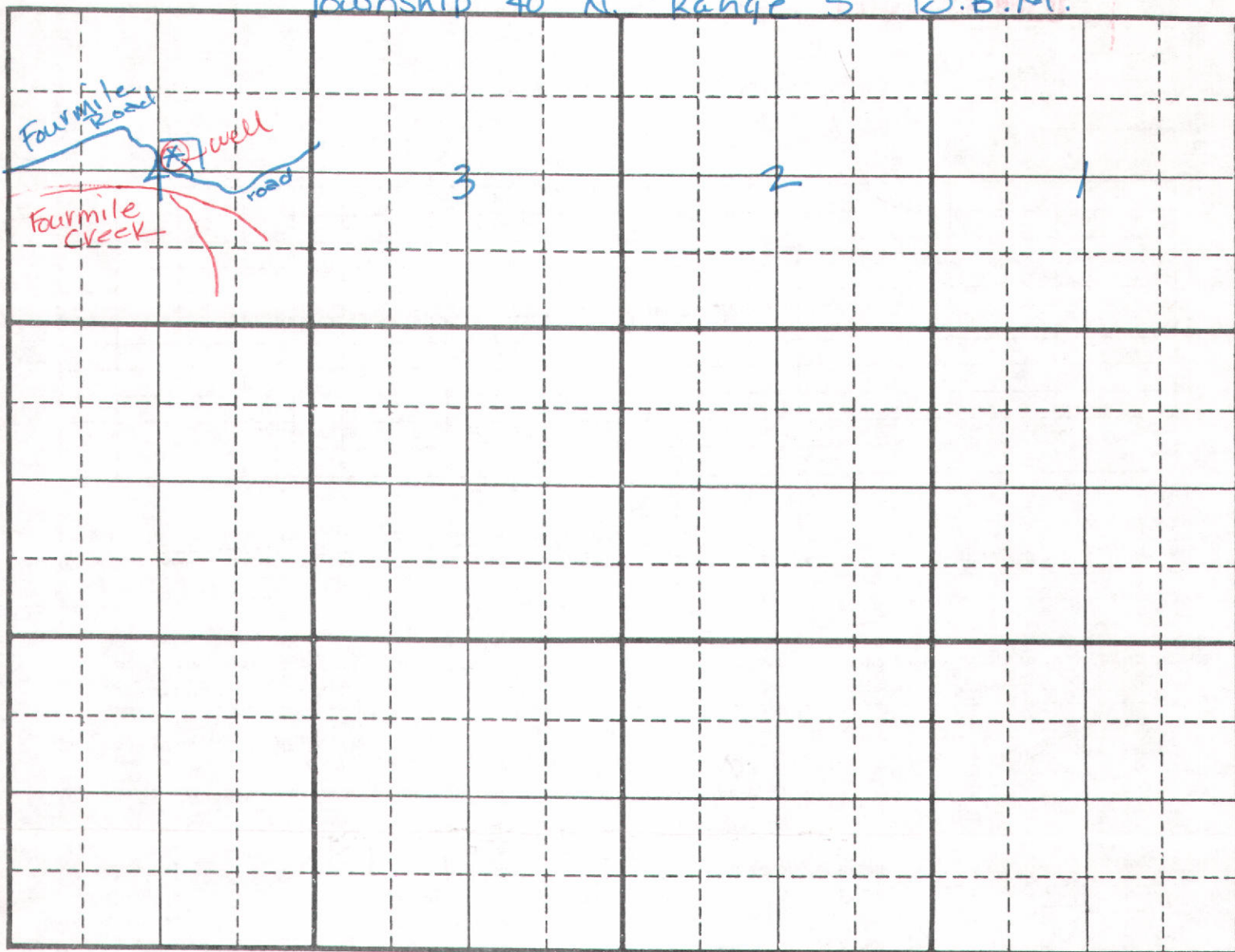


(8) Remarks _____

Township 40 N. Range 5 W.B.M.



