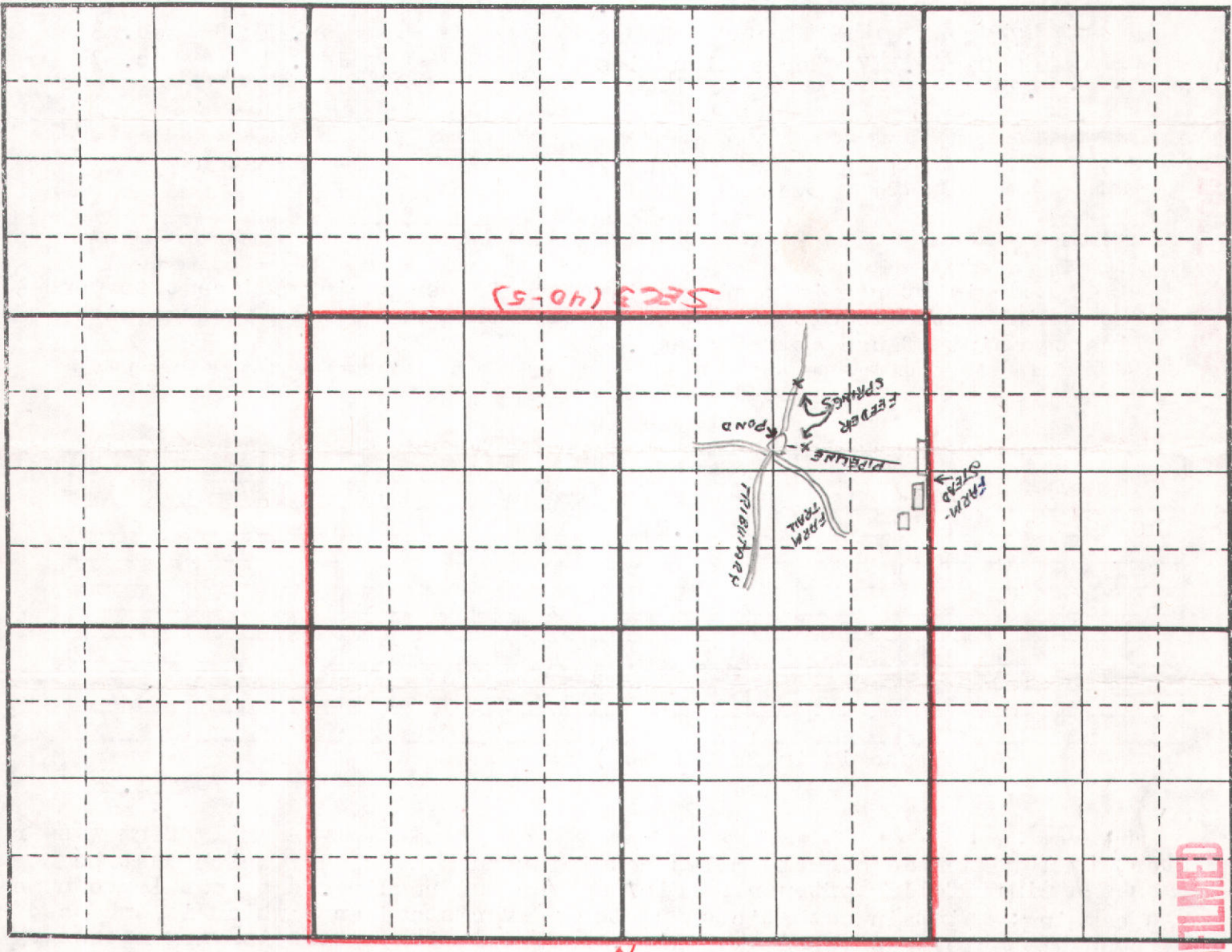


MICROFILMED

(8) Remarks Attached is aerial photo (Dated 1965 in Assessor's file) showing location of pond in relation to farmstead. IT IS TO BE NOTED THAT, AS NEAR AS CAN BE DETERMINED, POND WAS CONSTRUCTED BY A PREVIOUS OWNER SOMETIME PRIOR TO 1950.



