



70635
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUL 28 2003

CLAIM TO A WATER RIGHT

Department of Water Resources

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that DELAINE LUBBERS AND/OR LUVERNE MCILREE
44606 S. HWY 3 ST. MARIES ID. 83861 (Name of Claimant) Telephone No: 208 689 3635
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) 1923, JUNE 15
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, *Idaho Code*.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
UNNAMED STREAM tributary to LAMB 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:

	(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity	<u>4.75 AFA</u>	Use <u>STOCK WATER</u>	Period of Use From <u>1/1</u> to <u>12/31</u>
4.8 = Quantity	<u>4.75 AFA</u>	Use <u>STORAGE FOR STOCK</u>	Period of Use From <u>1/1</u> to <u>12/31</u>
4.8 = Quantity	<u>4.75 AFA</u>	Use <u>STOCK WATER FROM STORAGE</u>	Period of Use From <u>1/1</u> to <u>12/31</u>
Quantity	<u>0.04 cfs</u>	Use _____	Period of Use From _____ to _____

4. 4.75 AFA = 4.8 TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SW 1/4 of NE 1/4 of _____ Govt. Lot _____
Sec. 24 Township 47N Range 3W B.M., Rootenai 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 specific. Describe any changes in the system and give the date of the change.

9 1/2 FT TAIL DAM For storing water

1/2 ACRE POND SURFACE AREA

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6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
47N	3W	24			S														

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. _____

NOTE: Include here the type and number of stock watered: 100 CATTLE 6 horses

7. Remarks: _____

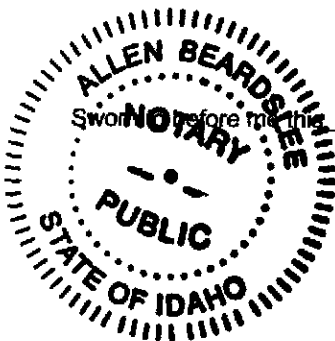
8. Map - Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

State of IDAHO)
County of KOOTENAI) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing 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.

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

11 day of JUNE, 2003



Allen Beardslee
Notary Public

Residing at: cd'A

My commission expires: 8/8/2006

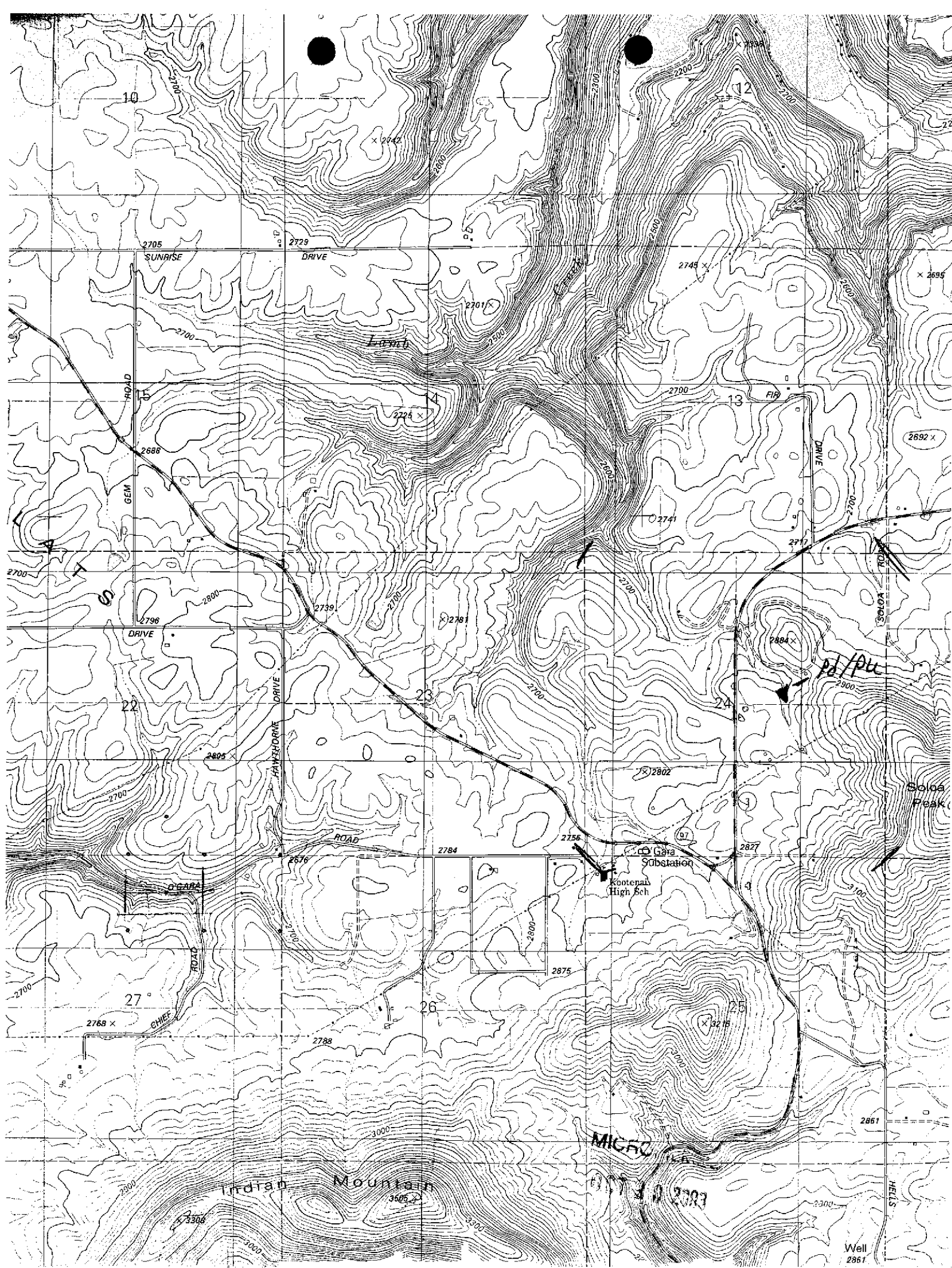
FOR DEPARTMENT USE ONLY

Received by TS Date 6-11-03
Prelim. check by TS Date 6-11-03
Fee NO Receipt # NO 15698
Receipt prepared by TS Date 6-11-03

