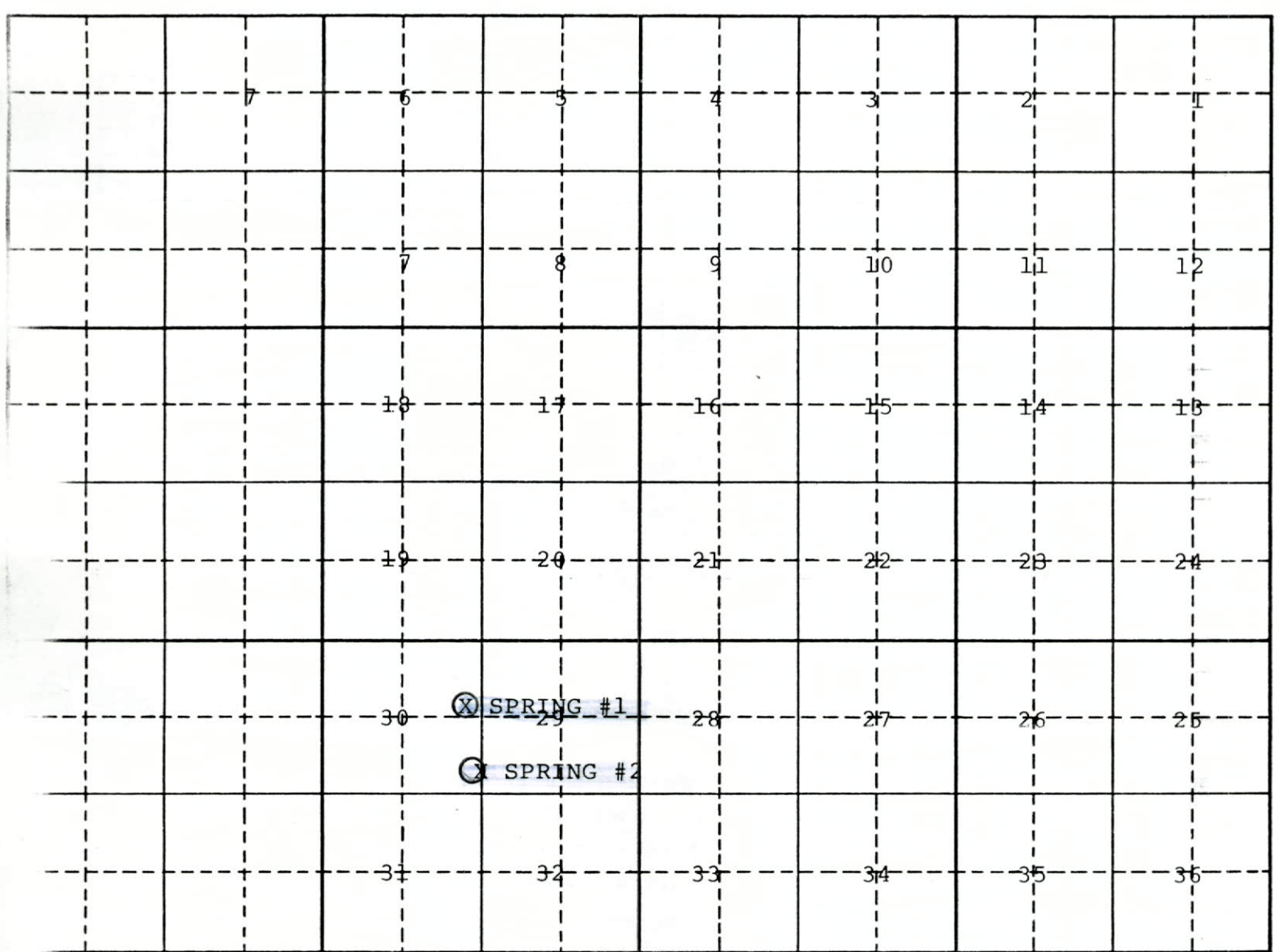


(8) Remarks None



Scale: 2 inches equal 1 mile. R. 4E., B.M.

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 Nez Perce)

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.

Gentruide B. Foreman
Christa Foreman
(Claimant)

Sworn to before me this 2 day of September, 1976.