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 Blaine
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 June

My commission expires "for life"
Notary Public
Residing at Judy A. Moscar, Idaho
(Claimant)
1983
June 29
1983

FOR DEPARTMENT USE ONLY

Received by 7/11/83 Date 6/30/83 Exception filed by: 7/12-83 Forwarded to 3/28/83 Date
Prelim. check by 8/11/83 Date 8/11/83 Published in 8/11/83 Dates
\$30.00 fee received by 8/11/83 Date 8/11/83

Supplied by LATAM AEROSPACE OFFICE: FILE COPY DATED 1965

MICROFILMED



Form No. 203
9/81

RECEIVED
JUN 30 1983
Water Res.

RECEIVED
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 11 1983

CLAIM TO A WATER RIGHT

Department of Water Resources
Northern District Office



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 Dean A. and Ruth A. Elliott
(Name of Claimant)

11405 Hall Road, Viola, Idaho 83872 Telephone No. (208) 882-4376
(Mailing Address) (Zip Code)

(1) Date of priority: (When was the water first applied to a beneficial use) May 10, 1969

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)

127. ~~UNNAMED~~ ~~STREAM~~ ~~HEADWATERS~~ tributary to Flannigan Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(as of) (Domestic, Irrigation, Stock, Etc.) (Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity 51.00 gal. 0.16 Use Washing Farm Equip. Period of Use From Mar. 1 To Dec. 31

Quantity 651.70 gal.20 Use Irrigate farmstead Period of Use From May 15 To Oct. 31

Quantity _____ Use (1.2 A) Period of Use From _____ To _____

Quantity	4745 gal.01	Use Water for horse	Period of Use From	Jan. 1	To	Dec. 31
Quantity	48000 gal.14	Use Recreation/Fire	Period of Use From	Jan. 1	To	Dec. 31

(4) 38 AF TOTAL QUANTITY USED. Protection Storage
(cfs, af)

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

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3 Twp. 10 Rge. 5 B.M., County of Latah

Additional points of diversion: *NONE*

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. Water is stored in pond and in cased feeder spring adjacent to pond from which water is either hauled by tank-truck or pumped through pipeline to point of use at farmstead.

(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]

(All use is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$)

