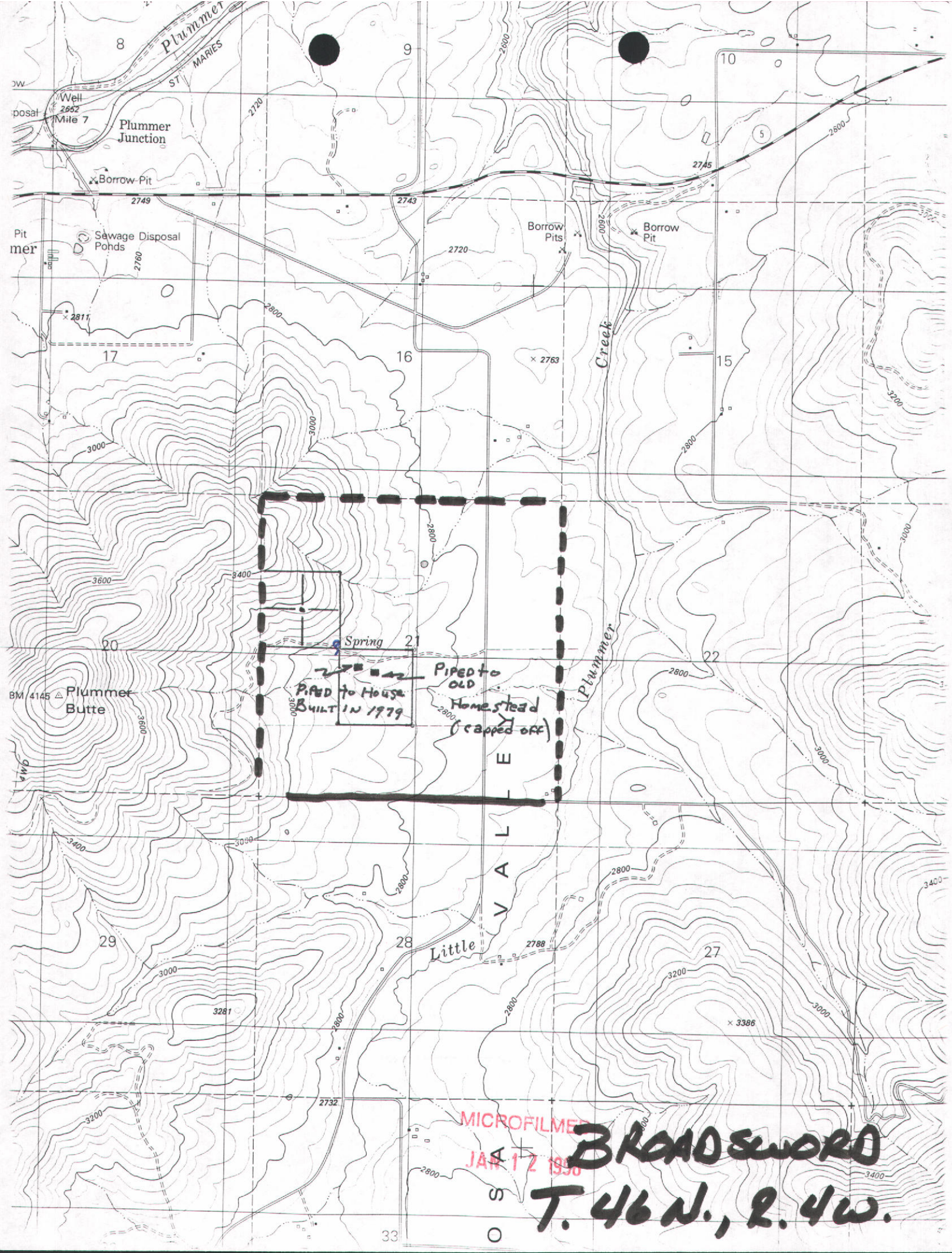




STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

RECEIVED

DEC 24 1997

Section 42-243, Idaho Code, authorizes the filing of a claim to a water right established by diversion and application of water to beneficial use for domestic uses as defined in Section 42-111, Idaho Code. **The filing of this claim does not confirm the water right claimed.**

Notice is hereby given that Don Broadsword
(Name of Claimant)
RT1 Box 88A Plummer ID 83851 Telephone No: 208 686-1828
(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:

follows:

1. Date of Priority: (When the water was first applied to beneficial use) (JUNE 15, 1920) 1920 ± DOMESTIC
A claim is not acceptable on a surface water source with a priority later than May 20, 1971.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