Richard Wyatt
Notary Public
Residing at Lewiston, Idaho

My commission expires 4 June 1978

Rec. #4381		For Department Use Only		
Received by <u>CP</u>	Date <u>9-10-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by	Date		claimant by:	
\$10.00 fee received by <u>cp</u>	Date <u>9-10-76</u>			
Approved for publication by				
Published in <u>Idaho County Free Press</u>				
Dates <u>10-6 & 10-13-76</u>				

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 84-4025

Notice is hereby given that Carlos and Gertrude Forsman Kamiah, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 6.0 gallons per minute of water from Springs, tributary to the Clearwater River with point of diversion in the (1) SE $\frac{1}{4}$ NE $\frac{1}{4}$, (2) SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 33 N, R. 4E, B.M., Idaho County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stock watering purposes with a priority of (1) 1966, (2) 1970 the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 33 N, R. 4E, 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 Idaho County Free Press, Grangeville Idaho on Oct. 6 and Oct. 13, 1976.

06-13

RECEIVED

OCT 18 1976

Department of Water Resources
Northern District Office

AFFIDAVIT OF PUBLICATION

Nona Donaldson

..... being first duly
Office Manager
sworn, says he is the
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for ² weeks,
being published ² times, the first publication being
on the ⁶ day of^{October}, 197.....⁶,
and the last publication on the ¹³ day of
.....^{October} 197.....⁶; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Nona Donaldson

Subscribed and sworn to before me this ¹⁴ day
October ⁶
of ¹³, 197.....

Marilyn J. Stolley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

RECEIVED

OCT 12 1976

Department of Water Resources
Northern District Office

AFFIDAVIT OF PUBLICATION

Karon Schlieper being first duly

sworn, says he is the owner
of the CLEARWATER PROGRESS, a weekly newspaper
which is published and issued weekly at Kamiah, Lewis
County, State of Idaho, and which is of general circulation
in said county and state; that the said notice, of which the
one hereto attached is a true copy, was published in said
paper for 2 weeks, being published 2 times,
the first publication being on the 23 day of Sept.
1976, and the last publication on the 30
day of Sept., 1976; and that
the said notice was published in the newspaper proper and
not in a supplement; that said newspaper has been continu-
ously and uninterruptedly published in said county during
a period of more than seventy-eight consecutive weeks prior
to the first publication of said notice or advertisement.

Karon Schlieper
owner

Subscribed and sworn to before me this 27th day
of Oct, 1976.

J. D. Hancock, Notary Public,
for the State of Idaho, residing at Kamiah, Idaho.

★ Public Notice

NOTICE OF A CLAIM TO A WATER RIGHT NO. 84-4025

Notice is hereby given that
Carlos and Gertrude Forsman,
Kamiah, Idaho have filed a
claim to a water right
established by diversion and
application to beneficial use of
6.0 gallons per minute of
water from Springs, tributary
to the Clearwater River with
point of diversion in the (1)
SE $\frac{1}{4}$ NE $\frac{1}{4}$, (2) SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
30, T. 33N, R. 4E, B.M., Lewis
County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic and stock watering
purposes with a priority of (1)
1966 and (2) 1970 the place of
use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 33N, R
4E, B.M.

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

R. Keith Higginson
Director

Published in the Clearwater
Progress, Kamiah, Idaho on
Sept. 23 and Sept. 30, 1976.

This second publication was cancelled. cp

NOTIFIED

BOOK 100 PAGE 546

of KOOS KIA, County of IRAWG, State of IRAWG
the party of the first part and

JAMES C. JACKSON AND MARY M. JACKSON, HUSBAND AND WIFE,

County of IBAND, State of IBAND, of ROOBRIA,
WITNESSETH that the said part I. of the part I.B.D. of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, (\$10.00) Dollars lawful money of the United States of America

to HER In hand paid by the part 1.0 of the second part, the receipt whereof is hereby acknowledged,

the said parties of the second part, and to THEIR heirs and assigns forever, all the following described

State of Idaho, to-wit: _____ County of Blaine

STATE OF IOWA, TO-WIT: STARTING AT THE QUARTER CORNER OF SECTIONS 29 AND 3
TWP. 33N. RGE. 4E. BM; THENCE RUNNING N. 165° 22' ALONG SECTION 1, 1/4 SECTION 2,

SECTIONS 29 AND 30 TWP 33N R6E. 4E. TO THE POINT OF BEGINNING.
THENCE RUNNING ALONG SECTION LINE BETWEEN

THENCE N. 24° W. A. LEFT 22° 09' 1353.7 FEET.