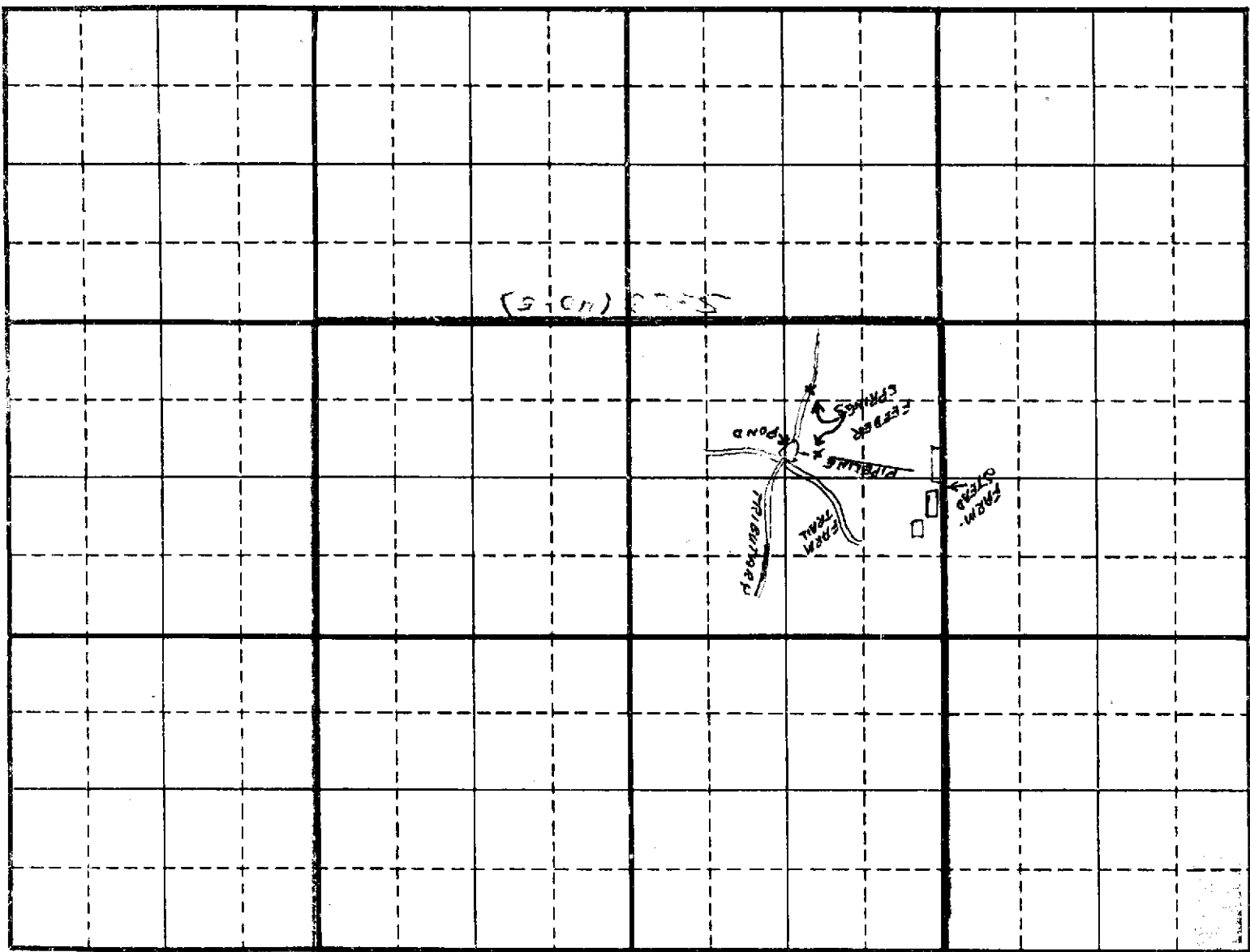
No. of acres 1.2

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Family farm was from start in 1968 spread over 18 miles requiring much machinery which must be washed spring & fall & oftener as dirt and/or mud require. We do not leave home for camping; maintain esthetic character of farmstead area which is enhanced by pond with clover-covered shoreline. Included with latter is very necessary fire protection in this wooded and frequently tinder dry area.

NOTE: Include here the type and number of stock watered: 1 HORSE

(7) If you are claiming water as a member of an organization, list name of organization: No

(8) Remarks Attached is aerial photo (dated 1965 in Assessor's file) showing location of pond in relation to farmstead. IT IS TO BE NOTED THAT, AS NEAR AS CAN BE DETERMINED, POND WAS CONSTRUCTED BY A PREVIOUS OWNER. SITUATION PRIOR TO 1950.



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.

