

PROOF OF PUBLICATION

RECEIVED

SEP 2 1983

County of Shoshone,)
)
STATE OF IDAHO)

Department of Water Resources
Northern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been
filed on water right(s) created by
diversion and beneficial use:

91-4133

Name: OLIVER, JIM
Address: P.O. BOX 487, CALDER,
ID 83808
Source: BIG CREEK trib. to SAINT
JOE RIVER
Priority Date: Jan. 1, 1913
Diversion Point: NESW Sec. 05 T
45N R 03E
Use: IRRIGATION (0.22 CFS);
STOCKWATER (0.04 CFS); COM-
MERCIAL (0.04 CFS).
In: NESW Sec. 05 T 45N R 03E FOR 2
ACRES.

91-4135

Name: GREEN, DONALD C.
Address: P.O. BOX 524, CALDER,
ID 83808
Source: SPRING trib. to SAINT
JOE RIVER

Priority Date: June 1, 1940
Diversion Point: SWSW Sec. 05 T
45N R 03E
Use: STOCKWATER (0.02 CFS)
In: SWSW Sec. 05 T 45N R 03E

94-4258

Name: BURLINGTON NOR-
THERN RAILROAD CO.
Address: 350 CENTRAL BLDG.,
SEATTLE, WA 98104
Source: SPRING trib. to PLACER
CREEK

Priority Date: Jan. 29, 1904
Diversion Point: SWSE Sec 27 T 48N
R 04E
Use: INDUSTRIAL (6.00 CFS);
MINING (6.00 CFS); DOMESTIC
(6.00 CFS).
In: SWSE Sec 27 T 48N R 04E

94-4259

Name: BURLINGTON NOR-
THERN RAILROAD CO.
Address: 350 CENTRAL BLDG.,
SEATTLE, WA 98104
Source: DEADMANS GULCH trib.

to COEUR D'ALENE RIVER, South
Fk.
Priority Date: Nov. 7, 1891
Diversion Point: NWSW Sec. 25 T
48N R 05E
Use: INDUSTRIAL (0.20 CFS);
MINING (0.20 CFS)
In: NWSW Sec. 25 T 48N R 05E

94-4260

Name: BURLINGTON NOR-
THERN RAILROAD CO.
Address: 350 CENTRAL BLDG.,
SEATTLE, WA 98104
Source: SPRING trib. to GROUSE
CREEK
Priority Date: May 3, 1898
Diversion Point: NWNE Sec. 03 T
48N R 02E
Use: INDUSTRIAL (0.0950 CFS)
In: LOT 02 (NWNE) Sec. 03 T 48N R
02E

94-4261

Name: BURLINGTON NOR-
THERN RAILROAD CO.
Address: 350 CENTRAL BLDG.,
SEATTLE, WA 98104
Source: HARRIS GULCH trib. to
COEUR D'ALENE RIVER
Priority Date: April 16, 1896
Diversion Point: SWSW Sec 31 T 48N
R 06E
Use: INDUSTRIAL (1.80 CFS);
MINING (1.80 CFS)
In: SWSW Sec 31 T 48N R 06E

s/Gary A. Corbeill, being first duty sworn deposes and says:
THE KELLOGG EVENING NEWS, a daily newspaper of general
circulation in said county, published in the City of Kellogg, in the
County of Shoshone and the State of Idaho, and which has been
published continuously in said county for a period of 78 weeks
immediately prior to the publication of the notice hereinafter
described, and that the _____

of which the annexed is a true copy, was published in each regular
weekly/daily issue of said newspaper, and not in a supplement
thereto, for a period of 2 consecutive weeks/days, the
first publication thereof being in its issue dated 2-11-83
and the last publication thereof being in the issue dated
8-24-83

Subscribed and sworn to before me this 31st day of

August, 1983

Wendell R. Brainerd

Notary Public

94-4262
Name: CENTRAL SHOSHONE
COUNTY WATER DIST.
Address: 409 MAIN ST., KELLOGG,
ID 83837
Source: ELK CREEK, WEST FORK
trib. to ELK CREEK
Priority Date: Nov. 21, 1934
Diversion Point: SWSE SESE Sec 08
T 48N R 03E
Use: DOMESTIC (2.00 CFS).
In: NESE NWSE SWSE SESE Sec.
08 T 48N R 03E

