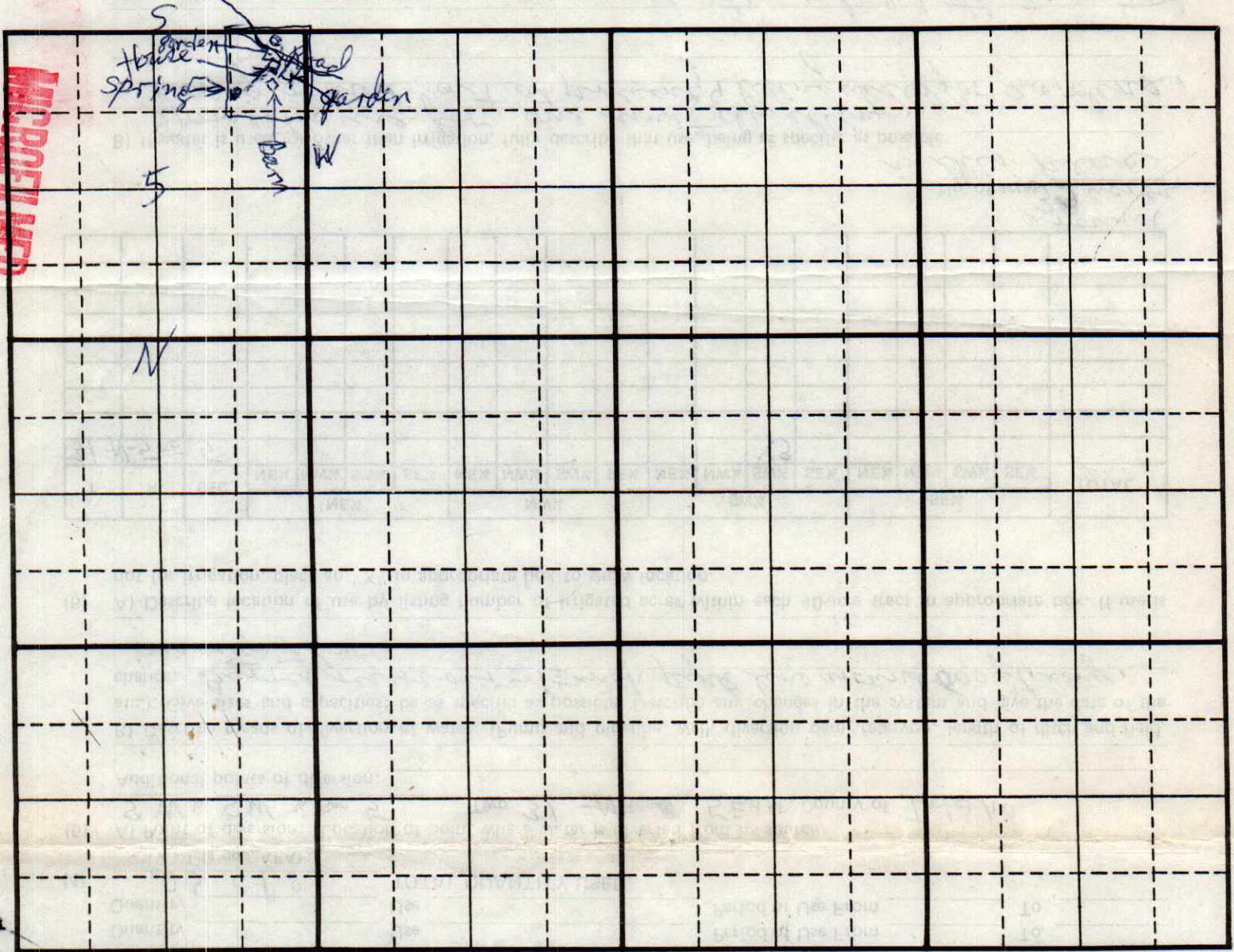


(8) Remarks Southwest quarter of the Southwest quarter except part  
lying southwest of county road, section 5, Township 31 N,  
Range 5 E.B.M. 31.64 acres.



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 Idaho ) 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.

Carrie B. Cuthbert & Malvin E. Treat  
(Claimant)s

Sworn to before me this 19 day of May

, 19 83

Geneva Le Grasley  
Notary Public  
Residing at Kassakia

My commission expires Jan. 15, 1985

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 5/23/83 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by [Signature] Date 5-31-83 claimant by: \_\_\_\_\_  
\$20.00 fee received by [Signature] Date 5/31/83 (27660)  
Published in Idaho State Press  
Dates 6/8-6/16/83

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 Carrie B. Cuthbert or Melvin E. Leats  
 (Name of Claimant)  
P. # 1 - Box 39 - Noosik, Alaska 83537 Telephone No. 926-4374  
 (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) For Stockwater, ~~the~~ Garden Since 1962