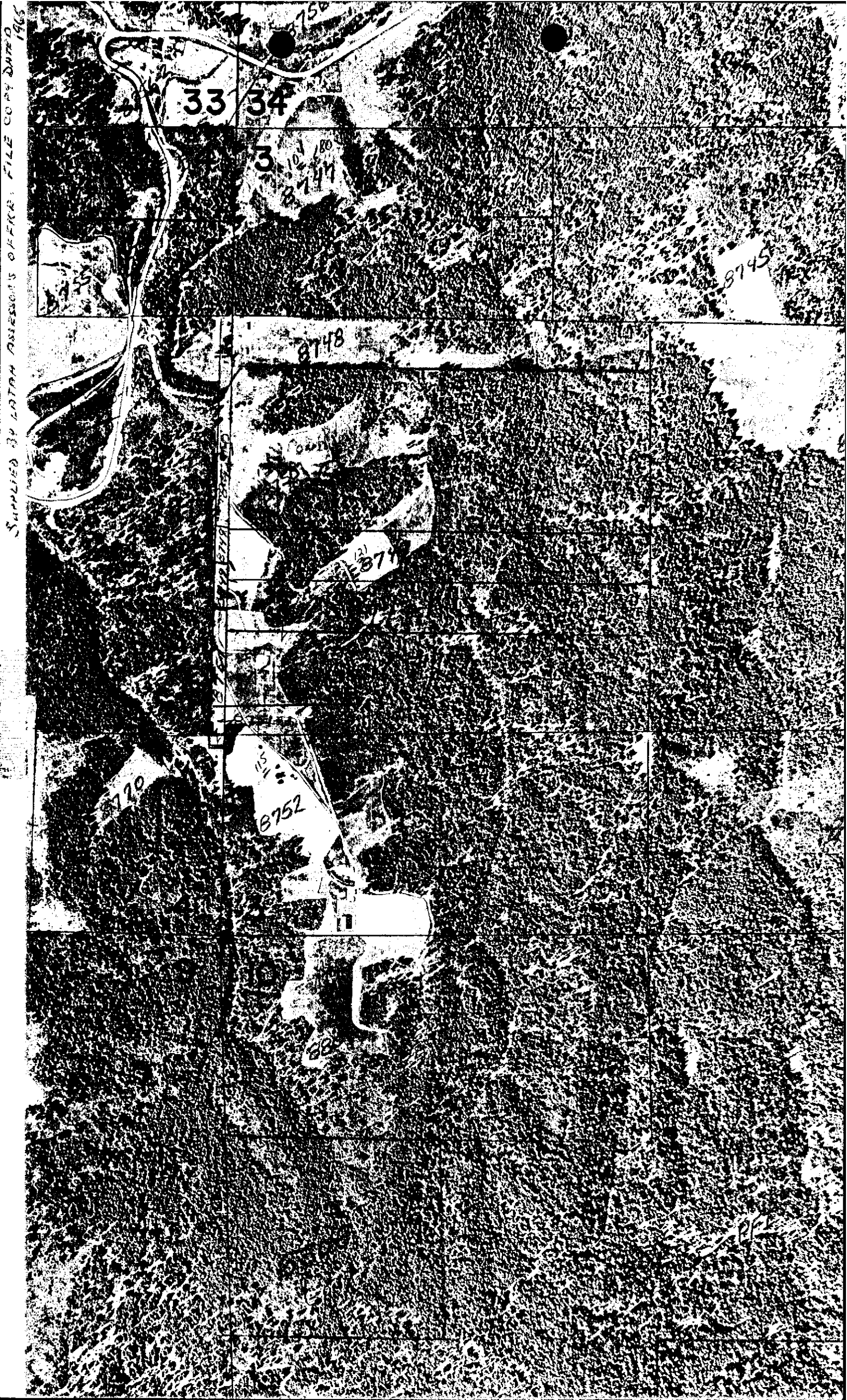
State of Idaho
County of Blaine
ss.)
)

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.

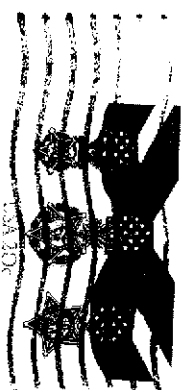
Sworn to before me this 29th day of June
1983
(Claimant)
John C. Smith
John C. Smith
Notary Public
Residing at Moscow, Idaho
My commission expires "for life"

FOR DEPARTMENT USE ONLY
Received by 7/11/83 Date 6/30/83 Exception filed by: Forwarded to Date
Prelim. check by 7/12-83 Date 8/9/83 \$31287
Published in 8/18 Date 8/12
\$30.00 fee received by 8/18 Date 8/12
Dates

SUPPLIED BY LATAM AMERICAN'S OFFICE: FILE COPY DATED 1963



Dean A. Elliott
1405 Hall Road
Viola, Idaho 83872



State of Idaho Department of Water Resources
Northern Region Office
1405 Government Way, Suite 9
Coeur d'Alene, Idaho 83814

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 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, 1983

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

Subscribed and sworn to before

me this 22nd day of August

1983

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:

86-4232

CITY OF KENDRICK, KENDRICK, ID 83537, Source: GROUNDWATER, Priority Date: 01/01/1959, Diversion Pt: NWNW Sec 25 T 38N R 03W, Use: MUNICIPAL (0.2676 CFS), In: Place of Use located within the city limits of Kendrick.

