

No Color
Documents
In File

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that NATIONAL ASSOCIATED PROPERTIES, INC
(Name of Claimant)
1121 SHERMAN AVE. COEUR D'ALENE, ID 83814 Telephone No. _____
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1938

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

UNNAMED SPRING tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive) (Mo., Day)	(Mo., Day)
Quantity <u>0.04</u>	Use <u>DOMESTIC</u>	Period of Use From <u>JAN 1</u>	To <u>DEC 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 0.04 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

5 1/2 SW SE 1/4 NE 1/4, Sec. 17 Twp. 45N Rge. 4W B.M., County of BENEWAH
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. Describe any changes in the system and give the date of the change. CISTERN WITH PIPELINE

(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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
45N	4W	17													X				

No. of acres _____

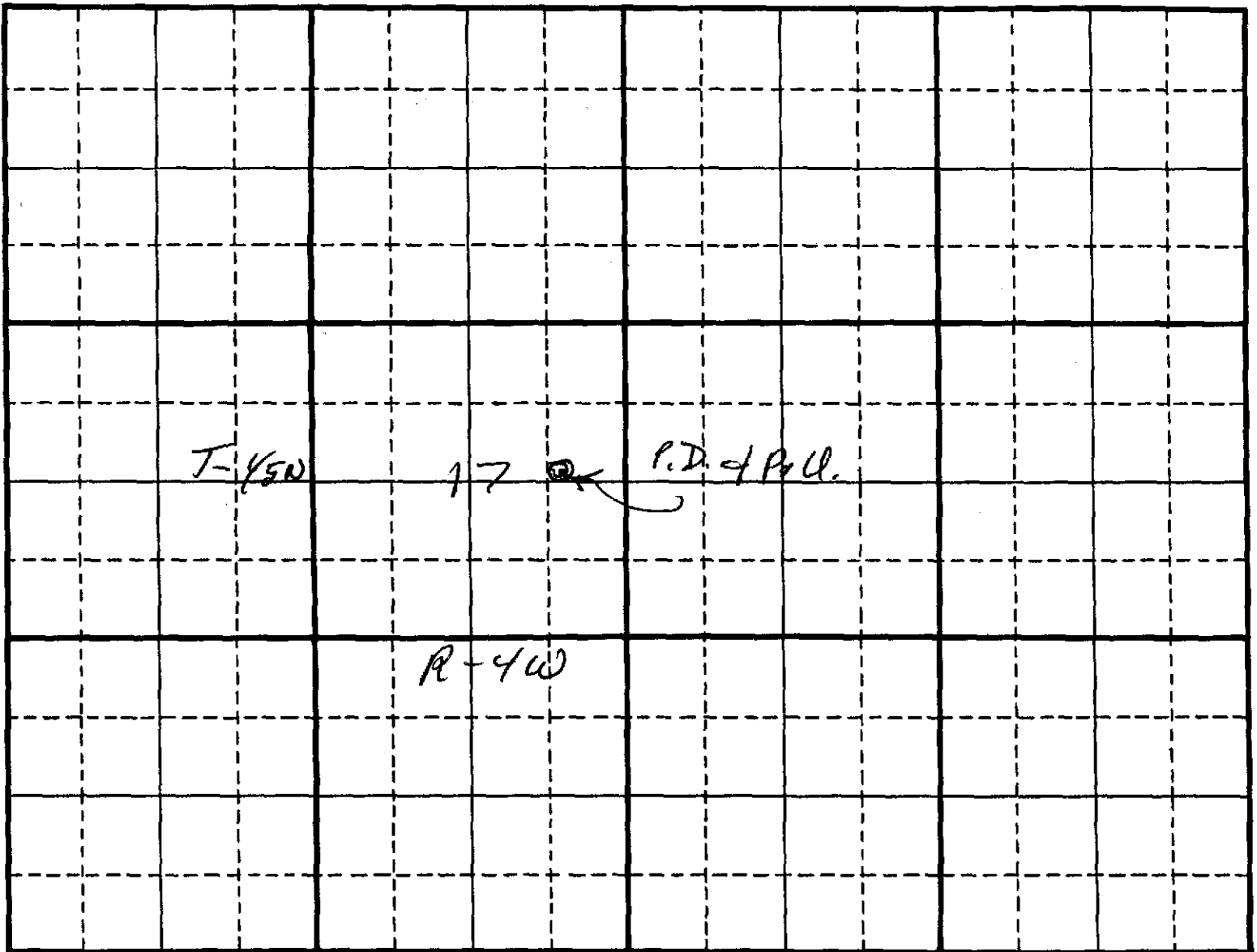
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

DOMESTIC USE - ONE HOUSEHOLD

NOTE: Include here the type and number of stock watered: _____

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

(8) Remarks _____



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 affiant's knowledge.

