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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 Sherman Hatley and/or Phyllis Hatley
(name of claimant)
of Route #1, Box 162-B, Post Falls, ID, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to (sinks)

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</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 _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1898

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 SW ¼, Sec. 19 Twp. 51N 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. 1 h.p. pump, with 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
51N	5W	19									X								

Total No. of acres _____

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

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

[illegible]

A hand-drawn diagram on a grid background. A central point is labeled 'O'. A horizontal line passes through 'O'. To the left of 'O' on this line is the label '5N'. To the right of 'O' is the label '19'. Below 'O' is the label '5W'.

Scale: 2 inches equal 1 mile.

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 KOOTENAI 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.

Sworn to before me this 10th day of May, 19 73.
Phyllis Hatley
 (Claimant)

Notary Public Corda M. Roberts
Residing at COEUR D'ALENE ID

My commission expires SEPT. 11, 1976

For Department Use Only

Received by CR Date 5-17-73 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by CR Date 5-17-73 claimant by: _____
 \$10.00 fee received by F.R. Date 5/19/73 #10671 _____
 Approved for publication by F.R. 5/19/73 _____
 Published in POST FALLS TRIBUNE _____
 Dates 5-24 + 5-31-73 _____

RECEIVED

AFFIDAVIT OF PUBLICATION

**NOTICE OF CLAIM
TO A WATER RIGHT
No. 95-4085**

Notice is hereby given that Sherman &/or Phyllis Hatley, Route No. 1, Box 162-B, Post Falls, Idaho, have 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 NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 51N, R. 5W, B. M., Kootenai County.

The water is claimed to be used from Jan 1 to Dec. 31 for domestic purposes with a priority of 1898; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 51N, 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 May 24 and May 31, 1973.

5-24 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
#95-4085 Sherman &/or Phyllis Hatley 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 May 24, 1973
and ending with the issue dated May 31, 1973

Jeannette S. Rosin
Subscribed and sworn to before me, this 31st
day of May, 1973

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

Publication Fee \$ 12.58
(34)

15 4085

April 19, 1976

Feb
Re: Claim to a Water Right No. 95-4085

Mr. and Mrs. Sherman Hatley
Route 1, Box 160
Post Falls, ID 83854

Dear Mr. and Mrs. Hatley:

The statement indicating a change in the place of use for your Spring has been entered in your file referenced above. Any other information which you feel is pertinent to this transaction should also be included in your file.

Please contact us if we may be of any further assistance.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