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 Latah) 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 28 day of July, 1988.

Shirley D. Smith
(Claimant)

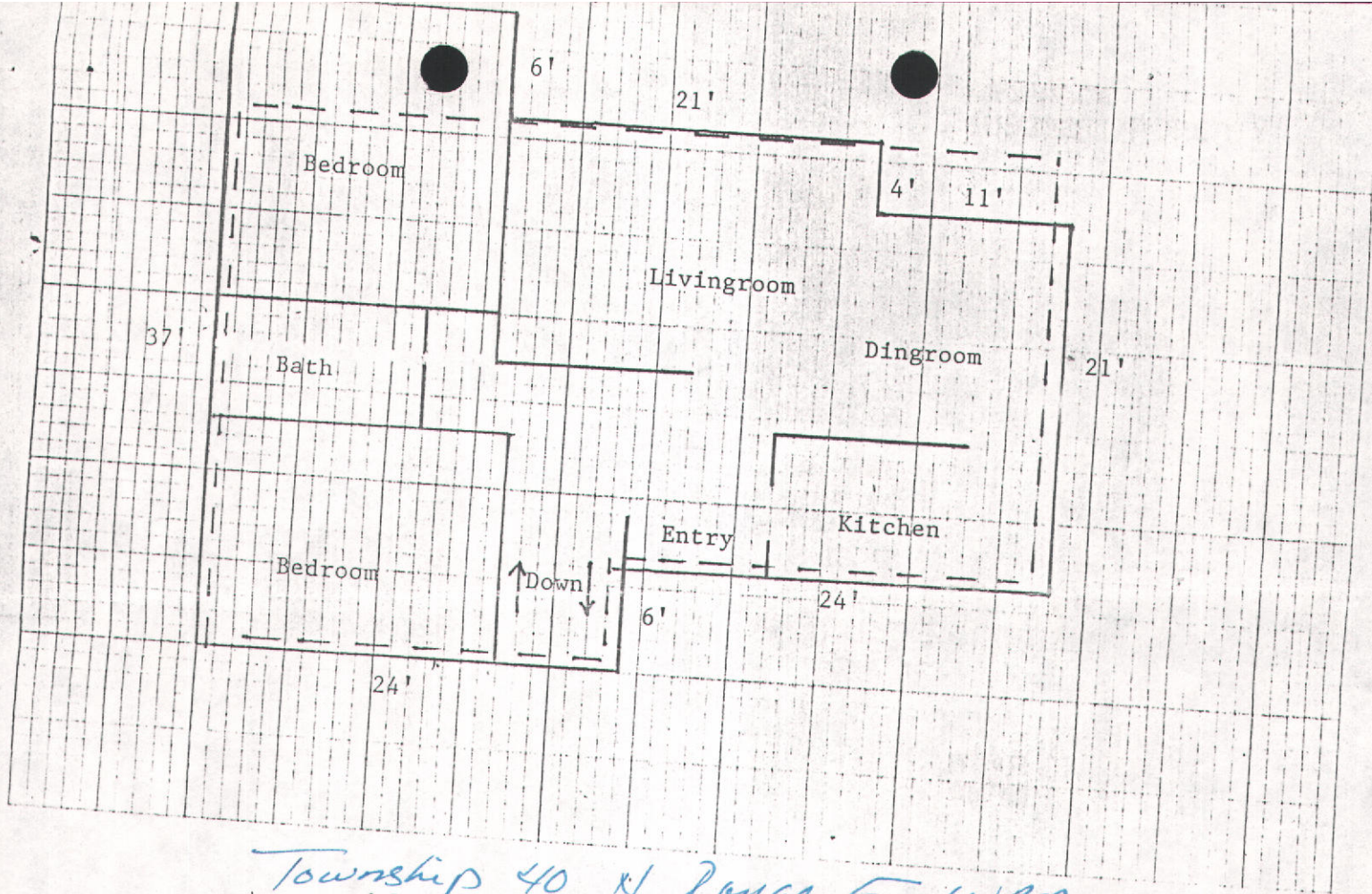
Shelly L. Carter
Notary Public
Residing at Moscow

