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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 Clearwater)

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 affiant's knowledge.

Kathryn Berry
(Claimant)

Sworn to before me this 23 day of September, 19 87

Notary Public
Residing at Orofino

My commission expires May 17, 1991

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MAR 03 1988

FOR DEPARTMENT USE ONLY

Received by Date 10/16/87 Exception filed by: Forwarded to Date
Prelim. check by Date 10/19/87 claimant by:
\$30.00 fee received by Date 10/19/87 (41801)
Published in Daywater Tribune
Dates 11/5 & 12/87

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MAR 03 1988

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Bonnie Bessent

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice of Claims to Water Rights

Berry, Buel C.

That said Water Rights

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full

period of two consecutive issues commencing

on the 5th day of November, 1987,

and ending on the 12th day of November

1987.

Subscribed and sworn to before me this 15th day of

January, 1988.

Jane J. Greene
Notary Public in and for the State of Idaho Residing at Orofino Therein

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on water rights created by diversion and beneficial use:

BERRY, BUEL C. &/or

KATHERYN A.

P.O. BOX 2002, OROFINO,

ID 83544

Source: GROUNDWATER

Diversion Pt: SWSW Sec

15T 36N R 02E

Use: DOMESTIC (0.040

CFW)

Priority Date: 10/24/83

In: SWSW Sec 15 T 36N R

02E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 4055 Government Way, Suite 9, Coeur d'Alene, ID 83814.

R. KEITH HIGGINSON, Dir.

11-5,12c

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JAN 27 1988
Department of Water Resources
Northern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Buel C. Berry and Katheryn A. Berry, husband and wife,
(Name of Claimant)

P.O. Box 2002, Orofino, Idaho 83544 Telephone No. 476-3215
(Mailing Address) (Zip Code)

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

(1) Date of priority: (When was the water first applied to a beneficial use) October 24, 1983

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Ground water from a well tributary to NONE

(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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	0.04 cfs	Use	Domestic	Period of Use From Jan. 1	To Dec. 31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SW ¼ SW ¼, Sec. 15 Twp. 36 N. Rge. 2 E. B.M., County of Clearwater

Additional points of diversion: NONE

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. Describe any changes in the system and give the date of the change. One horse submerged pump in a well the depth of which is 110 feet with a pipeline from the pump and well to the claimants' residence.

(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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36N	2 E.	15											XX						1/2 acre

No. of acres 1/2

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: water is used for domestic purposes including irrigation for gardening of up to 1/2 acres in connection with the household where the water is used and to water stock used in connection with the household.

