

No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

RECEIVED
APR 18 1996

Section 42-243, Idaho Code, authorizes the filing of a claim to a water right established by diversion and application of water to beneficial use for domestic uses as defined in Section 42-111, Idaho Code. The filing of this claim does not confirm the water right claimed.

Notice is hereby given that Thomas R. Tharp (Name of Claimant)
Rt 3 Box 390 Priest River, ID 83856 Telephone No: 208 448 2998
 (Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) 1902, JUNE 15,
A claim is not acceptable on a surface water source with a priority later than May 20, 1971.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed stream tributary to Pend Oreille River

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

(cfs, af)

(Domestic, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity	<u>04 CFS</u>	Use	<u>Domestic</u>	Period of Use From	<u>1-1</u>	to	<u>12-31</u>
Quantity	<u>02 CFS</u>	Use	<u>Stockwater</u>	Period of Use From	<u>1-1</u>	to	<u>12-31</u>
Quantity		Use		Period of Use From		to	

4. 06 CFS TOTAL QUANTITY USED.
(cfs, af)

5. A) Location of point of diversion is NW ¼ of NE ¼ of _____ ¼, Govt. Lot _____
Sec. 29 Township 56N Range 4W B.M. Bonner County; additional points of diversion
if any:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Stream flows into cistern (500 gallon) then out with pipe to our stock tanks. Horses either drink out of stream or stock tanks.

6. **A) Describe place of use within each 40-acre tract in the appropriate box using the following symbols in the appropriate tract. D - domestic, S - stockwater, X - other**

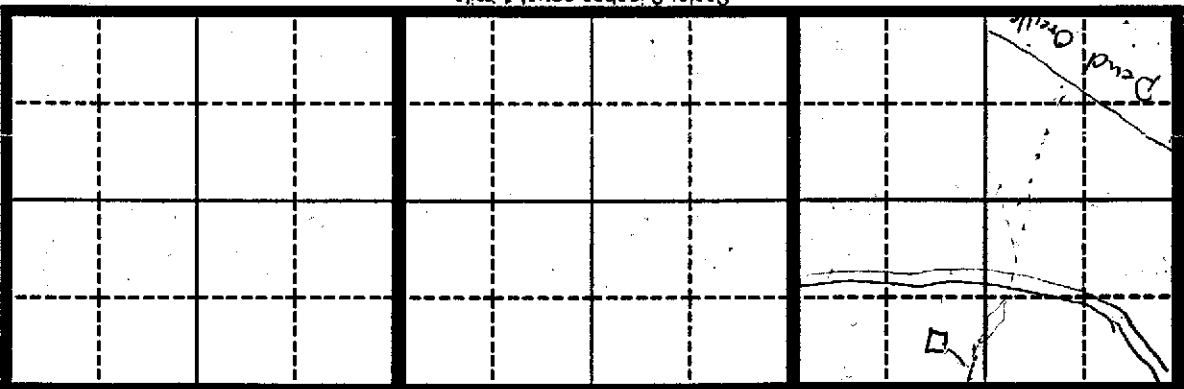
T	R	Sec	NE¼				~~SW¼~~				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	~~NW~~	~~SW~~	~~SE~~	NE	NW	SW	SE	NE	NW	SE	SW		
36N	4W	29		D			~~SW~~												
				S															

MAY 07 1996

B) Fully describe the use, being as specific as possible: We use the water for our horses (6) and for domestic use when the power is off.

NOTE: Include here the type and number of stock watered:

7. 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. Attach an aerial photograph of the place of use if available.

State of Idaho

County of Bonner

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.

Claimant's Signature (and title if claim is for an organization)

Thomas R. Shultz

Sworn to before me this 14 day of March, 1996

Notary Public

Residing at:

Justin R. Fiedler

Heart

McDonnell

My commission expires: 6-4-99

MAY 02 1996

FOR DEPARTMENT USE ONLY

Published in

Date 3/5/96

Date

Date 3/5/96

Received by dp

Prefirm. check by dp

Receipt # N9939

Exceptions filed by

Dates

RECEIVED

State of Idaho
Department of Water Resources

97-4241

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number

97-4241

Applicant

THARP

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Claim published correctly.
- ☐ Exceptions processed.

By

AB

Date

4/15/96

STATE OFFICE PROCESSING:

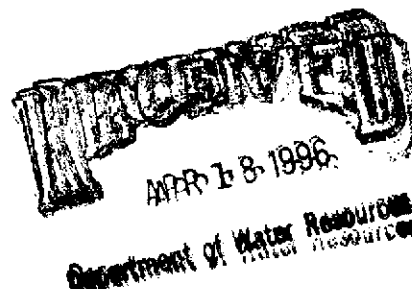
- ☒ Claim review complete.

By

C3

Date

4/18/96





State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

PHILIP E. BATT
Governor

KARL J. DREHER
Director

APRIL 10, 1996

THOMAS R THARP
ROUTE 3 BOX 390
PRIEST RIVER, ID 83856

Re: Claim No. 97-04241

Dear Claimants(s):

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have the information or evidence added at any time. Please refer to the claim identification number when corresponding with the office.