94-4263

Name: CENTRAL SHOSHONE
COUNTY WATER DIST.
Address: 409 MAIN ST., KELLOGG,
ID 83837
Source: MILO CREEK trib. to
COEUR D'ALENE RIVER, SOUTH
FK.
Priority Date: May 5, 1885
Diversion Point: SWNE Sec. 13 T
48N R 02E
Use: DOMESTIC (3.00 CFS)
In: SENE NESE Sec. 12 T 48N R 02E
NENW NWNW SWNW SENW
NWSW Sec. 07 T 48N R 03E

94-4265

Name: GARCIA, WILLIAM LOUIS
Address: P.O. BOX 672, MULLAN,
ID 83846
Source: GROUNDWATER
Priority Date: June 1, 1952
Diversion Point: NENE Sec. 36 T
48N R 05E
Use: DOMESTIC (0.04 CFS).
In: NENE Sec 36 T 48N R 05E

94-4266

Name: SMITH, GEORGE L.
Address: GEM STAR RT.,
WALLACE ID 83873
Source: SPRING trib. to CANYON
CREEK
Priority Date: Jan. 1, 1900

Diversion Pt: SENW Sec. 18 T 48N R
05E
Use: IRRIGATION 0.20 CFS);
DOMESTIC (0.04 CFS)
In: SENW Sec 18 T 48N R 05E FOR 1
ACRES

94-4267

Name: SUNSHINE MINING CO.
Address: P.O. BOX 1080,
KELLOGG, ID 83837
Source: BIG CREEK trib. to
COEUR D'ALENE RIVER, SOUTH
FK.

Priority Date: Jan. 1, 1969.
Diversion Pt: SWSW SESW Sec. 10 T
48N R 03E
Use: INDUSTRIAL (0.50 CFS);
MINING (0.50 CFS)
In: NESW NWSW SWSW SESW Sec.
10 T 48N R 03E

94-4268

Name: CANTAMESSA, JON F.
&/or IRIS M.
Address: NINE MILE RD
WALLACE, ID 83873
Source: SPRING trib. to
NINEMILE CREEK
Priority Date: July 1, 1930
Diversion Pt.: SWSE Sec 23 T 48N R
04E
Use: IRRIGATION (0.20 CFS);
STOCKWATER (0.02 CFS);
DOMESTIC (0.06 CFS)
In: SWSE SESW Sec. 23 T 48N R 04E
FOR 4 ACRES

Exceptions to a claim may be filed
with the Director: Dept. of Water
Resources, 4055 Gov't. Way, Coeur
d'Alene, Id. 83814.

KEN DUNN, Director
8/17/24/83 YoldLg

MICROFILMED

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

JUL 1 1983

CLAIM TO A WATER RIGHT

Department of Water Resources
Northern District Office

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

JON F. and LUIS M. CANTAMESSA

(Name of Claimant)

NINE MILE ROAD - WALLACE

83873

Telephone No. 753-3151

(Mailing Address)

(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 1, 1930

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)

MOUNTAIN SPRING tributary to NINE MILE 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:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From		(Both dates inclusive)	
				(Mo., Day)	To	(Mo., Day)	To
Quantity .06 cfs	Use DOMESTIC	Period of Use From 1-1	To 12-31				
Quantity .20	Use IRRIGATION	Period of Use From 3-1	To 10-31				
Quantity .02	Use STOCKWATER	Period of Use From 1-1	To 12-31				
Quantity	Use	Period of Use From	To				
Quantity	Use	Period of Use From	To				

- (4) .28 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SW 1/4 SE 1/4, Sec. 23 Twp. 48 Rge. 4E B.M., County of SHOSHONE

Additional points of diversion: NONE

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. 1 1/2 HORSE SUBMERSIBLE PUMP - 20 feet to home - SURFACE IRRIGATION FOR APPROX. 2 ACRES.

- (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%	
48	4E	23															3.0		3.0
48	4E	23											1.3						1.3