86-4233

CITY OF KENDRICK, KENDRICK, ID 83537, Source: ROWDEN SPRING trib. to BRADY GULCH CREEK, Priority Date: 01/01/1925, Diversion Pt: SESE Sec 23 T 38N R 03W, Use: MUNICIPAL (0.0223 CFS), In: Place of Use located within the city limits of Kendrick.

86-4234

CITY OF KENDRICK, KENDRICK, ID 83537, Source: STANTON SPRING trib. to BIG BEAR CREEK, Priority Date: 01/01/1918, Diversion Pt: NWNE Sec 13 T 38N R 03W, Use: MUNICIPAL (0.0401 CFS), In: Place of Use located within the city limits of Kendrick.

86-4235

CITY OF KENDRICK, KENDRICK, ID 83537, Source: GROUNDWATER, Priority Date: 01/01/1949, Diversion Pt: SESE Sec 24 T 38N R 03W, Use: MUNICIPAL (0.0780 CFS), Use: Place of Use located within the city limits of Kendrick.

86-4236

MEYERS, ROBERT E., RT. 1, KENDRICK, ID 83537, Source: SPRINGS trib. to BRADY GULCH, Priority Date: 01/01/1930, Diversion Pt: SWSE NWSE NESE Sec 23 T 38N R 03W, Use: STOCKWATER (0.02 CFS), DOMESTIC (0.02 CFS), In: NWSE NESE Sec 23 T 38N R 03W.

86-4237

RICHARDSON, PAUL W., RT. 1, JULIAETTA, ID 83535, Source: SPRINGS trib. to SINKS, Priority Date: 01/01/1966, Diversion Pt: SENW NESW Sec 16 T 37N R 03W, Use: IRRIGATION (0.01 CFS), STOCKWATER (0.01 CFS), DOMESTIC (0.02 CFS), In: NESW Sec 16 T 37N R 03W FOR 1 ACRES.

86-4238

ROWDEN, MARION, RT. 1 BOX 97B, KENDRICK, ID 83537, Source: SPRINGS trib. to BRADY GULCH CREEK, Priority Date: 01/01/1932, Diversion Pt: NESW Sec 23 T 38N R 03W, Use: DOMESTIC (0.04 CFS), In: NWSE Sec 23 T 38N R 03W.

86-4241

GEPHART, MRS. CLAUDE, RT. 1 BOX 53, TROY, ID 83871, Source: SPRING trib. to SINKS, Priority Date: 06/01/1970, Diversion Pt: NENW Sec 36 T 40N R 03W, Use: DOMESTIC (0.04 CFS), In: NENW SENW Sec 36 T 40N R 03W.

86-4242

BROWNING, JACK GARY &/or SALLY, RT. 1 BOX 86, JULIAETTA, ID 83535, Source: SPRING trib. to SINKS, Priority Date: 01/01/1969, Diversion Pt: SENW Sec 16 T 37N R 03W, Use: DOMESTIC (0.01 CFS), In: NESW Sec 16 T 37N R 03W.

86-4243

HERRIN, ET. AL., JACQUELINE, P.O. BOX 101, MAY, ID 83253, Source: GROUNDWATER, Priority Date: 01/01/1920, Diversion Pt: SWNE Sec 23 T 40N R 02W, Use: DOMESTIC (0.04 CFS), In: SWNE Sec 23 T 40N R 02W.

86-4244

RENFROW, HERMAN E. &/or ETHEL Z., RT. 1 BOX 74, TROY, ID 83871, Source: GROUNDWATER, Priority Date: 01/01/1940, Diversion Pt: SESW Sec 30 T 40N R 02W, Use: COMMERCIAL (0.05 CFS), DOMESTIC (0.05 CFS), In: SESW Sec 30 T 40N R 02W.

87-4153

WOODFELL-MENDENHALL CEMETERY DIST., RT. 1 BOX 15, PRINCETON, ID 83857, Source: GROUNDWATER, Priority Date: 06/01/1961, Diversion Pt: SWSW Sec 32 T 42N R 04W, Use: IRRIGATION (0.03 CFS), In: SWSW Sec 32 T 42N R 04W FOR 2 ACRES.

