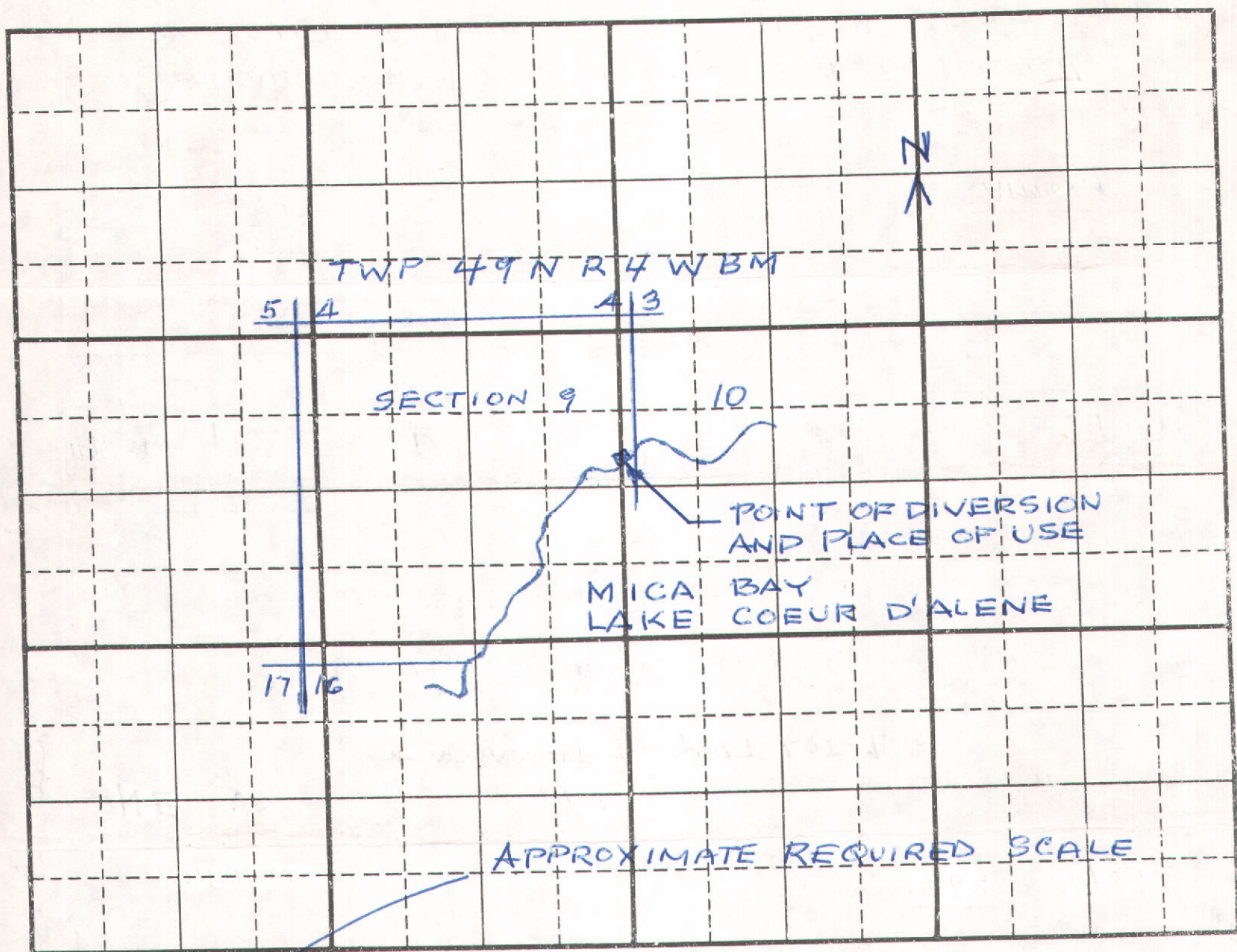


(8) Remarks _____



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.

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 affiant's knowledge.

James S. Yates
Louise M. Yates
(Claimant)

Sworn to before me this 24th day of February, 1983.

Marlene J. Schwarz
Notary Public
Residing at Coeur d'Alene

My commission expires 3-24-84

RECEIVED
Received by RYA Date 2/3/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by AB Date 2/17/83 claimant by: _____
\$30.00 fee received by AB Date 2/17/83 (24904)
Published in Coeur d'Alene Press
Dates 3/30/83

2/1/83 (furnished) No Fee
FOR DEPARTMENT USE ONLY

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



Under the provisions of Section 42-243, **Idaho Code**, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), **Idaho Code**. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that JOVINA M. YATES
JAMES S. YATES (Name of Claimant)

MARINE RT.
MICA BAY COEUR D'ALENE IDA 83814 Telephone No. 667-8272
(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 was the water first applied to a beneficial use) SUMMER 1963

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
LAKE COEUR D'ALENE tributary to SPOKANE 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:

claimed:		(Both dates inclusive)	
(cfs, ~~sq~~)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>0.02</u>	Use <u>Irrigation</u>	Period of Use From <u>3-15</u>	To <u>11-15</u>
Quantity <u>0.02</u>	Use <u>Domestic</u>	Period of Use From <u>3-15</u>	To <u>11-15</u>
Quantity <u>0.04</u>	Use <u>Fire Protection</u>	Period of Use From <u>3-15</u>	To <u>11-15</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

Quantity _____ 0.04 cfs TOTAL QUANTITY USED.
(cfs. 

