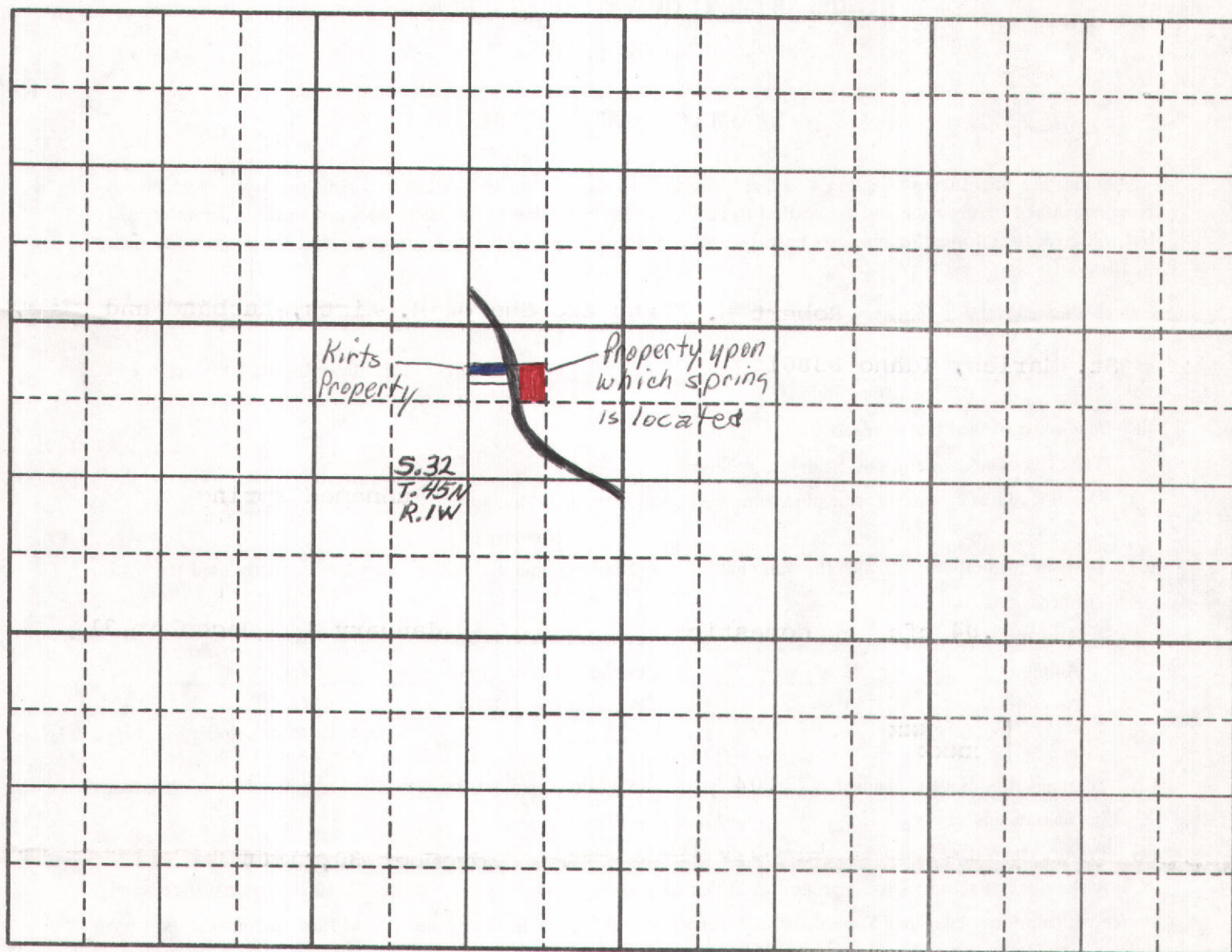


(8) Remarks Access to property upon which spring is located is by
easement granted May 21, 1974, recorded at Book 154, page 2822,
Benewah County, Idaho records.



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.

