

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...two...issues, the first publication being on the 24th day of May., 19.79. and the last on the 31st day of May., 19.79.

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...1st... day of June, 19..79.

Ora Lyon
.....
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:

93-4010

Name: William or Ruth Rosenberry
Address: Star Route, Box 59,
DeSmet, Idaho 83824.

Priority Date: Jan. 1, 1965

Amount: 0.06 cubic feet per second

Source: Unnamed spring

Means: Pipe to stock pond

Point of Diversion: SWSW Sec 02 T

43N R 04W, Benewah county

Place of Use: NWSW Sec 02 T 43N R
04W

Use: Domestic (0.04 cfs) from Jan 1
to Dec 31; Stockwater (0.02 cfs)
from Jan 1 to Dec 31.

95-4415

Name: C.R. Moore
Address: Route 1 Box 47, St. Maries,
Idaho 83861

Priority Date: Jan. 1, 1916

Amount: 0.04 cubic feet per second

Source: Unnamed spring

Means: Pump and pipeline

Point of Diversion: NENW Sec 14 T

46N R 03W, Benewah county

Place of Use: NENW Sec 14 T 46N R
03W

Use: Domestic (0.04 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.

C. STEPHEN ALLRED
Director

Published 5-24 & 5-31-79
No. 5740 — May 24-May 31.

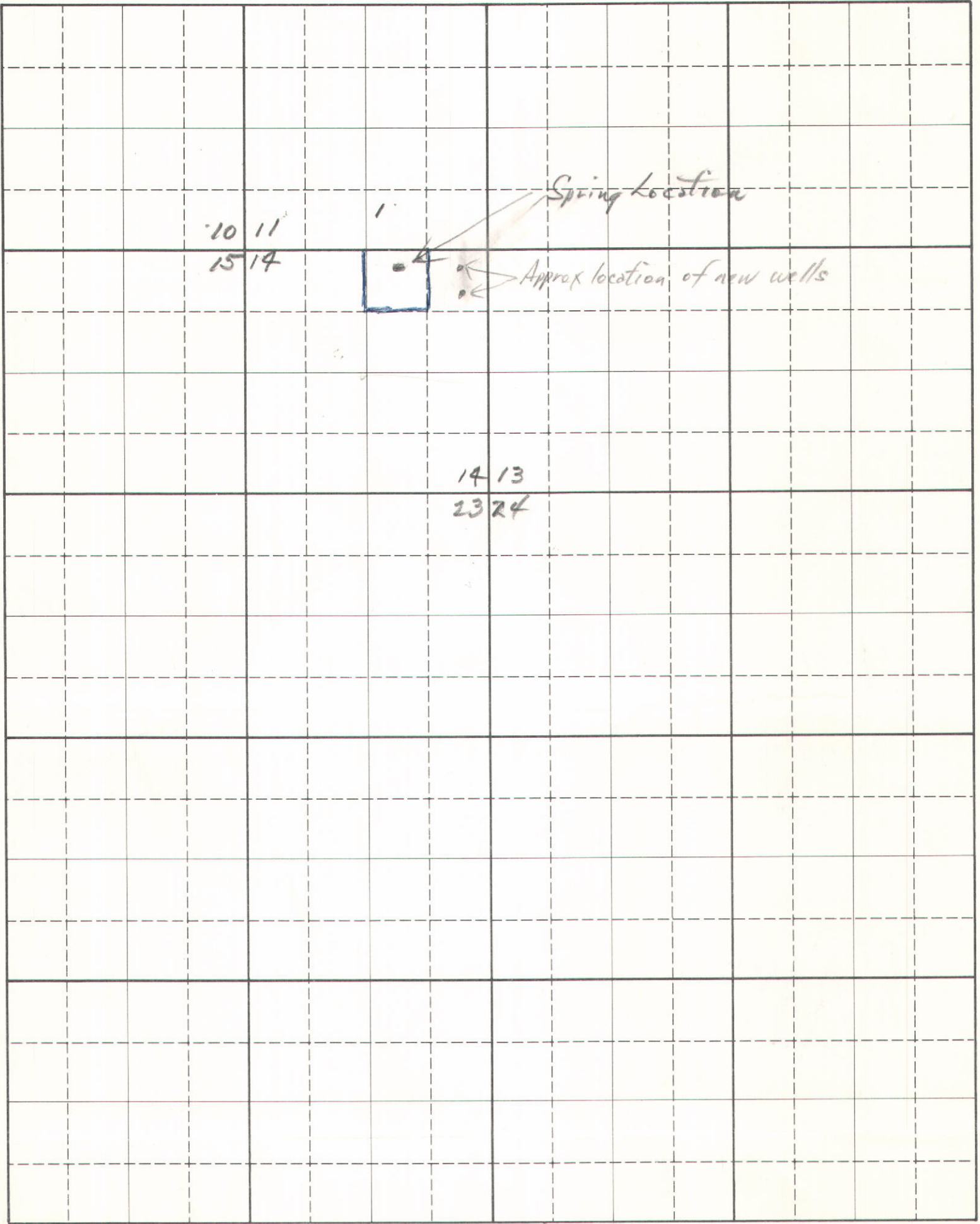
RECEIVED

JUN 1 1979

Department of Water Resources
Northern District Office

MICROFILMED

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

GA Moore
(Applicant)