Sworn to before me this 15 day of October

Kimberly J. Baker JNAP-RWA
Vice President - National Association
(Claimant)
Properly sworn

Robert D. Haignes
Notary Public
Residing at Col A

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by <u>KK</u>	Date <u>10/5/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RSB</u>	Date <u>10-15-79</u>	<u>#15079</u>	claimant by:	
\$20.00 fee received by <u>KK</u>	Date <u>10/15/79</u>			
Published in <u>St. Paul's Gazette - Record</u>				
Dates <u>10/11 & 11/8/79</u>				

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of two issues, the first publication being on the 1st day of November, 1979, and the last on the 8th day of November, 1979.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Subscribed and sworn to before me this 8th day of November, 1979.

Shelly Hammes
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

NOTICE OF CLAIMS
TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

93-4013

Name: National Associated Properties, Inc.

Address: 1121 Sherman Ave., Coeur d'Alene, Idaho 83814

Priority Date: Jan. 1, 1938

Amount: 0.04 cubic feet per second

Source: Unnamed Spring

Means: Cistern with Pipeline

Point of Diversion: SENE Sec 17 T

45N R 04W, Benewah county

Place of Use: NESE Sec 17 T 45N R 04W

Use: Domestic (0.04 cfs) from Jan. 1 to Dec. 31.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho 83814.

C. STEPHEN ALLRED
Director

No. 5932 — Nov. 1-8

PROPOSED

NOTICE OF CLAIMS

RECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

***** AMENDED *****

CLAIM TO A WATER RIGHT



Department of Water Resources

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that National Associated Properties, Inc.

(Name of Claimant)

1121 Sherman Ave., Coeur d'Alene, Id. 83814

(Mailing Address)

Telephone No. 664-8161

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1938

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 is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring tributary to Moctileme Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.04</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) 0.04 TOTAL QUANTITY USED.

(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

N¹/₂ SE SE ¼ NE ¼, Sec. 17 Twp. 45N Rge. 4W B.M., County of Benewah

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. Describe any changes in the system and give the date of the change. Cistern with pipeline.

- (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	
45N	4W	17													D				

No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Domestic Use - One Household

NOTE: Include here the type and number of stock watered:

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

45N 4W

				X-P/1						
				X-P/2						
				X-P/3						
				X-P/4						
				X-P/5						
				X-P/6						
				X-P/7						
				X-P/8						
				X-P/9						
				X-P/10						

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.

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 affiant's knowledge.

Vice President (Claimant) N.A.P. Inc.

My commission expires 12/10/93

Received by <u>JK</u>	Date <u>1/5/89</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by _____	Date _____			
~~\$50.00~~ fee received by <u>N/A</u>	Date _____			
Published in _____				
Dates _____				

State of Idaho
Department of Water Resources

AMENDED
CLAIM ANALYSIS SHEET

RECEIVED
JAN 12 1989

Department of Water Resources

INITIAL REVIEW BY: *JK*

Right Number _____ Applicant _____

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Claim published correctly.
- ☐ Exceptions processed.

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By _____ Date _____

August 31, 1982

RE: Water Right Claim No. 9304013

Michael & Barb Souther
Route #1, Box 72
Plummer, ID 83851

Dear Mr. and Mrs. Souther:

Thank you for your letter of July 30, 1982. However, a correction to the claim is not necessary. Our office only identified legal descriptions to the nearest quarter-quarter or 40-acre tract. In November, 1979, we advertised the claim's point of diversion as the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 17, Twp. 45N, Rge. 4W. Therefore, it is recorded with our office as such. I have enclosed a copy of the advertisement for your records.

