

No Color
Documents
In File

Section 42-225a, Idaho Code

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.

of 8717 W. Ave. "L", Lancaster, Calif. 93534, claims a right to the diversion and beneficial use of
(mailing address)

ground water or surface water tributary to

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Sage 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 0.30 cfs Use Irrigation Period of Use: From June 1 To Sept. 1

Amount	Use	Period of Use: From	To
--------	-----	---------------------	----

Amount	<u> </u>	Use	<u> </u>	Period of Use:	From <u> </u>	To <u> </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) June 1920

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)
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32 Twp. 53N Rge. 2W 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. Water is diverted by open ditch approx.
1/8 mile long to flood irrigate 15 acres.

- (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]

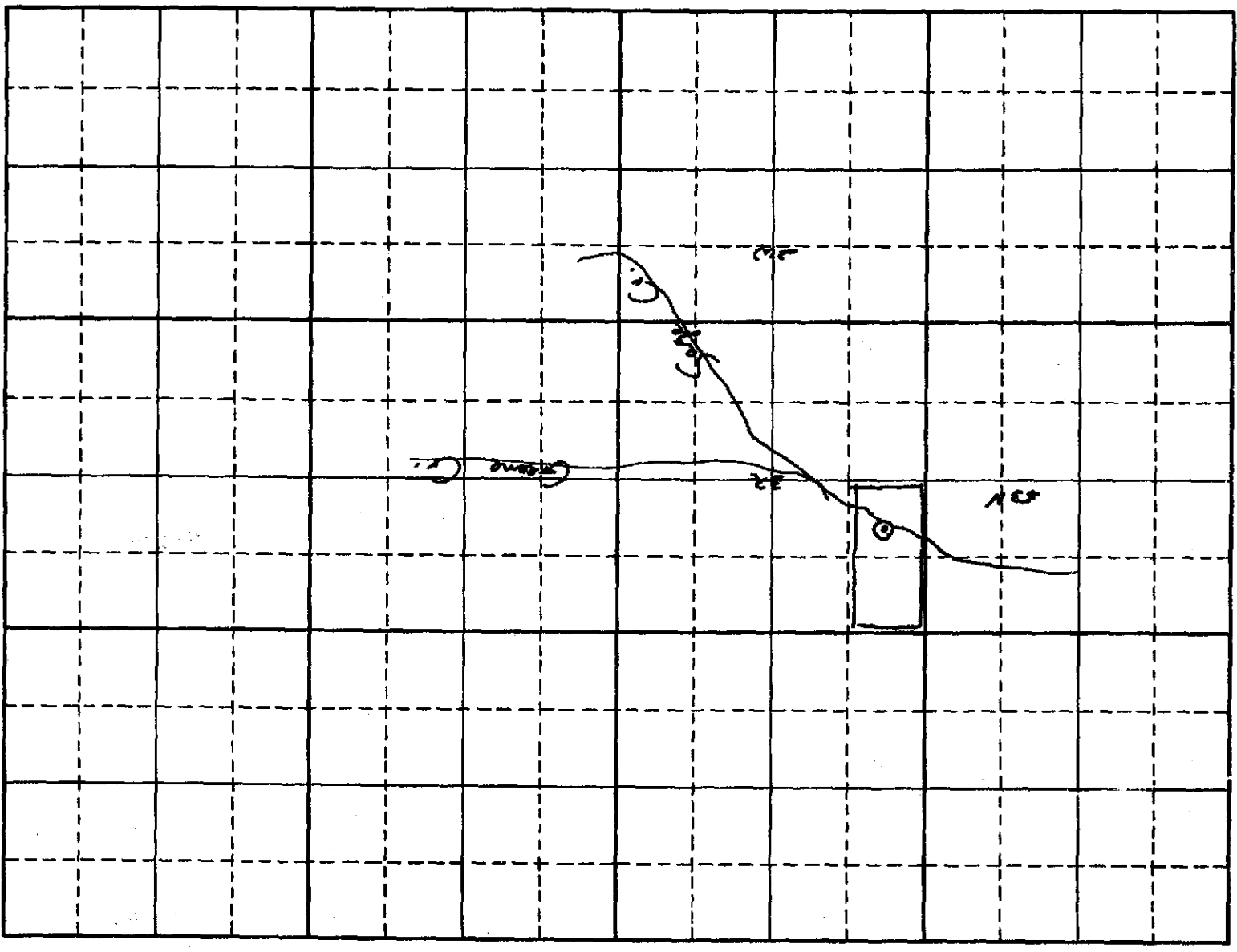
Total No. of acres 15

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

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

96 4072

(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 Kootenai
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 16 day of July

