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Identification No. _____
Claim No. 95-4032
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 ARTHUR F. Woods & MARJORIE O. Woods
post office address Rt 3 Box 673 COEUR D'ALENE Idaho
2. The point of diversion is in SE 1/4 of NE 1/4 of SW 1/4 Section 9 Township 50 N.
Range 3N B.M. located on Well
(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:

1962 amount: .06 c.f.s. or _____ acre feet
~~1969~~ amount: ~~2.5~~ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed .06 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 Stock period of use from " to " (both dates inclusive)
use IRRIGATION period of use from May 1 to Oct 1 (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 _____
Well; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width 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 150 feet; diameter of well is 8" inches; type of pump is 28 gal min
capacity of pump is 28 g.p.m.; name and address of well driller is Deceased.

c. Conveying works: length of ditch to place of use is _____feet; width of ditch at top is _____feet; width of bottom of ditch is _____feet; depth of water is _____feet; grade of ditch per 1000 feet is _____feet; material through which ditch passes is _____feet; maximum length of pipe line to first place of use is _____feet; diameter of pipe line is _____inches; type of pipe _____; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible.

d. If water is stored: name of reservoir _____
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____
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 _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

5 Total number of acres to be irrigated

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

b. Do you get water through a ditch owned by several users? No 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 10 Horses

7. Where water is used for domestic or municipal purposes give number of families served 2 Families
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

The well is the only water supply for this stock, irrigation, and for 2 families on the 10 acre tract at this date.

There are more families moving to this area and I fear that their new wells may deplete my supply of water.

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 2nd day of June, 1971.

Cerbert & Wood + Margorie Woods
Claimant

Robert C. Wasson
Notary Public

Residing at Coeur d'Alene Idaho

My commission expires April 2 1974

6-16-71 For Department Use Only

Received by <u>ej</u>	Date <u>6/21/71</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>ja</u>	Date <u>6-21-71</u>			
Fee received by <u>ej</u>	Date <u>6/21/71</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>ej</u>				
Published in <u>Coeur d'Alene Press</u>	Dates <u>7-8 & 9-15-71</u>			

35 4032

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:		May 18, 1871	amount:	0.8 c.f.s. or	acre feet
		June 1, 1901	amount:	0.4 c.f.s. or	acre feet
		Total claimed:		1.2 c.f.s. or	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to it for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

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

STATE OF IDAHO,

ss.

County of Kootenai,

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 *8* day of *July*, 19*71*, and ending on the *15* day of *July*, 19*71*.

Callie Pontner

Subscribed and sworn to, before me, this *15* day of *July*,

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. 95-4032

Notice is hereby given that Arthur F. and Marjorie O. Woods, Route No. 3, Box 673, Coeur d'Alene, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from a ground water source with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 50N, R. 3W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwater purposes; and from May 1 to Oct. 1 for the irrigation of five acres, with a priority of 1962; the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 50N, R. 3W, 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

July 8, 15, 1971

95 4032

July 29, 1971

Re: Claim to a Water Right No. 95-4032

Arthur F. & Marjorie O. Woods
Route 3, Box 673
Coeur d'Alene, Idaho 83814

Dear Mr. & Mrs. Wood:

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 4032

July 1, 1971

Re: Claim No. 95-4032 - Arthur F. and Marjorie O. Woods

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 our 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

Bill submitted 7-28-71 By de

DWM:cr

Enclosure

95 4032

LEGAL 2 copies\$\$\$\$\$\$\$

**NOTICE OF CLAIM
TO A WATER RIGHT**

No. 95-4032

Notice is hereby given that Arthur F. and Marjorie O. Woods, Route No. 2, Box 673, Coeur d'Alene, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second of water from a ground water source with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 50N, R. 3W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwater purposes; and from May 1 to Oct. 1 for the irrigation of five acres, with a priority of 1962; the place of use is within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9, T. 50N, R. 3W, 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

July 8, 15, 1971

per telephone call 7-9-71
6 Rte #3

NOTICE OF CLAIM TO A WATER RIGHT

No. 95-4032

Notice is hereby given that Arthur F. and Marjorie O. Woods,

Route #3, Box 673, Coeur d'Alene, Idaho

have

~~has~~ filed a claim to a water right established by diversion and application to beneficial use of 0.06 cubic feet per second ~~acre feet~~ of water from a ground water source

with point of diversion in the NE1SW1, Sec. 9, T. 50N, R. 3W, B.M.,

Kootenai County

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

domestic and stockwater purposes; and from May 1 to Oct. 1 for the
irrigation of five acres,
with a priority of 1962;

the place of use is within the ~~NE1SW1~~ NE1SW1, Sec. 9, T. 50N, R. 3W, 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 July 8 and July 15, 1971.

95 4032

June 21, 1971

Arthur F. Woods
Route #3, Box 673
Coeur d'Alene, Idaho 83814

Dear Mr. Woods:

Returned herewith is your receipt No. 6684 in⁹ the amount of \$10.00
for your Claim Application,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

95 4032

June 8, 1971

Arthur F. Woods and Marjorie O. Woods
Route #3, Box 673
Coeur d'Alene, Idaho

Dear Mr. and Mrs. Woods:

We are returning your personal check in the amount of \$10, and also your claim to a water right. In reviewing your claim, the following is noted.

Under Item 3a you have claimed ground water appropriation totaling 1 cubic foot per second; however, under Item 4b you state that your pump produces 28 gallons per minute-28 gpm would be equal to .06 cubic feet per second. Therefore, you may wish to correct Item 3a.

Claim form may be used to claim water rights established on ground water for appropriation prior to March 25, 1963. After that date, the only ground water right that can be claimed would be that of a single family domestic appropriation. Any other use of ground water after 1963 must have been made by means of permit, and if a permit was not obtained at the time a water right was attained, then a new permit must be secured at that time.

We are enclosing an application for permit and set of instructions in case you wish to submit an application. If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enc: Claim to a Water Right
Check No. 92-310
Applic. for Permit w/instructions

15 4032