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)  
Spring tributary to Clear 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:

|                          |                                     | (Both dates inclusive)        |                 |
|--------------------------|-------------------------------------|-------------------------------|-----------------|
| (cfs, gpd, AFA)          | (Domestic, Irrigation, Stock, Etc.) | (Mo., Day)                    | (Mo., Day)      |
| Quantity <u>.02 cfs</u>  | Use <u>Domestic</u>                 | Period of Use From <u>1-1</u> | To <u>12-31</u> |
| Quantity <u>.002 cfs</u> | Use <u>Livestock</u>                | Period of Use From <u>1-1</u> | To <u>12-31</u> |
| Quantity <u>.008 cfs</u> | Use <u>Irrigation</u>               | Period of Use From <u>4-1</u> | To <u>9-30</u>  |
| Quantity _____           | Use _____                           | Period of Use From _____      | To _____        |
| Quantity <u>.03 cfs</u>  | Use _____                           | Period of Use From _____      | To _____        |
| (cfs, gpd, AFA)          | TOTAL QUANTITY USED.                |                               |                 |

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SW ¼ SW ¼, Sec. 5 Twp. 31 - N Rge. 5 E, 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. Describe any changes in the system and give the date of the change. Barrel reservoir - 1 1/2 inch pipe line around 600 ft. long.  
Gravity flow

(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.

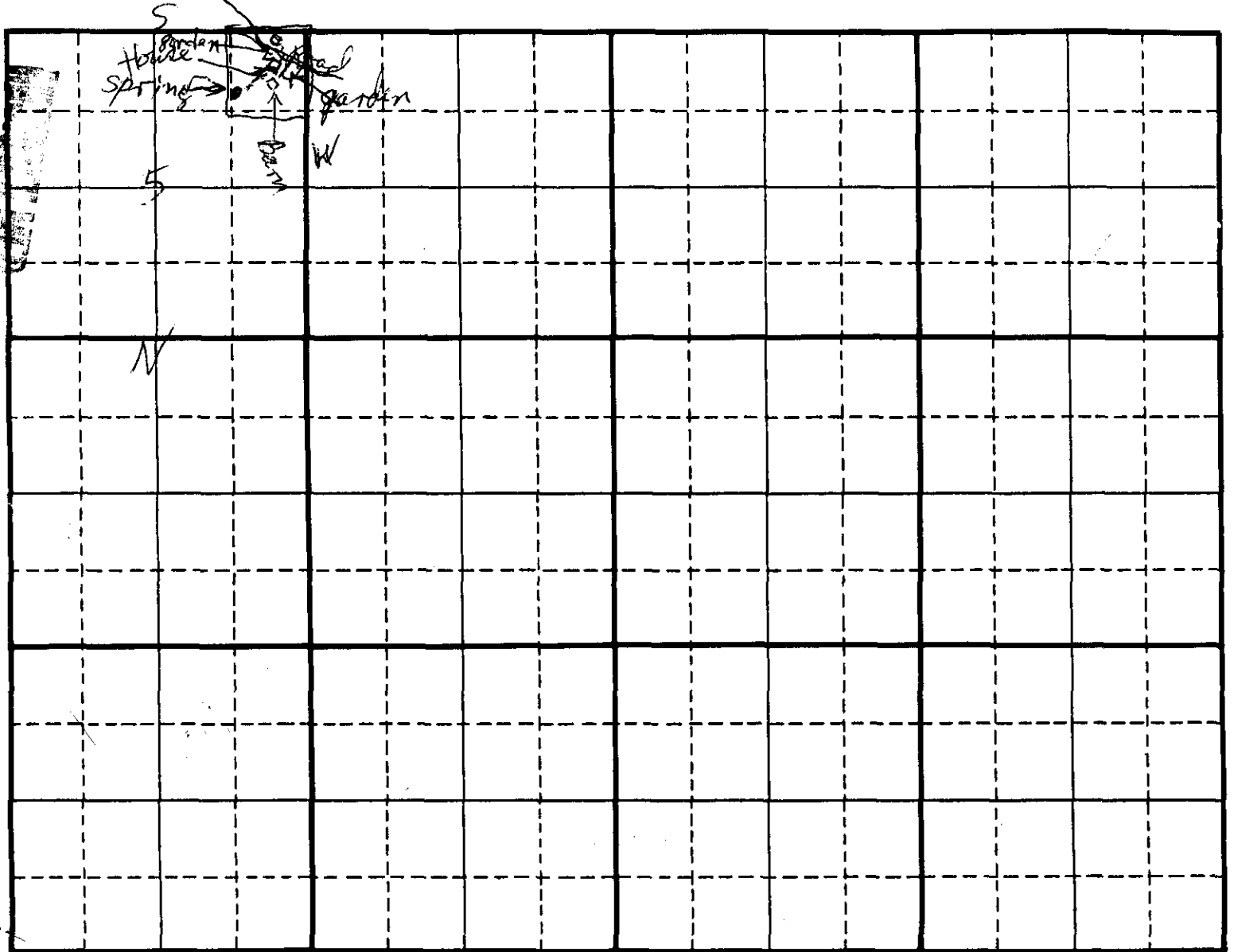
[illegible]

No. of acres 3 1/2 acres  
this place

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic use for one unit dwelling, being rented out at present, & being used for gardens.

