No Color Documents In File

Form No. 243
9/81

Claim No. ~~86-4178~~ 87-4181

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 ETTA O. QUALEY (Name of Claimant)

Route 1, Box 135, Genesee, ID 83832 (Mailing Address) (Zip Code) Telephone No. (208) 285-1556

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) 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)
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	.01088	Use Domestic/Stock	Period of Use From	Jan. 1	To	Dec. 31
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 (cfs, af) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 20 Twp. 37 Rge. 4 B.M., County of Nez Perce
Additional points of diversion: NE¼ SW¼, Sec. 20, Twp 37 N., R4W

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 and Pipeline -- tile

(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	
37	4	20								X									
37	4	20									X								

No. of acres 200

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic use -- water 30 head

NOTE: Include here the type and number of stock watered: 30 dairy and beef cattle

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

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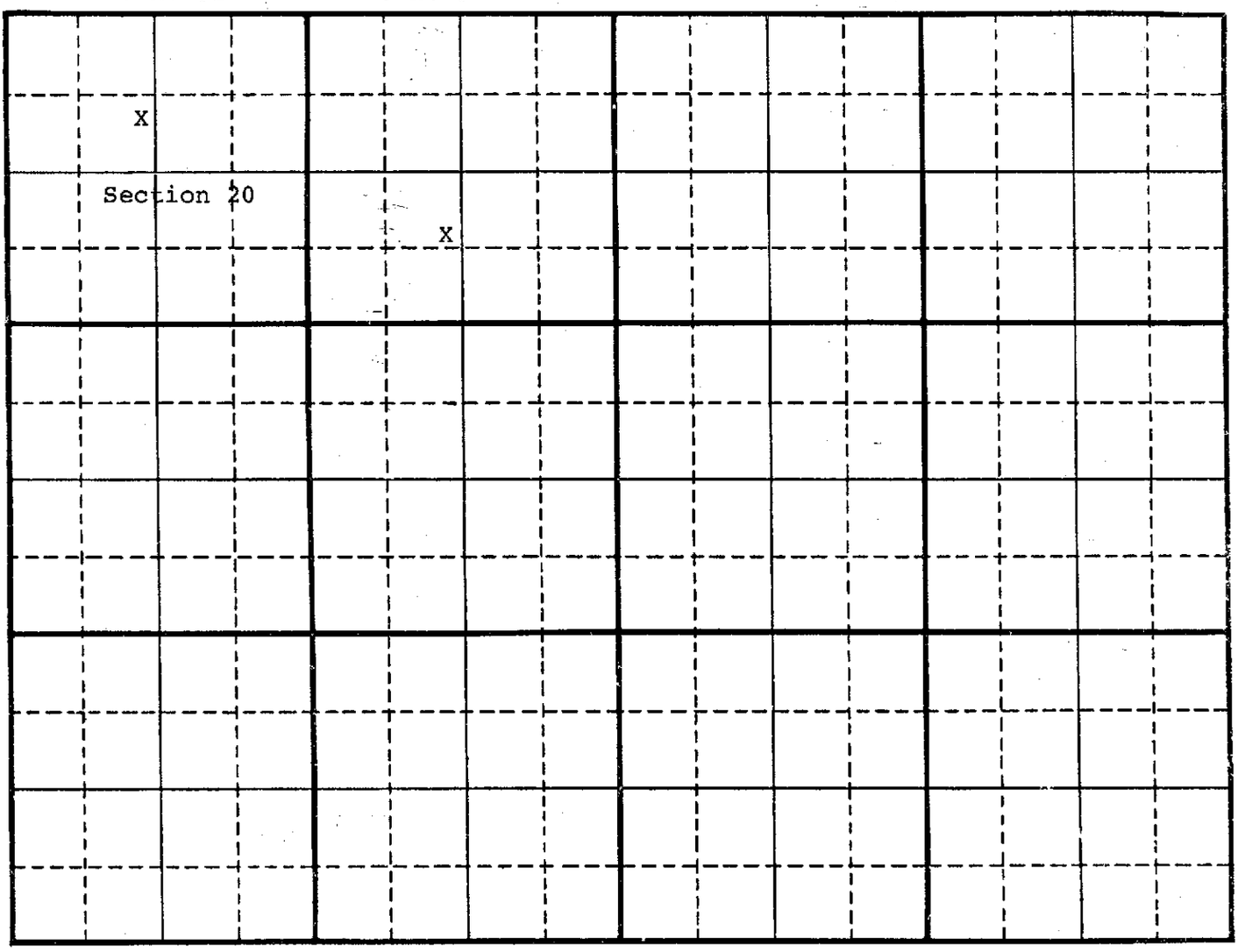
(8) Remarks Section 20, Twp 37 N., R4W
Nez Perce County

Two points of diversion
Point #1 Point #2



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)
) ss.
County of Nez Perce)

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.

