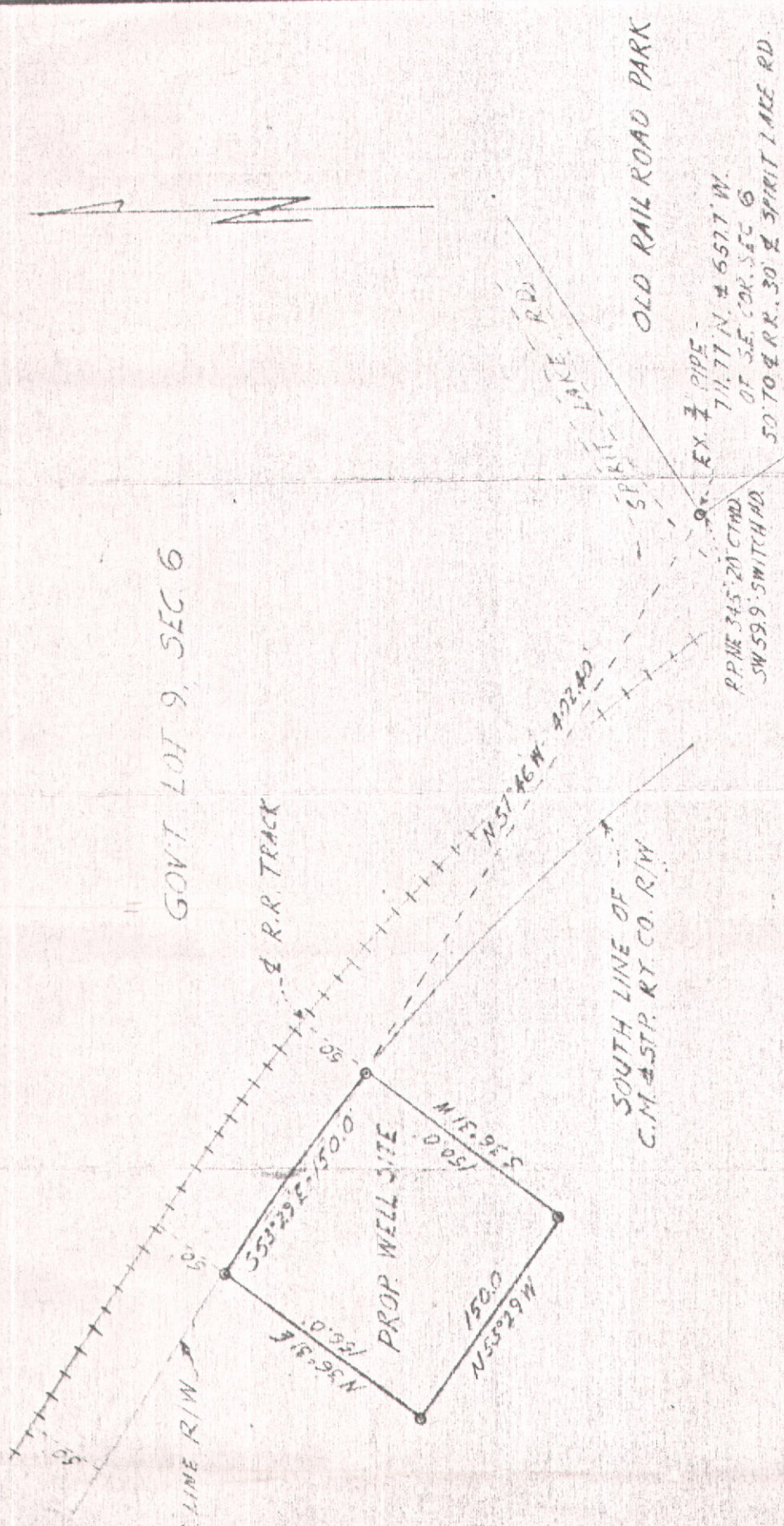


5



PLAT OF SURVEY	
PROPOSED SPIRIT LAKE WELL SITE	
RAY H KINDLER	DRAWN BY FM
BOX 1079, COEUR D'ALENE, IDAHO	REVISOR
PORTION OF GOVT LOT 9, SEC 6, T. 53 N., R. 4 W., B. M.	
KOOTENAI COUNTY, IDAHO	
DATE 11-29-61	DRAWING NUMBER
APPROVED BY RK	

