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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 Joseph Marcea
(Name of Claimant)
Rt. 2, St. Maries, Idaho 83861 Telephone No. 245-3560
(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) June 1, 1935

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 spring 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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>.01 cfs</u>	Use	<u>stockwater</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 _____
Quantity	_____	Use	_____	Period of Use From _____	To _____

(4) .01 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 NE 1/4, Sec. 7 Twp. 46N Rge. 2W B.M., County of Benewah
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.
spring seeps into concrete reservoir; .5" plastic line to stock trough

(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.

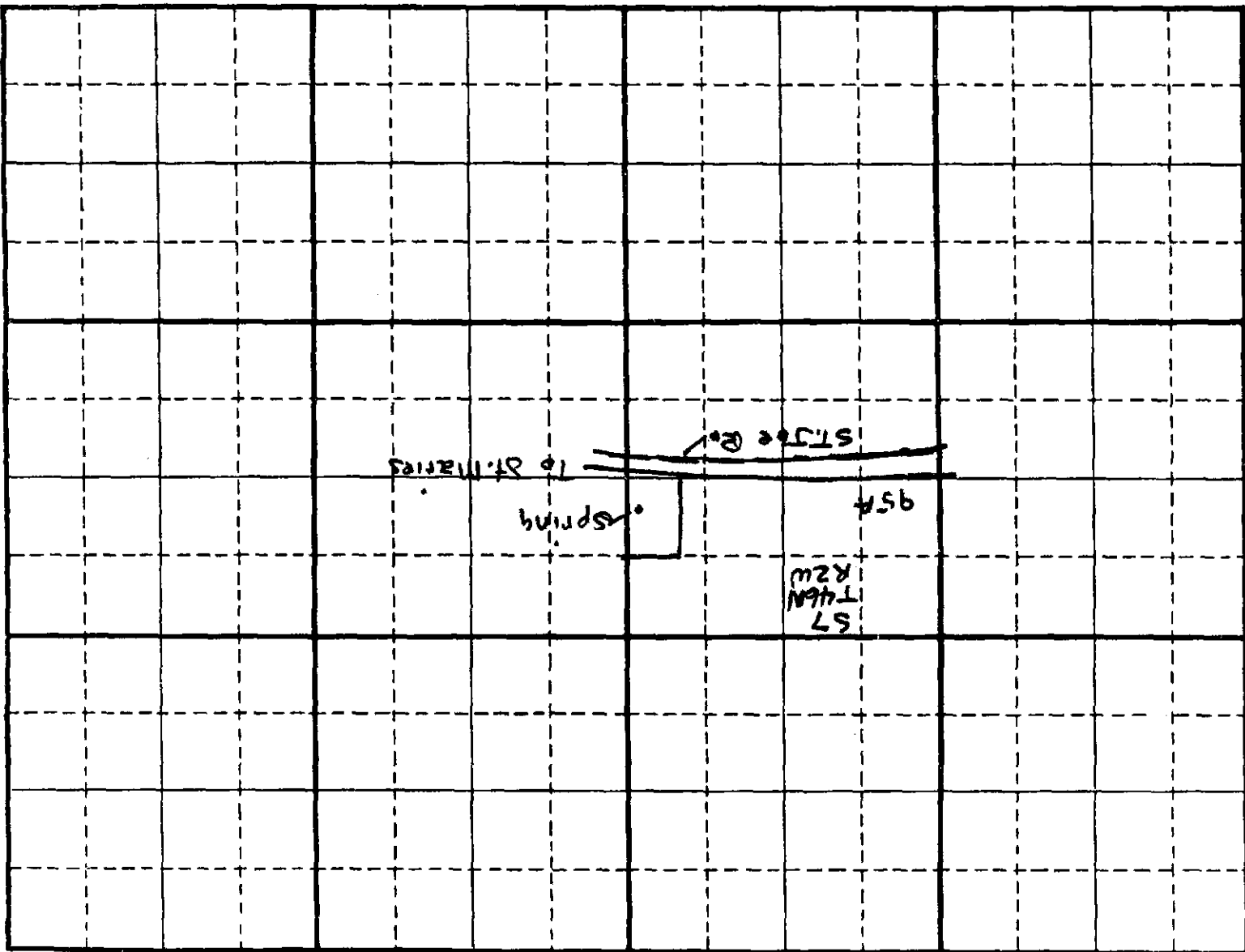
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
46N	2W	7				X													

No. of acres _____

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

NOTE: Include here the type and number of stock watered: 12 head beef cattle

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



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 24th day of June

Notary Public
Residing at St. Maries
St. Maries
10 83
(Claimant)
Joseph Maries

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by _____ Date 6-29-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date 6-29-83 claimant by: _____
Published in _____ Date 6-29-83 (28454)
Dates 5/3+10/86

