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In File

Identification No. _____

Claim No. 95-4034

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 William H. Hembd
post office address Route 1, Box H-17, Rathdrum, Idaho, 83858

2. The point of diversion is in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 9 Township 51 N
Range 5 W B.M. located on ground water
(name of source)
tributary to _____ in Kootenai 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:

March, 1967 amount: 0.226 ~~1.226~~ c.f.s. or _____ acre feet

amount: _____ c.f.s. or _____ acre feet

amount: _____ c.f.s. or _____ acre feet
Total claimed _____ 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 Jan. 1 to Dec. 31 (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 built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped pumped; depth of well is 50 feet; diameter of well is 36 inches; type of pump is Jacuzzi Jet
capacity of pump is X 10 g.p.m.; name and address of well driller is _____
hand dug by owner

95 4034

b. Do you get water through a ditch owned by several users? _____ 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 _____ 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

WE HAVE 5 ACRES, MOSTLY TIMBER. OUR WELL ONLY PRODUCES ENOUGH WATER FOR DOMESTIC (HOUSEHOLD) USE. WE WANT TO DIG OUR WELL DEEPER, IN AN ATTEMPT TO GET MORE WATER.

AT PRESENT I HAVE A JACUZZI PUMP, SER # SSE-5230, MOTOR IS G.E. 1 HP. 220 VAC 3450 RPM. WELL IS CASE WITH A 3' DIA. CORRUGATED CULVERT, SEALED AT THE TOP WITH A CONCRETE SLAB, ALSO A CONCRETE BLOCK WELL HOUSE.

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.

William N. Hembl
Claimant

Sworn to before me this 3rd day of Sept., 1971.

Gretchen M. Rollis
Notary Public

Residing at Post Falls, Idaho

My commission expires 11/24/74

For Department Use Only

Received by <u>ij</u>	Date <u>9-7-71</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>ij</u>	Date <u>9-7-71</u>			
Fee received by <u>ij</u>	Date <u>9/7/71</u>	Fee \$ <u>10.00</u>		
Approved for publication by				
Published in <u>Coeur d'Alene Press</u>	Dates <u>9-23-9-30-71</u>			

05 4074

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_____

[illegible]

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

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

STATE OF IDAHO,

County of Kootenai,

ss.

Callie Pontner

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

Notice of Claim to a Water Right

of which a printed copy is annexed hereto, was published in all the regular Wednesday

weekly issues of said newspaper for *two* consecutive weeks, commencing

on the *23* day of *Sept*, 19 *71*, and ending on the

30 day of *Sept*, 19 *71*

Callie Pontner

Subscribed and sworn to, before me, this *30* day of *Sept*,

19 *71*.

C. Patrick King

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

NOTICE OF CLAIM
TO A WATER RIGHT

No. 95-4034

Notice is hereby given that William H. Hemmbd, Route 1, Box H-17, Rathdrum, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.0226 cubic feet per second of water from a ground water source with point of diversion in the SW1/4SW1/4, Sec. 9, 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 March, 1967; the place of use is within the SW1/4SW1/4, Sec. 9, T. 51N, R. 5W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Sept. 23, 30, 1971

95 4034

October 18, 1971

Re: Claim to a Water Right No. 95-4034

William H. Hembd
Route 1, Box H-17
Rathdrum, Idaho 83858

Dear Mr. Hembd:

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 your 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 can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

95 4034

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

September 15, 1971

Re: Application No. 95-7155 - Wayne & Irene Vander Syde
Claim No. 95-4034 - William H. Hembd

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, Idaho 83814

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 date. 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,

Donald W. McEldowney
Appropriation Supervisor

DW:CR

Enc: Legal Notices

Bill submitted 10-6-71. cr

57 4004

LEGAL// RUN TWICE///

NOTICE OF CLAIM
TO A WATER RIGHT
No. 95-4034

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Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Sept. 23, 30, 1971

O.K.
10-4-71
B.B.

95 4034

NOTICE OF CLAIM TO A WATER RIGHT

No. 95-4034

Notice is hereby given that William H. Hambd, Route #1,
Box H-17, Rathdrum, Idaho

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.0226 cubic feet per second ~~xxxxxxx~~
of water from a ground water source
with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, 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 March, 1967;
the place of use is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 51N, R. 5W, B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho
on Sept. 23 and Sept. 30, 1971.

September 8, 1971

William H. Hembd
Route #1, Box H-17
Rathdrum, Idaho 83858

Dear Mr. Hembd:

Attached herewith is your receipt No. 8218 in the amount of \$ 10.00
for your claim application
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

85 4034

August 18, 1971

Mr. William H. Hembd
Route 1 - Box H-17
Rathdrum, Idaho 83858

Dear Mr. Hembd:

We are herewith returning your claim to a water right along with your check in the amount of \$10.00.

Please be advised that before we can process your claim, we will require additional information. We have taken the liberty to type a claim form for you to complete. Under item 2 please enter the 40-acre subdivision in which the point of diversion is located. Under item 3 list the amount of water that is claimed, preferably in cubic feet per second. Also, you may wish to complete item 9 on the typed form.

Please sign the claim form before a notary public and re-submit with the filing fee. If you have any questions regarding this matter, please contact us by return mail.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:DR
Enc: Original claim
Retyped claim
Check No. 92-323

5 4034