Notary Public Carla M. Roberts
Residing at Coeur d'Alene, ID
My commission expires Sept. 11, 1976

For Department Use Only

Received by 7-12 Date 7/12/73 Exception filed by: 7/12/73 Forwarded to 7/12/73 Date
Prelim. check by 7-12 Date 7/12/73 claimant by: 7/12/73 Date
Approved for publication by 7-12 Date 7/12/73 & 10782
Published in Coeur d'Alene Press
Dates 7-26 & 8-2-73

July - 16 - 1973

To whom it may concern:

Water from Sage Creek was used to irrigate approximately fifteen acres in T 53N, R 2WBM, Section 32 by my parents when they owned this property.

The fifteen acres were in the NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of the NW $\frac{1}{4}$. This irrigation began in about 1920.

Anthony Gubb

96 4072

August 8, 1973

Department of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, ID 83814

Gentlemen:

We, Robert Rickel and Ivan Rickel, hereby wish to file a formal exception to Claim No. 96-4072 in the name of Armand and/or Jean G. Anderson, who have stated in said Claim that water has been diverted from Sage Creek with a priority of 1920, and have diverted 0.3 cubic feet per second of water since that date for irrigational purposes.

We hereby wish to file this exception due to non-use as stated in the Claim, and that the water has not been applied to any type of beneficial use.

Very truly yours,

Robert Rickel
ROBERT RICKEL

Ivan Rickel
IVAN RICKEL

Attest: 207 104A, Atchafalaya, Idaho

Subscribed and sworn to before me this

8TH

day of

August

1973.

Corda M. Roberts

Notary Public

Residing at Coeur d'Alene, Idaho

My commission expires:

Sept. 11, 1976

96 4072

OK.
FE
8/8/73

August 8, 1973

RECEIVED

AUG 8 1973

Department of Water Administration
Northern District Office

Department of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, ID 83814

Gentlemen:

We, Robert Rickel and Ivan Rickel, hereby wish to file a formal exception to Claim No. 96-4072 in the name of Armand and/or Jean G. Anderson, who have stated in said Claim that water has been diverted from Sage Creek with a priority of 1920, and have diverted 0.3 cubic feet per second of water since that date for irrigational purposes.

We hereby wish to file this exception due to non-use as stated in the Claim, and that the water has not been applied to any type of beneficial use.

Very truly yours,

Robert Rickel
ROBERT RICKEL

Ivan Rickel
IVAN RICKEL

Box 104A, Athol, Idaho

Subscribed and sworn to before me this 8TH day of August,
1973.

Corda M. Roberts
Notary Public
Residing at Coeur d'Alene, Idaho

My commission expires: Sept. 11, 1976

96 4072

AFFIDAVIT OF PUBLICATION COEUR D'ALENE PRESS (WEEKLY)

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

10.80

AUG 7 1973

Department of Water Administration
Northern District Office
being first duly sworn,

Carol J Hedge
deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on Wednesdays; and that the

Armand H. Anderson
8717 W. Ave

Jean Anderson
Water Claim

of which a printed copy is annexed hereto, was published in all the regular Wednesday

weekly issues of said newspaper for 2 consecutive weeks, commencing

on the 26th day of July, 19 73, and ending on the

2nd day of Aug, 19 73.

Subscribed and sworn to, before me, this 6th day of August

19 73

Ken H. [Signature]
Notary Public for the State of Idaho.
residing at Coeur d'Alene, Idaho.

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 96-4072

Notice is hereby given that

Armand H. &/or Jean G. Anderson, 8717 W. Avenue "I," Lancaster, California have 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 Sage Creek with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 53N, R. 2W, B.M., Kootenai County.