**Claims to water filed
in Benewah County**

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

91-4128

Name: Joseph Marcea
Address: Route 2, St. Maries, Idaho 83861
Priority Date: June 1, 1935
Source: Spring tributary to Sinks
Point of Diversion: SENE Sec 07 T 46N R 02W
In: SENE Sec 07 T 46N R 02W
Use: Stockwater (0.01 cfs)

91-4129

Name: James and-or Ida P. Hansen
Address: Rt. 2 Box 94, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1968
Source: Groundwater
Point of Diversion: SESW Sec 06 T 46N R 02W
In: SESW Sec 06 T 46N R 02W
Use: Domestic (0.04 cfs)

91-4130

Name: John and-or Marjorie Pugh
Address: Rt. 2 Box 105, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1958
Source: Spring tributary to Hells Gulch, Hells Gulch tributary to Saint Joe River
Point of Diversion: SWSW Sec 06 T 46N R 02W
In: NWSW SWSW Sec 06 T 46N R 02W NWSW Sec 06 T 46N R 02W for 2 Acres
Use: Irrigation (0.06 cfs); Stockwater (0.02 cfs); Domestic (0.04 cfs)

91-4131

Name: Robert E. and-or Geraldine J. Vannatter
Address: Rt. 2 Box 10, St. Maries, Idaho 83861
Priority Date: October 12, 1968
Source: Groundwater
Point of Diversion: SENE Sec 16 T 46N R 02W
In: SENE Sec 16 T 46N R 02W
Use: Stockwater (0.02 cfs); Domestic (0.04 cfs)

91-4132

Name: Rocky Jack and-or Beth Rauch
Address: Rt. 2 Box 106, St. Maries, Idaho 83861
Priority Date: Sept. 26, 1953
Source: Hells Gulch tributary to Saint Joe River
In: NESW NWSE SWSE SESE Sec 01 T 46N R 03W NENE NWNE Sec 12 T 46N R 03W SWSW Sec 06 T 46N R 02W NWNW Sec 07 T 46N R 02W for 305 acres
Use: Irrigation (6.00 cfs); Stockwater (0.02 cfs); Stockwater Storage (1.0 AF); Stockwater from Storage (1.0 AF)

92-4127

Name: Owen G. and-or Bodil A. Bratvold
Address: N.W. 213 Sunrise Dr., Pullman, Wash. 99163
Priority Date: October 22, 1970
Source: "Unnamed" Stream tributary to Carpenter Creek
Point of Diversion: SWSE Sec 24 T 43N R 01W
In: SWSE Sec 24 T 43N R 01W for 5 acres
Use: Irrigation (0.10 cfs); Irrigation Storage (0.33 AF); Domestic (0.04 cfs); Fire Prot. Storage (0.33 AF)

92-4128

Name: Michael Brebner
Address: Rt. 4 Box 32A, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1976
Source: Groundwater
Point of Diversion: SWNE Sec 36 T 46N R 02W
In: SWNE Sec 36 T 46N R 02W
Use: Domestic (0.04 cfs)

92-4129

Name: Reginald L. and-or Diann G. McDonald
Address: Rt. 4 Box 171, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1960
Source: Springs tributary to Sinks
Point of Diversion: NENW Sec 33 T 44N R 02W
In: NENW Sec 33 T 44N R 02W
Use: Stockwater (0.02 cfs); Domestic (0.04 cfs)

92-4130

Name: Michael J. Needham
Address: P.O. Box 44, Santa, Idaho 83866
Priority Date: August 1, 1970
Source: Springs tributary to Santa Creek, South Fork
Point of Diversion: SWSW Sec 35 T 44N R 03W
In: SESW Sec 35 T 44N R 02E for 1 acre
Use: Irrigation (0.02 cfs); Fish Prop. (0.04 cfs); Domestic (0.04 cfs)

92-4131

Name: Edna M. Dawson
Address: Rt. 4 Box 168, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1888
Source: Santa Creek tributary to Saint Maries River, Bob Creek tributary to Santa Creek, Charlie Creek tributary to Santa Creek
Point of Diversion: NENE NWNE Sec 33 T 44N R 02W SWSE SESE Sec 28 T 44N R 02W NWNE SENW NWSW Sec 27 T 44N R 02W
In: NENE NWNE Sec 33 T 44N R 02W SWSE SESE Sec 28 T 44N R 02W NWSE SENW NWSW Sec 27 T 44N R 02W
Use: Stockwater (0.04 cfs)

92-4132

Name: Lester and-or Lucille Nelson
Address: Rt. 1 Box 245-B, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1970
Source: Spring tributary to Saint Maries River
Point of Diversion: SENW Sec 35 T 46N R 02W

In: SENW Sec 35 T 46N R 02W
Use: Stockwater (0.02 cfs); Domestic (0.08 cfs)

