

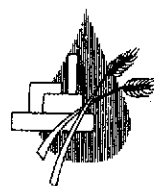
No Color  
Documents  
In File

RECEIVED  
JUN 23 1983

Claim No. 95-4644

Department of Water Resources  
Northern District Office

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 Elmer Whitman

(Name of Claimant)

Route 2, Plummer, Idaho 83851

(Mailing Address)

Telephone No. 686-1147

(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) June 15, 1970

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 spring

tributary to

Little 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:

| (cfs, af)               | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)        | (Mo., Day)      | (Mo., Day) |
|-------------------------|-------------------------------------|-------------------------------|-----------------|------------|
| Quantity <u>.10 cfs</u> | Use <u>stockwater</u>               | Period of Use From <u>1-1</u> | To <u>12-31</u> |            |
| Quantity <u>.04 cfs</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 _____        |            |

(4) .14 cfs TOTAL QUANTITY USED.

(cfs, af)

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

SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec. 33 Twp. 46N Rge. 4W 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. spring with casing, through .75" line to 400 gal. tank/

water trough; .75" line to residence

(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 $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTAL |
|-----|----|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------|
|     |    |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |       |
| 46N | 4W | 33   |                  |                  |                  |                  |                  |                  | X                |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |

No. of acres \_\_\_\_\_

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

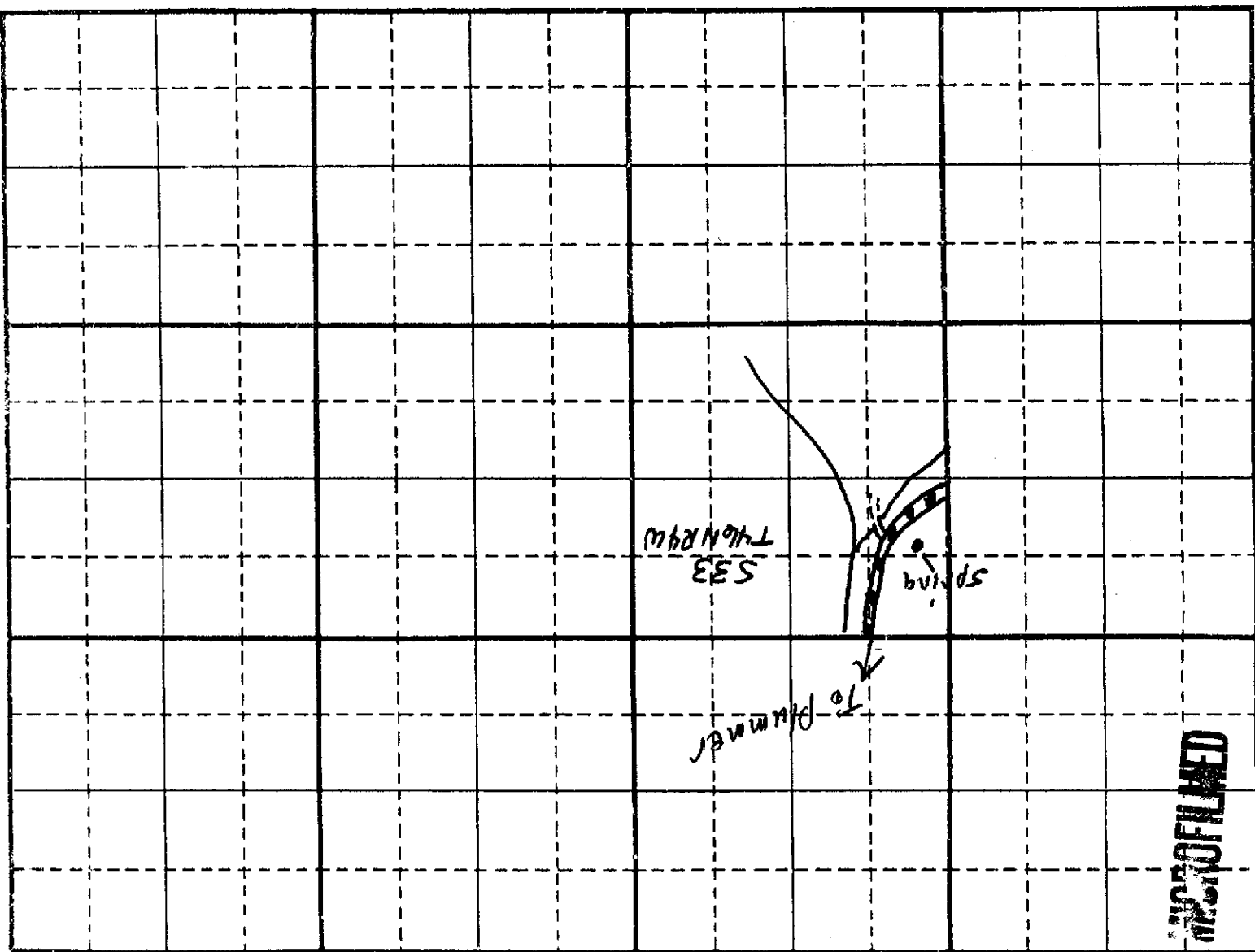
stockwater and domestic

NOTE: Include here the type and number of stock watered: 150 head, dairy and beef cattle

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

Whitman Farms, Inc. -- claimant is president

