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RECEIVED  
JUN 29 1983  
Department of Water Resources  
Northern District Office

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 Jim Oliver

(Name of Claimant)

Box 487 Caldwell, Id. 83808

(Mailing Address)

(Zip Code)

Telephone No. 245-4034

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) 1913

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)

Big Creek tributary to St. Joe 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:

| Quantity | (cfs, gpd, AFA) | Use | (Domestic, Irrigation, Stock, Etc.) | Period of Use From | (Mo., Day)   | To | (Mo., Day)    |
|----------|-----------------|-----|-------------------------------------|--------------------|--------------|----|---------------|
| Quantity | <u>.04 cfs</u>  | Use | <u>Greenhouse</u>                   | Period of Use From | <u>Mar 1</u> | To | <u>Dec 1</u>  |
| Quantity | <u>22 cfs</u>   | Use | <u>Irrigation</u>                   | Period of Use From | <u>May 1</u> | To | <u>Nov 1</u>  |
| Quantity | <u>.04 cfs</u>  | Use | <u>Stock water</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 |               |

- (4) .30 cfs 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. 5 Twp. 45N 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 (home lite - 143 gal per min) - 2 in pipe

- (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 |            |
| 45N | 3E | 5    |        |        |        |        |        |        |        |        | X      |        |        |        |        |        |        |        | 1 1/2 Acre |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |            |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |            |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |            |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |            |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |            |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |            |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |            |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |            |

