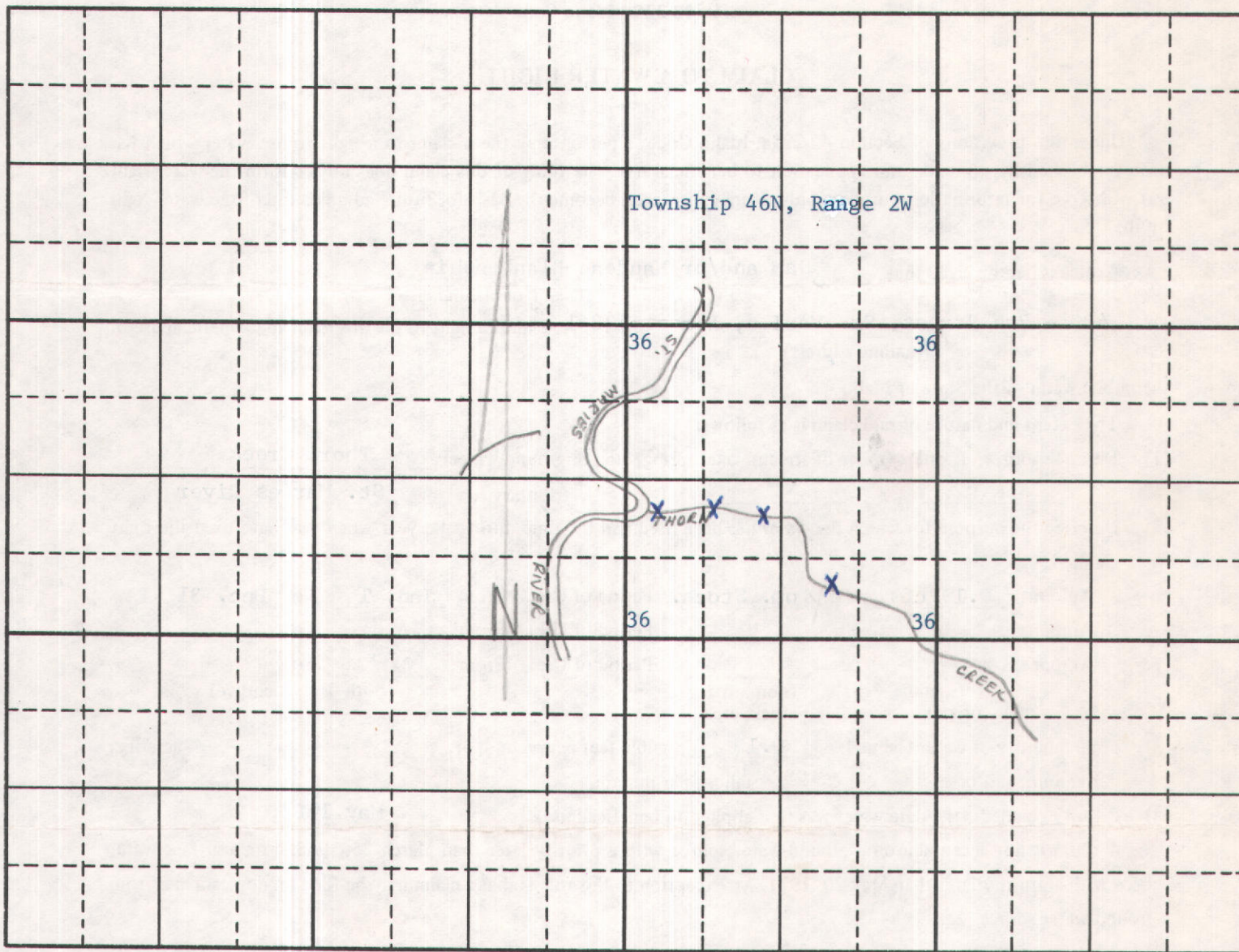


(8) Remarks _____



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 Beneish) 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 18th day of June, 1976.

