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Documents

In File

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 Ray Barker
(name of claimant)
of Rt. #3, Box 488, Coeur d'Alene, Idaho, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to _____;

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Unnamed Spring
- (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>0.04 cfs</u>	Use	<u>Domestic</u>	Period of Use: From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount	_____	Use	_____	Period of Use: From	_____	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: 0.04 cubic feet per second, or _____ acre feet per annum, and/or 18 gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) June 1, 1953

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)
(2 points) SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23 Twp. 50N Rge. 3W B. M. County of Kootenai

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. Pump, gravity flow, and pipeline to place of use.

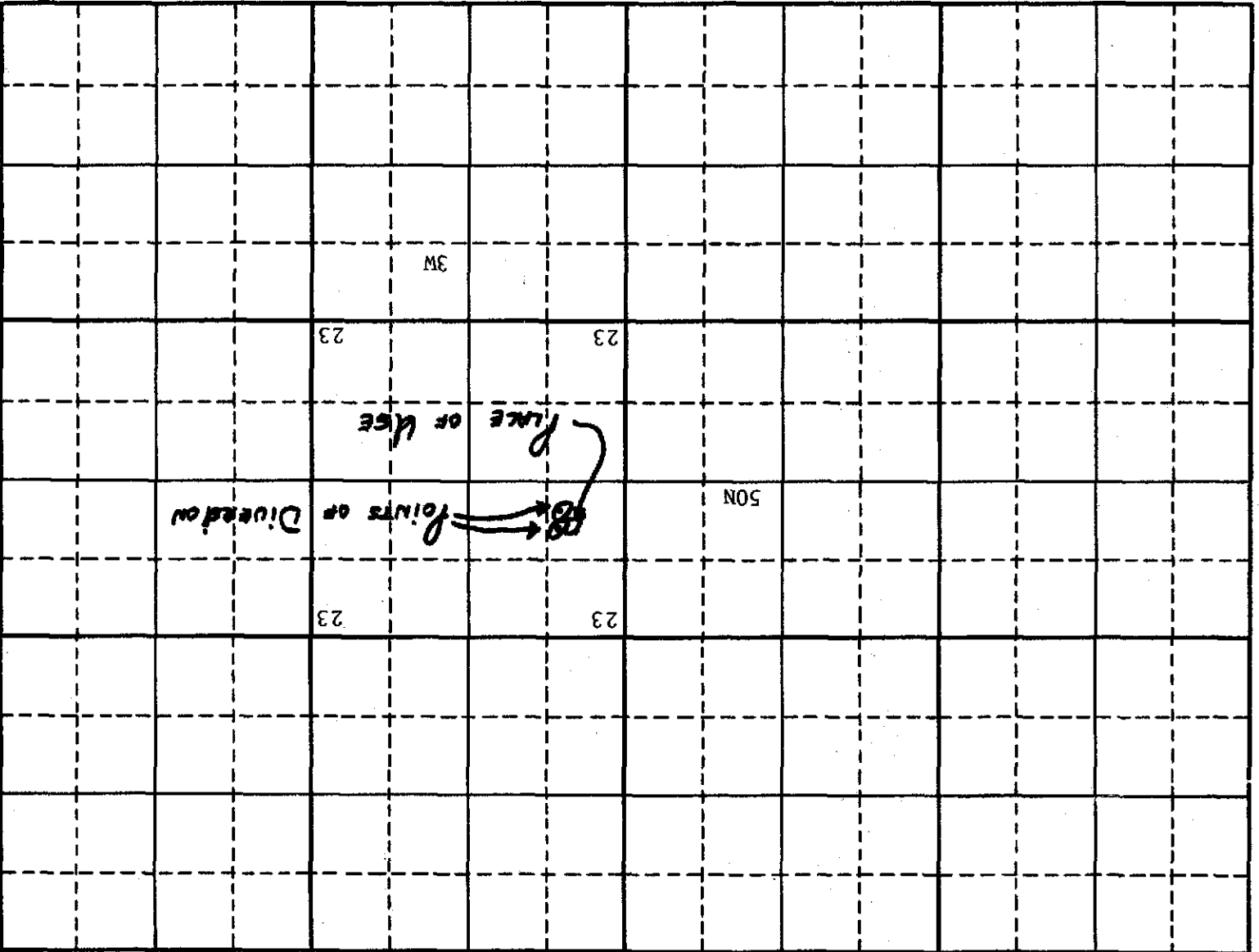
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
50N	3W	23							X										

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic purposes for one family.