NOTE: Include here the type and number of stock watered: Sometimes 10 head of cattle-at present 5 horses  
If you are claiming water as a member of an organization, list name of organization: Usually a milk cow  
lot

(8) Remarks Southwest quarter of the Southwest quarter except part  
lying southeast of county road, section 5, Township 31 N,  
Range 5 E.B.M. 31.64 acres.



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 Idaho ) 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.

Carrie B. Cathbert & Melvin E. Treat  
(Claimant)s

Sworn to before me this 19 day of May, 1983

Geneva L. Gentry  
Notary Public  
Residing at Kassia

My commission expires Jan. 15, 1985

Received by [Signature] Date 5/23/83 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by [Signature] Date 5-31-83 Forwarded to claimant by: \_\_\_\_\_ Date \_\_\_\_\_  
\$20.00 fee received by [Signature] Date 5/31/83 (27660) \_\_\_\_\_  
Published in [Signature] \_\_\_\_\_  
Dates 6/8-6/16/83 \_\_\_\_\_

**NOTICE OF CLAIMS  
TO WATER RIGHTS**

The following claim(s)  
have been filed on water  
right(s) created by diversion  
and beneficial use:

81-4122

KING, RALPH W.  
722 LINDEN ST.,  
LEWISTON, ID 83501

Source: UNNAMED  
STREAM trib. to CLEAR-  
WATER RIVER, MIDDLE  
FORK

Priority Date: 01/01/1900  
Diversion Pt: LOT 07 Sec 02  
T 32N R 05E

Use: IRRIGATION (0.08  
CFS)

In: SWSE Sec 02 T 32N R 05E  
FOR 1 ACRES.

81-4123

WILDERNESS TRAILS  
INC.

THREE RIVERS RESORT,  
STAR RT., KOOSKIA, ID  
83539

Source: LOCHSA RIVER  
trib. to CLEARWATER  
RIVER, MIDDLE FORK

Priority Date: 01/01/1943  
Diversion Pt: SWNW Sec 04  
T 32N R 07E

Use: IRRIGATION (0.18  
CFS) STOCKWATER (0.02  
CFS)

In: SWNW Sec 04 T 32N R  
07E FOR 9 ACRES.

81-4124

WILDERNESS TRAILS  
INC.

THREE RIVERS RESORT,  
STAR RT., KOOSKIA, ID  
83539

Source: SPRING trib. to  
LOCHSA RIVER

Priority Date: 01/01/1902  
Diversion Pt: SENW Sec 04  
T 32N R 07E

Use: IRRIGATION (0.02  
CFS) STOCKWATER (0.02  
CFS) COMMERCIAL (0.16  
CFS)

In: SWNW Sec 04 T 32N R  
07E FOR 1 ACRES.

81-4125

CUTHBERT, CARRIE B.  
TEATS, MELVINE.  
RT. 1 BOX 39, KOOSKIA, ID  
83539

Source: SPRING trib. to  
CLEAR CREEK

Priority Date: 01/01/1902  
Diversion Pt: SWSW Sec 05 T  
31N R 05E

Use: IRRIGATION (0.0080  
CFS) STOCKWATER (0.0020  
CFS) DOMESTIC (0.02 CFS)  
In: SWSW Sec 05 T 31N R 05E  
FOR 3 ACRES.

81-4126

MONTGOMERY, WAYNE  
L.

RT. 1 BOX 54A, KOOSKIA,  
ID 83539

Source: CLEAR CREEK  
trib. to CLEARWATER  
RIVER, MIDDLE FORK

Priority Date: 01/01/1900  
Diversion Pt: SWNE Sec 22  
T 32N R 04E

Use: IRRIGATION (0.20  
CFS) STOCKWATER (0.20  
CFS) DOMESTIC (0.20 CFS)  
In: SWNE Sec 22 T 32N R  
04E FOR 15 ACRES.

**AFFIDAVIT OF PUBLICATION**

Nona Donaldson

being first duly

sworn, says he is the office manager  
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 8 day of June, 1983,  
and the last publication on the 15 day of  
June, 1983; 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 day  
of , 19

*[Signature]*, Notary Public  
for State of Idaho, residing at Grangeville, Idaho.

82-4135

CASE, LARRY R. &/or  
MARGIEM.

