

No Color
Documents
In File

Mr. & Mrs. M. C. Britz
Route 2 Driftwood Point
Harrison, Idaho 83833

Identification No. _____
Claim No. 95-4021
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
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 Mr or Mrs MARTIN C BRITZ
post office address Route # 2 HARRISON, Idaho 83833
2. The point of diversion is in Part of Sec. 14 of T. 28 N. R. 4 W. $\frac{1}{4}$ of 13 Section 13 Township 49 N
Range R 4 W B.M. located on Coeur D'Alene Lake
(name of source)
tributary to Spokane River 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:

July 8th, 1965 amount: .013 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 1st to Dec 31st (both dates inclusive)
use Garden & lawn period of use from May 1st to Oct 31st (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 120' of 2" Galvanized pipe into lake with 1 hp Pump; 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 _____; 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 _____

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_____, if so, give dates and explain

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 to use in this place or use is _____ feet; diameter of pipe line is _____ inches.

_____ added to end of _____ added to end of _____

Source: U.S. Census Bureau, *U.S. Census of Population, Housing, and Income*, 1990, Table H-10.

Figure 1. The effect of the concentration of the solution on the adsorption of the dye. The concentration of the solution was 0.01, 0.02, 0.03, 0.04, 0.05, 0.06, 0.07, 0.08, 0.09, 0.10, 0.15, 0.20, 0.25, 0.30, 0.35, 0.40, 0.45, 0.50, 0.55, 0.60, 0.65, 0.70, 0.75, 0.80, 0.85, 0.90, 0.95, 1.00, 1.05, 1.10, 1.15, 1.20, 1.25, 1.30, 1.35, 1.40, 1.45, 1.50, 1.55, 1.60, 1.65, 1.70, 1.75, 1.80, 1.85, 1.90, 1.95, 2.00, 2.05, 2.10, 2.15, 2.20, 2.25, 2.30, 2.35, 2.40, 2.45, 2.50, 2.55, 2.60, 2.65, 2.70, 2.75, 2.80, 2.85, 2.90, 2.95, 3.00, 3.05, 3.10, 3.15, 3.20, 3.25, 3.30, 3.35, 3.40, 3.45, 3.50, 3.55, 3.60, 3.65, 3.70, 3.75, 3.80, 3.85, 3.90, 3.95, 4.00, 4.05, 4.10, 4.15, 4.20, 4.25, 4.30, 4.35, 4.40, 4.45, 4.50, 4.55, 4.60, 4.65, 4.70, 4.75, 4.80, 4.85, 4.90, 4.95, 5.00, 5.05, 5.10, 5.15, 5.20, 5.25, 5.30, 5.35, 5.40, 5.45, 5.50, 5.55, 5.60, 5.65, 5.70, 5.75, 5.80, 5.85, 5.90, 5.95, 6.00, 6.05, 6.10, 6.15, 6.20, 6.25, 6.30, 6.35, 6.40, 6.45, 6.50, 6.55, 6.60, 6.65, 6.70, 6.75, 6.80, 6.85, 6.90, 6.95, 7.00, 7.05, 7.10, 7.15, 7.20, 7.25, 7.30, 7.35, 7.40, 7.45, 7.50, 7.55, 7.60, 7.65, 7.70, 7.75, 7.80, 7.85, 7.90, 7.95, 8.00, 8.05, 8.10, 8.15, 8.20, 8.25, 8.30, 8.35, 8.40, 8.45, 8.50, 8.55, 8.60, 8.65, 8.70, 8.75, 8.80, 8.85, 8.90, 8.95, 9.00, 9.05, 9.10, 9.15, 9.20, 9.25, 9.30, 9.35, 9.40, 9.45, 9.50, 9.55, 9.60, 9.65, 9.70, 9.75, 9.80, 9.85, 9.90, 9.95, 10.00, 10.05, 10.10, 10.15, 10.20, 10.25, 10.30, 10.35, 10.40, 10.45, 10.50, 10.55, 10.60, 10.65, 10.70, 10.75, 10.80, 10.85, 10.90, 10.95, 11.00, 11.05, 11.10, 11.15, 11.20, 11.25, 11.30, 11.35, 11.40, 11.45, 11.50, 11.55, 11.60, 11.65, 11.70, 11.75, 11.80, 11.85, 11.90, 11.95, 12.00, 12.05, 12.10, 12.15, 12.20, 12.25, 12.30, 12.35, 12.40, 12.45, 12.50, 12.55, 12.60, 12.65, 12.70, 12.75, 12.80, 12.85, 12.90, 12.95, 13.00, 13.05, 13.10, 13.15, 13.20, 13.25, 13.30, 13.35, 13.40, 13.45, 13.50, 13.55, 13.60, 13.65, 13.70, 13.75, 13.80, 13.85, 13.90, 13.95, 14.00, 14.05, 14.10, 14.15, 14.20, 14.25, 