Sharon K. Kirts
(Claimant)

Sworn to before me this 7th day of November 1978

Notary Public

Residing at St. Maries

My commission expires Life

For Department Use Only

Received by <u>JK</u>	Date <u>11-16-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JK</u>	Date <u>11-16-78</u>		claimant by:	
\$ <u>22.00</u> fee received by <u>JK</u>	Date <u>11-16-78 (12153)</u>			
Approved for publication by				
Published in <u>St. Maries Gazette Record</u>				
Dates <u>11/30-12/7/78</u>				

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 Robert L. Kirts and Sharon R. Kirts, husband and wife,
(name of claimant)
of St. Maries, Idaho 83861, claims a right to the diversion and beneficial use of
(mailing address)
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~~
~~xxx~~) (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 ¼ NE ¼, Sec. 32 Twp. 45N Rge. 1 W 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 in. 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.

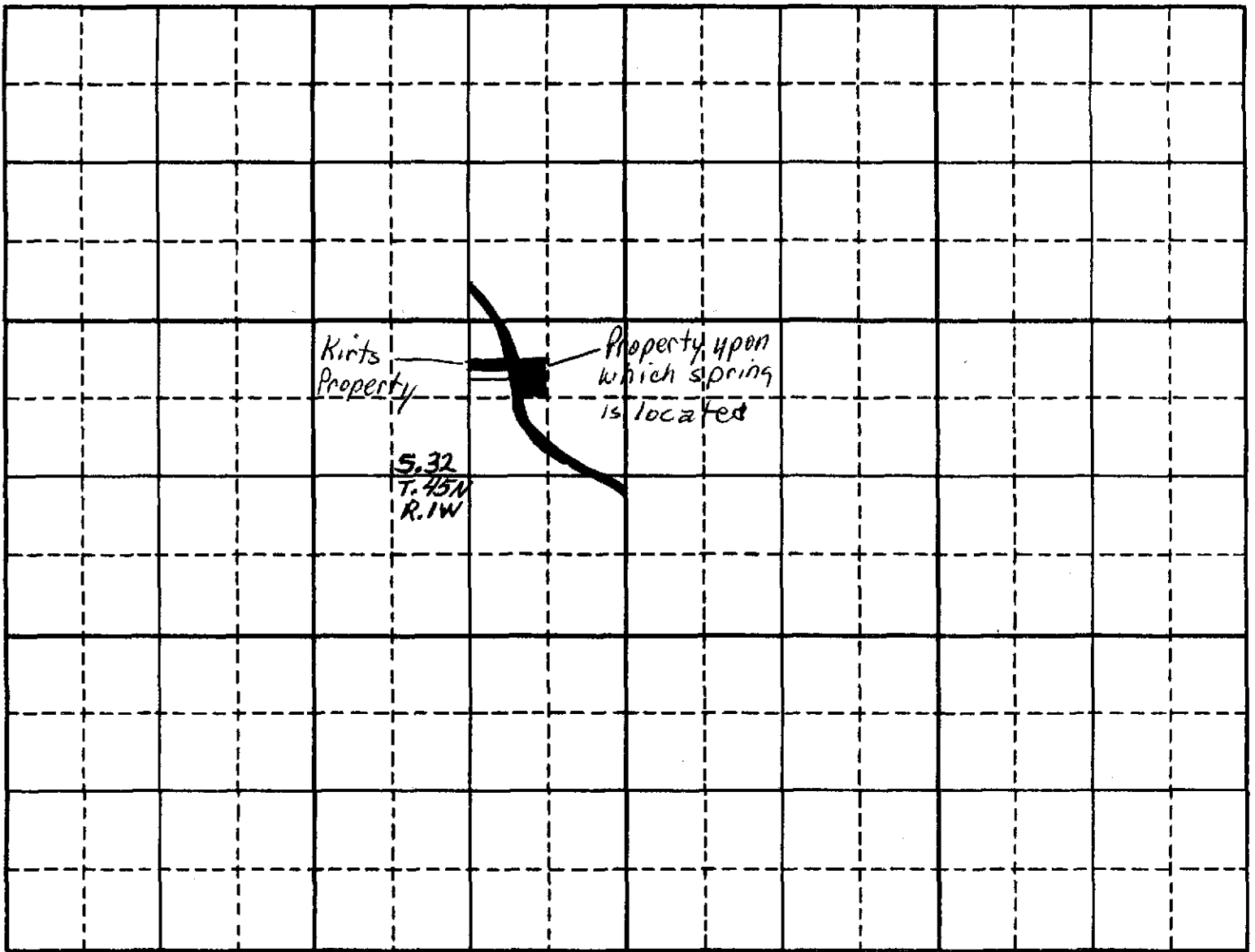
T	R	SEC.	NE ¼				NW ¼				SW ¼				SE ¼				TOTAL
45N	1W	32	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
				X															

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: _____

(8) Remarks Access to property upon which spring is located is by
easement granted May 21, 1974, recorded at Book 154, page 2822,
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.

