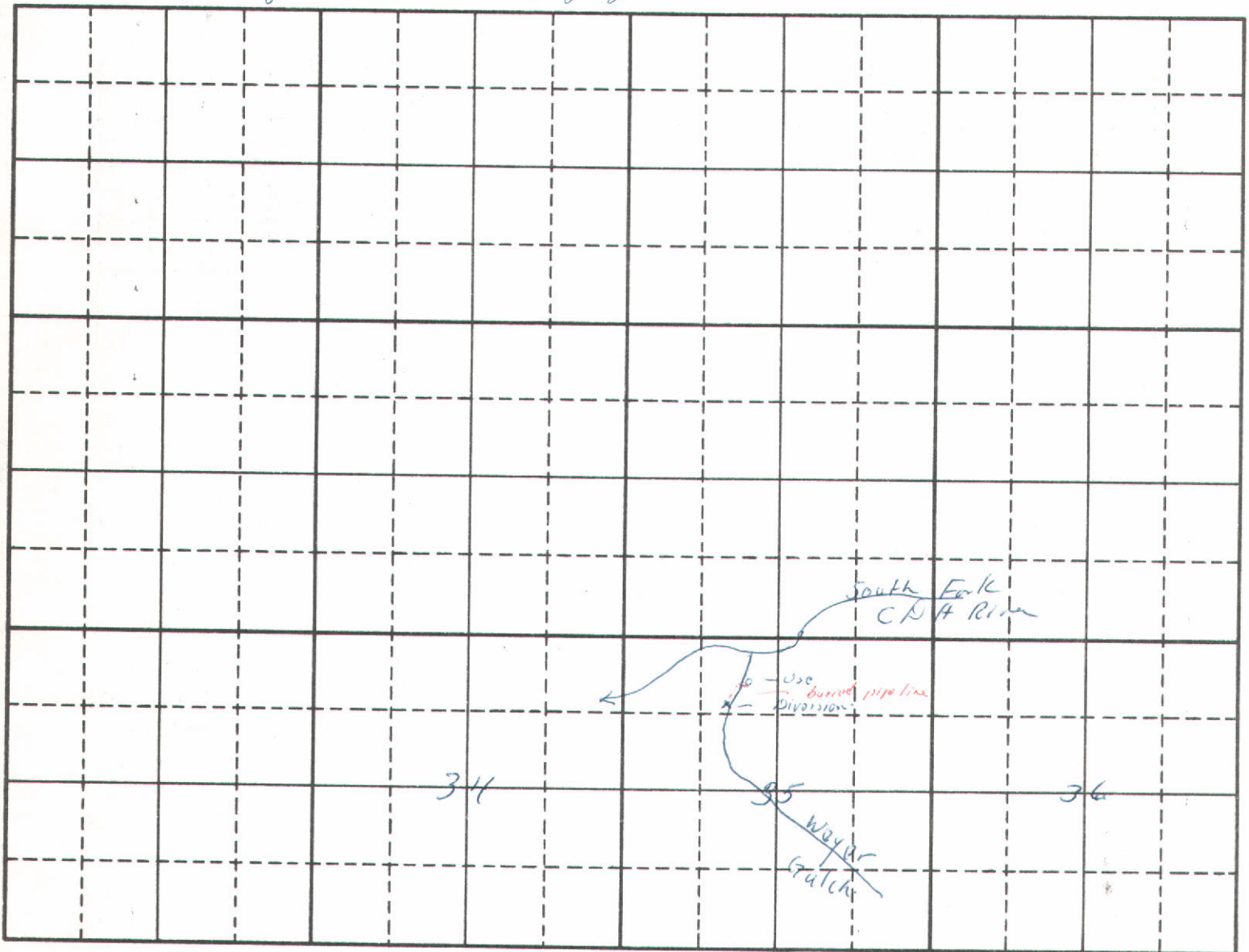


- RECORDED
- (8) Remarks Point of Diversion and point of use on property owned by claimant.
The old system rusted out and was replaced in 1973 - Contractor was Henry Volterhai and piping by Don Nickerson.



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

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.

Robert H. Pettit Jr.
(Claimant)

Sworn to before me this 10th day of July, 1974.

