

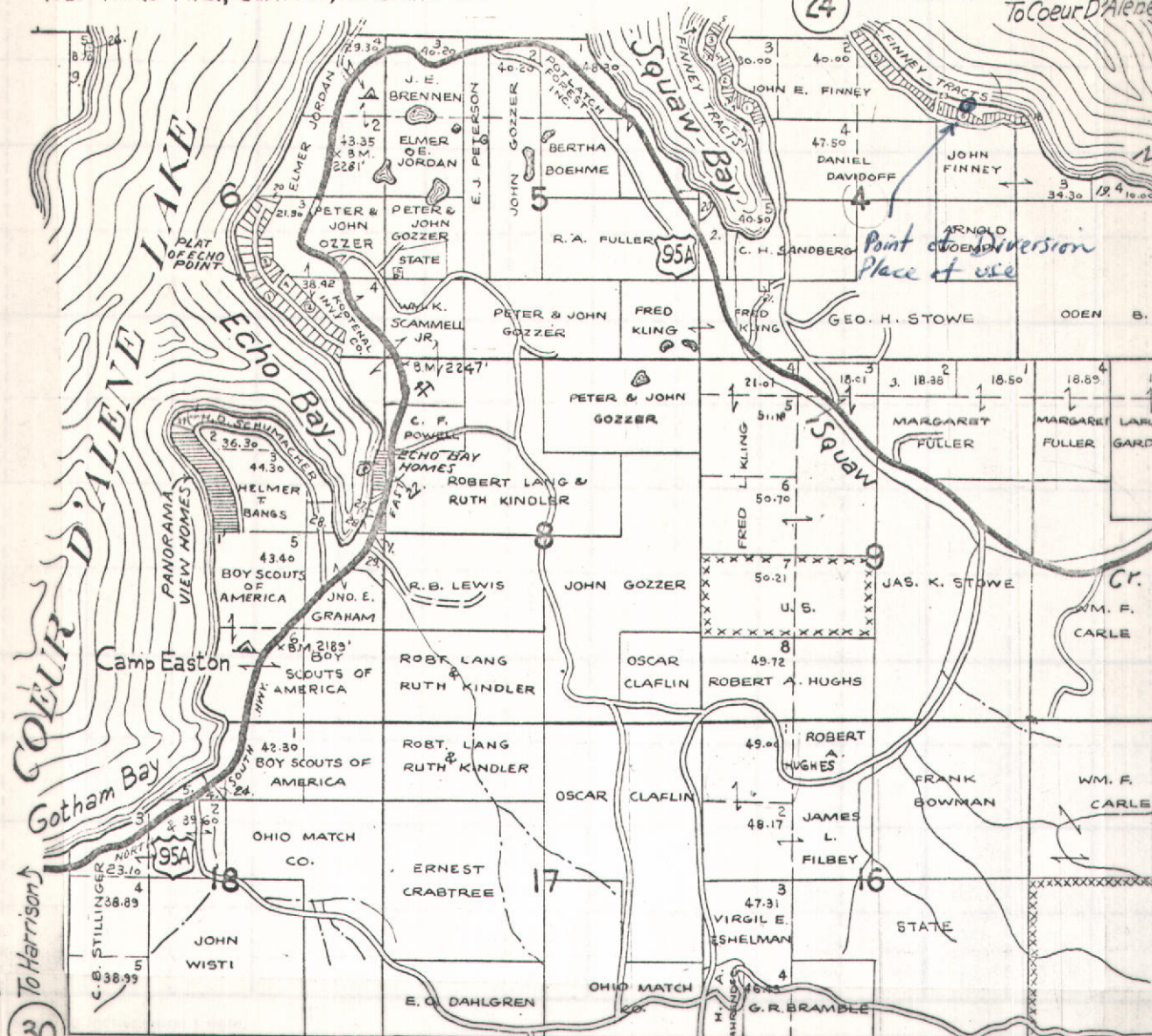
SCALE 2 IN. = 1 MILE

FOR SALE BY
METSKE MAPS111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

TOWNSHIP 49

KOOTENAI

To Coeur d'Alene



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

ss.

County of Shoshone

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.

Sworn to before me this 30th day of March

(Claimant)

19 74

Notary Public

Residing at Wallace, IdahoMy commission expires 7-27-74

For Department Use Only

Received by <u>CD</u>	Date <u>5-21-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>78</u>	Date <u>5-21-74</u>		claimant by:	
\$10.00 fee received by <u>78</u>	Date <u>5-21-74</u> #14097			
Approved for publication by <u>78</u>				
Published in <u>COEUR D'ALENE PRESS</u>				
Dates <u>5-30 & 6-6-74</u>				

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
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 Richard A. Rice D.M.D. of Box L, Osburn, Idaho and Jack A. Rice D.D.S. (name of claimant)
of 902 Garden Avenue, Coeur d'Alene (mailing address), claims a right to the diversion and beneficial use of
ground water or surface water tributary to Lake Coeur d'Alene;

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Lake Coeur d'Alene

(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>0.04</u>	Use	<u>Domestic</u>	Period of Use: From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount		Use		Period of Use: From		To	
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: 1200 (0.04 cfs) cubic feet per ~~second~~ month acre feet per annum, and/or gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) July, 1953

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)
Lot 5, Block 6 of Finney Tracts, Sec. 4, Twp. 49 N., Rge. 3 W. B. M. County of Kootenai
Additional points of diversion: (NE 1/4, Sec. 4)

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. pump and pipeline from lake to residence 1 1/2" pipeline and 1 horse motor.

