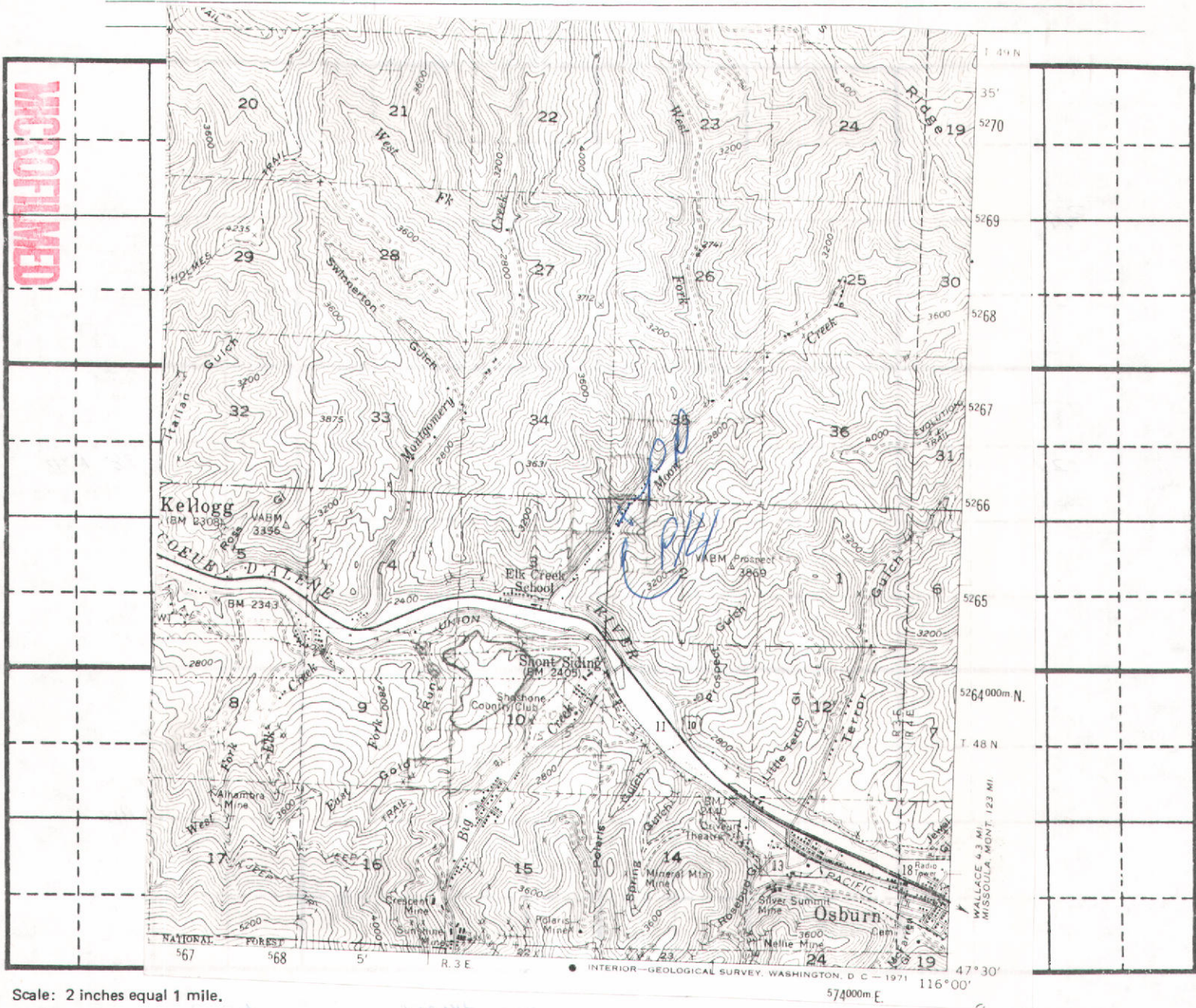


(8) Remarks _____



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 Fortenai) 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.

Virgil Stallsworth
(Claimant)

Sworn to before me this 29th day of June, 1983.

