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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.

Notice is hereby given that GEORGE C. &/or WANADA M. METZGAR
(Name of Claimant) 344-3490
Box 250, Smelterville, ID 83868 Telephone No. 786-4311
(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) April 15, 1957

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)
groundwater tributary to _____

(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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.04 cfs</u>	Use	<u>domestic</u>	Period of Use From <u>1/01</u>	To <u>12/31</u>
Quantity	<u>.04 cfs</u>	Use	<u>commercial</u>	Period of Use From <u>4/15</u>	To <u>10/31</u>
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	_____	Use	_____	Period of Use From _____	To _____
Quantity	<u>.04 cfs</u>	Use	_____	Period of Use From _____	To _____

(4) .04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SE ¼, Sec. 35 Twp. 49N Rge. 2E B.M., County of Shoshone
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. Describe any changes in the system and give the date of the change. 6", 250' deep with 1½ HP Berkely submersible pump with pressure system and 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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
49N	2E	35															X		

No. of acres _____

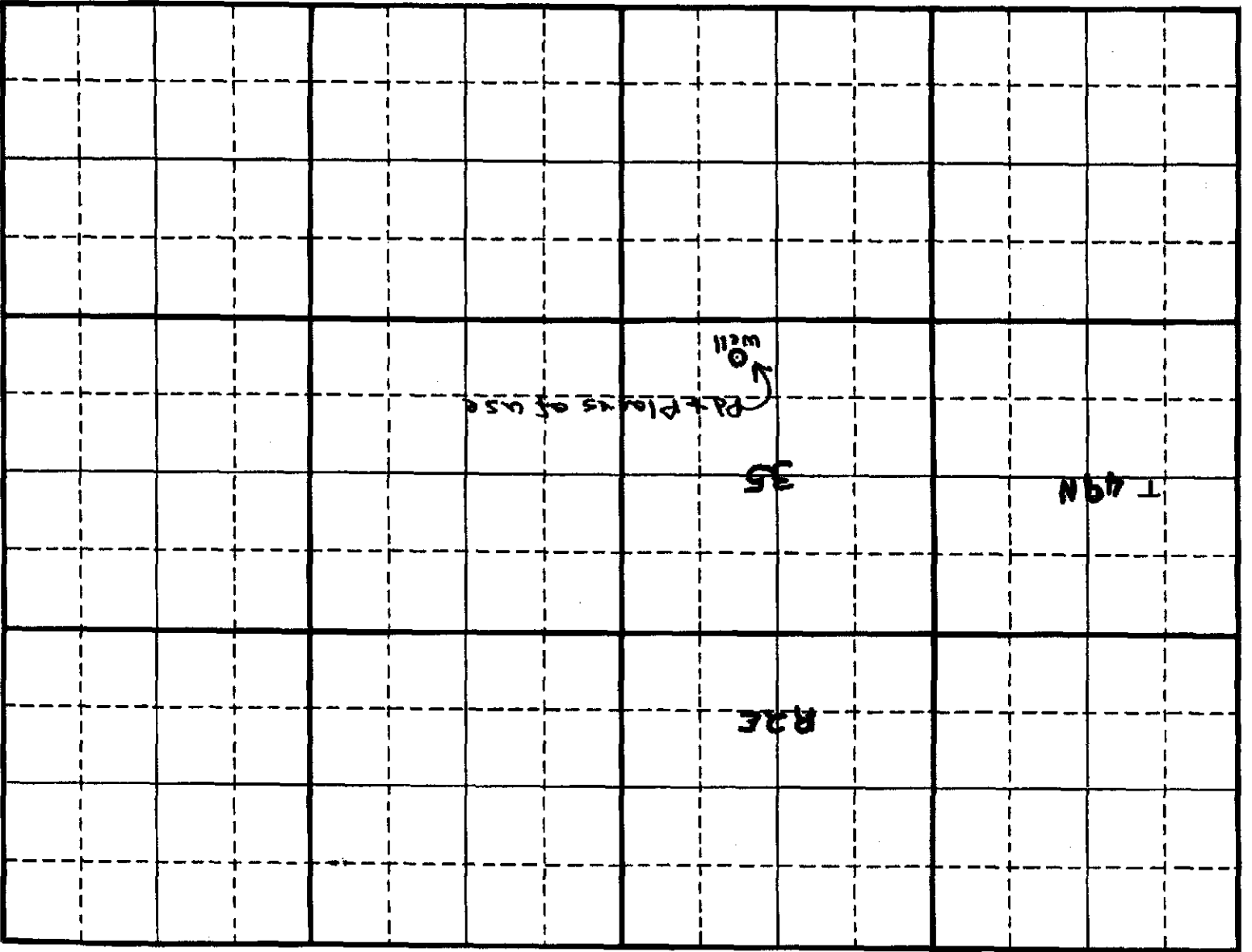
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

