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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 Milton E or Shelly M Rust
(Name of Claimant)
Gen. Del. Santa, Id 83866 Telephone No. None
(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) January 1980

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)
ground water 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 .04 cfs	Use Domestic	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
Quantity	Use	Period of Use From	To

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

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 SE 1/4, Sec. 14 Twp. 44N Rge. 1W B.M., County of Benewah
Additional points of diversion: well lies in the center of the NW 1/4 of the SW 1/4 of the SE 1/4 of Section 14

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. Pump and pipe line

(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	
44N	1W	14															X		X

No. of acres 1X

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

The water will be used for domestic supply and garden

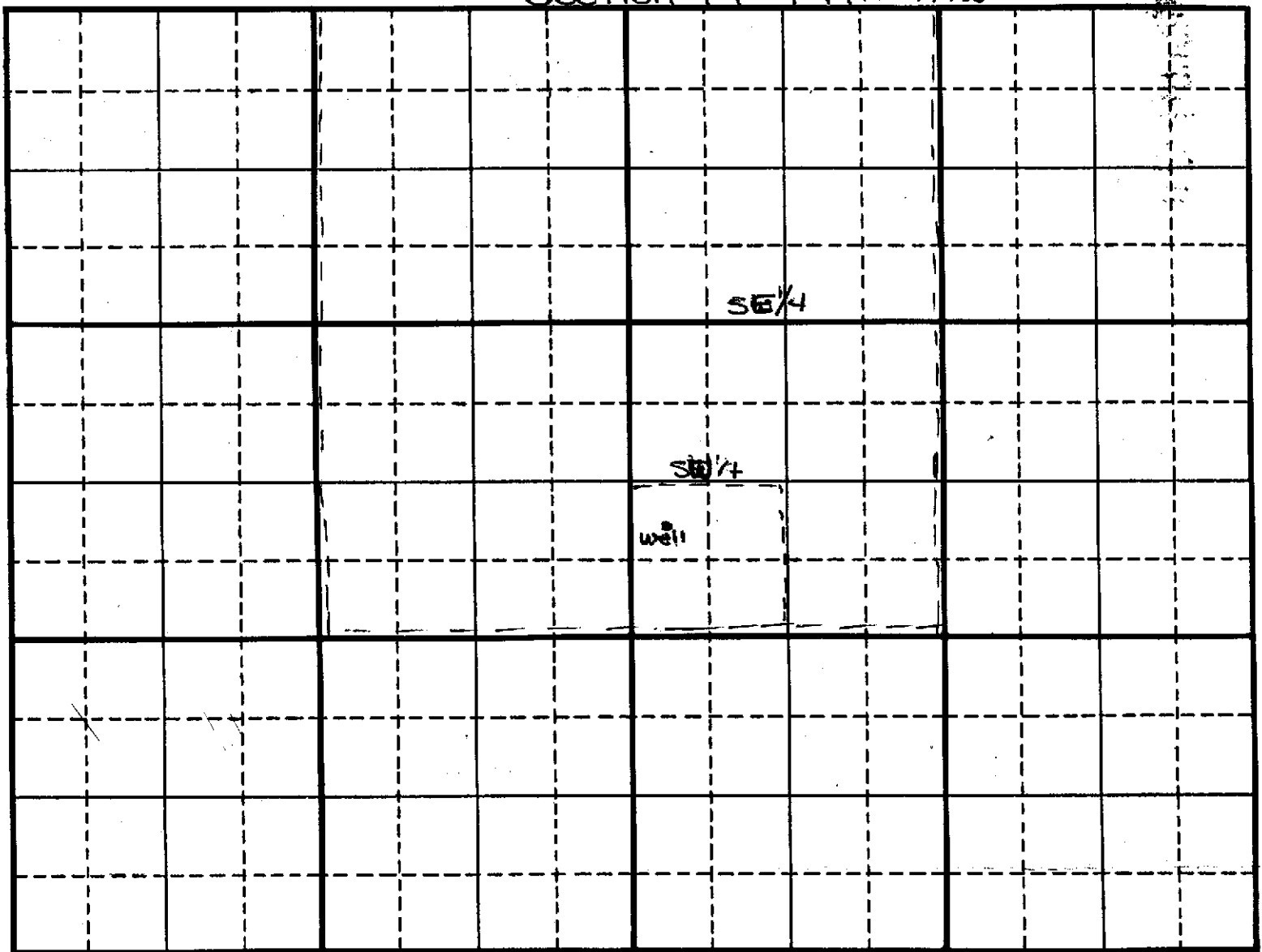
NOTE: Include here the type and number of stock watered:

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

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(8) Remarks _____

Section 14 T44N R1W



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 Bonewah) 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.

