No Color
Documents
In File

Identification No. ____
Claim No. 95-4030
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 ADOLPH & MARY SANDAKER
   post office address 1215 FIRST STREET COEUR D'ALENE, IDAHO
2. The point of diversion is in SW ¼ of SW ¼ Section 23 Township 49 N
   Range 4 WEST B.M. located on UNDERGROUND SPRING WHICH FLOWS UP THROUGH ROCKS
   (name of source)
   tributary to LAKE COEUR D'ALENE 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:
      SEPT. 1, 1936 amount: .003 c.f.s. or ____ acre feet
      ____ amount: ____ c.f.s. or ____ acre feet
      ____ amount: ____ c.f.s. or ____ acre feet
      Total claimed .003 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 ~~SEPT. 1, 1936~~ JAN. 1 to ~~PRESENT DATE~~ 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 buil, giving dates and estimated capacities if known ____
   b. Underground water diverting works: is ~~well~~ SPRING flowing or pumped FLOWING; depth of well is ____ feet; diameter of well is ____ inches; type of pump is ____ capacity of pump is ____ g.p.m.; name and address of well driller is ____;

95 4

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

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 _____; 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:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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 _____

7. Where water is used for domestic or municipal purposes give number of families served One (domestic use) ~~name of town supplied~~ three (drinking only)

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

WATER FLOWS FROM UNDERGROUND SPRING THROUGH METAL PIPE INTO COVERED CONCRETE BOX 3 FEET BY 3 FEET BY 3 FEET. PIPED 180 FEET THROUGH 3/4 INCH GALVANIZED PIPE INTO COVERED CONCRETE CISTERN WHICH HOLDS 4500 GALLONS. FLOWS FROM CISTERN DOWNHILL 1/4 MILE THROUGH 3/4 INCH GALVANIZED PIPE TO HOUSE FOR DOMESTIC USE. OUTSIDE FAUCET IS USED BY THREE FAMILIES DURING SUMMER FROM WHICH TO CARRY DRINKING WATER ONLY. THE PLACE OF USE IS WITHIN GOVT. LOT 4 SECTION 23 TOWNSHIP 49 RANGE 4 WEST BOISE MERIDIAN

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.

Mary Sandaker Adolph Sandaker
Claimant

Sworn to before me this 19 day of April 19 71

Harry [illegible]
Notary Public

Residing at Coeur d'Alene

My commission expires 2/1/75

For Department Use Only

Received by ej Date 5-12-71	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by D Date 5-12-71			
Fee received by ej Date 5/12/71 Fee $10.00			
Approved for publication by D			
Published in Coeur d'Alene Press Dates 6-10 + 6-17-71			

95 4030

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 if 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)

RECEIVED

JUN 26 1971

Department of Water Administration

STATE OF IDAHO, } ss.
County of Kootenai,

Callie Pointner, 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 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 10 day of June, 1971, and ending on the 17 day of June, 1971

Callie Pointner

Subscribed and sworn to, before me, this 17 day of June 1971

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

NOTICE OF CLAIM
TO A WATER RIGHT
No. 95-4030

Notice is hereby given that Adolph and Mary Sandaker, 1215 First Street, Coeur d'Alene, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .003 cubic feet per second of water from an underground spring, tributary to Lake Coeur d'Alene with point of diversion in the SW¼SW¼, Sec. 23, T. 49N, R. 4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of Sept. 1, 1936; the place of use is within the SW¼SW¼, Sec. 23, T. 49N, R. 4W, 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

June 10, 17, 1971

NOTARY PUBLIC for the State of Idaho
Residing at Coeur d'Alene, Idaho
My commission expires December 1, 1974

95 4030

July 6, 1971

Re: Claim to a Water Right No. 95-4030

Adolph & Mary Sandaker
1215 First Street
Coeur d'Alene, Idaho 83814

Dear Mr. & Mrs. Sandaker:

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 4030

June 2, 1971

Re: Application No. 95-4030 - Adolph and Mary Sandaker
95 4031 - Edward H. and Agnes M. Lampert

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

DWM:cr

Enclosures

Bill submitted 7-01-71 By

95 4030

NOTICE OF CLAIM
TO A WATER RIGHT
No. 95-4030

Notice is hereby given that Adolph and Mary Sandaker, 1215 First Street, Coeur d'Alene, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of .003 cubic feet per second of water from an underground spring, tributary to Lake Coeur d'Alene with point of diversion in the SW¼SW¼, Sec. 23, T. 49N, R. 4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of Sept. 1, 1936; the place of use is within the SW¼SW¼, Sec. 23, T. 49N, R. 4W, 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

June 10, 17, 1971

10/10/71

95 4030

NOTICE OF CLAIM TO A WATER RIGHT

No. 95-4030

Notice is hereby given that Adolph and Mary Sandaker, 1215 First Street, Coeur d'Alene, Idaho has filed a claim to a water right established by diversion and application to beneficial use of .003 cubic feet per second of water from an underground spring, tributary to Lake Coeur d'Alene with point of diversion in the SW¼SW¼, Sec. 23, T. 49N, R. 4W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of Sept. 1, 1936; the place of use is within the SW¼SW¼, Sec. 23, T. 49N, R. 4W, 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 June 10 and June 17, 1971.

95 4030

May 17, 1971

Adolph Sandaker
1215 First Street
Coeur d'Alene,
Idaho 83814

Dear Mr. Sandaker:

Returned herewith is your receipt No. 6411 in 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 40[illegible]0