THENCE IN A WESTERLY DIRECTION 353.88 FEET TO SECTION LINE.

THENCE IN A NORTHEASTLY DIRECTION 353 FEET TO LEWIS CLARK HIGHWAY RIGHT-
OF-WAY; THENCE ALONG EAST SIDE OF HIGHWAY RIGHT-OF-WAY IN A S.W. AND
S.E. DIRECTION

SE DIRECTION APPROXIMATELY 2541 FEET TO INTERSECTION OF CENTER LINE
OF SECTION 30, TWP. 33N. RGE. 4E. 6N.

THENCE RUNNING EAST ALONG CENTER LINE OF SECTION APPROXIMATELY 795 FEET TO THE SE CORNER OF Bldg. 201

THENCE NORTH 165 FEET; THENCE EAST 330 FEET BACK TO THE POINT OF BEGINNING.

51.01 ACRES MORE OR LESS.

NOT MORE OR LESS.

THE GRANTORS RESERVE AND EXCEPT TO THEMSELVES THE PERMANENT USE OF WATER FROM A SPRING LYING 400 FEET NW OF THE 1/4 CORNER

SECTIONS 29 AND 30, TWP 33, REG. 4E8M AND THE RIGHT TO LAY, CONSTRUCT,

MAINTAIN, PIRES AND PITCHES THERETO AND THE RIGHT TO ENTER THEREUPON
THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSE OF MAKING ORDINANCE

CONSTRUCTING AND MAINTAINING THE DITCHES AND PIPES TO THE AFORESAID

SPRING. *****

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

TOGETHER with all and singular the personage, hereditaments and appurtenances therunto belonging or in anywise appertaining, and the revenues and possessions, royalties and customs

and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity,

of the said party..... of the first part.

PROFILING

MAY 13 1987

NO FILM

JUL 08 1988

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 Carlos Forsman and Gertrude Forsman (name of claimant) of Kamiah, Idaho (mailing address), claims a right to the diversion and beneficial use of 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) springs, tributary to, Clearwater 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: (1) Spring #1 (2) Spring #2
- | | | | | | | | |
|-----|--------|-------------------|-----|----------------------------|----------------|------------------------|-------------------|
| (1) | Amount | <u>5 gpm</u> | Use | <u>Domestic Stock</u> | Period of Use: | From <u>Jan. 1</u> | To <u>Dec. 31</u> |
| | Amount | <u>5 gpm</u> | Use | <u>Domestic Stock</u> | Period of Use: | From <u>Jan. 1</u> | To <u>Dec. 31</u> |
| | Amount | <u>N/A</u> | Use | <u>N/A</u> | Period of Use: | From <u>N/A</u> | To <u>N/A</u> |
| | | (cfs, gpm or a/f) | | (dom., irri., stock, etc.) | | (both dates inclusive) | |
- (3) Total quantity of water claimed: - - - cubic feet per second, or - - - acre feet per annum, and/or 6 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) (1) 1966, (2) 1970

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)
- Spring #1 SE 1/4 NE 1/4, Sec. 30 Twp. 33N. Rge. 4E. B. M. County of Idaho
- Spring #2 SE 1/4 SE 1/4, Sec. 30 Twp. 33N. Rge. 4E. B. M. County of Idaho
- 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. Spring #1, 3/4 hp pump and 1" pipeline; Spring #2, 3/4" pump and 1" pipeline.

- (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.

