

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 23 1975

NOTICE OF CLAIM TO A WATER RIGHT NO. 96-4150

Notice is hereby given that Chester H. &/or Velma M. Hattenburg, Route 2, Rathdrum, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a Spring with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 53N, R. 5W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1942; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 53N, R. 5W, 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.

R. KEITH HIGGINSON
Director

Legal No. 322
Sept. 18, 25, 1975

STATE OF IDAHO,
County of Kootenai, } ss.

Carol Hedge

Department of Water Resources
Northern District Office

being first duly sworn

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 Claim*

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *Weeks* commencing on the *18* day of *September* 19 *75*, and ending on the *25* day of *September* 19 *75*, and such publication was made as often during said period as said *Daily* 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.

Carol Hedge

Subscribed and sworn to before me this *25th* day of *September*, 19 *75*.

Roberta Swank

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

11.16
LEADER

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

Section 42-225a, Idaho Code

OCT 7 1975

CLAIM TO A WATER RIGHT

Department of Water Resources

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 Chester H. &/or Velma M. Hattenburg
(name of claimant)
of Route 2, Rathdrum, Idaho
(mailing address), claims a right to the diversion and beneficial use of
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 _____ | Use _____ | Period of Use: From _____ To _____ |
| 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: 0.04 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) 1942

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)
SE ¼ NE ¼, Sec. 1 Twp. 53N Rge. 5W B. M. County of Kootenai County
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. 120 gallons storage tank, pipeline, and gravity flow 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.

T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
53N	5W	1				X													

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 one family, domestic purposes.

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

Township 53 North

Range 5 West

SPRING AND PLACE OF USE

Exception filed by:	Forwarded to claimant by:	Date
_____	_____	_____
_____	_____	_____

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4150

Notice is hereby given that Chester H. &/or Velma M. Hattenburg, Route 2, Rathdrum, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from a Spring with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 53N, R. 5W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1942; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 53N, R. 5W, 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.

R. KEITH HIGGINSON
Director

Legal No. 322
Sept. 18, 25, 1975

STATE OF IDAHO,
County of Kootenai, } ss.

Coral Hedge being first duly sworn 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.

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of which the annexed is a printed copy, was published in the regular Thurs issue of said newspaper for 2 consecutive Weeks, commencing on the 18 day of September 1975, and ending on the 25 day of September 1975, and such publication was made as often during said period as said Daily 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.

Coral Hedge
Subscribed and sworn to before me this 25th day of September 1975.

Roberta Swank
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

M E M O R A N D U M

TO: File 96-7793

FM: Jenny J.A.

RE: 96-4150 and 96-7793

DATE: August 19, 1986

Claim No. 96-4150 appears to be for the same use as Permit No. 96-7793.

cc: File 96-4150

RECEIVED



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

October 6, 1975

RECEIVED

Re: Claim to a Water Right No. 96-4150

OCT 7 1975

Department of Water Resources

Chester H. &/or Valma M. Hattenburg
Route 2
Rathdrum, ID 83858

Dear Mr. and Mrs. Hattenburg:

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

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

COEUR D'ALENE, IDAHO 83814

(208) 667-6484

September 12, 1975

Re: Application No. 95-7553
" " 95-7554
" " 95-7555

Claim No. 95-4124
" " 96-4150

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

Department of Water Resources

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
District Supervisor

RGH:CP

Enc: Legal Notice(s)

Bill 9-29-75

RECEIVED

NOTICE OF CLAIM TO A WATER RIGHT

OCT 7 1975

NO. 96-4150

Department of Water Resources

Notice is hereby given that Chester H. &/or Velma M. Hattenburg,
Route 2, Rathdrum, Idaho
~~has~~ ^{have} filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~gallons per minute~~
of water from a Spring
with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 53N, R. 5W, B.M.,
Kootenai County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes

with a priority of 1942;
the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 53N, R. 5W, B.M.

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Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on Sept. 18 and Sept. 25, 1975

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TO A WATER RIGHT
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R. KEITH HIGGINSON
Director

Legal No. 322
Sept. 18, 25, 1973

O.K.
9-26-75
CP