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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 WILLIAM OR RUTH ROSENBERY (Name of Claimant)
STAR RT BOX 59, DESMET, ID 83829 (Mailing Address) Telephone No. 274-3342 (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) 1965

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) SPRING 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	0.04	Use	DOMESTIC	Period of Use From JAN 1	To DEC 31
Quantity	0.02	Use	STOCKWATER	Period of Use From JAN 1	To DEC 31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.06 TOTAL QUANTITY USED. (cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source) SW 1/4 SW 1/4, Sec. 2 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. PIPE FROM THE SPRING TO STOCK POND

(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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
43N	4W	2										X							

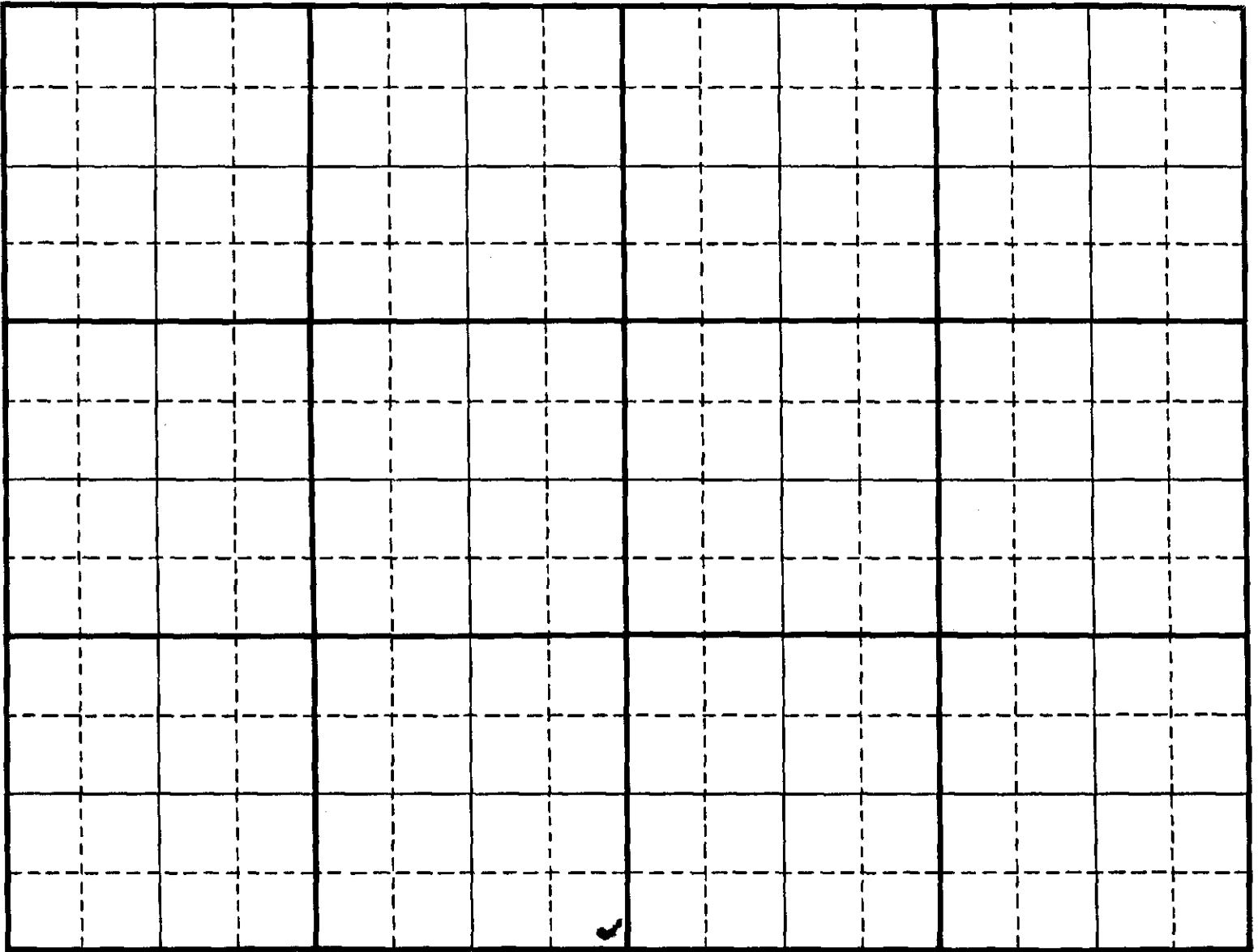
No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: DOMESTIC USE - ONE FAMILY

NOTE: Include here the type and number of stock watered: 8 HEAD OF BEEF CATTLE & HORSES

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



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 Kootenai) 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 9 day of May

Luth Rosenberg
(Claimant)

1979.

Robert Hayner
Notary Public

Residing at COLA

My commission expires lifetime

FOR DEPARTMENT USE ONLY

Received by <u>KK</u>	Date <u>5/8/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RW</u>	Date	<u>#13506</u>	claimant by:	
\$20.00 fee received by <u>KK</u>	Date <u>5/9/79</u>			
Published in <u>L. Marion Gazette Record</u>				
Dates <u>5/24 & 5/31/79</u>				

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 two issues, the first publication being on the 24th day of May, 1979 and the last on the 31st day of May, 1979.

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 1st day of June, 1979.

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

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:

93-4010

Name: William or Ruth Rosenberry
Address: Star Route, Box 59,
DeSmet, Idaho 83824.
Priority Date: Jan. 1, 1965
Amount: 0.06 cubic feet per second
Source: Unnamed spring
Means: Pipe to stock pond
Point of Diversion: SWSW Sec 02 T
43N R 04W, Benewah county
Place of Use: NWSW Sec 02 T 43N R
04W
Use: Domestic (0.04 cfs) from Jan 1
to Dec 31; Stockwater (0.02 cfs)
from Jan 1 to Dec 31.

95-4415

Name: C.R. Moore
Address: Route 1 Box 47, St. Maries,
Idaho 83861
Priority Date: Jan. 1, 1916
Amount: 0.04 cubic feet per second
Source: Unnamed spring
Means: Pump and pipeline
Point of Diversion: NENW Sec 14 T
46N R 03W, Benewah county
Place of Use: NENW Sec 14 T 46N R
03W
Use: 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.

C. STEPHEN ALLRED
Director

Published 5-24 & 5-31-79
No. 5740 — May 24-May 31.

RECEIVED

JUN 1 1979

Department of Water Resources
Northern District Office

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ry A

Right Number 93-4016 Applicant Rosenberry

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 pm Date 6/4/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 6/19/79

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

JUNE 11, 1979

WILLIAM ROSENBERRY
RUTH ROSENBERRY
STAR ROUTE BOX 59
DESMET

ID 83824

RE: Claim No. 93-4010

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



ROSENBERRY, WILLIAM &/or RUTH

STAR ROUTE BOX 59, DESMET, ID 83824

Source: UNNAMED SPRING

Priority Date: 01/01/1965

Amount: 0.06 CFS

Diversion Point: SWSW Sec 02 T 43N R 04W, BENEWAH Co.

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

Place of Use: NWSW Sec 02 T 43N R 04W

Diversion Means: PIPE TO STOCK POND

RECEIVED
JAN 10 1965
FBI - BUTTE