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STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Fee Received
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Department of Water Resources

CLAIM TO A WATER RIGHT

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 Del & Bernadene Blackburn (Name of Claimant) Representative for Bernard Hickman Estate

32070 S. Bella Vista, Worley, ID 83876 (Mailing Address) Telephone No: 208-699-6139 (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) 1956
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)

Spring tributary to ephemeral tributary to Squaw
Bay Lake Coeur d'Alene

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>1956</u>	to <u>1987</u>
Quantity <u>00022 cfs/hr</u>	Use <u>Stock water</u>	Period of Use From <u>1956</u>	to <u>1990</u>
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 NE 1/4 1/4 of NE 1/4 1/4 of NE 1/4 1/4, Govt. Lot _____
Sec. 25 Township 47 North Range 4 W.B.M., Bozeman 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.

Attached

Not used for irrigation

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	
47N	4W	25	X																

TOTAL ACRES _____

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

Attached

Domestic water supply for farmstead and
hivestock water (up to 100 head)

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

7. Remarks: Attached

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 _____)
County of _____) 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.

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

Sworn to before me this 7 day of January, 2004.



Notary Public

Residing at: Benewah Co

My commission expires: 5-6-08

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Fee \$250.00 Receipt # N016053 Publication checked by _____ Date _____
Receipt prepared by db Date 1/12/04 Exceptions filed by _____

Grass Widow Farm
Del and BernaDeane Blackburn
32020 South Bella Vista RD
Worley, ID 83876

The spring in question is on a parcel at the corner of Conklin Park Road and Bella Vista. This spring is piped under Conklin Park Road to the old farm house on the Bernard Hickman estate for which we are now responsible. This spring is the only water source for the farmstead, as drilling wells in this area has not proven successful. Although nobody is living in the old house at the present time, we do pay taxes on it as a home site. We are planning on uncapping the pipe at the house this summer for a source of livestock water and are considering renovating the house as a rental. The spring water supply was a "gentlemen's agreement" between Claude Hickman and Bernard Hickman (brothers) established about 50 years ago. About 15 years ago a letter was served to the Idaho Department of Water Resources in Boise with an appropriate response establishing the spring water usage on the homestead. At that time we were advised that water rights establishment was "probably not necessary". We feel that the spring water right is ours based on Idaho State Constitution "first is use first in right" principle and would appreciate forms necessary to update this claim.

Traditionally the spring was used for domestic water supply and livestock water at the farm stead. Last usage of the spring was about 1990.

Del and BernaDeane Blackburn (representatives for Bernard Hickman Estate)

Cadkin Park Rd

C 72