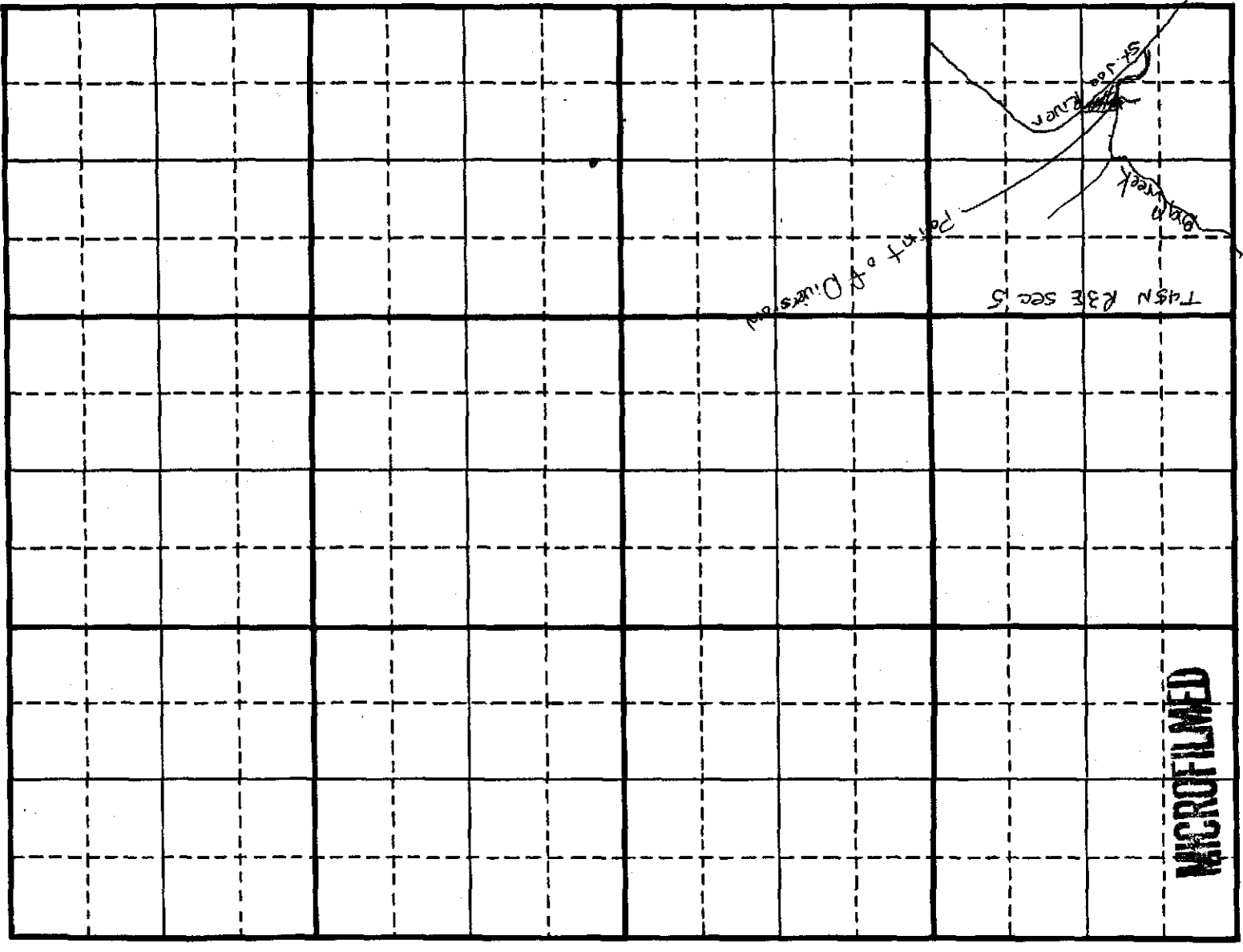
No. of acres 1 1/2

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

NOTE: Include here the type and number of stock watered: 7 Horses - 3 Cows

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks T4S N - R3E - Sec 5 3rd Meridian  
Legal Description of Property is Lot 7, Block 3, Herndon Park



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 Benewah  
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 28th day of June 1983.

Notary Public  
Residing at St. Marie, Id.  
My commission expires 8/17/84

FOR DEPARTMENT USE ONLY

Received by Date 6/29/83  
Prelim. check by Date 7/26/83  
Published in Date 7/26/83 (3/24)  
Dates 8/17/84

RECEIVED

# PROOF OF PUBLICATION

SEP 2 1983

County of Shoshone, )  
STATE OF IDAHO )

Department of Water Resources  
Northern District Office

## NOTICE OF CLAIMS TO WATER RIGHTS

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

91-4133

Name: OLIVER, JIM  
Address: P.O. BOX 487, CALDER,  
ID 83808  
Source: BIG CREEK trib. to SAINT  
JOE RIVER  
Priority Date: Jan. 1, 1913  
Diversion Point: NESW Sec. 05 T  
45N R 03E  
Use: IRRIGATION (0.22 CFS);  
STOCKWATER (0.04 CFS); COM-  
MERCIAL (0.04 CFS).  
In: NESW Sec. 05 T 45N R 03E FOR 2  
ACRES.

91-4135

Name: GREEN, DONALD C.  
Address: P.O. BOX 524, CALDER,  
ID 83808  
Source: SPRING trib. to SAINT  
JOE RIVER.

Priority Date: June 1, 1940  
Diversion Point: SWSW Sec. 05 T  
45N R 03E  
Use: STOCKWATER (0.02 CFS)  
In: SWSW Sec. 05 T 45N R 03E

94-4258

Name: BURLINGTON NOR-  
THERN RAILROAD CO.  
Address: 350 CENTRAL BLDG.,  
SEATTLE, WA 98104  
Source: SPRING trib. to PLACER  
CREEK

Priority Date: Jan. 29, 1904  
Diversion Point: SWSE Sec 27 T 48N  
R 04E  
Use: INDUSTRIAL (6.00 CFS);  
MINING (6.00 CFS); DOMESTIC  
(6.00 CFS).

In: SWSE Sec 27 T 48N R 04E

94-4259

Name: BURLINGTON NOR-  
THERN RAILROAD CO.  
Address: 350 CENTRAL BLDG.,  
SEATTLE, WA 98104  
Source: DEADMAN GULCH trib.

to COEUR D'ALENE RIVER, South  
FK.

