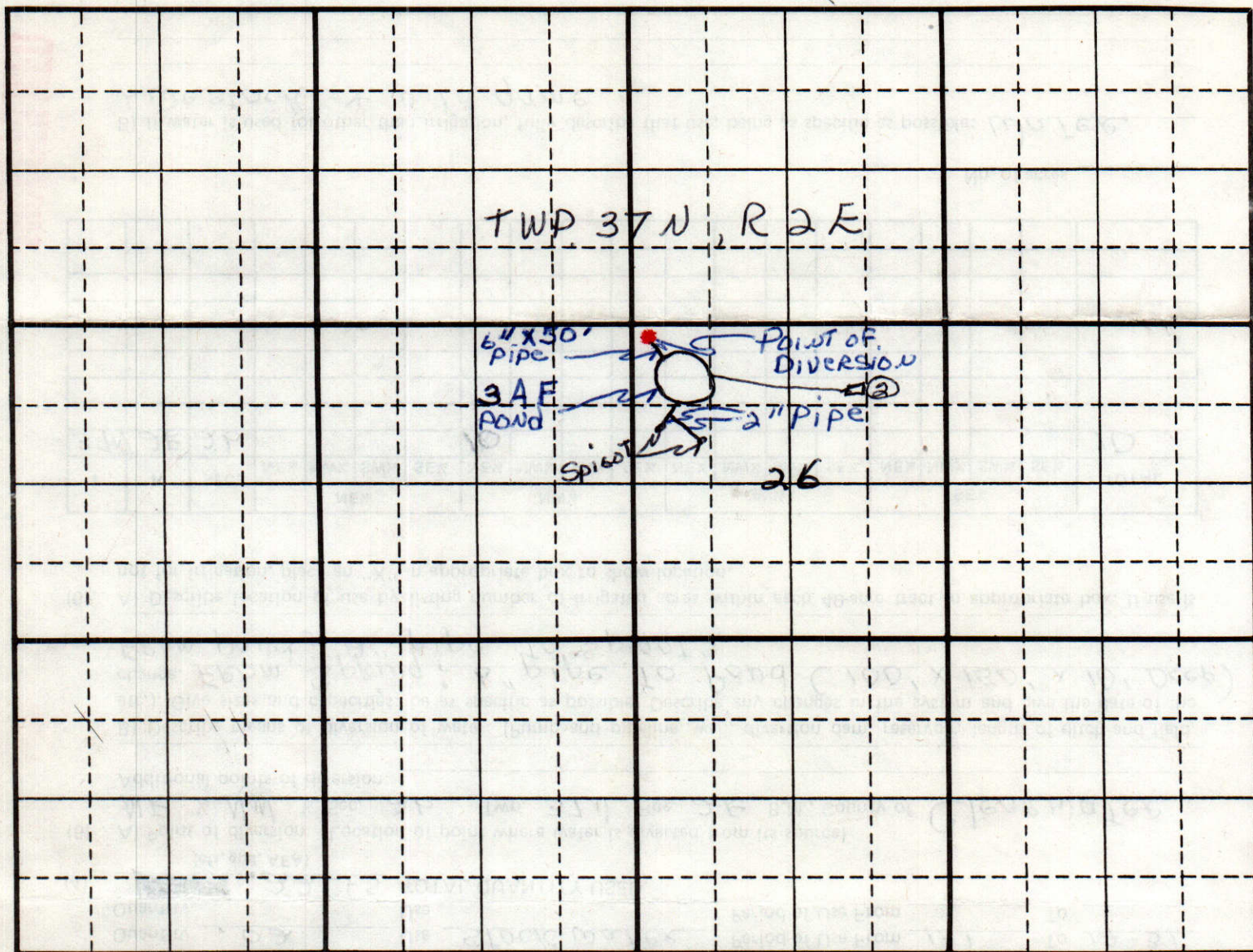


(8) Remarks (2) 1974 - Property Sold to East w/ 1/2 interest in pond.