John H. App
Notary Public
Residing at Fortenai

My commission expires Sept

FOR DEPARTMENT USE ONLY

Received by <u>TK</u>	Date <u>6/29/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ZB</u>	Date <u>7/7/83</u>		claimant by:	
\$30.00 fee received by <u>TK</u>	Date <u>6/29/83 (28453)</u>			
Published in <u>Kellogg Even News</u>				
Dates <u>7/27, 8/3/83</u>				

PROOF OF PUBLICATION

RECEIVED

SEP 2 1983

County of Shoshone,)
STATE OF IDAHO)

Department of Water Resources

Northern District Office

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 _____

NOTICE OF CLAIMS TO WATER RIGHTS

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

92-4124

Name: MULLINS, TED &/or EMILLE
Address: RT. 2, BOX 70, ASOTIN, WA 99402
Source: MAZIE CREEK trib. to SAINT MARIES RIVER, WEST FORK

Priority Date: Jan. 1, 1897
Diversion Point: NWNE Sec. 24 T 42N R 01E

Use: STOCKWATER (0.02 CFS).
In: NWNE Sec. 24 T 42N R 01E

94-4225

Name: RICE, ROBERT A. &/or PHYLLIS H.
Address: P.O. BOX 506, SILVERTON, ID 83867

Source: GROUNDWATER
Priority Date: Jan. 1, 1935
Diversion Point: NESE Sec. 29 T 48N R 02E

Use: IRRIGATION (0.10 CFS); DOMESTIC (0.08 CFS).
In: SWNE SENE NESE Sec. 29 T 48N R 02E FOR 7 ACRES.

94-4226

Name: SISSON, RAMONA
Address: STAR ROUTE, MULLAN, ID 83846

Source: UNNAMED STREAM trib. to COEUR D'ALENE RIVER, SOUTH FK.; WILLOW CREEK trib. to COEUR D'ALENE RIVER, SOUTH FK.

Priority Date: July 16, 1951
Diversion Point: SENW SWNW Sec. 36 T 49N R 05E

Use: DOMESTIC (0.04 CFS)
In: NENE Sec. 35 T 49N R 05E
NWNW Sec. 36 T 49N R 05E

94-4227

Name: ANDERSON, LAWRENCE G.
Address: P.O. BOX 35, SPANGLE, WA 99031

Source: CLEE CREEK trib. to COEUR D'ALENE RIVER
Priority Date: August 1, 1966
Diversion Point: NENE Sec. 10 T 50N R 04E

Use: DOMESTIC (0.04 CFS).
In: NENE Sec. 10 T 50N R 04E

94-4228

Name: NABOB SILVER LEAD CO
Address: P.O. BOX 899, KELLOGG, ID 83837

Source: TRAPPER CREEK, trib. to PINE CREEK, EAST FORK
Priority Date: June 1, 1946
Diversion Point: SWSW Sec. 28 T 43N R 02E

Use: INDUSTRIAL (0.30 CFS); MINING (0.30 CFS).
In: NESW Sec. 28 T 48N R 02E

94-4229

Name: HECLA MINING CO.
Address: P.O. BOX 320, WALLACE, ID 83873

Source: UNNAMED STREAM trib. to CANYON CREEK
Priority Date: Jan. 1, 1922
Diversion Point: NWSW Sec. 04 T 48N R 05E

Use: INDUSTRIAL (0.20 CFS); MINING (1.00 CFS).
In: NESW Sec. 08 T 48N R 05E

CITY OF IDAHO
STATE OF IDAHO
DEPT OF WATER RESOURCES

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 7-27-83 and the last publication thereof being in the issue dated 8-3-83

Subscribed and sworn to before me this 27 day of August, 1983

August, 1983

Wendell R. Brainerd

Notary Public

94-4233

Name: STALLSWORTH, VIRGIL
Address: SUNSHINE STAR RT., KELLOGG, ID 83837
Source: MOON CREEK trib. to COEUR D'ALENE RIVER
Priority Date: Jan. 1, 1955
Diversion Point: NWNW Sec. 02 T 48N R 03E
Use: IRRIGATION (0.02 CFS)
In: NWNW Sec. 02 T 48N R 03E FOR 1 ACRE

94-4234

Name: MADSEN, MARJORIE R. &/or ROY D.
Address: RT. 1 BOX 5A, CATALDO, ID 83810
Source: SPRING trib. to COEUR D'ALENE RIVER
Priority Date: May 1, 1969
Diversion Point: SESW Sec. 27 T 49N R 01E
Use: IRRIGATION (0.40 CFS); STOCKWATER (0.02 CFS)
In: SESW Sec. 27 T 49N R 01E FOR 20 ACRES

