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Identification No. 95-4222 *p*

Claim No. _____

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 DARREL A STRAUGHAN
post office address 5 708 PEIRCE SPOKANE, WASH 99206

2. The point of diversion is in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 16 Township 48 N
Range 4 West B.M. located on INDIAN BAY SUBDIVISION LOT 13
THIS SPRING (name of source)
tributary to Coeur d'Alene Lake 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: April 28 1971
18 gal per minute amount: 0.04 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: Domestic
use Domestic period of use from 4-28-71 to 11-19-73 (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: Spring
a. Surface water diversion dam and/or headgate: material is composed of Concrete Blocks
* Gravel; length is 6 feet; height is 6 feet;
width at bottom is 6 feet; width at top is 3 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped Flowing; depth of spring is 6 feet; diameter of well is 6 inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

- if so, give dates and explain -

c. Conveying works: length of ditch to place of use is _____feet; width of ditch at top is _____feet;

width of bottom of ditch is _____feet; depth of water is _____feet; grade of ditch per 1000 feet is _____feet; material through which ditch passes is _____;

maximum length of pipe line to first place of use is _____feet; diameter of pipe line is _____inches;

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

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. *Nothing is paid for*

ing date and dimensions if possible

Within 1000 ft from base
flowing down into Runyon tank -
then to Adams about 75'

d. If water is stored: name of reservoir

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

_____ year construction commenced _____; year completed _____; date first used _____

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

is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity. — c.f.s.; if reservoir is off stream, describe

location of reservoir by 40-acre subdivisions

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and

describe

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated.

Explain any significant increase in area irrigated since first use, give dates and acreages if known.

~~95-4222~~

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

RECEIVED (WEEKLY)

STATE OF IDAHO, }
County of Kootenai, } ss.

FEB 20 1974

30
10.80

Carol Hedge

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 *Claim*

Darrell A. Straughan

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for *2* consecutive weeks, commencing on the *31* day of *January*, 19 *74* and ending on the *7* day of *February*, 19 *74*

Carol Hedge

Subscribed and sworn to, before me, this *18* day of *February*

19 *74*

David R. Sonnichsen

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

NOTICE OF CLAIM TO A WATER RIGHT NO. 95-4222

Notice is hereby given that Darrell A. Straughan, S. 708 Pierce, Spokane, Washington has 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 a Spring with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T. 48N, R. 4W, B.M., Kootenai County (Lot 13, Indian Bay Subdivision).

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of April 28, 1971; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 16, T. 48N, R. 4W, 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

Jan. 31, Feb. 7, 1974

95 4222

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

February 20, 1974

Re: Claim to a Water Right No. 95-4222

Darrel A. Straughan
South 708 Pierce
Spokane, WA 99206

Dear Mr. Straughan:

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

95 4222

January 25, 1974

Re: Claim No. 95-4221 - L. C. Patterson
" " 95-4222 - Darrel A. Straughan

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

FRED EISENBARTH
Northern District Manager

Bill submitted 2-20-74 by CP

FE:CP

Enc: Legal Notices (2)

95 4222

NOTICE OF CLAIM TO A WATER RIGHT

NO. 95-4222

Notice is hereby given that Darrel A. Straughan,
S. 708 Pierce, Spokane, Washington

has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from a Spring

with point of diversion in the NE 1/4 NW 1/4, Sec. 16, T. 48N, R. 4W, B.M.,
Kootenai County (Lot 13, Indian Bay Subdivision)

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
purposes

with a priority of April 28, 1971;
the place of use is within the NE 1/4 NW 1/4, Sec. 16, T. 48N, R. 4W, 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 Jan. 31 and Feb. 7, 1974

95 4222

NOTICE OF CLAIM
TO A WATER RIGHT

NO. 95-4222

Notice is hereby given that
Darrel A. Straghan, S. 708

Pierce, Spokane, Washington
has 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 a Spring with point

of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 16, T. 48N, R. 4W, B.M.,
Kootenai County (Lot 13, Indian

Bay Subdivision).
The water is claimed to be
used from Jan. 1 to Dec. 31 for

domestic purposes with a priori-
ty of April 28, 1971; the place of
use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 16, T. 48N, R. 4W, 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

Jan. 31, Feb. 7, 1974

2624 56

OK.
1-31-74
d

January 25, 1974

Re: Claim to a Water Right No. 95-4222

Darrel A. Straughan
South 708 Peirce
Spokane, WA 99206

Dear Mr. Straughan:

Attached is your receipt No. 13596 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enclosure

95 4222