- (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 BOOTHE 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 21ST day of SEPT.

Roy B. Smith
(Claimant)
Sept. 11, 1976
Notary Public
Residing at Coeur d'Alene, ID

My commission expires

For Department Use Only

Received by CP Date 9-21-73 Exception filed by: Forwarded to claimant by: Date 9-21-73
Prelim. check by CP Date 9/21/73 # 11965
Approved for publication by CP Date 9-21-73 # 11965
Published in Coeur d'Alene Press 10-4 * 10-11-73
Dates

AFFIDAVIT OF PUBLICATION - COEUR D'ALENE PRESS (WEEKLY)

OCT 11 1973

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

Department of Water Administration
Northern District Office

Carol J 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

Water Right
Ray Barker

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 4 day of Oct, 19 73, and ending on the

11 day of Oct, 19 73

Subscribed and sworn to, before me, this 11 day of Oct

19 73

Carol J Hedge
Keith Higginson
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 195-4160

Notice is hereby given that Ray Barker, Route No. 3, Box 488, Coeur d'Alene, Idaho 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 an Unnamed Spring with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points), Sec. 23, T. 50N, R. 3W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of June 1, 1953; the place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 50N, R. 3W, 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

Oct. 4, 11, 1973

95 4160

October 14, 1976

Re: Claim to a Water Right No. 95-4160

Mr. David G. Stull
Route 3, Box 488
Coeur d'Alene, ID 83814

Dear Mr. Stull:

Your letter indicating that you have purchased the property pertaining to the above referenced claim has been entered into our file for future reference as to present ownership.

However, there is no procedure for changing the name on the claim document since it is the claimant's sworn statement that a water right exists. In addition, no procedure is necessary since the ownership of any existing right is automatically conveyed with the property unless it is specifically withheld in the sales transaction.

Should you have questions regarding this matter, please contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

cc: IDWR - Coeur d'Alene

We have purchased
the Ray Barker house
They hold the water
rights to the property
Claim # 95-4160.

Please have our
name put on the
claim.

New owner

Donald G. Stull

Rt. 3, Box 488

Cur d'Alene Id.

Department of Water Resources
Northern District Office

SEP 17 1976

RECEIVED

SEP 23 1976

Department of Water Resources

RECEIVED

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 23, 1973

Re: Claim to a Water Right No. 95-4160

Ray Barker
Route #3, Box 488
Coeur d'Alene, ID 83814

Dear Mr. Barker:

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 4160

September 28, 1973

Re: Application No.	94-7040	95-7370	95-7374
"	"	95-7367	95-7371
"	"	95-7368	95-7372
"	"	95-7369	95-7373
			95-4160

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83844

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 10-22-73 by CP

FE:CP

Enc: Legal Notices (12)

5 4160

NOTICE OF CLAIM TO A WATER RIGHT

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to beneficial use of 0.04 cubic feet per second ~~XXXXXX XXXXXX XXXXXX~~
of water from an Unnamed Spring

with point of diversion in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ (2 points), Sec. 23, T. 50N, R. 3W, B.M.,
Kootenai County

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

with a priority of June 1, 1953;
the place of use is within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 50N, R. 3W, 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 Oct. 4 and Oct. 11, 1973

95 4160

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Sec. 23, T. 50N, R. 3W, 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

Oct. 4, 11, 1973

95 4160

0.7.
10-11-73
CP