Priority Date: Nov. 7, 1891  
Diversion Point: NWSW Sec. 25 T  
48N R 05E  
Use: INDUSTRIAL (0.20 CFS);  
MINING (0.20 CFS)  
In: NWSW Sec. 25 T 48N R 05E

94-4260

Name: BURLINGTON NOR-  
THERN RAILROAD CO.  
Address: 350 CENTRAL BLDG.,  
SEATTLE, WA 98104  
Source: SPRING trib. to GROUSE  
CREEK

Priority Date: May 3, 1898.  
Diversion Point: NWNE Sec. 03 T  
48N R 02E  
Use: INDUSTRIAL (0.0950 CFS)  
In: LOT 02 (NWNE) Sec. 03 T 48N R  
02E

94-4261

Name: BURLINGTON NOR-  
THERN RAILROAD CO.  
Address: 350 CENTRAL BLDG.,  
SEATTLE, WA 98104  
Source: HARRIS GULCH trib. to  
COEUR D'ALENE RIVER  
Priority Date: April 16, 1896  
Diversion Point: SWSW Sec 31 T 48N  
R 06E  
Use: INDUSTRIAL (1.80 CFS);  
MINING (1.80 CFS)  
In: SWSW Sec 31 T 48N R 06E

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

WATER RIGHTS  
STATE OF IDAHO  
91-4133 to 94-4268

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 8-17-83

and the last publication thereof being in the issue dated  
8-24-83

*Gary A. Corbeill*

Subscribed and sworn to before me this 31st day of  
August 1983

*Wendell R. Baird*

Notary Public

94-4262

Name: CENTRAL SHOSHONE  
COUNTY WATER DIST.  
Address: 409 MAIN ST., KELLOGG,  
ID 83837

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

Priority Date: Nov. 21, 1934  
Diversion Point: SWSE SESE Sec 08  
T 48N R 03E  
Use: DOMESTIC (2.00 CFS).  
In: NESE NWSE SWSE SESE Sec.  
08 T 48N R 03E

94-4263

Name: CENTRAL SHOSHONE  
COUNTY WATER DIST.  
Address: 409 MAIN ST., KELLOGG,  
ID 83837

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

Priority Date: May 5, 1885  
Diversion Point: SWNE Sec. 13 T  
48N R 02E  
Use: DOMESTIC (3.00 CFS)  
In: SENE NESE Sec. 12 T 48N R 02E  
NENW NWNW SWNW SENW  
NWSW Sec. 07 T 48N R 03E

94-4265

Name: GARCIA, WILLIAM LOUIS  
Address: P.O. BOX 672, MULLAN,  
ID 83846

Source: GROUNDWATER  
Priority Date: June 1, 1952  
Diversion Point: NENE Sec. 36 T  
48N R 05E  
Use: DOMESTIC (0.04 CFS).  
In: NENE Sec 36 T 48 N R 05E

94-4266

Name: SMITH, GEORGE L.  
Address: GEM STAR RT.,  
WALLACE ID 83873  
Source: SPRING trib. to CANYON  
CREEK

Priority Date: Jan. 1, 1900

Diversion Pt: SENW Sec. 18 T 48N R  
05E  
Use: IRRIGATION 0.20 CFS);  
DOMESTIC (0.04 CFS)  
In: SENW Sec 18 T 48 N R 05E FOR 1  
ACRES

94-4267

Name: SUNSHINE MINING CO.  
Address: P.O. BOX 1080,  
KELLOGG, ID 83837  
Source: BIG CREEK trib. to  
COEUR D'ALENE RIVER, SOUTH  
FK.

