

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.

(name of claimant)

ground water or surface water tributary to _____

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Spirit Lake

Amount	<u>0.03 cfs</u>	Use	<u>Domestic</u>	Period of Use:	From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
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)

(4) Priority claimed: (the date water was first applied to beneficial use) 1940

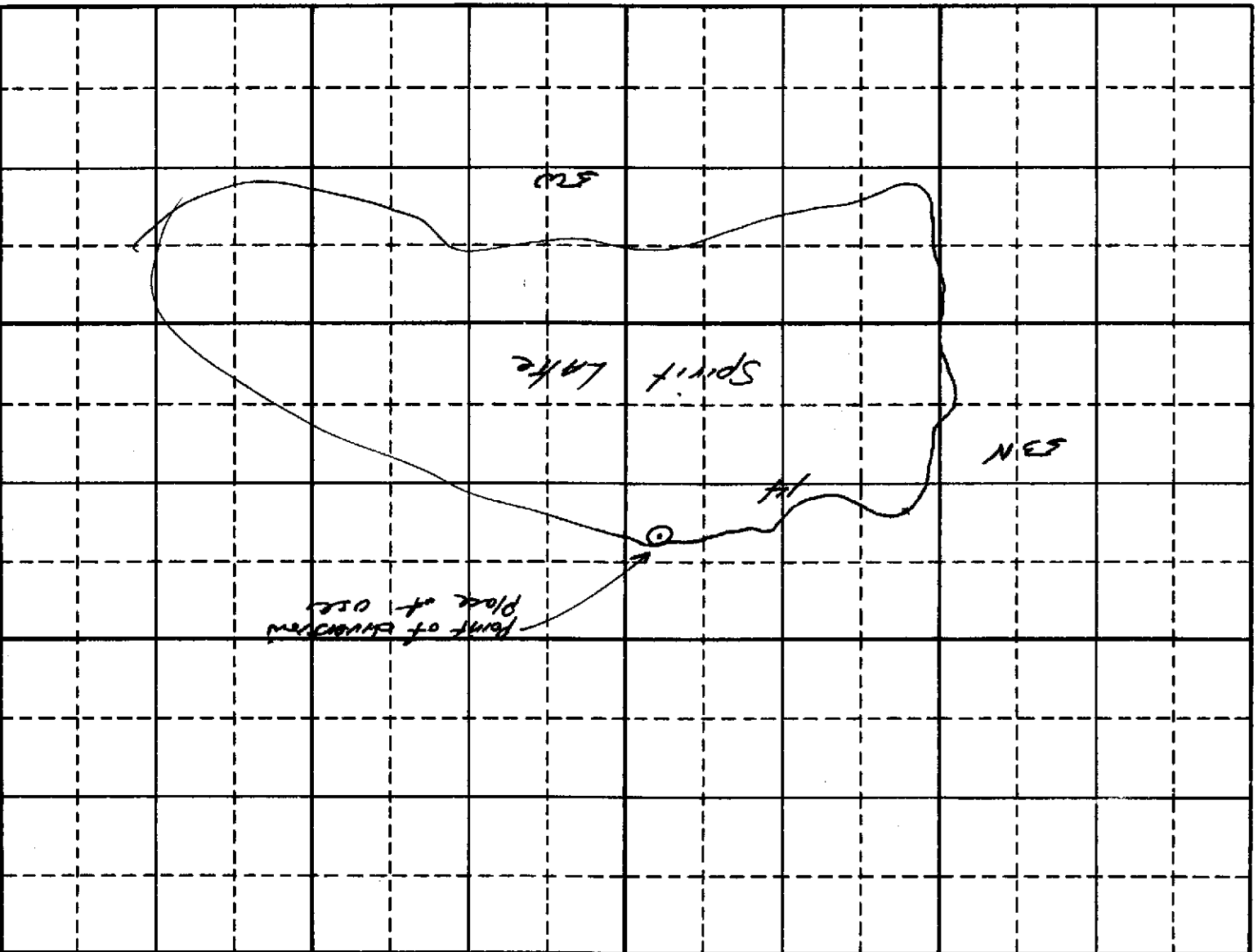
(5) A) Point of diversion: (give location of point where water is diverted from its source)
Gov't. Lot 1
~~xx~~ ~~xx~~ Sec. 14 Twp. 53N Rge. 5W B. M. County of Kootenai

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. 1 h.p. submersible pump, 1 1/4" discharge
150' to house.

[illegible]

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: _____



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

ss.

