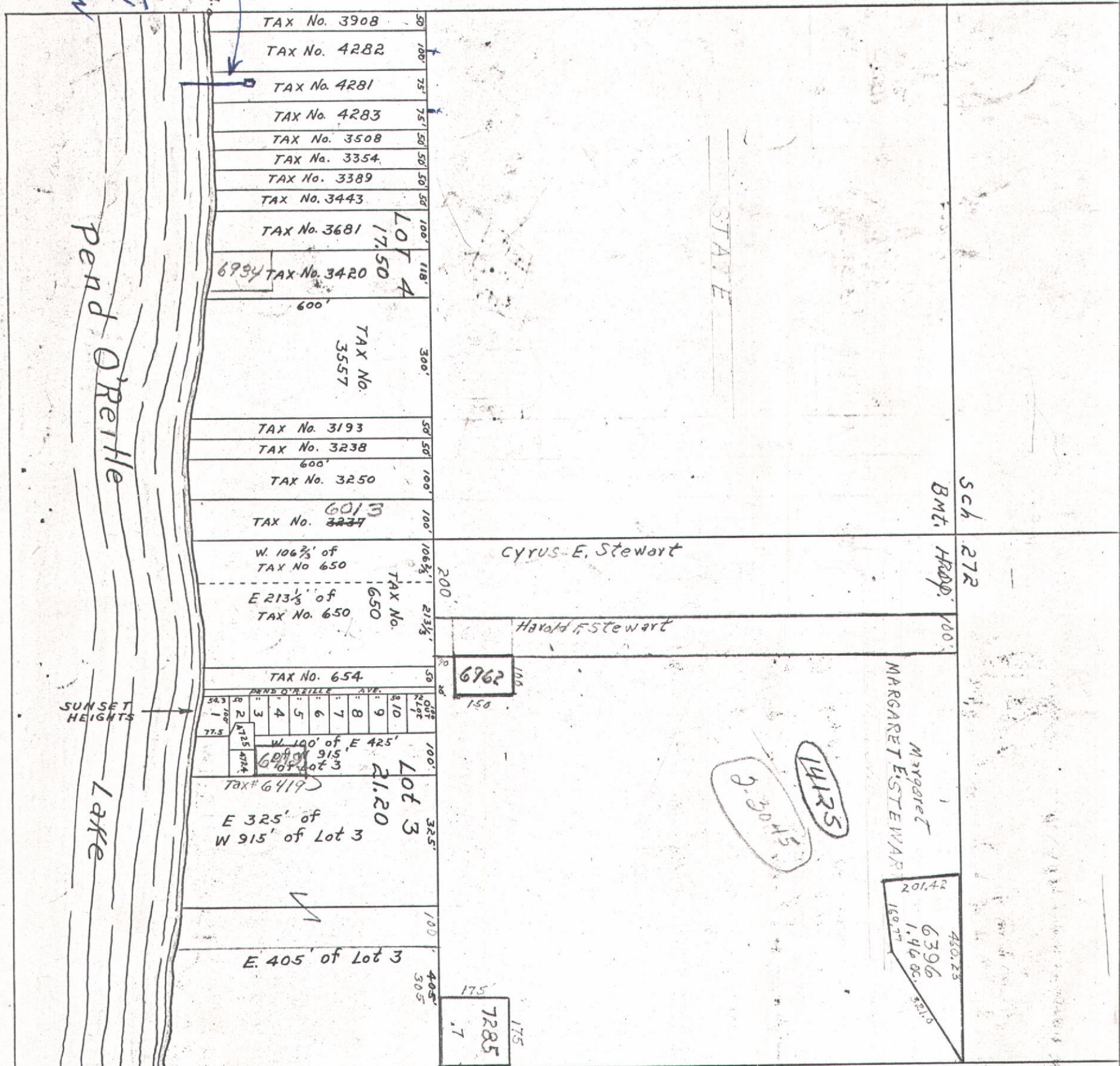


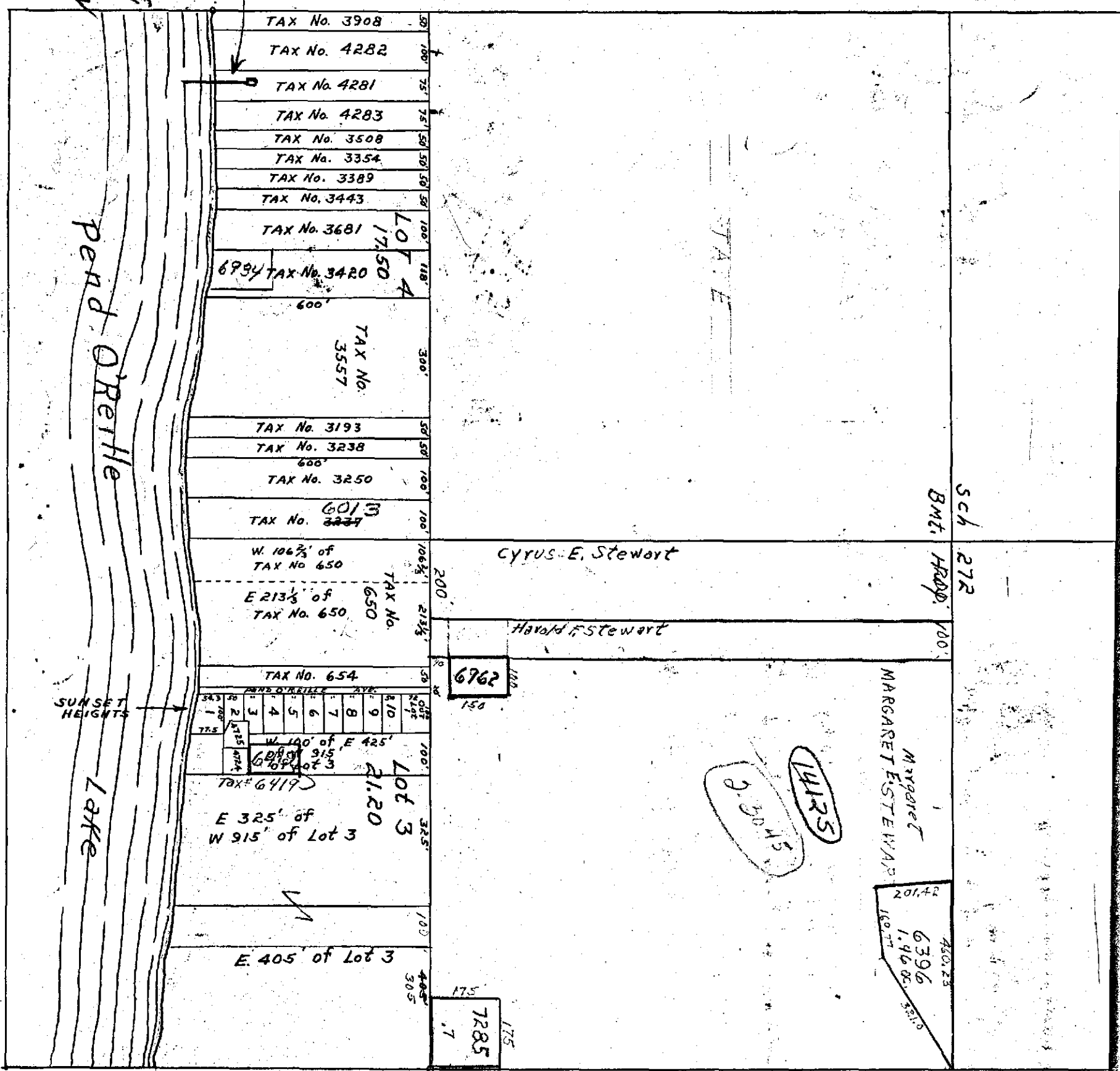


Governments
 Lot 4
 Section 36
 Township 54N
 Range 2W

SCALE: 1 INCH = 300 Feet

Lower 11
 Mason
 Oct. 1958

Water is pumped
 from lake into
 Tax Lot # 4281
 Near SW corner of
 Township Lot 4
 Section 36, Township 54N
 Range 2W.



Lot # 6396
 Cyrus E. Stewart
 PC Lot # 336
 Michael Anger, Clerk

96' 10' 10'

Identification No. _____

Claim No. 96-4010

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 Iven Y. or Edith L. Rickel Jr.
post office address RT 1, Box 104, Athol, Idaho 83801
2. The point of diversion is in Government Lot 4 1/4 of _____ 1/4 Section 36 Township 54N
Range 2W B.M. located on Pond Oreille Lake
(name of source) (Kager) Bee Banner Co.
tributary to _____ 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: Apr. 1, 1955
 _____ amount: .02 c.f.s. or _____ ~~acre-feet~~
 _____ amount: _____ c.f.s. or _____ acre feet
 _____ amount: _____ c.f.s. or _____ acre feet
 Total claimed _____ 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 1 to Dec 31 (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 None
 _____; 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 1" Pipe line only, buried under ground from shore of lake to house.
 - b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is 1/2 HP Elec Pump
 capacity of pump is 9 g.p.m.; name and address of well driller is _____

96-4010

~~Domestic use only.~~

None

[illegible][illegible]

—c.f.s.; if reservoir is off stream, describe

period of storage is from _____ to _____; is reservoir drained each year _____;

total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;

Pressure Tank only

1. The first part of the text is a list of the names of the people who were present at the meeting.

(Faint handwritten notes at the bottom of the page)

ing date and dimensions if possible

Please explain any changes or increase in size of conveying system since water was first appropriated, giving

