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Documents  
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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 CLYDE I / RUTH N SMITH  
(Name of Claimant)  
SR BOX 398 NAPLES ID 83847 Telephone No. 267-2001  
(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) MAY 1957

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)  
SOUTH FORK DODGE CREEK tributary to DODGE 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>.04</u> | Use                                 | <u>DOMESTIC</u>   | Period of Use From <u>1/1</u>  | To <u>12/31</u> |
| Quantity  | <u>.02</u> | Use                                 | <u>STOCKWATER</u> | Period of Use From <u>1/1</u>  | To <u>12/31</u> |
| Quantity  | <u>.02</u> | Use                                 | <u>IRRIGATION</u> | Period of Use From <u>3/31</u> | To <u>11/1</u>  |
| Quantity  |            | Use                                 |                   | Period of Use From             | To              |
| Quantity  |            | Use                                 |                   | Period of Use From             | To              |

(4) .08 TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NE 1/4 SE 1/4, Sec. 28 Twp. 60N Rge. 01W B.M., County of BOUNDARY  
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. PUMP, BASIN, PIPE, STORAGE

(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 |          |
| <u>60N</u> | <u>1W</u> | <u>28</u> |        |        |        |        |        |        |        |        |        |        |        |        | <u>X,2</u> |        |        |        | <u>2</u> |
|            |           |           |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |          |
|            |           |           |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |          |
|            |           |           |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |          |
|            |           |           |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |          |
|            |           |           |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |          |
|            |           |           |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |          |
|            |           |           |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |          |
|            |           |           |        |        |        |        |        |        |        |        |        |        |        |        |            |        |        |        |          |

No. of acres 2

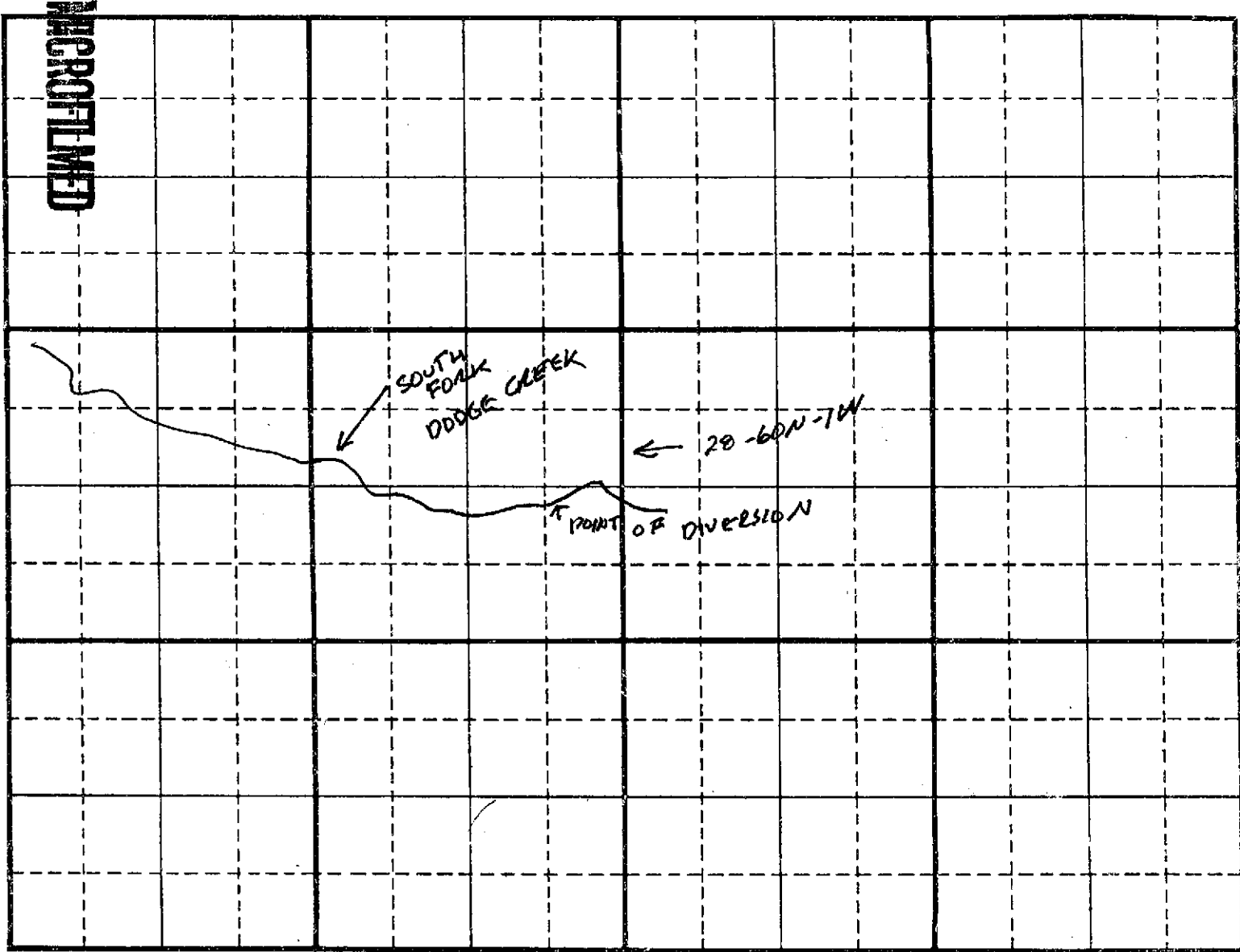
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 16-20 DRAFT HORSES

