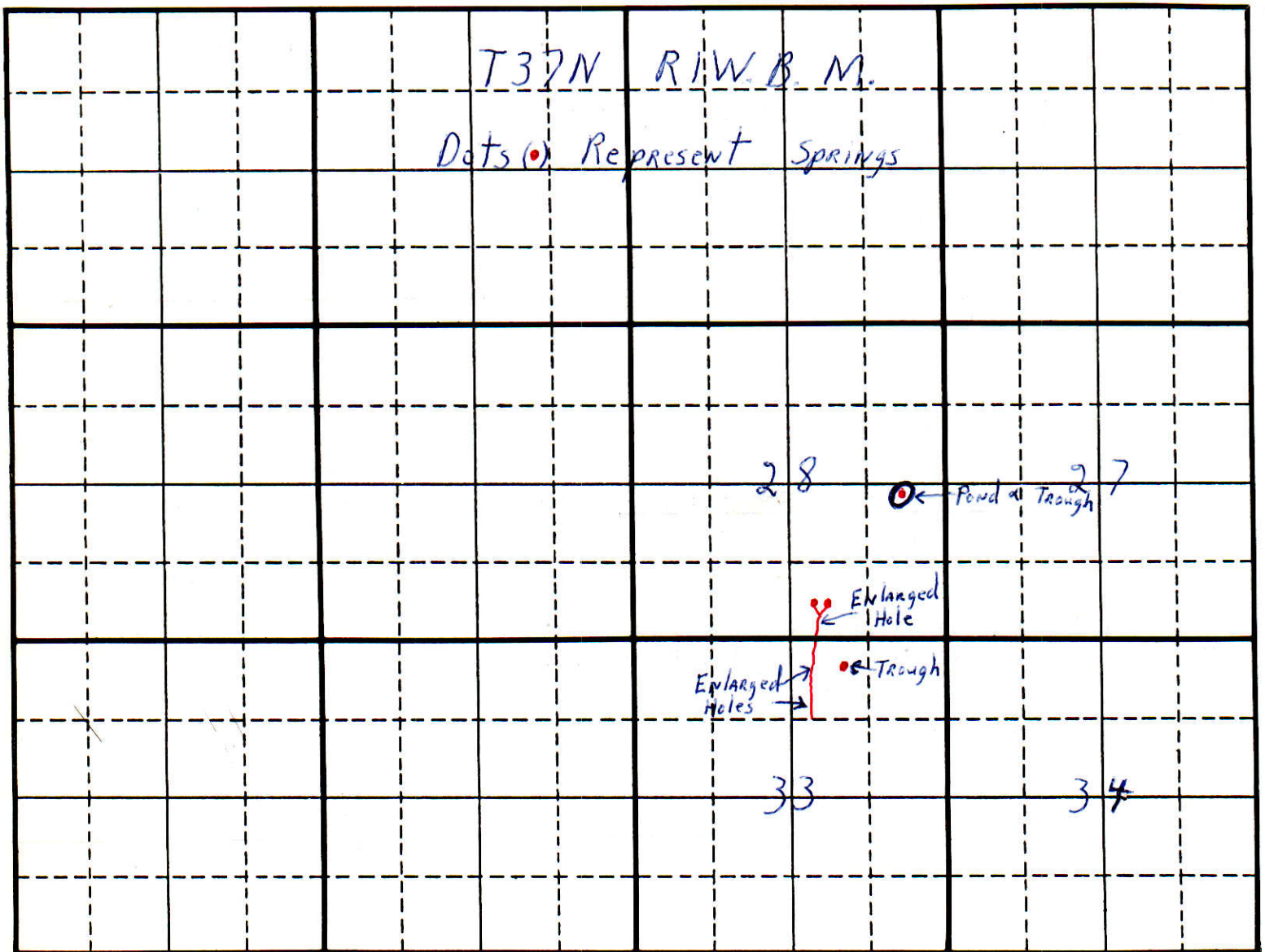


(8) Remarks George Mittendorf was a former owner of all but 100 acres of my ranch. Clyde Gillespie previously owned the other 100 acres. Both of these men are now living in Lewiston and have remained familiar with the area. Alden Carey is a long time neighbor who is still living in the area. Albert Lawrence and Clint Frederiksen grew up in the area and are familiar with the ranch.



