

PROOF OF PUBLICATION SEP 2 1983

County of Shoshone,)

Department of Water Resources

NOTICE OF CLAIMS
TO WATER RIGHTS

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

94-4237

Name: TESTER, BENJAMIN
WAYNE
Address: PRICHARD ROUTE,
WALLACE, ID 83873
Source: EAGLE CREEK, WEST
FORK trib. to EAGLE CREEK
Priority Date: June 1, 1963
Diversion Point: NESW Sec. 24 T
50N R 04E

Use: IRRIGATION (2.20 CFS).
In: NESW SWSW SESW NWSE
SWSE Sec. 24 T 50N R 04E NWNE
NWNW Sec. 25 T 50 N R 04E FOR 120
ACRES.

94-4241

Name: HIGGINS, LEWIS R.
Address: P.O. BOX 832, OSBURN,
ID 83849
Source: TWOMILE CREEK trib. to
COEUR D'ALENE RIVER, SOUTH
FK.

Priority Date: June 6, 1948
Diversion Point: SWNW Sec. 08 T
48N R 04E
Use: IRRIGATION (4.00 CFS)
In: SWNW Sec. 08 T 48N R 04E FOR
3 ACRES

94-4242

Name: HIGGINS, LEWIS R.
Address: P.O. BOX 832, OSBURN,
ID 83849

Source: UNNAMED STREAM trib.
to TWOMILE CREEK
Priority Date: June 6, 1948
Diversion Point: SWNW Sec 08 T
48N R 04E
Use: DOMESTIC (6.00 CFS).
In: SWNW Sec. 08 T 48N R 04E

94-4243

Name: HIGGINS, LEWIS R.
Address: P.O. BOX 832, OSBURN,
ID 83849
Source: UNNAMED SPRING trib.
to COEUR D'ALENE RIVER,
SOUTH FK.

Priority Date: Jan. 1, 1901
Diversion Point: SESE Sec 12 T 48N
R 03E
Use: DOMESTIC (4.00 CFS)
In: SESE Sec 12 T 48N R 03E.

94-4244

Name: BUNKER LIMITED PART-
NERSHIP
Address: P.O. BOX 29, KELLOGG,
ID 83837

Source: GOVERNMENT CREEK
trib. to COEUR D'ALENE RIVER,
SOUTH FK.
Priority Date: Jan. 1, 1899
Diversion Point: SESE Sec. 10 T 48N
R 02E

Use: INDUSTRIAL (3.00 CFS)
In: SESE Sec. 10 T 48N R 02E NENE
SESW Sec. 02 T 48N R 02E SP
SENE Sec. 01 T 48N R 02E SWNW
Sec. 06 T 48N R 03E

94-4245

Name: BUNKER LIMITED PART-
NERSHIP
Address: P.O. BOX 29, KELLOGG,
ID 83837

Source: GROUNDWATER
Priority Date: Jan. 1, 1944
Diversion Point: NESW SESW
NESE NWSE SWSE Sec. 34 T 49N R
02E
Use: INDUSTRIAL (6.68 CFS).
In: SESW NENE Sec. 02 T 48N R 02E

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

WATER RIGHTS

94, 4237 to 94, 4256

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 8-3-83

and the last publication thereof being in the issue dated 8-10-83

Subscribed and sworn to before me this 15th day of August, 1983

94-4246

Name: ROYAL APEX SILVER
Address: 416 RIVER ST.,
WALLACE, ID 83873
Source: TWO MILE CREEK trib. to
COEUR D'ALENE RIVER, SOUTH
FK.

Priority Date: Oct. 1, 1911
Diversion Point: NESW Sec. 06 T
48N R 04E
Use: MINING (1.00 CFS).
In: SWNE Sec. 05 T 48 N R 04E

94-4247

Name: HIGHLAND AURORA MIN-
ING CO.
Address: 615 CENTRAL AVE.
WEST, GREAT FALLS, MT 59404

Source: UNNAMED STREAM trib.
to BEAVER CREEK
Priority Date: April 3, 1920
Diversion Point: NESE Sec. 22 T
49N R 04E
Use: IRRIGATION (0.20 CFS);
STOCKWATER (0.02 CFS);
DOMESTIC (0.10 CFS)
In: SWSE Sec. 22 T 49N R 04E NWSE
Sec. 22 T 48 N R 04E FOR 20 ACRES

