

RECEIVED

JUL 11 2005

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

71992
CLAIM TO A WATER RIGHT

RECEIVED

MAY 20 2005

DWR/North

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that

DAVID GATES

10675 LAKESHORE DR. SAGLE (Name of Claimant) 83860 Telephone No. (805) 705-3020

(Mailing Address)

(Zip Code)

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

- * 1. Date of Priority: (When the water was first applied to beneficial use) ABOUT YEAR 1955 ^{12/31} (SEE ATTACHED LETTER)
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, *Idaho Code*.

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

PEND OREILLE RIVER tributary to COLUMBIA RIVER

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 or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD)	(MM/DD)
Quantity <u>.60</u>	Use <u>IRRIGATION</u>	Period of Use From <u>4/1</u>	to <u>10/31</u>
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____

4. .60 TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is _____ 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____
Sec. 16 Township 56 N Range 3 W B.M., BONNER County; additional points of diversion, if any: T56N R3W Sec. 16 SESE

- * B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

2 PUMPS
No 1) 1 1/2" INLET & 1 1/2" OUTLET (OLDER UNIT) PUMPS OVER WATER
No 2) BEES IN PUMP HOUSE - BELIEVE ABOUT SAME AS No 1

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
56N	3W	16													5		22.5	2.5	30

TOTAL ACRES 30

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. _____

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

7. Remarks: _____

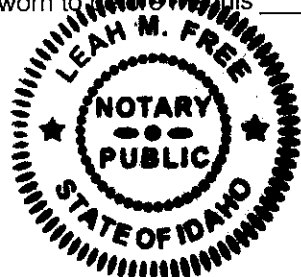
8. **Map** -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Idaho)
County of Bonner) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing 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.

David Dantes
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 19th day of May, 2005.



Leah Free
Notary Public

Residing at: Sandpoint

My commission expires: 7/15/2010

FOR DEPARTMENT USE ONLY

Received by do Date 5/20/05
Prelim. check by _____ Date 5
Fee 250.00 Receipt # N016931
Receipt prepared by do Date 5/20/05

Published in Bonner Co Daily Bee
Publication dates 6/2 & 9/05
Publication checked by do Date 6/10/05
Exceptions filed by _____



