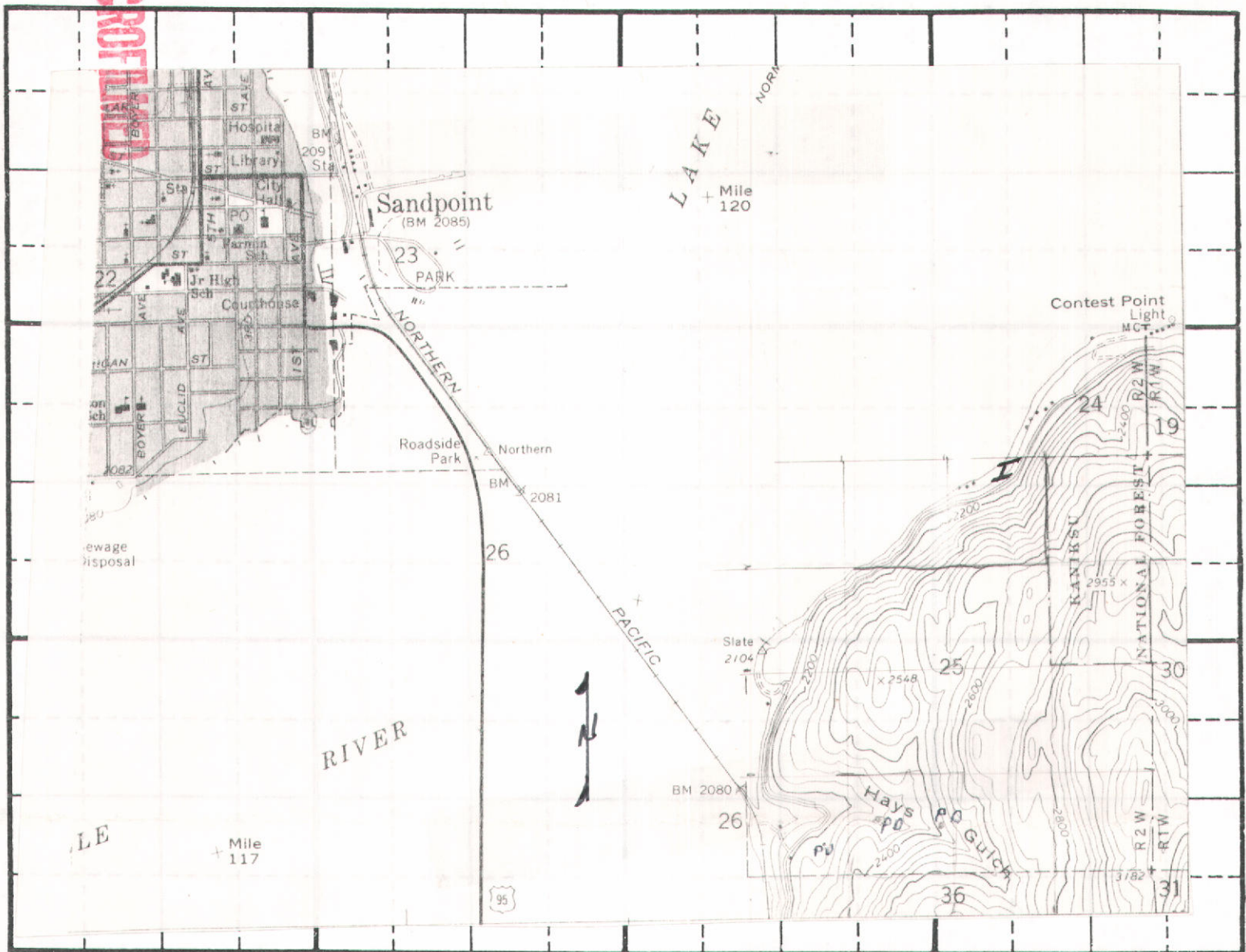


(8) Remarks _____



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)
County of Bonner) 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 12th day of May, 1983.

X Arden M. Hays
(Claimant)

Ruth McBurney
Notary Public
Residing at Sandpoint, Ida.

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by <u>AK</u>	Date <u>5/13/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>AK</u>	Date <u>5-13-83</u>		claimant by:	
\$30.00 fee received by <u>AK</u>	Date <u>5-13-83 (24725)</u>			
Published in <u>Sandpoint Bee</u>				
Dates <u>4/8-13/83</u>				

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 Arden M. Hayes (Name of Claimant)
PO Box 1512 Sandpoint, Id. 83864 (Mailing Address) Telephone No. _____
(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) 11-16-1923

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)
Unnamed Stream (Hayes Gulch) tributary to Lake Pend Oreille

(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)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.04 cfs</u>	Use	<u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</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) 0.04 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SW 1/4, Sec. 25 Twp. 57N Rge. 2W B.M., County of BORNER
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. 2 reservoirs in stream

UPPER - 1600 Gal - 1700' Pipeline - Gravity Flow
LOWER - 500 Gal - 1200' Pipeline - Gravity Flow

(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>57N</u>	<u>2W</u>	<u>25</u>											X						
													6						
													2						
													5						

No. of acres _____

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

One home &
One Guest House
Household Use
Lawn & Flowers Water

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: _____



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.

