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Documents
In File

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

CLAIM TO A WATER RIGHT

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 Thomas E. Gagin, Jr.
(name of claimant)
of Box 309, Hope, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Lake Pend Oreille;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Spring
- (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>0.24 cfs</u>	Use	<u>Irrigation</u>	Period of Use:	From <u>March 15</u>	To <u>Nov. 15</u>
Amount	<u>0.02 cfs</u>	Use	<u>Stockwater</u>	Period of Use:	From <u>Jan. 1</u>	To <u>Dec. 31</u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)		(both dates inclusive)	

- (3) Total quantity of water claimed: 0.30 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) 1910

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 NE ¼, Sec. 7 Twp. 56N Rge. 2E 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. Reservoir with pipeline to place of use. Sprinkler irrigation.

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
56N	2E	7				12													12

Total No. of acres 12

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic water for one family, stockwater for 24 horses and 13 cattle.

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

State of Idaho

County of Boone

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.

Received by KIC Date 11/5/73
 Prelim. check by KIC Date 11/5/73
 Exception filed by: #17240
 For Department Use Only
 Forwarded to _____ Date _____
 Claimant by: _____

Received by	KIC	Date	11/5/73
Prelim. check by	KIC	Date	11/5/73
\$10.00 fee received by	KIC	Date	11/5/73
Approved for publication by	~~AK~~	Date	11/3/73
Published in	SANDPOINT NEWS-BULLETIN		
Dates	11-15 + 11-22-73		
Exception filed by:	#17240		
Forwarded to	claimant by:		
Date			

OS 4405

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice of Claim to a Water Right, No.
96-4105, filed by Thomas E. Gagins, Jr.,
Box 309, Hope, Idaho.

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 15th
day of November, 1973, and end-
ing on the 22nd day of November,
1973, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

29th day of November, 1973.

Glynn Forall

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT NO. 96-4105

Notice is hereby given that
Thomas E. Gagins, Jr., Box 309,
Hope, Idaho has filed a claim to
a water right established by
diversion and application to
beneficial use of 0.30 cubic feet
per second of water from an
Unnamed Spring with point of
diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.
7, T. 56N, R. 2E, B.M., Bonner
County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic (0.04 cfs) & Stock-
watering purposes (0.02 cfs);
and from March 15 to Nov. 15
for the irrigation of 12 acres
(0.24 cfs); with a priority of
1910; the place of use is within
the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7, T. 56N, R.
2E, B.M.

Any exception to this claim of
water right may be filed with
the Idaho Department of Water
Administration, 401 Front
Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON
Director

Published in the Sandpoint
News-Bulletin, Sandpoint,
Idaho on Nov. 15 and Nov. 22,
1973. N15-22

96 4105

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

December 3, 1973

Re: Claim to a Water Right No. 96-4105

Thomas E. Gagin, Jr.
Box 309
Hope, ID 83836

Dear Mr. Gagin:

The Department of Water Administration 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 this 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, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

96 4105

November 9, 1973

Re: Application No. 96-7237 - Thomas E. Gagin, Jr.
Claim No. 96-4105

Sandpoint News-Bulletin
P.O. Box 218
Sandpoint, ID 83864

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

~~"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."~~

~~-(signature of claimant)~~

Very truly yours,

Fred Eisenbarth
Northern District Manager

Bill submitted 12-3-73 by CP

FE:CP

Enc: Legal Notices (2)

96-4105

ADVERTISING INSERTION ORDER

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA
P.O. Box 218, Sandpoint, Idaho 83864

To Whom Billed:

Name Idaho Dent. of Water Administration
Address _____

Name of Advertiser _____

Ad No. _____

Ad Size: _____ x _____
Caption Notice of Claim to a Water
Right

Insertion Dates: Nov. 15, 22

Copy: _____

No. 96-4105

Thomas E. Gagin Jr.

DATE 11-15-73

- Type of Advertising
- ☐ National Display
 - ☐ Local Display
 - ☐ Classified Display
 - ☐ Classified
 - ☐ Reader
 - ☐ Card of Thanks
 - ☒ Legal
 - ☐ _____

Total Space 36 lines x 36¢
(Col. Inches/Words) (rate)
= \$12.96
(Billing)

96 4105

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NO. 96-4105

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Box 309, Hope, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.30 cubic feet per second ~~acre feet per second~~
of water from an Unnamed Spring
with point of diversion in the SE 1/4, Sec. 7, T. 56N, R. 2E, B.M.,
Bonner County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
(0.04 cfs) & Stockwatering purposes (0.02 cfs); and from March 15 to Nov. 15
for the irrigation of 12 acres (0.24 cfs)
with a priority of 1910;
the place of use is within the SE 1/4, Sec. 7, T. 56N, R. 2E, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON

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96 4105