Myron E. Rust
Shelly M. Rust
(Claimant)

Sworn to before me this 29th day of December, 1979.

William James Rogers
Notary Public
Residing at Santa Fe, Idaho

83866

My commission expires Sept 4 1981

FOR DEPARTMENT USE ONLY

Received by <u>JK</u>	Date <u>1/18/80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JK</u>	Date <u>1-21-80</u>		claimant by:	
\$20.00 fee received by <u>JK</u>	Date <u>1-21-80 (15190)</u>			
Published in <u>St. Lawrence Gazette</u>				
Dates <u>1/31 + 2/7/80</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 2 issues, the first publication being on the 31 day of January, 1980 and the last on the 7 day of February, 1980.

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 7 day of February, 1980

Beverly A. Linn
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:

92-4027

Name: Milton E. and-or Shelly M. Rust

Address: General Delivery, Santa, Id 83866

Date Filed: Jan. 1, 1980

Amount: 0.04 cubic feet per second

Source: groundwater

Means: Pump & Pipe

Point of Diversion: SWSE Sec 14 T 44N R 01W, Benewah county

Place of Use: SWSE Sec 14 T 44N R 01W

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

No. 6034 — Jan. 31-Feb. 7.

OK
2/28/80

92-4027

January 9, 1980.

Mr. and Mrs. Milton E. Rust
General Delivery
Santa, Idaho 83866

Dear Mr. and Mrs. Rust:

On the Claim to a Water Right you filed with this office, you have indicated 10 acres of irrigation under Item 6.A., yet there is no mention of irrigation in Item 3, nor a total quantity in Item 4. Not being certain of what water rights you are claiming, I am returning your Check No. 97-10 in the amount of \$20.00 and your Claim to a Water Right.

If you are claiming an irrigation right of more than $\frac{1}{2}$ acre with a priority date of 1/1/1980, I am afraid the Department is statutorily prohibited from accepting a Claim on that right.

If you wish to have the water rights for irrigation of 10 acres and domestic for one home, please complete the enclosed Application for Permit. I have included a Water Users Handbook to Aid you in completing the form if you wish to do so. This handbook will also explain many other facets of water rights and answer most of the questions you may have concerning Idaho Water Rights.

If you are claiming water for a single household only, complete Item 4 on the Claim, place an "X" on the square you marked with "10" in Item 6.a. and return the Claim and check to this office for processing.

If you have any questions, please do not hesitate to contact me at this office.

Sincerely,

TOM D. KING, JR.
Senior Water Resource Agent

TDK/pms

Enc. - ~~Chatt~~
Handbook
Application & Instructions

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 92-4027

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 _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 4/29/80

92-4027

RUST, MILTON E. &/or SHELLY M.

GENERAL DELIVERY, SANTA, ID 83866

Source: GROUNDWATER

Date Filed: 01/01/1980

Amount: 0.04 CFS

Diversion Point: SWSE Sec 14 T 44N R 01W, BENEWAH Co.

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

Place of Use: SWSE Sec 14 T 44N R 01W

Diversion Means: PUMP & PIPE

RECEIVED
JAN 10 1980

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

APRIL 21, 1980

MILTON E. RUST
SHELLY M. RUST
GENERAL DELIVERY
SANTA

ID 83866

RE: Claim No. 92-4027

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

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

January 28, 1980

Mr. Milton E. Rust
General Delivery
Santa, Idaho 83866

RE: 92-4027

Dear Mr. Rust:

Enclosed is Receipt No. 15190 in the amount of \$20.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patricia M. Styrpa

PMS

Enclosure

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