87-4154

ELLIOTT, DEAN A. &/or RUTH A. 1405 HALL RD., VIOLA, ID 83872, Source: UNNAMED STREAM trib. to FLANNIGAN CREEK, Priority Date: 05/10/1969, Diversion Pt: SWNW Sec 03 T 40N R 05W, Use: IRRIGATION STORAGE (0.02 AF), STOCKWATER STORAGE (0.01 AF), DOMESTIC STORAGE (0.02 AF), RECREATION STORAGE (0.15 AF), FIRE PROT. STORAGE (0.15 AF), In: SWNW Sec 03 T 40N R 05W FOR 1 ACRES.

87-4155

BLOOD, MARJORIE A., RT. 1 BOX 178, POTLATCH, ID 83855, Source: GROUNDWATER, Priority Date: 01/01/1977, Diversion Pt: NWSE Sec 36 T 42N R 06W, Use: STOCKWATER (0.02 CFS), DOMESTIC (0.04 CFS), In: NWSE Sec 36 T 42N R 06W.

87-4156

WALSER LAND & LIVESTOCK INC., 5240 WALKER RD., VIOLA, ID 83872, Source: GNAT CREEK trib. to PALOUSE RIVER, Priority Date: 05/01/1969, Diversion Pt: SWSE SESE Sec 21 T 41N R 05W, Use: STOCKWATER (0.0460 CFS), In: SWSE SESE 21 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.

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 87-4148 in the name of Edna Bingman Estate was advertised incorrectly on 7/21 and 28, 1983. The place of use was incorrectly advertised as the SENW Sec 31 T40N R04W; whereas, correctly it should be the SENE Sec 31 T40N R04W.

Any exception to the above-referenced correction must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur D'Alene, Idaho 83814.

A. KENNETH DUNN, Director

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 87-7107 in the Name of John Murray Whisenant was advertised incorrectly on 7/21 and 7/28, 1983. The Diversion Point was incorrectly advertised as the NWSE Sec 31 T41N R04W; whereas, correctly it should be the NWNE Sec 31 T41N R04W.

Any protest to the above-referenced correction must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before September 6, 1983.

A. KENNETH DUNN, Director

Aug. 18 & 25, 1983

MICROFILMED

Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 87-4154 Applicant Elliott

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. Adv. as .38 AF storage for Rec & stock
- ☒ Point(s) of diversion. .016 AF Domestic Pump Storage
- ☒ Location of use. .014 AF storage for stock
- ☒ Signature/notarization/fee. ~~.58 AF storage for~~

FINAL REGIONAL PROCESSING REVIEW:

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

By TK Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 11-1-83

RECEIVED



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 5, 1983

DEAN A. ELLIOTT
RUTH A. ELLIOTT
1405 HALL RD.
VIOLA

ID 83872

RE: Claim No. 87-4154

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

87-1154

ELLIOTT, DEAN A. &/or RUTH A.

1405 HALL RD., VIOLA, ID 83872

Source: UNNAMED STREAM trib. to FLANNIGAN CREEK

Priority Date: 05/10/1969

Diversion Pt: SWNW Sec 03 T 40N R 05W

Use: IRRIGATION STORAGE	(0.2 AF)
STOCKWATER STORAGE	(0.01 AF)
DOMESTIC STORAGE	(0.02 AF)
RECREATION STORAGE	(0.15 AF)
FIRE PROT. STORAGE	(0.15 AF)

In: SWNW Sec 03 T 40N R 05W FOR 1 ACRES

NOTED



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Date: 7-1, 1983

RECEIVED

JUL 11 1983

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

Dear Dean Elliott:

Department of Water Resources
Northern District Office

This office is in receipt of your Claim to a Water Right and Check No. 92-310 in the amount of \$30.00 and we are returning same to you because the Claim cannot be formally receipted until the following information is provided:

_____ Complete Name.	_____ Location of Point(s) of Diversion - Item 5.
_____ Complete Mailing Address.	_____ Location of Place of Use (Acres irrigated if water is claimed for irrigation.) - Item 6.
_____ Date of Priority - Item 1.	_____ Filing Fee. (\$30.00)
☒ Source of Water - Item 2.	_____ Signature.
_____ Amount, Nature & Period of Use - Item 3.	_____ Notarization of Signature.
_____ Total Quantity Claimed - Item 4.	
_____ Other <u>Upper East - 3</u>	

Please note that your Claim has been stamped and initialed as received. If you amend the Claim by adding the needed information and return the Claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee. INITIAL ALL CHANGES.

