

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 13th day of ..December..., 19.79 and the last on the 20th day of December., 19.79

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...13th.. day of ..December, 19.79..

Shelly Hammes
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:
92-4025

Name: Theodore O. and-or Evelyn B. Russell

Address: Rt. 4 Box 9, St. Maries, Idaho 83861

Priority Date: June, 1, 1961

Amount: 0.04 cubic feet per second

Source: Groundwater

Means: Well & Pump

Point of Diversion: NWNW Sec 25 T 46N R 02W, Benewah county

Place of Use: NWNW Sec 25 T 46N R 02W

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. 8888 — Dec. 13-Dec. 20.

5985

OK
1/29/80

RECEIVED
JAN 29 1980

Department of Water Resources
Northern District Office

MICROFILMED

RECEIVED **STATE OF IDAHO**
DEPARTMENT OF WATER RESOURCES

DEC 5 1979

CLAIM TO A WATER RIGHT

Department of Water Resources

Northern District Office

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 Theodore O. & Evelyn B. Russell
(Name of Claimant)
Rt. 4 Box 9, St. Maries, Idaho 83861 Telephone No. 245-2088
(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) 6-1-61

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 St. Maries River

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

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.04 cfs</u>		Use <u>Domestic</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
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) 0.04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
nw 1/4 nw 1/4, Sec. 25 Twp. 46N Rge. 2W B.M., County of Benewah
Additional points of diversion: None

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 & pump

(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	
46N	2W	25						7/10											7/10 Acres

No. of acres 7/10 Acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Domestic use only - no irrigation

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: n/a

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(8) Remarks Since we have only 7/10 acre it would appear to
us this map would not apply.

A blank sheet of graph paper featuring a uniform grid of squares. The grid consists of 10 columns and 8 rows. Each square is defined by solid black lines. Within each square, there are dashed horizontal and vertical lines intersecting at the center, creating a smaller square in the middle of each larger square. This pattern repeats across the entire page, providing a template for drawing or writing.

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

Senewah

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.

1 Theodore C. Russell
(Claimant)

(Claimant)

Sworn to before me this 3rd day of December, 19 79

Fannie Phelps

Notary Public

Residing at

M. Marcus, Id.

My commission expires

1-13-80

FOR DEPARTMENT USE ONLY

Received by

Prelim. check by

\$20.00 fee received by

Published in

Dates

Date _____

Date _____

Date _____

By the



Exception filed by:

Page 43

No. 15143

0

Trial	Percentage of correct responses
1	10
2	85
3	75
4	70
5	65
6	60
7	55
8	50
9	55
10	60

Forwarded to

claimant by:

Date _____

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County of Benewah, ss.

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JoJane Hammes

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

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Priority Date: June, 1, 1961

Amount: 0.04 cubic feet per second

Source: Groundwater

Means: Well & Pump

Point of Diversion: NWNW Sec 25 T 46N R 02W, Benewah county

Place of Use: NWNW Sec 25 T 46N R 02W

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. 0000 — Dec. 13-Dec. 20.

5985

OK
11/29/80

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Ry B

Right Number RUSSELL ~~Applicant~~ 97-4025

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 ms Date 1/29/80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Juni Date 1/31/80

MICROFILMED

92-4025-

RUSSELL, THEODORE O. &/or EVELYN B.

RT. 4 BOX 9, ST. MARIES, ID 83861

Source: GROUNDWATER

Priority Date: 06/01/1961

Amount: 0.04 CFS

Diversion Point: NWNW Sec 25 T 46N R 02W, BENEWAH Co.

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

Place of Use: NWNW Sec 25 T 46N R 02W

Diversion Means: WELL & PUMP

RECEIVED BY 2/10/61
10/10/61

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

DECEMBER 31, 1979

THEODORE O. RUSSELL
EVELYN B. RUSSELL
RT. 4 BOX 9
ST. MARIES ID 83861

RE: Claim No. 92-4025

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

12/31/79



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

Decemger 6, 1979

Mr. Ted O. Russell
Route 4 Box 9
St. Maries, ID 83861

Re: 92-4025

Dear Mr. Russell:

Enclosed is Receipt No. 15143 in the amount of \$20.00 which was received by this office for the filing on the above--referenced item.

Sincerely:

Patricia M. Stypa

pms

Enclosure

