

T 48 N R 4 E, B.M.

N ↑

SEC. 14

13

BLACKCLOUD
CREEK

SPRING

LAND

HOUSE

560.00 AC

1775

ROAD

RIVER

RAILWAY

x 1/4 cor

23

24

No scale

94-4004

Identification No. _____

Claim No. _____

Map No. _____

94.4004

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

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 LOUIS FEUCHT AND REGINA A. FEUCHT
post office address BOX 556 WALLACE, IDAHO 83873

2. The point of diversion is in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 14 Township 48N
Range 4 E B.M. located on GROUND WATER (SPRING)
(name of source)

tributary to BLACKCLOUD CREEK in SHOSHONE 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:

MAY 1, 1938 amount: 150 c.f.s. or _____ acre feet

amount: _____ c.f.s. or _____ acre feet

amount: _____ c.f.s. or _____ acre feet

Total claimed 150 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:

use DOMESTIC (HOUSE) period of use from JAN 1, 1938 to DEC 31 (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:

a. Surface water diversion dam and/or headgate: material is composed of wood

2 ft; length is 2 ft feet; height is 4" feet;

width at bottom is 2 feet; with at top is 2 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 NONE; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____

capacity of pump is _____ g.p.m.; name and address of well driller is _____

94.4004

_____; if so, give dates and 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_____

NONE

[illegible]

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

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
_____ The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered NONE

7. Where water is used for domestic or municipal purposes give number of families served 2
name of town supplied HOUSE

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities NONE

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
ON OCT. 1, 1965, WE PURCHASED FROM DAY MINES, INC., A
PORTION OF THE SUNSHINE LODE M.S. 1280 AND THE
POLARIS LODE M.S. 3234 IN SEC. 14 T48N, R4E6M,
SHOSHONE CO. IDAHO, CONTAINING 0.688 ACRES. WITHIN THIS
LAND IS A SPRING WHICH HAS BEEN DIVERTED TO
SUPPLY A HOUSE SINCE MAY 1, 1938 UNTIL THE
PRESENT. THE SPRING IS IN THE S.W. END OF
THE PROPERTY DESCRIBED BELOW. MAP ON BACK.
THE LOCATION OF SAID SPRING IS AT A POINT
S. 60°00' W. 1775.2 FEET FROM 1/4 COR. OF
SEC. 13-14, T48N, R4E6M. ON THE LAND BEGINNING
AT COR. 1 IDENTICAL WITH COR. NO. 14 OF SAID SUNSHINE
LODE M.S. 1280; THENCE N. 53°39'21" W. 124.22 FT. TO COR. 2;
THENCE N. 43°25'E, 225.00 FT. TO COR. #3; THENCE S. 67°50'45"E
134.31 FT. TO COR. #4; THENCE S. 43°50'06" W. 258.41 FT. TO COR. #1,

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 affiants knowledge.

Louis Frensch Reginald Frensch
Claimant

Sworn to before me this 22nd day of October, 19 71.

William A. Rosary
Notary Public
Residing at Wallace Idaho

My commission expires Nov. 18, 1973

For Department Use Only

Received by T. W. Date 10-26-71

Exception filed by:

Forwarded to
claimant by:

Date

Prelim. check by T. W. Date 10-26-71

Fee received by T. W. Date 10-26-71 Fee \$ 10.00 #8411

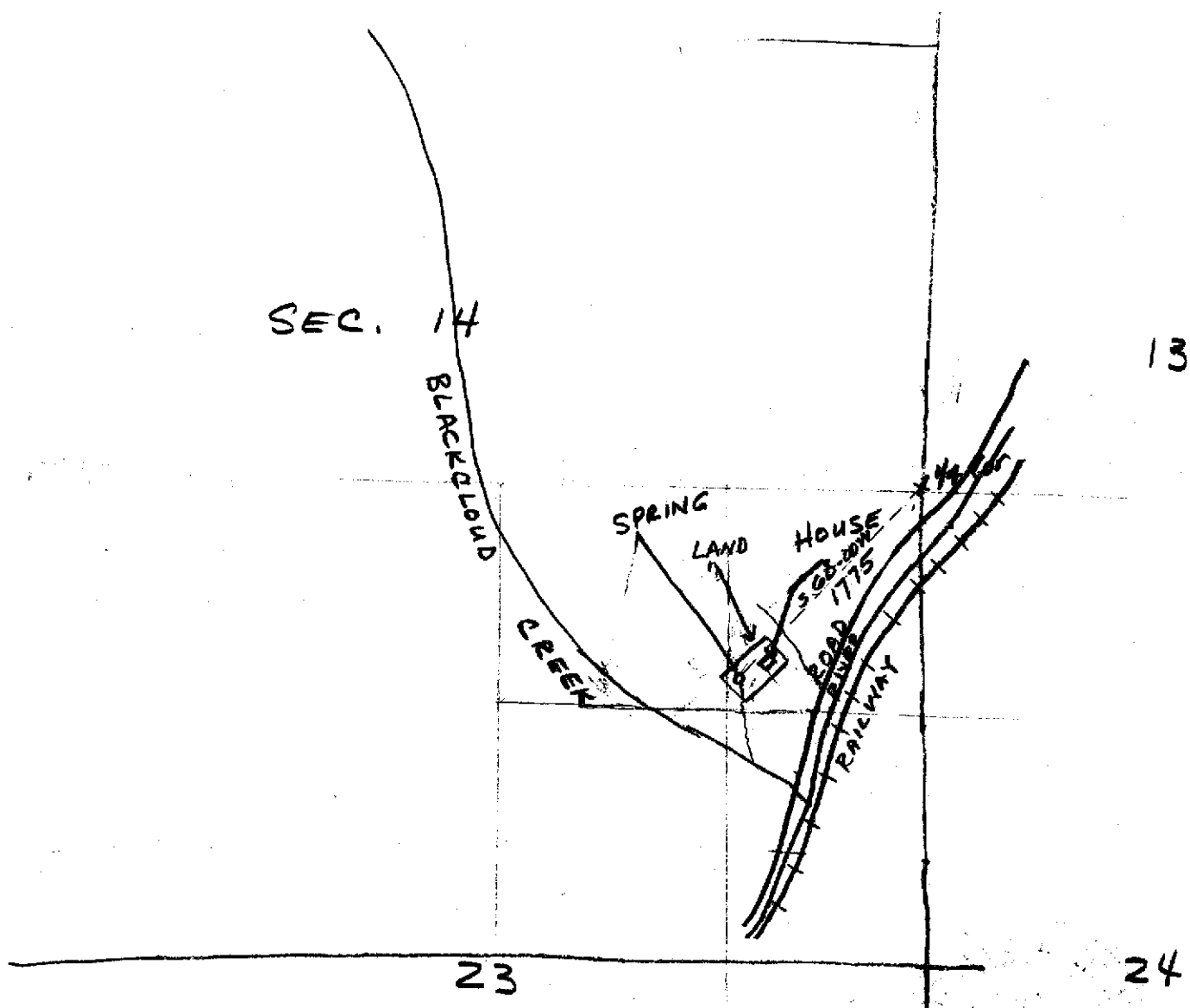
Approved for publication by SDF

Published in Nath. Ida. Press Dates 11-11 & 11-18-71

94 4004

T 48 N R 4 E, B.M.

N ↑



No scale

94-4004

STATE OF IDAHO,

County of Shoshone.

ss.

PROOF OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

No. 94-4004

Notice is hereby given that Louis and Regina A. Feucht, Box 556, Wallace, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from a spring, tributary to Blackcloud Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, 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 May 1, 1938; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 48N, R. 4E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in
the North Idaho Press,
Nov. 11, 18, 1971

R. J. Bruning

deposes and says:

That he is the Publisher 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 11th day of
Legal Notice: Re: Claim No.

