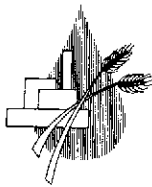


No Color
Documents
In File

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 Leoda Watts Newell ^{1/3} for Lawrence N. Newell
(Name of Claimant)
Box -13 Osborn, Id. 83849 (Mailing Address) Telephone No. 753-1713
(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) June 1, 1950

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)
(1) Spring and an Unnamed Stream tributary to Terror 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:

(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.08 cfs</u>	Use	<u>Domestic</u>	Period of Use From	<u>1/1</u> To <u>12/31</u>
Quantity	<u>.20 cfs</u>	Use	<u>Mining</u>	Period of Use From	<u>1/1</u> To <u>12/31</u>
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) .28 (cfs, af) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 12 Twp. 48N Rge. 3E B.M., County of Shoshone
Additional points of diversion: Both the Spring and P.D. for the Unnamed Stream are located in the NE 1/4 NE 1/4 Sec 12, 48N-3E.

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.
a pipeline (gravity flow) to 2 households from the spring. mining is accomplished by means of a pump and motor directly from the creek.

(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.

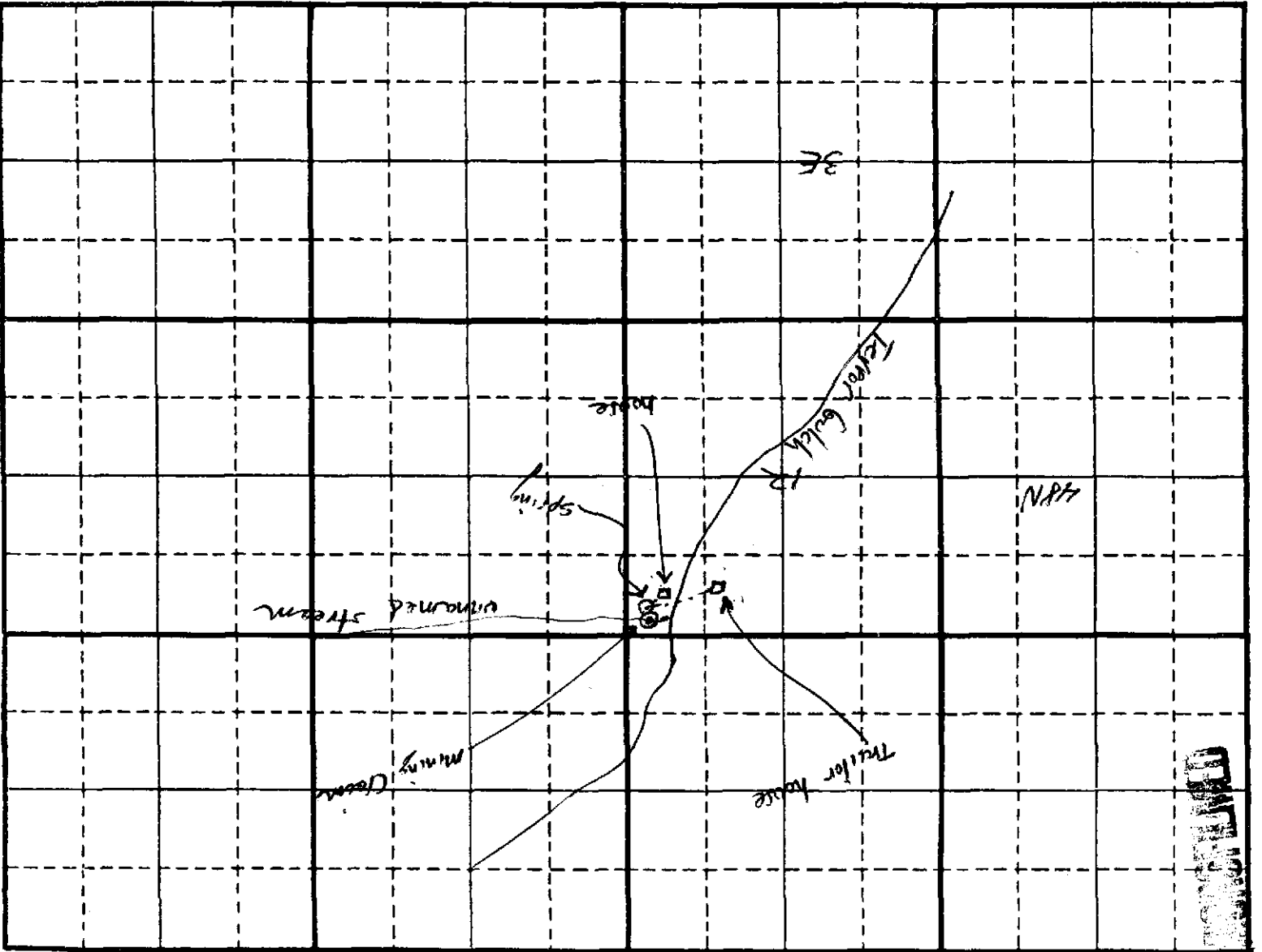
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>48N</u>	<u>3E</u>	<u>12</u>	<u>X</u>	<u>X</u>															