14.30, 14.35, 14.40, 14.45, 14.50, 14.55, 14.60, 14.65, 14.70, 14.75, 14.80, 14.85, 14.90, 14.95, 15.00, 15.05, 15.10, 15.15, 15.20, 15.25, 15.30, 15.35, 15.40, 15.45, 15.50, 15.55, 15.60, 15.65, 15.70, 15.75, 15.80, 15.85, 15.90, 15.95, 16.00, 16.05, 16.10, 16.15, 16.20, 16.25, 16.30, 16.35, 16.40, 16.45, 16.50, 16.55, 16.60, 16.65, 16.70, 16.75, 16.80, 16.85, 16.90, 16.95, 17.00, 17.05, 17.10, 17.15, 17.20, 17.25, 17.30, 17.35, 17.40, 17.45, 17.50, 17.55, 17.60, 17.65, 17.70, 17.75, 17.80, 17.85, 17.90, 17.95, 18.00, 18.05, 18.10, 18.15, 18.20, 18.25, 18.30, 18.35, 18.40, 18.45, 18.50, 18.55, 18.60, 18.65, 18.70, 18.75, 18.80, 18.85, 18.90, 18.95, 19.00, 19.05, 19.10, 19.15, 19.20, 19.25, 19.30, 19.35, 19.40, 19.45, 19.50, 19.55, 19.60, 19.65, 19.70, 19.75, 19.80, 19.85, 19.90, 19.95, 20.00, 20.05, 20.10, 20.15, 20.20, 20.25, 20.30, 20.35, 20.40, 20.45, 20.50, 20.55, 20.60, 20.65, 20.70, 20.75, 20.80, 20.85, 20.90, 20.95, 21.00, 21.05, 21.10, 21.15, 21.20, 21.25, 21.30, 21.35, 21.40, 21.45, 21.50, 21.55, 21.60, 21.65, 21.70, 21.75, 21.80, 21.85, 21.90, 21.95, 22.00, 22.05, 22.10, 22.15, 22.20, 22.25, 22.30, 22.35, 22.40, 22.45, 22.50, 22.55, 22.60, 22.65, 22.70, 22.75, 22.80, 22.85, 22.90, 22.95, 23.00, 23.05, 23.10, 23.15, 23.20, 23.25, 23.30, 23.35, 23.40, 23.45, 23.50, 23.55, 23.60, 23.65, 23.70, 23.75, 23.80, 23.85, 23.90, 23.95, 24.00, 24.05, 24.10, 24.15, 24.20, 24.25, 24.30, 24.35, 24.40, 24.45, 24.50, 24.55, 24.60, 24.65, 24.70, 24.75, 24.80, 24.85, 24.90, 24.95, 25.00, 25.05, 25.10, 25.15, 25.20, 25.25, 25.30, 25.35, 25.40, 25.45, 25.50, 25.55, 25.60, 25.65, 25.70, 25.75, 25.80, 25.85, 25.90, 25.95, 26.00, 26.05, 26.10, 26.15, 26.20, 26.25, 26.30, 26.35, 26.40, 26.45, 26.50, 26.55, 26.60, 26.65, 26.70, 26.75, 26.80, 26.85, 26.90, 26.95, 27.00, 27.05, 27.10, 27.15, 27.20, 27.25, 27.30, 27.35, 27.40, 27.45, 27.50, 27.55, 27.60, 27.65, 27.70, 27.75, 27.80, 27.85, 27.90, 27.95, 28.00, 28.05, 28.10, 28.15, 28.20, 28.25, 28.30, 28.35, 28.40, 28.45, 28.50, 28.55, 28.60, 28.65, 28.70, 28.75, 28.80, 28.85, 28.90, 28.95, 29.00, 29.05, 29.10, 29.15, 29.20, 29.25, 29.30, 29.35, 29.40, 29.45, 29.50, 29.55, 29.60, 29.65, 29.70, 29.75, 29.80, 29.85, 29.90, 29.95, 30.00, 30.05, 30.10, 30.1

d. If water is stored: name of reservoir _____

_____ is hereby acknowledged _____

_____ 2000 LOW COST / _____ RESIDUALS: 100% / _____ REPAIRS: 100% / _____

if feeder canal is used give maximum carrying capacity

location of reservoir by 40-acre subdivisions

_____ , it so, give dates and

DOI: 10.1002/for

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

[illegible][illegible][illegible][illegible][illegible][illegible]

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[illegible][illegible][illegible]

_____ explain any significant increase in sales since first use, give dates and acreages it known

Age Group	No answer	No	Yes	Don't know
18-24	10.0	10.0	70.0	10.0
25-34	10.0	10.0	70.0	10.0
35-44	10.0	10.0	70.0	10.0
45-54	10.0	10.0	70.0	10.0
55-64	10.0	10.0	70.0	10.0
65-74	10.0	10.0	70.0	10.0
75-84	10.0	10.0	70.0	10.0
85+	10.0	10.0	70.0	10.0

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 One 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

This claim covers lot No 6 and North one half of lot 7 1st Addition Driftwood Point on Lake Coeur d'Alene, Kootenai County, Idaho.