94-4235

Name: GOLD CREEK MINES
Address: P.O. BOX 463, MULLAN, ID 83846
Source: GOLD CREEK trib. to COEUR D'ALENE, RIVER, SOUTH FK.
Priority Date: Jan. 1, 1954
Diversion Point: NENE Sec. 04 T 47N R 05E
Use: MINING (2.00 CFS); DOMESTIC (0.04 CFS); RECREATION (2.00 CFS); RECREATION STORAGE (16.0 AF)
In: SWSE Sec. 33 T 48N R 05E

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

7/27 - 8/3/83

YR-L

94-4230

Name: NINE MILE CEMETERY

ASSN. INC.
Address: P.O. BOX 469, WALLACE, ID 83873
Source: SPRING trib. to SINKS.
Priority Date: Jan. 1, 1930
Diversion Point: NWSW Sec. 23 T 48N R 04E
Use: IRRIGATION (0.50 CFS); IRRIGATION STORAGE (0.01 CFS).
In: NESW NWSW SWSW SESW NWSE Sec. 23 T 48N R 04E NENW NWNW Sec. 26 T 48N R 04E FOR 105 ACRES

94-4231

Name: COMER, DENNIS
Address: SUNSHINE STAR RT., KELLOGG ID 83837
Source: MONTGOMERY CREEK trib. to COEUR D ALENE RIVER, SOUTH FORK
Priority Date: Jan. 1, 1938
Diversion Point: NWNW Sec 34 T 49N R 03E
Use: IRRIGATION (0.09 CFS).
In: NWNW Sec 34 T 49N R 03E FOR 3 ACRES

94-4232

Name: BABIN, LLOYD
Address: MURRAY STAR RT., WALLACE, ID 83873
Source: CARPENTER CREEK trib. to BEAVER CREEK
Priority Date: Jan. 1, 1930
Diversion Point: SWSW Sec. 32 T 50N R 04E
Use: IRRIGATION (0.09 CFS); DOMESTIC (0.02 CFS)
In: NESW NWSW Sec. 32 T 50N R 04E FOR 3 ACRES

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 Virgil Stallworth
(Name of Claimant)
Sunshine Sta Rt. Kelly Id. Telephone No. _____
(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) 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)
Moon Creek tributary to S 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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.02</u>	Use <u>Irrigation</u>	Period of Use From <u>9-15</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) 0.02 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NW 1/4, Sec. 2 Twp. 48N Rge. 3E 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. pump & pipeline

(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.

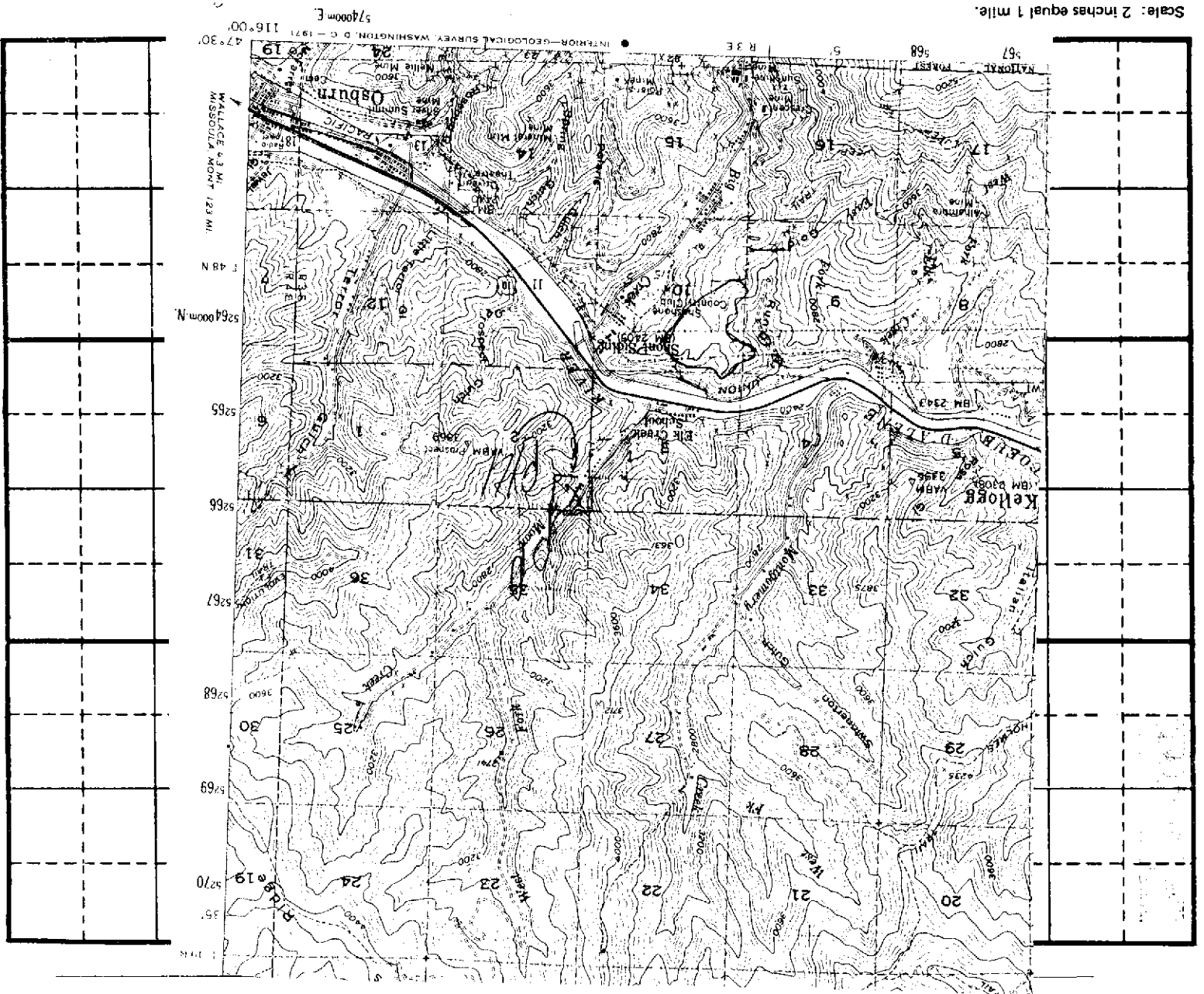
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>48N</u>	<u>3E</u>	<u>2</u>						<u>1/2</u>											<u>1 1/2</u>