_____ type of pipe _____; grade of pipe per 1000 feet is _____.

maximum length of pipe line to first place of use is 300 feet, diameter of pipe line is 1/2 inches;

feet is _____ feet; material through which ditch passes is _____;

width of bottom of ditch is _____feet; depth of water is _____feet; grade of ditch per 1000 _____feet; main or branch pipe is _____feet; manhole or vault is _____feet; covering works _____feet; and of ditch is _____feet.

feet: feet: width of ditch at top is length of ditch to place of use is

_____, if so, give dates and explain

attach well logs if available; has there been any change in pump or motor since well was first completed

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 1
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. None

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

Description - Tax # 4281 & E 1/2 Tax # 4282
of Property W 25' of Tax # 4283 - Lake Lots.
Kootenai County Court House
Near SW corner of Trout lot 4, section 36,
township - 54N, Range 2W.

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.

John G. Rickel Jr
Edith L. Rickel
Claimant

Sworn to before me this 20th day of July, 1970.

Cecil Kelly Jr
Notary Public

Residing at Coeur d'Alene, Idaho

My commission expires 1-1-73

8-10-70 For Department Use Only
Received by Y Date 7-25-70 Exception filed by: Forwarded to 96-4010 Date
Prelim. check by Y Date 8-11-70
Fee received by Y Date 8-11-70 Fee \$0.00
Approved for publication by _____
Published in Coeur d'Alene Dates 8-27 & 9-3, 1970
Press

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 if 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.

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

STATE OF IDAHO,

County of Kootenai,

ss.

Callie Paine

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 *three* consecutive weeks, commencing

on the *27* day of *August*, 19 *70*, and ending on the

3 day of *September*, 19 *70*

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

19 *70*.

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

SEP 8 1970

NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4010

Notice is hereby given that Iven Y. or Edith L. Rickel Jr, Rte. 1, Box 104, Athol, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from Pend Oreille Lake with point of diversion in Govt. Lot 4, Sec. 36, T. 54N, R. 2W.B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31, for domestic purposes with a priority of April 1, 1955; the place of use is within Govt. Lot 4, Sec. 36, T. 54N, R. 2W, B.M. Any exception to this claim of water right may be filed with the Idaho Department of Water Administration.

R. KETH HIGGINSON

Director

August 27, September 3, 1970

96-4010

September 16, 1970

Re: Claim to a Water Right No. 96-4010

Iven Y. & Edith L. Rickel, Jr.
Route #1, Box 104
Athol, Idaho 83801

Dear Iven & Edith Rickel:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Your claim will remain in our files and will be available at any time for your or the courts use.

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 evidence that you would like to have included in your claim file, you may add that information 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. McEldowney
Appropriation Supervisor

DWM:dr

Enclosures: Copy of claim
Receipt No. 5037

96-4010

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 96-4010

Notice is hereby given that Iven Y. or Edith L. Rickel Jr, Rte. 1, Box 104, Athol, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from Pend Oreille Lake with point of diversion in Govt. Lot 4, Sec.36, T.54N, R.2W.B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31, for domestic purposes with a priority of April 1, 1955; the place of use is within Govt. Lot 4, Sec.36, T.54N, R.2W, B.M.

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

R. KEITH HIGGINSON

Director

August 27, September 3, 1970

96-4010

August 19, 1970

Re: Claim to a Water Right No. 96-4010
Claim to a Water Right No. 96-4011

The Coeur d'Alene Press
Second & 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:CM

Enc: Legal notices (2)

Bill submitted 9-9-70 By ds

96-4010

NOTICE OF CLAIM TO A WATER RIGHT

No. 96-4010

Notice is hereby given that Iven Y. or Edith L. Rickel Jr., Rte. 1,
Box 104, Athol, Idaho have
~~has~~/filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.02 cubic feet per second ~~acre/foot~~
of water from Pend Oreille Lake
with point of diversion in ~~the~~/ Govt. Lot 4, Sec. 36, T. 54N, R. 2W
B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31, for
domestic purposes
with a priority of April 1, 1955;
the place of use is within ~~the~~/ Govt. Lot 4, Sec. 36, T. 54N, R. 2W, B.M.

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

R. KEITH HIGGINSON

Director

Published in the Coeur d' Alene Press, Coeur d' Alene, Idaho
on August 27 and September 3, 1970.

96-4010

8-5-70

Dear Sirs:

In answer to enclosed letter:
the point of water diversion is in
the SW corner of Grant lot 4,
section 36, township 54N, Range 2W.

Items 3a, & 4b have been
corrected to match. Pump capacity
is 9 gal, however I had put
down 5 gal, which is what the
pump delivers after a 50 ft lift.