RT. 2 BOX 120,  
GRANGEVILLE, ID 83530

Source: SPRING trib. to  
CLEARWATER RIVER,  
SOUTH FORK

Priority Date: 01/01/1900  
Diversion Pt: NENE Sec 26  
T 29N R 04E

Use: STOCKWATER (0.08  
CFS) DOMESTIC (0.02 CFS)

In: NENE Sec 26 T 29N R  
04E.

82-4136

BLEDSE, JON B. &/or  
HERGARTS.

STAR RT., KOOSKIA, ID  
83539

Source: SPRING trib. to  
SINKS

Priority Date: 01/01/1903  
Diversion Pt: SENW Sec 18  
T 31N R 04E

Use: IRRIGATION (0.02  
CFS) STOCKWATER (0.02  
CFS) DOMESTIC (0.06 CFS)

In: SENW Sec 18 T 31N R  
04E FOR 1 ACRES.

RECEIVED  
JUN 20 1983

Department of Water Resources  
Northern District Office

85-4370

SCHMIDT, VIRGIL  
RT. 3 BOX 155A, COT-  
TONWOOD, ID 83522

Source: GROUNDWATER  
Priority Date: 01/01/1900  
Diversion Pt: NWSW Sec 31  
T 32N R 01E

Use: STOCKWATER (0.02  
CFS) DOMESTIC (0.04 CFS)

In: NWSW Sec 31 T 32N R  
01E.

85-4380

SCHMIDT, VIRGIL  
RT. 3 BOX 155A, COT-  
TONWOOD, ID 83522

Source: SPRINGS trib. to  
SINKS

Priority Date: 01/01/1900  
Diversion Pt: NWSW Sec 31  
T 32N R 01E NENE NWNE  
SWNE Sec 36 T 32N R 01W

Use: STOCKWATER (0.02  
CFS)

In: NWSW Sec 31 T 32N R  
01E NENE NWNE SWNE  
Sec 36 T 32N R 01W.

Exceptions to a claim may  
be filed with the Director,  
Dept. of Water Resources,  
400 Gov't. Way, Coeur  
D'Alene, Id. 83814.

KENDUNN, Dir.  
Published 6/8 & 6/15/83.

Jn 8-15

MICROFILMED

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: *[Signature]*

Right Number \_\_\_\_\_ Applicant \_\_\_\_\_

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 \_\_\_\_\_ Date \_\_\_\_\_

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *kw* Date *8/9/83*

MICROFILMED

RECEIVED  
AUG 8 1983  
Department of Water Resources

IDENT. NO. 81-4125

WATER RIGHT  
DATA ENTRY LOG

[illegible]

81-4125\_

CUTHBERT, CARRIE B.  
TEATS, MELVIN E.

RT. 1 BOX 39, KODSKIA, ID 83539

Source: SPRING trib. to CLEAR CREEK

Priority Date: 01/01/1962

Diversion Pt: SWSW Sec 05 T 31N R 05E

|                 |              |
|-----------------|--------------|
| Use: IRRIGATION | (0.0080 CFS) |
| STOCKWATER      | (0.0020 CFS) |
| DOMESTIC        | (0.02 CFS)   |

In: SWSW Sec 05 T 31N R 05E FOR 3 ACRES

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Northern Region

---

JOHN V. EVANS  
Governor  
A. KENNETH DUNN  
Director

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

JUNE 27, 1983

CARRIE B. CUTHBERT  
MELVIN E. TEATS  
RT. 1 BOX 39  
KOOSKIA ID 83539

RE: Claim No. 81-4125

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.

Sincerely,  
Yours truly,

Robert G. Haynes, P.E.  
Regional Supervisor

Enclosure

---



# STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn  
Director

Suite No. 9  
4055 Government Way  
Coeur d'Alene, Idaho 83814  
(208) 667-6484

May 25, 1983

Ms. Carrie Cuthbert  
Rt. 1 Box 39  
Kooskia, Id. 83539

Dear Ms. Cuthbert:

I am returning your Claim to a Water Right along with your Check No. 92-327. The problem arises from claiming two priority dates on the same claim. It is only possible to establish one priority date on a claim. As a result, you have three choices.

First, you can claim the later of the two priorities for all the uses. This would involve lining out everything except the 1962 date in Item No. 1, initialing the change and resubmitting the claim.

Or, you could file separate claims for the different priorities claimed. I have included an additional form for this purpose.

You also have the option of not filing at all. Single family domestic use, including up to  $\frac{1}{2}$  acre of irrigation, and stock watering from a surface water source are exempt from the need to file, if use was established prior to May 20, 1971. As a result, you are not required to file.

If you have any questions, please contact me at this office.

Sincerely,

LAWRENCE D. BEARD  
Senior Water Resource Analyst

LDB/pms  
Enc. - Claims (3)  
Check  
Instructions

