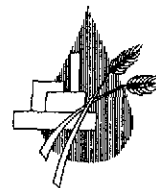


No Color
Documents
In File

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 Harvey Kammerzell

(Name of Claimant)

DeSmet, Idaho

83824

Telephone No. 208-274-4065

(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) October, 1972

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)

groundwater (well) tributary to n/a

(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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.04cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>300gpd</u>	Use <u>Stockwatering</u>	Period of Use From <u>11-1</u>	To <u>4-1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 300gpd and .04cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

NE ¼ SW ¼, Sec. 10 Twp. 43N Rge. 4W B.M., County of Benewah

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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
43N	4W	10									X	X							N/A
43N	4W	9													X	X	X	X	N/A

No. of acres _____

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

Domestic Water and Stock Watering

NOTE: Include here the type and number of stock watered: average 25 head range stock

If you are claiming water as a member of an organization, list name of organization: _____

Remarks Claimant is aware that the filing of this claim may not be necessary
but has, nevertheless elected to file the same.

T43N R4WBM BENEWAH Co.

9

10
x - well
x - house (place of use)

Place of use for stock watering
is SW $\frac{1}{4}$ Sec. 9 and N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 10

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)
) ss.
County of Nez Perce)

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.

X Harvey Hammerzell
(Claimant)

Sworn to before me this 23rd day of **August**

19 82
Notary Public
Residing at Lewiston, Idaho

My commission expires January, 1984

FOR DEPARTMENT USE ONLY

Received by AK Date 8/24/82 Exception filed by: _____ Forwarded to _____ Date _____
 Prelim. check by AK Date _____ claimant by: _____
 \$20.00 fee received by AK Date 8/25/82 (24331)
 Published in St. Marie's Gazette Record
 Dates 9/19 & 8/28

Affidavit of Publication

STATE OF IDAHO
County of Benewah, ss.

JoJane Hammes, being first duly sworn on oath, deposes and says that she is co-publisher and business manager 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 hereon.

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...1... day of...September 19.82 and the last on the...8....day of...September 19.82

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.

JoJane Hammes

Subscribed and sworn to before me this...8.... day of Sept....., 19.82..

Beverly A. Linn

Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

Harvey Kammerzell files water claim notice

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

93-4020

Name: Harvey Kammerzell
Address: DeSmet, Idaho 83824
Priority Date: October 1, 1972
Amount: 0.06 cubic feet per second
Source: Groundwater
Point of Diversion: NESW Sec 10 T 43N R 04W, Benewah County
Place of Use: NESW NWSW Sec 10 T 43N R 04W NESE NWSE SWSE SESE Sec 09 T 43N R 04W NESW Sec 10 T 43N R 04W
Use: Stockwater (0.02 cfs) from Nov. 1 to April 1; Domestic (0.04 cfs) from Jan. 1 to Dec. 31.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Idaho 83814.

A. KENNETH DUNN
Director

No. 6912 — Sept. 1-8.

AK
9/13/82

RECEIVED

SEP 10 1982

Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number

93-4020

Applicant

Hammeyle

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. - 0.02 cfs took 0.06 cfs total
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By

JK

Date

9/27/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

10/5/82

RECORDED
OCT 9 4 1982

Department of Water Resources

93-4020

KAMMERZELL, HARVEY

DESMET, ID 83824

Source: GROUNDWATER

Priority Date: 10/01/1972

Amount: 0.06 CFS

Diversion Point: NESW Sec 10 T 43N R 04W, BENEWAH Co.

Use: STOCKWATER	(0.02 CFS)	from 11/01 to 04/01
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: NESW NWSW Sec 10 T 43N R 04W NESE NWSE SWSE SESE
Sec 09 T 43N R 04W NESW Sec 10 T 43N R 04W

RECEIVED
JAN 10 1973
BENEWAH

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 20, 1982

HARVEY KAMMERZELL
DESMET

ID 83824

RE: Claim No. 93-4020

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. Haines, P.E.
Regional Supervisor

Enclosure