SPRING tributary to SINKS

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

Claimed:		(cfs, af)		(Domestic, Stock, Etc.)		(Both dates inclusive)	
						(Mo., Day)	(Mo., Day)
Quantity	<u>mark 0.04</u>	Use	<u>Domestic stock</u>	Period of Use From	<u>1920+</u>	to	<u>1928</u>
Quantity	<u>mark 687 200-300 day</u>	Use	<u>Domestic stock</u>	Period of Use From	<u>1929</u>	to	<u>PRESENT</u>
Quantity	<u>0.04</u>	Use	<u>STOCK WATER</u>	Period of Use From	<u>71</u>	to	<u>1931</u>

4. WPK - EST. 200-300 Gallons ^{0.04} DAILY
(cfs. af) TOTAL QUANTITY USED.

* Piped into 7 Bedrooms
House Plus Lawn
Garden & Livestock

5. A) Location of point of diversion is SE $\frac{1}{4}$ of SW⁷ $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot _____
Sec. 21 Township T46N Range 4W B.M. BENEWAH County; additional points of diversion
if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

GRAVITY FLOW FROM CONCRETE SPRING HOUSE.

UNDERSTAND STRUCTURE REPLACED METAL ENCASUREMENT
IN 1979. 1" LINE.

6. A) Describe place of use within each 40-acre tract in the appropriate box using the following symbols in the appropriate tract. D - domestic, S - stockwater, X - other

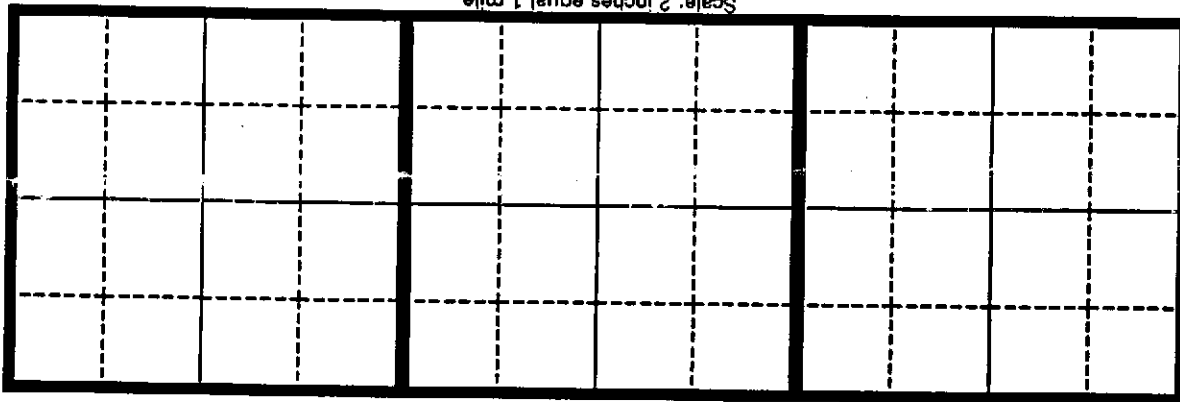
T	R	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
~~4W~~	~~4~~																		
46N	4W	21									D								
46N	4W	21									S								

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JAN 12 1958

B) Fully describe the use, being as specific as possible: WATER IS Piped to House
AND 2 OUTSIDE FRUITS. USE IS DOMESTIC, STOCK
LAWN AND GARDEN

NOTE: Include here the type and number of stock watered: 5. HILSES

7. Remarks:



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. Attach an aerial photograph of the place of use if available.

State of Idaho

County of BENIGNAH
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.

Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 8 day of August, 19 97.