94-4248

Name: COEUR D'ALENE MINES
CORP.
Address: 416 RIVER ST.,
WALLACE, ID 83873
Source: MC FARREN GULCH,
WEST FORK trib. to MC FARREN
GULCH

Priority Date: July 5, 1887
Diversion Point: SWNW Sec. 24 T
48N R 03E
Use: MINING (3.50 CFS).
In: NWNE Sec 24 T 48 N R 03E

94-4249

Name: ROYAL APEX SILVER
Address: 416 RIVER ST.,
WALLACE, ID 83873

Source: TWO MILE CREEK, EAST
FORK trib. to TWO MILE CREEK
Priority Date: Oct. 1, 1911
Diversion Pt: NWSW Sec. 04 T 48N R
04E
Use: MINING (1.00 CFS)
In: NESE Sec. 05 T 48N R 04E

Notary Public

94-4250

Name: HIGHLANDS AURORA
MINING CO.
Address: SUITE 1-615 CENTRAL
AVE. WEST, GREAT FALLS, MT
59404

Source: DEER CREEK trib. to
BEAVER CREEK
Priority Date: July 12, 1900
Diversion Pt: SWSW Sec 21 T 49N R
04E

Use: MINING (10.20 CFS)
In: SWSW Sec 21 T 49N R 04E

94-4251

Name: HIGHLANDS AURORA
MINING CO.
Address: SUITE 1-615 CENTRAL
AVE., WEST, GREAT FALLS, MT
59404

Source: BEAVER CREEK trib. to
COEUR D'ALENE RIVER
Priority Date: Jan. 1, 1920
Division Pt.: SESW Sec 22 T 49N R
04E

Use: IRRIGATION (0.30 CFS);
MINING (1.00 CFS)
In: SWSE Sec. 22 T 49N R 04E SESW
Sec. 22 T 49N R 04E FOR 20 ACRES

94-4252

Name: COEUR D'ALENE MINES
CORP.
Address: 416 RIVER ST.,
WALLACE, ID 83873

Source: MC FARREN GULCH,
WEST FORK trib. to MC FARREN
GULCH
Priority Date: Sept. 1, 1929
Diversion Point: NWNE Sec. 24 T
48N R 03E

Use: MINING (0.50 CFS)
In: NWNE Sec. 24 T 48N R 03E

94-4253

Name: COEUR D'ALENE MINES
CORP.
Address: 416 RIVER St.,
WALLACE, ID 83873
Source: MC FARREN GULCH trib.
to COEUR D'ALENE RIVER,
SOUTH FK

Priority Date: Nov. 1, 1940
Diversion Pt: NENE Sec. 24 T 48N R
03E

Use: INDUSTRIAL (1.50 CFS);
MINING (1.50 CFS)
In: NENE Sec. 24 T 48N R 03E

94-4254

Name: CALLAHAN, EUGENE
Address: P.O. BOX 845, WALLACE,
ID 83873

Source: GROUNDWATER
Priority Date: Jan. 1, 1972
Diversion Pt: SESW Sec. 17 T 48N R
04E

Use: DOMESTIC (0.04 CFS)
In: SESW Sec. 17 T 48N R 04E

94-4256

Name: PIEKARSKI, DONALD J.
&/or KATHLEEN J.
Address: P.O. BOX 303,
KINGSTON, ID 83839

Source: GROUNDWATER
Priority Date: Jan. 1, 1960
Diversion Point: SWSE Sec. 01 T 48N
R 01W

Use: IRRIGATION (0.04 CFS);
STOCKWATER (0.01 CFS).
In: SWSE Sec. 01 T 48N R 01E FOR 2
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

8/3/10/83

YoldLg

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 Eugene Callahan
(Name of Claimant)
Box 845, Wallace, Idaho 83873 Telephone No. 208-783-4921
(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) 1972

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)
Ground Water (Nuckols) tributary to South Fork Coeur d'Alene River

(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>.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>Jan 1</u>	To <u>Dec. 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) .04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ SW ¼, Sec. 17 Twp. 48N Rge. 4E B.M., County of Shoshone
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. Well 160 feet deep pumped about 30 feet to house. Pump capacity is 10 gpm.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
48	4	17												X					