Priority Date: Jan. 1, 1969.  
Diversion Pt: SWSW SESW Sec. 10 T  
48N R 03E  
Use: INDUSTRIAL (0.50 CFS);  
MINING (0.50 CFS)  
In: NESW NWSW SWSW SESW Sec.  
10 T 48N R 03E

94-4268

Name: CANTAMESSA, JON F.  
&/or IRIS M.  
Address: NINE MILE RD.,  
WALLACE, ID 83873  
Source: SPRING trib. to  
NINEMILE CREEK

Priority Date: July 1, 1930  
Diversion Pt.: SWSE Sec 23 T 48N R  
04E  
Use: IRRIGATION (0.20 CFS);  
STOCKWATER (0.02 CFS);  
DOMESTIC (0.06 CFS)  
In: SWSE SESW Sec. 23 T 48N R 04E  
FOR 4 ACRES

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

KEND DUNN, Director

8/17/24/'83 YoldLg

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: sk

Right Number 91-4133 Applicant Oliver

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 PK Date 9/12/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By AC Date 11-8-83

MICROFILMED

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NOV 9 8 1983  
Department of Water Resources



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCE

NORTHERN REGION

A. Kenneth Dunn  
Director

Suite No. 9  
4055 Government Way  
Coeur d'Alene, Idaho 838  
(208) 667-6464

Date: July 1, 1983

Dear J. Oliver:

This office is in receipt of your Claim to a Water Right and Check No. 92-170 in the amount of \$30.00 and we are returning same to you because the Claim cannot be formally receipted until the following information is provided:

|                                                                      |                                                                                                     |
|----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| _____ Complete Name.                                                 | _____ Location of Point(s) - Item 5.<br>of Diversion                                                |
| _____ Complete Mailing Address.                                      | _____ Location of Place of Use<br>(Acres irrigated if water is - Item 6<br>claimed for irrigation.) |
| _____ Date of Priority - Item 1.                                     | _____ Filing Fee. (\$30.00)                                                                         |
| _____ Source of Water - Item 2.                                      | _____ Signature.                                                                                    |
| _____ Amount, Nature & Period of Use - Item 3.                       | _____ Notarization of Signature.                                                                    |
| <input checked="" type="checkbox"/> Total Quantity Claimed - Item 4. |                                                                                                     |
| _____ Other _____                                                    |                                                                                                     |

Please note that your Claim has been stamped and initialed as received. If you amend the Claim by adding the needed information and return the Claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee. INITIAL ALL CHANCES.

~~Instructions for completing a Claim to a Water Right are included for your information.~~  
However, if you desire assistance, please feel free to contact this office.