~~Instructions for completing a Claim to a Water Right are included for your information.~~ However, if you desire assistance, please feel free to contact this office.

Sincerely,

Tom K. King

IDAHO DEPARTMENT OF WATER RESOURCES

pms

Enc. - Claim
Check
Instructions

*Following phone conversation
with Tom K. morning of July 8, 1983,
I am clarifying information about
source of water in Item 2.*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCE

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 838
(208) 667-6484

Date: 7-1, 1983

Dear Sean Elliott:

This office is in receipt of your Claim to a Water Right and Check No. 22-310 in the amount of \$ 30.00 and we are returning same to you because the Claim cannot be formally receipted until the following information is provided:

Complete Name.	Location of Point(s) - Item 5. of Diversion
Complete Mailing Address.	Location of Place of Use (Acres irrigated if water is - Item 6 claimed for irrigation.)
Date of Priority - Item 1.	Filing Fee. (\$30.00)
☒ Source of Water - Item 2.	Signature.
Amount, Nature & Period of Use - Item 3.	Notarization of Signature.
Total Quantity Claimed - Item 4.	
Other <u>Appreciated</u>	

Please note that your Claim has been stamped and initialed as received. If you amend the Claim by adding the needed information and return the Claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee. INITIAL ALL CHANGES.

~~Instructions for completing a Claim to a Water Right are included for your information.~~
However, if you desire assistance, please feel free to contact this office.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

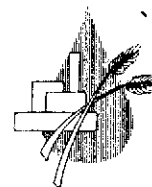
Enc. - Claim
Check
Instructions

POOR QUALITY ORIGINAL

Form No. 243
9/81

RECEIVED
JUN 30 1983

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 Dean A. and Ruth A. Elliott
(Name of Claimant)

1405 Hall Road, Viola, Idaho 83872 Telephone No. (208) 882-4376
(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 10, 1969

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)

(2) Describe the source of water: (Name of stream, lake, spring, etc.)
Upper East (Headwaters) tributary to Flannigan Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

		(Both dates inclusive)	
(cfs, af)	AF	(Domestic, Irrigation, Stock, Etc.)	
			(Mo., Day) (Mo., Day)
Quantity	54.00 gal. 0.16	Use Washing Farm Equip.	Period of Use From Mar. 1 To Dec. 31
Quantity	654.70 gal. 20	Use Irrigate farmstead	Period of Use From May 15 To Oct. 31
Quantity		Use (1.2 A)	Period of Use From To
Quantity	474.5 gal. 0.11	Use Water for horse	Period of Use From Jan. 1 To Dec. 31
Quantity	48000 gal. 1.47	Use Recreation/Fire	Period of Use From Jan. 1 To Dec. 31
TOTAL QUANTITY USED Protection Storage			

(4) 38 AF TOTAL QUANTITY USED. Protection Storage
(cls. af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NW 1/4, Sec. 3 Twp. 40 Rge. 5 B.M., County of Latah
 Additional points of diversion: NONE

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. Water is stored in pond and in cased feeder spring adjacent to pond
from which water is either hauled by tank-truck or pumped through pipe-
line to point of use at farmstead.

(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]

(All use is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$)

