

6096

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..20..day of March....., 1980, and the last on the..27...day of.....March....., 1980

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...27....day of ...March...., 1980

Beverly A. Linn

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

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:

95-4444

Name: Paul F. Humphrey
Address: Rt. 1 Box 88, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1955
Amount: 0.10 cubic feet per second
Source: Benewah Creek tributary to Benewah Lake
Means: Gravity-flow pipeline.
Point of Diversion: SENE Sec 65 T 45N R 03W, Benewah county
Place of Use: SENE Sec 65 T 45N R 03W for 5 acres
Use: Irrigation (0.10 cfs) from March 15 to Nov. 15.

95-4445

Name: Paul F. Humphrey
Address: Rt. 1 Box 88, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1948
Amount: 0.16 cubic feet per second
Source: Unnamed Stream tributary to Benewah Creek
Means: Gravity-flow pipe.
Point of Diversion: NWNW Sec 69 T 45N R 03W, Benewah county
Place of Use: NWNW Sec 69 T 45N R 03W for 8 acres
Use: Irrigation (0.16 cfs) from March 15 to Nov. 15.

95-4446

Name: Paul F. Humphrey
Address: Rt. 1 Box 88, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1910
Amount: 0.10 cubic feet per second
Source: Spring tributary to Benewah Creek
Means: Developed spring and ditches
Point of Diversion: NWNE Sec 69 T 45N R 03W, Benewah county
Place of Use: NWNE Sec 69 T 45N R 03W for 5 acres
Use: Irrigation (0.10 cfs) from March 15 to Nov. 15.

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.

C. STEPHEN ALLARD
Director

No. 6096 — March 20-27.

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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 Paul F. Humphrey
Rt 1 Box 88, St Maries, Id. (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 245-8196

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) 1948

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 Stream tributary to Bennah 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.16 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>3-15</u>	To <u>11-15</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) 0.16 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NW 1/4, Sec. 9 Twp. 45N 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.
Gravity flow pipe

(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>45N</u>	<u>3W</u>	<u>9</u>						<u>8</u>											<u>8</u>

No. of acres 8

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:

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Scale: 2 inches equal 1 mile.

section, township and range of the public land survey system.

State of Idaho)
County of Kootenai) ss.)
_____)

affluent's knowledge.

March

Residing at

[illegible]

Exception filed by:

Date _____

Date _____
Date _____
Date _____

LC 88

21/10/2016

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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.

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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...27..... day of March....., 19.80

Beverly A. Linn

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

NOTICE OF DIVERSION TO WATER RIGHT

Notice is hereby given that the following claim(s) to water right have been established by the State of Idaho and application to the State of Idaho for a water right has been made.

Name: Paul F. Humphrey
Address: Rt. 1 Box 83, St. Maries, Idaho 83861

Priority Date: Jan. 1, 1980
Amount: 0.10 cubic feet per acre
Source: Benewah Creek, Benewah County, Idaho

Means: Gravity flow
Point of Diversion: NW 1/4 Sec 2, T4N R 63W, Benewah County, Idaho

Place of Use: SE 1/4 Sec 2, T4N R 63W for 5 acres

Use: Irrigation (0.10 cfs) from March 15 to Nov. 15, 1980

Name: Paul F. Humphrey
Address: Rt. 1 Box 83, St. Maries, Idaho 83861

Priority Date: Jan. 1, 1980
Amount: 0.10 cubic feet per acre
Source: Benewah Creek, Benewah County, Idaho

Means: Gravity flow
Point of Diversion: NW 1/4 Sec 2, T4N R 63W, Benewah County, Idaho

Place of Use: NW 1/4 Sec 2, T4N R 63W for 8 acres

Use: Irrigation (0.10 cfs) from March 15 to Nov. 15, 1980

Name: Paul F. Humphrey
Address: Rt. 1 Box 83, St. Maries, Idaho 83861

Priority Date: Jan. 1, 1980
Amount: 0.10 cubic feet per acre
Source: Spring tributary to Benewah Creek

Means: Developed spring and ditches

Point of Diversion: NW 1/4 Sec 2, T4N R 63W, Benewah County, Idaho

Place of Use: NW 1/4 Sec 2, T4N R 63W for 5 acres

Use: Irrigation (0.10 cfs) from March 15 to Nov. 15, 1980

Any exception to the above water right may be filed with the Director of the Idaho Department of Water Resources, 600 Chubbuck, Coeur d'Alene, Idaho 83814.

C. STEPHENSON, Notary Public

No. 6096 — March 23-27.

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RA

Right Number 95-4445 Applicant Dumphy

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 ms Date 4/8/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jim Date 4/16/80

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95-4445-

HUMPHREY, PAUL F.

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

Source: UNNAMED STREAM tributary to BENEWAH CREEK

Priority Date: 01/01/1948

Amount: 0.16 CFS

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

Use: IRRIGATION (0.16 CFS) from 03/15 to 11/15

Place of Use: NWNW Sec 09 T 45N R 03W FOR 8 ACRES

Diversion Means: GRAVITY-FLOW PIPE.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

APRIL 7, 1980

PAUL F. HUMPHREY
RT. 1 BOX 88
ST. MARIES ID 83861

RE: Claim No. 95-4445

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

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