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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 JOHN L. DECKER
(name of claimant)
of RT 2 NEWPORT, WA 99156, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to ~~HOppenstal Creek~~;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) HOppenstal Creek
- (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>0.03 acft</u> | Use | <u>STORAGE</u> | Period of Use: | From | <u>JAN 1</u> | To | <u>DEC 31</u> |
| Amount | <u>0.01 cfs</u> | Use | <u>STOCKWATER</u> | Period of Use: | From | <u>JAN 1</u> | To | <u>DEC 31</u> |
| Amount | <u>0.01645</u> | Use | <u>DOMESTIC</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: 0.02 cubic feet per second, or 0.03 acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1933

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 1/4 SE 1/4, Sec. 5 Twp. 55N Rge. 5W 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 DAM APPROXIMATELY 8 INCHES HIGH. WATER IS HELD AND ALLOWED TO FLOW DOWN THE CREEK FOR STOCKWATERING.

- (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	
55N	4W	5																X	

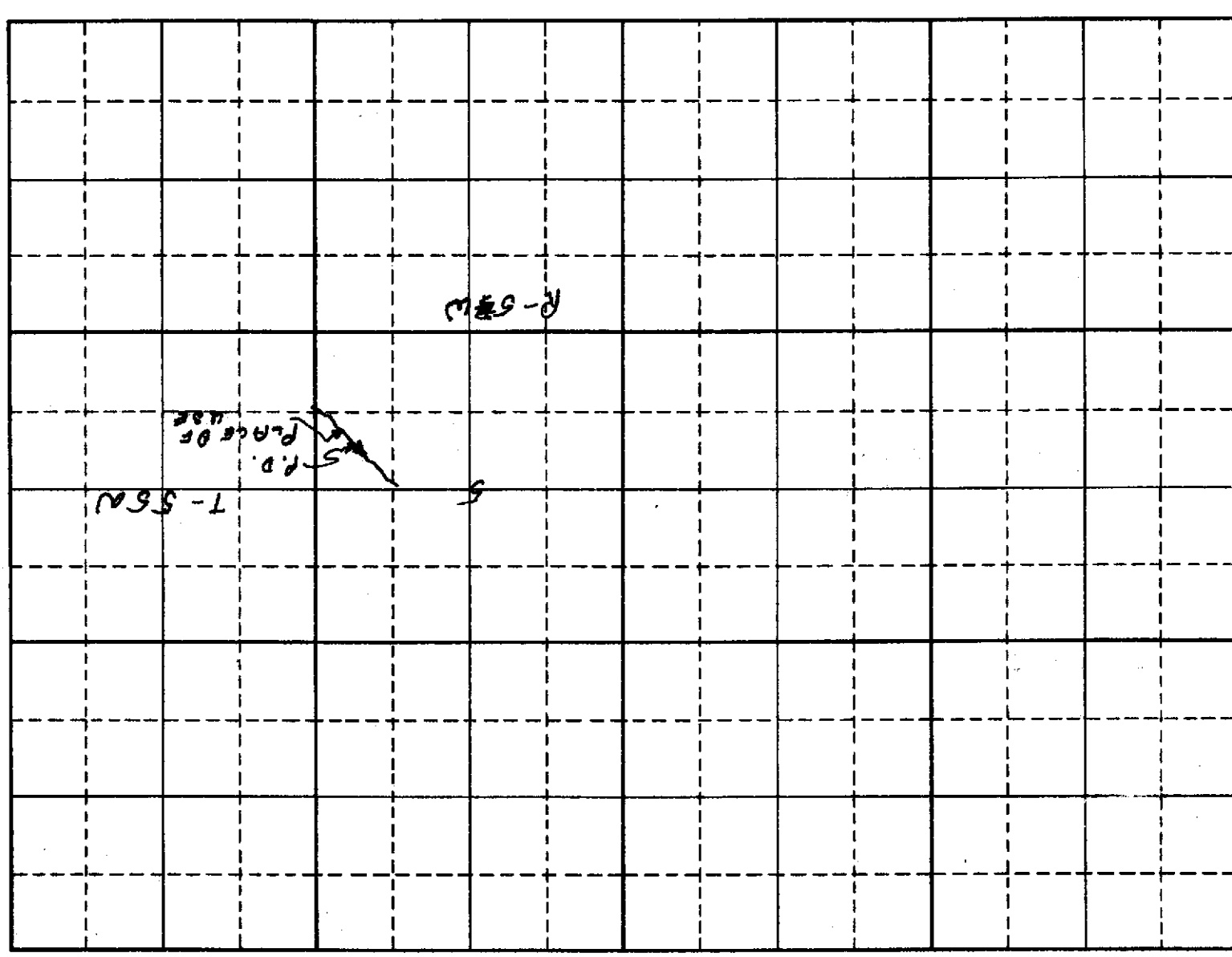
Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
DOMESTIC PURPOSES FOR ONE HOUSEHOLD.
STOCKWATER FOR APPROXIMATELY 5 HEAD OF CATTLE