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.

* Ernest N. & D. Jean Bostam
(Claimant)

Sworn to before me this 1st day of December 1981.

Notary Public
Residing at Orange, Idaho

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by RAH Date 11/1/81 Exception filed by: _____ Date _____
Prelim. check by JK Date 12/2-81
\$0.00 fee received by JK Date 12-2-81 (21014)
Published in Clearwater Tribune
Dates 12/10 + 17/81

MICROFILMED

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

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 - 84-4147
84-4148 & 84-4149

That said Notice

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 full period of two consecutive issues commencing on the 10th day of December, 1981, and ending on the 17th day of December, 1981

Nancy Noble
Subscribed and sworn to before me this 17th day of December, 1981

Betty E. Knight

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

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:

84-4147

HOENE, DON E. &/or HILDA J.
Rt. 1 Box 53, COTTONWOOD, ID 83522

Source: UNNAMED STREAM tributary to CLEARWATER RIVER

JIM FORD CREEK tributary to CLEARWATER RIVER

Priority Date: 01/01/1885

Amount: 0.09 CFS

Diversion Point: SWSE SESE Sec 15 T 35N R 04E NENE Sec 21 T 35N R 04E, CLEARWATER Co.

Use: STOCKWATER (0.09 CFS) from 01/01 to 12/31

Place of Use: SWSE SESE Sec. 15 T 35N R 04E NENE Sec 21 T 35N R 04E

Diversion Means: STOCK PONDS

84-4148

BARHAM, ERNEST N. &/or D. JEAN
Rt. 2 BOX 106, OROFINO, ID 83544

Source: SPRINGS tributary to WHISKEY CREEK

Priority Date: 07/17/1907

Amount: 0.04 CFS

Diversion Point: SWSW Sec 23 T 37N R 02E, CLEARWATER Co.

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

Place of Use: NENW Sec 26 T 37N 02E

Diversion Means: RESERVOIR & PIPELINE.

84-4149

BARHAM, ERNEST N. &/or D. JEAN
Rt. 2 Box 106, Orofino, ID 83544

Source: SPRING tributary to WHISKEY CREEK

Priority Date: 11/03/1951

Amount: 0.22 CFS

Diversion Point: NENW Sec 26 T 37N R 02E, CLEARWATER Co.

Use: IRRIGATION (0.20 CFS) from 04/01 to 10/01

STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NENW Sec 26 T 37N R 02E FOR 40 ACRES

Diversion Means: POND & PIPELINE.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id, 83814.

A. KENNETH DUNN
Director
12-10 & 12-17c

RECEIVED
JAN 13 1982

Department of Water Resources
Northern District Office

RECORDED

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 Ernest N. and D. Jean Barham
(Name of Claimant)

RT 2 Box 106 Orofino, Id 83544 Telephone No. 476-3125
(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) 11-3-51

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)
1 Unnamed Spring tributary to Whiskey Creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From	
				(Mo., Day)	(Mo., Day)
Quantity <u>3 AF</u>		Use <u>Storage</u>		From <u>4-1</u>	To <u>10-1</u>
Quantity <u>.20 CFS</u>		Use <u>IRRIGATION</u>		From <u>1-1</u>	To <u>12-31</u>
Quantity <u>.02</u>		Use <u>STOCK WATER</u>			

(4) .22 CFS TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 26 Twp. 37N Rge. 2E B.M., County of Clearwater
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. Describe any changes in the system and give the date of the change.
From Spring; 6" pipe To Pond (100' x 150' x 10' Deep)
From pond; 2" pipe To Spigots

(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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
37N	2E	26					10												10