No. of acres

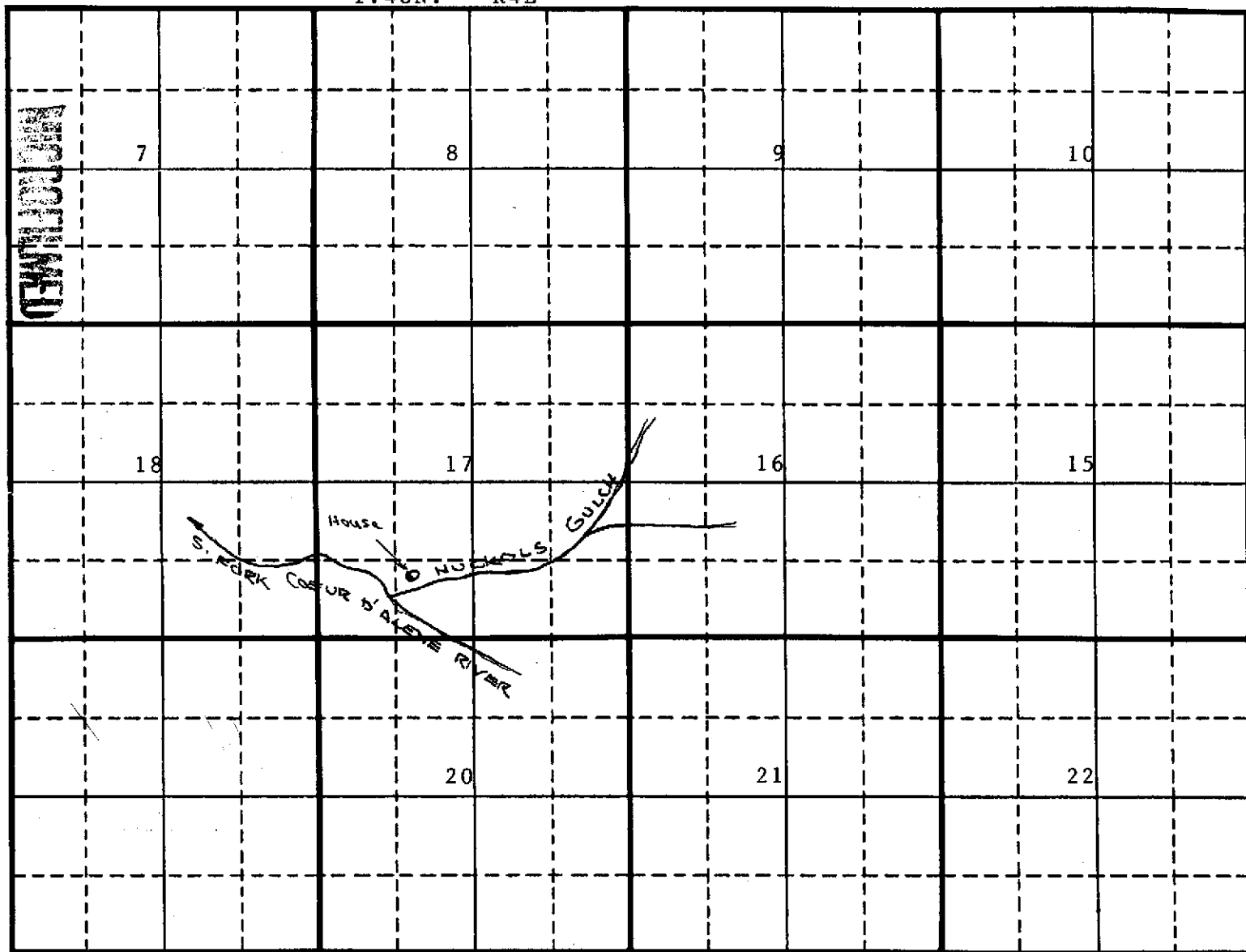
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic use for a single family and watering grass and garden.

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:

(8) Remarks _____

T. 48N. R4E



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 29th day of June, 19 93.

