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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 Ruby Miller

(Name of Claimant)

8 AM to 10 AM

1504 E. Riverside Spokane, Wa. 99202

(Mailing Address)

(Zip Code)

Telephone No. (509) 535-5266

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) 1942

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 Springtributary to Sinks

- (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>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, gpd, AFA)

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

GL 2 1/4 1/4, Sec. 22 Twp. 56N Rge. 1W B.M., County of Bonner

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.	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	
56N	1W	22								GL 2									

No. of acres _____

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

Domestic for 1 household

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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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[illegible]

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.

Received by	DATE	5/13/81	Exception filed by:	FOR DEPARTMENT USE ONLY	
Prelim. check by	DATE	5-18-81			
\$30.00 fee received by	DATE	5/12/81 (18+1)			
Published in	DATE	5/28+6/4/81			
Dates					

Forwarded to _____
 Date _____
 claimant by: _____
 MAR 04 1988

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Pete Thompson being first duly sworn on oath deposes and says that he is publisher of the Sandpoint Daily Bee, and News Bulletin, newspapers printed and published at Sandpoint, in Bonner County, Idaho; that the said newspapers have 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 _____

Legal notice
as it was published in the regular and entire issue of the said paper for a period of 2 consecutive weeks, commencing on 27 day of 5, 1981 and ending on the 3 day of 6, 19 81 and that said notice was published in said newspaper.

Pete Thompson

Subscribed and sworn to before me this 3 day of June, 19 81.

Adel M. Thompson

Notary Public for Idaho,

Residing at Sandpoint, Idaho

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**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:

Application No. 96-4282

MILLER, RUBY
1504 E. RIVERSIDE ST.,
SPOKANE, WA 99202

Source: SPRING tributary
to SINKS

Priority Date: 01/01/1942

Amount: 0.04 CFS

Diversion Point: LOT 02 Sec.
22 T 56N R 01W, BONNER
Co.

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

Place of Use: LOT 02 Sec. 22
T 56N R 01W

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, Id. 83814.

A KENNETH DUNN
Director

Publ. M27, J3-2t

RECEIVED

JUN 5 1981

Department of Water Resources
Northern District Office

Chase file

May 31, 1991

Mr. Frederick C. De Losh
180 Osprey Circle
Hope, Id. 83836

Re: 96-04282

*Note: New address for
new owner.*

*Put into Data Base
6/3/91*

Dear Mr. De Losh:

When Idaho became a state, the water within the state boundaries was declared to be the property of the state, whose duty it has been to supervise the use of the water. To aid in the water use supervision, the state defined water as being either surface water or ground water. Groundwater being that water which is found beneath the surface of the ground and which does not rise to the surface naturally, and Surface water being that water which is found on the surface of the ground.

Prior to March 25, 1963, a ground water right could be developed by the excavation of a well and putting to use a specific amount of water in a specific location for a specific purpose. A ground water right developed and maintained in this fashion remained valid until June 30, 1983. At which time a Claim to a water right must have been filed, to avoid abandonment.

Prior to May 20, 1971, a surface water right could be developed by diverting a specific amount of water and putting it to use in a specific location for a specific purpose. A surface water right developed and maintained in this fashion remained valid until June 30, 1983. At which time a Claim to a water right must have been filed, to avoid abandonment.

The exceptions to the 1983 mandatory filing was the water diverted as described above, for use in a single family unit.

It is a violation of the law to divert water in the state of Idaho without the benefit of a valid water right. Currently the only method of obtaining a water right is through filing an Application for Permit To Appropriate The Public Waters Of The State Of Idaho. However, the right to use water or "a water right" can not be developed in trespass and does not constitute permission, nor the right to go upon or across the lands of another, including public lands.

One statutory exception to the permit system is that if the use of ground water ... "is for homes, organizations camps, public campgrounds, livestock and for any other purpose in connection therewith, including irrigation of up to one-half (") acre of land, if the total use is not in excess of thirteen thousand (13,000) gallons per day, or" (any) "other uses, if the total use does not exceed a diversion rate of four one-hundredths (0.04) cubic feet per second and a diversion volume of twenty-five hundred (2,500) gallons per day.

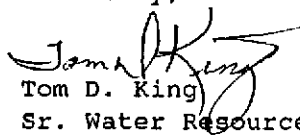
The other statutory exception to the permit system is that It is not necessary to file a permit to develop water rights for watering stock directly from a surface water source.

Mr. Fredrick C. De Losh
Page Two
May 31, 1991

I am enclosing all the information from the file of 96-04282, you will notice that the permit system was not used to develop the rights claimed by Mr. Miller.

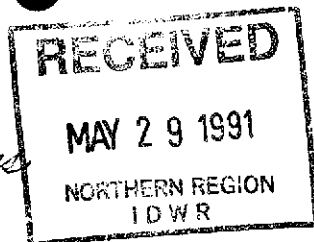
If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,


Tom D. King
Sr. Water Resource Agent

Enc: File 96-04282

Dept., Water Resources
Coeur d'Alene, Id.



180 Asprey Circle
Hope, Id. 83836
May 26, 1991

To Whom it may concern:

A few years ago I purchased a lot and cabin on Garfield Bay, Lake Pend Oreille. A spring, located about 50' from the cabin, supplies domestic water. However, it is not on our property.

Enclosed are some forms claiming rights to this spring. However, I do not seem to have the permit itself - if such there be.

Please note that the \$30.⁰⁰ fee was paid and the required public notice published.

I would appreciate your forwarding a copy of the permit to me. If you need any further information, please advise as soon as possible.

Very truly yours,

Frederick C. McLoch

96-4282-

MILLER, RUBY

1504 E. RIVERSIDE ST., SPOKANE, WA 99202

Source: SPRING tributary to SINKS

Priority Date: 01/01/1942

Amount: 0.04 CFS

Diversion Point: LOT 02 Sec 22 T 56N R 01W, BONNER Co.

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

Place of Use: LOT 02 Sec 22 T 56N R 01W

FILED

MAR 04 1988

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

JUNE 15, 1981

RUBY MILLER
1504 E. RIVERSIDE ST.
SPOKANE WA 99202

RE: Claim No. 96-4282

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. Harnes, P.E.
Regional Supervisor

Enclosure

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