My commission expires 9/7/1993

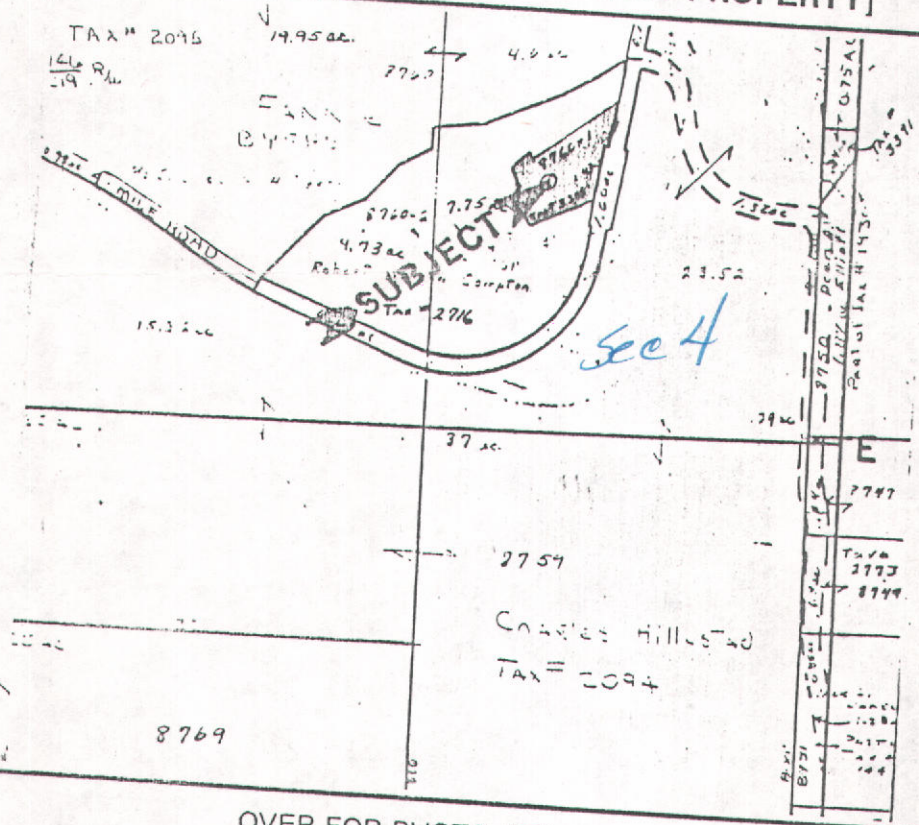
MICROFILMED

FOR DEPARTMENT USE ONLY
Received by JK Date 8/3/88 Exception filed by: _____
Prelim. check by JK Date 8/3/88 Forwarded to _____ Date _____
\$30.00 fee received by JK Date 8/3/88 #81890 claimant by: _____
Published in Idaho _____
Dates 8/18+25/88 _____

OCT 13 1988



Township 40 N Range 5 W.B.M.
LOCATION MAP [*SUBJECT PROPERTY]