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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 C. R. Moore (Name of Claimant)
Rt 1, Box 47, St. Maries, Id 83861 (Mailing Address) Telephone No. 245-2802 (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) 1916

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)
Unnamal Spring 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>0.04</u>	Use	<u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Mar 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) 0.04 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 14 Twp. 46 N Rge. 34 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. 16' x 42" cone sumps with pump & 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	
<u>46 N</u>	<u>34 W</u>	<u>14</u>					X												

No. of acres _____

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

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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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 1st day of June, 1979.

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

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Point of Diversion: SWSW Sec 02 T
43N R 04W, Benewah county

Place of Use: NWSW Sec 02 T 43N R
04W

Use: Domestic (0.04 cfs) from Jan 1
to Dec 31; Stockwater (0.02 cfs)
from Jan 1 to Dec 31.

95-4415

Name: C.R. Moore

Address: Route 1 Box 47, St. Maries,
Idaho 83861

Priority Date: Jan. 1, 1916

Amount: 0.04 cubic feet per second

Source: Unnamed spring

Means: Pump and pipeline

Point of Diversion: NENW Sec 14 T
46N R 08W, Benewah county

Place of Use: NENW Sec 14 T 46N R
03W

Use: Domestic (0.04 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.

C. STEPHEN ALLRED
Director

Published 5-24 & 5-31-79

No. 5740 — May 24-May 31.

RECEIVED

Idaho Department of Water Resources
Coeur d'Alene Office

APPROVED FOR FILING

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

January 29, 1973

95-4415

C. R. Moore
P.O. Box 123
St. Maries, ID 83861

Dear Mr. Moore:

We have taken the liberty of retyping your application for permit and have completed several items for your review. We are returning your application for your signature and to advise you that before we can accept any application, it must be completed correctly and must be accompanied by the proper filing fee.

Please complete Item #6a and Item #7b. If all other items appear to be in order, sign the application at the bottom of Page 3, and return it to this office so that we may begin its processing. The filing fee for the application is \$10.

We are also enclosing a Claim to a Water Right form on which you may file your existing water right and record your early priority to the water. This would be the date the spring was first used. The fee for filing this claim is also \$10.

If you should have any questions, or if we may be of further assistance, please feel free to contact this office.

Very truly yours,

Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

Enclosures

RECEIVED

Identification No. _____

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant C. R. Moore
post office address P.O. Box 123 - St. Marys, Idaho 83861
2. Source of water supply _____ which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 46N
Range 3 B.M. West Benewah County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
- Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
- a. _____ cubic feet per second and/or
- b. _____ acre feet per annum.
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. _____
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is _____ years.
- b. Estimated construction cost is \$ _____.
8. Description of proposed uses:
- a. If water is **not** for irrigation:
- (1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 14 Township 46N
Range 3 B.M. W
- (2) Amount of power to be generated: _____ hp under _____ feet of head.
- (3) List number of each kind of livestock to be watered _____
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water two (1st present)
- (5) If water is to be used for other purposes describe: _____

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[illegible]

Total number of acres to be irrigated.

c. Describe any other water rights used for the same purposes.

9. a. Who owns the property at the point of diversion.

b. Who owns the land to be irrigated or place of use.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

applicant to make this filing.

22 Jan 73

10. Remarks

Dear Mr. Haggard:

Town. He lives near Bengewick Lake with a very fine spring.

my son expects to build soon so there will be 2 families using

There is a possibility of two wells being drilled above any

property and the driller suggested I file on my spring.

I talked to Mr. Vern Baumgartner of the Soil Conservation

Office in St. Marias and he suggested I use this form.