November A.D., 19 71. That the 94-4004, Louis & Regina Feucht

of which a complete and correct copy is hereto attached, was first published

in said newspaper in its issue dated the 11th day of November

A.D., 19 71 and published in Two (2) issues of said newspaper,

the last publication thereof being in the issue dated the 18th day

of November A.D., 19 71.

Subscribed and sworn to before me this

19th day of November, A.D., 19 71.

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

My commission expires September 25, 19 73.

December 13, 1971

Re: Claim to a Water Right No. 94-4004
Louis and Regina A. Feucht

Mr. James P. Keane
Brown, Peacock, Keane & Boyd
P.O. Box 659
Kellogg, Idaho 83837

Dear Mr. Keane:

We received your letter of December 7th concerning the claim to an existing water right No. 94-4004 filed by Louis and Regina A. Feucht. Mr. & Mrs. Feucht claim a use of water with a priority of May 1, 1938, whereas License No. 10846/94-2093 was issued on July 28, 1915, with a priority of November 10, 1914.

Therefore, unless the right under License No. 10846/94-2093 has been abandoned or forfeited by non-use, there would be no question that your clients would have the prior right to the use of this spring.

Your letter has been entered into the file of Claim No. 94-4004. If you have any questions regarding this matter, please let us know.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:dr

94 4004

BROWN, PEACOCK, KEANE & BOYD
ATTORNEYS AT LAW
311 MAIN STREET
KELLOGG, IDAHO 83837

ROBERT E. BROWN
JOHN J. PEACOCK
JAMES P. KEANE
WILLIAM F. BOYD

December 7, 1971

RECEIVED
DEC 10 1971
P. O. BOX 659
TELEPHONE
AREA CODE 208
784-1105

RECEIVED
DEC 10 1971
Department of Water Administration

Mr. R. Keith Higginson
Idaho Department of Water Administration
State House
Boise, Idaho 83707

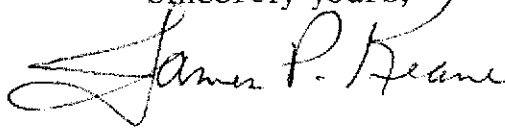
Dear Mr. Higginson:

I represent Amelia Pugh and Wilma George who are now the legal owners of State of Idaho Water License No. 10864, which water license was issued on June 15, 1915.

Enclosed is a photocopy of a notice of claim to a water right which might be adverse to my clients' interest. Accordingly, if there is any question about my clients having a prior right to any water being claimed by Mr. and Mrs. Feucht, please contact me.

If you need further information substantiating the facts set forth herein, please contact me.

Sincerely yours,



JAMES P. KEANE

JPK/ea

Enclosure

94 4004

Box 111 - Wallace, Idaho -
 Amelia Pugh -

Rate of Publication
 One Day per line .20
 One Week per line .80
 Two Weeks per line 1.40
 One Month per line 2.50
 — Count Four Words To Line —

Wallace, Idaho, 2 bedrooms,
 d'Alene, \$100 per month.
 1 bedroom house. See John
 Posnik at Wallace Corner.
39. APARTMENTS FOR RENT
 FURNISHED and unfurnished
 Apts. Shoshone Bldg. Ph:
 753-5541.
 UNFURN. 2 bedrooms. Apt. Call
 after 6 p.m., 752-3847.

3. CARD OF THANKS

CARD OF THANKS
 WE WISH TO TAKE THIS
 means to thank our many
 friends and neighbors for their
 cards, floral offerings and their
 acts of sympathy and kindness
 during our recent bereavement,
 the loss of our beloved JAMES
 (JACK) WHALEY.
 Anna Mae, Mike & Pam
 Mrs. Golda Palmer
 Mr. Harold Whaley
 & family

7. ANNOUNCEMENTS

PUBLIC PINOCHLE PARTY
 Wallace Aerie No. 54 F.O.E.
 Clubroom, Sat. Nov. 20th, 7
 p.m. Refreshments & Prizes.