We installed and put in operation a 1 HP water pump on July 8, 1965.

This is the first date water was diverted from Lake Coeur d'Alene and used on the above described location.

Jim's Plumbing

Coeur d'Alene, Idaho

James E. Rytell

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

9-29-69
(Date)

Martin C. Ritz
(Signature of Claimant)

State of Idaho

County of Kootenai ss.

On this 29th day of Sept 19 69, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Coeur d'Alene

My commission expires _____

For Department Use Only

Received by <u>ef</u> Date <u>9-30-69</u>	Exception filed by: _____	Forwarded to claimant by: _____	Date _____
Prelim. check by <u>[Signature]</u> Date <u>10-1-69</u>	_____	_____	_____
Fee received by <u>ef</u> Date <u>10-2-69</u> Fee \$ <u>10⁶⁰</u>	_____	_____	_____
Approved for publication by <u>D</u>	_____	_____	_____
Published in <u>Coeur d'Alene Press</u> Dates <u>10-16-23-69</u>	_____	_____	_____

95-4007

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)

STATE OF IDAHO, }

County of Kootenai, }

ss.

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 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 *14* day of *October*, 196*9*, and ending on the

23 day of *October*, 196*9*.

Callie Pointner

Subscribed and sworn to, before me, this *23* day of *October*

196*9*.

E. Patrick King

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

**NOTICE OF CLAIM
TO A WATER RIGHT**
No. 95-4021

Notice is hereby given that Mr. and Mrs. Martin C. Britz, Route 2, Harrison, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of .013 cubic feet per second of water from Coeur d'Alene Lake tributary to Spokane River with point of diversion in part of Gov't. Lots 2 & 3, Sec. 13, T. 49N, R. 4W, B.M., Kootenai County; the water is claimed to be used from May 1 to October 31 for irrigation and from Jan. 1 to Dec. 31 for domestic purposes with a priority of July 8, 1965; the place of use is Lot No. 6 and N½ of Lot No. 7, first addition Driftwood Point on Lake Coeur d'Alene, Sec. 13, T. 49N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Oct. 16, 23, 1969

95-4021
11-7-69
W

November 5, 1969

Re: Claim to a Water Right No. 95-4021

Mr. or Mrs. Martin C. Britz
Route #2
Harrison, Idaho 83833

Dear Mr. or Mrs. Britz:

The Department of Reclamation has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225 of the Idaho Code. Notice of your claim was published and no one has filed an exception to your claim. Your claim will remain in our files and will be available at any time for your or the courts use.

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 evidence that you would like to have included in your claim file, you may add that information 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 Examiner

DWM:mjl

Enclosures: Copy of Claim
Receipt No. 3680

95-4021

November 3, 1969

Re: Claim to a Water Right No. 95-4021 - Mr. or Mrs. Martin C. Britz

Coeur d'Alene Press
2nd and Lakeside
Coeur d'Alene, Idaho 83814

Gentlemen:

Enclosed you will find we are returning the bill for publication for the above referenced claim.

Please sign the certification before resubmitting to the Department for payment.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Bill

95-4021

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

October 8, 1969

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

Re: Claim to a Water Right No. 95-4021 - Mr. & Mrs. Martin C. Britz
95-7077 - El-Arr Investments
95-7078 - Mrs. Mary Schroeder

Coeur d'Alene Press
Coeur d'Alene,
Idaho

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 of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Legal notices (3)

NOTICE OF CLAIM TO A WATER RIGHT No. 95-4021

Notice is hereby given that Mr. and Mrs. Martin C. Britz, Route 2, Harrison, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of .013 cubic feet per second of water from Coeur d'Alene Lake tributary to Spokane River with point of diversion in part of Gov't. Lots 2 & 3, Sec. 13, T. 49N, R. 4W, B.M., Kootenai County; the water is claimed to be used from May 1 to October 31 for irrigation and from Jan. 1 to Dec. 31 for domestic purposes with a priority of July 8, 1965; the place of use is Lot No. 6 and N½ of Lot No. 7, first addition Driftwood Point on Lake Coeur d'Alene, Sec. 13, T. 49N, R. 4W, B.M.

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer
Oct. 16, 23, 1969

95-4021
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first addition Driftwood Point on Lake Coeur d'Alene, Sec. 13, T.
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Any exception to this claim of water right may be filed with the Department
of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Coeur d'Alene Press, Coeur d'Alene, Idaho,
on October 16 and October 23, 1969.

KH.

95-4021