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: The water from the unnamed stream is used for mining purposes and the water from the spring is used for domestic purposes of 2 households.

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.

Scale: 2 inches equal 1 mile.

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 01st day of

Notary Public
Residing at

My commission expires

FOR DEPARTMENT USE ONLY

Received by Date 6/21/83 Exception filed by: Forwarded to Date
Prelim. check by Date 6/21/83 # 27780 claimant by:
Published in Hebbon Evening Journal 6/28/83 - 7/6/83 Dates

PROOF OF PUBLICATION

County of Shoshone,

STATE OF IDAHO NOTICE OF CLAIMS TO WATER RIGHTS

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

94-4199

Name: KINGSTON WATER DISTRICT NO. 1
Address: KINGSTON, ID 83839
Source: GROUNDWATER
Priority Date: Jan. 1, 1958
Diversion Point: NENE Sec. 36 T 49N R 01E
Use: IRRIGATION (2.50 CFS); STOCKWATER (0.60 CFS); DOMESTIC (1.30 CFS).
In: NENE NWNE Sec 01 T 48N R 01E NWNW Sec 05T 48N R 02E NENE NWNE NENW NWNW Sec 06 T 48N R 02E SWNE SENE SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 36 T 49N R 01E SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 31 T 49N R 02E SWSW Sec 32 T 49N R 02E FOR 125 ACRES.

94-4201

Name: SALA, FRANK R.
Address: SUNSHINE STAR RT., KELLOGG, ID 83837
Source: UNNAMED STREAM trib. to COEUR D ALENE RIVER, SOUTH FK.
Priority Date: Sept. 9, 1948
Diversion Point: NESW Sec. 03 T 48N R 03E
Use: IRRIGATION (0.0223 CFS)
In: NESW Sec 03 T 48N R 03E FOR 1 ACRE

94-4202

Name: LEE, HAROLD N. &/or SHIRLEY J.
Address: STAR RT. BOX 303, KINGSTON, ID 83839
Source: GROUNDWATER
Priority Date: Jan. 1, 1961
Diversion Point: SWSE Sec 30 T 50N R 04E NWNE Sec 31 T 50N R 04E
Use: IRRIGATION (0.12 CFS); STOCKWATER (0.02 CFS); DOMESTIC (0.04 CFS).
In: SWSE NWNE Sec 30 T 50N R 04E NWNE Sec 31 T 50N R 04E FOR 6 ACRES.

94-4203

Name: GEORGE JR., EDWIN M.; CARON, JERRY JOE
Address: P.O. BOX 222, WALLACE, ID 83873
Source: SPRING trib. to NINEMILE CREEK
Priority Date: Jan. 1, 1928
Diversion Point: SESE Sec 14 T 48N R 04E
Use: DOMESTIC (0.08 CFS)
In: SESE Sec 14 T 48N R 04E.