Notary Public

Residing at: Seaside, Oregon, 97138

My commission expires: April 30, 2000

FOR DEPARTMENT USE ONLY

Received by φ

Prelim. check by φ

\$100.00 receipted by φ

Receipt # NO11580

Date 9/2/97

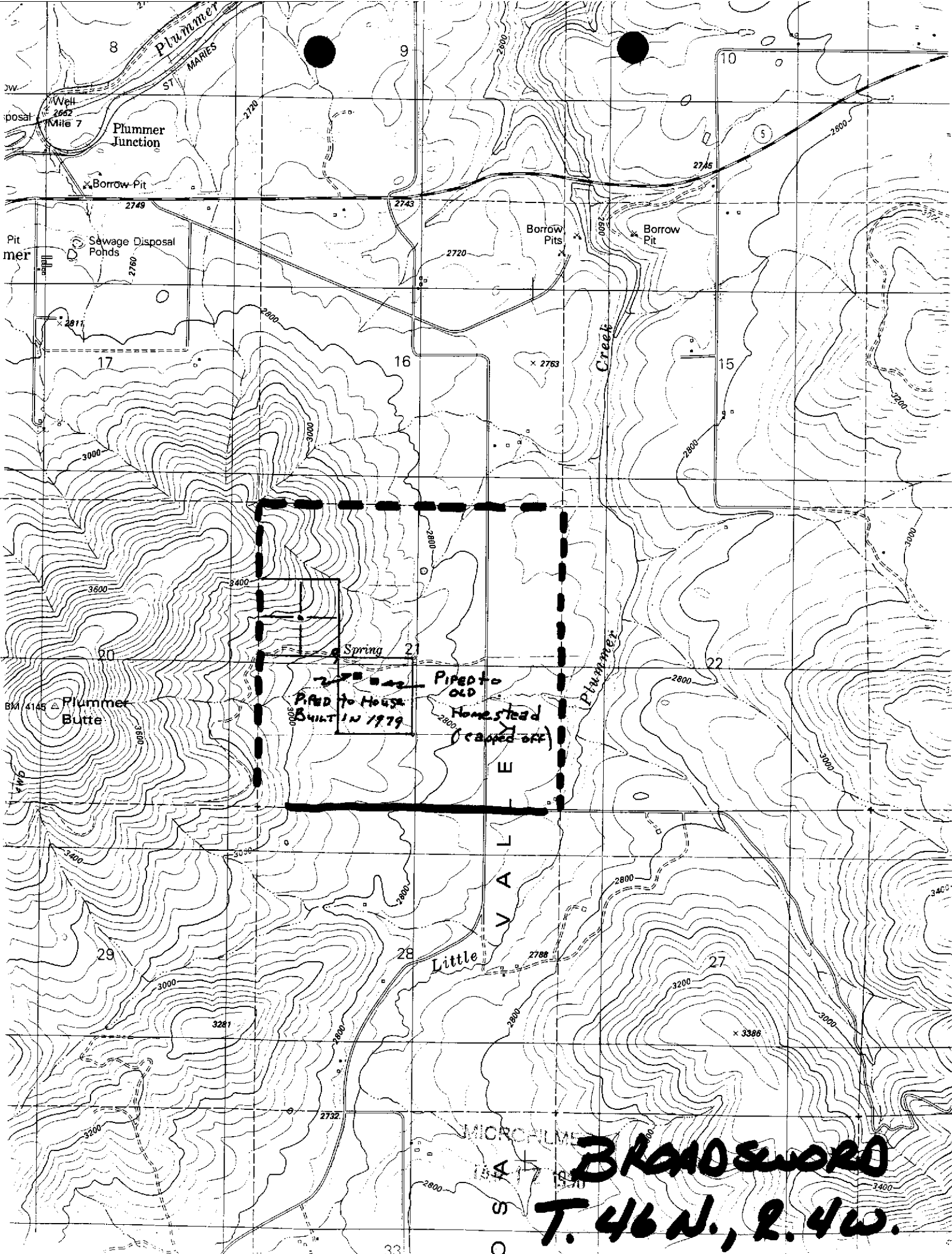
Date 9/2/97

Published in

Dates

Exceptions filed by

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JAN 1 21 1998



BROADSWORD
T. 46 N., R. 4 W.



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

RECEIVED

DEC 24 1997

DEPARTMENT OF WATER RESOURCES

Fax (208) 769-1454

PHILIP E. BATT
Governor

KARL J. DREHER
Director

DECEMBER 10, 1997

DON BROADSWORD
ROUTE 1 BOX 88A
PLUMMER, ID 83851

Re: Claim No. 95-04734

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

RGH:db

Enclosure

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JAN 12 1998

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RB

Right Number 95-4734 Applicant BROADSWORD

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.

Sm/ [Signature] / ok
Admission 11/19+26/97
12/8/97 last day

FINAL REGIONAL PROCESSING REVIEW:

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

By [Signature] Date 12/10/97

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 12/30/97

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner 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 herein.

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 19th day of NOV, 1997 and the last on the 26th day of NOV, 1997.

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.

Dated this 26th day of NOV, 1997.

Cynthia Ann Hammes

STATE OF IDAHO)
COUNTY OF BENEWAH)

On this 26th day of NOV, in the year of 1997 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Sharon D. Blackburn

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires: November 4, 1998

Notice of water rights

**NOTICE OF CLAIMS
TO WATER RIGHT**

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

95-04734

Broadsword, Don
Route 1, Box 88A
Plummer, ID 83851

Source: SPRING Tributary: SINKS
Diversion Pt: SESWNW Sec. 21 T
46N R 04W in BENEWAH County.

Use: STOCKWATER (0.040 CFS)
DOMESTIC (0.040 CFS)

Total Diversion: (0.040 CFS)

Date Filed: 6/15/1920

In: Benewah County, T46N R04W
S21 NESW

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814.