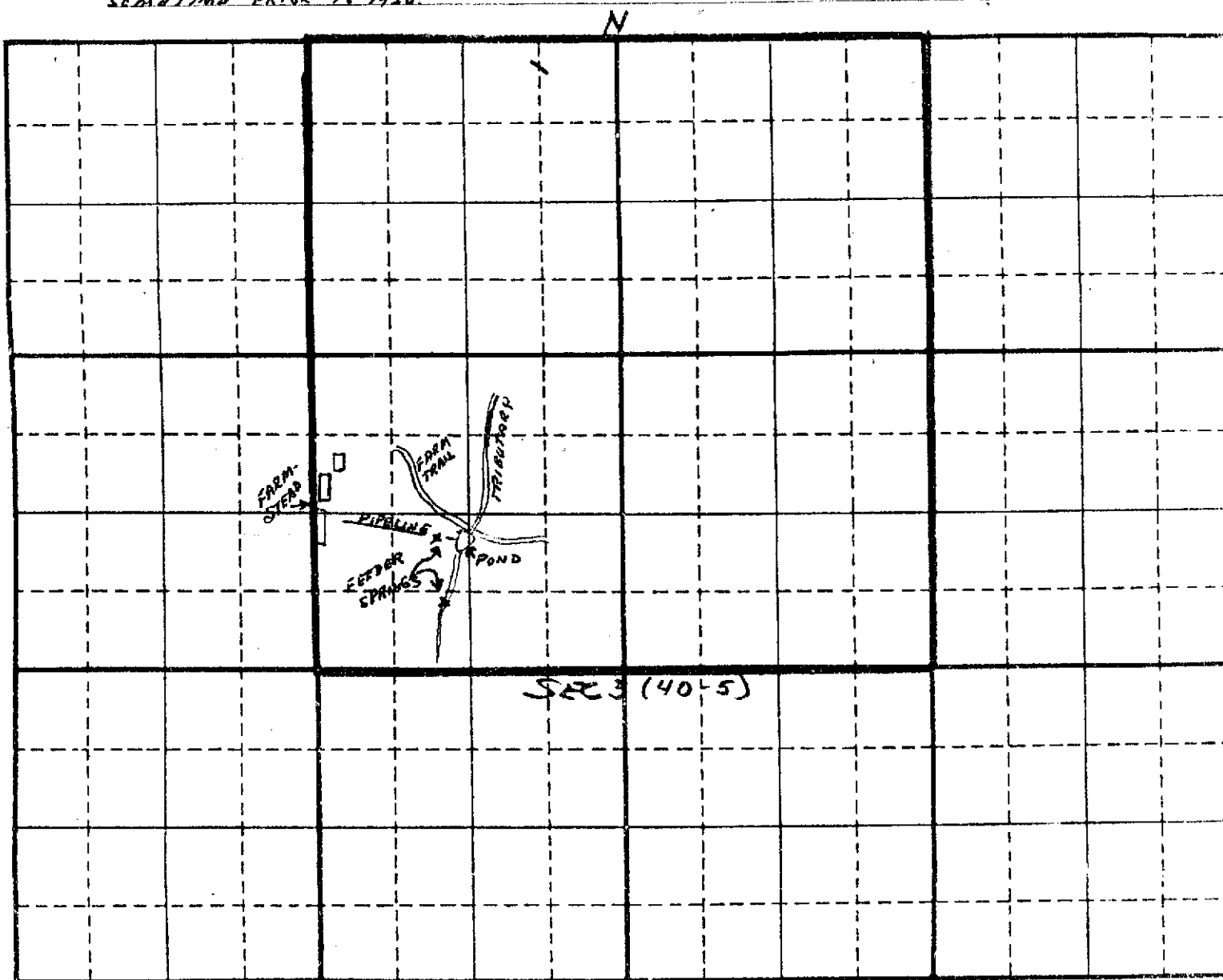
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NOTE: Include here the type and number of stock watered: 1 HORSE

(7) If you are claiming water as a member of an organization, list name of organization: _____ No

- (8) Remarks Attached is aerial photo (Dated 1965 in Assessor's file)
showing location of pond in relation to farmstead. IT IS TO BE NOTED THAT,
AS NEAR AS CAN BE DETERMINED, POND WAS CONSTRUCTED BY A PREVIOUS OWNER
SOMETIME PRIOR TO 1950.



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 June

X Alvan G. Elliott
 X Robert A. Elliott
 (Claimant)

1983.

Judy A. Mohr
 Notary Public
 Residing at

Moscow, Idaho

My commission expires

"For Life"

FOR DEPARTMENT USE ONLY

Received by pa

Date

6/30/83

Exception filed by:

Forwarded to

Date

Prelim. check by

Date

\$30.00 fee received by

Date

Published in

Pages