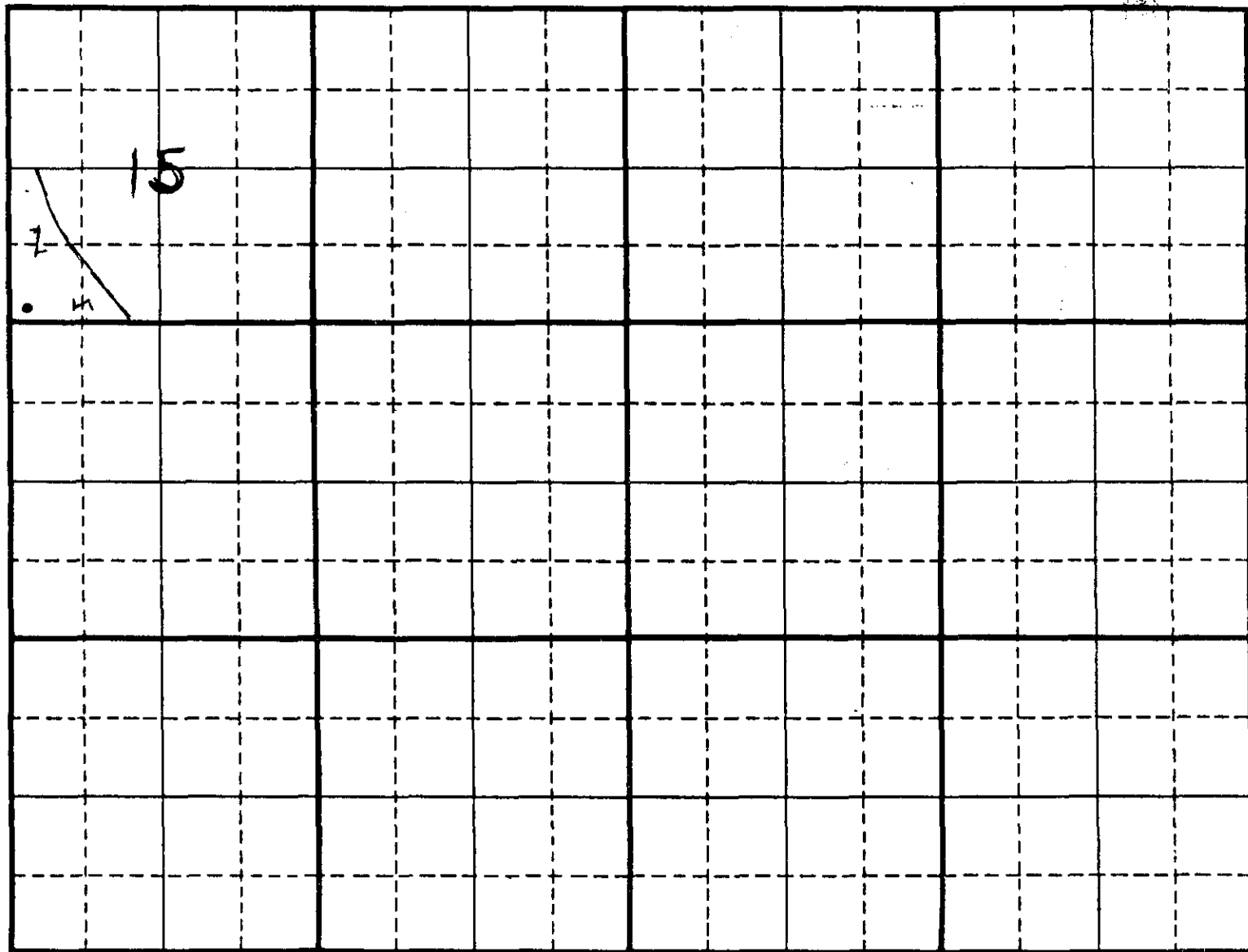
NOT RECORDED

NOTE: Include here the type and number of stock watered: Cattle not to exceed 10

(7) If you are claiming water as a member of an organization, list name of organization: NO.

MAR 03 1988

(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 Clearwater) 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 affiant's knowledge.

Kathryn Berry
(Claimant)

Sworn to before me this 23 day of September, 1987.