Domestic two households and drive-in theater.

MICROFILMED

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

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



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 Ada
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.

Sworn to before me this 17th day of Nov, 1900.
George C. McKay (Claimant)
Notary Public
Residing at Blanchard
My commission expires Sept 1901

FOR DEPARTMENT USE ONLY

Received by at Date 11-17-78 Prelim. check by CCB Date 11-17-78 \$20.00 fee received by at Date 11-17-78 Published in North I.D. Press 11/30-12/78
Exception filed by: 12488
Forwarded to claimant by: 12488 Date

STATE OF IDAHO, }
County of Shoshone. }

SS.

PROOF OF PUBLICATION

Legal Notice

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

94-4040

Metzgar, George C. &/or
Wanada M.
Box 250, Smelterville, Id.
83868

Source: Groundwater

Priority Date: April 15, 1957

Amount: 0.04 CFS

Diversion Point: SWSE Sec 35
T 49N R 02E, Shoshone Co.

Use: Domestic (0.04 cfs) from
Jan. 1 to Dec. 31. Commercial
(0.04 cfs) from April 15 to Oct.
31.

Place of Use: SWSE Sec 35 T
49N R 02E

Diversion Means: Well &
Pump.

Any exception to any claim
of water right may be filed
with the Director of the Idaho
Department of Water Re-
sources, 4055 Gov't Way,
Coeur d'Alene, ID, 83814. C.

STEPHEN ALLRED

Director

Nov. 30, Dec. 7, 1978

Shane O'Neill

....., being first duly sworn,
deposes and says:

That he is the Editor of the North Idaho
Publishing Company, publishers of the North Idaho Press, a daily news-
paper printed and published at Wallace, Shoshone County, State of
Idaho, which said newspaper has a general circulation in said county,
and has been continuously and uninterruptedly printed and published
in said county during a period of twelve (12) consecutive months prior
to the 30 day of November A.D., 1978. That the Legal Notice
of which a complete and correct copy is hereto attached, was first pub-
lished in said newspaper in its issue dated the 30 day of November
A.D., 1978 and published in Two (2) issues of said newspaper, the
last publication thereof being in the issue dated the 7 day of
December A.D., 1978.

Shane O'Neill
Subscribed and sworn to before me this
8 day of December A.D., 1978.

Philip J. [Signature]
Notary Public for the State of Idaho
residing at Wallace, Idaho

My commission expires September 25, 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

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

DECEMBER 18, 1978

GEORGE C METZGAR
WANADA M METZGAR
BOX 250
SMELTERVILLE

ID 83868

RE: Claim No. 94-4040

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 filings 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

94-4040-

METZGAR, GEORGE C &/or WANADA M

BOX 250, SMELTERVILLE, ID 83868

Source: GROUNDWATER

Priority Date: 04/15/1957

Amount: 0.04 CFS

Diversion Point: SWSE Sec 35 T 49N R 02E, SHOSHONE Co.

Use: DOMESTIC	(0.04 CFS)	from 01/01 to 12/31
COMMERCIAL	(0.04 CFS)	from 04/15 to 10/31

Place of Use: SWSE Sec 35 T 49N R 02E

Diversion Means: WELL & PUMP

RECEIVED