○ Indicates 3/4" Pipe Marker

96 4022

Established by Diversion and Application to Beneficial Use

CLAIM TO A WATER RIGHT

DEPARTMENT OF WATER ADMINISTRATION

STATE OF IDAHO

Identification No. 96-4022
Claim No. 96-4022
Map No. _____

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 City of Spirit Lake

post office address Box 308 - Spirit Lake, Idaho 83869

2. The point of diversion is in Gov't 1/4 of Lot Nine Section Six Township Fifty-three North

Range Four (4) West B.M. located on Underground

(name of source)

tributary to Underground source in Kootenai 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:

June 17, 1962 amount: .7 c.f.s. or _____ acre feet

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

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

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

use domestic period of use from Jan. 1 to Dec. 31 every year (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 _____

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

width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capac-

ity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped _____ pumped _____

two wells _____; depth of well is _____

330 ft. & 355 ft. feet; diameter of well is 4" & 8" inches; type of pump is Submergible

capacity of pump is 240 g.p.m.; name and address of well driller is B. A. Holman Drilling Co.

and Zinkgrat Well Drilling 601 S. Pines Road Spokane, Wn.

and 1606 East Sharp Avenue Spokane, Washington

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain 4" pump was replaced with identical size and cap-
pump

- c. Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible _____

- d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

Water is stored in 75,000 gallon tank.

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

A tract of land in Government Lot Nine (9) Section Six (6), Township Fifty-three (53) North, Range Four (4) West, Boise Meridian, Kootenai County, Idaho, described as follows:

Beginning at a point in the old "Railroad Park" at Spirit Lake, said point being 50 feet Northeasterly from the center of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company tracks and 30 feet Southeasterly from the center of the Spirit Lake Road, said point being marked by a 3/4" iron pipe and being 711.77 feet North and 657.70 feet West from the Southeast corner of said Section Six (6), thence North 57°46' W 402.40 feet to a point on the South line of the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, being the true point of beginning for this description; thence South 36°31' East, 150.00 feet to a point on said South line of right of way; thence along said South line of right of way to the true point of beginning, being South 53°29' E 150.00 feet from the said point, containing 0.517 acres, more or less.

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

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 _____

7. Where water is used for domestic or municipal purposes give number of families served 250
name of town supplied Spirit Lake, Idaho

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
The wells were drilled in 1963 to furnish water for the City of Spirit Lake
when the lake water became polluted.

These wells tap an underground flow of water. We have had the well water
analyzed and compared with other wells in this area. We believe that we are
the only ones to tap this water supply to date.

The well is situated on "A tract of land in Government Lot Nine (9), Section
Six (6), Township Fifty-three (53) North, Range Four (4) west, Boise Meridian,
Kootenai County, Idaho.

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 affiants knowledge.

Francis Turner, City Clerk
Claimant

Sworn to before me this 24th day of March, 1971.

W H Ordway
Notary Public

Residing at Spirit Lake, Idaho

My commission expires April 1-1972

For Department Use Only

Received by <u>ej</u> Date <u>4-26-71</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>Dev</u> Date <u>5-4-71</u>	_____	_____	_____
Fee received by <u>ej</u> Date <u>5/5/71</u> Fee \$ <u>10⁰⁰</u>	_____	_____	_____
Approved for publication by <u>D</u>	_____	_____	_____
Published in <u>Coeur d'Alene</u> Dates <u>5-27 & 6-3, 1971</u>	_____	_____	_____
Press at Coeur d'Alene, Idaho			

56 4022

INSTRUCTIONS

Paragraph No.

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.

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 this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

5

GOVT LOT 9, SEC 6

4 R.R. TRACK

SOUTH LINE OF
C.M. & STP. RT. CO. R/W

OLD RAILROAD PARK

EX. 7" PIPE
71.77' N. & 65.77' W.
OF SET. COR. SEC 6
50' TO & R.R. 30' & SPIRIT LAKE RD.

