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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) May 15, 1949

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>5-31</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 to 500 gallon metal tank/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.

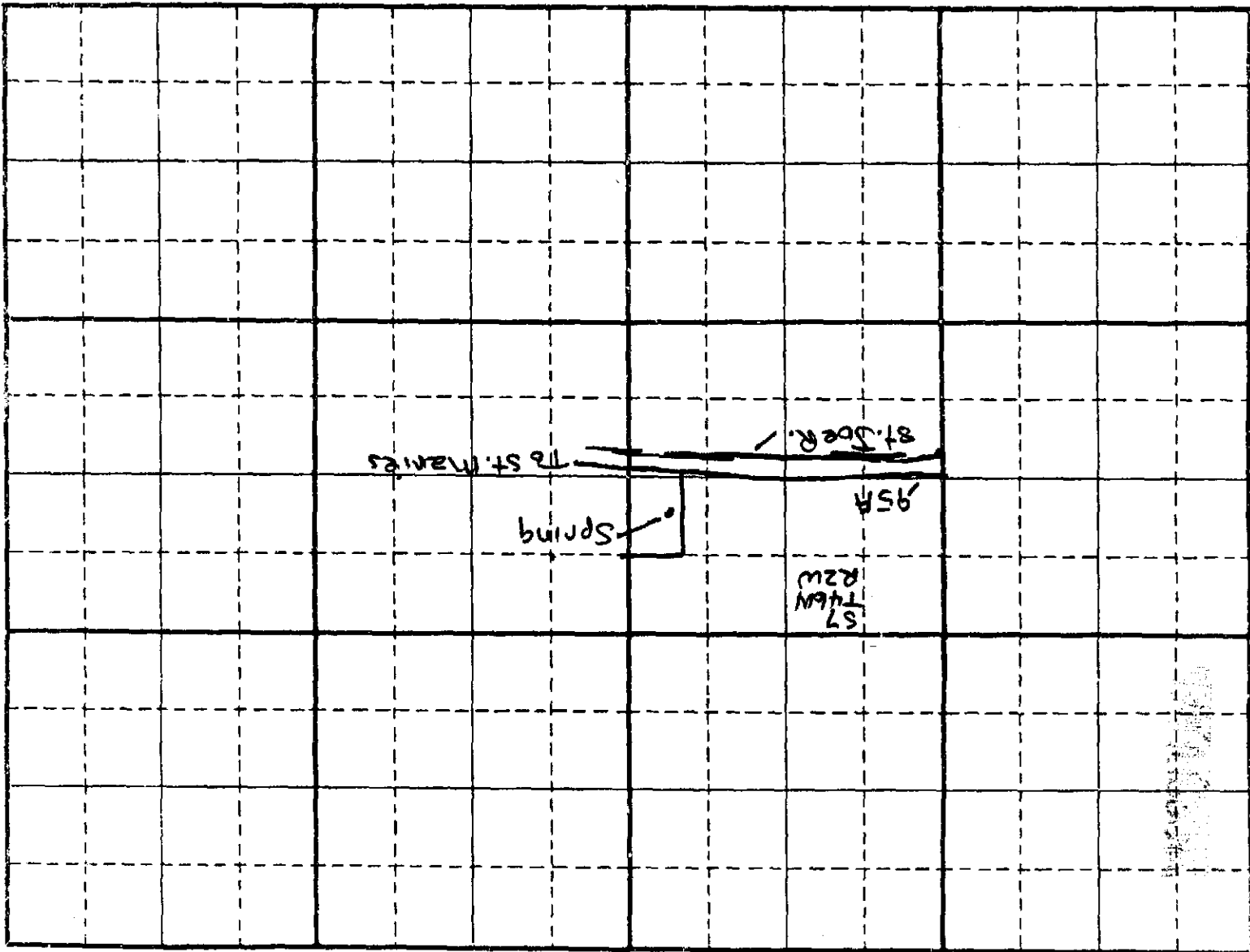
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
46N	2W	7				X													

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 of 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

(Claimant)

Notary Public
Residing at St. Marie's
St. Marie's

Life

My commission expires

FOR DEPARTMENT USE ONLY

Received by Date 6-29-83
Prelim. check by Date 6-29-83
\$30.00 fee received by Date 6-29-83 (28454)
Published in 7/27-8/3/83
Dates

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane 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 27th day of July, 1983 and the last on the 3rd day of August, 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.

Subscribed and sworn to before me this 11th day of Aug, 1983

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

93-4037
Name: Robert L. and-or Thelma M. Johnson
Address: Star Route, Box 124, Tensed, Idaho 83879
Priority Date: Jan. 1, 1950
Source: Groundwater
Point of Diversion: SENE Sec 34 T 45N R 05W
In: SENE Sec 34 T 45N R 05W
Use: Domestic (0.04 cfs)

93-4063
Name: Art and-or Shirley Bauer
Address: Rt. 1 Box 63C, St. Maries, Idaho 83861
Priority Date: Jan. 1, 1950
Source: Groundwater
Point of Diversion: NENW Sec 14 T 46N R 03W
In: NENW Sec 14 T 46N R 03W
Use: Stockwater (0.02 cfs); Domestic (0.10 cfs)

93-4065
Name: Robert N. and-or Bennie Lowry
Address: Rt. 1, Box 156, Plummer, Idaho 83861
Priority Date: Jan. 1, 1960
Source: Groundwater
Point of Diversion: SWNW Sec 10 T 46N R 04W
In: SWNW Sec 10 T 46N R 04W
Use: Domestic (0.04 cfs)

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.