I am enclosing a photo stat of
area of point of diversion.

Thank you for your prompt
attention & corrections.

Sincerely

J. Rickel Jr.

96-4010

July 30, 1970

Mr. Iven Y. Rickel, Jr.
Rte. #1, P. O. Box #104
Athol, Idaho 83801

Dear Mr. Rickel:

C
O
P
We are herewith returning your personal check in the amount of \$10.00, and claim to a water right form. In reviewing this claim, we find that in its present state, it is not acceptable. Please note that under item #2, you have listed the point of diversion as being in lot 4, of Section 36, Township 5⁴ N, Range 2 W. We will need to know if lot 4 is a government lot, or if it is lot 4 of a subdivision on Pend Orielle Lake. If it is the latter, we will need to know the 40 acre tract, Section, Township, and Range that it is located within.

Y
Also note, that in item #3a, you have listed .02cfs, which is 9 gallons per minute, and item #4b, you have stated that the capacity of your pump is only 5 gallons per minute. You may also wish to make some clarification in this matter.

As soon as you have made the necessary corrections, and have re-submitted the claim, with the \$10.00 filing fee, we shall begin the processing. If we can be of any further assistance in this matter, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/cm

Enclosure: \$10.00 check
claim to a water right form

96-4010

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

July 30, 1970

Mr. Iven Y. Rickel, Jr.
Rte. #1, P. O. Box #104
Athol, Idaho 83801

Dear Mr. Rickel:

We are herewith returning your personal check in the amount of \$10.00, and claim to a water right form. In reviewing this claim, we find that in its present state, it is not acceptable. Please note that under item #2, you have listed the point of diversion as being in lot 4, of Section 36, Township 54 N, Range 2 W. We will need to know if lot 4 is a ^{Government} government lot, or if it is lot 4 of a subdivision on Pend Orielle Lake. If it is the latter, we will need to know the 40 acre tract, Section, Township, and Range that it is located within.

Also note, that in item #3a, you have listed .02cfs, which is 9 gallons per minute, and item #4b, you have stated that the capacity of your pump is only ⁹ 5 gallons per minute. You may also wish to make some clarification in this matter. (Confused capacity & actual delivered gallons.)

As soon as you have made the necessary corrections, and have re-submitted the claim, with the \$10.00 filing fee, we shall begin the processing. If we can be of any further assistance in this matter, please feel free to contact us.

Very truly yours,

Dorian Clay

Dorian Clay
Appropriation Examiner

Enclosure: \$10.00 check
claim to a water right form

DC/cm

96-4010

July 13, 1970

Mr. Iven Rickel, Jr.
Route #1, P.O. Box 104
Athol, Idaho 83801

Dear Mr. Rickel:

C In response to your letter of July 13, 1970, please find enclosed three claims
to a water right.

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

O Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

P DWM/DG

Enc: three claim forms

Y

96-4010

DEPARTMENT OF WATER ADMINISTRATION

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707
July 7, 1970

Iven Rickel Jr.
Rte. 1, P.O. Box 104
Athol, Idaho 83801

Dear Mr. Rickel:

We are in receipt of your letter of June 29, 1970. We are enclosing three application for permit forms and instructions, as requested in your letter. The forms are to be used for the new development that you are proposing to undertake. If the water has been pumped out of Pend O'rielle Lake for many years, and you desire to claim a priority dating back to the date of first use, then the forms we have sent you will not be sufficient.

In a case of past use, you may file claim to water right under Section 42-225a of the Idaho Code. If this is so, please advise us, and we will send claim forms for your use in this matter.

If we can be of further assistance, please contact us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Supervisor

DWM/cm

Enc: three application for permit forms & one set of instructions

We have been drawing water from source since 1955 so need the other claim form.

*Thank you
Iven Rickel Jr.*

96-4010

July 7, 1970

Iven Rickel
Rte. 1, P.O. Box 104
Athol, Idaho 83801

Dear Mr. Rickel:

We are in receipt of your letter of June 29, 1970. We are enclosing three application for permit forms and instructions, as requested in your letter. The forms are to be used for the new development that you are proposing to undertake. If the water has been pumped out of Pend O'rielle Lake for many years, and you desire to claim a priority dating back to the date of first use, then the forms we have sent you will not be sufficient.

In a case of past use, you may file claim to water right under Section 42-225a of the Idaho Code. If this is so, please advise us, and we will send claim forms for your use in this matter.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/cm

Enc: three application for permit forms & one set of instructions

96-4010

6-29-70

Dear Sir:

Please send 3 application forms for filing water rights.

It is my understanding that we must now have a water right permit to pump water from Poodlick lake for our domestic use. Please send any information available as to this situation. We have a lake frontage home.

Sincerely:

Joel Rickel Jr.

Rt 1, Box 104

Arthol, Idaho

96-4010