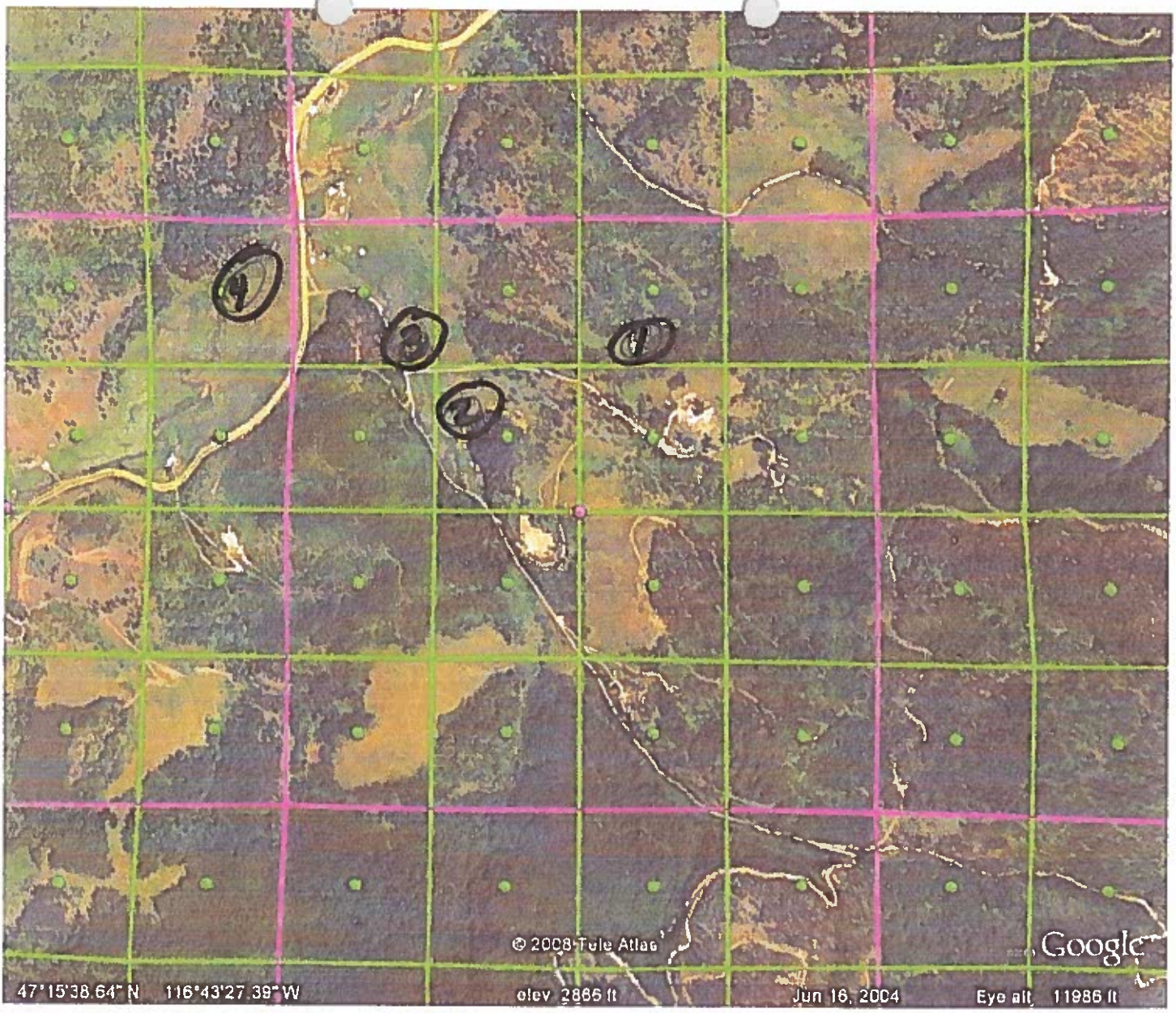

1 = WOOD BURY SPRING (4446)
2 = DOMESTIC SPRING (4500)
3 = UNNAMED STREAM (4445)
4 = BENEWAH CREEK (4444)

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Pond

NWNW 59 T45N R3W N47° 15.881'
W 116° 43.819'

95-4445 [redacted] Done
*

Homestead Spring

SENW 59 T45N R3W N47° 15.777'
W116° 43.727'

95-4506 [redacted] (Done)

Woodbury Spring

NWNE 59 T45N R3W N47° 15.856'
W116° 43.321'

95-4446 [redacted] (Done)
*

* Beneagh Creek 95-4444 (Done)