OVER FOR PHOTO ATTACHMENTS

FW-70A/1004A

Forms and Worms Incorporated, 315 Whitney Ave. New Haven, CT 06511 483

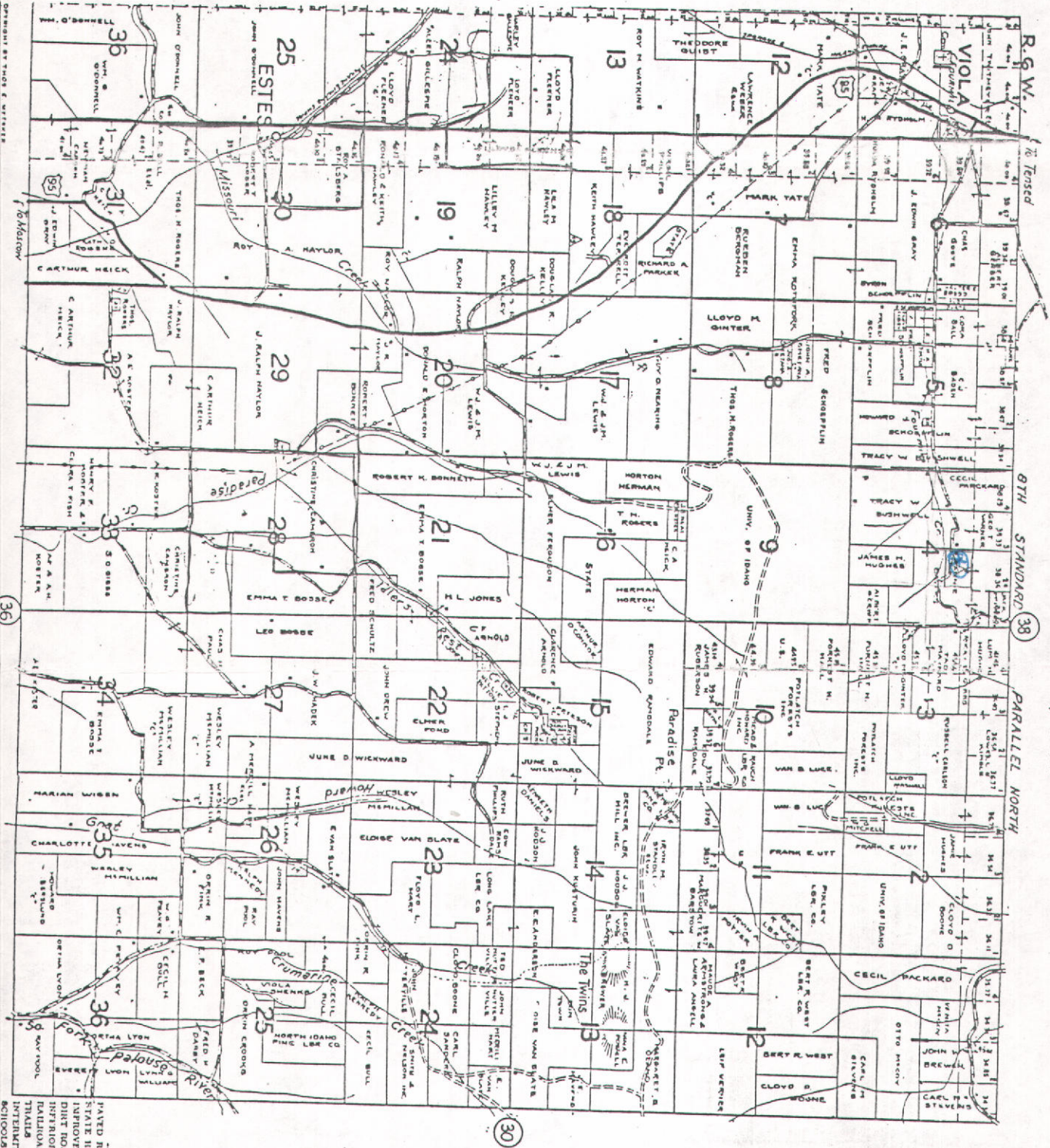
RECORDED
OCT 13 1988

SCALE 2 IN. = 1 MILE

FOR SALE BY
METSKE MAPS
111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

TOWNSHIP 40 N., RANGE 56 W.B. M.
LATAH COUNTY, IDAHO

PAGE 37



SMALL TRACTS
1. 1/4 SECTION 1, T40N, R56W, S1E, LATAH CO., IDAHO
2. 1/4 SECTION 2, T40N, R56W, S1E, LATAH CO., IDAHO
3. 1/4 SECTION 3, T40N, R56W, S1E, LATAH CO., IDAHO
4. 1/4 SECTION 4, T40N, R56W, S1E, LATAH CO., IDAHO
5. 1/4 SECTION 5, T40N, R56W, S1E, LATAH CO., IDAHO
6. 1/4 SECTION 6, T40N, R56W, S1E, LATAH CO., IDAHO
7. 1/4 SECTION 7, T40N, R56W, S1E, LATAH CO., IDAHO
8. 1/4 SECTION 8, T40N, R56W, S1E, LATAH CO., IDAHO
9. 1/4 SECTION 9, T40N, R56W, S1E, LATAH CO., IDAHO
10. 1/4 SECTION 10, T40N, R56W, S1E, LATAH CO., IDAHO
11. 1/4 SECTION 11, T40N, R56W, S1E, LATAH CO., IDAHO
12. 1/4 SECTION 12, T40N, R56W, S1E, LATAH CO., IDAHO
13. 1/4 SECTION 13, T40N, R56W, S1E, LATAH CO., IDAHO
14. 1/4 SECTION 14, T40N, R56W, S1E, LATAH CO., IDAHO
15. 1/4 SECTION 15, T40N, R56W, S1E, LATAH CO., IDAHO
16. 1/4 SECTION 16, T40N, R56W, S1E, LATAH CO., IDAHO
17. 1/4 SECTION 17, T40N, R56W, S1E, LATAH CO., IDAHO
18. 1/4 SECTION 18, T40N, R56W, S1E, LATAH CO., IDAHO
19. 1/4 SECTION 19, T40N, R56W, S1E, LATAH CO., IDAHO
20. 1/4 SECTION 20, T40N, R56W, S1E, LATAH CO., IDAHO
21. 1/4 SECTION 21, T40N, R56W, S1E, LATAH CO., IDAHO
22. 1/4 SECTION 22, T40N, R56W, S1E, LATAH CO., IDAHO
23. 1/4 SECTION 23, T40N, R56W, S1E, LATAH CO., IDAHO
24. 1/4 SECTION 24, T40N, R56W, S1E, LATAH CO., IDAHO
25. 1/4 SECTION 25, T40N, R56W, S1E, LATAH CO., IDAHO
26. 1/4 SECTION 26, T40N, R56W, S1E, LATAH CO., IDAHO
27. 1/4 SECTION 27, T40N, R56W, S1E, LATAH CO., IDAHO