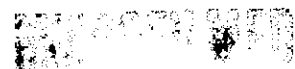
We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P. E.
Manager, Northern Regional Office

RGH:db

Enclosure



MAY 07 1996

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Darlene Bennett
being duly sworn, says that he is the Office mgr
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been con-
tinuously and uninterruptedly published in said County during a period
of 78 consecutive weeks prior to the first publication of the annexed
notice for publication, is a newspaper of general circulation made up of
at least eight pages of at least six columns each, printed from typewrit-
er or stereotyped forms of at least nineteen and three-fourths inches
depth, has at least 1250 bona fide subscribers living within said Bonner
County, and is published at regular weekly intervals. That the annexed
is a true copy of the notice for publication in the case of
2006-97-04241-Sharp

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 20 day of March, 1996
and ending on the 27 day of March, 1996
and that said notice was published in said newspaper.

On this 27th day of March in the year
of 1996, before me, a Notary Public, personally
appeared Darlene Bennett,
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

John S. Ramsey
Notary Public for Idaho

Residing at Priest River, Id

My commission expires: 1999

NOTICE OF CLAIMS
TO WATER RIGHT

The Following claim(s) have been
filed on water rights created by diver-
sion and beneficial use:

97-04241

THARP, THOMAS R
ROUTE 3 BOX 390

PRIEST RIVER, ID 83856

Source: UNNAMED STREAM

Tributary: PEND OREILLE RIVER

Diversion Pt: NWNE Sec 29 T.56N

R.04W in BONNER County.

Use: STOCKWATER (0.020 CFS)

DOMESTIC (0.040 CFS)

Total Diversion: (0.060 CFS)

Date Filed: 6/15/1992

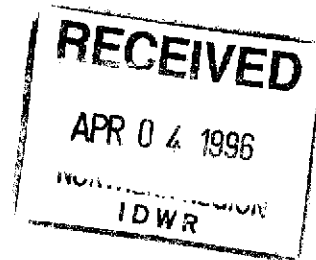
In: BONNER County

T56N R04W S29 NWNE

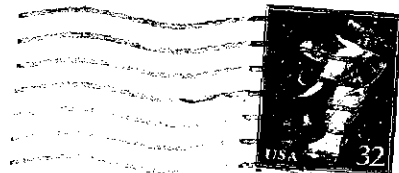
For additional information con-
cerning the property location, call
the Northern Regional Office at
(208) 769-1450.

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur
d'Alene, Idaho 83814.

KARL J. DREHER, Director
#2006 PRT March 20, 27, 1996



Geo. J. Douglass
Box 1104
Newport WA.
99156
509-447-4555



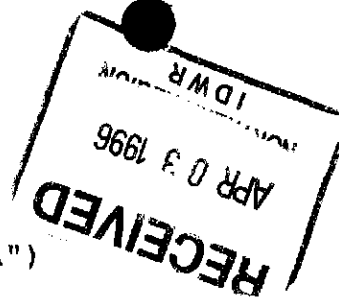
Mr. Robert G. Haynes, P.E.
Regional Manager
Idaho Dept. of Water Resources
Suite #210 1910 N/W Blvd.
Coerdel Ave, Id.

MAY 12 1983

83214-2615

Re: Tom Thayer

(EXHIBIT "A")



240

DESCRIPTION

IN THE COUNTY OF BONNER, STATE OF IDAHO

PARCEL I:

A tract of land located in the Northwest Quarter of the Northeast Quarter of Section 29, Township 56 North, Range 4 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at a point on the North line of said Section 29, said point being North 88° 45' 59" East 97.87 feet from the North Quarter corner of said Section 29; thence North 88° 45' 59" East, along said North line of Section 29, 128.77 feet; thence South 8° 30' 00" West, 354.3 feet, more or less, to the Northerly right of way line of the County Road; thence North 81° 34' 25" West along said Northerly right of way line 126.92 feet; thence North 8° 30' 00" East 332.7 feet, more or less, to the Point of Beginning.

PARCEL II:

A tract of land located in the North Half of Section 29, Township 56 North, Range 4 West, Boise Meridian, Bonner County, Idaho, more particularly described as follows:

Beginning at the North quarter corner of said Section 29; thence North 88° 45' 59" East along the North line of said Section 29, 97.87 feet; thence South 8° 30' 00" West, 332.7 feet, more or less, to the Northerly right of way line of the County Road; thence North 81° 34' 25" West along said Northerly right of way line, 32.32 feet; thence South 83° 30' 20" West along said right of way line, 100.09 feet; thence North 8° 30' 00" East, 336.5 feet, more or less, to the North line of said Section 29; thence North 88° 43' 59" East along said North line of Section 29, 33.02 feet to the Point of Beginning.

To Whom it may concern;

3/31/96

I received the above described property in a property trade in the late 1970's and the sole source of domestic water for the house + out buildings was a stream that flowed onto the property from the immediate north. There had never been a well on the property to my knowledge but a receptile to hold water from this spring or creek.

