

No Color
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 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 Stream
- (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>Irrigation</u> | Period of Use: From <u>March 15</u> To <u>Nov. 15</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 9 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1968

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. Pump, pipeline, and sprinklers.

- (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		1															1

Total No. of acres 1

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

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

Received by	18 K	Date	9/19/73
Prelim. check by	HK	Date	9/15/73
\$10.00 fee received by	KK	Date	9/19/73
Approved for publication by	JS		
Published in	Post Falls Tribune		
Dates	9-27 + 10-4-73		
Exception filed by:			
Forwarded to			
claimant by:			
Date			

SEPT. 11, 1976

Carla M. Roberts

James B. Bond

HOOTENAI

Scale: 2 inches equal 1 mile.

A hand-drawn map on a grid showing a route from a starting point to a destination. The route is marked with a line and arrows. The starting point is labeled "R.D. + PLACE OF" and "1550". The destination is labeled "T.S. 21". The route is marked with "R-5 W" and "R-5 E".

88

AFFIDAVIT OF PUBLICATION

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 95-4158**

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 Stream 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 March 15 to Nov. 15, for the irrigation of one acre with a priority of 1968; 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.

R. KEITH HIGGINSON
Director

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. 95-4158 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 \$ 13.32
(36)

5 4158



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 205~~
~~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

AUG 4 1975

Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

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

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 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 4158

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)

95 4158

NOTICE OF CLAIM TO A WATER RIGHT

NO. 95-4158

Notice is hereby given that Russell B. Boucher &/or Mrs. Cleo H. Hayward,
3023 E. 11th, Spokane, Washington

~~has~~ have filed a claim to a water right established by diversion and application
to beneficial use of 0.02 cubic feet per second ~~at the place of use~~
of water from an Unnamed Stream
with point of diversion in the NW 1/4, Sec. 31, T. 52N, R. 5W, B.M.,
Kootenai County

The water is claimed to be used from March 15 to Nov. 15 for the
irrigation of one acre
with a priority of 1968;
the place of use is within the NW 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.

R. KEITH HIGGINSON

Director

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

95 4158

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 195-4158**

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 Stream 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 March 15 to Nov. 15, for the irrigation of one acre with a priority of 1968; 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.

R. KEITH HIGGINSON
Director

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

9-27 etc

O.K.
10-3-73
CP

15 4158