Gayle C. Wood
Notary Public
Residing at Wallace, Idaho

My commission expires January 1, 1978

7-11-74 For Department Use Only

Received by <u>CP</u>	Date <u>6/19/74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>KK</u>	Date <u>7/2/74</u>		claimant by:	
\$10.00 fee received by <u>KK</u>	Date <u>7/2/74</u>			
Approved for publication by <u>KK</u>				
Published in <u>NORTH IDAHO PRESS</u>				
Dates <u>7-25 & 8-1-74</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 Robert F. Pettit Jr.
(name of claimant)
of 1014 Pearl St, Wallace, Idaho - 83473
(mailing address), claims a right to the diversion and beneficial use of

ground water or surface water tributary to South Fork of the Coeur d'Alene River;

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Weyer Gulch

(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>Domestic</u>	Use _____	Period of Use: From _____ To _____
Amount <u>2 GPM</u>	Use <u>Domestic</u>	Period of Use: From <u>All year</u> 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: _____ cubic feet per second, or _____ acre feet per annum, and/or two gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1926, probably late fall

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)

NE 1/4 NW 1/4, Sec. 35 Twp. 48N Rge. 4E B. M. County of Shoshone, Idaho

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. Well sunk at side of stream - Rock filter to well - 350' of 2 1/2" piping - gravity flow

(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.	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	
48N	4E	35					X												

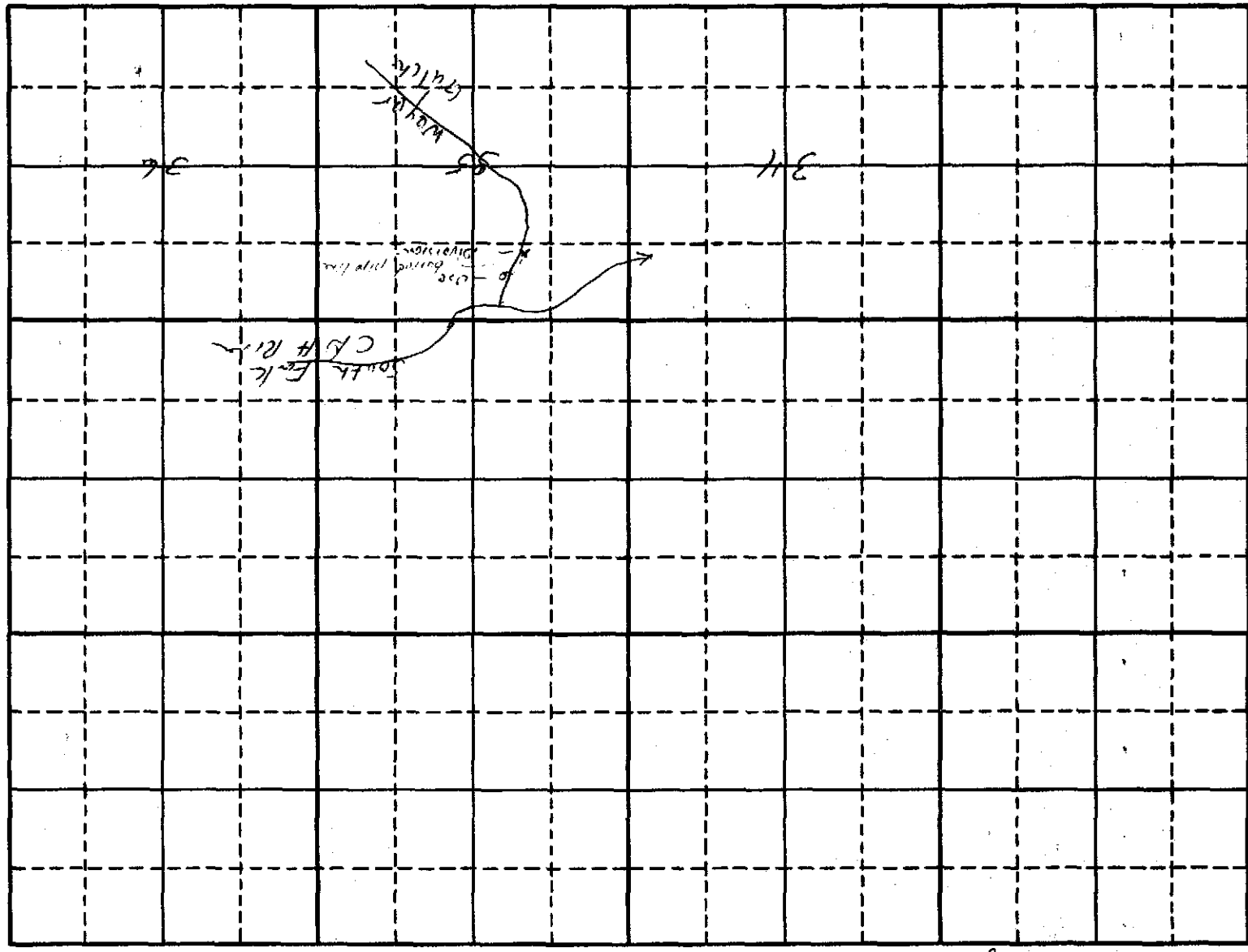
Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Purely domestic. Has been used for four homes; only one is now in use, but one may be replaced

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

MICROFILMED

(8) Remarks Point of Diversion and point of use as properly used by claimant. The old system rusted out and was replaced in 1973 - Canada was Henry Volzhaar and piping by Dan Kirkerson.



