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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 Kermit Ellis (Name of Claimant)
Rt. 1 Box 157 Plummer, Idaho 83851 (Mailing Address) Telephone No. 686-1192 (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) July 24, 1972

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) Ground Water tributary to _____

(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>Jan. 1</u>	To <u>Dec. 31</u>
Quantity <u>.04</u>	Use <u>Domestic</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
Quantity <u>.001</u>	Use <u>Stock Water</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 _____

(4) .091 (cfs, af) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 9 Twp. 46 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.
Well 565 feet deep
3 horse submersible pump
40 gallons a minute tested

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
<u>46</u>	<u>4W</u>	<u>9</u>	<u>X</u>																

No. of acres X

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
50 head of range Cattle
- 2 House holds -
1 Main house hold
1 Mobile home for hired help

NOTE: Include here the type and number of stock watered: 50

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

Published in

68/51-8/07

Prelim. check by \$30.00 fee received

by

Date

0
02/12/20

ccad 2 5

35/2A

Date _____
Exception filed by: _____

Exception filed by:

Forwarded to
claimant by:

Date _____

My commission expires

Oct 24, 1985

Notary Public
Residing at _____

Notary Public

Sworn to before me this _____ day of _____

day of _____

Chau

(Claimant)

Younis E. El
(Claimant)

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.

State of Idaho

County of _____

SS.

SS. *[Signature]*

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.

Scale: 2 inches equal 1 mile.

SECRET

[illegible]

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 8th day of June, 1983 and the last on the 15th day of June, 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 17th day of June, 1983

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

95-4610 JK
Name: Kermit Ellis
Address: Rt. 1, Box 157, Plummer, Idaho 83861
Priority Date: July 24, 1972
Source: Groundwater
Point of Diversion: NENE Sec 09 T 46N R 04W
In: NENE Sec 09 T 46N R 04W
Use: Stockwater (0.0110 cfs); Domestic (0.08 cfs)

95-4612

Name: Jerome Allison Tuttle
Address: Rt. 1, Box 82J, St. Maries, Idaho 83861
Priority Date: Sept. 28, 1979
Source: Groundwater
Point of Diversion: SESW Sec 28 T 46N R 03W
In: SESW Sec 28 T 46N R 03W
Use: Domestic (0.04 cfs)

95-4622

Name: Fern Agte
Address: Rt. 1, Box 92, Plummer, Idaho 83851
Priority Date: Jan. 1, 1923
Source: Spring tributary to Sinks
Point of Diversion: SWNW Sec 15 T 46N R 04W
In: SWNW Sec 15 T 46N R 04W
Use: Domestic (0.04 cfs)

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4035 Government Way, Coeur d'Alene, Idaho 83814.

Ken Dunn, Dir.

No. 7141 — June 8-15.

MICROFILMED

Several file claims to 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:

91-4109

Name: Roland and-or Doris LeCoultre
Address: Rt. 2 Box 14, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1910
Source: Spring tributary to Saint Joe River
Point of Diversion: Lot 01 Sec 16 T 46N R 02W
In: SWNE Sec 16 T 46N R 02W for 3 acres
Use: Irrigation (0.09 cfs); Domestic (0.04 cfs)

91-4110

Name: Sandra Brebner
Address: Rt. 3 Box 10M, St. Maries, Idaho 83861
Priority Date: Nov. 10, 1962
Source: Spring tributary to Saint Joe River
Point of Diversion: NENE Sec 16 T 46N R 02W
In: NENE SENE Sec 16 T 46N R 02W
Use: Domestic (0.12 cfs)

92-4118

Name: Emmett Tow; William E. Brebner
Address: Rt. 4 Box 34A, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1940
Source: Spring tributary to Saint Maries River
Point of Diversion: NWNE Sec 36 T 46N R 02W
In: NWNE SWNE Sec 36 T 46N R 02W
Use: Domestic (0.08 cfs)

92-4119

Name: Trueman G. and-or Bernice Spooner
Address: Rt. 4 Box 81, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1898
Source: Spring tributary to Flat Creek
Point of Diversion: NENW Sec 20 T 45N R 01W
In: NENW Sec 20 T 45N R 01W for 2 acres
Use: Irrigation (0.04 cfs); Domestic (0.04 cfs)

93-4025

Name: Free Methodist Church
Address: Columbia River Conference, Star Route, Box 76A, Tensed, Idaho 83870
Priority Date: Jan. 1, 1936
Source: Indian Creek tributary to Hangman Creek
Point of Diversion: SWSE Sec 35 T 44N R 04W
In: SWSE 35 T 44N R 04W for 3 acres
Use: Irrigation (0.06 cfs); Irrigation Storage (3.0 AF); Irrigation from Storage (3.0 AF); Recreation Storage (3.0 AF); Fire Prot. Storage (3.0 AF); Fire Prot. from Storage (3.0 AF)

93-4026

Name: Free Methodist Church
Address: Columbia River Conference, Star Route, Box 76A, Tensed, Idaho 83870
Priority Date: Jan. 1, 1920
Source: Groundwater
Point of Diversion: SWSE Sec 35 T 44N R 04W
In: SWSE Sec 35 T 44N R 04W
Use: Domestic (0.02 cfs)

94-4184

Name: Ken Weaver
Address: 108 Riverdale St., St. Maries, Idaho 83861
Priority Date: Jan. 1, 1943
Source: Saint Joe River tributary to Coeur d'Alene Lake
Point of Diversion: SENE Sec 14 T 46N R 02W
In: SENE Sec 14 T 46N R 02W for 20 acres
Use: Irrigation (0.40 cfs)

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number 95-4610

Applicant Ellis

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 _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 8/9/83

RECEIVED

RECEIVED
AUG 03 1983

Department of Water Resources

95-4610-

ELLIS, KERMIT

RT. 1 BOX 157, PLUMMER, ID 83851

Source: GROUNDWATER

Priority Date: 07/24/1972

Diversion Pt: NENE Sec 09 T 46N R 04W

Use: STOCKWATER	(0.0110 CFS)
DOMESTIC	(0.08 CFS)

In: NENE Sec 09 T 46N R 04W

RECORDED

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

JUNE 13, 1983

KERMIT ELLIS
RT. 1 BOX 157
PLUMMER

ID 83851

RE: Claim No. 95-4610

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