If you have any questions, please contact me at 334-4123.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosure

RECEIVED

AUG 9 1982

Department of Water Resources
Northern District Office

Rt. 1 Box 72
Plummer, Idaho 83851
July 30, 1982

RECEIVED

AUG 27 1982

Department of Water Resources

Mr. Robert Haynes
Department of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Mr. Haynes:

Recently, National Associated Properties, Inc., assigned their water rights of claim #93-4013 to us. We would like you to correct a minor discrepancy in this claim. In paragraph #5, dealing with the legal description, it should be changed from the South half of the Southwest quarter of the Southeast quarter of the Northeast quarter to the Southeast quarter of the Northeast quarter, in keeping with the consistancy of your office in recording 40 acre units, and as the original claim was actually filed. Thank you.

Sincerely,

Michael Souther

Michael Souther

Barb Souther

Barb Souther

August 13, 1982

RE: Claim No. 93-4013

National Associates Properties, INC.
1121 Sherman
Coeur d'Alene, ID 83814

Dear Sirs:

Our office acknowledges the assignment of the above referenced claim. Since the claim is for recording purposes, the assignment will be put in the file for future referenced only and no other action will be taken.

If you have any questions, please contact me at 334-4123.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw

cc: Mike and Barbara Souther
Route #1, Box 72
Plummer, ID 83851



RECEIVED

JUL 30 1982

Department of Water Resources

NATIONAL ASSOCIATED PROPERTIES, INC., 1121 Sherman, Coeur d'Alene, Idaho 83814

July 26, 1982

Mr. Robert G. Haynes
Department of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Mr. Haynes:

Per your conversation with Pat Ward today, we are requesting
that your office note and record the following assignment of
Claim No. 93-4013:

National Associated Properties, Inc., original claimant
does hereby transfer their water rights in this claim
to Mike and Barbara Souther, Rt. 1 Box 72, Plummer, Idaho
83851 effective immediately.

Such claim has a Point of Diversion in the Southeast quarter
of the Northeast quarter of Section 17, Township 45 North, Range 4
West Boise Meridian, Benewah County, Idaho and a Place of Use in
the Northeast quarter of the Southeast quarter of Section 17
Township 45 North, Range 4 West Boise Meridian, Benewah County,
Idaho.

Thank you.

Sincerely,

Neil Dredge
V. Neil Dredge

VND:lt

WATER RIGHT NUMBER 93-4013

WATER RIGHTS EDIT REPORT

10/25/79

ACT IDN
N OWNER LAST NAME - NATIONAL ASSOCIATED PROPERTIES, INC.
N ADDRESS LINE 1 - 1121 SHERMAN AVE.
N
N SOURCE - UNNAMED SPRING
N STAGE - STARY CLM
N CITY - COEUR D ALENE
N STATE - ID ZIP CODE - 83814
N DIVERSION POINT - SENE 17 45N 04W
N FROM - 01-01 TO - 12-31 USE - DOMESTIC
N USE - DOMESTIC
N DIVERSION MEANS - CISTERN WITH PIPELINE
N PRICKITY - 01-01-1938 CCUNITY - BENEMAH
N USE DIV. RATE -
N PLACE OF USE - TWN 45N RNG 04W SEC 17 TRACT NESE
N .0400CFS
N .0400CFS

5
K

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RMH

Right Number 93-4013 Applicant N. A. P.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By MB Date 11-19-79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By gmi Date 11/27/79

IDENT. NO. 93-4013

WATER RIGHT
DATA ENTRY LOG

[illegible]

93-4013-

NATIONAL ASSOCIATED PROPERTIES, INC.

1121 SHERMAN AVE., COEUR D'ALENE, ID 83814

Source: UNNAMED SPRING

Priority Date: 01/01/1938

Amount: 0.04 CFS

Diversion Point: SENE Sec 17 T 45N R 04W, BENEWAH Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NESE Sec 17 T 45N R 04W

Diversion Means: CISTERN WITH PIPELINE

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

NOVEMBER 19, 1979

NATIONAL ASSOCIATED PROPERTIES, INC.
1121 SHERMAN AVE.
COEUR D'ALENE ID 83814

RE: Claim No. 93-4013

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve 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 with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

RECEIVED
MIDWESTERN