[Signature]
(Claimant)
Jeri Wood
Notary Public
Residing at Kellogg, Idaho

My commission expires 10-10-85

FOR DEPARTMENT USE ONLY

Received by LB Date 6/28/83 Exception filed by: _____ Date _____
Prelim. check by LB Date 6/29/83
\$20.00 fee received by LB Date 6/29/83 (28442)
Published in Idaho
Dates 8/31/83

PROOF OF PUBLICATION SEP 2 1983

County of Shoshone,)

Department of Water Resources

NOTICE OF CLAIMS
TO WATER RIGHTS

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

94-4237

Name: TESTER, BENJAMIN
WAYNE

Address: PRICHARD ROUTE,
WALLACE, ID 83873

Source: EAGLE CREEK, WEST
FORK trib. to EAGLE CREEK

Priority Date: June 1, 1963

Diversion Point: NESW Sec. 24 T
50N R 04E

Use: IRRIGATION (1.20 CFS).

In: NESW SWSW SESSW NWSE
SWSE Sec. 24 T 50N R 04E NWNE

NWNW Sec. 25 T 50 N R 04E FOR 120
ACRES.

94-4241

Name: HIGGINS, LEWIS R.

Address: P.O. BOX 832, OSBURN,
ID 83849

Source: TWOMILE CREEK trib. to
COEUR D'ALENE RIVER, SOUTH
FK.

Priority Date: June 6, 1948

Diversion Point: SWNW Sec. 08 T
48N R 04E

Use: IRRIGATION (4.00 CFS)

In: SWNW Sec. 08 T 48N R 04E FOR
3 ACRES

94-4242

Name: HIGGINS, LEWIS R.

Address: P.O. BOX 832, OSBURN,
ID 83849

Source: UNNAMED STREAM trib.
to TWOMILE CREEK

Priority Date: June 6, 1948

Diversion Point: SWNW Sec 08 T
48N R 04E

Use: DOMESTIC (6.00 CFS).

In: SWNW Sec. 08 T 48N R 04E

94-4243

Name: HIGGINS, LEWIS R.

Address: P.O. BOX 832, OSBURN,
ID 83849

Source: UNNAMED SPRING trib.
to COEUR D'ALENE RIVER,
SOUTH FK.

Priority Date: Jan. 1, 1901

Diversion Point: SESE Sec 12 T 48N
R 03E

Use: DOMESTIC (4.00 CFS)

In: SESE Sec 12 T 48N R 03E.

94-4244

Name: BUNKER LIMITED PART-
NERSHIP

Address: P.O. BOX 29, KELLOGG,
ID 83837

Source: GOVERNMENT CREEK
trib. to COEUR D'ALENE RIVER,
SOUTH FK.

Priority Date: Jan. 1, 1899

Diversion Point: SESE Sec. 10 T 48N
R 02E

Use: INDUSTRIAL (3.00 CFS)

In: SESE Sec. 10 T 48N R 02E NENE
SESW Sec. 02 T 48N R 02E SF

SENE Sec. 01 T 48N R 02E SWNW
Sec. 06 T 48N R 03E

94-4245

Name: BUNKER LIMITED PART-
NERSHIP

Address: P.O. BOX 29, KELLOGG,
ID 83837

Source: GROUNDWATER

Priority Date: Jan. 1, 1944

Diversion Point: NESW SESW
NESE NWSE SWSE Sec. 34 T 48N R
02E

Use: INDUSTRIAL (6.68 CFS).

In: SESW NENE Sec. 02 T 48N R 02E

s/Gary A. Corbeil, 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

WATER RIGHTS

7-1, 1937 to 9-4, 1983

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 2-3-83

and the last publication thereof being in the issue dated 8-30-83

Subscribed and sworn to before me this 1-10 day of

1983

94-4246

Name: ROYAL APEX SILVER

Address: 416 RIVER ST.,
WALLACE, ID 83873

Source: TWO MILE CREEK trib. to
COEUR D'ALENE RIVER, SOUTH
FK.

Priority Date: Oct. 1, 1911

Diversion Point: NESW Sec. 06 T
48N R 04E

Use: MINING (1.00 CFS).

In: SWNE Sec. 06 T 48 N R 04E

94-4247

Name: HIGHLAND AURORA MIN-
ING CO.

Address: 615 CENTRAL AVE.
WEST, GREAT FALLS, MT 59404

Source: UNNAMED STREAM trib.
to BEAVER CREEK

Priority Date: April 3, 1920

Diversion Point: NESE Sec. 22 T
49N R 04E

Use: IRRIGATION (0.20 CFS);
STOCKWATER (0.02 CFS);

DOMESTIC (0.10 CFS)

In: SWSE Sec. 22 T 49N R 04E NWSE
Sec. 22 T 49 N R 04E FOR 20 ACRES

94-4248

Name: COEUR D'ALENE MINES
CORP.

