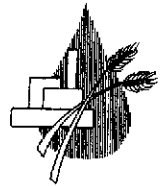


No Color  
Documents  
In File

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 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, 1954

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 ¼ NE ¼, 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 a reservoir, 20 feet deep and 4 feet across, made of galvanized steel

(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.

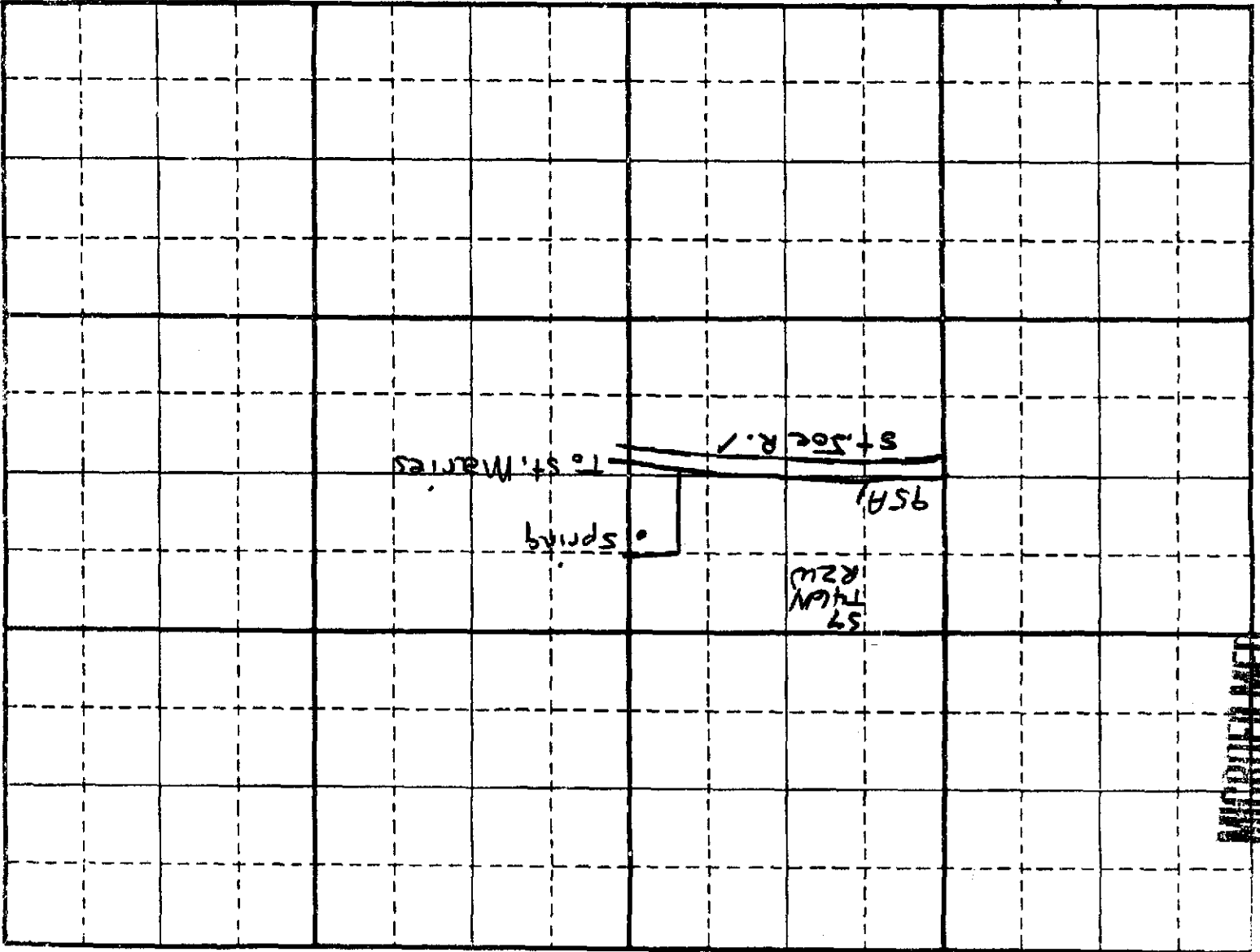
| T   | R  | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTAL |
|-----|----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|     |    |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |       |
| 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: \_\_\_\_\_



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.

Scale: 2 inches equal 1 mile.

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  
1983  
(Claimant)  
Joseph Maries

My commission expires Life

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  
Published in Date 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 27<sup>th</sup> day of July, 1983 and the last on the 3<sup>rd</sup> 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 11<sup>th</sup> day of Aug, 1983

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

93-4035  
Name: M.L. Floch  
Address: Rt. 1 Box 79, Plummer, Idaho 83851  
Priority Date: Jan. 1, 1910  
Source: Springs tributary to Mactileme 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 83851  
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 32 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 32 T 46N R 04W for 15 acres  
Use: Irrigation (0.30 cfs); Stockwater (0.03 cfs); Domestic (0.04 cfs)

RECEIVED  
AUG 12 1983  
Department of Water Resources  
Northern District Office

93-4037  
Name: Robert L. and-or Thelma M. Johnson  
Address: Star Route, Box 124, Tensed, Idaho 83870  
Priority Date: Jan. 1, 1950  
Source: Groundwater  
Point of Diversion: SESW Sec 34 T 45N R 05W  
In: SESW Sec 34 T 45N R 05W  
Use: Domestic (0.04 cfs)

95-4663  
Name: Art and-or Shirley Bauer  
Address: Rt. 1 Box 63C, St. Maries, Idaho 83861  
Priority Date: Jan. 1, 1959  
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)

95-4665  
Name: Robert N. and-or Bennie Lowry  
Address: Rt. 1, Box 156, Plummer, Idaho 83851  
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.

## 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 OK  
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 Nitcy.  
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)

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 91-4122 Applicant Morse

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:

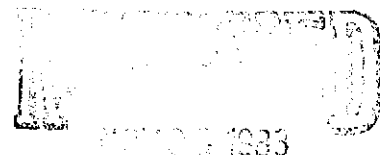
- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By KK Date 9/8/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 11-8-83



91-4122

MARCEA, JOSEPH

RT. 2, ST. MARIES, ID 83861

Source: SPRING trib. to SINKS

Priority Date: 05/15/1954

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

Use: STOCKWATER (0.01 CFS)

In: SENE Sec 07 T 46N R 02W

**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

AUGUST 15, 1983

JOSEPH MARCEA  
RT. 2  
ST. MARIES

ID 83861

RE: Claim No. 91-4122

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

RECORDED