PLAT OF SURVEY

PROPOSED SPIRIT LAKE WELL SITE

RAY H KINDLER BOX 1079, COEUR D'ALENE, IDAHO	SCALE 1" = 100 FT	DRAWN BY FM
		REVISED
PORTION OF GOVT LOT 9, SEC. 6, T. 53 N., R. 4 W., B. 1 M. KOOTENAI COUNTY IDAHO		
DATE 11-29-61	APPROVED BY RK	DRAWING NUMBER

Indicates 7" Pipe Marker

96 4022

6 wife, The parties of the first part, and the CITY OF SPIRIT LAKE,
A municipal corporation in the County of Kootenai, State of Idaho,
the party of the second part;

WITNESSETH:

That the said party of the first part, for and in consideration of the sum of ONE DOLLAR, lawful money of the United States of America, and for other good and valuable consideration, hereinafter enumerated, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM unto the said party of the second part, and to its heirs and assigns, all that certain lot, piece or parcel of land, situate, lying and being in the County of Kootenai, State of Idaho, bounded and particularly described as follows, to-wit:

6 A tract of land in Government Lot Nine (9), Section Six (6), Township Fifty-three (53) North, Range Four (4) West, Boise Meridian, Kootenai County, Idaho, described as follows:

Beginning at a point in the old "Railroad Park" at Spirit Lake, said point being 50 feet Northeasterly from the center of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company tracks and 30 feet Southeasterly from the center of the Spirit Lake Road, said point being marked by a 3/4" iron pipe and being 711.77 feet North and 657.70 feet West from the Southeast corner of said Section Six (6), thence North 57°46' W 402.40 feet to a point on the South line of the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, being the true point of beginning for this description; thence South 36°31' East, 150.00 feet to a point on said South line of right of way; thence along said South line of right of way to the true point of beginning, being South 53°29' E 150.00 feet from theforesaid point, containing 0.517 acres, more or less.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

MEMORANDUM OF AGREEMENT

THIS INSTRUMENT, made in duplicate, is a written memorandum of agreement which has been entered into by and between the CITY OF SPIRIT LAKE, Kootenai County, State of Idaho, a municipal corporation of the Second Class, acting by and through the undersigned Mayor and Clerk of said city, and by and through the authority and direction of the City Council, and hereinafter referred to as the CITY, and the HOLMAN DRILLING CORPORATION, a Washington corporation authorized and doing business in the State of Idaho, hereinafter referred to as the CONTRACTOR, Witnesseth:

IT IS MUTUALLY UNDERSTOOD AND AGREED that the CONTRACTOR will drill and furnish eight inch I.D. casing and shoe at the rate of \$12.00 per foot, it being estimated by the parties that a depth of 330 feet, more or less, will be drilled by the CONTRACTOR for a water-producing well for CITY uses and purposes.

IT IS FURTHER UNDERSTOOD AND AGREED that the CONTRACTOR will perforate said casing, and the CITY will pay therefore the amount of \$14.00 per hour, it being estimated by the parties that a maximum of eight hours work will be required.

IT IS FURTHER UNDERSTOOD AND AGREED that the CONTRACTOR will develop the well, as hereinabove agreed to, and the CITY will pay therefore the amount of \$14.00 per hour, it being estimated by the parties that a maximum of sixteen hours will be required.

TIME IS OF THE ESSENCE OF THIS AGREEMENT. CONTRACTOR covenants that all performance pursuant to the agreement of the parties hereto shall be performed in a good workmanlike manner not later than October 9, 1962, and covenants and agrees to pay loss or damage resulting to the CITY, either directly or indirectly, by reason of any failure to perform this agreement. All payments coming due by virtue of this agreement shall belong and be retained by the CITY should default occur, as liquidated damages for the non-fulfillment of this agreement, and costs resulting to the CITY thereby. It is expressly agreed that this amount has been fixed by the parties as liquidated damages, since the actual amount of damage and loss to the CITY would be impossible to definitely determine.