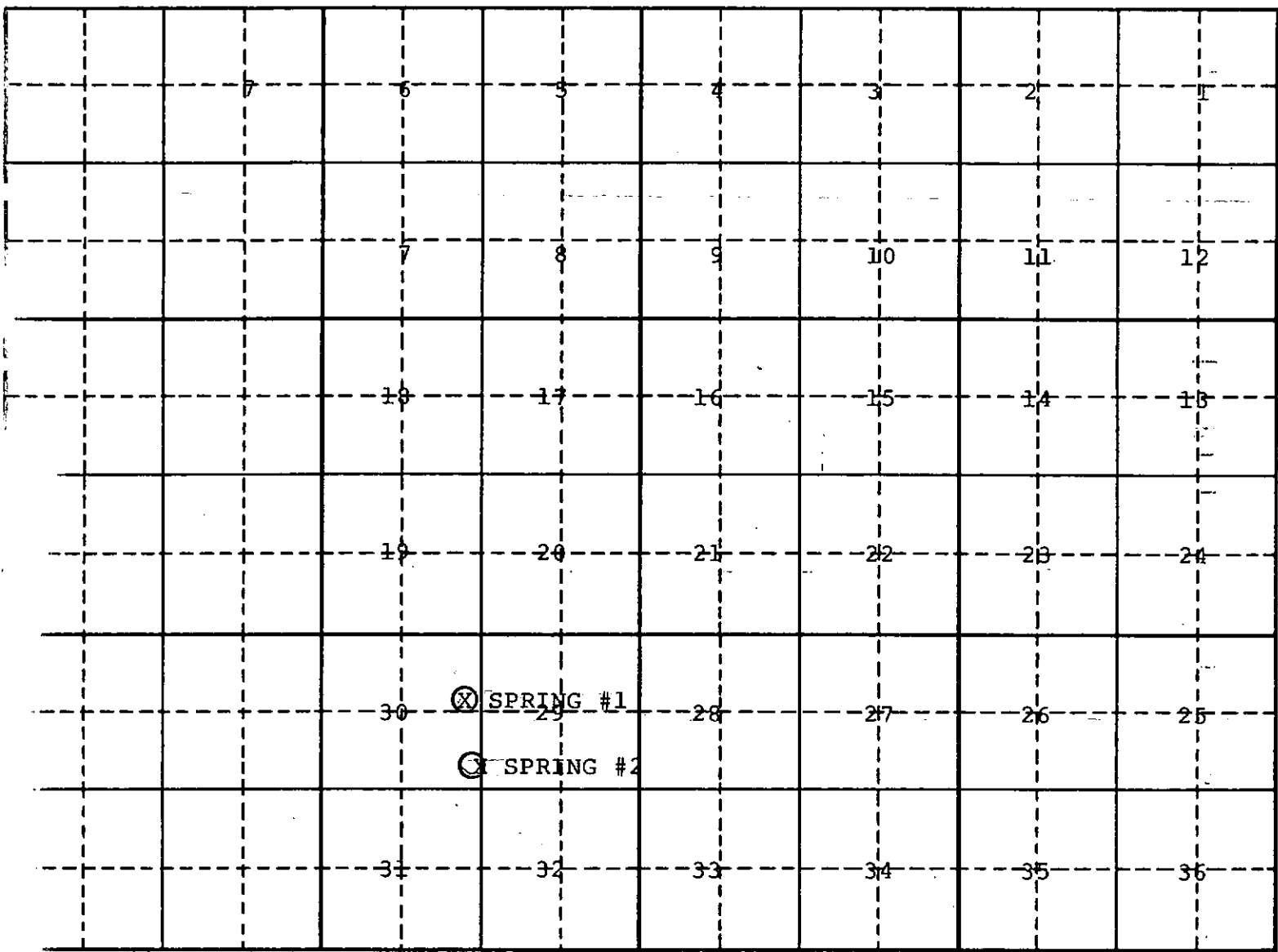
T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
33N	4E	30				X													
33N	4E	30																X	

Total No. of acres 0

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

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

(8) Remarks None

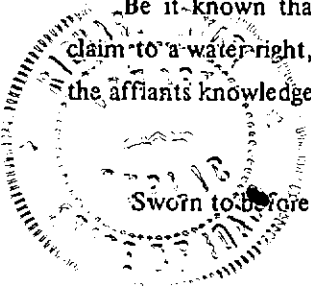


Scale: 2 inches equal 1 mile. R. 4E., B.M.

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 Nez Perce)

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.



Kentucky B. Foreman
Charles H. Foreman
(Claimant)

Sworn to before me this 2 day of September, 1976.

Richard Wyatt
Notary Public
Residing at Lewiston, Idaho

My commission expires 4 June 1978

Rec. #4381		For Department Use Only	
Received by <u>CP</u>	Date <u>9-10-76</u>	Exception filed by:	Forwarded to claimant by:
Prelim. check by	Date		
\$10.00 fee received by <u>cp</u>	Date <u>9-10-76</u>		
Approved for publication by			
Published in <u>Idaho County Free Press</u>			
Dates <u>10-6 & 10-13-76</u>			

NOTICE OF CLAIM
TO A WATER RIGHT
NO. 84-4025

Notice is hereby given that Carlos and Gertrude Forsman, Kamiah, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 6.0 gallons per minute of water from Springs, tributary to the Clearwater River with point of diversion in the (1) SE $\frac{1}{4}$ NE $\frac{1}{4}$, (2) SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 33 N, R. 4E, B.M., Idaho County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stock watering purposes with a priority of (1) 1966, (2) 1970 the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 33 N, R. 4E, 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 Idaho County Free Press, Grangeville Idaho on Oct. 6 and Oct. 13, 1976.