Published in CDQ Press
Publication dates 7/3-10/03
Publication checked by CD Date 7/11/03
Exceptions filed by _____

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Department of Water Resources

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CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number 94-7393 Applicant LOIBERS/MC LUGG

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.
- Handwritten notes:*
6/17/03 ok to pub.
CA/shun 6/17/03
ok to pub 6/17/03
for pub on 7/2 + 9/03
7/2/03

FINAL REGIONAL PROCESSING REVIEW:

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

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By _____ Date _____

POD + POW Digitized
S. Keen 7/28/2003

AFFIDAVIT OF PUBLICATION

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JUL 11 2003

IDWR/North

STATE OF IDAHO,
County of Kootenai,

ss.

Kattie Hoy

being first duly sworn
upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

Legal Notice

of which the annexed is a printed copy, was published in the regular *Thursday* issue of said newspaper for *2* consecutive *weeks* commencing on the *3* day of *July* 20 *03*, and ending on the *10* day of *July* 20 *03*, and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

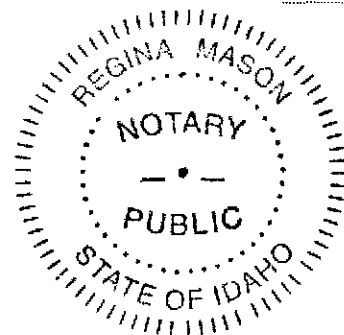
Kattie L. Hoy

Personally appeared before me this *10* day of *July* 20 *03*.

Regina Mason

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

MY COMMISSION EXPIRES 6/18/09



NOTICE OF APPLICATION FOR WATER RIGHT

The following claim(s) have been filed based on diversion and beneficial use of water:

94-7393

DELAINE LUBBERS
LUVERNE MC ILREE
44606 S HWY 3
ST MARIES ID 83861

Point(s) of Diversion: SWNE S24 T47N R03W KOOTENAI County
Source UNNAMED STREAM Tributary To LAMB CREEK
Use: STOCKWATER 01/01 To 12/31 0.04 CFS
Use: STOCKWATER STORAGE 01/01 To 12/31 4.8 AFA
Use: STOCKWATER FROM STORAGE 01/01 To 12/31 4.8 AFA
Total Diversion 0.04 CFS

Priority Date: 6/15/1923

Place Of Use: STOCKWATER

T47N R03W S24 SWNE

Place Of Use: STOCKWATER STORAGE and STOCKWATER FROM STORAGE
same as STOCKWATER

Exceptions to a claim may be filed with the Department of Water Resource, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur D'Alene, ID 83814 together with a protest fee of \$25.00.

Legal 3362
July 3, 19, 2003

KARL J. DREHER, Director

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LUVERNE MC ILREE
44606 S HWY 3
ST MARIES ID 83861

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Use: STOCKWATER 01/01 To 12/31 0.04 CFS

Use: STOCKWATER STORAGE 01/01 To 12/31 4.8 AFA

Use: STOCKWATER FROM STORAGE 01/01 To 12/31 4.8 AFA

Total Diversion: 0.04 CFS

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T47N R03W S24 SWNE

Place Of Use: STOCKWATER STORAGE and STOCKWATER FROM STORAGE same
as STOCKWATER.

Exceptions to a claim may be filed with the Department of Water Resource, Northern
Region, 1910 Northwest Blvd, Suite 210, Coeur D' Alene ID 83814 together with an
exception fee of \$25.00.

KARL J DREHER, Director Published in Coeur d'Alene Press on July 3 and 10, 2003.

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OCT 20 2001



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

June 25, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MISTI FLOOD
LEGAL NOTICE DEPARTMENT
COEUR D ALENE PRESS
201 N 2ND
COEUR D ALENE ID 83814

FAXED TO MISTI FLOOD - 664-0212 6/25/03

** PLEASE FAX PROOF PRIOR TO PUBLICATION **

RE: Statutory Claim No. 94-7393 - LUBBERS & MC ILREE

Dear Misti:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated, July 3 and 10, 2003, (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 07/21/2003. Your cooperation is GREATLY appreciated, as always.

Sincerely

Dianne Ball
Administrative Assistant

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JUN 26 2003



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

June 25, 2003

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DELAINE LUBBERS
LUVERNE MC ILREE
44606 S HWY 3
ST MARIES ID 83861

RE: Water Right Claim No 94-7393

Dear Claimant(s):

The Department of Water Resources acknowledges receipt of your water right claim. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the claim has been prepared and is scheduled for publication in the Coeur d'Alene Press on July 3 and 10, 2003. If exceptions to the claim are filed you will be sent a copy of the exceptions(s).

The filing and advertising of the claim does not confirm the water right claimed. It will serve to record and preserve the information and the evidence, including any exceptions, regarding the 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. Corrections to the claim may be made by filing an amended claim; no additional filing fees are required to amend a claim.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

We are enclosing a copy of the claim for your records. Please feel free to contact this office if you have any questions.

Sincerely,

Robert G. Haynes, P.E.
Regional Manager

Enclosure(s) - Copy of Claim to a Water Right No. 94-7393

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OCT 1 2003