No. of acres 4.30

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

N/A

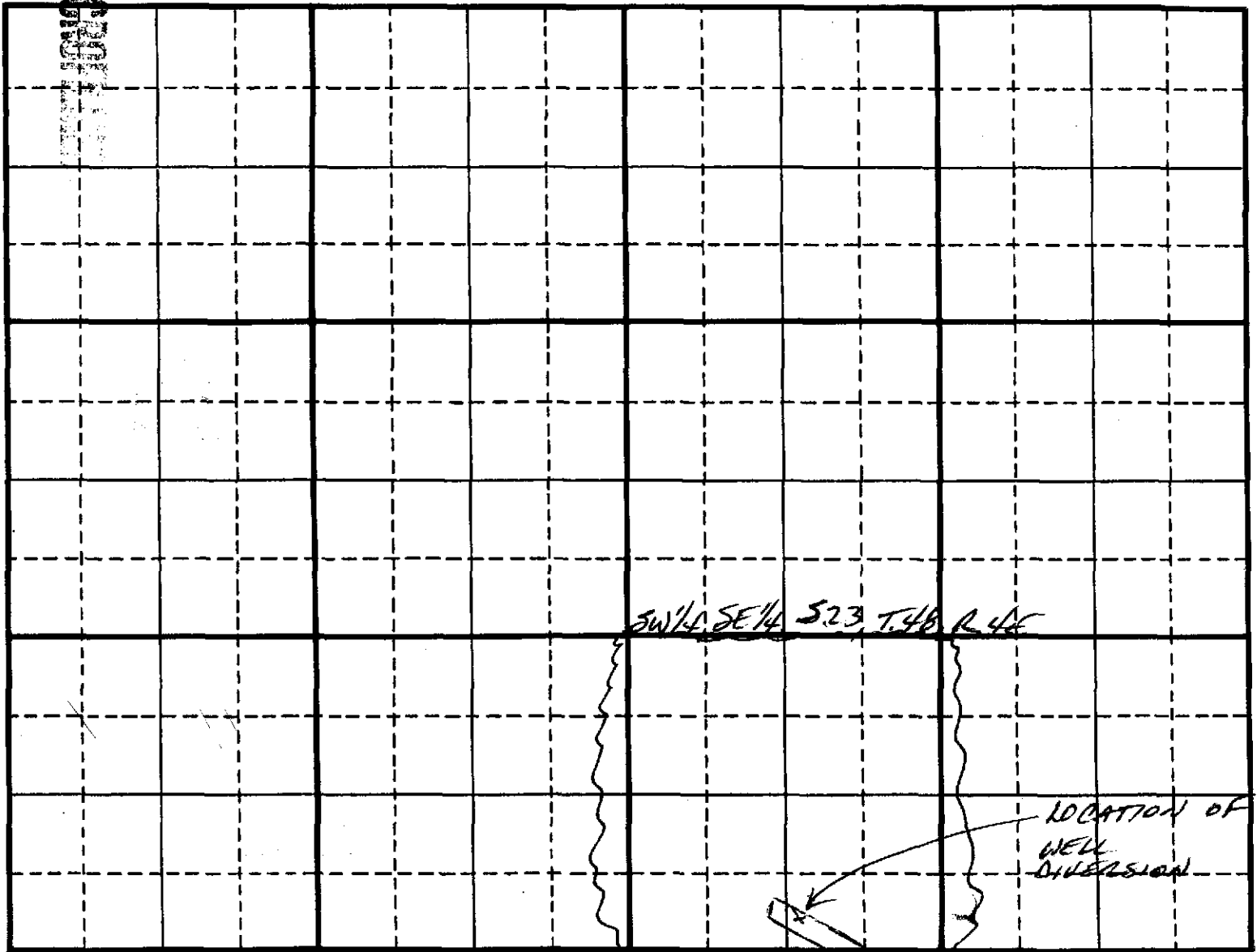
NOTE: Include here the type and number of stock watered: 2 HORSES - 2 COWS -

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

N/A

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(8) Remarks _____



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 Shoshone) 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.

Sworn to before me this 30th day of June, 19 83.

Jon F. Cantamano
(Claimant)

Connie L. Puddy
Notary Public
Residing at Oxburn

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by <u>[Signature]</u>	Date <u>7/1/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>[Signature]</u>	Date <u>2-5-83</u>		claimant by:	
\$20.00 fee received by <u>[Signature]</u>	Date <u>7/5/83 (28659)</u>			
Published in <u>Yellow Eye News</u>				
Dates <u>8/17 8/24</u>				

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JOE RIVER
Priority Date: Jan. 1, 1913
Diversion Point: NESW Sec. 05 T
45N R 03E
Use: IRRIGATION (0.22 CFS);
STOCKWATER (0.04 CFS); COM-
MERCIAL (0.04 CFS).
In: NESW Sec. 05 T 45N R 03E FOR 2
ACRES.