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 Latah) 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 April, 1980

Mike J. Mathison
(Claimant)

Allen V. Bowles

Notary Public
Residing at Moscow

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by PM Date 4/3/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by TK Date 4/4/80
\$20.00 fee received by PM Date 4/4/80 (16898)
Published in Lewiston Morning Tribune
Dates 4/17-24/80

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.

Linda Lou McCall, being duly sworn
deposes and says, I am the Classified Bookkeeper
of the Tribune Publishing Company, a corporation organized
and existing under and by virtue of the laws of the State of
Idaho, publishers of the LEWISTON MORNING TRIBUNE, a
newspaper of general circulation published at Lewiston, Nez
Perce County, Idaho; That the said Lewiston Morning Tribune
is an established paper and has been published regularly and
issued regularly at least once a day for more than 20 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the Notice Of Claims To Water Rights
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for two consecutive weeks, the
first publication thereof being on the 17th day of
April, A. D. 1980, and the last publica-
tion thereof being on the 24th day of April,
A. D. 1980, and said Notice Of Claims To Water
Rights was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

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:

86-4058

MATHISON, MIKE J.

Rt. 1 Box 52, Lenore, Id.
83541.

Source: SPRINGS tributary
to CLEARWATER RIVER.

Priority Date: 01/01/1954.

Amount: 0.04 CFS.

Diversion Point: NWNE Sec
33 T 37N R 01W SWSE NESE
Sec 28 T 37N R 01W, NEZ
PERCE Co.

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

Place of Use: NWNE Sec 33 T
37N R 01W NESE SWSE Sec 28
T 37N R 01W.

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

C. STEPHEN ALLRED
Director

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

24th day of April, 1980.

Paulitta J. Hamilton
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

3M 5-72 LT 42669

RECEIVED
APR 28 1980
Department
Department
Northern District
MICROFILMED

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 Mike J. Mathison
(Name of Claimant)
Route 1, Box 52 Lenore, Idaho 83541 Telephone No. 476-3582
(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) 1954

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)
Unnamed springs tributary to Clearwater 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, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	<u>1800 gpd</u>	Use	<u>Livestock</u>	Period of Use From <u>1-1</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
Quantity		Use		Period of Use From	To
(4)	<u>1800 gpd</u>	TOTAL QUANTITY USED.			
	(cfs, gpd, AFA)				

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 33 Twp. 37N Rge. 1W B.M., County of Nez Perce
Additional points of diversion: SW ¼ SE ¼ NE ¼ SE ¼ Sec 28 Twp 37N Rge 1WBM

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. Water flows out of two of these springs into streams which have enlarged holes developed to facilitate cattle watering. One spring is concrete lined and piped into a trough. The other spring forms a pond and is piped into

(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. trough.

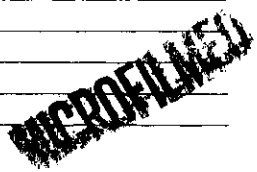
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
37N	1W	33		X															
37N	1W	28												X			X		