Would you kindly let me know if anything else is needed

Thank you so much,

33007 *[Signature]*

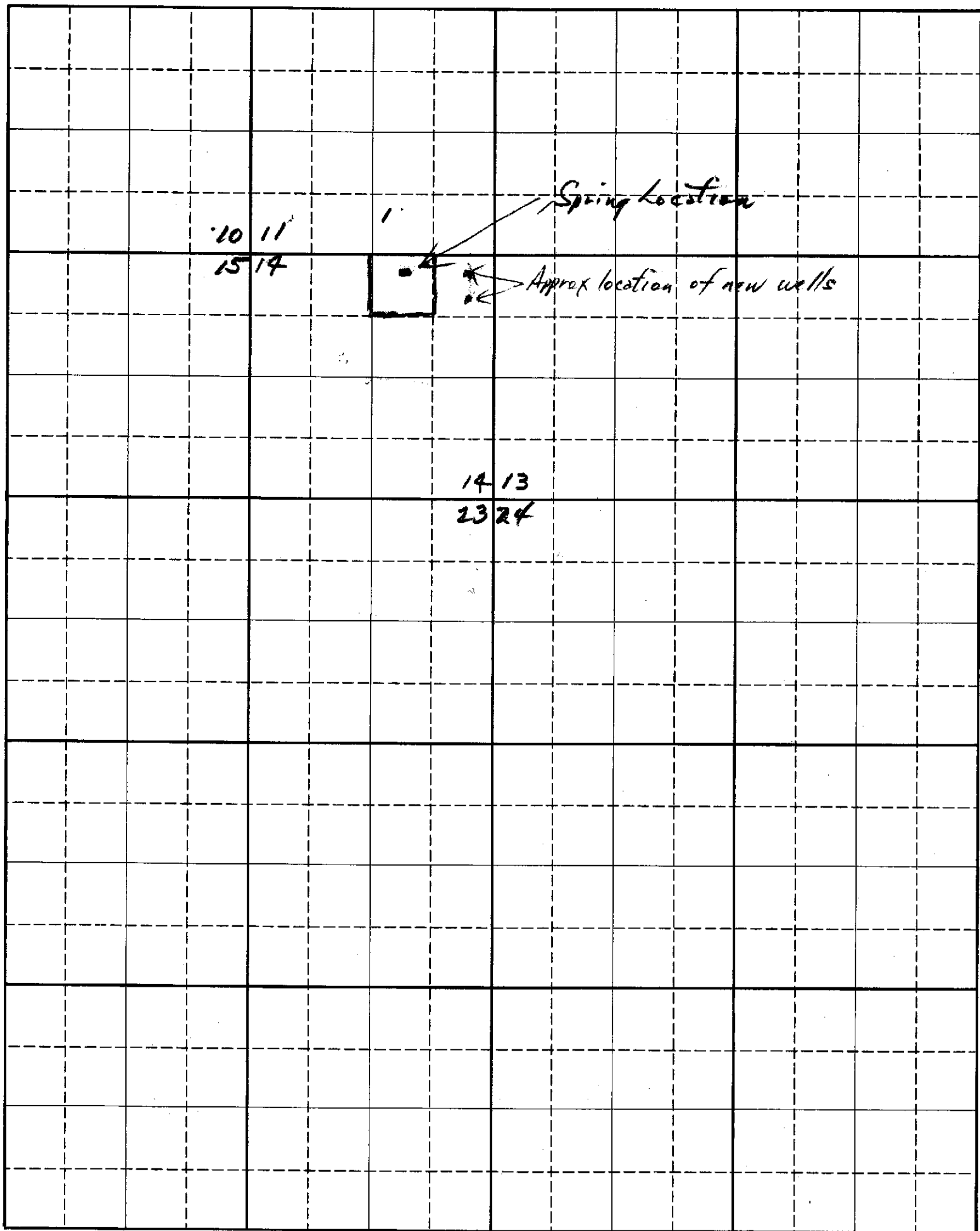
G. P. A/2015

P.O. Box 123

St. Nicholas, Idaho

1988

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Q. Moore
(Applicant)

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Received by WJ Date 1-26-73 Time 10:00 A
Preliminary check by WJ Fee \$ 10.00
Receipted by WJ Date 1-26-73
Publication prepared by WJ Date 1-26-73
Published in WJ
Publication dates WJ
Publication approved WJ Date 1-26-73
Priority reduced to WJ Reason WJ
Protests filed by WJ
Copies of protests forwarded by WJ
Hearing held by WJ Date 1-26-73
Recommended for approval denial by WJ

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19____.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this _____ day of _____, 19____.

State Reclamation Engineer

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RSB

Right Number

95-4415

Applicant

Moore

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

pm

Date

6/4/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

Jmi

Date

6/19/79

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MOORE, C. R.

ROUTE 1 BOX 47, ST. MARIES, ID 83861

Source: UNNAMED SPRING

Priority Date: 01/01/1916

Amount: 0.04 CFS

Diversion Point: NENW Sec 14 T 46N R 03W, BENEWAH Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NENW Sec 14 T 46N R 03W

Diversion Means: PUMP & PIPELINE

RECEIVED

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

JUNE 11, 1979

C. R. MOORE
ROUTE 1 BOX 47
ST. MARIES

ID 83861

RE: Claim No. 95-4415

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

MAILED JUN 11 1979