NOTICE

I will not be responsible for
 any debts contracted by
 anyone other than myself from
 this date, November 16, 1971.
 Mrs. Elva Cotter
 Mullan, Idaho

ST. Alphonsus Parents Club
 Rummage Sale, Nov. 19 & 20.
 For pick-ups call 752-7591
 752-0833 and 753-5471.

10. SALESMEN

AN OHIO OIL CO. offers
 opportunity for high income
 PLUS regular cash and vacation
 bonuses, abundant fringe
 benefits to mature man in the
 Wallace area. Regardless of
 experience, air mail A. I. Read,
 Pres., American Lubricants Co.,
 Box 696, Dayton, Ohio 45401.

24. MISCELLANEOUS WANTED

WOULD like to obtain a copy
 of the book "Contributions,
 Biographical, Genealogical &
 Historical," by E. W. Pearce.
 Call 753-4855 after 5:30 p.m.

53. BUSINESS OPPORTUNITIES

RESPONSIBLE PERSON
 Wanted to own and operate
 Candy and Confection vending
 route in Wallace & Kellogg
 and surrounding area. Pleasant
 business. High profit items.
 Can start part time.
 Experience not important.
 Requires \$995 minimum
 investment. Write, giving
 phone number, Manager, P. O.
 Box 88892, Seattle, Wash.
 98188.

LEGAL NOTICE

**NOTICE OF CLAIM
 TO A WATER RIGHT**
 No. 94-4004

Notice is hereby given that
 Louis and Regina A. Feucht,
 Box 556, Wallace, Idaho has
 filed a claim to a water right
 established by diversion and
 application to beneficial use of
 0.02 cubic feet per second of
 water from a spring, tributary
 to Blackcloud Creek with point
 of diversion in the NE1/4SE1/4,
 Sec. 14, 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 May 1, 1938; the
 place of use is within the
 NE1/4SE1/4, Sec. 14, T. 48N, R.
 4E, B.M.

Any exception to this claim
 of water right may be filed
 with the Idaho Department of
 Water Administration,
 Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
 Director
 Published in
 the North Idaho Press,
 Nov. 11, 18, 1971

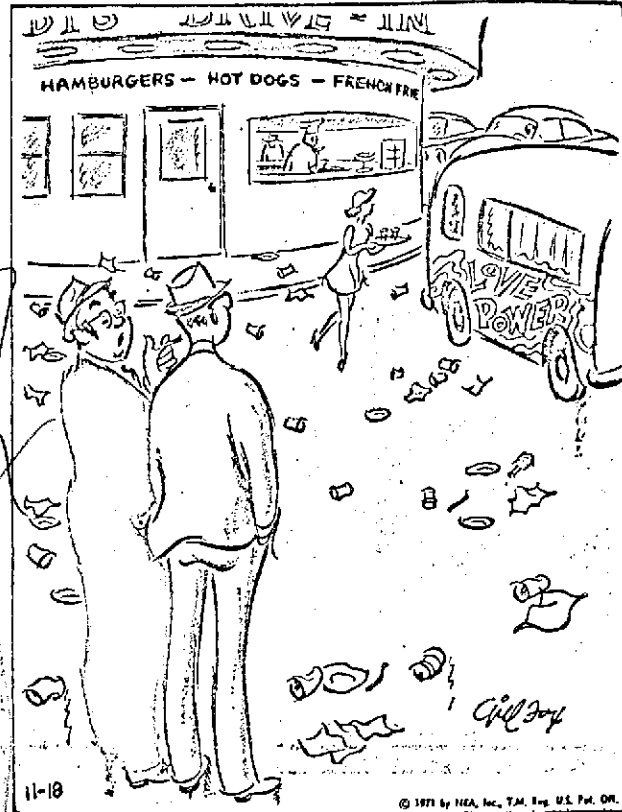
54 Empty plant
 55 Empty
 56 Favorite
 animals
 56 Depots (ab.)
 57 Always
 (poet.)
 DOWN
 1 Tardy
 2 Sheaf

42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60

(NEWSPAPER ENTERPRISE ASSOCIATION)

