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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 John and/or Irene Hebert
(Name of Claimant)

Box 86 Mullan, Id 83846 Telephone No. 744-1235
(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) 1936

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)

Unnamed Stream 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>0.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity <u>0.10 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity <u>0.02 cfs</u>	Use <u>Stock</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 _____

(4) 0.16 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 35 Twp. 48N Rge. 5E 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. Diversion dam with pipeline to 500gal tank. Irrigation is by a combination of sprinklers and flow irrigation.

(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>5E</u>	<u>35</u>								<u>X5</u>									<u>5</u>
										<u>(6411)</u>									

No. of acres 5

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Single family domestic

NOTE: Include here the type and number of stock watered: 3-4 head cattle

(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.

Handwritten text in the grid:

- Top-right quadrant: R, X
- Bottom-left quadrant: 35, R
- Bottom-right quadrant: R, X
- Top-left quadrant: R, X
- Top-right quadrant: R, X
- Bottom-left quadrant: R, X
- Bottom-right quadrant: R, X

State of Idaho)
County of) ss.)


affiant's knowledge.

2

1987
Notary Public
Residing at
[Signature]



Received by	28	Date	1/1/82
Prelim. check by	5/1	Date	1/1/82
\$30.00 fee received by	28	Date	1/1/82
Published in	28	Date	1/1/82
Dates	28	Date	1/1/82

Date _____

PROOF OF PUBLICATION

County of Shoshone,)

STATE OF IDAHO)

NOTICE OF CLAIM TO WATER RIGHTS

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

Name: ⁹⁴⁻⁴⁰⁸⁴ HERBERT, JOHN &/or IRENE

Address: P.O. Box 86, MULLAN, ID 83846

Source: UNNAMED STREAM tributary to COEUR D'ALENE RIVER, SOUTH FK.

Priority Date: Jan 1, 1936

Amount: 0.16 CFS

Diversion Point: NESW Sec. 35 T 48N R 05E, SHOSHONE Co.

Use: IRRIGATION (0.10 CFS) from March 15 to Nov. 15; STOCKWATER (0.02 CFS) from Jan. 1 to Dec. 31; DOMESTIC (0.04 CFS) from Jan. 1 to Dec. 31.

Place of Use: LOT 11 (SENW) Sec. 35 T 48N R. 05E FOR 5 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

8/11/18/'82

Y516

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 Claim To Water Rights
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 Aug 11, 1982

and the last publication thereof being in the issue dated Aug 18, 1982

Gary A Corbeill
Subscribed and sworn to before me this 23 day of August, 1982

Maureen A. Sprout
Notary Public

2/32
AUG 24 1982
Department of Water Resources
Northern District Office
2000

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 94-1084

Applicant

Hubert

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

Mr

Date

5/30/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

kw

Date

9/2/82

RECEIVED
SEP 02 1982

Department of Water Resources

94-4084

HERBERT, JOHN &/or IRENE

P.O. BOX 86, MULLAN, ID 83846

Source: UNNAMED STREAM tributary to COEUR D ALENE RIVER, SOUTH FK.

Priority Date: 01/01/1936

Amount: 0.16 CFS

Diversion Point: NESW Sec 35 T 48N R 05E, SHOSHONE Co.

Use: IRRIGATION	(0.10 CFS)	from 03/15 to 11/15
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: LOT 11 (SENW) Sec 35 T 48N R 05E FOR 5 ACRES

*Corrected
on computer
8/12/02
pm*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~6. Stephen Alfred~~
Director

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

August 30, 1982

Mr. and Mrs. John Hebert
P. O. Box 86
Mullan, Id. 83846

Re: 94-4084

Dear Mr. and Mrs. Hebert:

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