93-4039

Name: Dale Robert and-or Connie L. Johnson
Address: Rt. 1 Box 18, DeSmet, Idaho 83824
Priority Date: May 1, 1981
Source: Groundwater
Point of Diversion: SWNW Sec 35 T 44N R 05W
In: SWNW Sec 35 T 44N R 05W
Use: Domestic (0.04 cfs)

93-4040

Name: Roganda Farms, Inc.
Address: Star Route, Box 124, Tensed, Idaho 83870
Priority Date: Jan. 1, 1964
Source: Springs tributary to Sinks
Point of Diversion: NWNW Sec 25 T 44N R 05W
In: NWNW Sec 25 T 44N R 05W
Use: Domestic (0.04 cfs)

95-4682

Name: George E. Way, Jr.
Address: Rt. 1 Box 43A, Plummer, Idaho 83851
Priority Date: Jan. 1, 1937
Source: Springs tributary to Plummer Creek, Little Plummer Creek tributary to Plummer Creek
Point of Diversion: SWNE NWSE SWSE NESE SENW SWSW SESW Sec 04 T 45N R 04W SWSE Sec 05 T 45N R 04W SWSW Sec 03 T 45N R 04W SENE Sec 08 T 45N R 04W NWNW Sec 09 T 45N R 04W NWNW SWNW Sec 10 T 45N R 04W
In: SWSW Sec 03 T 45N R 04W SWNE SESW SWSW SESW NESE NWSE SWSE Sec 04 T 45N R 04W SWSE Sec 05 T 45N R 04W SENE Sec 08 T 45N R 04W NWNW Sec 09 T 45N R 04W NWNW SWNW Sec 10 T 45N R 04W
Use: Stockwater (0.10 cfs); Domestic (0.04 cfs)

95-4684

Name: Muriel Jean Innes
Address: P.O. Box 345, Plummer, Idaho 83851
Priority Date: Jan. 1, 1953
Source: Spring tributary to Sinks
Point of Diversion: NWSW Sec 11 T 46N R 05W
In: SWNW NWSW Sec 11 T 46N R 05W for 40 acres
Use: Irrigation (0.40 cfs); Stockwater (0.02 cfs); Domestic (0.04 cfs)

95-4686

Name: Walter Floch
Address: Rt. 1 Box 80, Plummer, Idaho 83851
Priority Date: Jan. 1, 1940
Source: Springs tributary to Plummer Creek
Point of Diversion: SWSE NWSE Sec 32 T 46N R 04W
In: SWSE Sec 32 T 46N R 04W SWSE NWSE Sec 32 T 46N R 04W for 10 acres
Use: Irrigation (0.20 cfs); Irrigation Storage (0.5 AF); Irrigation from Storage (0.5 AF); Stockwater Storage (1.5 AF)

95-4688

Name: William J. Lowry
Address: Rt. 1 Box 82, Plummer, Idaho 83851
Priority Date: Jan. 1, 1942
Source: Springs tributary to Little Plummer Creek
Point of Diversion: NWNW Sec 33 T 46N R 04W Lot 03 Lot 04 Sec 04 T 45N R 04W
In: NWNW Sec 33 T 46N R 04W Lot 03 Lot 04 Sec 04 T 45N R 04W NWNE Sec 33 T 46N R 04W
Use: Stockwater (0.02 cfs); Domestic (0.04 cfs)

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

KENDUNN, Dir.

No. 7189 — Aug. 3-10.

Subscribed and sworn to before me this 12th day of Sept., 1983

Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

STATE OF IDAHO
County of Benewah, ss.

Affidavit of Publication

Jolane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah county, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement hereon.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 3rd day of Aug., 1983 and the last on the 10th day of Aug., 1983.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 91-4128 Applicant Marcia

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:

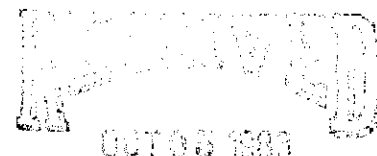
- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By KK Date 9/12/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Rhh Date 11-1-83



91-8128

MARCEA, JOSEPH

ROUTE 2, ST. MARIES, ID 83861

Source: SPRING trib. to SINKS

Priority Date: 06/01/1985

Diversion Pt: SENE Sec 07 T 46N R 02W

Use: STOCKWATER (0.01 CFS)

In: SENE Sec 07 T 46N R 02W

REPROFILED

91-4128

MARCEA, JOSEPH

ROUTE 2, ST. MARIES, ID 83361

Source: SPRING trib. to SINKS

Priority Date: 06/01/1935

Diversion Pt: SENE Sec 07 T 46N R 02W

Use: STOCKWATER (0.01 CFS)

In: SENE Sec 07 T 46N R 02W

MICROFILMED