No. of acres 1/2

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: _____



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) 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, 1983.

Notary Public
Residing at

My commission expires

FOR DEPARTMENT USE ONLY

Received by
Prelim. check by
Published in
Dates

Date
Date
Date
Exception filed by:

Forwarded to
claimant by:

Date

PROOF OF PUBLICATION

RECEIVED

County of Shoshone,)
STATE OF IDAHO)

Department of Water Resources

Northern District Office

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 _____

NOTICE OF CLAIMS TO WATER RIGHTS

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

92-4124

Name: MULLINS, TED &/or EMILLE
Address: RT. 2, BOX 70, ASOTIN, WA 99402
Source: MAZIE CREEK trib. to SAINT MARIES RIVER, WEST FORK

Priority Date: Jan. 1, 1887
Diversion Point: NWNE Sec. 24 T 42N R 01E
Use: STOCKWATER (0.02 CFS).
In: NWNE Sec. 24 T 42N R 01E

94-4223

Name: RICE, ROBERT A. &/or PHYLLIS H.
Address: P.O. BOX 506, SILVERTON, ID 83867
Source: GROUNDWATER

Priority Date: Jan. 1, 1935
Diversion Point: NESE Sec. 29 T 48N R 02E
Use: IRRIGATION (0.10 CFS); DOMESTIC (0.08 CFS).
In: SWNE SENE NESE Sec. 29 T 48N R 02E FOR 7 ACRES.

94-4226

Name: SISSON, RAMONA
Address: STAR ROUTE, MULLAN, ID 83846
Source: UNNAMED STREAM trib. to COEUR D'ALENE RIVER, SOUTH FK.; WILLOW CREEK trib. to COEUR D'ALENE RIVER, SOUTH FK.

Priority Date: July 16, 1951
Diversion Point: SENW SWNW Sec. 36 T 49N R 05E
Use: DOMESTIC (0.04 CFS)
In: NENE Sec. 35 T 49N R 05E
NWNW Sec. 36 T 49N R 05E

94-4237

Name: ANDERSON, LAWRENCE G.
Address: P.O. BOX 35, SPANGLE, WA 99031
Source: CLEE CREEK trib. to COEUR D'ALENE RIVER
Priority Date: August 1, 1966
Diversion Point: NENE Sec. 10 T 50N R 04E
Use: DOMESTIC (0.04 CFS).
In: NENE Sec. 10 T 50N R 04E

94-4228

Name: NABOB SILVER LEAD CO
Address: P.O. BOX 899, KELLOGG, ID 83837
Source: TRAPPER CREEK, trib. to PINE CREEK, EAST FORK
Priority Date: June 1, 1946
Diversion Point: SWSW Sec. 28 T 48N R 02E
Use: INDUSTRIAL (0.30 CFS); MINING (0.30 CFS).
In: NESW Sec. 28 T 48N R 02E

94-4229

Name: HECLA MINING CO.
Address: P.O. BOX 320, WALLACE, ID 83873
Source: UNNAMED STREAM trib. to CANYON CREEK
Priority Date: Jan. 1, 1923
Diversion Point: NWSW Sec. 04 T 48N R 05E
Use: INDUSTRIAL (0.20 CFS); MINING (1.00 CFS).
In: NESW Sec. 06 T 48N R 05E

[Handwritten signature]
Director of Water Resources

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 _____, 1978.