91-4135

Name: GREEN, DONALD C.
Address: P.O. BOX 524, CALDER,
ID 83808
Source: SPRING trib. to SAINT
JOE RIVER
Priority Date: June 1, 1940
Diversion Point: SWSW Sec. 05 T
45N R 03E
Use: STOCKWATER (0.02 CFS)
In: SWSW Sec. 05 T 45N R 03E

94-4258

Name: BURLINGTON NOR-
THERN RAILROAD CO.
Address: 350 CENTRAL BLDG.,
SEATTLE, WA 98104
Source: SPRING trib. to PLACER
CREEK
Priority Date: Jan. 28, 1904
Diversion Point: SWSE Sec 27 T 48N
R 04E
Use: INDUSTRIAL (6.00 CFS);
MINING (6.00 CFS); DOMESTIC
(6.00 CFS).
In: SWSE Sec 27 T 48N R 04E

94-4259

Name: BURLINGTON NOR-
THERN RAILROAD CO.
Address: 350 CENTRAL BLDG.,
SEATTLE, WA 98104
Source: DEADMAN CULVERT trib.

to COEUR D'ALENE RIVER, South
Fk.

Priority Date: Nov. 7, 1891
Diversion Point: NWSW Sec. 25 T
48N R 05E
Use: INDUSTRIAL (0.20 CFS);
MINING (0.20 CFS)
In: NWSW Sec. 25 T 48N R 05E

94-4260

Name: BURLINGTON NOR-
THERN RAILROAD CO.
Address: 350 CENTRAL BLDG.,
SEATTLE, WA 98104
Source: SPRING trib. to GROUSE
CREEK
Priority Date: May 3, 1896
Diversion Point: NWNE Sec. 03 T
48N R 02E
Use: INDUSTRIAL (0.0500 CFS)
In: LOT 02 (NWNE) Sec. 03 T 48N R
02E

94-4261

Name: BURLINGTON NOR-
THERN RAILROAD CO.
Address: 350 CENTRAL BLDG.,
SEATTLE, WA 98104
Source: HARRIS GULCH trib. to
COEUR D'ALENE RIVER
Priority Date: April 18, 1896
Diversion Point: SWSW Sec 31 T 48N
R 06E
Use: INDUSTRIAL (1.80 CFS);
MINING (1.80 CFS)
In: SWSW Sec 31 T 48N R 06E

s/Gary A. Corbeill, being first duly sworn deposes and says:

THE KELLOGG EVENING NEWS, a daily newspaper of general
circulation in said county, published in the City of Kellogg, in the
County of Shoshone and the State of Idaho, and which has been
published continuously in said county for a period of 78 weeks
immediately prior to the publication of the notice hereinafter
described, and that the _____

of which the annexed is a true copy, was published in each regular
weekly/daily issue of said newspaper, and not in a supplement
thereto, for a period of _____ consecutive weeks/days, the
first publication thereof being in its issue dated _____
and the last publication thereof being in the issue dated _____

Subscribed and sworn to before me this _____ day of _____

August, 1983

Notary Public

94-4262

Name: CENTRAL SHOSHONE
COUNTY WATER DIST.
Address: 409 MAIN ST., KELLOGG,
ID 83837
Source: ELK CREEK, WEST FORK
trib. to ELK CREEK
Priority Date: Nov. 21, 1934
Diversion Point: SWSE SESE Sec 08
T 48N R 03E
Use: DOMESTIC (2.00 CFS).
In: NESE NWSE SWSE SESE Sec.
08 T 48N R 03E

94-4263

Name: CENTRAL SHOSHONE
COUNTY WATER DIST.
Address: 409 MAIN ST., KELLOGG,
ID 83837
Source: MILO CREEK trib. to
COEUR D'ALENE RIVER, SOUTH
FK.
Priority Date: May 5, 1985
Diversion Point: SWNE Sec. 13 T
48N R 03E
Use: DOMESTIC (3.00 CFS)
In: SESE NESE Sec. 12 T 48N R 02E
NENW NWNW SWNW SENW
NWSW Sec. 07 T 48N R 03E

94-4265

Name: GARCIA, WILLIAM LOUIS
Address: P.O. BOX 672, MULLAN,
ID 83837
Source: GROUNDWATER
Priority Date: June 1, 1952
Diversion Point: NENE Sec. 38 T
48N R 03E
Use: DOMESTIC (0.04 CFS).
In: NENE Sec 38 T 48N R 03E
94-4266
Name: SMITH, GEORGE L.
Address: GEM STAR RT.,
WALLACE ID 83873
Source: SPRING trib. to CANYON
CREEK
Priority Date: Jan. 1, 1900

