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DEPARTMENT OF
WATER RESOURCES
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72007

CLAIM TO A WATER RIGHT

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Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that Keith Jutila and Aiane Jutila
(Name of Claimant)
PO Box 804 Osburn ID 83849 Telephone No. (208) 744-1240
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) August 10, 1994
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Willow Creek Ground Water tributary to South Fork Coeur d'Alene 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:

	(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)	
Quantity	<u>.04 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>01/01</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. .04 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot
Sec. 36 Township 48 North Range 5 East B.M., Shoshone County; additional points of
diversion, if any:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

1 1/2 horse power submersible pump in 12 foot deep well adjacent
to Willow Creek. 900 feet of 1 1/2 inch I.D. water pipe. 119
gallon pressure tanks at residence.

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
48N	5E	36					D	X											

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific. Domestic only.

NOTE: Include here the type and number of stock watered: _____

7. Remarks: The quality of water in the well is influenced by the quality of the water in Willow Creek.

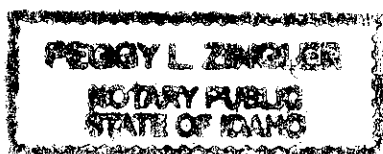
8. Map -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Idaho)
County of Shoshone) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing 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.

Kath Jutila
Diane Jutila
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 16th day of May, 2005



[Signature]
Notary Public

Residing at: Mullan

My commission expires: 10-11-05

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 5/17/05
Prelim. check by _____ Date _____
Fee \$100.00 Receipt # ND16916
Receipt prepared by [Signature] Date 5/17/05

Published in Shoshone Co News Press
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Publication checked by [Signature] Date 8/1/05 ak
Exceptions filed by _____

Environmental Reclamation, Inc.



201 K Street • P.O. Box 39 • Smelterville, ID. 83868

Telephone (208) 786-4300 • Fax (208) 786-2035

ERI

August 10, 1994

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To whom it may concern:

This is to confirm that ERI dug a 900 ft. long ditch and installed a 2" water pipe for Keith Jutila in August 1994. This was from his residence at 200 Willow Creek Road in Mullan, Idaho to Willow Creek and was for domestic water use.

Dennis Sheppard
President CEO
ERI



26 25

35

MABEL MAY
22:46-B

39° 45' 30" W
370.68

185.32
186.50
185.31

U.S. Hwy 10

27

2.8

53

19

House - 200
Willow Creek Rd

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IDAHO/ARIZONA

10 well

3.8

"This plat is made solely for the purpose of assisting in locating said land and the Company assumes no liability for variations, if any in dimensions and location ascertained by actual survey."

INTERSTATE

Collier
Willow Creek

TAX MAP

SAN STEPHEN

11652A

2015

2nd house

48N05E-36W-2700

JUSTICE

1024

39.21

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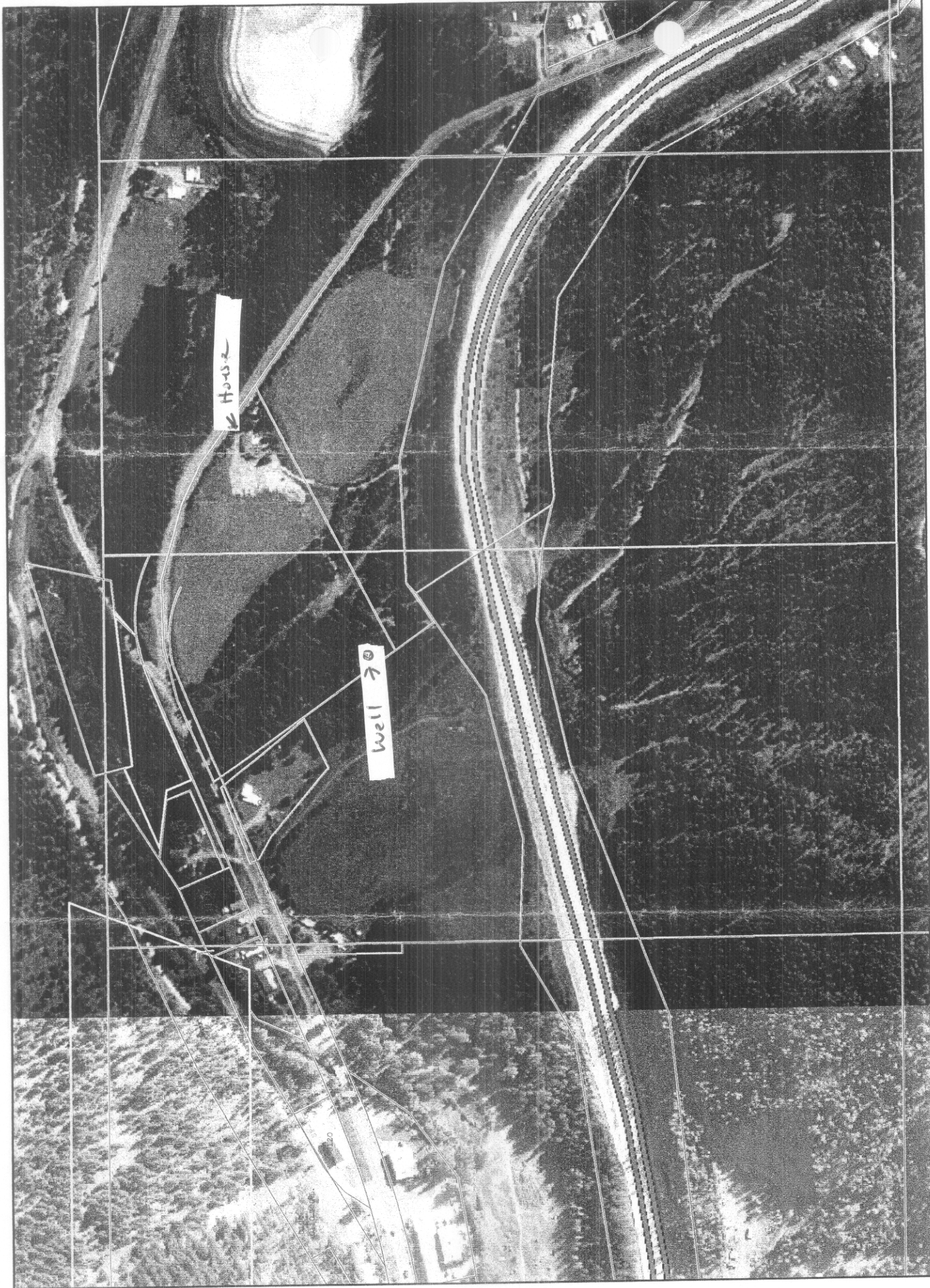
1/276

2

5

4460

48N05E-36W



THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY
LINES SHOWN ARE APPROXIMATE

Jutila

T48N R5E Section 36

⊙ **Point of Diversion**

□ **Place of Use**