County of Kootenai

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 6th day of June

(Claimant)

Notary Public
Residing at Coeur d'Alene, ID

My commission expires Sept. 11, 1976

For Department Use Only

Received by 7.0 Date 6/6/73 Exception filed by: Forwarded to Date
Prelim. check by 7.0 Date 6/6/73 claimant by:
\$10.00 fee received by 7.0 Date 6/6/73
Approved for publication by 7.0 Date 6/6/73
Published in First Falls Tribune
Dates 6-11 & 6-21-73

96 4064

sell and the parties of the second part agree to buy, the following

described property situated in Kootenai County, Idaho, to-wit:

A tract of land in Government Lot 1, Section 14, Township 53 North, Range 5 W.B.M., described as: Beginning at the Meander corner between said Section 14 and Section 13, Township 53 North, Range 5 W.B.M.; thence South $25^{\circ}37\frac{1}{2}'$ West 217.2 feet; thence North $73^{\circ}20'$ West, 117.0 feet to a point on the shore of Spirit Lake marked by a $\frac{1}{4}"$ iron pin set on the Northerly edge of a rock point, this being the true point of beginning for this description; thence North $0^{\circ}35'$ East, 113.0 feet; thence North $14^{\circ}09'$ West, 732.8 feet to a point on the Southerly line of existing county road; thence Southwesterly along the Southerly road line 800 feet, more or less, to the Northeasterly corner of Tax #4975; thence South $12^{\circ}28\frac{1}{2}'$ West, 222.01 feet; thence North $89^{\circ}03\frac{1}{2}'$ East, 246.67 feet; thence South $31^{\circ}45\frac{1}{2}'$ East, 158.45 feet to a point on the shore of Spirit Lake; thence Easterly along the shore of Spirit Lake 300 feet, more or less to the point of beginning. (Assessed as Tax No. 5703)

Subject to easements and reservations as shown on Panhandle Title Company Preliminary Report No. 57751.

96 4064

RECEIVED

AFFIDAVIT OF PUBLICATION

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 96-4064**

Notice is hereby given that Robert W. Miller, Box 325, Spirit Lake, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from Spirit Lake with point of diversion in Gov't. Lot 1, Sec. 14, 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 1940; the place of use is within Gov't. Lot 1, Sec. 14, T. 53N, R. 5W, 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 Post Falls Tribune, Post Falls, Idaho, on June 14 and June 21, 1973.

6-14 2tc

County of Kootenai }
STATE OF IDAHO } ss.

JEANNETTE S. ROSIN, being first duly sworn, deposes and says that she is the publisher of THE POST FALLS TRIBUNE, a newspaper published weekly at Post Falls, Kootenai County, Idaho, and of general circulation therein.

That the NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4064 Robert W. Miller a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for two consecutive issues, commencing

with the issue dated June 14, 1973
and ending with the issue dated June 21, 1973

Subscribed and sworn to before me, this 21st.

day of June, 1973

C. Agnes Luckin
Notary Public for the State of Idaho
Residing at Post Falls, Idaho

Publication Fee \$12.21

96 4064

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

July 3, 1973

Re: Claim to a Water Right No. 96-4064

Robert W. Miller
Box 325
Spirit Lake, ID 83869

Dear Mr. Miller:

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, please contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

ENC: copy of claim

96 4064

June 8, 1973

Re: Application No. 95-7300 - Pack River Properties, Inc.
Claim No. 96-4064 - Robert W. Miller

Post Falls Tribune
Box 68
Post Falls, ID 83854

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 6-25-73 by FE

FE:CR

Enc: Legal Notices (2)

96 4064

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4064

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Box 325, Spirit Lake, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.03 cubic feet per second ~~XXXXXXXXXXXXXXXXXXXX~~
of water from Spirit Lake

with point of diversion in ~~the~~ Gov't. Lot 1, Sec. 14, 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 1940;
the place of use is within ~~the~~ Gov't. Lot 1, Sec. 14, T. 53N, R. 5W, 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 Post Falls Tribune, Post Falls, Idaho

on June 14 and June 21, 1973

96 4064

**NOTICE OF CLAIM
TO A WATER RIGHT**
No. 196-4064

Notice is hereby given that Robert W. Miller, Box 325, Spirit Lake, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.03 cubic feet per second of water from Spirit Lake with point of diversion in Gov't. Lot 1, Sec. 14, 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 1940; the place of use is within Gov't. Lot 1, Sec. 14, T. 53N, R. 5W, 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 Post Falls Tribune, Post Falls, Idaho, on June 14 and June 21, 1973.

6-14 2tc

6906 96

OK
6-14-73
CR