

No Color
Documents
In File

96-
Identification No. 96-4041 *P*

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Maurice E. Schudel
post office address 1208 West 17th, Spokane, Washington 99203

2. The point of diversion is in Gov't Lpt. # 3 $\frac{1}{4}$ Section 22 Township 56 North
Range 1 West B.M. located on ground water.

(name of source)

tributary to _____ in Bonner County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed: 4 May 1970

amount: .04 c.f.s. or _____ acre feet

amount: _____ c.f.s. or _____ acre feet

amount: _____ c.f.s. or _____ acre feet

Total claimed .04 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use domestic period of use from Jan. 1st to Dec. 31st (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface water diversion dam and/or headgate: material is composed of _____

_____ ; length is _____ feet; height is _____ feet;

width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped ; depth of well is

120 feet; diameter of well is 6 inches; type of pump is _____

capacity of pump is _____ g.p.m.; name and address of well driller is _____

Dan Burt and Sons Drilling Company, Spokane, Wash. ;

96 4041

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch _____
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____
None

7. Where water is used for domestic or municipal purposes give number of families served one
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

State of ~~Idaho~~ Washington
County of Spokane ~~Idaho~~ 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 affiants knowledge.

Sworn to before me this 25th day of January, 1973 Claimant

Notary Public
Residing at Spokane

My commission expires Feb. 10, 1986

For Department Use Only

Received by <u>CL</u> Date <u>1-26-73</u>	Exception filed by:	Forwarded to	Date
		claimant by:	
Prelim. check by <u>TE</u> Date <u>4/29/73</u>			
Fee received by <u>TE</u> Date <u>4/29/73</u> Fee \$ <u>10.00</u>			
Approved for publication by <u>TE</u>			
Published in <u>SANJOAQUIN NEWS-LETTER</u> Dates <u>2-8-73</u>			

3-15-73

65 4041

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.

2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.

3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
Total claimed:	1.2 c.f.s. or			acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.

5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.

6, 7, & 8. Describe any other uses of water.

9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to it for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Southern District
Idaho Dept. of Water Administration
 1041 Blue Lakes Blvd. North
 Twin Falls, Idaho 83301

Northern District
Idaho Dept. of Water Administration
 401 Front Avenue, Room 209
 Coeur d'Alene, Idaho 83814

Western District
Idaho Dept. of Water Administration
 Statehouse - Annex 2
 Boise, Idaho 83707

Eastern District
Idaho Dept. of Water Administration
 240 South Holmes
 Idaho Falls, Idaho 83401

RECEIVED

Idaho Department of Water Administration

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.
96-4041, by Maurice E. Schudel, 1208
West 17th, Spokane, Wash.

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 8th
day of February, 19 73, and end-
ing on the 15th day of February,
19 73, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

22nd day of February, 19 73.

Glynn Grace

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4041

Notice is hereby given that
Maurice E. Schudel, 1208 West
17th, Spokane, Washington has
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 ground water
source with point of diversion
in Gov't. Lot No. 3, Sec. 22,
T. 56N, R. 1W, B.M., Bonner
County.

The water is claimed to be
used from Jan. 1 to Dec. 31
for domestic purposes with a
priority of May 4, 1970; the
place of use is within Gov't.
Lot No. 3, Sec. 22, T. 56N,
R. 1W, 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 HIGGENSON

Director

Published in the Sandpoint
News-Bulletin, Sandpoint, Ida-
ho on Feb. 8 and Feb. 15, 1973.

F8-15

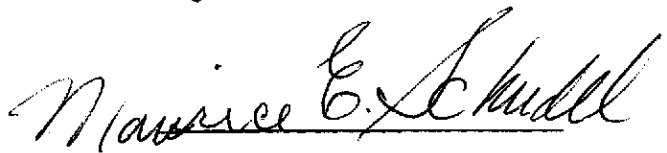
96 4041

April 29, 1977

RE: 96-4041 Claim to a Water Right

I, Maurice E Schudel, has sold the house including the well to: Lee W Peters and Jo Ann Peters at E12421 Olive, Spokane, Wash., 99216. Claim to Water Right #96-4041 now is in the possission of Lee Peters. Contract on home being held by Maurice E Schudel

Signed

A handwritten signature in cursive script that reads "Maurice E. Schudel". The signature is written in dark ink and is positioned below the typed name "Maurice E Schudel".

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

February 27, 1973

Re: Claim to a Water Right No. 96-4041

Maurice E. Schudel
1208 West 17th
Spokane, WA 99203

Dear Mr. Schudel:

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 further assistance, please contact us.

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

FE:CR

Enc: copy of claim

96 4041

February 2, 1973

Re: Claim No. 96-4041 - Maurice E. Schudel

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
Water Resource Supervisor
Northern District

Bill submitted 2-26-73 by R

FE:CR

96 4041

Enc: Legal Notice

ADVERTISING INSERTION ORDER

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA

P.O. Box 218, Sandpoint, Idaho 83864

To Whom Billed:

Name Department of Water Admn.

Address _____

Name of Advertiser _____

Ad No. _____ Ad Size: _____ x _____

Caption Notice of Claim to a Water Right No. 96-4041

Insertion Dates: Feb. 8, 15

Copy:

AIO. NO 5095

DATE 2-8-73

Type of Advertising

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

☐ _____

Maurice E. Schudel

I hereby certify that the foregoing account is true and correct, to the extent claimed to have been paid by all past readers, and a full part of the whole has been paid.
Charles Galt

Total Space	<u>33 lines</u>	x	<u>36¢</u>	=	\$ <u>11.88</u>
	(Col. Inches/Words)		(rate)		(Billing)

96 4041

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4041

Notice is hereby given that Maurice E. Schudel,

1208 West 17th, Spokane, Washington

has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~xxxxxx per second~~

of water from a ground water source

with point of diversion in ~~the~~ Gov't. Lot #3, Sec. 22, T. 56N, R. 1W, B.M.,

Bonner County

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

purposes

with a priority of May 4, 1970;

the place of use is within ~~the~~ Gov't. Lot #3, Sec. 22, T. 56N, R. 1W, 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 FEB. 8 and Feb. 15, 1973

February 2, 1973

Re: Claim to a Water Right No. 96-4041

Maurice E. Schudel
1208 W. 17th
Spokane, WA 99203

Dear Mr. Schudel:

Attached is your receipt No. 8528 in the amount of \$10 for the filing fee on the above referenced claim, which was received in this office.

Very truly yours,

Fred Eisenhardt
Water Resource Supervisor
Northern District

FE:CR

Enc: Receipt

96 4041