Robert L. Kirts
Sharon R. Kirts
(Claimant)

Sworn to before me this 7th day of November 1978

Notary Public

Residing at St. Maries

My commission expires Life

For Department Use Only

Received by <u>JK</u>	Date <u>11-16-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JK</u>	Date <u>11-16-78</u>		claimant by:	
\$ <u>10.00</u> fee received by <u>JK</u>	Date <u>11-16-78 (12153)</u>			
Approved for publication by				
Published in <u>St. Maries Gazette Record</u>				
Dates <u>11/30-12/7/78</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 30th day of November, 1978 and the last on the 7th day of December, 1978.

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 8th day of December, 1978.

Orla 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:

95-4402

SEAGO, CHARLES and-or NORMA
Rt. 1, Box 55P, St. Maries, ID 83861

Source: GROUNDWATER

Priority Date: 07-01-1974

Amount: 0.04 CFS

Diversion Point: NWNW Sec. 14

T46N R03W, BENEWAH CO.

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

Place of Use: NWNW Sec. 14 T46N
R03W

Diversion Means: WELL & PUMP
KIRTS, ROBERT L. and-or

SHARON R.

ST. MARIES, ID 83861

Source: UNNAMED SPRING

Priority Date: 11-30-1966

Amount: 0.04 CFS

Diversion Point: NWNE Sec. 32

T45N R01W, BENEWAH CO.

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

Place of Use: NWNE Sec. 32 T45N
R01W

Diversion Means: PUMP & PIPE-
LINE

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department of
Water Resources, 4055 Government
Way, Coeur d'Alene, Idaho, 83814.

C. STEPHEN ALLRED
Director.

Published 11-30 and 12-7-78.

No. 5587 — Nov. 30 - Dec. 7

OK.
[Signature]
12/11/78

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

November 7, 1978

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 Robert L.
and Sharon R. Kirts

Dear Sirs:

Please find completed form of Claim to Water Right. Also enclosed is our check in the sum of \$10.00 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/jd

Enclosures

MAILED
NOV 14 1978

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

November 15, 1978

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 Robert L. and
Sharon R. Kirts

Gentlemen:

Enclosed is our check for \$10.00, which you
requested in your letter of November 9, 1978, regarding
the above referenced matter. A copy of said letter is
enclosed herewith.

Very truly yours,



David B. Rogers

DBR:lb

Enc.

RECEIVED

NOV 16 1978

Department of Water Resources
Northern District Office

MAILED



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

Nov. 9, 1978

Law office of
Jerrold E. Park
720 Colledge Ave.
St. Maries, Id 83861

Dear Sirs,

On July 1, 1978, the filing fee for a claim to a water right was raised to \$20.00 . I am authorized to hold the claim until Dec 8, 1978, to allow you time to send the additional \$ 10.00 .

If I can be of any further service please feel to contact me at this office.

Sincerely

Tom King

Sr. Water Resource Agent

tk

MAILED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

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

DECEMBER 18, 1978

ROBERT L. KIRTS
SHARON R KIRTS
ST MARIES

ID 83861

RE: Claim No. 92-4015

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

MICROFILMED

92-4015-

KIRTS, ROBERT L. &/or SHARON R

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 & PIPELINE

MICROFILMED



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

Nov. 16, 1978

Jerrold E. Park
720 College Ave
St. Maries, Id. 83861

Re: Claim of R.L. & S. R. Kirts

Dear Sir,

Enclosed is your receipt # 12153 in the amount of \$ 20.00 for the Claim to a Water Right of Robert L. And Sharon R. Kirts.

The Department of Water Resources will advertize the claim and retain it in our files where it will be available at any time for use by the claimant or the court. The department will not attempt to confirm the right in any way, however the file will remain open, should the claimant wish to include any additional information. This information should be in affidavit form and consist of facts that would be admissible in a court of law.

If you should have any further questions concerning this or any other Water Resource matters please feel free to contact me at this office.

Sincerely


Tom D. King
Sr. Water Resource Agent

MICROFILMED