REPRODUCTION



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 Benewah  
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.

By:

Charles Whitman

WHITMAN FARMS, INC.

June

Sworn to before me this 21st day of

(Claimant)

St. Maries

Notary Public  
Residing at

Life

My commission expires

FOR DEPARTMENT USE ONLY

Forwarded to  
claimant by:

Date

Exception filed by:

Date 6-23-83

Date 6-23-83

Date 6-23-83

Date 6-23-83

Date 6-23-83

Date 6-23-83

Date 6-23-83

Date 6-23-83

Date 6-23-83

Date 6-23-83

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 13<sup>th</sup> day of July....., 1983, and the last on the 20<sup>th</sup> day of July....., 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.

Subscribed and sworn to before me this 11<sup>th</sup> day of Aug., 1983

*Sharon D. Black*

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

95-4640

Name: Elmer Whitman  
Address: Rt. 2, Plummer, Idaho 83851  
Priority Date: June 15, 1968  
Source: Spring tributary to Sinks  
Point of Diversion: SWSW Sec 34 T 46N R 04W  
In: SWSW Sec 34 T 46N R 04W  
Use: Stockwater (0.16 cfs);  
Domestic (0.04 cfs)

95-4641

Name: Elmer Whitman  
Address: Rt. 2, Plummer, Idaho 83851  
Priority Date: April 30, 1970  
Source: Spring tributary to Sinks  
Point of Diversion: NWSE Sec 32 T 46N R 04W  
In: NWSE Sec 32 T 46N R 04W  
Use: Stockwater (0.20 cfs)

95-4642

Name: Elmer Whitman  
Address: Rt. 2, Plummer, Idaho 83851  
Priority Date: April 30, 1970  
Source: Spring tributary to Sinks  
Point of Diversion: SWNW Sec 34 T 46N R 04W  
In: SWNW Sec 34 T 46N R 04W  
Use: Stockwater (0.13 cfs)

95-4643

Name: Elmer Whitman  
Address: Rt. 2, Plummer, Idaho 83851  
Priority Date: May 30, 1956  
Source: Spring tributary to Little Plummer Creek  
Point of Diversion: NWNW Sec 27 T 46N R 04W  
In: NWNW Sec 27 T 46N R 04W  
Use: Stockwater (0.17 cfs)

95-4644

Name: Elmer Whitman  
Address: Rt. 2, Plummer, Idaho 83851  
Priority Date: June 15, 1970  
Source: Spring tributary to Little Plummer Creek  
Point of Diversion: SWNW Sec 33 T 46N R 04W  
In: SWNW Sec 33 T 46N R 04W  
Use: Stockwater (0.10 cfs);  
Domestic (0.04 cfs)

