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In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

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CLAIM TO A WATER RIGHT

Department of Water Resources
Northern District Office

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Stacy &/or Georgia Carhart
(name of claimant)
of Route 1, Box 310, Rathdrum, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Spring
_____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|----------------------|-----|-------------------------------|---------------------|---------------|----|------------------------|
| Amount | <u>0.04 cfs</u> | Use | <u>Domestic</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u>0.02 cfs</u> | Use | <u>Stockwater</u> | Period of Use: From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: 0.06 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1904

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 34 Twp. 53N Rge. 4W B. M. County of Kootenai
 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. Developed Spring, pipeline to place of use.

- (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]

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for domestic purposes for one family, and stockwater water ten head of cattle.

- If you are claiming water as a member of an organization, list name of organization:

[illegible]

Received by TK Date 3-24-77 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
\$10.00 fee received by TK Date 3-24-77 (4973)
Approved for publication by _____
Published in Coeur d'Alene Press _____
Dates 3-31 & 4-7-77 _____

April 1, 1977

RECEIVED
APR 1 1977

Department of Water Resources
Northern District Office

Idaho Department of Water Resources
Northern Region
4055 Government Way
Coeur d'Alene, ID 83814

Gentlemen:

I wish to file this letter in connection with the Claim to a Water Right No. 96-4181 filed by Stacy and Georgia Carhart. I question the fact that Mr. and Mrs. Carhart are actually using the amount of water listed on their claim, namely 0.06 cubic feet per second. This is a great deal of water for the purposes described on the claim.

I would like to enter into the record at this time that I am the owner of this property and have been for eleven years. My plans are to build on this property at some point in the future and I would like to have the option left open to me to have enough water to supply a household and some stock.

Very truly yours,



ROBERT M. SCATES

Route 5, Box 186
Post Falls, ID 83854

MICROFILMED

AFFIDAVIT OF PUBLICATION

RECEIVED

APR 9 1977

STATE OF IDAHO,
County of Kootenai,

ss.

Department of Water Resources
being first duly sworn

NOTICE OF CLAIM TO A WATER RIGHT NO. [96-4181]

Notice is hereby given that Stacy &/or Georgia Carhart, Route 1, Box 310, Rathdrum, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from a Spring with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 53N, R. 4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic (0.04 cfs) and stockwatering purposes (0.02 cfs) with a priority of 1904; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 53N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814.
Legal No. 989
March 31, April 7, 1977

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Notice

of which the annexed is a printed copy, was published in the regular issue of said newspaper for 3 consecutive weeks commencing on the 31 day of March 1977, and ending on the 7 day of April 1977, and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this

7 day of April

1977.

Robert F. Enley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

LEADER



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 N. Government Way

COEUR D' ALENE, IDAHO 83814

(208) 667-6484

April 20, 1977

RE: Claim to a Water Right No. 96-4181

Mr. & Mrs. Stacy Carhart
Rt 1 Box 310
Rathdrum, Id 83858

Dear Mr. & Mrs. Carhart,

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enclosure

RECEIVED
MAY 1 1977

April 7, 1977

Re: Claim to a Water Right No. 96-4181

Mr. and Mrs. Stacy Carhart
Route 1, Box 310
Rathdrum, ID 83858

Dear Mr. and Mrs. Carhart:

Enclosed is a copy of a letter that has been filed in connection with your claim. This letter will be entered into your file for future reference.

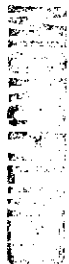
If there are any questions in this matter, please do not hesitate to contact us.

Very truly yours,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:CP

Enclosure





STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

March 25, 1977

Re: Claim No. 96-4181 - Stacy &/or Georgia Carhart

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

MICROFILMED

Bill: 4-12-77.0

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4181

Notice is hereby given that Stacy &/or Georgia Carhart,
Route 1, Box 310, Rathdrum, Idaho
~~has~~ ^{have} filed a claim to a water right established by diversion and application
to beneficial use of 0.06 cubic feet per second ~~gallons per minute~~
of water from a Spring
with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 53N, R. 4W, B.M.,
Kootenai County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
(0.04 cfs) and stockwatering purposes (0.02 cfs)

with a priority of 1904;
the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 53N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

~~XXXXXXXXXXXXXXXXXXXX~~
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on March 31 and April 7, 1977

RECORDED

March 25, 1977

Re: Claim to a Water Right No. 96-4181

Mr. Stacy Carhart
Route 1, Box 310
Rathdrum, ID 83858

Dear Mr. Carhart:

Attached is your receipt No. 4973 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment

RECEIVED
MARCH 28 1977