06-13

RECEIVED

OCT 18 1976

Department of Water Resources
Northern District Office

AFFIDAVIT OF PUBLICATION

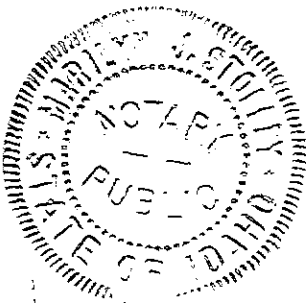
Nona Donaldson

..... being first duly
Office Manager
sworn, says he is the
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for ² weeks,
being published ² times, the first publication being
on the ⁶ day of^{October}, 197⁶,
and the last publication on the ¹³ day of
.....^{October}, 197⁶; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Nona Donaldson

Subscribed and sworn to before me this ¹⁴ day
October ⁶, 197⁶
of

Marilyn J. Stolley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.



RECEIVED

OCT 12 1976

Department of Water Resources
Northern District Office

AFFIDAVIT OF PUBLICATION

Karon Schlieper being first duly

sworn, says he is the owner
of the CLEARWATER PROGRESS, a weekly newspaper
which is published and issued weekly at Kamiah, Lewis
County, State of Idaho, and which is of general circulation
in said county and state; that the said notice, of which the
one hereto attached is a true copy, was published in said
paper for 2 weeks, being published 2 times,
the first publication being on the 23 day of Sept.
1976, and the last publication on the 30
day of Sept., 1976; and that
the said notice was published in the newspaper proper and
not in a supplement; that said newspaper has been continu-
ously and uninterruptedly published in said county during
a period of more than seventy-eight consecutive weeks prior
to the first publication of said notice or advertisement.

Karon Schlieper
owner

Subscribed and sworn to before me this 7th day
of Oct, 1976

J. D. Shreve, Notary Public,
for the State of Idaho, residing at Kamiah, Idaho.

☆ Public Notice

NOTICE OF A CLAIM TO A WATER RIGHT NO. 184-4025

Notice is hereby given that
Carlos and Gertrude Forsman,
Kamiah, Idaho have filed a
claim to a water right
established by diversion and
application to beneficial use of
8.0 gallons per minute of
water from Springs, tributary
to the Clearwater River with
point of diversion in the (1)
SE $\frac{1}{4}$ NE $\frac{1}{4}$, (2) SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.
30, T. 33N, R. 4E, B.M., Lewis
County.

The water is claimed to be
used from Jan. 1 to Dec. 31 for
domestic and stock watering
purposes with a priority of (1)
1966 and (2) 1970 the place of
use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 33N, R
4E, B.M.

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

R. Keith Higginson
Director

Published in the Clearwater
Progress, Kamiah, Idaho on
Sept. 23 and Sept. 30, 1976.

This second publication was cancelled. cp



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 24, 1988

William A. Stellmon
Attorney at Law
P.O. Box 1388
Lewiston, ID 83501

Re: Water Right Claim No. 84-4025 in the name of Forsman,
Wilsey, and Davis and Water Right Claim No. 84-4306 in the
name of Delbert & Lexie Lunders

Dear Mr. Stellmon:

This office acknowledges receipt of an exception to Claim
No. 84-4306 filed in the name of Delbert & Lexie Lunders. The
exception will be filed in both the Lunders and the Forsman,
Wilsey, and Davis claims. A copy is also being sent to Lunders.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

MICROFILMED

JUL 08 1988

RECEIVED

APR 16 1987

Del Lunders
Rt. 1 Box 654
Kamiah, ID 83536

RECEIVED
APR 9 1987

Department of Water Resources
Northern District Office

April 6, 1987

Kenn Dunn, Director
Dept. of Water Resources
4055 Govrnm't Way Suite 9
Coeur d'Alene, ID 83814

RE: Claim No. 84-4306

Dear Mr. Dunn,

Regarding the exception to our claim of water right filed by Elise Wilsey and Gertrude Forsman, I feel there is a misunderstanding on their part about our claim. We are only filing a claim on our spring and not on theirs. I have included a picture of their spring house and our spring house. Our water source is even further to the right (east) of our spring house. As I explained on our application form, the spring is piped into a cement reservoir under our spring house. We now have the sole and exclusive use of this spring and the previous owners state the water system was in use before 1948 when they got the property and they have had the sole and exclusive use of this spring since that time. I have also included a copy of the recorded deed dated November 1963 that reserved the spring and pipeline area to the Diggs who in turn sold the property and spring rights to us. It also describes the approximate location of our spring. This does give us the right of way or easement for access that Elise Wilsey and Gertrude Forsman refer to in their objection. You will also notice the date of November 1963 on this recorded document is prior to the September 1976 date mentioned in their exception.

