

RECEIVED

OCT 5 1973

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

No. 95-4159

Notice is hereby given that Russell B. Boucher &/or Mrs. Cleo H. Hayward, 3023 E. 11th, Spokane, Washington, have 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 an Unnamed Spring with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, T. 52N, R. 5W, B. M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes with a priority of 1969; the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$,

Sec. 31, T. 52N, 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.

Director

R. KEITH HIGGINSON

Published in the Post Falls Tribune, Post Falls, Idaho, on Sept. 27 and Oct. 4, 1973.

9-27 2tc

County of Kootenai }
STATE OF IDAHO } ss.

JEANNETTE S. ROSIN, being first duly sworn, deposes and says that she is the publisher of THE POST FALLS TRIBUNE, a newspaper published weekly at Post Falls, Kootenai County, Idaho, and of general circulation therein.

That the NOTICE OF CLAIM TO A WATER RIGHT

No. 95-4159 Boucher & Hayward a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for two consecutive issues, commenc-

ing with the issue dated September 27, 1973

and ending with the issue dated October 4, 1973

Subscribed and sworn to before me, this 4th

day of October, 1973

C. Agnes Luchini
Notary Public for the State of Idaho
Residing at Post Falls, Idaho

Publication Fee \$ 12.95
(35)

95 4159

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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 Russell B. Boucher &/or Mrs. Cleo H. Hayward
(name of claimant)
of 3023 E. 11th, Spokane, Wash. 99202, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Hauser Lake;

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>0.02 cfs</u>	Use	<u>Stockwater</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: 0.02 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1969

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)
NW ¼ NE ¼, Sec. 31 Twp. 52N Rge. 5W 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. Collection box with 4" pipeline to watering tank.

(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 ¼				NW ¼				SW ¼				SE ¼				TOTAL
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
52N	5W	31		X															

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:
Stockwater for three horses.

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

0277 55

RD 2

Plate 10

USE

31

T-52A

SS.

KOOTENAI

the affiants knowledge.

SEPTEMBER

Arnold B. Bondur (Claimant)

Residing at COEUR D'ALENE, ID

Sept. 11, 1976

Forwarded to
Date
claimant by:

2/21

JK

7/21

8/23

0961

100

Post Falls, ID

72-4-73

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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Route 5, Box 203
Suite #1
4055 Government Way

Room 208
~~401 Front Avenue~~
Coeur d'Alene, Idaho 83814
(208) 667-6484

August 7, 1975

Re: Claim to a Water Right No. 95-4158
" " " " " " 95-4159
Permit No. 95-7366

Mr. Warren Byxbee
Hayden Lake Realty
Hayden Lake, ID 83835

Dear Mr. Byxbee:

We have entered your letter of July 23, 1975, in Claim to a Water Right files No. 95-4158 and 95-4159 which will suffice in transferring ownership. Enclosed is an Assignment Form for Permit No. 95-7366. This form should be signed by Russell Boucher and/or Cleo Hayward, notarized, and returned to our office so that we may enter this in the permit file.

If there are any questions in this matter, feel free to contact us.

Very truly yours,

FRED EISENBARTH
District Supervisor

FE:CP

Enclosure

Hayden Lake Realty

HAYDEN LAKE, IDAHO

RALPH BYXBEE, Broker
PHONE: SPRUCE 2-3839
AREA CODE: 208
Hayden Lake, Idaho 83835

FARMS - CATTLE RANCHES - LAKESHORE - TIMBER

July 23, 1975

RECEIVED

State of Idaho
Department of Water Resources

Department of Water Resources
Northern District Office

Dear Sir,

I wish to notify your office of a sale of property which has two claims to water rights and one permit to drill a well.

The property was owned by:

Russel B. Boucher &/or Mrs. Cleo H. Hayward
3023 E. 11th. st.
Spokane, Wash. 99202

The claim to water right numbers are 95-4158 and 95-4159.

There is also an approved application for a well. The permit number 95-7366.

The new owner to whom this permit and claims to water rights are to be transferred is:

Stanley E. and Paula K. Thompson
6918 E. 6th.

Spokane, Wash. 99206

Sincerely,

Warren Byxbee
Warren Byxbee

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 16, 1973

Re: Claim to a Water Right No. 95-4158
" " " " " " **95-4159**

Russell B. Boucher &/or
Mrs. Cleo H. Hayward
3023 E. 11th
Spokane, WA 99202

Dear Mr. Boucher & Mrs. Hayward:

The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claims 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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, copies of your claims. 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

Enclosures

95 4159

September 21, 1973

Re: Application No. 95-7366
Claim No. 95-4158
" " 95-4159

Post Falls Tribune
Box 68
Post Falls, ID 83854

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 10-16-73 by CP

FE:CP

Enc: Legal Notices (3)

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R. KEITH HIGGINSON

Director

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