Notary Public

94-4233

Name: STALLSWORTH, VIRGIL
Address: SUNSHINE STAR RT., KELLOGG, ID 83837
Source: MOON CREEK trib. to COEUR D'ALENE RIVER
Priority Date: Jan. 1, 1955
Diversion Point: NWNW Sec. 02 T 48N R 03E
Use: IRRIGATION (0.02 CFS)
In: NWNW Sec. 02 T 48N R 03E FOR 1 ACRE

94-4234

Name: MADSEN, MARJORIE R. &/or ROY D.
Address: RT. 1 BOX 5A, CATALDO, ID 83810
Source: SPRING trib. to COEUR D'ALENE RIVER
Priority Date: May 1, 1969
Diversion Point: SESW Sec. 27 T 49N R 01E
Use: IRRIGATION (0.40 CFS); STOCKWATER (0.02 CFS)
In: SESW Sec. 27 T 49N R 01E FOR 20 ACRES

94-4235

Name: GOLD CREEK MINES
Address: P.O. BOX 463, MULLAN, ID 83846
Source: GOLD CREEK trib. to COEUR D'ALENE RIVER, SOUTH FK.
Priority Date: Jan. 1, 1954
Diversion Point: NENE Sec. 04 T 47N R 05E
Use: MINING (2.00 CFS); DOMESTIC (0.04 CFS); RECREATION (2.00 CFS); RECREATION STORAGE (16.0 AF)
In: SWSE Sec. 33 T 48N R 05E

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

KENDUNN, Director

7/27 - 8/3/83

YR-L

94-4230
Name: NINE MILE CEMETERY

ASSN. INC.
Address: P.O. BOX 469, WALLACE, ID 83873
Source: SPRING trib. to SINKS.
Priority Date: Jan. 1, 1930
Diversion Point: NWSW Sec. 23 T 48N R 04E
Use: IRRIGATION (0.30 CFS); IRRIGATION STORAGE (0.01 CFS).
In: NESW NWSW SWSW SESW NWSE Sec. 23 T 48N R 04E NENW NWNW Sec. 26 T 48N R 04E FOR 105 ACRES

94-4231

Name: COMER, DENNIS
Address: SUNSHINE STAR RT., KELLOGG ID 83837
Source: MONTGOMERY CREEK trib. to COEUR D ALENE RIVER, SOUTH FORK
Priority Date: Jan. 1, 1936
Diversion Point: NWNW Sec 34 T 49N R 03E
Use: IRRIGATION (0.09 CFS).
In: NWNW Sec 34 T 49N R 03E FOR 3 ACRES

94-4232

Name: BABIN, LLOYD
Address: MURRAY STAR RT., WALLACE, ID 83873
Source: CARPENTER CREEK trib. to BEAVER CREEK
Priority Date: Jan. 1, 1930
Diversion Point: SWSW Sec. 32 T 50N R 04E
Use: IRRIGATION (0.09 CFS); DOMESTIC (0.02 CFS)
In: NESW NWSW Sec. 32 T 50N R 04E FOR 3 ACRES

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number 94-4233 Applicant Stallworth

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 KK Date 9/12/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By De Date 11-8-83

RECEIVED
11-8-83
DEPT. OF WATER RESOURCES

94-4233

STALLSWORTH, VIRGIL

SUNSHINE STAR RT., KELLOGG, ID 83837

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

Priority Date: 01/01/1955

Diversion Pt: NWNW Sec 02 T 48N R 03E

Use: IRRIGATION (0.02 CFS)

In: NWNW Sec 02 T 48N R 03E FOR 1 ACRES

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FBI
JAN 11 1955

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 15, 1983

RECORDED
INDEXED

VIRGIL STALLSWORTH
SUNSHINE STAR RT.
KELLOGG ID 83837

RE: Claim No. 94-4233

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