I was not satisfied with surface water and drilled a well which was some 360 feet deep and not long after this sold the property to Tom Tharp, Rt #3, Box 390, Priest River, Idaho

Clayton J. Tharp
MAY 07 1996
1-28-97

Geo T. Wauglar
Box 1104
Newport, Wa 99156

Office

318349

97-04241

THARP, THOMAS R
ROUTE 3 BOX 390
PRIEST RIVER, ID 83856

Source: UNNAMED STREAM

Tributary: PEND OREILLE RIVER

Diversion Pt: NWNE Sec 29 T 56N R 04W in BONNER County.

Use: STOCKWATER	(	0.020 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.060 CFS)

Date Filed: 6/15/1902

In: BONNER County
T56N R04W S29 NWNE

RECEIVED
MAY 07 1996

MESSAGE CONFIRMATION
TRANSMISSION

MICROFILMED

MAY 07 1996

MAR-14-'96 WED 15:49

TERM ID: 10MR NORTHERN

P-9999

TEL NO: 208-769-1454

NO.	DATE	ST. TIME	TOTAL TIME	REPR. S2D	ID	DEPT CODE	HPGS
065	03-14	13:46	00:02:55		12084483938		04-4 NG-0



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Post-it® Fax Note	7671	Date	3/14/96	# of pages	4
To	Legal Notices	From	Dianne Ball		
Co/Dept.	Priest River Times	Co.	IDWR		
Phone #		Phone #	769 1450		
Fax #	(208) 448 2938	Fax #	769 1454		

MARCH 14, 1996

PRIEST RIVER TIMES
P. O. BOX 10
PRIEST RIVER, ID 83856

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 8, 1996.

Yours truly,

Dianne Ball

DIANNE BALL
Senior Secretary

Enclosure

*Please call to advise of receipt of
all pages. Thanks 769-1450*

RECEIVED
MAY 9 7 1996

NOTICE OF CLAIMS TO WATER RIGHT

The Following claim(s) have been filed on water rights created
by diversion and beneficial use:

RECEIVED
JULY 07 1996

97-04241

THARP, THOMAS R
ROUTE 3 BOX 390
PRIEST RIVER, ID 83856

Source: UNNAMED STREAM

Tributary: PEND OREILLE RIVER

Diversion Pt: NWNE Sec 29 T 56N R 04W in BONNER County.

Use: STOCKWATER	(	0.020 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.060 CFS)

Date Filed: 6/15/1902

In: BONNER County
T56N R04W S29 NWNE

RECORDED
MAY 07 1996

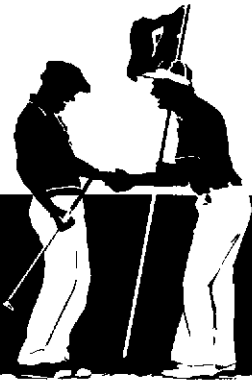
For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d' Alene, Idaho 83814.

KARL J. DREHER, Director

Published: 3/20/1996 & 3/27/1996

RECEIVED
MAY 07 1996



Sandpoint Elks Golf Course

March 4, 1996

Robert G. Haynes, P.E.
Regional Manager
Idaho Dept of Water Resources
Suite 210 1910 N.W. Blvd.
Coeur d'Alene, Idaho 83814-2615

Re: Water rights from unnamed stream in
Bonner County: Section 29, Township 56
North, Range 4 West. Property owners:
Tom & Gayle Tharp

Dear Rob -

MAY 07 1996

Enclosed please find our notarized
claim, map showing our location
and a check for \$100⁰⁰. In
1986 we purchased the property
from George Douglas. He purchased
the property in 1978. At that
time this stream was the sole



Sandpoint Elks Golf Course

source of water for the house. He then went ahead and put in the well & septic. I researched the ownership of our house back to 1902, at which time the ~~house~~ ~~the~~ land was purchased by a Frank Naccarato from the N.P. Railroad. (He was one of the original 7 brothers from Italy that settled here.

Any way I hope this is of help to you.

George Douglas will be sending to you a statement affirming the above.

Thanks

Tom Tharp

(448-2998)

March 6, 1996

Mr. Thomas R. Tharp
Box 390
Priest River ID 83856

RE: Claim to a Water Right

Dear Mr. Tharp:

We acknowledge receiving your Claim to a Water Right. Please find enclosed Receipt Number N009939, for the amount of \$100.00.

Two items on your filing were not acceptable, however, rather than return it to you I modified your Claim to a Water Right. A month and a day were added to the Priority Date, and it now reads June 15, 1902. If this is not acceptable, please contact me as soon as possible to correct it. Also, the Place of use was modified to reflect the domestic and stock water uses occurring within the NW1/4 NE1/4 to match where these uses are shown to be located on the map.

Your filing is currently being processed to be advertised in the local paper for two consecutive weeks.

Please contact me at this office if you wish to discuss this further.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

RECEIVED
MAY 07 1996