DAVID GATES 10675 LAKESHORE DR SABLE, IDAHO 83860

HISTORICAL WATER USE
FROM PEND OREILLE RIVER

PEND OREILLE RIVER

69 ACRES
+ or -
10675 LAKESHORE

RAILROAD
LAKESHORE DR

2 PUMPS FOR
IRRIGATION

- ① PUMP ON SHORT WHARF
- ② PUMP AND ENCLOSURE

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MAY 20 2005
IDWR/North

NWSE

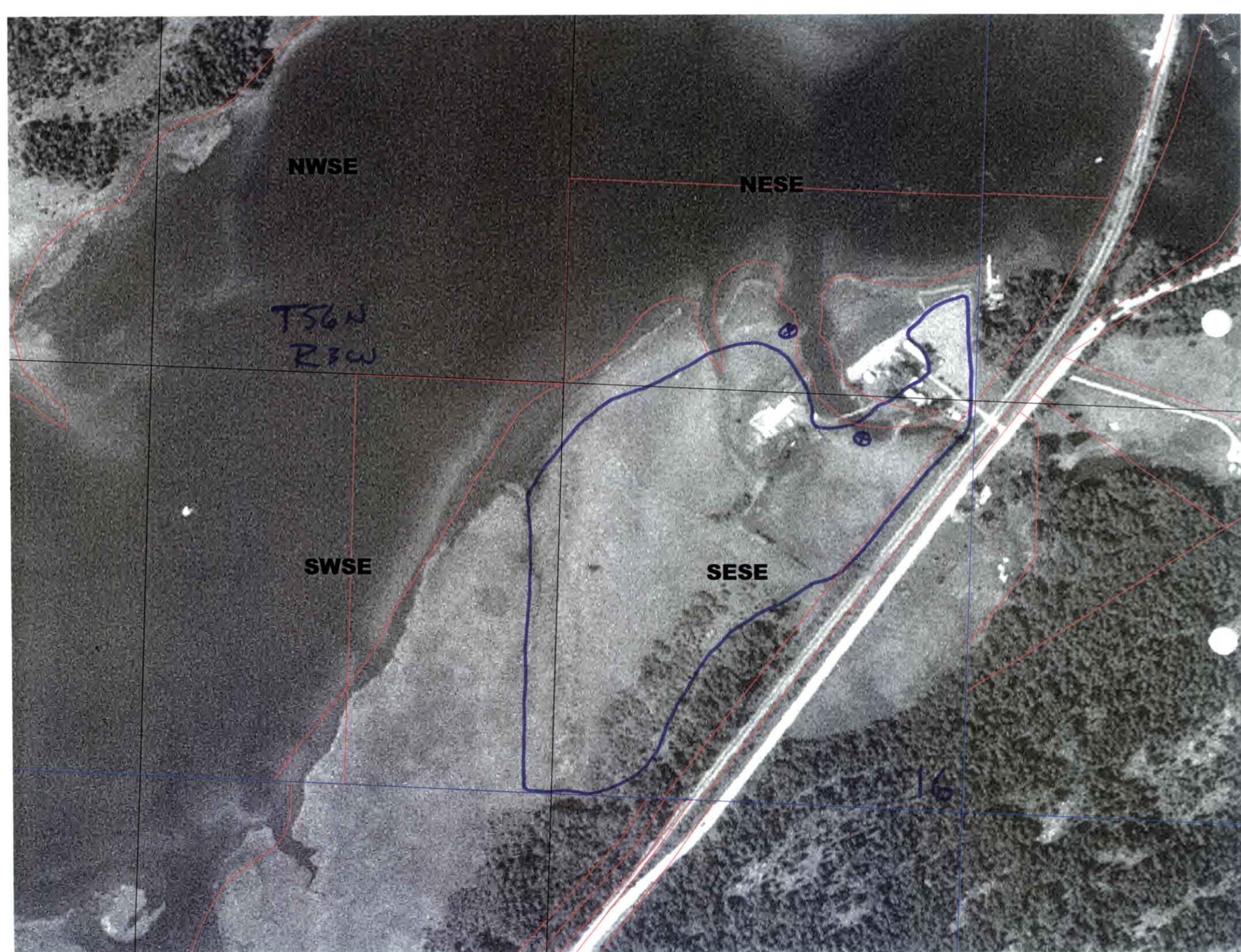
NESE

T56W
R30W

SWSE

SESE

16





RECEIVED

MAY 13, 2005

MAY 20 2005

IDWR/North

TO; IDAHO DEPARTMENT OF WATER RESOURCES
ATTENTION; GREG TAYLOR

REGARDING HISTORICAL RIVER WATER
USAGE FOR 10675 LAKESHORE DR.
SABLE, IDAHO 83860

THIS FARM HAS 2 PUMPS, PUMPING
WATER FROM PEND OREILLE RIVER FOR
IRRIGATION PURPOSES SINCE 1955.
MOST FARMS IN THE AREA DID THE
SAME ABOUT THAT TIME.

MR. FLOYD IRISH IS 78 YEARS
OLD AND WAS BORN ON THEIR FARM.
THEY ARE NEIGHBORS TO 10675 LAKE-
SHORE DR. SABLE, IDAHO 83860. MR
IRISH STATES THE ABOVE IS TRUE.

Floyd W. Irish
by Lona Irish

MAY 13, 2005

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MARCH 8, 2005 MAR 11 2005

DEPARTMENT OF
WATER RESOURCES

DEAR IDAHO DEPT. OF WATER RESOURCES,

I NEED HELP FILLING OUT YOUR APPLICATION FOR HISTORICAL WATER RIGHTS.

I BOUGHT THIS FARM ON THE PEND OREILLE RIVER THREE YEARS AGO. BECAUSE OF THE DISREPAIR OF THE PLACE I AM HAVING TO REPLACE AND UPGRADE ALMOST EVERYTHING.