Sincerely,

*Tom H. King*

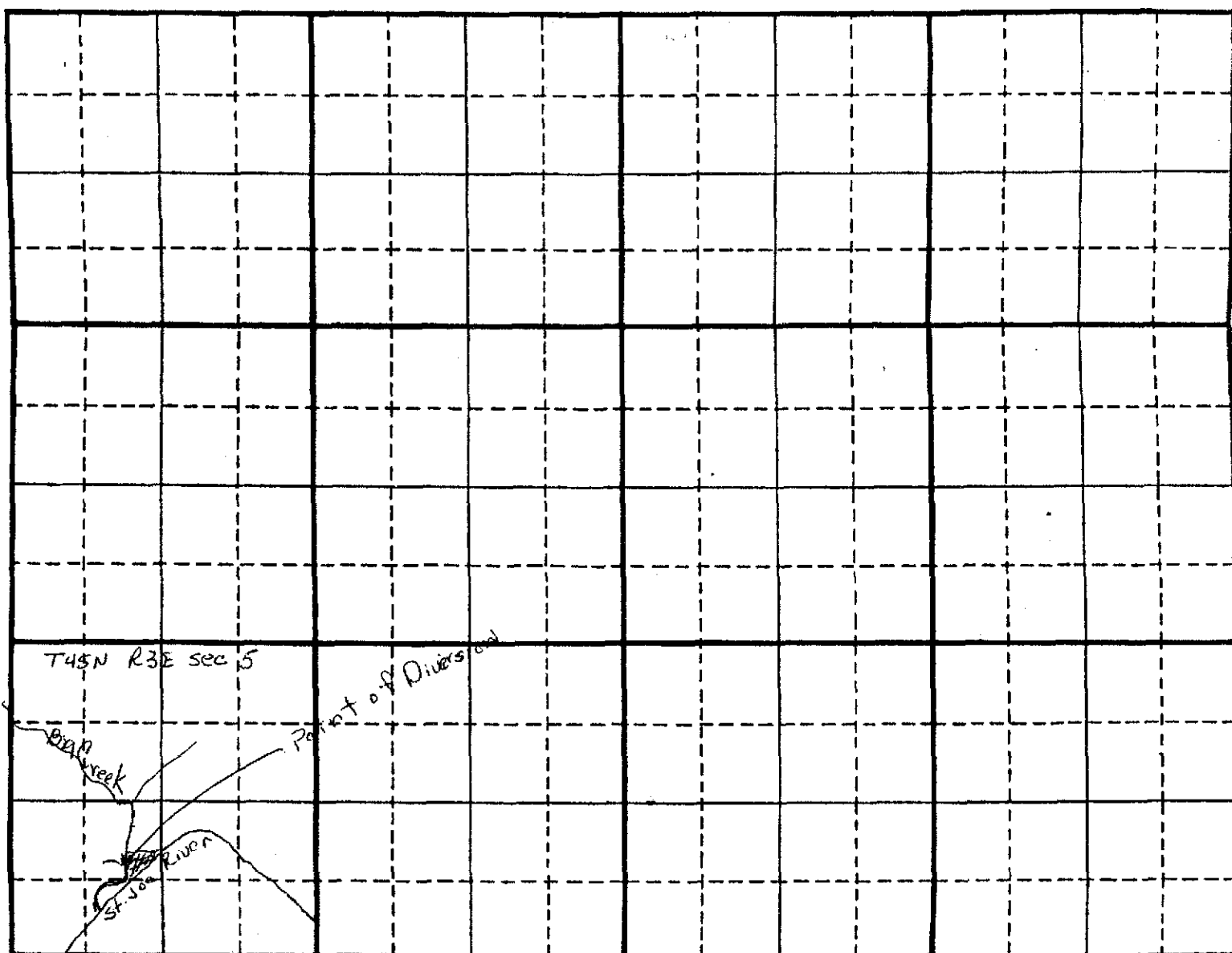
IDAHO DEPARTMENT OF WATER RESOURCES

MICROFILMED

- Claim  
Check  
Instructions



(8) Remarks Legal Description of Property is Lot 7, Block 3, Herrick Pk  
T45N - R3E - Sec 5 Boise Meridian



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 Bonewah ) 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.

Jimmy L. Oliver  
(Claimant)  
1983

Sworn to before me this 28<sup>th</sup> day of June

Dwerry Moore  
Notary Public  
Residing at St. Maries, Id

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 6/29/83  
Prelim. check by [Signature] Date           
\$20.00 fee received by          Date           
Published in           
Dates         

Exception filed by:          Forwarded to          Date           
claimant by:

91-4133-

OLIVER, JIM

P.O. BOX 487, CALDER, ID 83808

Source: BIG CREEK trib. to SAINT JOE RIVER

Priority Date: 01/01/1913

Diversion Pt: NESH Sec 05 T 45N R 03E

|                 |            |
|-----------------|------------|
| Use: IRRIGATION | (0.22 CFS) |
| STOCKWATER      | (0.04 CFS) |
| COMMERCIAL      | (0.04 CFS) |

In: NESH Sec 05 T 45N R 03E FOR 2 ACRES

RECORDED

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 5, 1983

JIM OLIVER  
P.O. BOX 487  
CALDER ID 83808

RE: Claim No. 91-4133

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. Harnes, P.E.  
Regional Supervisor

Enclosure