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Form No. 243
9/81

RECEIVED
JUN 30 1983
Department of Water Resources
Northern District Office

Under the provisions of

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

SOURCES

NOTE: The rate of exchange has been extended with a substantially increased fee.

DATE CHAIN END

LIGHT

7-01-1984 thru 6-30-1985	\$ 30
7-01-1985 thru 6-30-1986	\$100
7-01-1986 thru 6-30-1987	\$200

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

Marvin R. and M. June Bain

(Name of Claimant)

Route 2, Box 29, Pocatello, Idaho 83855
(Mailing Address)

(Mailing Address)

(Zip Code)

Telephone No. 875-0954

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) historical well - was here prior

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:

(cfs. af) (Domestic, Irrigation, Stock, Etc.) (Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity 15 gal./min Use Commercial & domestic Period of Use From prior to 1963 To present

Quantity 1 Use Personal Period of Use From Previous To Present

Quantity _____ Use _____ Period of Use From June 2012 To _____

Quantity	Use	Period of Use From	To
		it was there	

Quantity	Use	Period of Use From <u>when he purchased</u>
----------	-----	---

0334 (4) 15 gal/min (cts. at) TOTAL QUANTITY USED. the business in 1974

A) Point of diversion: (Location of point where water is diverted from its source)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3 Twp. 41N Rge. 5W B.M., County of

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. *well*

- (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.

[illegible]

No. of acres

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: I have a gas station at this location. Water is used for washing cars, cleaning area, bathrooms, and drinking. Also have a small market home with one occupant that uses this water.

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: _____

(8) Remarks

Journaling with Kony 5w8m

Section 3

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.)
Latoka

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 29th day of June, 1993.

(Claimant)
M. Anne Dunn

Notary Public
Residing at _____

Harry Brewster
Flute

My commission expires

FOR DEPARTMENT USE ONLY

Forwarded to
Date

Exception filed by: 8/30/83 8/8/83 8/8/83 8/8/83 (31282)

Received by Prelim. check by \$30.00 fee received by Published in

_____ Dates

20/1/16 + cek

SCHEDULE C

The land referred to in this policy is situated in the State of Idaho, County of Latah and is described as follows:

A portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 3 Township 41 North, Range 5, W.B.M. according to the government survey thereof; and more particularly described as follows:

Commencing at a point where the north line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3 intersects the center line of the State Highway through said SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, according to the recorded plat thereof in the office of the County Recorder of Latah County, said point of intersection being at STA. 855+67.8 of said State Highway and also being approx. 1320 feet North and 13 feet West of the South Quarter corner of said Section 3, thence N.89°13' W. a distance of 359.0 feet along the North boundary line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 3, thence S.00°47' W. a distance of 72.6 feet thence S.15°45' E. a distance of 164.3 feet to a point on the center line of said State Highway, thence N.54°30' E. a distance of 386.2 feet along the center line of said State Highway to the point of beginning.

I am attaching this property description so that you can verify location. I'm not familiar with working with legal description and appreciate your help.

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

Ray Rosch

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

That he is the printer of The DAILY 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 thereof; 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 25, Sept 1
1983

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

Subscribed and sworn to before

me this 2nd day of September

1983
Carol Wilkerson

Notary Public,

residing at Moscow, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

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

87-4157

PURVIANCE, R.J., RT. 1 BOX 132, POTLATCH, ID 83855; Source: UN-NAMED STREAM trib. to SINKS; Priority Date: 12/01/1968; Diversion Pt: NWSE Sec 26 T 43N R 05W; Use: IRRIGATION (0.12 CFS); In: NWSE Sec 26 T 43N R 05W FOR 6 ACRES.

87-4158

BAIN, MARVIN R. &/or M. IRENE, RT. 2 BOX 29, POTLATCH, ID 83855; Source: SPRING trib. to SINKS; Priority Date: 01/01/1957; Diversion Pt: SWSW Sec 12 T 42N R 05W; Use: STOCKWATER (0.0045 CFS), DOMESTIC (0.0045 CFS); In: SESE Sec 11 T 42N R 05W

87-4159

BAIN, MARVIN R. &/or M. IRENE, RT. 2 BOX 29, POTLATCH, ID 83855; Source: GROUNDWATER; Priority Date: 01/01/1963; Diversion Pt: SESW Sec 03 T 41N R 05W; Use: COMMERCIAL (0.0334 CFS), DOMESTIC (0.0334 CFS); In: SESW Sec 03 T 41N R 05W.

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.

Aug. 25 & Sept. 1, 1983

MICROFILMED

RECEIVED
DEPT. OF WATER RESOURCES
MOSCOW, IDAHO

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: SLB

Right Number 87-4159 Applicant Bain

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 9/26/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 11-1-83

MICROFILMED

RECEIVED
OCT 03 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

SEPTEMBER 12, 1983

MARVIN R. BAIN
M. IRENE BAIN
RT. 2 BOX 29
POTLATCH ID 83855

RE: Claim No. 87-4159

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

UNRECORDED

87-4159-

BAIN, MARVIN R. &/or M. IRENE

RT. 2 BOX 29, POTLATCH, ID 83855

Source: GROUNDWATER

Priority Date: 01/01/1963

Diversion Pt: SESW Sec 03 T 41N R 05W

Use: COMMERCIAL	(0.0334 CFS)
DOMESTIC	(0.0334 CFS)

In: SESW Sec 03 T 41N R 05W

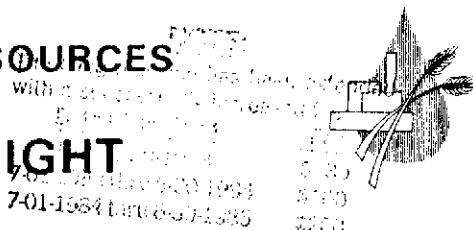
RECEIVED
JAN 11 1963

POOR QUALITY ORIGINAL

RECEIVED
JUN 30 1983
Department of Water Resources
Northern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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Notice is hereby given that Marvin R. and M. Irene Bain
(Name of Claimant)
Route 2, Box 29, Pocatello, Idaho 83855 Telephone No. 875-0954
(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) historical well - An sure it was here prior to 1963
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(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:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	(Both dates inclusive)
			(Mo., Day)	(Mo., Day)
Quantity <u>15 gal./min</u>	Use <u>Commercial + domestic</u>	Period of Use From <u>prior to 1963</u> To <u>present</u>		
Quantity _____	Use _____	Period of Use From <u>previous</u> To _____		
Quantity _____	Use _____	Period of Use From <u>owner said</u> To _____		
Quantity _____	Use _____	Period of Use From <u>it was there</u> To _____		
Quantity _____	Use _____	Period of Use From <u>when he purchased</u> To _____		
Quantity <u>15 gal./min</u>	TOTAL QUANTITY USED.	<u>the business in 1984</u>		

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE 1/4 SW 1/4, Sec. 3 Twp. 41N Rge. 5W B.M., County of _____
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. well

(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	
41N	SW1/4	3															X		

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: He have a gas station at this location. Water is used for washing cars, cleaning area, bathrooms, and drinking. Also have a small mobile home with one occupant that uses this water.

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: _____

(8) Remarks _____

Township 41N Range 5WBM

Section 3

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 29th day of _____

M. Gene Bain
(Claimant)

June, 19 83

Notary Public
Residing at

Dary Ellsworth
Pottlatch

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by paa Date 6/30/83
Prelim. check by _____ Date _____
\$30.00 fee received by _____ Date _____
Published in _____
Dates _____

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____