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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 Fred Wetter & Adelaide M. Wetter, wife
(Name of Claimant)

Rt. 1 Box 43 Plummer, Id. 83851 Telephone No. 686-1864

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) 1919 (see item 8.)

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)

(2) Spring tributary to Plummer 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:

		(Both dates inclusive)	
(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>0.04 gfs.</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 cfs. TOTAL QUANTITY USED.
(cfs. and AFA)

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

SE ¼ SE ¼, Sec. 24 Twp. 46 N Rge. 5 W 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. Pump & pipeline. 5 h.p. electric shallow (8 ft) well pump thru 1" steel pipeline approx. 250 ft. to house and yard, elevation 79' approx. up. Delivers approx. 3 g.p.m.

(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.

[illegible]

No. of acres _____

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

Domestic, one family, plus 1/4-acre yard and garden, plus, occasionally, up to 6 1/4 head livestock.

NOTE: Include here the type and number of stock watered: Beef cattle or horses -- max. 6, total.

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

Remarks Past water use intermittent by several residents in old building now. Originally, land owned by a Butcher, from 1949 to 1976 by Ford, better Sr. and from 1976 to present by claimant. New dwelling built 1949-52, present 1979-80.

residence →

← K. division

13 18

24 19

Plummer

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.

746 N.

R 5w 1 mile. R 4w

Scale: 2 inches equal 1 mile.

State of Idaho

SS.

County of Bernese

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.

affiant's knowledge.

(Claimant)

1983

January

Sworn to before me this 15th day of

Notary Public
Residing at _____

Plummers, 70

My commission expires

FOR DEPARTMENT USE ONLY

Exception filed by:

Forwarded to
claimant by:

Date _____

Received by

Prelim. check by

Date
Date

92/81/1
CO 01/11

618

the

Published in

Dates

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 2 issues, the first publication being on the 2nd day of February, 1983 and the last on the 9th day of February, 1983.

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

JoJane Hammes

Subscribed and sworn to before me this 9th day of Feb, 1983

Sharon D. Blackburn

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

Notice of Water Claims filed by Fred Wetter

NOTICE OF CLAIMS TO WATER RIGHTS

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

93-4023

Name: Fred Wetter
Address: Rt. 1 Box 43, Plummer, Idaho 83851

Priority Date: Jan. 1, 1919

Source: Spring tributary to Plummer Creek

Point of Diversion: SESE Sec 24 T 46N R 05W

In: SESE Sec 24 T 46N R 05W

Use: Domestic (0.04 cfs)

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

KENDUNN, Dir.

No. 7027 — Feb. 2-9.

RECEIVED

WATER RIGHTS WORK SHEET

2 file
Reenter

IDENTIFICATION NUMBER 93-4023

RECORD 01 LAST NAME(40 char.) FIRST NAME(20 char.) ORIG. OWNER
ACTION CODE

RECORD 02 ADDRESS LINE 1(30 char.) LINE 2(30 char.)

RECORD 03 ADDRESS LINE 3(30 char.) CITY(23) STATE(2) ZIP(5)

RECORD 04 SOURCE OF WATER(30 char.) TRIBUTARY OF(30 char.)

RECORD 05 ACTION CODE

A. STAGE(1 char.) (A,P,L,D,S,J OR BLANK)		
B. STATUS(1 char.) (D,L,R,C,A,I,F OR BLANK)		
C. PRIORITY DATE(8 char.)		
D. COUNTY OF P/D(2 char.)		
E. TOTAL DIVERSION RATE(10 char.)		
F. TOTAL DIVERSION VOLUME(10 char.)		
G. TRANSFER/AMENDMENT(1 char.) (P, T, A OR BLANK)		
H. WATER DISTRICT NUMBER(3 char.)		
I. DLE/CARFY ACT(1 char.) (D, C OR BLANK)		
J. RIGHT BASIS(1 char.) (for adjudications only A, B, C, D, E, F OR BLANK)		

RECORD 06

ACTION CODE	POINT OF DIVERSION(16 char.)					
	TRACT	SEC.	TWP.	RGE.	GOV'T. LOT	REDIV.

WATER RIGHTS WORK SHEET

71 Code

IDENTIFICATION NUMBER 95-4703

RECORD 01 LAST NAME(40 char.)

FIRST NAME(20 char.) ORIG. OWNER

ACTION CODE

Water

Used

RECORD 02

ADDRESS LINE 1(30 char.)

LINE 2(30 char.)

Rt. 1 Box 43

RECORD 03

ADDRESS LINE 3(30 char.)

CITY(23) STATE(2) ZIP(5)

Plummer Id. 83851

RECORD 04

SOURCE OF WATER(30 char.)

TRIBUTARY OF(30 char.)