No. of acres _____

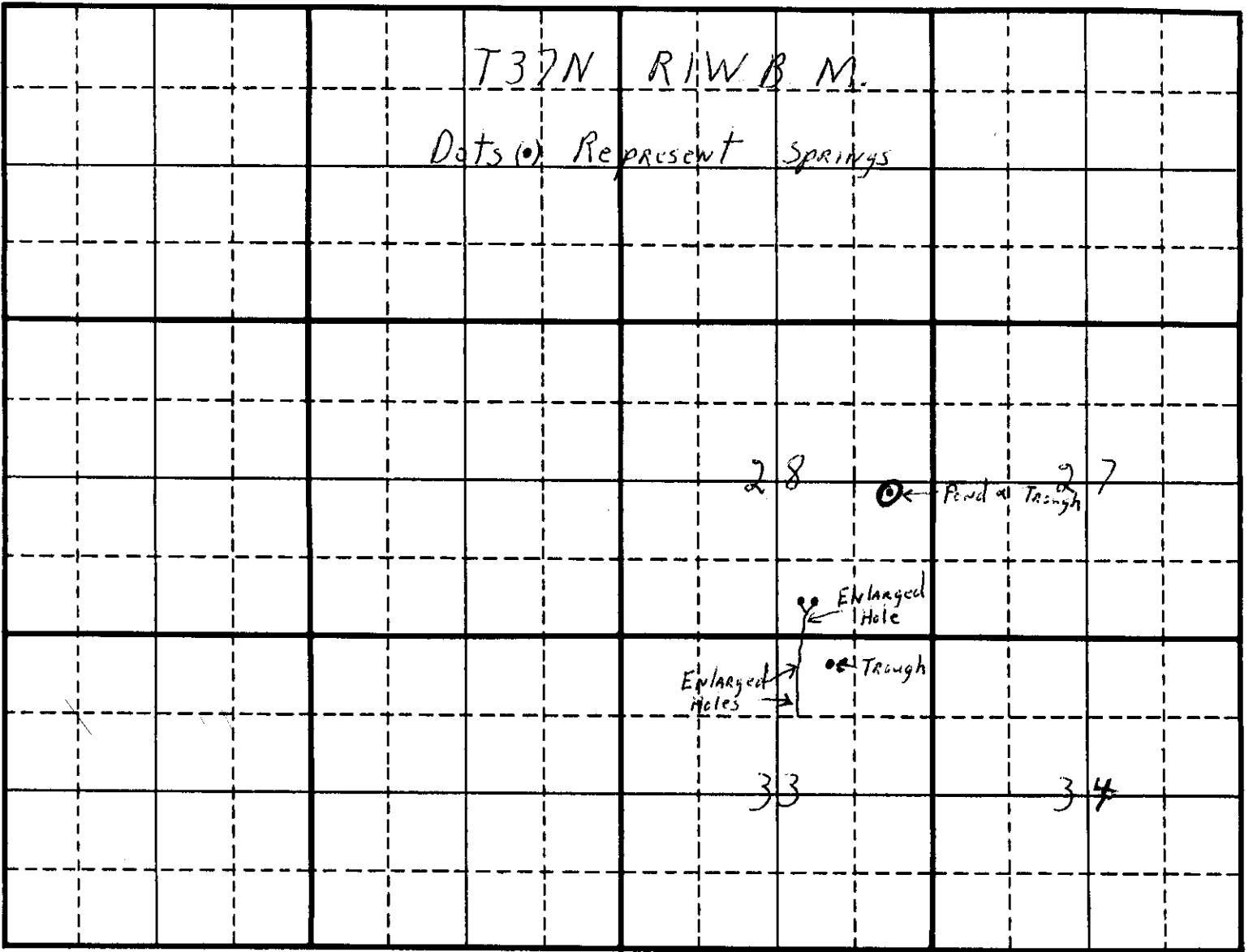
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: My cattle drink from these springs as they originate and flow through my property. All these springs have been developed at their source so as to provide as much water flow as possible.

NOTE: Include here the type and number of stock watered: 150 cow/half pairs

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



(8) Remarks George Mittendorf was a former owner of all but 100 acres of my ranch. Clyde Gillespie previously owned the other 100 acres. Both of these men are now living in Lewiston and have remained familiar with the area. Alden Carey is a long time neighbor who is still living in the area. Albert Lawrence and Clint Frederiksen grew up in the area and are familiar with the ranch.



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 Latah) 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 April, 1980.

Mike J. Mathison
(Claimant)

Allen V. Bowles

Notary Public
Residing at Moscow

My commission expires Lifetime

FOR DEPARTMENT USE ONLY

Received by PM Date 4/3/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by TK Date 4/4/80 claimant by: _____
\$20.00 fee received by PM Date 4/4/80 (16,848)
Published in Lewiston Tribune
Dates 4/17 or 24/80

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.