KARL J. DREHER, Director
3802--Nov. 19-26

RECEIVED

NOV 28 1997

NORTHERN REGION
IDWR

MICROFILMED

NOV 2 1997

Water Right Number - 95-04734

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

BROADSWORD

DON

1 - ROUTE 1 BOX 88A

2 -

3 -

City- PLUMMER

State- ID Zip- 83851

Phone - 208-686-1828

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/15/1920 18 NORTHERN S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SPRING SINKS

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County	Diversion Name	Diversion Rate	Diversion No.
-----	-----	-----	-------	-----	------	--------	----------------	----------------	---------------

46N	04W	21	SE SW NW			(9) BENEWAH			
-----	-----	----	----------	--	--	--------------	--	--	--

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
------	-------------	-------------	-----------	----------------	------------------

04 - STOCKWATER		01/01	12/31	0.040	
-----------------	--	-------	-------	-------	--

43 - DOMESTIC		01/01	12/31	0.040	
---------------	--	-------	-------	-------	--

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.040

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
46N	04W	21	NE SW			04	STOCKWATER	(9) BENEWAH
46N	04W	21	NE SW			43	DOMESTIC	(9) BENEWAH

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

Stockwater use is for 5 horses.

Domestic use is for 1 home.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - Decree Date - +

Water right number - 95-04734

Prefix Translation: WATER RIGHT

[illegible]

Date: 11/12/1997 User Id: DBALL Subject: Diversion works.

Gravity flow from concrete spring house, 1 inch line to house and 2 outside faucets.

+ - - Audit Fields - 11/12/97 DBALL 11/12/97 SCURTIS

+ Water Rights Dates and Flags Area +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- N011580	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 09/02/1997	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	- Y
Presumption Flag	-				

95-04734

BROADSWORD, DON
ROUTE 1 BOX 88A
PLUMMER, ID 83851

Source: SPRING

Tributary: SINKS

Diversion Pt: SESWNW Sec 21 T 46N R 04W in BENEWAH County.

Use: STOCKWATER	(	0.040 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.040 CFS)

Date Filed: 6/15/1920

In: BENEWAH County
T46N R04W S21 NESW

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JAN 12 1938



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

September 4, 1997

PHILIP E. BATT
Governor

KARL J. DREHER
Director

Mr. Don Broadsword
Rt 1 Box 88A
Plummer ID 83851

RE: Water Rights

Dear Mr. Broadsword:

We have received your Claim to A Water Right at this office. Some of the information on your claim has been changed to standardize the form.

Please contact me at this office immediately if you disagree with the following modifications to your filing:

Item #1. We have listed June 15, 1920, as the priority date (the date that water was first used for the older home). If you find that this date is not accurate, please let us know. The priority date must include a month, day and year.

Item #2. Since there was no entry for tributary, we assumed that the spring does not flow into another source and have added "sinks".

Item #3. 0.04 CFS (18 GPM) was added for a diversion rate for the quantity and a use period from 1/1 to 12/31 was also added. This rate is normally the highest standard rate for domestic and stock water.

The Claim to a Water Right may only be filed for the older home. An Application for Permit must be filed for the home built in 1979. Enclosed is another form. Since Claims can only be filed for surface water sources with priority dates developed prior to May 20, 1971, if you wish to file for both homes on one filing, this should be done on the Application for Permit. We will hold your Claim for 10 days, if we do not hear from you, we will begin processing it.

If you have any questions, or would like to discuss these issues further, please feel free to contact me at this office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

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JAN 12 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

PHILIP E. BATT
Governor

KARL J. DREHER
Director

July 30, 1997

Mr. Don Broadsword
Rt 1 Box 88A
Plummer ID 83851

RE: Water Rights

Dear Mr. Broadsword:

We are returning your Application for Permit to you, as it is not acceptable in it's present form. Please accept my apology for the delay in responding back you to you. It is our busy time of the season.

You filing seems fairly complete. However, clarification of the legal descriptions for the Point of Diversion and Place of Use are needed. I have enclosed a photo copy of a larger scale map for you to mark where the spring is located and also, where the water will be used. The Point of Diversion should be listed to the nearest 10 acre tract and the Place of Use to the nearest 40 acre tract, corresponding with the map.

The Application for Permit method of filing for water rights creates a priority date of when we receive an acceptable filing. Normally, this is done for new water developments.

You indicated on your filing that water from the spring has been used since 1920, for domestic purposes, which allows you to file a Statutory Claim. By filing this way, you could list the priority date of when water was first used. Enclosed, you will also find a Statutory Claim form and set of instructions.

The filing fee for the Application for Permit is \$50.00, which is followed by a \$50.00 Proof of Beneficial Use fee, which is filed after the development. And the Statutory Claim fee is \$100.00 total.

Please contact me at this office, if you have any questions.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MICROFILMED

JAN 12 1998