THE FARM IS SIXTY FIVE ACRES AND HAS TWO WATER PUMPS FOR IRRIGATION. I AM CHANGING THE ELECTRIC POLES AND WIRING. ONE PUMP ^{WAS} SERVED BY A WIRE RUNNING 100 FEET THROUGH THE WATER. ONLY 25 ACRES OR SO HAS BEEN IRRIGATED BY PUMPING WATER FROM THE RIVER. IT IS USED 2 TO 3 TIMES PER YEAR DEPENDING ON THE WEATHER. LAST YEAR WE HAD 10 HORSES AND MAYBE 15 THIS YEAR.

THE FARM IS OVER 100 YEARS OLD

P.S. YOUR
HELP IS APPRECIATED
THANKS

SINCERE REGARDS,

David W. Dates

RECEIVED
MAR 16 2005
IDWR/NORTH

**NOW
STARTING
RIGHT
SIDE OF
FILE**

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner, Sherilyn Jones

_____ being first duly sworn on oath

deposes and says that he/she is Bookkeeper

of the Bonner County Daily Bee, a newspaper printed and

published at Sandpoint, Bonner County, Idaho; that the

said newspaper has been continuously and uninterruptedly

published in said Bonner County during a period of 12

months prior to the first publication of the hereto attached

notice of publication in the case of:

Notice of App

as it was published in the regular and entire issue of the

said paper for a period of 2 consecutive weeks,

commencing on 2 day of June, 2005

and ending on the 9 day of June, 2005

and that said notice was published in said newspaper.

On this 9 day of June in the year

of 2005, before me, a Notary Public, personally

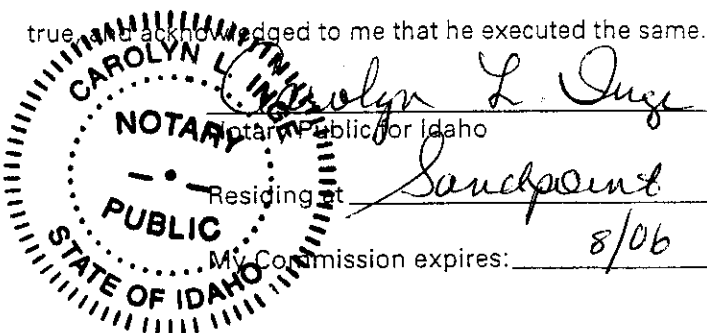
appeared Sherilyn Jones

known or identified to me to be the person whose name

subscribed to the within instrument, and being by me

first duly sworn, declared that the statements therein are

true, and acknowledged to me that he executed the same.



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JUN 10 2005

IDWR/North

The following claim(s) have been filed based on diversion and beneficial use of water:

96-9232

DAVID GATES
10675 LAKESHORE DR
SAGLE ID 83860

Point(s) of Diversion SESE, NESE S16 T56N R03W BONNER County
Source PEND OREILLE RIVER - Tributary To COLUMBIA RIVER
Use: IRRIGATION 04/01 To 10/31 0.6 CFS

Total Diversion: 0.6 CFS
Priority Date: 12/31/1955
Place Of Use: IRRIGATION
T56N R03W S16 NESE SWSE SESE
Number of Acres 30

Exceptions to a claim may be filed with the Department of Water Resource,
Northern Region, 1910 Northwest Blvd, Suite 210, Coeur D'Alene ID 83814
together with an exception fee of \$25.00.
KARL J DREHER, Director
Legal 7021
June 2, 9 2005

7021

The following claim(s) have been filed based on diversion and beneficial use of water:

96-9232

DAVID GATES
10675 LAKESHORE DR
SAGLE ID 83860

Point(s) of Diversion SESE, NESE S16 T56N R03W
BONNER County
Source PEND OREILLE RIVER - Tributary To COLUMBIA RIVER
Use: IRRIGATION 04/01 To 10/31 0.6 CFS
Total Diversion: 0.6 CFS

Priority Date: 12/31/1955
Place Of Use: IRRIGATION
T56N R03W S16 NESE SWSE SESE
Number of Acres 30

Exceptions to a claim may be filed with the Department of Water
Resource, Northern Region, 1910 Northwest Blvd, Suite 210, Coeur
D' Alene ID 83814 together with an exception fee of \$25.00.