(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 )  
County of BOUNDARY ) 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.

Glyde L. Smith  
(Claimant)

Sworn to before me this 4 day of MAY, 19 83.

Wayne A. Fox  
Notary Public  
Residing at Barren Ferry

My commission expires Efe

FOR DEPARTMENT USE ONLY

Received by RMA Date 5/18/83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by JK Date 5/18/83  
\$30.00 fee received by JK Date 5/18/83 (26760)  
Published in Barren Ferry  
Dates 6/9 & 10/83

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
County of Boundary } ss.

Alice Winn, bkpr for Pete Thompson being first duly sworn upon his oath, deposes and says that he is the publisher (or foreman) Publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Legal Notice; Specialty Electrics, Inc. of Hailey, Idaho.

a Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not a supplement thereof for 2 consecutive issues, commencing with the issue dated June 9, 1983, and ending with the issue dated June 16, 1983.

Subscribed and sworn to before me this 29th day of June, 1983.  
Alice Winn  
Judy Lane  
Notary Public in and for the County of Boundary, State of Idaho, residing at Bonners Ferry, Idaho.

## NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

98-4226

HOLDERMAN, HARVEY ELGY  
STAR RT. 3 BOX 190, BONNERS FERRY, ID 83805  
Source: SPRING trib. to FRY CREEK  
Priority Date: 05/01/1948  
Diversion Pt: NENE Sec 18 T 62N R 02E  
Use: IRRIGATION (0.28 CFS)  
STOCKWATER (0.04 CFS)  
DOMESTIC (0.04 CFS)  
In: NENE Sec 18 T 62N R 02E FOR 14 ACRES

98-4227

MYERS, ROY CHARLES  
STAR RT. 1, BONNERS FERRY, ID 83805  
Source: GROUNDWATER  
Priority Date: 06/01/1925  
Diversion Pt: NESE Sec 06 T 63N R 01E  
Use: STOCKWATER (0.04 CFS)  
DOMESTIC (0.04 CFS)  
In: NESE Sec 06 T 63N R 01E

98-4228

REGEHR, GARY  
STAR RT. 1, NAPLES, ID 83847  
Source: TWENTYMILE CREEK trib. to DEEP CREEK  
Priority Date: 07/01/1958  
Diversion Pt: NWSE Sec 32 T 61N R 01E  
Use: IRRIGATION (0.20 CFS)  
STOCKWATER (0.04 CFS)  
In: NWSE Sec 32 T 61N R 01E FOR 10 ACRES