Sam Blankenship
Maudie Blankenship
(Claimant)

Darby L. Brown
Notary Public
Residing at Plummer, Idaho

My commission expires Life

Rec. #4320

For Department Use Only

Received by cp Date 7-23-76
Prelim. check by cp Date 7-1-76
\$10.00 fee received by cp Date 7-23-76
Approved for publication by _____
Published in St. Maries Gazette Record
Dates 7-29 & 8-5-76

Exception filed by: _____
Forwarded to claimant by: _____
Date _____

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...29th day of...July..., 1976.. and the last on the 5th...day of...August, 1976

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...6th... day of August..., 1976...

Ora Lyon
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

RECEIVED

SEP 17 1976

Department of Water Resources
Northern District Office

NOTICE OF CLAIM TO A WATER RIGHT

No. 492-4006

Notice is hereby given that Sam & Maudean Blankenship, 430 — 7th Street, St. Maries, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.10 cubic feet per second of water from Thorn Creek, tributary to the St. Maries River with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 46N, R. 2W, B.M., Benewah County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes with a priority of May, 1962 the place of use is within the N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 46N, R. 2W, B.M.

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

R. KEITH HIGGINSON
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho on July 29 and August 5, 1976.
No. 4511 — July 29 — Aug. 5

UNRECORDED

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. 245-3162

Notice is hereby given that Sam and/or Maudean Blankenship
(name of claimant)
of 430 - 7th Street, 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) Thorn Creek
_____, tributary to, St. Maries River
- (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>0.10 cfs</u> | Use <u>Dom., Stock.</u> | Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u> |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| Amount _____ | Use _____ | Period of Use: From _____ To _____ |
| (cfs, gpm or a/f) | (dom., irri., stock, etc.) | (both dates inclusive) |

(3) Total quantity of water claimed: 0.10 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) May 1962

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 ~~1/4~~ SE 1/4, Sec. 36 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. Pump and pipeline (2 1/2"), 3/4 h.p.

(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.

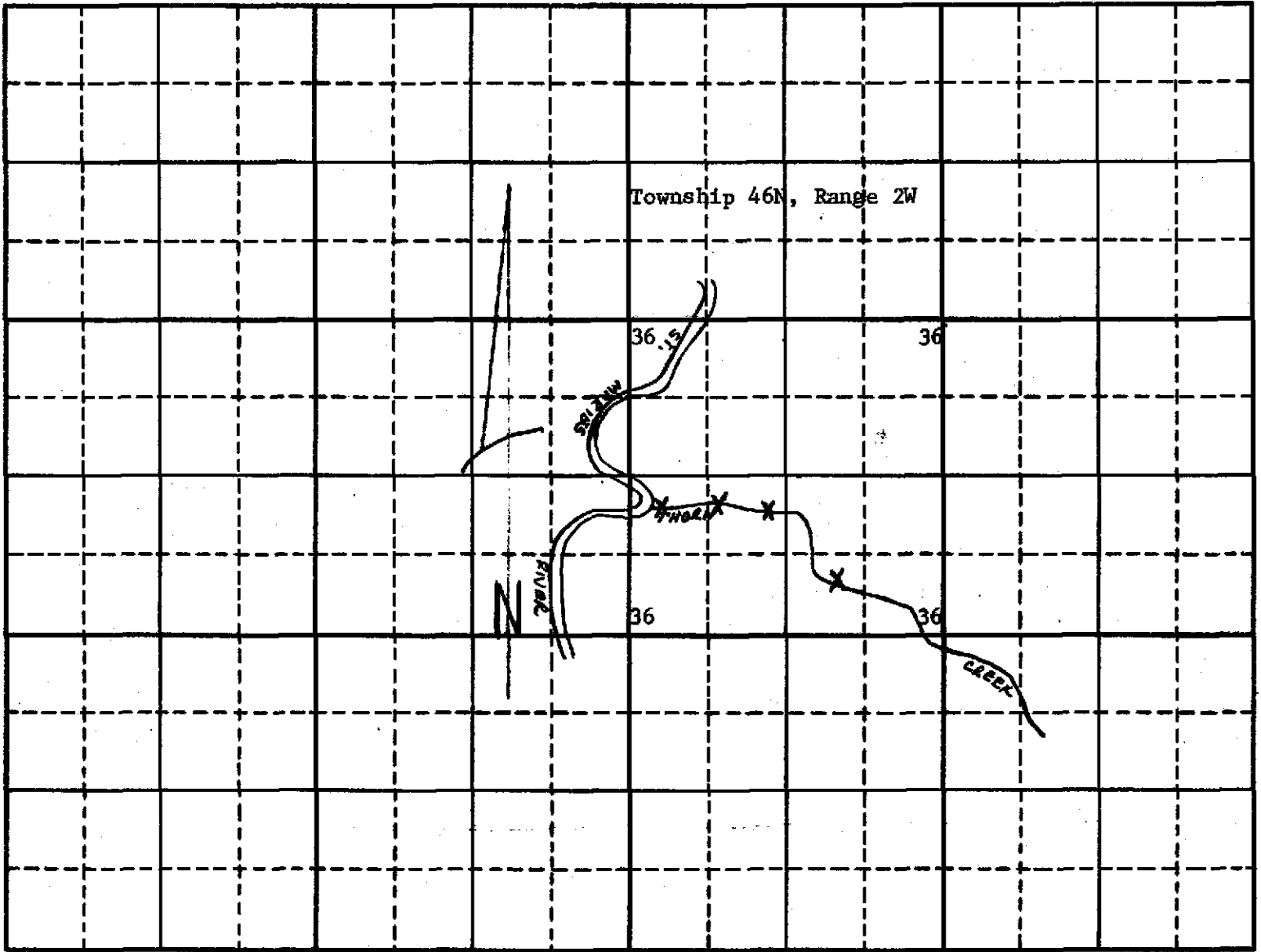
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
46N	2W	36									X	X					X		