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9 Twp. 49N Rge. 4W B.M., County of KOOTENAI
 Additional points of diversion: ADJACENT TO GARFIELD LOT 1

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. Describe any changes in the system and give the date of the change.

PUMP AND 1 INCH PIPELINE

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

APPROX. 1
No. of acres 1

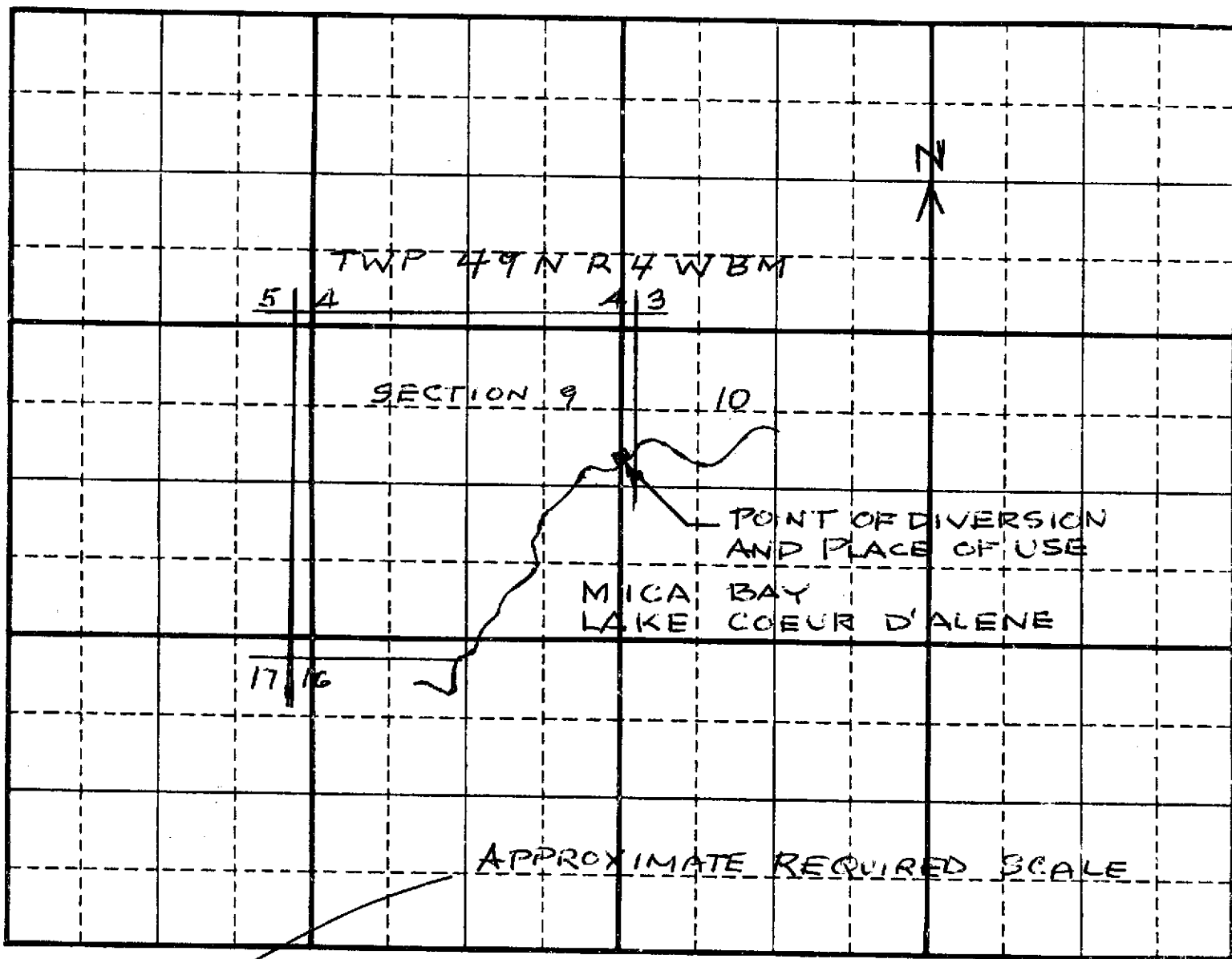
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

GENERAL PROPERTY IRRIGATION, FIRE PROTECTION AND TOILET FLUSHING. (NOT USED IN FREEZING WEATHER)

NOTE: Include here the type and number of stock watered: NONE N/A

(7) If you are claiming water as a member of an organization, list name of organization: N/A

(8) 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.

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 affiant's knowledge.

James S. Yates
Lowell M. Yates
(Claimant)

Sworn to before me this 24th day of February, 1983.