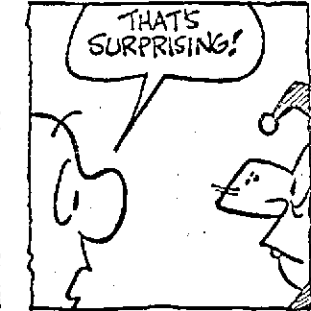
SIDE GLANCES

by Gill Fox

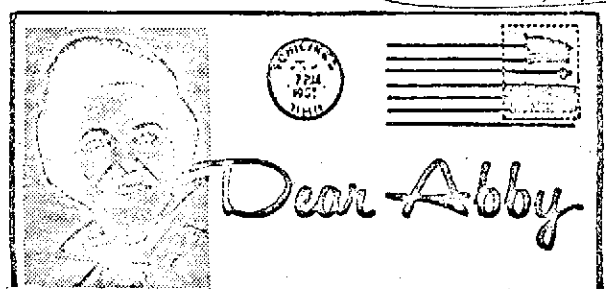
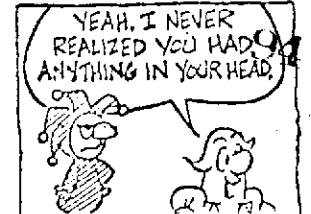
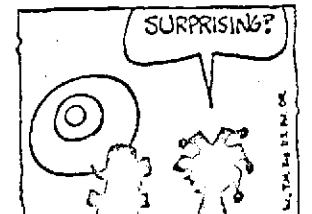


"Digby's Drive-in has gone mod. It is now officially known as the 'Quick 'n' Dirty'!"

SHORT RIBS



by Frank O'Neal



By Abigail Van Buren

© 1971 by Chicago Tribune-N. Y. News Synd., Inc.]

DEAR ABBY: Maybe you can help me figure something out. I can't, and I'm about to lose my mind.

Seven years ago I fell in love with my boss. Yes, I knew he had a wife and grown children, but he told me he loved me and that his sex life at home was nil. Soon my love for him became the most important thing in my life. We man-

4004

LAN

400 HOY

ECK

CAP

WIN

December 2, 1971

Re: Claim to a Water Right No. 94-4004

Louis and Regina Feucht
Box 556
Wallace, Idaho 83873

Dear Mr. & Mrs. Feucht:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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 your 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 can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

94 4004

November 2, 1971

Re: Claim No. 94-4004 - Louis and Regina A. Feucht

North Idaho Press
507 Cedar
Wallace, Idaho 83873

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 our 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 date. 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Legal Notice

Bill submitted 11-23-71 By CR

94 4004

RECEIVED
FEB 14 1911

Department of Water Administration

Following Legal for NIP—

NIP—Nov.11

NOTICE OF CLAIM
TO A WATER RIGHT
No. 94-4004

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The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of May 1, 1938; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 48N, R. 4E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the North Idaho Press,

O.K. 11
11-15-38
J. J.

END OF TWO COPIES////////

94 4004

NOTICE OF CLAIM TO A WATER RIGHT

No. 94-4004

Notice is hereby given that Louis and Regina A. Feucht,

Box 556, Wallace, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second ~~xxxxxx~~ of water from xxx a spring, tributary to Blackcloud Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 48N, R. 4E, B.M., Shoshone County.

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R. KEITH HIGGINSON

Director

Published in the North Idaho Press, Wallace, Idaho
on Nov. 11 and Nov. 18, 1971.

What paper
will this be
advertised?
Or do we have to do
it?

North Idaho Press
507 Cedar
Wallace, Idaho 83873

94 4004

October 26, 1971

Louis Feucht
Box 556
Wallace, Idaho 83873

Dear Mr. Feucht:

We received your claim to a water right. The claim was filled out properly, but the source will be filed under Unnamed Springs rather than Groundwater which you had listed.

The North Idaho Press will be used to advertise your claim. If we can be of further assistance, please feel free to contact us.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cr

Enc: Receipt No. 8411

94 4004