Cindy Seely
Notary Public
Residing at Orofino

My commission expires May 17, 1991

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MAR 03 1988

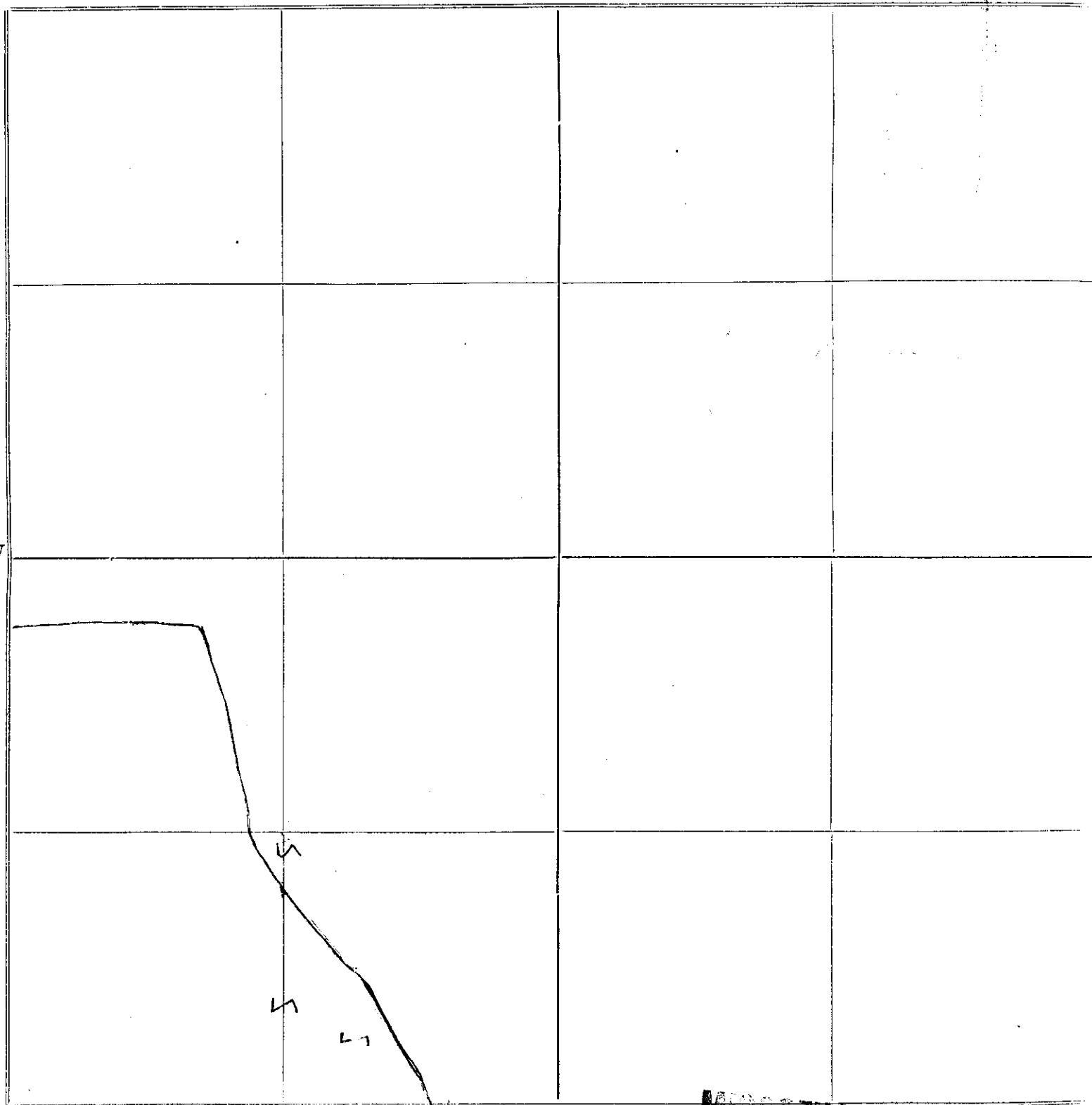
FOR DEPARTMENT USE ONLY

Received by <u>JK</u>	Date <u>10/16/87</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>JK</u>	Date <u>10/19/87</u>		claimant by:	
\$30.00 fee received by <u>Clearwater Tribune</u>	Date <u>10/19/87 (41801)</u>			
Published in <u>Clearwater Tribune</u>				
Dates <u>11/5 & 12/87</u>				

Section Fifteen Township 36 North Range 2 East

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MAR 03 1988

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Bonnie Bessent

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

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period of two consecutive issues commencing

on the 5th day of November, 1987,
November

and ending on the 12th day of

1987.

Bonnie Bessent

Subscribed and sworn to before me this 15th day of

January, 1988.

Jane J. Greene

Notary Public in and for the State of Idaho Residing at Orofino Therein

NOTICE OF CLAIMS TO WATER RIGHTS
The following claims have been filed for record and publication of notice and return of said claims to the County of Clearwater, Idaho, by the County Engineer, Orofino, Idaho, on the 15th day of November, 1987, and the same are hereby published for the purpose of giving notice to all persons claiming an interest in the same, to file their claims with the Director, Dept. of Water Resources, Boise, Idaho, within the time specified in the notice.
Buel C. Berry, et al. vs. the State of Idaho, et al.
1/22/88

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MAR 03 1988

RECORDED

JAN 27 1988

Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 84-7307 Applicant Serry

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 JK Date 1/22/88

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By SC Date 1-25-88

RECEIVED
JAN 25 1988

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
R. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 765-4639

NOVEMBER 23, 1987

SUEL C. BERRY
KATHERYN A. BERRY
P.O. BOX 2002
GROFINO

ID 83544

RE: Claim No. 84-4307

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
RECEIPT 41861

RECORDED

MAR 03 1988

84-4307

BERRY, BUEL C. &/or KATHERYN A.

P.O. BOX 2002, GROFIND, ID 83544

Source: GROUNDWATER

Diversion Pt: SWSW Sec 15 T 36N R 02E

Use: DOMESTIC (0.040 CFS)

Priority Date: 10/24/1983

In: SWSW Sec 15 T 36N R 02E

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MAR 03 1988

Dale O. Cox

COUNSELOR AT LAW

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OCT 10 1987

Department of Water Resources
Northern District Office

227 College Avenue - P. O. Box 666
Orofino, Idaho 83544

October 1, 1987

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

Re: Buel C. Berry and Katheryn A. Berry

Dear Sir or Madam:

Enclosed please find a Claim to a Water Right together with my check in the amount of \$30. The claim is for a single-family residence.

Also enclosed please find a copy of the claim which I would appreciate your time-stamping and returning to me in the enclosed, self-addressed, stamped envelope.

If you have any questions, please let me know. In advance, I thank you for your cooperation.

Very truly yours,

Dale O. Cox
Dale Cox

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Enc.

RECEIVED

MAR 03 1988