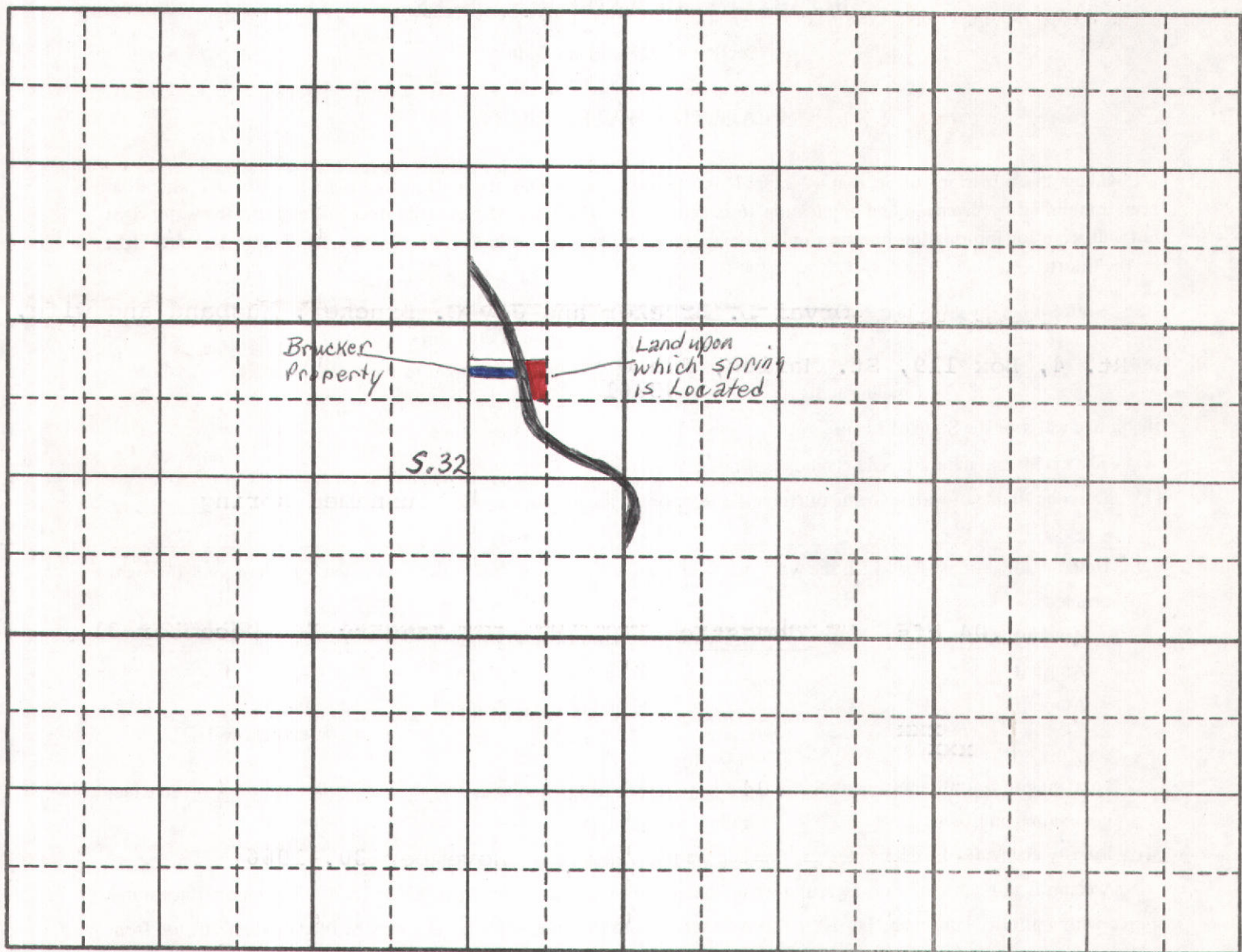


(8) Remarks Access to spring is by easement granted February 26, 1976
in warranty deed recorded at Book 100, page 4226, Benewah
County, Idaho records.



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 Benewah) 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 affiants knowledge.