Etta O. Qualey
(Claimant) Etta O. Qualey

Sworn to before me this 31 day of March, 19 83.

Philip E. Peterson
Notary Public
Residing at Lewiston

My commission expires Permanent

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FOR DEPARTMENT USE ONLY

Received by GA	Date 4-1-83	Exception filed by:	Fowarded to claimant by:	Date
Prelim. check by	Date 4-1-83			
$30.00 fee received by	Date 4-1-83 (27472)			
Published in Lewiston Morning Tribune				
Dates 5/5-12/83				

PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIMS TO WATER RIGHTS

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

85-4334
WHITING, BIXLER
NEUMANN, MILES
DBA GARDEN CREEK RANCH, 529 4TH AVE., FAIRBANKS, AK 99701
Source: CHINA GARDEN CREEK trib. to SNAKE RIVER
Priority Date: 01/01/1940
Diversion Pt: NESW Sec 25 T 31N R 05W
Use: POWER (1.00 CFS)
In: NESW Sec 25 T 31N R 05W

85-4335
WHITING, BIXLER
NEUMANN, MILES
DBA GARDEN CREEK RANCH, 529 4TH AVE., FAIRBANKS, AK 99701
Source: CHINA GARDEN CREEK trib. to SNAKE RIVER
Priority Date: 01/01/1920
Diversion Pt: NESW Sec 25 T 31N R 05W
Use: STOCKWATER (80.00 CFS)
In: NESW Sec 25 T 31N R 05W

85-4337
STATTON, JACK H.
P.O. BOX 53, PECK, ID 83545
Source: BIG CANYON CREEK trib. to CLEARWATER RIVER
Priority Date: 04/01/1962
Diversion Pt: SWSE Sec 11 T 36N R 01W
Use: IRRIGATION (0.02 CFS)
In: SESW Sec 11 T 36N R 01W FOR 1 ACRES

85-4346
MCDOWELL, HERB
PARKER, MARLYS
RT. 2, CULDESAC, ID 83524
Source: SPRING trib. to LAPWAI CREEK
Priority Date: 01/01/1953
Diversion Pt: SWSW Sec 13 T 35N R 03W
Use: IRRIGATION (0.04 CFS)
DOMESTIC (0.04 CFS)
In: SWSW Sec 13; SESE Sec 14 T 35N R 03W FOR 3 ACRES

85-4347
WHITING, BIXLER
NEUMANN, MILES
DBA GARDEN CREEK RANCH, 529 4TH AVE., FAIRBANKS, AK 99701
Source: CORRAL CREEK trib. to SNAKE RIVER
Priority Date: 01/01/1941
Diversion Pt: SWNE Sec 07 T 31N R 04W
Use: STOCKWATER (80.00 CFS)
In: NESW Sec 07 T 31N R 04W

85-4349
WHITING, BIXLER
NEUMANN, MILES
DBA GARDEN CREEK RANCH, 529 4TH AVE., FAIRBANKS, AK 99701
Source: CORRAL CREEK trib. to SNAKE RIVER
Priority Date: 01/01/1941
Diversion Pt: SWNE Sec 07 T 31N R 04W
Use: IRRIGATION (0.50 CFS)
In: SWNE S½ NW Sec 07 T 31N R 04W FOR 20 ACRES

86-4178 OK PSB
QUALEY, ETTA O.
RT. 1 BOX 135, GENESEE, ID 83832
Source: SPRING trib. to SINKS
Priority Date: 01/01/1935
Diversion Pt: SENW NESW Sec 20 T 37N R 04W
Use: STOCKWATER (0.01 CFS)
DOMESTIC (0.01 CFS)
In: SENW NESW Sec 20 T 37N R 04W