(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.

Not applicable

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
49	36	4	X																

Total No. of acres

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Sole purpose of water use is for domestic to applicants residence on Lake

Coeur d'Alene

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

95 4260

(8) Remarks

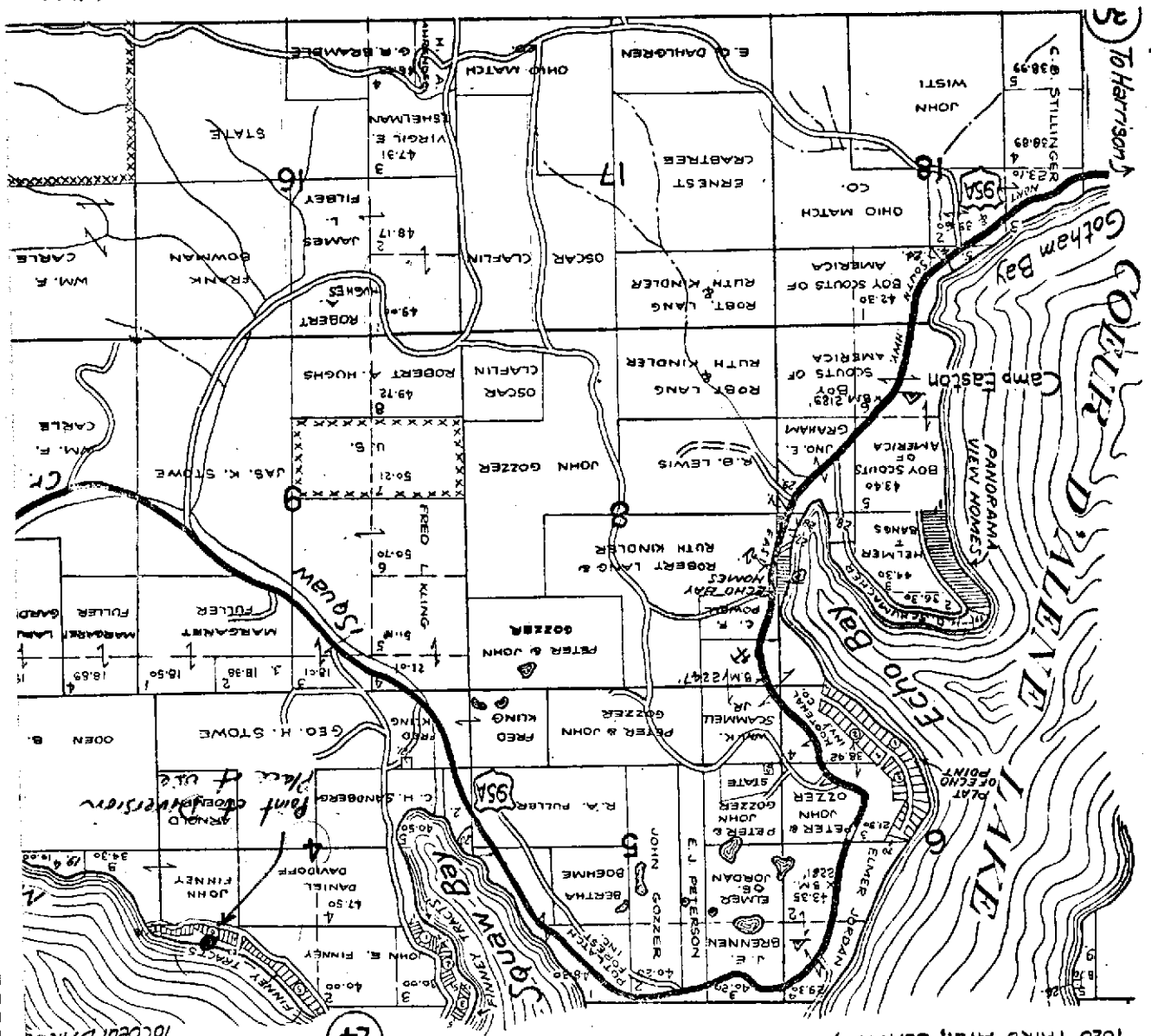
SCALE 2 IN. = 1 MILE

METSKER MAPS

FOR SALE BY
111 SOUTH 10TH ST., TACOMA, WASHINGTON
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TOWNSHIP 49

KOOTENAI
to Coeur d'Alene



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

ss.