Sworn to before me this 20th day of February

Orval L. Brucker
Gay E. Brucker
(Claimant)

1979.
Da. Brucker
Notary Public
Residing at St. Maries

My commission expires is for life

For Department Use Only

Received by <u>sm</u>	Date <u>2/22/79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>SR</u>	Date <u>2-22-79</u>		claimant by:	
\$20.00 fee received by <u>sm</u>	Date <u>2/23/79</u> # <u>13437</u>			
Approved for publication by <u>sm</u>	Date <u>2/23/79</u>			
Published in <u>St. Maries Gazette Record</u>				
Dates <u>3/15-15/79</u>				
<u>3/15-22/79</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 15th day of March, 1979. and the last on the 22nd day of March, 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 23rd day of March, 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:

92-4017

Name: Orval L. or Joy C. Brucker
Address: Rt. 4, Box 119, St. Maries, Id. 83861

Priority Date: 11-30-1966

Amount: 0.04 cubic feet per second

Source: Unnamed spring

Means: Pump and pipeline

Point of Diversion: NWNE Sec 32 T 45N R 01W, Benewah County

Place of Use: NWNE Sec 32 T 45N R 01W

Use: domestic purposes 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 3-15 & 3-22-1979

No. 5652 — Mar. 15-Mar. 22

RECEIVED

MAR 28 1979

Department of
Notary Public

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Orval L. Brucker and Joy C. Brucker, husband and wife,
(name of claimant)
of Rt. 4, Box 119, St. Maries, Idaho, claims a right to the diversion and beneficial use of
(mailing address) 83861
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed spring
_____, tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|-----------------------|-----|-------------------------------|----------------|------|------------------|----|------------------------|
| Amount | <u>.04 cfs</u> | Use | <u>domestic</u> | Period of Use: | From | <u>January 1</u> | To | <u>December 31</u> |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: | From | _____ | To | _____ |
| | (cfs, gpm,
or gpd) | | (dom., irri.,
stock, etc.) | | | | | (both dates inclusive) |
- (3) Total quantity of water claimed: .04 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) November 30, 1966

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32 Twp. 45N Rge. 1W 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. 3/4 h.p. pump; 3/4 inch pipe,
approx. 300 yds.

- (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.

[illegible]

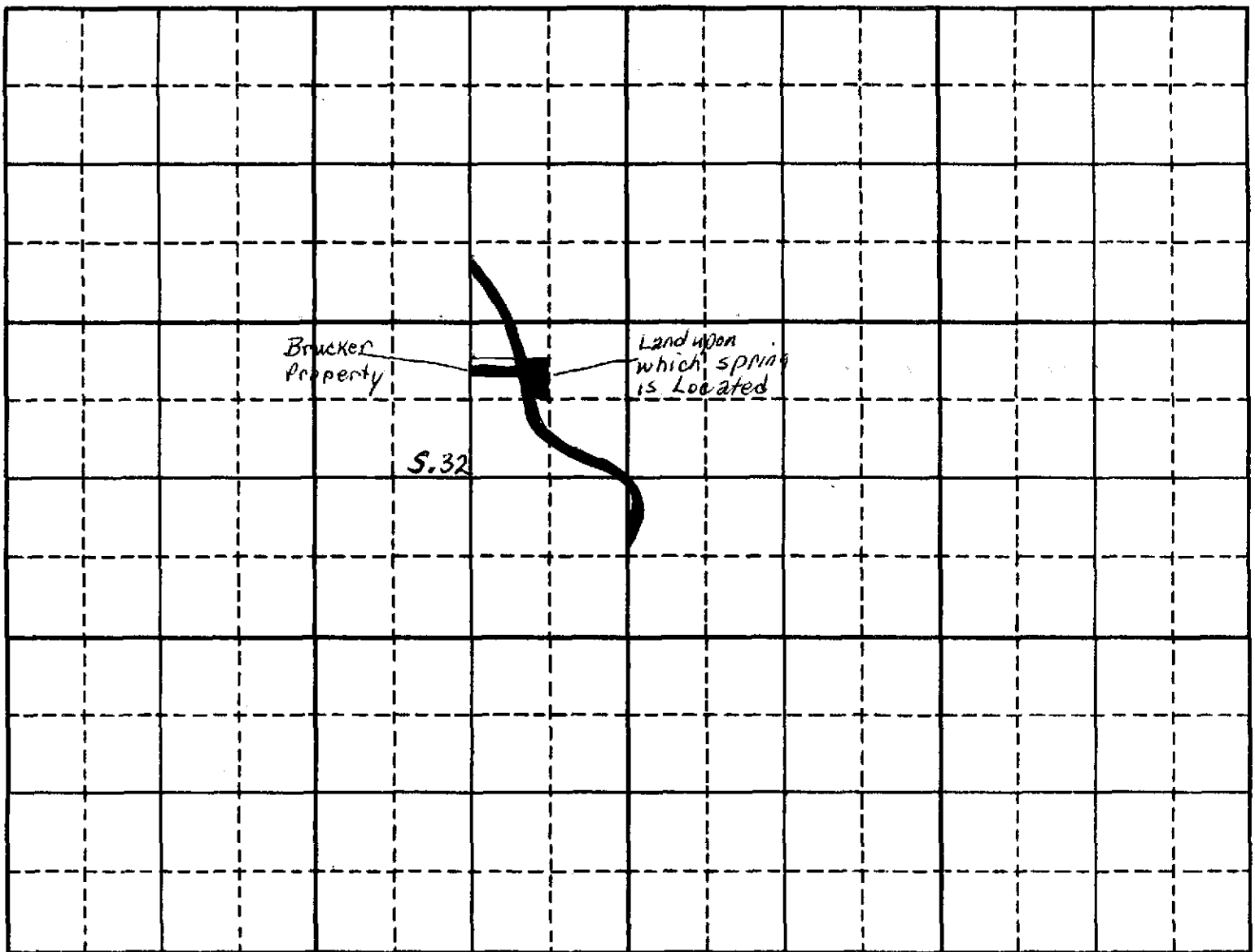
Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: domestic use, including household and garden

