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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

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.

Notice is hereby given that Ben W. &/or Maxine E. Mescher
(name of claimant)
of Route 3, Box 157, Hayden Lake, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Groundwater
tributary to,

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>10 g.p.m.</u>	Use <u>Domestic</u>	Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u>
Amount <u>5 g.p.m.</u>	Use <u>Stockwater</u>	Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

(3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 15 gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) August, 1962

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)
SW ¼ NW ¼, Sec. 29 Twp. 52N Rge. 3W B. M. County of Kootenai
Additional points of diversion:

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. 1" pipeline (200 feet), submersible 3/4 h.p. pump from well to house.

(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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
52N	3W	29							X										

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for domestic purposes for one household, and also stockwater for 8 head of cattle and 2 horses.

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

[illegible]

Received by cp Date 2-17-76 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by DAH Date _____ claimant by: _____
\$10.00 fee received by cp Date 2-17-76
Approved for publication by DAH
Published in Coeur d'Alene Press
Dates 2-26 & 3-4-76

AFFIDAVIT OF PUBLICATION

RECEIVED

MAR 8 1976

STATE OF IDAHO,
County of Kootenai,

ss.

Carol Hedge

Department of Water Resources
Northern District Office
being first duly sworn

NOTICE OF CLAIM TO A WATER RIGHT No. 195-4353

Notice is hereby given that Ben W. &/or Maxine E. Mescher, Route 3, Box 157, Hayden Lake, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 15.0 gallons per minute of water from a ground water source with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 52N, R. 3W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic (10 g.p.m.) and stockwatering purposes (5 g.p.m.) with a priority of August, 1962; the place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T. 52N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho, 83814.

R. KEITH HIGGINSON
Director

Feb. 26, March 4, 1976
Legal 610.

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

Notice

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *8* consecutive *weeks* commencing on the *26* day of *February*, 19*76* and ending on the *5* day of *March*, 19*76*, and such publication was made as often during said period as said *daily* 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.

Carol Hedge

Subscribed and sworn to before me this *5* day of *March*, 19*76*.

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

12.24
LEADER



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 N. Government Way

CORBUR D' ALENE, IDAHO 83814

(208) 667-6484

March 17, 1976

Re: Claim to a Water Right No. 95-4353

Ben W. &/or Maxine E. Mescher
Route 3, Box 157
Hayden Lake, ID 83835

Dear Mr. and Mrs. Mescher:

The Department of Water Resources 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 our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

COEUR D' ALENE, IDAHO 83814

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1

4055 Government Way

(208) 667-6484

February 20, 1976

Re: Application No. 94-7076 Application No. 95-7582
 " " 94-7077 Claim No. 95-4353

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is 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 our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enc: Legal Notice(s)

Bill: 3-8-76.4

NOTICE OF CLAIM TO A WATER RIGHT

NO. 95-4353

Notice is hereby given that Ben W. &/or Maxine E. Mescher,
Route 3, Box 157, Hayden Lake, Idaho
~~has~~ ^{have} filed a claim to a water right established by diversion and application
to beneficial use of 15.0 ~~cubic feet per second~~ gallons per minute
of water from a ground water source
with point of diversion in the SW¹/₄ NW¹/₄, Sec. 29, T. 52N, R. 3W, B.M.,
Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
(10 g.p.m.) and stockwatering purposes (5 g.p.m.)

with a priority of August, 1962;
the place of use is within the SW¹/₄ NW¹/₄, Sec. 29, T. 52N, R. 3W, B.M.

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Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

R. KEITH HIGGINSON
Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on Feb. 26 and March 4, 1976