Address: 416 RIVER ST.,
WALLACE, ID 83873

Source: MC FARREN GULCH,
WEST FORK trib. to MC FARREN
GULCH

Priority Date: July 5, 1887

Diversion Point: SWNW Sec. 24 T
48N R 03E

Use: MINING (8.50 CFS).

In: NWNE Sec 24 T 48 N R 03E

94-4249

Name: ROYAL APEX SILVER

Address: 416 RIVER ST.,
WALLACE, ID 83873

Source: TWO MILE CREEK, EAST
FORK trib. to TWO MILE CREEK

Priority Date: Oct. 1, 1911

Diversion Pt: NWSW Sec. 04 T 48N R
04E

Use: MINING (1.00 CFS)

In: NESE Sec. 05 T 48N R 04E

Northern District Office

94-4250

Name: HIGHLANDS AURORA
MINING CO.

Address: SUITE 1-615 CENTRAL
AVE. WEST, GREAT FALLS, MT
59404

Source: DEER CREEK trib. to
BEAVER CREEK

Priority Date: July 12, 1900

Diversion Pt: SWSW Sec 21 T 49N R
04E

Use: MINING (10.20 CFS)

In: SWSW Sec 21 T 49N R 04E

94-4251

Name: HIGHLANDS AURORA
MINING CO.

Address: SUITE 1-615 CENTRAL
AVE., WEST, GREAT FALLS, MT
59404

Source: BEAVER CREEK trib. to
COEUR D'ALENE RIVER

Priority Date: Jan. 1, 1920

Division Pt.: SESW Sec 22 T 49N R
04E

Use: IRRIGATION (0.30 CFS);
MINING (1.00 CFS)

In: SWSE Sec. 22 T 49N R 04E SESW
Sec. 22 T 49N R 04E FOR 20 ACRES

94-4252

Name: COEUR D'ALENE MINES
CORP.

Address: 416 RIVER ST.,
WALLACE, ID 83873

Source: MC FARREN GULCH,
WEST FORK trib. to MC FARREN
GULCH

Priority Date: Sept. 1, 1929

Diversion Point: NWNE Sec. 24 T
48N R 03E

Use: MINING (0.50 CFS)

In: NWNE Sec. 24 T 48N R 03E

94-4253

Name: COEUR D'ALENE MINES
CORP.

Address: 416 RIVER St.,
WALLACE, ID 83873

Source: MC FARREN GULCH trib.
to COEUR D'ALENE RIVER,
SOUTH FK

Priority Date: Nov. 1, 1940

Diversion Pt: NENE Sec. 24 T 48N R
03E

Use: INDUSTRIAL (1.50 CFS);
MINING (1.50 CFS)

In: NENE Sec. 24 T 48N R 03E

94-4254

Name: CALLAHAN, EUGENE

Address: P.O. BOX 845, WALLACE,
ID 83873

Source: GROUNDWATER

Priority Date: Jan. 1, 1972

Diversion Pt: SESW Sec. 17 T 48N R
04E

Use: DOMESTIC (0.04 CFS)

In: SESW Sec. 17 T 48N R 04E

94-4256

Name: PIEKARSKI, DONALD J.
&/or KATHLEEN J.

Address: P.O. BOX 303,
KINGSTON, ID 83839

Source: GROUNDWATER

Priority Date: Jan. 1, 1960

Diversion Point: SWSE Sec. 01 T 48N
R 01W

Use: IRRIGATION (0.04 CFS);
STOCKWATER (0.01 CFS).

In: SWSE Sec. 01 T 48N R 01E FOR 2
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

8/3/10/83

YoldLg

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 94-4254 Applicant Callahan

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 TK Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jim Date 11-1-83

RECEIVED

RECEIVED
OCT 05 1983

Department of Water Resources

94-4254

CALLAHAN, EUGENE

P.O. BOX 845, WALLACE, ID 83873

Source: GROUNDWATER

Priority Date: 01/01/1972

Diversion Pt: SEEN Sec 17 T 48N R 04E

Use: DOMESTIC (0.04 CFS)

In: SEEN Sec 17 T 48N R 04E

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 23, 1983

MICROFILMED

EUGENE CALLAHAN
P.O. BOX 845
WALLACE

ID 83873

RE: Claim No. 94-4254

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