IT IS FURTHER UNDERSTOOD AND AGREED that the CONTRACTOR does not
guarantee water.

IN WITNESS WHEREOF, the parties have hereunto set their hands this
_____ day of September, 1962, at Spirit Lake, Kootenai County, Idaho.

CITY OF SPIRIT LAKE
A municipal corporation
of the State of Idaho

By: J. E. Bacon
John E. Bacon, Mayor

ATTEST:

W. H. Ordway, City Clerk

HOLMAN DRILLING CORPORATION

By: _____

Title: _____

ZINKGRAF'S WELL DRILLING

WELL DIGGING
DRILLING AND TEST HOLES
(SINCE 1888)

SPOKANE, WASHINGTON

Feb. 23, 1971

Town Clerk
P.O. Box 308
Spirit Lake, Idaho.

Statment of work done on well for the town
of Spirit Lake. June 17th. & 18th. 1952

Deepened 8 in. drilled well 303 feet to 354 feet with 6 in.
casing. Perforate 6 in. casing 315 feet to 350 feet with 2
rows of perforations. $1\frac{1}{8}$ in. X $\frac{1}{8}$ in. X 5 perforations per
row per foot. Total perforations 350. Develop and pump
well.

Zinkgraf Well Drilling Co.

ae

DEEP WELL TURBINES
SPRINKLER SYSTEMS
WATER SYSTEMS
SUBMERCIBLES

DICKERSON MACHINERY CO., INC.

P. O. BOX 2823 TERMINAL ANNEX

SPOKANE 2, WASHINGTON

PHONE: FAirfax 5-2588

**WELL SUPPLIES
WEED SPRAYERS
PUMP REPAIRING
USED PUMPS**

**S
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CITY OF SPIRIT LAKE
Spirit Lake
Idaho

SHIP TO

2. 数据源

[illegible]**DUPLICATE INVOICE**

INTEREST CHARGED AFTER 30 DAYS FROM DATE OF THIS INVOICE

PLEASE SAVE THIS INVOICE - WE DO NOT ITEMIZE AGAIN.

KEY

Abstract

INVOICE

DEEP WELL TUBING
SPRINKLER SYSTEMS
WATER SYSTEMS
SUBMERSIBLES

DICKERSON MACHINERY CO., INC.

P. O. BOX 2823 TERMINAL ANNEX

SPOKANE 2, WASHINGTON

PHONE FAIRfax 5-2588

WELL SUPPLIES
WEED SPRAYERS
PUMP REPAIRING
USED PUMPS

CITY OF SPIRIT LAKE
Spirit Lake
Idaho

S
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P
T
O

Customers Order No.	Our Work Order No.	Salesman	Terms	Ship Via	Invoice Date
	7486	Glen	Net Cash	Delivered & Install	10/20/62
Quantity	DESCRIPTION	Unit Price	Extension	AMOUNT	
	Furnish and install 20 HP 440V 140120A Model 64145 Reda Pump and 355' of cable and pipe. Wire control in and wire to meter weatherhead. Furnish well cover and low water cutoff switch.				
	Total as per quotation 8/14/62		2,760.00		
					\$2,760.00
	NO TAX - IDAHO				
	EXTRA:				
1 -	3" Galvanized 90° Elbow	5.74			
2 -	3" Galvanized x short nipples	1.37	2.74		
2 -	3" Galvanized x close nipples	1.20	2.40		
1 -	Set light transformer, switch and disconnect		36.90		
1 -	Set 1/4" Galvanized Air line 304' with direct reading gauge		57.20		
			104.98		
	Less CREDIT for difference in drop pipe. Estimated 340' and actually used 304'				
			50.04 or 54.94		
					\$2,814.94

FILE COPY

INTEREST CHARGED AFTER 30 DAYS FROM DATE OF THIS INVOICE

PLEASE SAVE THIS INVOICE - WE DO NOT ITEMIZE AGAIN.