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MAY 04 2009

S T A T E O F I D A H O

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

APRIL 7, 1980

PAUL F. HUMPHREY
RT. 1 BOX 88
ST. MARIES ID 83861

RE: Claim No. 95-4445

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, P.E.
Regional Supervisor

Enclosure

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MAY 0 4 2009

Form No. 243
7/78

Claim No. 95-4445

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 Paul F. Humphrey (Name of Claimant)

Rt 1 Box 88, St Maries, Id. (Mailing Address) (Zip Code) Telephone No. 245-8196

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) 1948

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 Stream tributary to Benewah 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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive) (Mo., Day)		(Mo., Day)
Quantity	0.16 cfs	Use Irrigation	Period of Use From	3-15	To	11-5
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) 0.16 cfs (cfs, gpd, AFA) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NW ¼, Sec. 9 Twp. 45N Rge. 3W 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. Gravity flow pipe.

(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	3W	9						8											8

No. of acres 8

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

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:

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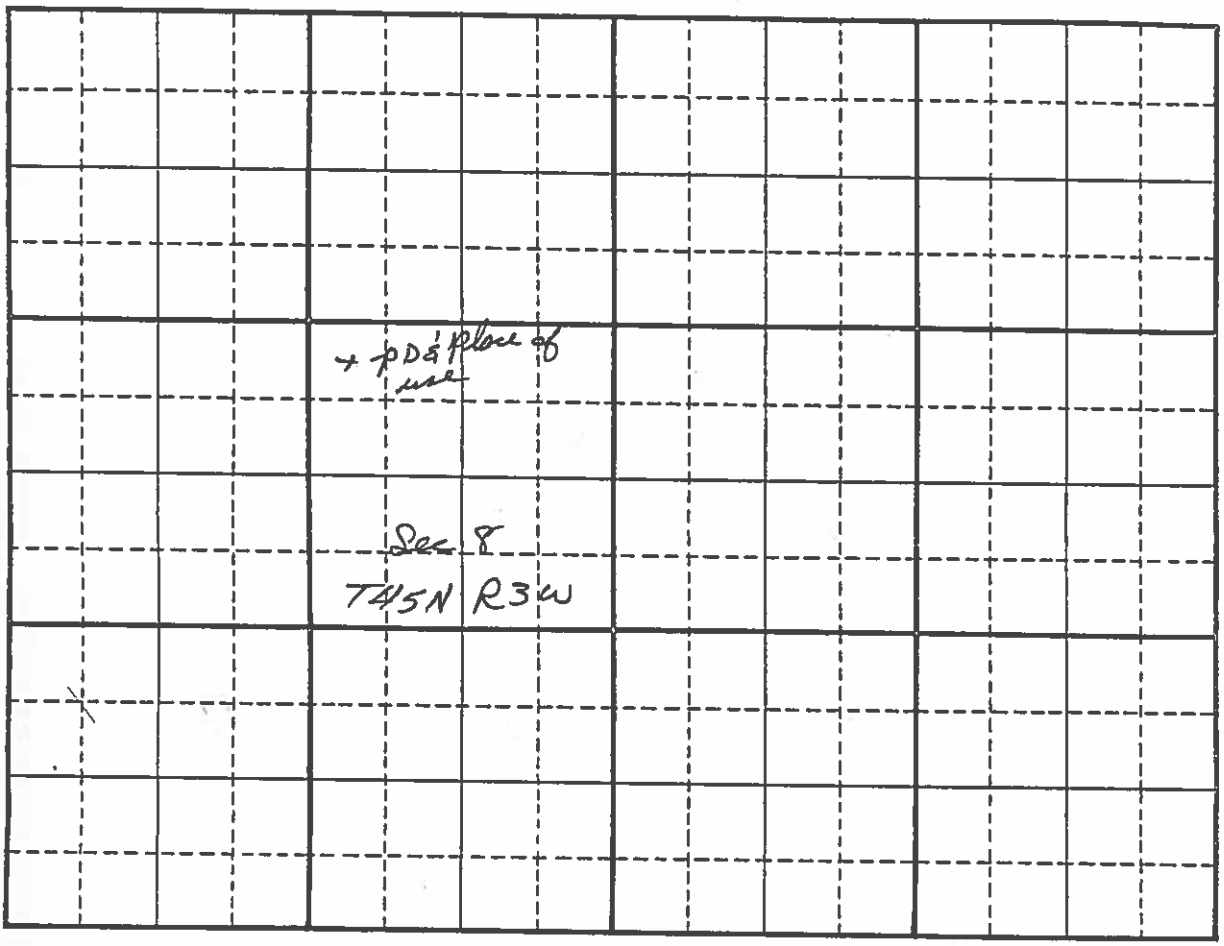
(8) Remarks _____



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)
) ss.
County of Kootenai)

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.