KARL J DREHER, Director Published on 6/2 and 9/2005



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 25, 2005

SHERI JONES
LEGAL NOTICE DEPARTMENT
BONNER COUNTY DAILY BEE
PO BOX 159
SANDPOINT ID 83864

RE: Statutory Claim No. 96-9232

Dear Sheri:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates Indicated, June 2 and 9, 2005, (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 06/20/2005. Your cooperation is TRULY appreciated. It's always a pleasure to work with you.

Thank you,

Sincerely

Dianne

Dianne Ball
Administrative Assistant

Ball, Dianne

From: Ball, Dianne
Sent: Wednesday, May 25, 2005 10:46 AM
To: Legal Notices-Bonner Co Daily Bee (E-mail)
Subject: Legal notice for publication on June 2 and 9, 2005

Good morning, Sheri,

Attached is our cover letter requesting publication on June 2 and 9, 2005 of a legal notice, also attached.

If you have ANY questions, please call me at 208-769-1450.

PLEASE FAX A PROOF COPY TO ME PRIOR TO PUBLICATION, AT 208-769-1454.

It is ALWAYS a pleaseure to work with you.

Thanks very much and have a wonderful day.

Dianne

Dianne Ball, Administrative Assistant
Idaho Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814
Phone 208-769-1450 FAX 208-769-1454

5/25/2005



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 25, 2005

DAVID GATES
10675 LAKESHORE DR
SAGLE ID 83860

RE: Water Right Claim No 96-9232

Dear Claimant(s):

The Department of Water Resources acknowledges receipt of your water right claim. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the claim has been prepared and is scheduled for publication in the Bonner County Daily Bee on June 2 and 9, 2005. If exceptions to the claim are filed you will be sent a copy of the exceptions(s).

The filing and advertising of the claim does not confirm the water right claimed. It will serve to record and preserve the information and the evidence, including any exceptions, regarding the 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 the information or evidence added at any time. Corrections to the claim may be made by filing an amended claim; no additional filing fees are required to amend a claim.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

We are enclosing a copy of the claim for your records. Please feel free to contact this office if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading 'Gregory J. Taylor'.

Gregory J. Taylor
Senior Water Resource Agent

Enclosure(s) - Receipt No. N016931



State of Idaho
DEPARTMENT OF WATER RESOURCES

1118 F. St, Lewiston, Idaho 83501

Phone: (208) 743-0301 FAX: (208) 743-0415 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 3, 2005

DAVID GATES
10675 LAKESHORE DR
SAGLE ID 83860

Re: Claim to a Water Right

Dear Mr. Gates:

We are returning your Claim to a Water Right at this time because of insufficient information/fees.

I understand that filing is rather confusing. Rather than trying to explain all of the information needed in this letter, I think it would be appropriate to set-up an appointment to sit down and go over the filing. I will be in Coeur d' Alene part of next week so perhaps you can call our Coeur d' Alene office to set a day and time. There number is 208-769-1450. If you get this letter before Friday, please call my office in Lewiston at 208-743-0301.

Sincerely,

Gregory J. Taylor
Sr. Water Resource Agent

*Done 5-10-05
Helped fill-out claim
and will send in w/
\$250.00*

*Min. Flow on
for 1000 ft. R*

NESE 5
SESE 22.5
SWSE 2.5

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

TOTAL ACRES 65 ACRES

B) If water is used for purposes other than irrigation, fully describe the use. Be specific. _____

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

7. Remarks: _____

8. **Map** -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of _____)
) ss.
 County of _____)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing 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.

 Claimant's Signature (and title if claim is for an organization)

Sworn to before me this _____ day of _____.

 Notary Public

Residing at: _____

My commission expires: _____

FOR DEPARTMENT USE ONLY

Received by _____ Date _____
 Prelim. check by _____ Date _____
 Fee _____ Receipt # _____
 Receipt prepared by _____ Date _____

Published in _____
 Publication dates _____
 Publication checked by _____ Date _____
 Exceptions filed by _____