98-4229

PIEKARSKI, WILLIAM J. &/or EULA M.  
STAR RT. BOX 417, NAPLES, ID 83847  
Source: GROUNDWATER  
Priority Date: 09/01/1938  
Diversion Pt: NENW Sec 26 T 60N R 01W  
Use: IRRIGATION (0.04 CFS)  
STOCKWATER (0.02 CFS)  
DOMESTIC (0.04 CFS)  
In: NENW Sec 26 T 60N R 01W FOR 2 ACRES

98-4230

SMITH, CLYDE I. &/or RUTH N.  
ST. RT. BOX 398, NAPLES, ID 83847  
Source: DODGE CREEK, SOUTH FORK trib. to DODGE CREEK  
Priority Date: 05/01/1957  
Diversion Pt: NESE Sec 28 T 60N R 01W  
Use: IRRIGATION (0.02 CFS)  
STOCKWATER (0.02 CFS)  
DOMESTIC (0.04 CFS)  
In: NESE Sec 28 T 60N R 01W FOR 2 ACRES

98-4231

DAWSON, RICHARD &/or WAUNETA  
RT. 1 BOX 535, BONNERS FERRY, ID 83805  
Source: GROUNDWATER  
Priority Date: 06/01/1939  
Diversion Pt: NENW Sec 32 T 62N R 02E  
Use: IRRIGATION (0.90 CFS)  
STOCKWATER (0.04 CFS)  
DOMESTIC (0.02 CFS)  
In: NENW Sec 32 T 62N R 02E NWSE SWSE Sec 29 T 62N R 02E NENW Sec 32 T 62N R 02E FOR 45 ACRES

98-4232

JENKINS, RONNY R. &/or DENISE A.  
STAR RT. 1 BOX 152, BONNERS FERRY, ID 83805  
Source: GROUNDWATER  
Priority Date: 01/01/1939  
Diversion Pt: SWSW Sec 25 T 63N R 01W  
Use: IRRIGATION (0.02 CFS)  
STOCKWATER (0.02 CFS)  
DOMESTIC (0.04 CFS)  
In: SWSW Sec 25 T 63N R 01W FOR 1 ACRES

98-4233

DUDLEY, HARRY &/or KATHERINE  
STAR RT., NAPLES, ID 83847  
Source: GROUNDWATER  
Priority Date: 06/01/1952  
Diversion Pt: NWSW Sec 24 T 60N R 01W  
Use: IRRIGATION (0.20 CFS)  
STOCKWATER (0.02 CFS)  
DOMESTIC (0.04 CFS)  
In: NWSW Sec 24 T 60N R 01W FOR 10 ACRES

98-4234

KARNES, LLOYD W. &/or BONNIE  
STAR RT., PORTHILL, ID 83853  
Source: SPRINGS trib. to SINKS  
Priority Date: 01/01/1949  
Diversion Pt: NENE NWNE Sec 01 T 64N R 01W  
Use: IRRIGATION (0.10 CFS)  
STOCKWATER (0.04 CFS)  
DOMESTIC (0.04 CFS)  
In: NWNE Sec 01 T 64N R 01W NWNE SWNE Sec 01 T 64N R 01W FOR 5 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.

First publication June 9, 1983

Final publication June 16, 1983-dwr

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State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: SL

Right Number

98-4230

Applicant

Smith

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

SL

Date

7/25/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

8/9/83

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RECEIVED  
AUG 3 1983

Department of Water Resources

SMITH, CLYDE I. &/or RUTH N.

ST. RT. BOX 398, NAPLES, ID 83847

Source: DODGE CREEK, SOUTH FORK trib. to DODGE CREEK

Priority Date: 05/01/1957

Diversion Pt: NESE Sec 28 T 60N R 01W

|                 |            |
|-----------------|------------|
| Use: IRRIGATION | (0.02 CFS) |
| STOCKWATER      | (0.02 CFS) |
| DOMESTIC        | (0.04 CFS) |

In: NESE Sec 28 T 60N R 01W FOR 2 ACRES

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

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JOHN V. EVANS  
Governor  
A. KENNETH DUNN  
Director

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

JUNE 20, 1983

CLYDE I. SMITH  
RUTH N. SMITH  
ST. RT. BOX 398  
NAPLES

ID 83847

RE: Claim No. 98-4230

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