KEN DUNN, Dir.
No. 7183 - July 27-Aug. 3.

93-4035
Name: M.L. Floch
Address: Rt. 1 Box 79, Plummer, Idaho 83861
Priority Date: Jan. 1, 1910
Source: Springs tributary to Mottileme Creek
Point of Diversion: NENW NWNW SWNW SENW NESW NWSW NWSE Sec 06 T 45N R 04W
In: NWNW Sec 06 T 45N R 04W NWNW SWNW SENW NESW NWSW NWSE Sec 06 T 45N R 04W
NENW Sec 06 T 45N R 04W for 10 acres
Use: Irrigation (0.20 cfs); Stockwater (0.03 cfs); Domestic (0.04 cfs)

93-4036
Name: M.L. Floch
Address: Rt. 1 Box 79, Plummer, Idaho 83861
Priority Date: Jan. 1, 1910
Source: Springs tributary to Little Plummer Creek, Unnamed Stream tributary to Little Plummer Creek
Point of Diversion: NENE NWNE SWNE SENE NENW NWNW Sec 05 T 45N R 04W SENW NESW SWSW Sec 22 T 46N R 04W SWSE Sec 31 T 46N R 04W
In: NENW Sec 05 T 45N R 04W NENE NWNE SWNE SENE NENW NWNW Sec 05 T 45N R 04W SWSE Sec 31 T 46N R 04W SENW NESW SWSW Sec 22 T 46N R 04W
for 15 acres
Use: Irrigation (0.30 cfs); Stockwater (0.03 cfs); Domestic (0.04 cfs)

Notice of claims to water are filed

NOTICE OF CLAIMS TO WATER RIGHTS

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

91-4122
Name: Joseph Marcea
Address: Rt. 2, St. Maries, Idaho 83861
Priority Date: May 15, 1954
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)

91-4123
Name: Joseph Marcea
Address: Rt. 2, St. Maries, Idaho 83861
Priority Date: May 15, 1949
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)

91-4124
Name: G.D. and-or Maude H. Grigsby; Patrick E. and-or Theresa Sullivan; Ernest and-or Susan Renfro; Wilbur and-or Shirley Nitry.
Address: Rt. 2, St. Maries, Idaho 83861
Priority Date: March 1, 1925
Point of Diversion: SENW Sec 16 T 46N R 02W
In: SWNW SENW Sec 16 T 46N R 02W for 15 acres
Use: Irrigation (0.20 cfs); Domestic (0.20 cfs)

91-4125
Name: Joseph Marcea
Address: Rt. 2, St. Maries, Idaho 83861
Priority Date: June 15, 1971
Source: Groundwater
Point of Diversion: SENE Sec 07 T 46N R 02W
In: SENE Sec 07 T 46N R 02W
Use: Domestic (0.04 cfs)

91-4126
Name: Joseph Marcea
Address: Rt. 2, St. Maries, Idaho 83861
Priority Date: May 30, 1971
Source: Groundwater
Point of Diversion: SENE Sec 07 T 46N R 02W
In: SENE Sec 07 T 46N R 02W
Use: Domestic (0.04 cfs)

91-4127
Name: Joseph Marcea
Address: Rt. 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)

92-4125
Name: Joseph Marcea
Address: Rt. 2, St. Maries, Idaho 83861
Priority Date: May 15, 1954
Source: Spring tributary to Sinks
Point of Diversion: NWSW Sec 21 T 46N R 02W
In: NWSW Sec 21 T 46N R 02W
Use: Domestic (0.02 cfs)

92-4126
Name: Joseph Marcea
Address: Rt. 2, St. Maries, Idaho 83861
Priority Date: May 15, 1954
Source: Spring tributary to Sinks
Point of Diversion: NWSW Sec 21 T 46N R 02W
In: NWSW Sec 21 T 46N R 02W
Use: Domestic (0.04 cfs)

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number 91-4123 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 AK Date 9/6/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By AC Date 11-8-83

RECEIVED
NOV 08 1983

Department of Water Resources

91-4123

MARCEA, JOSEPH

RT. 2, ST. MARIES, ID 83861

Source: SPRING trib. to SINKS

Priority Date: 05/15/1949

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

Use: STOCKWATER (0.01 CFS)

In: SENE Sec 07 T 46N R 02W

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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

AUGUST 15, 1983

JOSEPH MARCEA
RT. 2
ST. MARIES ID 83861

RE: Claim No. 91-4123

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

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