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 12th day of May, 1983.

Notary Public
Residing at Montgomery, Ala.

Lightman

Received by	_____	Date	_____
Prelim. check by	_____	Date	_____
\$30.00 fee received by	_____	Date	_____
Published in	_____	Date	_____
Dates	_____		_____

Exception filed by: _____

Forwarded to _____

Claimant by: _____

Date _____

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.

Allen M. 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 claim(s) have been filed on water right(s) created by diversion and beneficial use:

96-4414 OK
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 GRATIA L.
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
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 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
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director April 27, 1983

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

96-4414 RECEIVED

NOV 16 1983

Department of Water Resources

Mr. Arden M. Hayes
P. O. Box 1512
Sandpoint, Id. 83864

Dear Mr. Hayes:

I have taken the liberty of preparing your Claim to a Water Right from the information in your letter.

It is not complete, so please make any changes you deem necessary and initial them. Please complete Item No. 5b by explaining how the water is conveyed from the reservoirs to the home. Also, please draw the reservoirs on the map, label them P.D. (point of diversion) and indicate your home and label in P.U. (Place of use).

If we can be of any assistance, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claim

RECEIVED

April 23, 1983

Kenneth Dunn--Director
Dept. of Water Resources
4055 Gov't Way
Coeur d'Alene, Idaho 83814

Dear Sir:

I'm not sure of the procedure of this claim to water rights, so I'm sending you this information. Please tell me exactly what I'm supposed to do and who gives the facts to the Sandpoint News Bulletin. Please bill me for your services and tell me if I pay the paper for the notice as a separate charge.

My Grandfather, H.L. Hayes, bought this land (160 acres) from the Northern Pacific Railroad in 1923. I hold this deed in which at that time they reserved only enough water for the bridge watchman in the R.R. house. This job was held by my Father at that time. The R.R. discontinued this job in the late twenties and the house has been gone for forty years.

My house has been on this acreage for many years and I am the sole survivor of this ownership. The source of water consists of two reservoirs in the creek. (see Sec. 25 T 57 N-R2W) and these have been here for all these years.

Thanking you I am

Sincerely,

Arden M. Hayes
P.O. Box 1512
Sandpoint, Idaho

83864

Claim on Second sheet,

MICROFILMED

Hayes, Arden M.

P.O. Box 1512 Sandpoint, Idaho 83864

Source: Two reservoirs in unnamed creek trib. to Pend oreille Lake
in Hayes Gulch.

Priority Date: 11/16/1923

Diversion Point: SESE Section 25 T 57 N. R. 2 W.

Use: Domestic (0.04 CFS)

In: Lot 5 -S of the thread of the creek -Sec.25- T. 57 N. R. 2 W.

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: DR

Right Number 96-4414 Applicant _____

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 DR Date 7/26/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 8/9/83

RECEIVED
AUG 3 1983
Department of Water Resources

HAYES, ARDEN M.

P.O. BOX 1512, SANDPOINT, ID 83864

Source: UNNAMED STREAM trib. to PEND OREILLE LAKE

Priority Date: 11/16/1923

Diversion Pt: SE5N Sec 25 T 57N R 02W

Use: DOMESTIC (0.04 CFS)

In: LOT 05 Sec 25 T 57N R 02W

May 12, 1983

Tom D. King
Suite No. 9
4055 Government Way
Coeur d' Alene, Idaho 83814
Dear Mr. King:

Thank you for your prompt response to my enquiry on filling a water rights claim. I think I have filled in the ^{NECESSARY} blanks.

This is to tell you I own all the land covered in these figures. The name Hays Gulch is a print made in the County Courthouse. The name is derived from our family name and should have been spelled Hayes, as we were the only family here for a lot of years.

I am having this notarized. It should be published in the Sandpoint News Bulletin. Do you give it to them or do I get it back and give it to them? Either way who do I pay the the cost of publishing ?

Am enclosing A \$30.00 check for fee for the Department of Water Sources.

sincerely,

Arden M. Hayes
P.O. Box 1512
Sandpoint, Idaho 83864

RECEIVED

MAY 13 1983

Department of Water Resources
Northern District Office

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 20, 1983

ARDEN M. HAYES
P.O. BOX 1512
SANDPOINT

ID 83864

RE: Claim No. 96-4414

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

MICROFILMED