96 4022

No 2727

DESCRIPTION OF SUPPORTING EVIDENCE:

1. Statement from Zinkgraf's Well Drilling for work done June 17th & 18th, 1962
2. Carbon Copy of Agreement from Holman Drilling Corp. for drilling done not later than October 9, 1962.
3. Contract for Pump Delivered and Installed 10/20/62.
4. Contract for Pump Delivered and Installed 3/28/63.
5. Map of Proposed Spirit Lake Well Site 11/29/61.
6. Legal description and part of QuitClaim Deed.

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

STATE OF IDAHO,

County of Kootenai, } ss.

Callie Pontner 1044

being first duly sworn,
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

*Notice of Claim to a
Water Right -*

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

weekly issues of said newspaper for *two* consecutive weeks, commencing

on the *27* day of *May*, 19*71*, and ending on the

3 day of *June*, 19*71*

Callie Pontner

Subscribed and sworn to, before me, this *3* day of *June*

19 *71*

Bernard P. Higgins

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4022

Notice is hereby given that the City of Spirit Lake, Box 308, Spirit Lake, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.7 cubic feet per second of water from a ground water source with point of diversion in Gov't. Lot 9 (2 points), Sec. 6, T. 53N, R. 4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of June 17, 1962; the place of use is within the City of Spirit Lake.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

May 27, June 3, 1971

NOTARY PUBLIC for the State of Idaho
Residing at Coeur d'Alene, Idaho
My commission expires December 1, 1974

96 4022

June 16, 1971

Re: Claim to a Water Right No. 96-4022

City of Spirit Lake
c/o Frances Turner, City Clerk
P. O. Box #308
Spirit Lake, Idaho 83869

Gentlemen:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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 your 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 can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McBIdowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

May 18, 1971

Re: Application No. 95-7142 - Idaho Water Company
" " 95-7143 - Rudolph & Esther M. Stammerjohan
Claim No. 96-4022 - City of Spirit Lake

Coeur d'Alene Press
2nd & Lakeside
Coeur d'Alene, Idaho 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 date. 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notices (3)

Bill submitted 6-16-71 By dr

96 4022

LEGAL

NOTICE OF CLAIM TO A WATER RIGHT No. 96-4022

Notice is hereby given that the City of Spirit Lake, Box 308, Spirit Lake, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.7 cubic feet per second of water from a ground water source with point of diversion in Gov't. Lot 9 (2 points), Sec. 6, T. 53N, R. 4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of June 17, 1962; the place of use is within the City of Spirit Lake.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

May 27, June 3, 1971 96 4022

O.K. 4-7
5-2 88

NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4022

Notice is hereby given that the City of Spirit Lake, Box 308,
Spirit Lake, Idaho,

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.7 cubic feet per second ~~acre feet~~
of water from a ground water source

with point of diversion in the ~~xxx~~ Gov't. Lot 9 (2 points), Sec. 6,
T. 53N, R. 4W, B.M., Kootenai County

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

with a priority of June 17, 1962;
the place of use is within the City of ~~Spok~~ Spirit Lake

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration. ., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho,
on May 27 and June 3, 1971.

May 10, 1971

City of Spirit Lake
% City Clerk
Box 308
Spirit Lake, Idaho 83869

Gentlemen:

Returned herewith is your receipt No. 5974 in the amount of \$10.00
for your claim application,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

May 5, 1971

City of Spirit Lake
Post Office Box #308
Spirit Lake, Idaho 83869

ATTENTION: Frances Turner, City Clerk

Dear Mrs. Turner:

We are in receipt of the claim filed in the behalf of the City of Spirit Lake and we have begun its processing. We find in reviewing this claim, however, that some of the supporting evidence indicates that a beneficial use of the water was not made until after March 26, 1963. The Department feels that it may also be wise for the City of Spirit Lake to attempt to establish a water right by the application, permit and license procedure. The Department would then confirm the water right and it would remain in effect with the 1971 priority. This would offer some protection to the City of Spirit Lake in case at a later date, the courts were to find the evidence submitted in the claim invalid.

Please have an elected official of the City sign the enclosed application for permit and return it to this Department with the required \$20.00 filing fee.

If you should have any questions in reference to this matter, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

City of Spirit Lake

P. O. Box 308
Spirit Lake, Idaho 83869

April 28, 1971

Dorian Clay
Examiner
Water Administration
Boise, Idaho

Dear Mr. Clay:

Well, they say that the third time is a charm!