Marlene J. Schwarz
Notary Public
Residing at Coeur d'Alene

My commission expires 3-24-84

Received by RYA Date 2/3/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by AB Date 2/17/83 claimant by: _____
\$30.00 fee received by AB Date 2/17/83 (24904)
Published in Coeur d'Alene
Dates 3/30/83

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIMS TO WATER RIGHTS

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

95-4520

YELLOWSTONE TRUCKING DIVN.

W-I FOREST PRODUCTS INC.,
1212 APPLEWAY ST., COEUR D
ALENE, ID 83814

Source: GROUNDWATER

Priority Date: 01/01/1963

Diversion Pt: NENW Sec 11 T 50N
R 04W

Use: COMMERCIAL (0.04 CFS);
DOMESTIC (0.08 CFS); FIRE
PROTECTION (0.10 CFS)

In: NENW Sec 11 T 50N R 04W

95-4596

KREBS, GARY L.

1309 OAKLAND RD., SAN JOSE,
CA 95112

Source: GROUNDWATER

Priority Date: 05/01/1956

Diversion Pt: LOT 04 Sec 31 T 53N
R 04W

Use: DOMESTIC (0.02 CFS)

In: LOT 04 Sec 31 T 53N R 04W

95-4597

IDAHO FOREST INDUSTRIES
INC.

P. O. BOX 1030, COEUR D
ALENE, ID 83814

Source: SPOKANE RIVER trib.
to COLUMBIA RIVER

Priority Date: 01/01/1905

Diversion Pt: NENW Sec 10 T 50N
R 04W

Use: INDUSTRIAL (2.45 CFS);
FIRE PROTECTION (4.46 CFS)

In: SWNE SENE NENW NWNW
SENW Sec 10 T 50N R 04W NENE
Sec 09 T 50N R 04W

95-4598

YATES, JAMES S. &/or LOVINA
M.

MARINE RT. MICA BAY,
COEUR D ALENE, ID 83814

Source: COEUR D ALENE trib.
to SPOKANE RIVER *Lake*

Priority Date: 06/21/1963

Diversion Pt: SENE Sec 09 T 49N
R 04W

Use: IRRIGATION (0.02 CFS);
DOMESTIC (0.02 CFS); FIRE
PROTECTION (0.04 CFS)

In: SENE Sec 09 T 49N R 04W
FOR 1 ACRES

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, 4055 Gov't.
Way, Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.

Legal 646

March 3, 10, 1983

STATE OF IDAHO,
County of Kootenai,

} ss.

_____ being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The _____

of which the annexed is a printed copy, was published in the regular _____ issue of said newspaper for _____ consecutive _____ commencing on the _____ day of _____, 1983 and ending on the _____ day of _____, 1983, and such publication was made as often during said period as said _____ newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this _____ day of _____, 1983.

Department of Water Resources
LEADER

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~XXXXXXXXXXXX~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

February 15, 1983

95-4598

Mr. James S. Yates
Marina Route, Mica Bay
Coeur d'Alene, Id. 83814

Dear Mr. Yates:

I am returning your Claim to a Water Right and your Check No. 92-27 to allow you to verify or change the place of use.

Item No. 6a lists the place of use within the SENE, Sec. 9, but the map seems to indicate the place of use within the NESE, Sec. 9.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claim
Check



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Stephen A. Dunn~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

February 4, 1983

Mr. James S. Yates
Marina Route, Mica Bay
Coeur d'Alene, Id. 83814

J. Yates
REVISED AS NOTED -

Dear Mr. Yates:

I regret to inform you that this Department cannot accept a Claim to a Water Right without a filing fee of \$30.00, so I am returning your Claim to a Water Right.

Before you re-submit the claim, please initial Item Nos. 3 and 4 on the lines I have provided and complete Item Nos. 5a and 6a in accordance with the enclosed instructions.

If you have any questions, please feel free to contact me at this office.

Sincerely,

T.D. King
TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claim
Instructions

RECEIVED
FEB 10 1983
IDAHO DEPT. OF WATER RESOURCES

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KK

Right Number 95-4598 Applicant Gates

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 [Signature] Date 3/22/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 3/30/83

MICROFILMED

RECEIVED
MAR 29 1983

Department of Water Resources

95-4598

~~98-4203~~

YATES, JAMES S. &/or LOVINA M.

MARINE RT. MICA BAY, COEUR D ALENE, ID 83814

Source: COEUR D ALENE LAKE trib. to SPOKANE RIVER

Priority Date: 06/21/1963

Diversion Pt: SENE Sec 09 T 49N R 04W

Use: IRRIGATION	(0.02 CFS)
DOMESTIC	(0.02 CFS)
FIRE PROTECTION	(0.04 CFS)

In: SENE Sec 09 T 49N R 04W FOR 1 ACRES

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

MARCH 21, 1983

JAMES S. YATES
LOVINA M. YATES
MARINE RT. MICHA BAY
COEUR D'ALENE ID 83814

RE: Claim No. ~~98-4203~~ 95-4598

Dear Claimant:

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 that information or evidence added at any time. Please refer to the claim identification number when corresponding with this 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.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

RECEIVED
MAR 22 1983
IDAHO DEPT. OF WATER RESOURCES