We do not want any claim on their water and it is unfortunate there was any confusion regarding our claim to our water. We hope this information clarifies the situation and would appreciate Wilsey/Forsman withdrawing their exception.

Sincerely,

Del Lunders

Del Lunders

copy: Wilsey/Forsman

MICROFILMED

MAY 13 1987

RECEIVED

JUL 08 1988

BOOK 100 PAGE 548

THIS INDENTURE, made this 14th day of NOVEMBER, 1963
between NORMA SCHNEIDER DIER and 10000

between NORMA EMMETT of Koonkia County of IDaho State of IDaho
of the first part and JAMES C. JACKSON AND MARY M. JACKSON, HUSBAND AND WIFE,
JAMES C. JACKSON AND MARY M. JACKSON, of KOONKIA

JAMES CIVATOVICH, of the County of IDAHO, State of IDAHO, the part 1ER. of the second part,
 County of IDAHO, State of IDAHO, of the first part, for and in consideration of the sum of
WITNESSETH, that the said part 1 of the first part, for and in consideration of the sum of
TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, \$10.00 Dollars
 of the United States of America, has hereby acknowledged

TEN DOLLARS AND OTHER VALUABLE
lawful money of the United States of America.
to, W.E.R. In hand paid by the parties of the second part, the receipt whereof is hereby acknowledged,
has granted, bargained, sold, and by these presents, do grant, bargain, sell and convey and confirm unto
the said parties of the second part, and to THEIR heirs and assigns, forever, all the following described
real estate, situated in County of IDAHO
AT THE QUARTER CORNER OF SECTIONS 29 AND 3

the said parties of the second part, and to _____ County of _____ State of Idaho, to-wit: _____ STARTING AT THE QUARTER CORNER OF SECTIONS 29 AND 30 TWP 33N, R6E, 4E2M; THENCE RUNNING N. 165° E. ALONG SECTION LINE BETWEEN SECTIONS 29 AND 30 TWP 33N, R6E, 4E2M TO THE POINT OF BEGINNING. THENCE RUNNING ALONG SECTION LINE BETWEEN SECTIONS 29 AND 30, 272 FEET; THENCE N. 24° N. A. LEFT 28° 09' 1353.7 FEET. THENCE N. 4° 18' W. A. RIGHT 19° 59' 1144.9 FEET TO SECTION LINE. THENCE IN A WESTERLY DIRECTION 353 FEET TO LEWIS CLARK HIGHWAY RIGHT-OF-WAY; THENCE ALONG EAST SIDE OF HIGHWAY RIGHT-OF-WAY IN A S.W. AND SE DIRECTION APPROXIMATELY 2841 FEET TO INTERSECTION OF CENTER LINE OF SECTION 30, TWP 33N, R6E, 4E2M. THENCE RUNNING EAST ALONG CENTER LINE OF SECTION APPROXIMATELY 795 FEET TO THE SE CORNER OF SW $\frac{1}{4}$, SE $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$, SEC. 30 TWP 33N, R6E, 4E2M. THENCE NORTH 165 FEET; THENCE EAST 330 FEET BACK TO THE POINT OF BEGINNING; ALL THIS LYING IN SEC. 30, TWP 33N, R6E, 4E2M, CONTAINING 51.01 ACRES MORE OR LESS.

THE GRANTORS RESERVE AND EXCEPT TO THEMSELVES THE PERMANENT USE OF WATER FROM A SPRING LYING 498 FEET NW OF THE 1/4 CORNER BETWEEN SECTIONS 29 AND 30, TWP 33, RGE. 4E&M AND THE RIGHT TO LAY, CONSTRUCT, MAINTAIN, PIKE AND DITCHES THEREON AND THE RIGHT TO ENTER THEREUPON, THE ABOVE DESCRIBED PROPERTY FOR THE PURPOSE OF LAYING, OPERATING, CONSTRUCTING AND MAINTAINING THE DITCHES AND PIPES TO THE AFORESAID SPRING.