28. 1/4 SECTION 28, T40N, R56W, S1E, LATAH CO., IDAHO
29. 1/4 SECTION 29, T40N, R56W, S1E, LATAH CO., IDAHO
30. 1/4 SECTION 30, T40N, R56W, S1E, LATAH CO., IDAHO
31. 1/4 SECTION 31, T40N, R56W, S1E, LATAH CO., IDAHO
32. 1/4 SECTION 32, T40N, R56W, S1E, LATAH CO., IDAHO
33. 1/4 SECTION 33, T40N, R56W, S1E, LATAH CO., IDAHO
34. 1/4 SECTION 34, T40N, R56W, S1E, LATAH CO., IDAHO
35. 1/4 SECTION 35, T40N, R56W, S1E, LATAH CO., IDAHO
36. 1/4 SECTION 36, T40N, R56W, S1E, LATAH CO., IDAHO

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OCT 13 1988

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 John P. and Martha D. Hirth
1400 Four Mile Road Viola ID 83872 Telephone No. 883-3887
(Mailing Address) (Name of Claimant) (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) 1970

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) Ground water 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:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.02</u>		Use <u>Domestic</u>		Period of Use From <u>7/1</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) .02 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. 4 Twp. 40 N Rge. 5 W.B.M., County of Latah
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. pump/well - gpm 8 (approx)

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
40N	50W	4				X													

No. of acres _____

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

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NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: OCT 13 1988

Lawnskip 40 Al Range 5 K.B.M.

road

Fourmile Creek

Fourmile Creek

road

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) ss.)
[Signature]

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.

attendant's knowledge.

