No Color Documents In File

Identification No. _____

Claim No. 87 4002 P

Map No. _____

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 Laverne T. or Sylvia M. Donahue
   post office address P.O. Box #168, Potlatch, Idaho, 83855
2. The point of diversion is in N.E. ¼ of _____ ¼ Section 17 Township 41 North Range 5 West B.M. located on (Palouse River) (water shed) (name of source) Ground water (L.P.D. S.m.d.)
   tributary to Snake River in Latah 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 1, 1964 amount: 0.15 c.f.s. or _____ acre feet
   _____ amount: _____ c.f.s. or _____ acre feet
   _____ amount: _____ c.f.s. or _____ acre feet
   Total claimed 0.15 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 period of use from January to December 31 (J.T.P. S.m.d.) (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 _____ ; length is _____ feet; height is _____ feet; width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first buil, giving dates and estimated capacities if known _____

   b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 100 feet; diameter of well is 8 inches; type of pump is submersible capacity of pump is 15 g.p.m.; name and address of well driller is Robert Lloyd Colfax, Washington ;

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attach well logs if available; has there been any change in pump or motor since well was first completed no; 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 _____

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:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

87 4092

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 _____

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

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 _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

State of Idaho
County of Latah } 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.

x Glenn A. Donahue
Claimant

Sworn to before me this 17th day of August, 1972

Joseph [illegible]
Notary Public

Residing at Potlatch

My commission expires Nov. 8, 1975

For Department Use Only

Received by KIC Date 8/18/72		Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by EB Date 8-17-72	Rec't. # 84206			
Fee received by EB Date 8-18-72 Fee $10.00				
Approved for publication by				
Published in Daily Idahonian Dates 8-31 & 9-7-72				

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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 Water Administration, Statehouse, Annex 2, Boise, Idaho, 83707, is $10.00.

Affidavit of Publication

STATE OF IDAHO
County of Latah } ss.

A. J. Maxwell

being first duly sworn, on oath, deposes and says:

That he is the printer of The DAILY IDAHONIAN, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following

dates: Aug 31, Sept 7, 1972

the same being the dates designated for the publication of said legal notice.

A. J. Maxwell

Subscribed and sworn to before me this 7 day of Sept 19 72

Clarice Jacobs

Notary Public,
residing at Moscow, Idaho

County of Latah
My Commission Expires August 10, 1975

RECEIVED
SEP 11 1972
Department of Water Administration
Northern District Office

NOTICE OF CLAIM TO A WATER RIGHT
NO. 87-4002

Notice is hereby given that LaVerne T. or Sylvia M. Donahue, P.O. Box 168, Potlatch, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.15 cubic feet per second of water from a ground water source with point of diversion in the NE¼, Sec. 17, T. 41N, R. 5W, B.M., Latah County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of April 1, 1964; the place of use is within the NE¼, Sec. 17, T. 41N, R. 5W, 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

August 31, September 7, 1972

87 4002

INTER-DEPARTMENT MEMO — 1

DATE November 9, 1972

FROM NORTHERN DISTRICT

TO Don McEldowney

SUBJECT Claim No. 87-4002 - Donahue

RECEIVED
NOV 1972
Department of Water Administration

Attached is the corrected claim, signed, ~~six~~ sealed, and delivered.

(how's things going? Every time I talk to you on the phone, it sounds like you're in a grumpy mood, so I don't ~~ak~~ ask you questions. Bring me up on the latest. And if you tell me that my typing hasn't improved one bit, I already know that!)

87 4002

Corda June
SIGNATURE

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

October 30, 1972

Re: Claim to a Water Right No. 87-4002

LaVerne T. Donahue
P.O. Box 168
Potlatch, ID 83855

Dear Mr. Donahue:

Your claim to a water right has been received, advertised, and processed, but to correct it where no discrepancies arise, we request you make the following changes:

Item #2: Name of source should be labled "Groundwater."

Item #3b: Period of use should be from January 1 to December 31.

Please make these corrections, placing your enitials above each one, and return the claim to our office as soon as possible, using the self-addressed, stamped envelope provided.

If you have any questions, please feel free to contact us.

Very truly yours,

Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

Enc: Claim to a Water Right

87 4002

RECEIVED
OCT 17 1972

MEMORANDUM

Department of Water Administration
Northern District Office

DATE: October 16, 1972

TO: ~~FROM:~~ Boise Office - Water Rights

FROM: ~~TO:~~ Northern District Office

SUBJECT: Claim 87-4002 - La Verne T. or Sylvia M. Donahue

Claimant states water source as Palouse River Water Shed. Apparently someone in the office added the groundwater. Also, under item 3b the Claimant has listed the point of use from January to January. It is noted that it is a groundwater source and its period of use should be from January 1 to December 31. It is also noted that someone from the Northern District Office did not approve the claim for publication at the bottom of the form.

Do not make changes or assumptions on claims as they are sworn documents. When you have this much descrepancy, please return the claim to the Claimant for corrections.

Don:

Could you please send us back the original file so that we may return it to the claimant and have him make the corrections, if this is what will need to be done. Since it has already been processed, what is the procedure?

Corda June
NORTHERN DISTRICT

RECEIVED
OCT 19 1972
Department of Water Administration

87 4002

September 27, 1972

Re: Claim to a Water Right No. 87-4002

LaVerne T. or Syliva M. Donahue
P.O. Box 168
Potlatch, ID 83855

Dear Mr. & Mrs. Donahue:

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 a claim doesnnot, in itself, guarantee you a water right; it only records and perserves 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 yoww 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 our office.

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

675-5624

FE:CR

Enc: copy of claim

87 4002

September 11, 1972

Re: Claim to a Water Right No. 87-4002

LaVerne T. Donahue
P.O. Box 168
Potlatch, ID 83855

Dear Mr. Donahue:

Attached herewith is your Receipt No. 8426 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
Water Resource Examiner
Northern District

FE:CR

Enc: Receipt

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August 25, 1972

Re: Application No. 87-7013 - Louis Olson
Claim No. 87-4002 - LaVerne T. or Sylvia M. Donahue

Daily Idahonian
Box 399
Moscow, ID 83843

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
Water Resource Examiner
Northern District

Bill submitted 9-11-72 by CR

FE:CR

Enc: Legal Notices (2)

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NOTICE OF CLAIM TO A WATER RIGHT

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R. KEITH HIGGINSON

Director

Published in the Daily Idahonian, Moscow, Idaho on Aug. 31 and Sept. 7, 1972

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