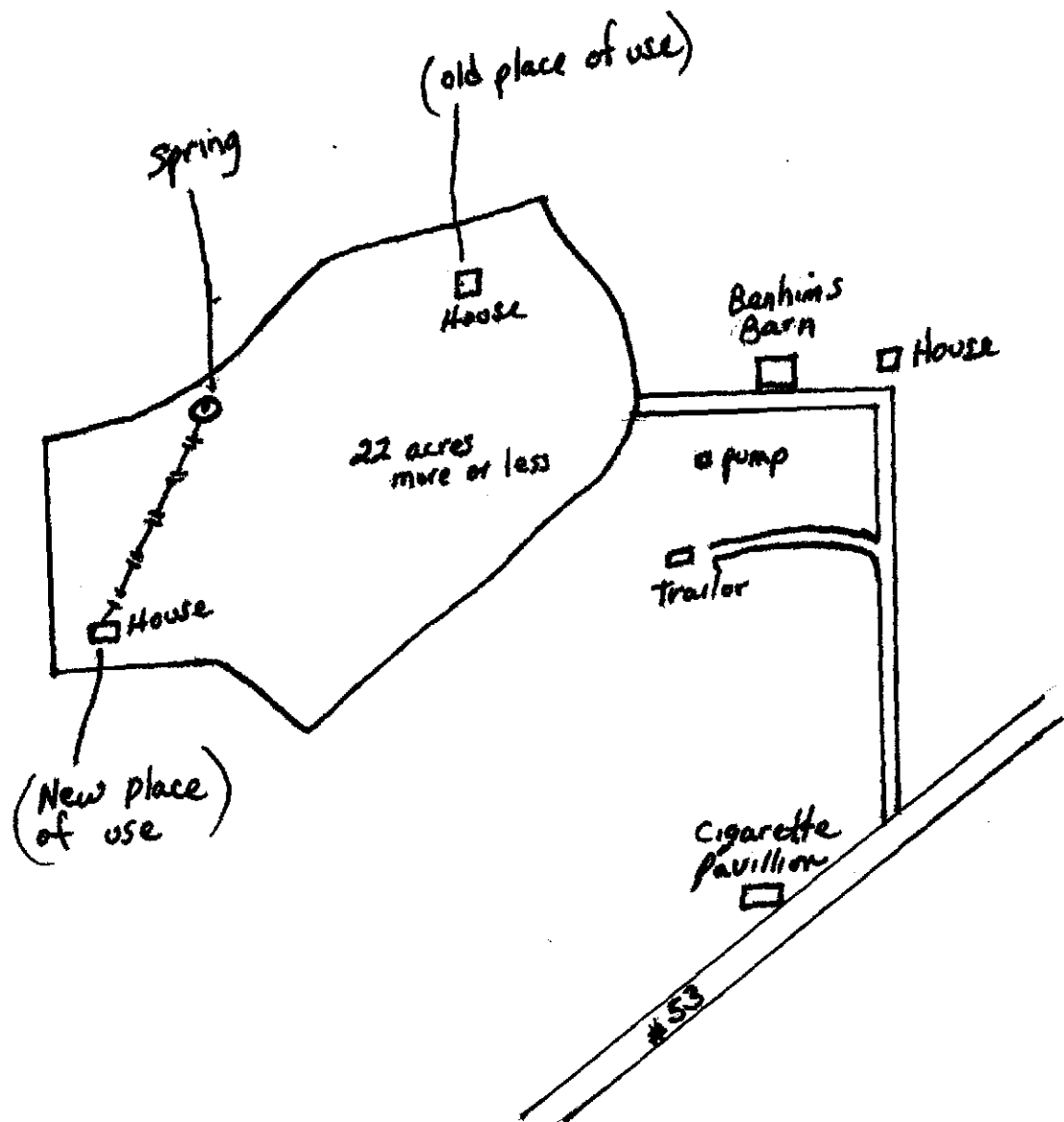
Enc: Copy of Change

cc: IDWR - Boise ✓

The spring identified below was originally used in the house located at the North part of the property. this house was sold and the water rights from the spring were withheld. the spring is now used at a new location for domestic purposes for a house located in the SW corner of the property which is owned by Sherman Hatley.

signed 4/16/76

Mrs Sherman Hatley



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

June 13, 1973

Re: Claim to a Water Right No. 95-4085

Sherman &/or Phyllis Hatley
Route #1, Box 162-B
Post Falls, ID 83854

Dear Mr. & Mrs. Hatley:

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 further assistance, feel free to contact us.

Very truly yours,

Fred Eisenbarth
Northern District Manager

FE:CR

Enc: copy of claim

95 4085

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Northern District Office

401 Front Ave., Room 209 • Coeur d'Alene, Idaho

83814

REASON CHECKED
acknowledged ✓
Unknown ✓
For better address ✓
Moved. Left no address ✓
No such office in state ✓



RECEIVED

MAY 25 1973

95 4085

~~Sherman Hatley
Route #1, Box 162-B
Post Falls, ID 83854~~

Department of Water Administration
Northern District Office

SENT TO SAME ADDRESS 5-25-73. cl

(O.K.'D WITH POST OFFICE)

May 18, 1973

Re: Claim No. 95-4082 - Dean L. &/or Alice I. Hardison
" " 95-4085 - Sherman &/or Phyllis Hatley

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 6-4-73 by cl

FE:CR

Enc: Legal Notices (2)

95 4085

NOTICE OF CLAIM TO A WATER RIGHT

NO. 95-4085

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Route #1, Box 162-B, Post Falls, Idaho

have
xxxx

has filed a claim to a water right established by diversion and application
to beneficial use of 0.04 cubic feet per second xxxxxxxxxxxxxxxxxxxxxx
of water from an Unnamed Spring

with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 51N, R. 5W, B.M.,
Kootenai County

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

with a priority of 1898;
the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 51N, R. 5W, B.M.

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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 May 24 and May 31, 1973

95 4085

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TO A WATER RIGHT
No. 95-4085**

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R. KEITH HIGGINSON

Director

Published in the Post Falls Tribune, Post Falls, Idaho, on May 24 and May 31, 1973.

5-24 2tc

O.K.
5-24-73
CL

95 4085

May 18, 1973

Re: Claim to a Water Right No. 95-4085

Sherman Hatley
Route #1, Box 162-B
Post Falls, ID 83854

Dear Mr. Hatley:

Attached is your receipt No. 10671 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
Northern District Manager

FE:CR

Enc: Receipt

95 4085