.,
VERADALE, WA 99037
Source: SPRING trib. to
SINKS
Priority Date: 01/01/1960
Diversion Pt: LOT 04 Sec 03
T 54N R 01W
Use: DOMESTIC (0.04 CFS)
In: LOT 04 Sec 03 T 54N R
01W

96-4425
WILLIAMS, CLYDE &/or
SHIRLEY
15624 E. BROADWAY ST.,
VERADALE, WA 99037
Source: UNNAMED
STREAM trib. to PEND
OREILLE LAKE
Priority Date: 04/01/1965
Diversion Pt: SWNE Sec 03
T 54N R 01W
Use: IRRIGATION (0.12
CFS)
STOCKWATER (0.02 CFS)
In: SENE NWSE Sec 03 T
54N R 01W NWSE Sec 03 T
54N R 01W FOR 6 ACRES

96-4427
HART, PAUL &/or EMILY
RT. 3 BOX 455, SAND-
POINT, ID 83864
Source: UNNAMED
STREAMS trib. to BOYER
SLOUGH
Priority Date: 01/01/1960
Diversion Pt: NWSE SESE
Sec 20 T 58N R 01W
Use: IRRIGATION (0.05
CFS)
IRRIGATION STORAGE
(1.0 AF)
IRRIGATION FROM
STORAGE (1.0 AF)
STOCKWATER STORAGE
(2.0 AF)
In: SESE Sec 20 T 58N R 01W
NWSE SESE Sec 20 T 58N R
01W FOR 2 ACRES

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 6/8 & 6/15/83.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RYA

Right Number 96-41423 Applicant Pest

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 7/26/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By tw Date 8/9/83

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Department of Water Resources

96-4423-

PEAK, LES

P.O. BOX 1104, SANDPOINT, ID 83864

Source: SPRING trib. to SAND CREEK

Priority Date: 03/01/1934

Diversion Pt: SENE Sec 10 T 57N R 02W

Use: IRRIGATION (0.06 CFS)

In: SENE Sec 10 T 57N R 02W FOR 2 ACRES

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

JUNE 27, 1983

LES PEAK
P.O. BOX 1104
SANDPOINT

ID 83864

RE: Claim No. 96-4423

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

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