The water is claimed to be used from June 1 to Sept. 1 for the irrigation of 15 acres with a priority of June, 1920; the place of use is within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, T. 53N, R. 2W, 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

July 26, Aug. 2, 1973

96 4072

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

August 14, 1973

Re: Claim to a Water Right No. 96-4072 - Armand H. &/or Jean G. Anderson

Robert and Ivan Rickel
Route #1, Box 104-A
Athol, ID 83801

Gentlemen:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

"At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If we may be of any further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

96 4072

FE:CR

bc: Boise ✓

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

August 14, 1973

Re: Claim to a Water Right No. 96-4072

Armand H. &/or Jean G. Anderson
8717 W. Avenue "L"
Lancaster, CA 93534

Dear Mr. & Mrs. Anderson:

In reference to the above claim, the enclosed is a copy of an exception filed by Robert and Ivan Rickel in connection with this claim under the provisions of Chapter 2, Section 42-225b of the Idaho Code, which states the following:

"At any time after filing a claim under the provisions of this section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form, accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the Department of Water Administration and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the Department of Water Administration. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

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If we may be of any further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enclosure

cc: Boise ✓

96 4072

OK.
76
8/8/73

August 8, 1973

Department of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, ID 83814

Gentlemen:

We, Robert Rickel and Ivan Rickel, hereby wish to file a formal exception to Claim No. 96-4072 in the name of Armand and/or Jean G. Anderson, who have stated in said Claim that water has been diverted from Sage Creek with a priority of 1920, and have diverted 0.3 cubic feet per second of water since that date for irrigational purposes.

We hereby wish to file this exception due to non-use as stated in the Claim, and that the water has not been applied to any type of beneficial use.

Very truly yours,

Robert Rickel
ROBERT RICKEL

Ivan Rickel
IVAN RICKEL

Patricia A. Athol, Idaho

Subscribed and sworn to before me this 5TH day of August,
1973.

Corda M. Roberts
Notary Public
Residing at Coeur d'Alene, Idaho

My commission expires: Sept. 11, 1976

96 4072

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

August 15, 1973

Re: Claim to a Water Right No. 96-4072

Armand H. &/or Jean G. Anderson
8717 West Avenue "L"
Lancaster, CA 93534

Dear Mr. & Mrs. Anderson:

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:CR

Enclosure

96 4072

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

August 14, 1973

Re: Claim to a Water Right No. 96-4072

Armand H. &/or Jean G. Anderson
8717 W. Avenue "L"
Lancaster, CA 93534

Dear Mr. & Mrs. Anderson:

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Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for conformation or final censorship of the described rights.

If we may be of any further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enclosure

cc: Boise

96 4072

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

August 14, 1973

Re: Claim to a Water Right No. 96-4072 - Armand H. &/or Jean G. Anderson

Robert and Ivan Rickel
Route #1, Box 104-A
Athol, ID 83801

Gentlemen:

We are in receipt of your correspondence concerning the above referenced claim to a water right. The following is a quote from the provisions under which this claim has been filed (Section 42-225b of the Idaho Code):

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If we may be of any further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

be: Boise

96 4072

July 20, 1973

Re: Application No.	95-7322	95-7326	95-4104
"	" 95-7323	96-7196	96-4072
"	" 95-7324	95-4103	96-4074

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

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

FE:CR

Enc: Legal Notices (9)

Bill submitted 8-13-73 by cl

96 4072

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4072

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8717 W. Avenue "L", Lancaster, California

~~has~~ ^{have} filed a claim to a water right established by diversion and application
to beneficial use of 0.30 cubic feet per second ~~above feet per annum~~
of water from Sage Creek

with point of diversion in the SW¹/₄ NW¹/₄, Sec. 32, T. 53N, R. 2W, B.M.,
Kootenai County

The water is claimed to be used from June 1 to Sept. 1 for the irrigation
of 15 acres
with a priority of June, 1920 ;

the place of use is within the W¹/₂ NW¹/₄, Sec. 32, T. 53N, R. 2W, 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 Coeur d'Alene Press, Coeur d'Alene, Idaho
on July 26 and August 2, 1973

96 4072

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 96-4072

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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

July 26, Aug. 2, 1973

96 4072

o.k.
7-27-73
ck