86-4179
BAKER, VIRGIL L.
P.O. BOX 240, ELK CITY, ID 83525
Source: POTLATCH CREEK trib. to CLEARWATER RIVER
Priority Date: 04/01/1933
Diversion Pt: NWNW Sec 21 T 37N R 03W
Use: IRRIGATION (0.10 CFS)
In: NWNW Sec 21 T 37N R 03W FOR 5 ACRES

86-4180
SCHMIDT, GERALD &/or VIOLA
RT. 1 BOX 26, KENDRICK, ID 83537
Source: GROUNDWATER
Priority Date: 06/01/1976
Diversion Pt: NWNE Sec 16 T 37N R 02W
Use: STOCKWATER (0.04 CFS)
DOMESTIC (0.04 CFS)
In: NWNE Sec 16 T 37N R 02W

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

KEN DUNN, Dir.

PUBLISHED

STATE OF IDAHO, }
County of Nez Perce } ss.

Gayle Schumacher, being duly sworn deposes and says, I am the Classified Bookkeeper of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the ~~NOTICE OF CLAIMS TO WATER RIGHTS~~ attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 5th day of May, A. D. 19 83, and the last publication thereof being on the 12th day of May, A. D. 19 83, and said NOTICE OF CLAIMS TO WATER RIGHTS was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Gayle Schumacher

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE 12th day of May, 19 83

Sheral M. Lindt

Notary Public in and for the State of Idaho, residing at Lewiston, therein.

RECEIVED
MAY 17 1983
Department of Water Resources
Northern District Office

RECEIVED
SEP 4 1990
Department of Water Resources

NOTES TO FILE

08/29/90

FROM: BEARDSLEE

RE: UPDATE INFORMATION (86-04178)

BACKGROUND

I TALKED WITH MRS. QUALEY 08/28/90 ABOUT THE LOCATION OF HER SOURCES OF WATER LISTED ON STATUTORY CLAIM ASSOCIATED WITH THE BASIN 86/87 BASIN CHANGE. MRS. QUALEY STATED THAT SINCE SHE FILED THIS STATUTORY CLAIM, SHE HAS HAD A WELL DRILLED, WHICH IS SUPPLYING HER DOMESTIC WATER. THE REASON FOR DRILLING THE WELL WAS THAT THE WATER FROM THE SPRING WAS TESTED AND FOUND NOT SUITABLE FOR DRINKING. MRS. QUALEY FURTHER STATED THAT THE SPRING WAS STILL USED FOR STOCKWATERING PURPOSES. I ASKED HER IF SHE HAD TWO SPRINGS AS LISTED ON STATUTORY CLAIM NUMBER 86-04178. SHE REPLIED THAT SHE ONLY HAD ONE SPRING.

SEE LETTER DATED 08/28/90.

ALLEN BEARDSLEE

08/28/90

Mrs. Etta Qualey
Rt.1 Box 13 I
Genesee, ID 83832

RE: Location of Spring (Statutory Claim Number 86-04178)

Dear Mrs. Qualy:

In regard to our conversation Aug. 28, 1990, please find enclosed a map that should show your farm. Please mark where your spring source is on this map.

We are updating our water right records and it is important that we know exactly where your spring is located. You may return this map in the enclosed self addressed stamped envelope.

I appreciate your attention with this matter. If you need assistance, please feel free to contact me at this office.

Thank you,

Allen Beardslee
Sr. Water Resource Agent

Form 243a
11/78

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JL

Right Number 86-4178 Applicant Farley

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.
- N/A Exceptions processed.

By _____ Date _____

STATE OFFICE PROCESSING:

- ☑ Claim review complete.

By Jm Date 6-14-83

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RECEIVED
JUN 13 1983
Department of Water Resources

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

MAY 23, 1983

ETTA O. QUALEY
RT. 1 BOX 135
GENESEE ID 83832

RE: Claim No. 86-4178

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,

MICROFILMED

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

86-4128

QUALEY, ETTA O.

RT. 1 BOX 135, GENESEE, ID 83832

Source: SPRING trib. to SINKS

Priority Date: 01/01/1935

Diversion Pt: SENW NESW Sec 20 T 37N R 04W

Use: STOCKWATER (0.01 CFS)
DOMESTIC (0.01 CFS)

In: SENW NESW Sec 20 T 37N R 04W

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