Total No. of acres _____

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

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

(8) Remarks _____



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 Benevolence) 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 18th day of June, 1976.

Sam Blankenship
Marianne Blankenship
(Claimant)

Darrell L. Brown
Notary Public
Residing at Plummer, Idaho

My commission expires Life

Rec. #4320

For Department Use Only

Received by CP Date 7-23-76
Prelim. check by CP Date 7-1-76
\$10.00 fee received by CP Date 7-23-76
Approved for publication by _____
Published in St. Maries Gazette Record
Dates 7-29 & 8-5-76

Exception filed by: _____ Date _____
Forwarded to claimant by: _____ Date _____

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 29th day of July, 1976, and the last on the 5th day of August, 1976.

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 6th day of August, 1976.

Ora Lyon
Notary Public in and for Benewah County, Idaho
Residing at St. Maries, Idaho

RECEIVED

SEP 17 1976

Department of Water Resources
Northern District Office

NOTICE OF CLAIM TO A WATER RIGHT

No. 492-4006

Notice is hereby given that Sam & or Mauden Blankenship, 490 — 7th Street, St. Maries, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.10 cubic feet per second of water from Thorn Creek, tributary to the St. Maries River with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 46N, R. 2W, B.M., Benewah County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes with a priority of May, 1962 the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 46N, R. 2W, B.M.

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

R. KEITH HIGGINSON
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho on July 29 and August 5, 1976.
No. 4511 — July 29 — Aug. 5



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

COEUR D' ALENE, IDAHO 83814

Route 5, Box 203 - Suite #1
4055 N. Government Way

(208) 667-6484

August 19, 1976

Re: Claim to a Water Right No. 92-4006
" " " " " 92-4007

Sam &/or Maudean Blankenship
430 - 7th Street
St. Maries, ID 83861

Dear Mr. and Mrs. Blankenship:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enclosure

August 19, 1976

Re: Claim to a Water Right No. 92-4006 - Sam & Maudean Blankenship
" " " " " " 92-4007 - " " " "

St. Maries Gazette Record
P.O. Box 367
St. Maries, ID 83861

Gentlemen:

Could you please submit the affidavits of publication and bills in connection with the above referenced items. The legal notices were to have been published in your newspaper on July 29 and August 5, 1976.

Your assistance in this matter is appreciated.