Linda Lou McCall, being duly sworn
deposes and says, I am the Classified Bookkeeper
of the Tribune Publishing Company, a corporation organized
and existing under and by virtue of the laws of the State of
Idaho, publishers of the LEWISTON MORNING TRIBUNE, a
newspaper of general circulation published at Lewiston, Nez
Perce County, Idaho; That the said Lewiston Morning Tribune
is an established paper and has been published regularly and
issued regularly at least once a day for more than 20 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the Notice Of Claims To Water Rights
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for two consecutive weeks, the
first publication thereof being on the 17th day of
April, A. D. 19 80, and the last publica-
tion thereof being on the 24th day of April,
A. D. 19 80, and said Notice Of Claims To Water
was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

Rights

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

24th day of April, 19 80.

Paulette J. Hamilton

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

3M 5-72 LY 42669

RECORDED

AFFIDAVIT

STATE OF IDAHO

County of Clearwater

Cliff R. Anderson, being first duly sworn,
Name of affiant

upon oath, deposes and says:

I

That affiant is a neighbor of Mike Mathison and familiar with the real property now owned by Mike Mathison.

II

That affiant has examined the two (2) claims of water rights having been prepared by Mike Mathison.

III

That affiant knows from his or her own personal knowledge that the sources of water rights claimed in said claims of water rights have been diverted and put to beneficial use and maintained over the course of the years since at least 1954.

IV

That the amounts of water claimed therein are reasonable for the purposes the water has been used for over the period of years.

Cliff R. Anderson
Name of affiant

SUBSCRIBED AND SWORN to before me, a notary public for the State of Idaho the 28th day of March, 1980.

Alfred Lashier
Notary Public in and for the
State of Idaho, residing at
Boise, therein.

RECEIVED

AFFIDAVIT

STATE OF IDAHO

County of Clearwater

Alden Perry, being first duly sworn,
Name of affiant

upon oath, deposes and says:

I

That affiant is a neighbor of Mike Mathison and familiar with the real property now owned by Mike Mathison.

II

That affiant has examined the two (2) claims of water rights having been prepared by Mike Mathison.

III

That affiant knows from his or her own personal knowledge that the sources of water rights claimed in said claims of water rights have been diverted and put to beneficial use and maintained over the course of the years since at least 1947.

IV

That the amounts of water claimed therein are reasonable for the purposes the water has been used for over the period of years.

Alden Perry
Name of affiant

SUBSCRIBED AND SWORN to before me, a notary public for the State of Idaho the 26th day of March, 1980.

Nancy S. Hayes
Notary Public in and for the
State of Idaho, residing at
Orford, therein.

AFFIDAVIT

STATE OF IDAHO

County of Latah

Albert Lawrence, being first duly sworn,
Name of affiant

upon oath, deposes and says:

I

That affiant is a neighbor of Mike Mathison and familiar with the real property now owned by Mike Mathison.

II

That affiant has examined the two (2) claims of water rights having been prepared by Mike Mathison.

III

That affiant knows from his or her own personal knowledge that the sources of water rights claimed in said claims of water rights have been diverted and put to beneficial use and maintained over the course of the years since at least 1945.

IV

That the amounts of water claimed therein are reasonable for the purposes the water has been used for over the period of years.

Albert Lawrence
Name of affiant

SUBSCRIBED AND SWORN to before me, a notary public for the State of Idaho the 26th day of March, 1980.

[Signature]
Notary Public in and for the
State of Idaho, residing at
Kendrick, therein.

AFFIDAVIT

STATE OF IDAHO

County of Nez Perce

Lyda Gillespie, being first duly sworn,
Name of affiant

upon oath, deposes and says:

I

That affiant is the former owner of real property now owned by Mike Mathison.

II

That affiant has examined the two (2) claims of water rights having been prepared by Mike Mathison.

III

That affiant knows from his or her own personal knowledge that the sources of water rights claimed in said claims of water rights have been diverted and put to beneficial use and maintained over the course of the years since at least 1943.

IV

That the amounts of water claimed therein are reasonable for the purposes the water has been used for over the period of years.

Lyda Gillespie
Name of affiant

SUBSCRIBED AND SWORN to before me, a notary public for the State of Idaho the 19 day of March, 1980.