Spring

Plummer Creek

RECORD 05

ACTION CODE

A. STAGE(1 char.)
(A,P,L,D,S,J OR BLANK)

S

B. STATUS(1 char.)
(D,L,R,C,A,I,F OR BLANK)

C. PRIORITY DATE(8 char.)

1-1-1919

D. COUNTY OF P/D(2 char.)

9

E. TOTAL DIVERSION RATE(10 char.)

0.04

F. TOTAL DIVERSION VOLUME(10 char.)

G. TRANSFER/AMENDMENT(1 char.)
(P, T, A OR BLANK)

H. WATER DISTRICT NUMBER(3 char.)

I. DLE/CARFY ACT(1 char.)
(D, C OR BLANK)

J. RIGHT BASIS(1 char.)
(for adjudications only A, B, C, D, E, F OR BLANK)

RECORD 06

ACTION CODE

POINT OF DIVERSION(16 char.)
TRACT SEC. TWP.

RGE.

GOV'T. LOT

REDIV.

SESE

24

46N

5W

RECORD 07 PERIOD OF USE(8 char.)
ACTION CODE FROM TO
1-1 12-31 D 0.04
RECORD 08 PLACE OF USE
ACTION CODE USE CODE, TWP, RGE, SEC, TRACT LOT ACRES
D 11671 SW 24 3852
RECORD 09 NAME(60 char.)
DEGREE DATE(8 char.)

RECORD 10 REMARKS(65 char.)

X (This deletes all remarks.)

RECORD 11, 12 or 14
11 OTHER USRS(65 char.)
12 OTHER RIGHTS(65 char.)
14 DIVERSION MEANS(65 char.)

RECORD ACTION CODE

ump & pipelines

RECORD 13 ACTION CODE

A. PROOF DUE DATE(8 char.)

B. PERMIT/DENIED DATE(8 char.)

C. PROTESTED DATE(8 char.)

C. HEARING DATE(8 char.)

E. OLD NUMBER(5 char.)

F. PROOF MADE(1 char.)

G. FIELD EXAM MADE(1 char.)

(P, R, F OR BLANK)

H. CONDITIONS OF APPROVAL(3 char.)

(8 CONDITIONS)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~xxxxxx~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

January 11, 1983

95-4703

Mr. Fred Wetter
Rt. 1 Box 43
Plummer, Id. 83851

Dear Mr. Wetter:

I am returning your Check No. 92-212 in the amount of \$30.00 and your Claim to a Water Right for completion. Please complete Item No. 6a and have the claim notarized.

You mention in Item No. 8 that the water was used intermittently prior to 1976. If there was a period of five consecutive years of non-use, the claim may not be valid. This Department would have no way of knowing the history of the right, so it might be in your best interest to check out the use history.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Check
Claim

Mr. and Mrs. Fred Wetter

Rt. 1, Box 43

Plummer, Id. 83851 (208) 686-1864

Jan. 1, 1983

Idaho Dept. Water Resources

4055 Gov't. Way

Rt. 5, Box 203, Suite 1

Coeur d'Alene, Id. 83814 (667-6484)

Dear Sir:

Please mail 2 copies of "Claim to Water Right". I have the brochure (1/4 sheet), and the instructions, Form I-243, 9/81.

The use will be to claim (long-time use) water from a spring, used for domestic purposes.

Sincerely,

Fred Wetter.

RECEIVED

JAN 4 1983

Department of Water Resources
Northern District Office

MICROFILMED

Let
2 Ch
- 2 Int.
1/4/83

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JL

Right Number

934023

Applicant

Nettie

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

 JL

Date

2/23/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

 LW

Date

3/2/83

RECEIVED
MAR 02 1983

Department of Water Resources

IDENT. NO. 93-4023

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

93-4023

WETTER, FRED

RT. 1 BOX 43, PLUMMER, ID 83851

Source: SPRING trib. to PLUMMER CREEK

Priority Date: 01/01/1919

Diversion Pt: SESE Sec 24 T 46N R 05W

Use: DOMESTIC (0.04 CFS)

In: SESE Sec 24 T 46N R 05W

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

FEBRUARY 22, 1983

FRED WETTER
RT. 1 BOX 43
PLUMMER

ID 83851

RE: Claim No. 93-4023

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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~G. Stephen Alfred~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

January 11, 1983

RECEIVED

JAN 17 1983

Department of Water Resources
Northern District Office

Mr. Fred Wetter
Rt. 1 Box 43
Plummer, Id. 83851

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If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Jan. 12, 1983

Enc. - Check
Claim

Re-submitted -

→ Tom King:
Prior to 1949, not 1976, as reads is
land ownership. Water used starting in 1949, by
Ferd. Wetter, Sr. & family -- till 1978, when I
started using it. Moved onto property Oct. (end)
1979. Prior to 1949 use was intermittent, with
Fred W. changes of residents.

(Thanks for guidance.)