

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 26th day of April., 19.79 and the last on the 3rd day of May., 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 4th day of May., 19.79...

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:
92-4018

Name: Ray or Jean Appel
Address: Box 215 D, Route 1, St. Maries, Ida. 83861

Date Filed: July 1, 1971

Amount: 0.04 cubic feet per second

Source: Unnamed spring

Means: Developed spring, holding tank and pond

Point of Diversion: SWSW Sec 29 T 46N R 02W, Benewah County

Place of Use: SWSW Sec 29 T 46N R 02W

Use: domestic (0.04 CFS) & stock (0.1 Ac-Ft) 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, Id., 83814.

C. STEPHEN ALLRED
Director

Published 4-26 & 5-3-79.

No. 5696 — Apr. 26-May 3.

RECEIVED

MAY 4 1979

Department of Water Resources
Northern District Office

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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 Ray &/or Jean Appel
(Name of Claimant)

Box 215 D Route 1 St. Maries, Idaho Telephone No. 245-2810
(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) July 1, 1971

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)
Unnamed 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	<u>0.04 cfs</u>	Use	<u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity	<u>0.1 AF</u>	Use	<u>Stockwater</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

(4) 0.04 cfs & 0.1 AF TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SW ¼, Sec. 29 Twp. 46N Rge. 2W 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. Developed spring with holding tank and a 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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
46N	2W	29											X						

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
1 Domestic household and stockwater 15 head cattle and horses

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: _____

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Scale: 2 inches equal 1 mile.

section, township and range of the public land survey system.

SS.

~~Koofena?~~

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

April

67 61

Coeur d'Alene

Lifetime

Forwarded to
claimant by:

Date _____

Received by

✓

Date _____

1.11.11

8-1-11
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Cora Lyon
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

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C. STEPHEN ALLRED
Director

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MAY 4 1979

Department of Water Resources
Northern District Office

RECORDED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: KK

Right Number 92-4018 Applicant APPEL

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. no map
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By ms Date 5/4/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By S.S Date 5/24/79

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92-4018

APPEL, RAY &/or JEAN

BOX 215 D, ROUTE 1, ST. MARIES, ID 83861

Source: UNNAMED SPRING

Priority Date: 07/01/1971

Amount: 0.04 CFS 0.1 AC-FT

Diversion Point: SWSW Sec 29 T 46N R 02W, BENEWAH Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31
STOCKWATER (0.1 AC-FT) from 01/01 to 12/31

Place of Use: SWSW Sec 29 T 46N R 02W

Diversion Means: DEVELOPED SPRING, HOLDING TANK & POND

APPROPRIATE

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

MAY 14, 1979

RAY APPEL
JEAN APPEL
BOX 215 D, ROUTE 1
ST. MARIES ID 83861

RE: Claim No. 92-4018

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

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