Carolyn J. Turner
Notary Public in and for the
State of Idaho, residing at
615 Main Rd., therein.
Burston Idaho

AFFIDAVIT

STATE OF IDAHO

County of Nezperce

Ed Mitterdorf, being first duly sworn,
Name of affiant

upon oath, deposes and says:

I

That affiant is the former owner of real property now owned by Mike Mathison.

II

That affiant has examined the two (2) claims of water rights having been prepared by Mike Mathison.

III

That affiant knows from his or her own personal knowledge that the sources of water rights claimed in said claims of water rights have been diverted and put to beneficial use and maintained over the course of the years since at least 1945.

IV

That the amounts of water claimed therein are reasonable for the purposes the water has been used for over the period of years.

Ed Mitterdorf
Name of affiant

SUBSCRIBED AND SWORN to before me, a notary public for the State of Idaho the 19 day of March, 1980.

Carolyn J. Turner
Notary Public in and for the
State of Idaho, residing at
615 Shan Rd., therein.
Heviston Idaho
83501

WATER RIGHT NUMBER 86-4058

WATER RIGHTS EDIT REPORT

05/29/80

PAGE 23

ACT
ION
L

2 P/D IN SWSE, S28, T37N, R1W.

12

ACTION

N OWNER LAST NAME - MATHISON FIRST NAME - MIKE J.
N ADDRESS LINE 1 - RT. 1 BOX 52
N CITY - LENORE STATE - ID ZIP CODE - 83541
N SOURCE - SPRINGS TRIBUTARY OF - CLEARWATER RIVER
N STAGE - STATRY CLM PRIORITY - 01-01-1954 COUNTY - NEZ PERCE TOTAL DIV. RATE - .0400CFS
N DIVERSION POINT - NWNE 33 37N 01W SWSE 28 37N 01W
N DIVERSION POINT - NESE 28 37N 01W
N FROM - 01-01 TO - 12-31 USE - STOCKWATER USE DIV. RATE - .0400CFS
N USE - STOCKWATER PLACE OF USE - TWN 37N RNG 01W SEC 33 TRACT NWNE
N USE - STOCKWATER PLACE OF USE - TWN 37N RNG 01W SEC 28 TRACT NESE TRACT SWSE
N NON IRRIG USE - S/300 RANGE.

W
MB

WATER RIGHT NUMBER 86-4058

WATER RIGHTS EDIT REPORT

05/01/80

PAGE 14

ACI

ION

L REMARKS - 4 P/D AND 3 P/U.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 86-4058 Applicant Matheson

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.

Advertise Stock as 0.02 cfs

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By JK Date 5/9/80

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By Maureen Date 5/20/80

MICROFILMED

86-4058-

MATHISON, MIKE J.

RT. 1 BOX 52, LENORE, ID 83541

Source: SPRINGS tributary to CLEARWATER RIVER

Priority Date: 01/01/1954

Amount: 0.04 CFS

Diversion Point: NWNE Sec 33 T 37N R 01W SWSE NESE Sec 28 T 37N R 01W,
NEZ PERCE Co.

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

Place of Use: NWNE Sec 33 T 37N R 01W NESE SWSE Sec 28 T 37N R 01W

Microfilm

Halley Brook
To Run 4/17/80

**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:

86-4058

MATHISON, MIKE J.

Rt. 1 Box 52, Lenore, Id.
83541.

Source: SPRINGS tributary
to CLEARWATER RIVER.

Priority Date: 01/01/1954.

Amount: 0.04 CFS.

Diversion Point: NWNE Sec
33 T 37N R 01W SWSE NESE
Sec 28 T 37N R 01W, NEZ
PERCE Co.

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

Place of Use: NWNE Sec 33 T
37N R 01W NESE SWSE Sec 28
T 37N R 01W.

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

C. STEPHEN ALLRED
Director

R E C E I V E D

APR 17 1980

Department of Water Resources
Northern District Office

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

MAY 5, 1980

MIKE J. MATHISON
RT. 1 BOX 52
LENORE ID 83541

RE: Claim No. 86-4058

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