Diversion Pt: SENW Sec. 18 T 48N R
05E
Use: IRRIGATION 0.20 CFS);
DOMESTIC (0.04 CFS)
In: SENW Sec 18 T 48N R 05E FOR 1
ACRES

94-4267

Name: SUNSHINE MINING CO.
Address: P.O. BOX 1080,
KELLOGG, ID 83837
Source: BIG CREEK trib. to
COEUR D'ALENE RIVER, SOUTH
FK.
Priority Date: Jan. 1, 1969.
Diversion Pt: SWSW SESW Sec. 10 T
48N R 03E
Use: INDUSTRIAL (0.50 CFS);
MINING (0.50 CFS)
In: NESW NWSW SWSW SESW Sec.
10 T 48N R 03E

94-4268

Name: CANTAMESSA, JON F.
&/or IRIS M.
Address: NINE MILE RD
WALLACE, ID 83873
Source: SPRING trib. to
NINEMILE CREEK
Priority Date: July 1, 1930
Diversion Pt.: SWSE Sec 23 T 48N R
04E
Use: IRRIGATION (0.20 CFS);
STOCKWATER (0.02 CFS);
DOMESTIC (0.06 CFS)
In: SWSE SESW Sec. 23 T 48N R 04E
FOR 4 ACRES

Exceptions to a claim may be filed
with the Director: Dept. of Water
Resources, 4055 Gov't. Way, Coeur
d'Alene, Id. 83814.

KEN DUNN, Director

8/17/24/'83

YoldLg

Cantamessa
Water Star Pt
Wallace, Idaho
83873

CERTIFIED
P 250 874 450
MAIL

CLAIM CHECK
NO.

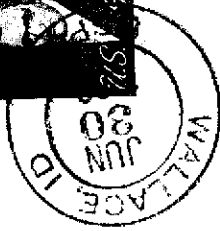
823840

☐ HOLD

DATE

1ST NOTICE
2ND NOTICE
RETURN

Rechecked from
PS Form 3840-A
Oct. 1960



Department of Water Resources
Northern District
255 Government Way
near rd' Alamo, Idaho 83814



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 5, 1994

Mr. Robert Schutt
P.O. Box 2040
Roseburg, Or. 97470

Re: WR# 96-04269

Dear Mr. Schutt:

Thank you for your letter of 5-20-94 informing us of the change in ownership of the property at T56N, R5W, Sec. 30.

In order to change our data base, we will need proof of ownership. This would be a copy of your warranty deed. Upon receipt of such proof, we will be able to comply with your request.

Sincerely,


Carolyn Andregg
Secretary

RECEIVED

JUN 30 1994

Department of Water Resources

5-20-94

I Am The Current owner of 'property
Formerly owned by Gladys Schutt in
T56N R05W ^{sd}30 Government Lot #6
WR # 96-4268.

Robert Schutt
RR 2 B 273
OLD TOWN I.D. 83822
(208) 437-3808
mail ad. PO Box 2040
Roseburg OR. 97470

Robert A Schutt

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 94-4268 Applicant Cantamero

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:

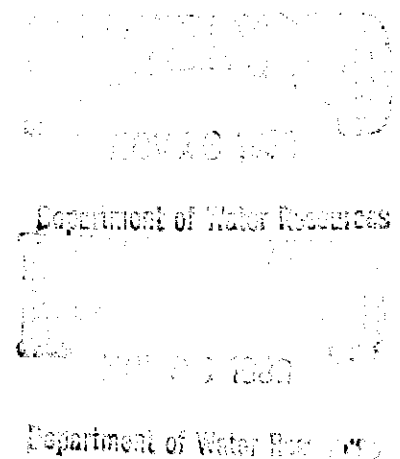
- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By [Signature] Date 11/14/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By AC Date 11-16-83



94-4268

CANTAMESSA, JON F. &/or IRIS M.

NINE MILE RD., WALLACE, ID 83873

Source: SPRING trib. to NINEMILE CREEK

Priority Date: 07/01/1930

Diversion Pt: SWSE Sec 23 T 48N R 04E

Use: IRRIGATION	(0.20 CFS)
STOCKWATER	(0.02 CFS)
DOMESTIC	(0.06 CFS)

In: SWSE SESN Sec 23 T 48N R 04E FOR 4 ACRES

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

SEPTEMBER 5, 1983

JON F. CANTAMESSA
IRIS M. CANTAMESSA
NINE MILE RD.
WALLACE

ID 83873

RE: Claim No. 94-4268

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 filings 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

MICROFILMED