94-4204

Name: CORDES, BERNARD
Address: STAR RT., KINGSTON, ID 83839
Source: GROUNDWATER
Priority Date: Jan. 1, 1938
Diversion Point: NWNE Sec 01 T 48N R 01E
Use: COMMERCIAL (0.04 CFS); DOMESTIC (0.08 CFS).
In: NWNE Sec 01 T 48N R 01E

94-4205

Name: U.S. DEPT. OF INTERIOR
Address: BUREAU OF LAND MGMT., 1808 N. 3RD ST., COEUR D ALENE, ID 83814
Source: SPRING trib. to REVENUE GULCH
Priority Date: June 20, 1960
Diversion Point: NESE Sec 21 T 48N R 04E
Use: WILDLIFE (0.01 CFS).
In: NESE Sec 21 T 48N R 04E

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 _____

STATE OF IDAHO
DEPT OF WATER RESOURCES
94-4199-4212

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 6-29-83 and the last publication thereof being in the issue dated 7-6-83

Subscribed and sworn to before me this 28th day of

July, 1983

Wm. R. Brainerd

Notary Public

94-4206

Name: U.S. DEPT. OF INTERIOR
Address: BUREAU OF LAND MGMT., 1808 N. 3RD ST., COEUR D ALENE, ID 83814
Source: POND trib. to REVENUE GULCH; SPRING trib. to REVENUE GULCH
Priority Date: Sept. 20, 1960
Diversion Point: NWNE Sec 22 T 48N R 04E
Use: WILDLIFE (0.01 CFS).
In: NWNE Sec 22 T 48N R 04E

94-4207

Name: HOLMES, M. THOMAS &/or FLORA B.
Address: SUNSHINE STAR RT., ELIZABETH PARK, KELLOGG, ID 83837
Source: ELK CREEK trib. to COEUR D ALENE RIVER, SOUTH FK.
Priority Date: Jan. 1, 1946
Diversion Point: NWNW Sec 09 T 48N R 03E
Use: IRRIGATION (0.04 CFS)
In: NWNW Sec 09 T 48N R 03E FOR 1 ACRE

94-4208

Name: BYINGTON, MARJORIE &/or THAYER L.
Address: SUNSHINE STAR RT., KELLOGG, ID 83837
Source: SPRING trib. to SINKS
Priority Date: May 15, 1939
Diversion Point: NWNW Sec 02 T 48N R 03E
Use: DOMESTIC (0.04 CFS).
In: NWNW Sec 02 T 48N R 03E

94-4209

Name: NEWELL, LEODA WATTS &/or LAWRENCE N.
Address: P.O. BOX 13, OSBURN, ID 83849
Source: SPRING trib. to TERROR CREEK; UNNAMED STREAM trib. to TERROR CREEK
Priority Date: June 1, 1950
Diversion Pt: NENE Sec 12 T 48N R 03E

Use: MINING (0.20 CFS); DOMESTIC (0.08 CFS).
In: NENE NWNE Sec 12 T 48N R 03E

94-4211

Name: HECLA MINING CO.
Address: P.O. BOX 320, WALLACE, ID 83873
Source: NINEMILE CREEK trib. to COEUR D ALENE RIVER, SOUTH FK.
Priority Date: Jan. 1, 1942
Diversion Pt: SWSW Sec 12 T 48N R 04E
Use: INDUSTRIAL (0.86 CFS); DOMESTIC (0.04 CFS)
In: NENE Sec 14 T 48N R 04E

94-4212

Name: HECLA MINING CO.
Address: P.O. BOX 320, WALLACE, ID 83873
Source: SPRING trib. to NINEMILE CREEK
Priority Date: Jan. 1, 1923
Division Pt.: SWSW Sec 12 T 48N R 04E
Use: DOMESTIC (0.08 CFS)
In: NENE Sec 14 T 48N R 04E
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
6/29 - 7/6/83 YoldLg

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 94-4209 Applicant 94-4209

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 8/4/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 8/31/83

RECEIVED

RECEIVED
AUG 23 1983
Department of Water Resources

94-4209

NEWELL, LEODA WATTS &/or LAWRENCE N.

P.O. BOX 13, OSBURN, ID 83849

Source: SPRING trib. to TERROR CREEK
UNNAMED STREAM trib. to TERROR CREEK

Priority Date: 06/01/1950

Diversion Pt: NENE Sec 12 T 48N R 03E

Use: MINING	(0.20 CFS)
DOMESTIC	(0.08 CFS)

In: NENE NWNE Sec 12 T 48N R 03E

RECEIVED

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

JULY 18, 1983

LEODA WATTS NEWELL
LAWRENCE N. NEWELL
P.O. BOX 13
OSBURN

ID 83849

RE: Claim No. 94-4209

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