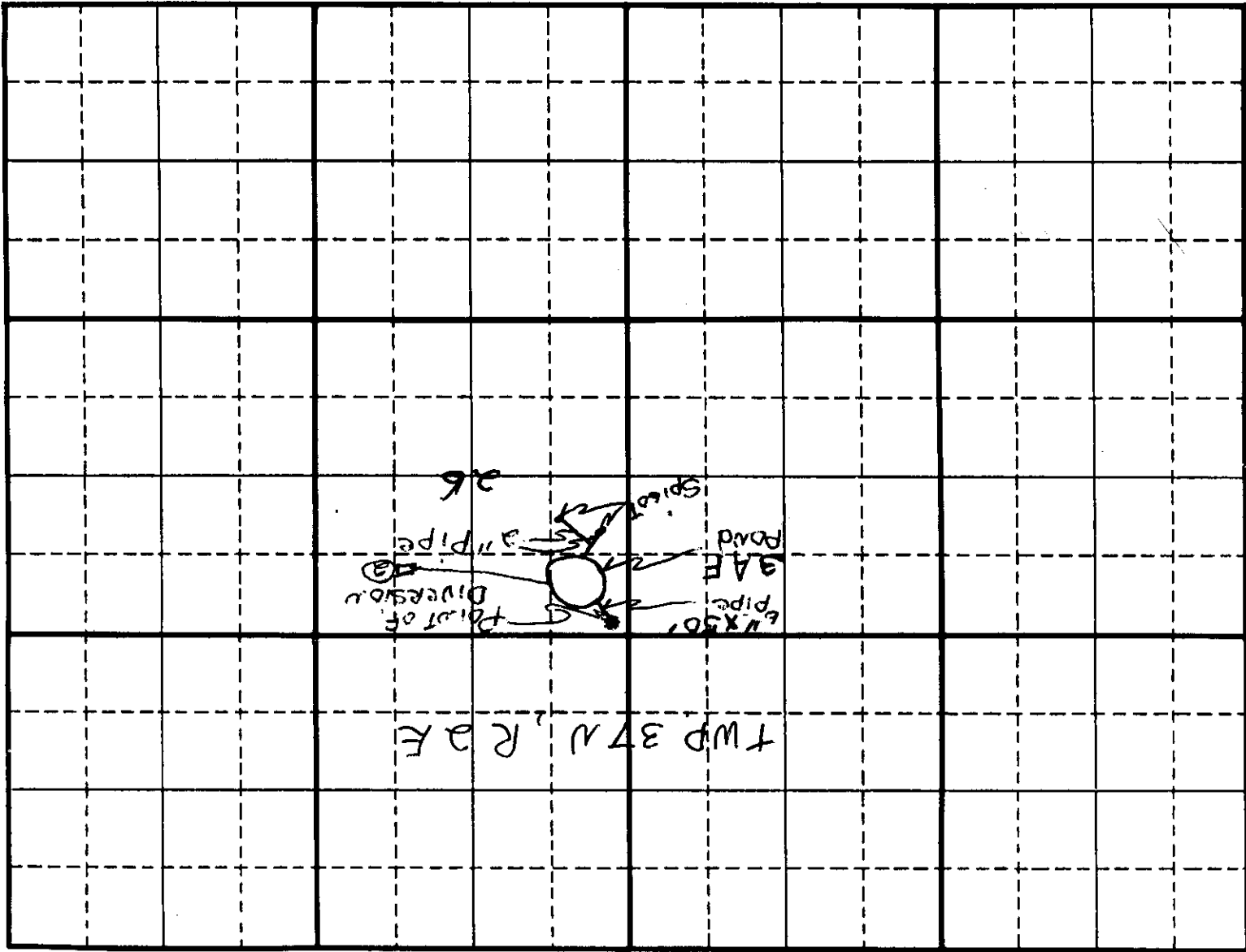
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water
livestock & wild game

NOTE: Include here the type and number of stock watered: 10 Range cattle & Horses

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

(8) Remarks (a) 1974 - Property sold to East w/ 1/2 interest in road.



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.

Scale: 2 inches equal 1 mile.

State of Idaho)
County of Blaine) 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.