- (7) If you are claiming water as a member of an organization, list name of organization: _____
- 96 4081

96 4081

(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 ROOSEVELT
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 25TH day of SEP.

John R. Weber
(Claimant)
Sept. 11, 1976
Notary Public
Residing at Coeur d'Alene, ID
My commission expires Sept. 11, 1976

For Department Use Only

Received by NR Date 7/25/73 Exception filed by: Forwarded to Date
Prelim. check by NR Date 7/25/73 claimant by: Date
\$10.00 fee received by NR #11208 Date 7/25/73
Approved for publication by NR
Published in WEST RIVER TIMES Dates 8-2 + 8-9-73

Affidavit of Publication

STATE OF IDAHO

County of Bonner,

ss.

Marie Martin,

being duly sworn, says that she is the Co-Publisher of the PRIEST RIVER TIMES, a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and has been continuously and uninterruptedly published in said County during a period of 78 consecutive weeks prior to the first publication of the annexed notice for publication, is a newspaper of general circulation made up of at least eight pages of at least seven columns each, printed from typematter or stereotyped forms of at least nineteen and three-fourths inches depth, has at least 1250 bona fide subscribers living within said Bonner County, and is published at regular weekly intervals. That the annexed is a true copy of the notice for publication in the case of

Notice of Claim to a Water Right

as it was published in the regular and entire issue of said paper for a period of two consecutive weeks, commencing on the 2nd day of August, 19 73, and ending on the 9th day of August, 19 73, and that said notice was published in said newspaper proper, and not in supplement form.

Marie Martin

Subscribed and sworn to before me this

9th day of August, 19 73.

George C. Connelly
Notary Public for Idaho,

Residing at Priest River, Idaho

RECEIVED

AUG 9 1973

Department of Water Administration
Northern District Office

NOTICE OF CLAIM TO A WATER RIGHT No. 96-4081

Notice is hereby given that John L. Decker, Route No. 2, Newport, Washington has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second &/or 0.03 acre feet per annum of water from Hoppenstal Creek with point of diversion in the NE $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 5, T. 55 N, R. 5W, B.M., Bonner County.

The water is claimed to be used from Jan. 1 to Dec. 31 for storage (0.03 AF/A), stockwatering (0.01 cfs), and domestic purposes (0.01 cfs) with a priority of 1933; the place of use is within the SE $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 5, T. 55N, R. 4W, 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 Priest River Times, Priest River, Idaho on August 2 and August 9, 1973.

31-2t

96 4081

September 11, 1973

RE: CLAIM TO A WATER RIGHT NO. 96-4081

Mr. John L. Decker
Route 2
Newport, Washington 99156

Dear Mr. Decker:

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 BISENBARTH
Northern District Manager

FE:cp

Enclosure

96 4081

July 27, 1973

Re: Application No. 96-7199 - John L. Decker
" " 97-7038 - Frank E. Hammons
Claim No. 96-4081 - John L. Decker

Priest River Times
P.O. Box 398
Priest River, ID 83856

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 8-13-73 by cl

FE:CR

Enc: Legal Notices (3)

96 4081

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of water from Hoppenstal Creek

with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5, T. 55N, R. 5W, B.M.,
Bonner County

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83814.

R. KEITH HIGGINSON

Director

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31-2t

96-4081

OK.
8-1-73
ck