I had been mis-informed as to the Date of Priority so now I have changed the date. According to the letter from Zinkgraft Drilling, the drilling was done June 17 & 18, 1962.

On the attached pink slip I have made a breakdown of the Supporting Evidence. I hope this will make it easier to determine priority.

Thank you for your time and attention to this Claim.

Sincerely,

Frances Turner

City Clerk
City of Spirit Lake

96 4522

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

April 26, 1971

City of Spirit Lake
P. O. Box 308
Spirit Lake, Idaho 83869

Gentlemen:

We are once again in receipt of the claim to a water right submitted in the behalf of Spirit Lake.

We find in reviewing this claim that it would appear to be in order except for the priority date listed under item 3a. We have been under a mandatory permit system for ground water sources since March 25 of 1963; therefore, any wells drilled after that time for any use other than the domestic needs for one household unit would have to be recorded through our application for permit and licensing procedure.

If the wells that supply domestic water to the City of Spirit Lake were drilled after March 25, 1963, they would have to be recorded on the application for permit form and would be subject to the priority of the date of first receipt by this Department. As you will note, we have taken the liberty of typing an application for permit form for your convenience, should you need it.

If you should have any questions in reference to this matter, please feel free to call us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/bb

Enc: check # 92-27 (\$10.00)
forms

CG 4022

City of Spirit Lake

P. O. Box 308

Spirit Lake, Idaho 83869

April 22, 1971

Mr. Dorian Clay
Appropriation Examiner
Water Administration
Boise, Idaho

Dear Mr. Clay:

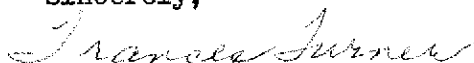
In reference to the return of our claim to a water right for the City of Spirit Lake.

I do hope that I have everything together this time. I have attached the legal description to the form just in case I did not fill the form out right this time.

On Item #2 I wasn't sure what you wanted me to put down since the source is Underground, so that is what I put down.

Thank you for your patience and assistance.

Sincerely,



City Clerk
City of Spirit Lake

April 21, 1971

City of Spirit Lake
P. O. Box 308
Spirit Lake, Idaho 83869

Dear Gentlemen:

We are returning the claim to a water right and check in the amount of \$10.00, numbered 92-27, submitted in the behalf of City of Spirit Lake. We find in reviewing this claim that there are several questions that need clarification before we can process it.

Please note that item 2 should be completed, listing the point of diversion as to the nearest 40-acre subdivision, section township and range that it lies within and should also list the source of water supply and the county in which this system is located.

Also, please note that item 3b should list a period of use such as January 1 through December 31 of each year.

As to the other requests in your letter, we wish to advise you that you have to obtain a permit from this agency before any new water developments are started. There are no restrictions for anyone drilling a well within the city limits; however, before any drilling is to begin, the individual doing the drilling must first have a valid application for permit with this Department. We would then advertise the intent of the application in your local newspaper, giving everyone concerned an opportunity to protest the application. The only exemption to this requirement are those wells drilled for the domestic needs of one family only.

If you should have any further questions in reference to this matter, please advise.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/bb
Enc: claim
check

96 4022

City of Spirit Lake

P. O. Box 308

Spirit Lake, Idaho 83869

April 15, 1971

Department of Reclamation
Room 107
Boise Statehouse
Boise, Idaho 83701

Dear Sirs:

Enclosed please find a Claim to a Water Right. I hope you will find all of the supporting evidence sufficient.

We have ordered the meters because we find that our wells divert more than 0.3 cubic feet. We have two deep well wells drilled in 1962 and 1963. The tests show that

our stream is on a separte stream from anything in the county. Do we have to get permission to drill another

yes
well? Is there a state law against someone drilling

no
a well within one mile of the City Limits? Our water supply barely takes care of the City and we wouldn't

want someone to tap into our supply, so we are looking for laws to protect our supply.

96 4022

Sincerely,

Francis Turner, Clerk
City of Spirit Lake