Sworn to before me this 1st day of December 1981.
* Ernest M. & D. Jean Bodom (Claimant)
Notary Public Residing at Carlsbad, N.M.
My commission expires 12/17/81

FOR DEPARTMENT USE ONLY

Received by: [Signature] Date: 12/12/81
Prelim. check by: [Signature] Date: 12/12/81
Published in: [Signature] Date: 12/12/81
\$10.00 fee received by: [Signature] Date: 12/12/81
Exception filed by: [Signature] Date: 12/12/81
Forwarded to: [Signature] Date: 12/12/81
claimant by: [Signature] Date: 12/12/81

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

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 - 84-4147

84-4148 & 84-4149

That said Notice

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 full period of

two

consecutive issues commencing on the

10th

day of

December

19

81

and ending

on the 17th

day of

December

19

81

Nancy Noble

Subscribed and sworn to before me this

17th

day of

December

19

81

Betty E. Knight

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

RECEIVED

STATE OF IDAHO
COUNTY OF CLEARWATER
NANCY NOBLE
EDITOR
CLEARWATER TRIBUNE
OROFINO, IDAHO
DECEMBER 10, 1981
DECEMBER 17, 1981
TWO
CONSECUTIVE ISSUES
COMMENCING ON THE
10TH DAY OF
DECEMBER, 1981
AND ENDING
ON THE 17TH DAY OF
DECEMBER, 1981
BETTY E. KNIGHT
NOTARY PUBLIC
OROFINO, IDAHO



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 10, 1983

RE: Claims to Water Rights Nos. 84-4148 and 84-4149

Ernest N. Barham
Rt. 2, Box 106
Orofino, ID 83544

Dear Mr. Barham:

We are in receipt of your letter of October 28, 1983, in regards to the above referenced claims. We have filed the letter in both claim files for future reference only.

If we can be of any further assistance, please feel free to contact our office.

Sincerely,

Sharla Curtis

for KAY WALKER
Technical Records Specialist

KW:sc

RECEIVED
NOV 15 1983
STATE OF IDAHO
DEPARTMENT OF
WATER RESOURCES

October 28, 1983

RECEIVED

NOV 1 1983

Ken Noblock
Idaho Department of Water Resources
Route 5, Box 203, Suite #1
Coeur D'Alene, Idaho 83814

Department of Water Resources
Northern District Office

Dear Mr. Noblock;

We have sold our property in Section 23 and 26, Township 37 North, Range 2 East, Clearwater County, Idaho, upon which we have filed 2 water claims, #84-4149 and #84-4148.

The new owners are Sidney O. and Ruth I. Brown also of Orofino, Idaho.

Please make a note of this transfer for the file.

Thank you.

Sincerely,

Ernest N. Barham

Ernest N. Barham
Rt. 2 Box 106
Orofino, Idaho
83544

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number

84-4149

Applicant

Barham

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

1/19/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

ICW

Date

1/25/82

MICROFILMED

RECEIVED

JAN 25 1982

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
NENW	26	37N	02E	--	--	003.4

IDAHO STREAM CODE INDEX

21200480.0200.0010.-----

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-----	-----	-----	-----	-----	-----	-----

IDAHO STREAM CODE INDEX

MICROFILMED

IDENT. NO. 84-4149

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

84-4149-

BARHAM, ERNEST N. &/or D. JEAN

RT. 2 BOX 106, OROFINO, ID 83544

Source: SPRING tributary to WHISKEY CREEK

Priority Date: 11/03/1951

Amount: 0.22 CFS

Diversion Point: NENW Sec 26 T 37N R 02E, CLEARWATER Co.

Use: IRRIGATION	(0.20 CFS)	from 04/01 to 10/01
STOCKWATER	(0.02 CFS)	from 01/01 to 12/31

Place of Use: NENW Sec 26 T 37N R 02E FOR 10 ACRES

Diversion Means: POND & PIPELINE.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

DECEMBER 29, 1981

ERNEST N. BARHAM
D. JEAN BARHAM
RT. 2 BOX 106
OROFINO

ID 83544

RE: Claim No. 84-4149

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