TOGETHER with all and singular the premises, hereditaments and appurtenances therunto belong-
ing or in anywise appertaining, and the reversions and reversion, remainders and remainders, and rents, issues
and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity,
of the said party..... of the first part.

REFILMED

MAY 13 1987

REFUGEE

JUL 08 1988

RECEIVED

MAR 25 1987

P.O.Box 454
Kamiah, Idaho 83536
(208) 926-0161

Department of Water Resources

TO: Kenn Dunn, Director
Dept. of Water Resources
4055 Govt. Way Suite 9,
Coeur d'Alene, Idaho 83814

From: Elise J. Wilsey, Gertrude B. Forsman
Carlos H. Forsman; Estate

Date: March 16, 1987

Subject: Claim to Water Right
Claim # 84-4025
10-25-1976

SPRING #1 SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 30 T33 N R04E
Diversion Pt. LOT 11 BM County of Idaho

RECEIVED
MAR 17 1987
Department of Water Resources
Northern District Office

We take Exception to a claim filed by Delbert and Lexie Lunders. 02/18/87 #84-4306 - Diversion Pt; LOT 11 (SENE) Sec 30 T33N R04E. Published in the Idaho County Free Press. Priority Date: 06/01/1948. The Lunders do not have any Right of Way or Easements for access that we know of. They recently purchased property adjacent to ours. We do not know where they get the priority date of 06/01/1948.

On September 10, 1976, Carlos H. Forsman and Gertrude B. Forsman filed Water Rights on this Spring, and to our knowledge No Exceptions were filed.

We have used this Spring continuously from June 1976, prior to filing the Water Right, and after the the Water Right was filed both for Domestic and Livestock use. This Spring has had continuous use since 1959 by the former owners, Ed and Joy Adams, prior to Carlos Forsman purchasing the property. It has been used by one of our households for Domestic use since 1978, now the Charles Davis household as well as Livestock use to this date in 1987. This is the sole source of water for this household. Plans are for as long as we shall live, Period of Use: Jan.1-Dec.31, year in year out, for livestock on that part of the property, as well as household.

There has been a complete Survey of the Forsman property after Carlos passed away, the Survey was completed in March 1986, by Greg Skinner which was filed and recorded at the Idaho County Court House. The place has been divided into three parcels; Forsman, Wilsey, Davis. Forsman, Wilsey, Davis use this Spring year round for Livestock and Household use. Jan.1 - Dec.31.

If further information is required please advise.

Very Truly Yours,

Elise J. Wilsey Gertrude B. Forsman
Elise J. Wilsey - Gertrude B. Forsman

Enclosures

STATE OF IDAHO

COUNTY OF IDAHO

Subscribed and sworn before me this 16th day of March, 1987.

My commission expires 5-88

MICROFILMED

APR 14 1987

Patsy A. Kujala

March 17, 1987

Ms. Elise J. Wilsey and
Ms. Gertrude B. Forsman
P.O. Box 454
Kamiah, Id. 83536

Re: 84-4025

Dear Ladies:

We have received your correspondence concerning the above-referenced Claim to a Water Right. The following is a quote from the provisions under which this Claim has been filed (Section 42-244, Idaho Code):

"At any time after filing a claim under the provisions of the previous section, any person who disagrees that a right has been established as set forth in said claim may file an exception thereto in duplicate, in affidavit form accompanied by such proof as said person deems appropriate. An exception filed shall be made a part of the file of the claim in the department of water resources and shall be considered the same as other evidence in said file. A copy of an exception filed shall be forwarded to the claimant by the department of water resources. Such claims may be corrected by the claimant only by filing of an amended claim in the same form as the original which shall be recorded and numbered by the department the same as the original and for which no additional filing fee shall be required."

Only the above action has been contemplated by the Idaho Legislature and we are not authorized to hold hearings or evaluate for confirmation or final censorship the described rights.