95-4645

Name: Elmer Whitman  
Address: Rt. 2, Plummer, Idaho 83851  
Priority Date: June 30, 1970  
Source: Spring tributary to Little Plummer Creek  
Point of Diversion: SWNW Sec 33 T 46N R 04W  
In: SWNW Sec 33 T 46N R 04W  
Use: Stockwater (0.13 cfs);  
Domestic (0.04 cfs)

### Notice of Claims filed on water rights

#### NOTICE OF CLAIMS TO WATER RIGHTS

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

93-4030

Name: Ray Wise  
Address: Rt. 1, Box 54, Plummer, Idaho 83851  
Priority Date: May 10, 1967  
Source: Spring tributary to Sinks  
Point of Diversion: NWSE Sec 17 T 45N R 04W  
In: NWSE Sec 17 T 45N R 04W  
Use: Domestic (0.04 cfs)

93-4031

Name: Bryan A. and-or Dianne L. Bremner  
Address: Star Route, Box 48, DeSmet, Idaho 83824  
Priority Date: Jan. 1, 1932  
Source: Springs tributary to Smith Creek  
Point of Diversion: NWNW Sec 14 T 43N R 04W  
In: NWNW Sec 14 T 43N R 04W  
Use: Stockwater (0.0088 cfs);  
Domestic (0.04 cfs)

93-4032

Name: Ray Wise  
Address: Rt. 1, Box 54, Plummer, Idaho 83851  
Priority Date: May 10, 1967  
Source: Spring tributary to Sinks  
Point of Diversion: NWNE Sec 20 T 45N R 04W  
In: NWNE Sec 20 T 45N R 04W  
Use: Stockwater (0.03 cfs);  
Domestic (0.04 cfs)

93-4033

Name: Ray Wise  
Address: Rt. 1, Box 54, Plummer, Idaho 83851  
Priority Date: June 15, 1950  
Source: Spring tributary to Sinks  
Point of Diversion: SESE Sec 04 T 45N R 05W  
In: SESE Sec 04 T 45N R 05W  
Use: Stockwater (0.02 cfs);  
Domestic (0.04 cfs)

95-4639

Name: Elmer Whitman  
Address: Rt. 2, Plummer, Idaho 83851  
Priority Date: May 30, 1958  
Source: Spring tributary to Sinks  
Point of Diversion: SENE Sec 28 T 46N R 04W  
In: SENE Sec 28 T 46N R 04W  
Use: Stockwater (0.13 cfs);  
Domestic (0.04 cfs)

95-4646

Name: Elmer Whitman  
Address: Rt. 2, Plummer, Idaho 83851  
Priority Date: May 30, 1958  
Source: Spring tributary to Little Plummer Creek  
Point of Diversion: NESW Sec 28 T 46N R 04W  
In: NESW Sec 28 T 46N R 04W  
Use: Stockwater (0.05 cfs);  
Domestic (0.04 cfs)

95-4647

Name: Ralph W. and-or Ilda S. Lampert  
Address: Rt. 1, Plummer, Idaho 83851  
Priority Date: Jan. 1, 1935  
Source: Groundwater  
Point of Diversion: SWSW Sec 13 T 46N R 05W  
In: SWSW Sec 13 T 46N R 05W  
Use: Stockwater (0.02 cfs);  
Domestic (0.04 cfs)

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.

KENDUNN, Dir.

No. 7168 — July 13-20.

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JA

Right Number 95-4644 Applicant Whitman

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 JA Date 8/31/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By EW Date 9/8/83

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RECEIVED  
SEP 07 1983  
Department of Water Resources

95-4644

WHITMAN, ELMER

RT. 2, PLUMMER, ID 83851

Source: SPRING trib. to LITTLE PLUMMER CREEK

Priority Date: 06/15/1970

Diversion Pt: SWNW Sec 33 T 46N R 04W

|                 |            |
|-----------------|------------|
| Use: STOCKWATER | (0.10 CFS) |
| DOMESTIC        | (0.04 CFS) |

In: SWNW Sec 33 T 46N R 04W

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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

AUGUST 3, 1983

ELMER WHITMAN  
RT. 2  
PLUMMER

ID 83851

RE: Claim No. 95-4644

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