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 Shoshone
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 10th day of July, 1974.
Robert H. Pitts
 (Claimant)
Notary Public
 Residing at Malheur, Idaho
 My commission expires January 1, 1978

Received by CR 7-11-74 For Department Use Only
 Prelim. check by 7/12/74 Date 6/19/74 Exception filed by: 7-11-74
 Approved for publication by 7/12/74 Date 7/12/74 # 14172
 Published in North Idaho Press 7-25 * 8-1-74 Dates

INSTRUCTIONS

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 Water Administration and you will be provided a copy of such exceptions.

The fee for filing a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District

Idaho Department of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Eastern District

Idaho Department of Water Administration
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern District

Idaho Department of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Western District

Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

The property was sold by N.P.R.R. in 1926 to Harvey Bertram, who built his home and established the claim to water in that year by use. Over the years he sold land to two other parties and permitted them to use his water system. A third home just North (lower) of his property was also on his system.

All these homes were bought by the State as part of the R/W for U.S. Highway I-90. Only my own is left. This is the original Bertram home. He died in about 1965; his place was sold for taxes and I bought it. —

R. F. Pritchard Jr.
Claimant.

94-4021

STATE OF IDAHO,

County of Shoshone.

SS.

PROOF OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

NO. 94-4021

Notice is hereby given that Robert F. Pettit Jr., 1014 Pearl Street, Wallace, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 2 g.p.m. of water from Weyer Gulch, tributary to the S. Fk. Coeur d' Alene River with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 48N, R. 4E, B.M., Shoshone County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1928; the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 48N, R. 4E, B.M.

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

R. KEITH HIGGINSON
Director

July 25, Aug. 1, 1974

James Hackett, 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 newspaper 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 25th day of July A.D., 1974. That the Legal Notice of which a complete and correct copy is herto attached, was first published in said newspaper in its issue dated the 25th day of July A.D., 1974 and published in Two issues of said newspaper, the last publication thereof being in the issue dated the 1st day of August A.D., 1974.

James S. Hackett

Subscribed and sworn to before me this

2 day of August, A.D., 1974.

Paul Greenlee

Notary Public for the State of Idaho
residing at Wallace, Idaho

My commission expires September 25, 1977.

94-4021

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

August 14, 1974

Re: Claim to a Water Right No. 94-4021

Mr. Robert F. Pettit, Jr.
1014 Pearl Street
Wallace, ID 83873

Dear Mr. Pettit:

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

MICROFILMED

July 19, 1974

Re: Claim No. 94-4021 - Robert F. Pettit, Jr.

North Idaho Press
507 Cedar
Wallace, ID 83873

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,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill Submitted 8-12-74 by CP

MICROFILMED

NOTICE OF CLAIM TO A WATER RIGHT

NO. 94-4021

Notice is hereby given that Robert F. Pettit, Jr.,

1014 Pearl Street, Wallace, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 2 g.p.m. ~~cubic feet per second~~ ~~cubic feet per second~~

of water from Weyer Gulch, tributary to the S. Fk. Coeur d'Alene River

with point of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 48N, R. 4E, B.M.,

Shoshone County

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

purposes

with a priority of 1926;

the place of use is within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35, T. 48N, R. 4E, B.M.

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

R. KEITH HIGGINSON

Director

Published in the North Idaho Press, Wallace, Idaho

on July 25 and August 1, 1974

MICROFILMED

July 19, 1974

Re: Claim to a Water Right No. 94-4021

Mr. Robert F. Pettit, Jr.
1014 Pearl Street
Wallace, ID 83873

Dear Mr. Pettit:

Attached is your receipt No. 14172 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

Attachment

MICROFILMED

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

June 20, 1974

RECEIVED 7-11-74.4
DEPT. OF WATER RESOURCES

Mr. Robert F. Pettit, Jr.
1014 Pearl Street
Wallace, ID 83873

Dear Mr. Pettit:

We are returning your Claim for your signature and also your Check No. 92-55 in the amount of \$10.

Please sign the form before a Notary Public and return it to our office for processing. Your assistance in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosures

Sorry I overlooked this most
necessary signature
R. F. Pettit Jr.

94-4021

June 20, 1974

Mr. Robert F. Pettit, Jr.
1014 Pearl Street
Wallace, ID 83873

Dear Mr. Pettit:

We are returning your Claim for your signature and also your Check No. 92-55 in the amount of \$10.

Please sign the form before a Notary Public and return it to our office for processing. Your assistance in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosures

94-4021