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

DECLASSIFIED

(8) Remarks Access to spring is by easement granted February 26, 1976
in warranty deed recorded at Book 100, page 4226, Benewah
County, Idaho records.



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 Benewah)

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 affiants knowledge.

Sworn to before me this 20th day of February 1979.

Jeff C. Brucker
(Claimant)

Don B. Rogers
Notary Public

Residing at St. Maries

My commission expires is for life

For Department Use Only

Received by <u> </u>	Date <u>2/22/79</u>	Exception filed by: <u> </u>	Forwarded to <u> </u>	Date <u> </u>
Prelim. check by <u>SR</u>	Date <u>2-22-79</u>		claimant by: <u> </u>	
\$20.00 fee received by <u> </u>	Date <u>2/23/79</u> # <u>13437</u>			
Approved for publication by <u> </u>	Date <u>2/28/79</u>			
Published in <u>St. Maries Register Record</u>				
Dates <u>3/15-15/79</u>				

5/15-15/79

Affidavit of Publication

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County of Benewah, ss.

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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 15th day of March, 1979, and the last on the 22nd day of March, 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 23rd day of March, 1979.....

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

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92-4017

Name: Orval L. or Joy C. Brucker
Address: Rt. 4, Box 119, St. Maries, Id. 83861

Priority Date: 11-30-1966

Amount: 0.04 cubic feet per second

Source: Unnamed spring

Means: Pump and pipeline

Point of Diversion: NWNE Sec 32 T

45N R 01W, Benewah County

Place of Use: NWNE Sec 32 T 45N R 01W

Use: domestic purposes 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 3-15 & 3-22-1979
No. 5652 — Mar. 15-Mar. 22

RECEIVED

MAR 28 1979

DEPARTMENT OF WATER RESOURCES
BOISE, IDAHO

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

MARCH 26, 1979

ORVAL L. BRUCKER
JOY C. BRUCKER
RT. 4, BOX 119
ST. MARIES

ID 83861

RE: Claim No. 92-4017

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

92-4017-

BRUCKER, ORVAL L. &/or JOY C.

RT. 4, BOX 119, ST. MARIES, ID 83861

Source: UNNAMED SPRING

Priority Date: 11/30/1966

Amount: 0.04 CFS

Diversion Point: NWNE Sec 32 T 45N R 01W, BENEWAH Co.

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

Place of Use: NWNE Sec 32 T 45N R 01W

Diversion Means: PUMP AND PIPELINE

RECEIVED
JAN 1 1967

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: T. King

Right Number 92-7049 4017 ^{Claimant}
~~Applicant~~ Brucker

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 [Signature] Date 3/28/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By I. J Date 4/5/79

RECEIVED
APR 11 1979
IDAHO DEPT. OF WATER RESOURCES

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

February 23, 1979

Mr. Jerrold E. Park
Attorney at Law
720 College Avenue
St. Maries, Idaho 83861

RE: 92-7049

Dear Mr. Park:

Enclosed is Receipt No. 13437 in the amount of \$20.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patriola M. Styra

PMS

Enclosure

LAW OFFICES OF
JERROLD E. PARK
720 COLLEGE AVENUE
ST. MARIES, IDAHO
83861

February 21, 1979

State of Idaho
Department of Water Resources
Northern Region
Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814

Re: Claim to Water Right by Orval L. and
Joy C. Brucker

Dear Sirs:

Please find completed form of Claim to Water Right enclosed. Also enclosed is our check in the sum of \$20.00 for the necessary fee. If you require anything else would you please contact me?

I would also appreciate it if you would let me know what disposition is made of this matter.

Very truly yours,



David B. Rogers

DBR:lb

Enc.

MICROFILMED