

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 08 T

45N R 03W, Benewah county

Place of Use: SENE Sec 08 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 09 T

45N R 03W, Benewah county

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

Place of Use: NWNW Sec 09 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 ALLRED
Director

No. 6096 — March 20-27.

RECEIVED
MICROFILMED

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
(Name of Claimant)
Rt 1, Box 88, St. Maries, Id. (Mailing Address) Telephone No. 245-2196
(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) 1955

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)
Benevol Creek tributary to Benevol Lake

(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)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity <u>0.10 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) 0.10 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NE 1/4, Sec. 8 Twp. 45N Rge. 3W B.M., County of Benevol
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 line.

(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	
45N	3W	8				5													5

No. of acres 5

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: _____

NOT RECORDED

Exception filed by:

Forward to

Date _____

Received by
Prelim. check
\$20.00 fee re
Published in
Dates

Date 3-10-80
 Date 3/11/80
 Date 3-10-80
 Payroll Fund

My commission expires

Sworn to before me this

day of

01

Mama

Notary Public
Residing at _____

700

Robert A. Lawrence

(Claimant)

X (Lawyer) [Signature]
(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

Kochman

SS.

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.

TYN R30

800 8

x 1000 of mass

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.

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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 68, 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 08 T

45N R 03W, Benewah county

Place of Use: SENE Sec 08 T 45N R 03W for 5 acres

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

95-4443

Name: Paul F. Humphrey
Address: Rt. 1 Box 68, St. Maries, Idaho 83861

Priority Date: Jan. 1, 1943

Amount: 0.16 cubic feet per second
Source: Unnamed Stream tributary to Benewah Creek

Means: Gravity-flow pipe.

Point of Diversion: NWNW Sec 09 T

45N R 03W, Benewah county

Place of Use: NWNW Sec 09 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 68, 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 05 T

45N R 03W, Benewah county

Place of Use: NWNE Sec 05 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, 4050 First Ave., Coeur d'Alene, Idaho 83814.

C. STEPHEN ALLEN
Director

No. 6096 — March 20-27.

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RyH

Right Number 95-4444 Applicant Humphrey

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

RECEIVED
APR 16 1980
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

95-4444_

HUMPHREY, PAUL F.

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

Source: BENEWAH CREEK tributary to BENEWAH LAKE

Priority Date: 01/01/1955

Amount: 0.10 CFS

Diversion Point: SENE Sec 08 T 45N R 03W, BENEWAH Co.

Use: IRRIGATION (0.10 CFS) from 03/15 to 11/15

Place of Use: SENE Sec 08 T 45N R 03W FOR 5 ACRES

Diversion Means: GRAVITY-FLOW PIPELINE.

MICROFILMED

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. 95-4444

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 L. Haynes, P.E.
Regional Supervisor

Enclosure