Sworn to before me this 28 day of July, 1988 (Claimant)

Notary Public
Residing at

My commission expires 7/1/97

CONFIDENTIAL

FOR DEPARTMENT USE ONLY

Forwarded to
Date

exception filed by: 8/3/88 Date
8/3/88 Date
8/3/88 Date
8/3/88 Date
06818 #41890

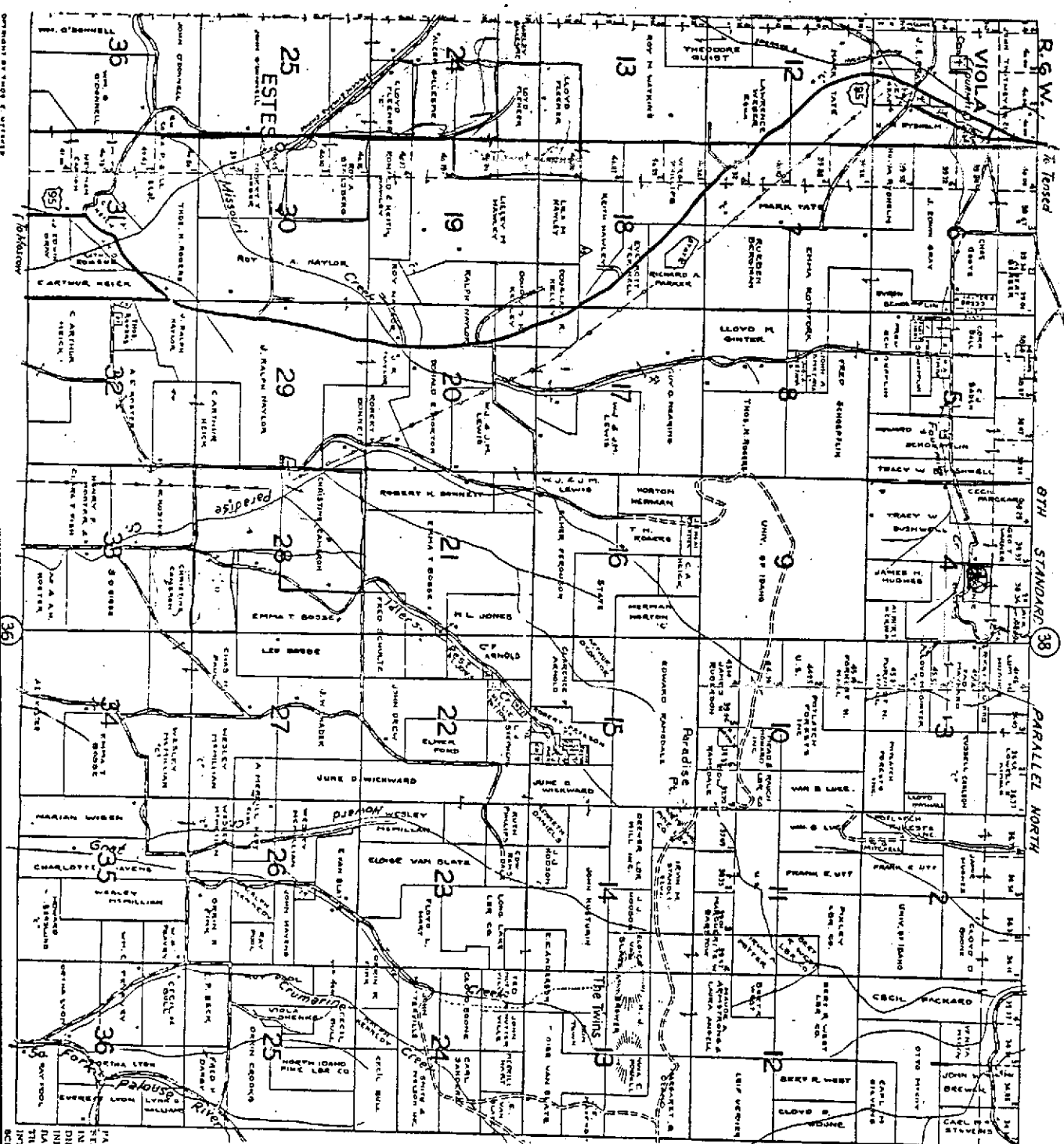
Received by _____
 Prelim. check by _____
 \$30.00 fee received by _____
 Published in _____
 Dates 12/18/18