Paul T. Humphrey
(Claimant)

Sworn to before me this 10 day of March, 1980.

Robert D. Haynes
Notary Public
Residing at Cda

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by JK Date 3-10-80 Exception filed by: Fowarded to claimant by: Date
Prelim. check by _____ Date 3/11/80
$20.00 fee received by JK Date 3-10-80 16854
Published in St. Maries Gazette Record
Dates 3/20-27/80

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USDA-FHA
Form FHA 427-12 Idaho
(Rev. 1-5-62)
(COMMUNITY)

Warranty Deed

(IDAHO)

KNOW ALL MEN BY THESE PRESENTS, That JOHN O. EDWARDS

and DOROTHY M. EDWARDS, his wife,

of the County of BENEWAH, State of IDAHO,

parties of the first part, for and in consideration of the sum of - - - - - - - - - - - - - - - -

- -TWENTY ONE THOUSAND & NO/100- - - - - - - - -Dollars ($ 21,000.00),

in lawful money of the United States of America, and other valuable consideration, to them

in hand paid by PAUL F. HUMPHREY, ~~xxxx~~ a single man,

~~party~~ hereinafter called party of the second part, do ~~xxxx~~ hereby GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, as a ~~community~~ property estate, and to the heirs and assigns of the second party, all of the following-described property situate, lying and being in the County of Benewah, State of Idaho, to wit:

N½NE¼; N½NW¼ of SECTION 9, Township 45 North, Range 3 West of the Boise Meridian, save and except the following described portion, to-wit: BEGINNING at a point on the West line of the NW¼NW¼ of Section 9, Township 45 North, Range 3 West of the Boise Meridian, which is on the East line of the County Road right-of-way at the point of intersection which is 741 feet South of the NW corner of the said NW¼NW¼ of said Section 9, thence East at right angles to said described West line of the NW¼NW¼ to the West side of the present roadway, thence Northwesterly along the West side of said roadway to the right of way of the County Road, thence Southwesterly along the East side of the County Road right-of-way to the place of beginning, containing 7 acres, more or less.

The land lying between the South boundary line of the SE¼SE¼ and the County Road located in the SE¼SE¼ of SECTION 4, Township 45 North, Range 3 West of the Boise Meridian, containing 5 acres more or less.

* * * * * * * * * * * * * * * * * * * *

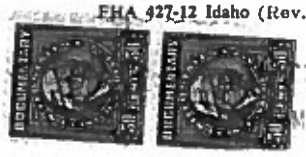
Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

Subject to exceptions and reservations contained in patents from the United States.

Subject to existing easements for roads, highways, ditches, canals, laterals and power and transmission lines.

Subject to the 40' and 15' wide roadways as set forth in the instruments recorded in Book H of Deeds at Page 536, and in Book I of Deeds at Page 185, records of Benewah County, Idaho.

Subject to the transmission line easement in favor of the Washington Water Power Company, recorded in Book F-2 of Deeds at Page 52, records of Benewah County, Idaho.



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MAY 04 2009

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises together with the appurtenances thereto unto the party of the second part, [redacted] and to the heirs and assigns of the second party forever.

The part ies of the first part, for themselves, and for their heirs, executors and administrators, do hereby covenant to and with the party of the second part, and with the heirs and assigns of second party, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand(s) and seal(s) this 26th day of October, 19 62.

John O. Edwards [SEAL]
(Husband)

WITNESSES:

Dorothy M. Edwards [SEAL]
Dorothy M. Edwards
(Wife)

ACKNOWLEDGMENT

STATE OF IDAHO
} ss:
COUNTY OF BENEWAH

On this 26 day of October, 1962, before me, a Notary Public in and for said County and State, personally appeared JOHN O. EDWARDS and DOROTHY M. EDWARDS, his wife, to me known to be the identical individual(s) described in and who executed the within and foregoing instrument and whose name(s) are subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above mentioned.

Ray A Bowen
Notary Public in and for the State of
Residing at
My commission expires:

[SEAL]

Recorded in _____

County, Idaho, on _____

_____, in Book _____

at Page _____

INDEXED

COMPARED

BY

GPO 817084

Filed for record at the request of Ray A Bowen Agency
on the 26 day of Oct 1962 at 2:3[illegible]
o'clock PM and recorded in Book 41-2
of Deeds on page 485
Alice Hoagland
County Recorder
By _____ Deputy
Fee $2.00
Mail to _____

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MAY 04 2009