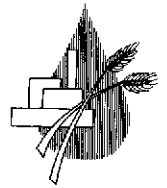


No Color
Documents
In File

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 BENJAMIN A AND/OR MARY ELLEN CASTRO
(Name of Claimant)

P.O. Box 666 Oshurn, Idaho 83849 Telephone No. 208-752-0071
(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) 1954 - JANUARY 1

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 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, ~~gpm~~)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Both dates inclusive)	(Mo., Day)
Quantity <u>0.02 CFS</u>	Use <u>Domestic</u>	Period of Use From <u>JAN 1</u>	To <u>DEC 31</u>	
Quantity <u>0.01 CFS</u>	Use <u>IRRIGATION</u>	Period of Use From <u>MAR 15</u>	To <u>NOV 1</u>	
Quantity _____	Use _____	Period of Use From _____	To _____	
Quantity _____	Use _____	Period of Use From _____	To _____	

→ (4) 0.02 CFS & 0.01 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SE ¼, Sec. 17 Twp. 48N 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. Well 2' casing at 30' depth (approximately)

(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	
48N	4E	17													X 1.5				1.5

No. of acres 1.5

→ B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic
.02 CFS FOR ONE household

NOTE: Include here the type and number of stock watered: NA
(7) If you are claiming water as a member of an organization, list name of organization: NA

None

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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.

County of

SS.

affiant's knowledge.

Sworn to before me this 28th day of

July

(Claimant)

1982

Notary Public
Residing at

Residing at Killing, Idaho 83837

My commission expires

5/1/85

FOR DEPARTMENT USE ONLY

Date _____

Date _____

Prelim. check by

Published in

Dates

PROOF OF PUBLICATION

County of Shoshone,)
)
STATE OF IDAHO)

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use:

94-4085

Name: CASTRO, BENJAMIN A.
&/or MARY ELLEN
Address: P.O. Box 666, OSBURN, ID
83849

Source: GROUNDWATER

Priority Date: Jan. 1, 1954

Amount: 0.03 CFS

Diversion Point: NESE Sec. 17 T
48N R 04E, SHOSHONE Co.

Use: IRRIGATION (0.01 CFS) from
March 15 to Nov. 1; DOMESTIC
(0.02 CFS) from Jan. 1 to Dec. 31.

Place of Use: NESE Sec. 17 T 48N R
04E FOR 2 ACRES

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, Id. 83814.

A. KENNETH DUNN

Director

9/1/8/'82

yLg2

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 _____

Notice of Claims -
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 Sept 1, 1982
and the last publication thereof being in the issue dated

Sept 8, 1982

Subscribed and sworn to before me this 8 day of

Sept, 1982.

Gary A Corbeill
Notary Public

SEP 16 1982

Department of Water Resources
Northern District Office

2/27
9/2/82

1688



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Robert Dunn~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

August 5, 1982

94-4085

Mr. Benjamin A. Castro
P. O. Box 666
Osburn, Id. 83849

Dear Mr. Castro:

We are returning your Check No. 16-4 in the amount of \$30.00 and your Claim to a Water Right for clarification of the place of use, amount of water appropriated and the number of homes served.

Item No. 4 is the total diversion rate of water appropriated in Item No. 3. You have claimed a greater diversion rate in Item No. 3 than the total in Item No. 4.

When you changed the map, you made Item No. 6a incorrect. The map now shows the place of use within the NESE, but Item No. 6a indicates the place of use is within the SENE.

Please list in Item No. 6b the number of homes served by the system.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Check
Claim



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Executive Director~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

July 30, 1982

Mr. Benjamin A. Castro
P. O. Box 666
Osburn, Id. 83849

Dear Mr. Castro:

We are returning your Check No. 16-14 in the amount of \$30.00 and your Claim to a Water Right for clarification of the point of diversion (P.D.) and amounts appropriated.

The unit of measurement, Acre Feet per Annum, is used only for stored water. You must either change the AFA figure in Item No. 3 and 4 or include the description of your storage facilities under Item No. 6b.

You have claimed domestic water use under Item No. 3, but in Item No. 6b you state the water is used exclusively for irrigation. If you are claiming domestic water usage, you must list in Item No. 6b the number of domestic units.

In Item No. 5a, you state the P.D. is located within the NESE Sec. 17, yet the map shows it within the SENE Sec. 17. Please clarify the foregoing items and return the claim and fee to this office.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Check
Claim

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 94-4085 Applicant Caster

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:

- Advertise
0.03cfs*
- ☒ 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 9/27/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 10/5/82

RECEIVED
OCT 6 4 1982

94-4085

CASTRO, BENJAMIN A. &/or MARY ELLEN

P.O. BOX 666, OSBURN, ID 83849

Source: GROUNDWATER

Priority Date: 01/01/1954

Amount: 0.03 CFS

Diversion Point: NESE Sec 17 T 48N R 04E, SHOSHONE Co.

Use: IRRIGATION	(0.01 CFS)	from 03/15 to 11/01
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NESE Sec 17 T 48N R 04E FOR 2 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 20, 1982

BENJAMIN A. CASTRO
MARY ELLEN CASTRO
P.O. BOX 666
OSBURN

ID 83849

RE: Claim No. 94-4085

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