Uates

FOR SALE BY
METSKER MAPS
111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

TOWNSHIP 40 N., RANGE 56 W.B. M.
LATAH COUNTY, IDAHO

PAGE 37

[illegible]

..LEGEND..

RECEIVED
OCT 13 1988

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Theresa Myers

being first duly sworn, on oath,
deposes and says:

That he is the printer of The IDAHONIAN, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following dates:

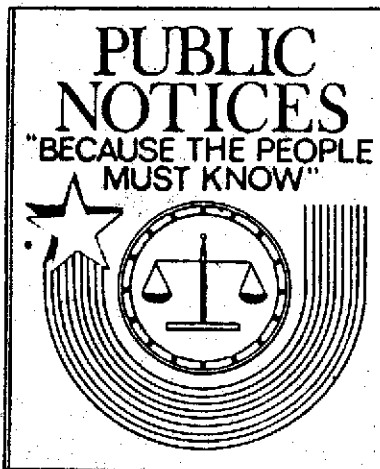
Aug 18, 25,
1988

the same being the dates designated for the publication of said notice.

Theresa Myers
Subscribed and sworn to before

me this 26 day of August
19 88

Chris Anderson
Notary Public,
residing at Genesee, Idaho



NOTICE OF CLAIMS TO WATER RIGHT

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

87-04169

HIRTH, MARTHA D.

HIRTH, JOHN D.

1400 FOUR MILE RD.

VIOLA, ID 83872

Source: GROUNDWATER

Diversion Pt: SENE Sec 4 T 40N R 05W

Use: DOMESTIC (.020 cfs)

Priority Date: 1/01/1970

In: T40N R05W S04 SENE

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 4055 Government Way Suite 9, Coeur D'Alene, Idaho 83814.

R. KEITH HIGGINSON, Director
Aug. 18, 25, 1988

RECEIVED
AUG 21 1988
Department of Water Resources
Northern Region Office



OCT 13 1988

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 87-04169 Applicant 87-4169

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 9/2/88

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 9-13-88

RECEIVED
SEP 18 1988

Department of Water Resources

87-04169

HIRTH, MARTHA D.
HIRTH, JOHN D. *P.*
1400 FOUR MILE RD.
VIOLA, ID 83872

Source: GROUNDWATER

Diversion Pt: SENE Sec 4 T 40N R 05W

Use: DOMESTIC (.020 CFS)

Priority Date: 1/01/1970

In: T40N R05W S04 SENE


OCT 13 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region
4055 Government Way Suite 9

Coeur D' Alene, Idah
(208) 765-4639

SEPTEMBER 8, 1988

MARTHA D. HIRTH
JOHN D. HIRTH
1400 FOUR MILE RD.
VIOLA, ID 83872

Re: Claim No. 87-04169

Dear Claimants(s):

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 the information or evidence added at any time. Please refer to the claim identification number when corresponding with the 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.

Sincerely,

ROBERT G. HAYNES, P. E.
Manager, Northern Regional Office

DRT:jp

Enclosure

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OCT 13 1988