Very truly yours,

Corda M. Patterson
Secretary

CP



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

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

July 23, 1976

Re: Claim No. 92-4006 Sam &/or Maudean Blankenship
" " 92-4007 - " " " "

St. Maries Gazette Record
P.O. Box 367
St. Maries, ID 83861

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

Bill: 9-22-76.4

NOTICE OF CLAIM TO A WATER RIGHT

NO. 92-4006

Notice is hereby given that Sam &/or Maudean Blankenship,

430 - 7th Street, St. Maries, Idaho

have

~~was~~ filed a claim to a water right established by diversion and application
to beneficial use of 0.10 cubic feet per second ~~gallons per minute~~
of water from Thorn Creek, tributary to the St. Maries River
with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 46N, R. 2W, B.M.,
Benewah County

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic
and stockwatering purposes

with a priority of May, 1962;
the place of use is within the N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 46N, R. 2W, B. M.

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

R. KEITH HIGGINSON
Director

Published in the St. Maries Gazette Record, St. Maries, Idaho
on July 29 and August 5, 1976

July 23, 1976

Re: Claim to a Water Right No. 92-4006
" " " " " " 92-4007

Mr. Sam Blankenship
430 - 7th Street
St. Maries, ID 83861

Dear Mr. Blankenship:

Attached is your receipt No. 4320 in the amount of \$20 for the filing fees on
the above referenced claims which were received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment

July 6, 1976

Mr. Sam Blankenship
430 - 7th Street
St. Maries, ID 83861

Dear Mr. Blankenship:

Enclosed is your Claim to a Water Right and your Check No. 92-170 in the amount of \$10. We have sketched a map on the back of the Claim for your convenience. Please indicate on this map the point at which water is taken from the creek and also the location of your house. The location at which the water is used for stockwater should also be indicated.

Please return the form and your check to our office as soon as possible. We appreciate your assistance in this matter. If there are any questions, feel free to contact us.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosures

June 14, 1976

Mr. and Mrs. Sam Blankenship
430 - 7th Street
St. Maries, ID 83861

Dear Mr. and Mrs. Blankenship:

We have taken the liberty of typing the Claim to a Water Right you submitted to our office, and we are returning it for your review and signature. Also enclosed is your Check No. 92-170 in the amount of \$10. We typed the form so that it would be less subject to any changes.

Item #5 on the claim should be clarified. You have listed the point of diversion as within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36 under this item; however, on the map, it is shown as being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36. Please indicate on the form the correct location.

Please check all other items on the form and if they are in order, please have your signature(s) notarized and return the claim to our office along with the required \$10 filing fee.

Feel free to contact us if there are any questions in this matter.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosures

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 SAM AND MAUDEAN BLANKENSHIP
(name of claimant)

of 430 7th St. St. Maries, Idaho, 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) Thorn Creek
, tributary to, St. Maries

- (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 0.1 CFS Use domestic stock Period of Use: From 1-1 To to 12-31

Amount _____ Use _____ Period of Use: From _____ To _____

Amount _____ Use _____ Period of Use: From _____ To _____

(cfs, gpm
or a/f)

(dom., irri.,
stock, etc.)

(both dates inclusive)

- (3) Total quantity of water claimed: 0.1 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) MAY 1962

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)
SE ¼ SW ¼, Sec. 36 Twp. 46N Rge. 2W B.M. County of Benewa
 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. Pump & Pipeline 2 1/2" 3/4 HP

- (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:** _____

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

Hand-drawn map on a grid showing a road layout. The road is labeled "R2W" at the top and "THLW" on the left. The road has two segments, each labeled "25" and "36". The road is shown as a solid line with dashed lines indicating the road width. A north arrow is drawn on the right side of the road. A small black dot is located on the road segment between the two "25" and "36" labels.

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.

My commission expires Life

Received by <u>CP</u>	Date <u>6-10-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by _____	Date _____		claimant by:	
\$10.00 fee received by _____	Date _____			
Approved for publication by _____				
Published in _____				
Dates _____				

INSTRUCTIONS

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Water Resources and you will be provided a copy of such exceptions.

The fee for filing a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

NORTHERN DISTRICT

Idaho Department of Water Resources
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

SOUTHERN DISTRICT

Idaho Department of Water Resources
1041 Blue Lakes Blvd., North
Twin Falls, Idaho 83301

EASTERN DISTRICT

Idaho Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

WESTERN DISTRICT

Idaho Department of Water Resources
State Capitol
Boise, Idaho 83720