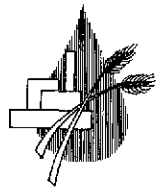


No Color
Documents
In File

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 Gail and/or Dave C. Besser
(Name of Claimant)
Rt 3 Box 95 St Maries, Id 83861 Telephone No. 245-4142
(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) 1934

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)
Spring and Unnamed Stream 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:

(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>0.25 AFA</u>	Use	<u>Stock Storage</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

(4) 0.04 cfs and 0.25 AFA TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
(2pts) NW 1/4 NE 1/4, Sec. 29 Twp. 46N Rge. 1E 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 to house for domestic cattle drink out of pond on unnamed stream.

(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>46N</u>	<u>1E</u>	<u>20</u>																	
<u>46N</u>	<u>1E</u>	<u>29</u>			X (stock)														

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use for 1 household

NOTE: Include here the type and number of stock watered: 10 head cattle
(7) If you are claiming water as a member of an organization, list name of organization:

(The following section contains redacted information.)

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.

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.

Yael E. Fecover
(Claimant)
1981.
Notary Public
Residing at

Notary Public
Residing at



Forwarded to
Date
claimant by:

Exception filed by:

11/5/81
11-5-81

Received by _____
Prelim. check by _____

Date 11/6/01 (18385)

Published in

ates

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 18th day of November, 1981 and the last on the 25th day of November, 1981.

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.

JoJane Hammes

Subscribed and sworn to before me this 25 day of Nov, 1981.

Beverly A. Linn

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

Gail and Dave Resser file claim to water right

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

91-4022

Name: Gail and or Dave C. Resser
Address: Rt. 3 Box 95, St. Maries, Idaho 83861

Priority Date: Jan. 1, 1934

Amount: 0.04 cubic feet per second;
0.25 AC-FT

Source: Spring tributary to Saint Joe River, Unnamed Stream tributary to Saint Joe River

Point of Diversion: NWNE Sec 29 T 46N R 01E, Benewah County

Place of Use: NWNE Sec 29 T 46N R 01E SWSE Sec 20 T 46N R 01E

Use: Stockwater Storage (0.25 AC-FT) from Jan. 1 to Dec. 31;

Domestic (0.04 cfs) from Jan. 1 to Dec. 31.

Any exception to any claim or water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho 83814.

A. KENNETH DUNN
Director

No. 6665 — Nov. 18-25.

31

JK
11/27/81

RECEIVED
NOV 27 1981
WATER RESOURCES
IDAHO

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RJA

Right Number 91-4022 Applicant Resser

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 [Signature] Date 11/27/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 12/17/81

RECEIVED
DEC 17 1981

Department of Water Resources

91-4022-

RESSER, GAIL &/or DAVE C.

RT. 3 BOX 95, ST. MARIES, ID 83861

Source: SPRING tributary to SAINT JOE RIVER
UNNAMED STREAM tributary to SAINT JOE RIVER

Priority Date: 01/01/1934

Amount: 0.04 CFS 0.25 AC-FT

Diversion Point: NWNE Sec 29 T 46N R 01E, BENEWAH Co.

Use: STOCKWATER STORAGE (0.25 AC-FT) from 01/01 to 12/31
DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NWNE Sec 29 T 46N R 01E SWSE Sec 20 T 46N R 01E

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

DECEMBER 7, 1981

GAIL RESSER
DAVE C. RESSER
RT. 3 BOX 95
ST. MARIES

ID 83861

RE: Claim No. 91-4022

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

MICROFILMED