If we may be of any further assistance, feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

MICROFILMED

APR 14 1987

C
O
P
Y

ACT
IONN OWNER LAST NAME - FORSMAN
N OWNER LAST NAME - FORSMANFIRST NAME - CARLOS
FIRST NAME - GERTRUDE

CITY - KAMIAH STATE - ID

N SOURCE - SPRINGS

TRIBUTARY OF - CLEARWATER RIVER

N STAGE - STATRY CLM

PRIORITY - 06-01-1966 COUNTY - IDAHO

TOTAL DIV. RATE - .0100CFS

N DIVERSION POINT - SENE 30 33N 04E

SESE 30 33N 04E

N FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE - .0100CFS

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0100CFS

N USE - STOCKWATER

PLACE OF USE - TWN 33N RNG 04E SEC 30 TRACT SENE

TRACT SESE

N REMARKS - PRIORITY DATE ALSO 6-1-1970 FOR .01 CFS.

IDENT. NO. 84-4025

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 184-4025
 Old No. _____ New No. _____

Record

1. Original Owner: Charles + Gertrude Horsman

Present Owner: _____

2. Address:

3. City: Mammoth State: Id Zip: _____

4. A. Source of Water: Springs

B. Tributary of: Clearwater River

5. A. Stage (A,P,L,D,S,J): I

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1966

D. County: 49

E. Total Diversion Rate: .01

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SENE</u>	<u>30</u>	<u>33N</u>	<u>4E</u>		
	<u>SESE</u>	<u>30</u>	<u>33N</u>	<u>4E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for I purposes. Amount .01
 (cfs or AC-FT/yr.)

from 1-1 to 12-31 for D purposes. Amount .01

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: 2

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *Priority date also 6-1-1970*
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

COEUR D' ALENE, IDAHO 83814

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1

4055 N. Government Way

(208) 667-6484

October 25, 1976

Re: Claim to a Water Right No. 84-4025

Carlos and Gertrude Forsman

Kamiah

Idaho 83536

Dear Mr. and Mrs. Forsman:

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



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

October 1, 1976

Re: Claim No. 82-4029 - Larry I. McPherson
" " 84-4025 - Carlos and Gertrude Forsman

Idaho County Free Press
Box 267
Grangeville, ID 83530

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)

RECEIVED
OCT 1 1976
IDAHO COUNTY FREE PRESS

Bill: 10-18-76.4

NOTICE OF CLAIM TO A WATER RIGHT

NO. 84-4025

Notice is hereby given that Carlos and Gertrude Forsman,

Kamiah, Idaho

have ~~has~~ filed a claim to a water right established by diversion and application to beneficial use of 6.0 ~~cubic feet per second~~ gallons per minute of water from Springs, tributary to the Clearwater River with point of diversion in the (1) SE $\frac{1}{4}$ NE $\frac{1}{4}$, (2) SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 33N, R. 4E, B.M., Idaho County

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

with a priority of (1) 1966, (2) 1970;
the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 30, T. 33N, R. 4E, 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 Idaho County Free Press, Grangeville, Idaho
on Oct. 6 and Oct. 13, 1976

September 21, 1976

Re: Claim to a Water Right No. 84-4025 - Carlos & Gertrude Forsman

Mr. Clifton Morey, P.E.
HOFFMANN, FISKE & WYATT
101 Thain Road
Lewiston, ID 83501

Dear Mr. Morey:

Attached is your receipt No. 4381 in the amount of \$10 for the filing fee on the above referenced claim which was received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

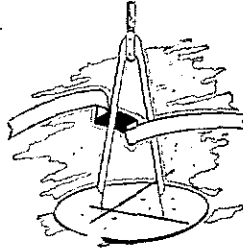
Attachment

100

Consulting

Engineers

JOHN L. HOFFMANN
CHARLES C. FISKE
D. RICHARD WYATT



September 9, 1976

2500 KOOTENAI STREET
TELEPHONE (208) 344-5509
BOISE, IDAHO 83705

101 THAIN ROAD
TELEPHONE (208) 746-2661
LEWISTON IDAHO 83501

Idaho Department of Water Resources
4055 Government Way
Suite 1
Coeur d' Alene, Idaho 83814

Attention: Robert Haynes, P.E.
District Supervisor

Dear Mr. Haynes:

Enclosed for your action is an "Application for Claim to a Water Right" we have completed for Carlos Forsman of Kamiah, Idaho.

Should there be any questions about the application, please contact either myself at our Lewiston office or Mr. Forsman himself.

Sincerely yours,

HOFFMANN, FISKE & WYATT

Clifton Morey
Clifton Morey, P.E.

CM:sg
Enclosure

RECEIVED
SEP 10 1976
Department of Water Resources
Northern District Office

RECEIVED