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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.

Paul F Humphrey
 (Name of Claimant)

R+1 Box 88
(Mailing Address)

of (Claimant) _____ Telephone No. 245-2196
(Zip Code) _____

(1) Date of priority: (When was the water first applied to a beneficial use) 1939

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

unnamed spring tributary to Sinks

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>02</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) _____ TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

NW SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9 Twp. 45 Rge. 3W 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. 3' Tiles with pipeline to place of use

- (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: _____

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: _____

Remarks

Spring is located on property on by Perry W. Allen which has given claimant an easement

[illegible]

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 Kosciusko

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.

affiant's knowledge.

Sworn to before me this 12 day of July, 1982.

My commission expires

Engelborn

FOR DEPARTMENT USE ONLY

Date 11/17/82 Exception filed by: _____

Forwarded to
claimant by:

Date _____

ates

Published in

30.00 fee received by _____ Date _____

Prep. check by
Date

Received by
Date

EASEMENT

GRANTOR, PERRY W. HUMPHREY, a married person dealing in his sole and separate property, of 431 Ninth Street, City of St. Maries, County of Benewah, State of Idaho, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto PAUL F. HUMPHREY, a married person dealing in his sole and separate property, of Route 1, Box 88, City of St. Maries, County of Benewah, State of Idaho, as GRANTEE, and to grantee's heirs and assigns, an easement over and across that certain real property situated in Benewah County, State of Idaho, described as follows, to-wit:

Northwest Quarter of the Southeast Quarter of the Northwest Quarter (NW 1/4 SE 1/4 NW 1/4), Section Nine (9), Township Forty-five (45) North, Range Three (3) West, Boise Meridian.

Said easement shall terminate twenty (20) years from the date hereof and is more particularly described as follows, to-wit:

A strip of land which is eight feet on either side of the pipeline which runs across the above described real property from the spring located on said property (sixteen [16] feet in total width); and a circular parcel of land which is twenty (20) feet in radius from the center of the tile in said spring.

The hereinabove described easement shall be for the purpose of access to said spring and for the maintenance and repair of said spring and the pipeline; and shall be for the benefit of and appurtenant to that real property, or any portion thereof, situated in Benewah County, State of Idaho, and described as follows, to-wit:

Northwest Quarter of the Northwest Quarter
(NW 1/4 NW 1/4, Section nine (9), Township
Forty-five (45) North, Range Three (3) West,
Boise Meridian.

This grant is further conditioned on the terms that
grantee shall not use the water from said spring for purposes
other than household and domestic use, which terms shall
include the right to water grantee's lawn and garden.

IN WITNESS WHEREOF, grantor has hereunto subscribed his
name this 8th day of April, 1980.

PERRY W. HUMPHREY
Perry W. Humphrey

STATE OF IDAHO)
 : ss.
County of Benewah)

On this 8th day of April, 1980, before me,
the undersigned, a Notary Public in and for the said State,
personally appeared PERRY W. HUMPHREY, a married person
dealing in his sole and separate property, known to me to be
the person whose name is subscribed to the above and foregoing
instrument, and acknowledged to me that he executed the
same.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the date last above written.

(SEAL)

KAREN SCHOEBEN
Notary Public, State of Idaho
Residing at: HARRISON
Commission expires: LIFE TERM

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 21.. day of July....., 19..82 and the last on the 28...day of....July....., 19..82

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...28... day of ...July..., 19... 82

Beverly A. Linn

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

Paul F. Humphrey claims water rights

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:

95-4500

Name: Paul F. Humphrey
Address: Rt. 1 Box 88, St. Maries, Idaho 83861

Priority Date: Jan. 1, 1939

Amount: 0.02 cubic feet per second

Source: Spring tributary to Sinks

Point of Diversion: SENW Sec. 09 T 45N R 03W, Benewah County

Place of Use: NWNW Sec 09 T 45N R 03W

Use: Domestic (0.02 cfs) from Jan. 1 to Dec. 31.

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, Idaho 83814.

A. KENNETH DUNN
Director

No. 6862 — July 21-28.

[Signature]
7/30/82

RECEIVED

Department of Resources
Northern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 95-4506 Applicant Hughes

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 [Signature] Date 8/10/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 8/16/82

RECEIVED
AUG 13 1982

RECEIVED
AUG 13 1982

95-4500-

HUMPHREY, PAUL F.

RT. 1 BOX 88, ST. MARIES, ID 83861

Source: SPRING tributary to SINKS

Priority Date: 01/01/1939

Amount: 0.02 CFS

Diversion Point: SENW Sec 09 T 45N R 03W. BENEWAH Co.

Use: DOMESTIC (0.02 CFS) from 01/01 to 12/31

Place of Use: NWNW Sec 09 T 45N R 03W

MICROFILMED

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

AUGUST 9, 1982

PAUL F. HUMPHREY
RT. 1 BOX 88
ST. MARIES

ID 83861

RE: Claim No. 95-4500

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