County of Shoshone

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.

Sworn to before me this 19 day of March 19 74

Notary Public
Residing at Wallace, Idaho
My commission expires 7-27-74

For Department Use Only

Received by CP Date 5-21-74 Exception filed by: Forwarded to: Date
Prelim. check by 7/2 Date 5-21-74 claimant by: Date
Approved for publication by 7/2 Date 5-21-74 # 114297
Published in Coeur d'Alene Press Dates 5-30 & 6-6-74

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT NO. 95-4260

Notice is hereby given that Richard A. and Jack A. Rice, Box 1, Osburn, Idaho and 902 Garden Avenue, Coeur d'Alene, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from Lake Coeur d'Alene with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 49N, R. 3W, B.M., Kootenai County (Lot 5, Block 6 of Finney Tracts).

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of July, 1953; the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 4, T. 49N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Legal No. 36
May 30, June 6, 1974

STATE OF IDAHO,
County of Kootenai, } ss.

Arvid Hodge 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

Water of Claim

of which the annexed is a printed copy, was published in the regular three issue of said newspaper for 2 consecutive weeks, commencing on the 30 day of May, 1974, and ending on the 6 day of June, 1974, 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.

Arvid Hodge
Subscribed and sworn to before me this 3rd day of July, 1974.

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

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

July 8, 1974

Re: Claim to a Water Right No. 95-4260

Richard A. Rice, D.M.D. and
Jack A. Rice, D.D.S.
Box L
Osburn, ID 83849

Gentlemen:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a 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 this 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, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosure

cc: Jack A. Rice, D.D.S.
902 Garden Avenue
Coeur d'Alene, ID 83814

95 4260

June 18, 1974

Re: Application No. 94-7052 - Mat Herboldt
Claim No. 95-4260 - Richard A. & Jack A. Rice

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

Gentlemen:

Could you please submit the affidavits of publication and bills in connection with the above referenced items. The legal notices were to have been published in your newspaper on May 30 and June 6, 1974.

Your assistance in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

95 4260

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

May 28, 1974

Re: Claim to a Water Right No. 95-4260 - Richard A. & Jack A. Rice
Application for Permit No. 94-7053 - Richard A. Rice

Mr. Dennis E. Wheeler
HULL, HULL & WHEELER
Attorneys at Law
P.O. Box 709
Wallace, ID 83873

Dear Mr. Wheeler:

Attached is your receipt No. 14097 in the amount of \$20 for the filing fees on the above referenced Claim and Application which were received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enclosure

95 4260

May 24, 1974

Re: Application No. 94-7052 - Mat Herboldt
" " 94-7054 - Eldon L. Roush
Claim No. 95-4260 - Richard A. and Jack A. Rice

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

Gentlemen:

Enclosed are legal notices 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 galley proofs for review before publication.

After sending us galley proofs, proceed with the publications on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publications. If you cannot publish the notices on the proposed dates, please contact us immediately.

Affidavits of publication must be submitted to this office along with the publication bills. Your cooperation in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notices (3)

Bill Submitted _____ by _____

95 4260

NOTICE OF CLAIM TO A WATER RIGHT

NO. 95-4260

Notice is hereby given that Richard A. and Jack A. Rice,
Box 1, Osburn, Idaho and 902 Garden Avenue, Coeur d'Alene, Idaho
~~have~~
~~xxxx~~ filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second ~~arxxxxfrrxxprrxxmmmm~~
of water from Lake Coeur d'Alene
with point of diversion in the NE~~NE~~ Sec. 4, T. 49N, R. 3W, B.M.,
Kootenai County (Lot 5, Block 6 of Finney Tracts)

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes
with a priority of July, 1953;
the place of use is within the NE~~NE~~ Sec. 4, T. 49N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho
83814.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on May 30 and June 6, 1974

95 4260

NOTICE OF CLAIM
TO A WATER RIGHT

NO. 95-4260

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Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Legal No. 36
May 30, June 6, 1974

O.K.
5-30-74
P

95 4260

HULL, HULL & WHEELER

H. J. HULL
PIATT HULL
ALDEN HULL
DENNIS E. WHEELER

ATTORNEYS AT LAW
WALLACE, IDAHO 83873

P. O. BOX 709
TELEPHONE 752-1154
AREA CODE 208

May 20, 1974

Idaho Department of Water Administration
401 Front Ave.
Room 209
Coeur d'Alene, Idaho

Gentlemen:

Enclosed please find Claim to a Water Right forwarded on behalf of Dr. Richard A. Rice and Dr. Jack A. Rice. Also, Application for Permit filed on behalf of Dr. Richard Rice only.

We enclose our check in the sum of Twenty Dollars for filing fees in the matter, please advise in the event you have any questions regarding the Claim to Water Right or Application for Permit.

Thank you for the consideration shown us.

Sincerely,

HULL, HULL & WHEELER

By Dennis E. Wheeler
mhd

DEW:mhd

95 4200