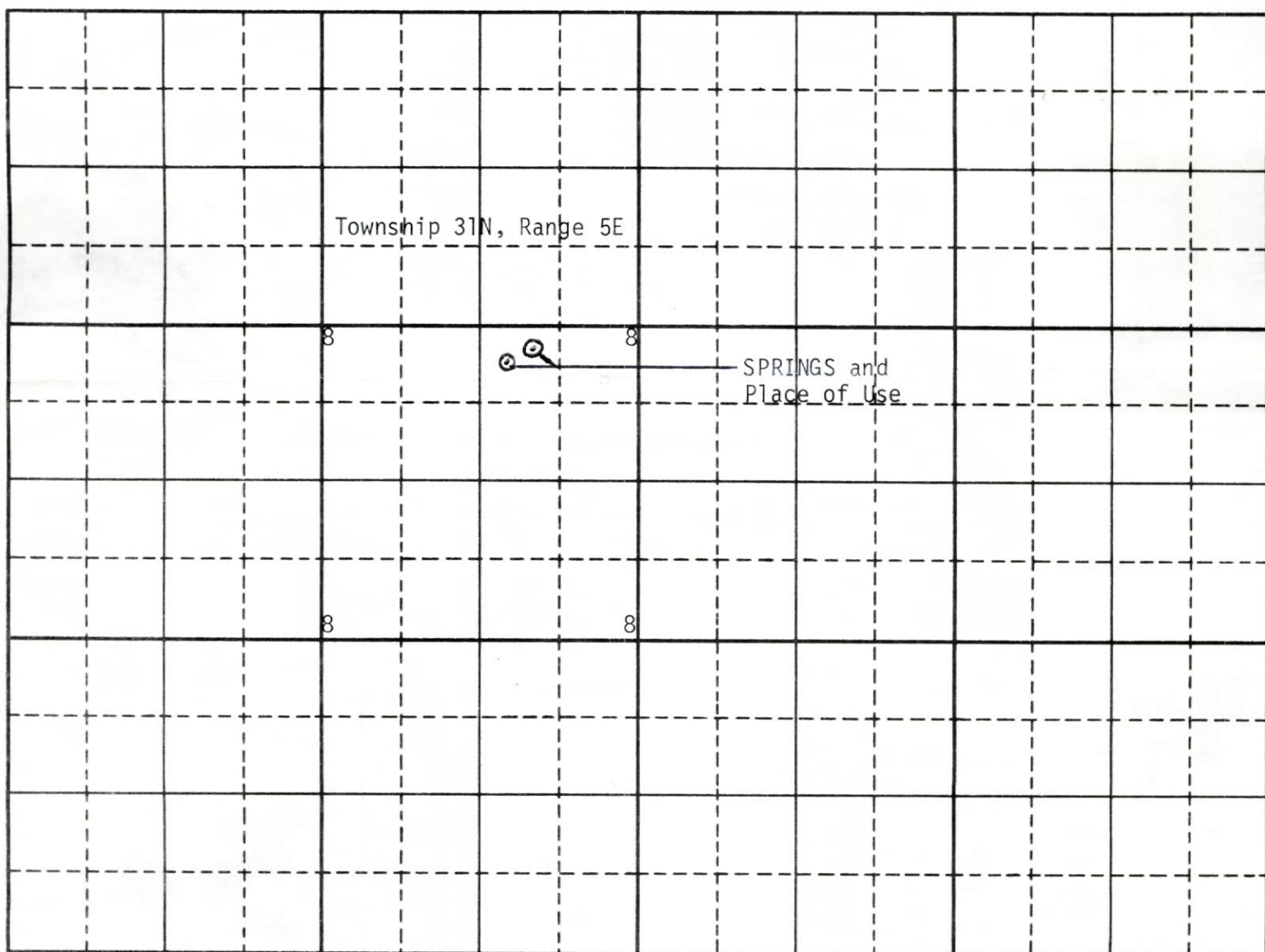


(8) Remarks _____



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 Nez Perce) 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 affiants knowledge.

Lester Cathbert & or Carrie B. Cathbert & or Evan Teats & or Melvin E. Teats
(Claimant)

Sworn to before me this 18 day of April, 19 77

Notary Public

Residing at 813 park Dr
Lewiston, Idaho

My commission expires Life

For Department Use Only

Received by <u>AK</u>	Date <u>4-27-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>AK</u>	Date <u>4-27-77</u>		claimant by:	
\$10.00 fee received by <u>AK</u>	Date <u>4-27-77 (5448)</u>			
Approved for publication by <u>B</u>	Date <u>4-28-77</u>			
Published in <u>IDPHO Co FREE PRESS</u>				
Dates <u>5-4- & 5-11-77</u>				

**NOTICE OF CLAIM
TO A WATER RIGHT
NO. 81-4013**

Notice is hereby given that Lester &/or Carrie B Cuthbert &/or Melvin E &/or Eva M Teats of Rt. 1 Box 39, Kooskia, Id 83539 has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from 2 springs, tributaries to Clear Creek with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 8, T31N, R5E, B.M. Idaho County.

The water is claimed to be used from Jan 1 to Dec 31 for stockwatering purposes with a priority of 1946 the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, T31N, R5E, 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.

C. STEPHEN ALLRED
Director

Published in the Idaho
County Free Press,
Grangeville, Id on May 4 and
May 11, 1977.

M4-11

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 4th day of May 1977, and the last publication on the 11th day of May 1977; 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 11th day
of May 1977.

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



OK.
5-16-77
\$

MICROFILMED

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 Lester &/or Carrie B. Cuthbert &/or Melvin E. &/or Eva M. Teats
(name of claimant)
of Route 1, Box 39, Kooskia, Idaho 83539, claims a right to the diversion and beneficial use of
(mailing address)
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) (2) Springs
tributary to, Clear Creek

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

Amount	<u>0.02 cfs</u>	Use	<u>Stockwater</u>	Period of Use: From	<u>Jan. 1</u>	To	<u>Dec. 31</u>
Amount		Use		Period of Use: From		To	
Amount		Use		Period of Use: From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

(3) Total quantity of water claimed: 0.02 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1946

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)

(2 pts.) NW ¼ NE ¼, Sec. 8 Twp. 31N Rge. 5E 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. Pipeline (gravity flow) to place of use.

(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.

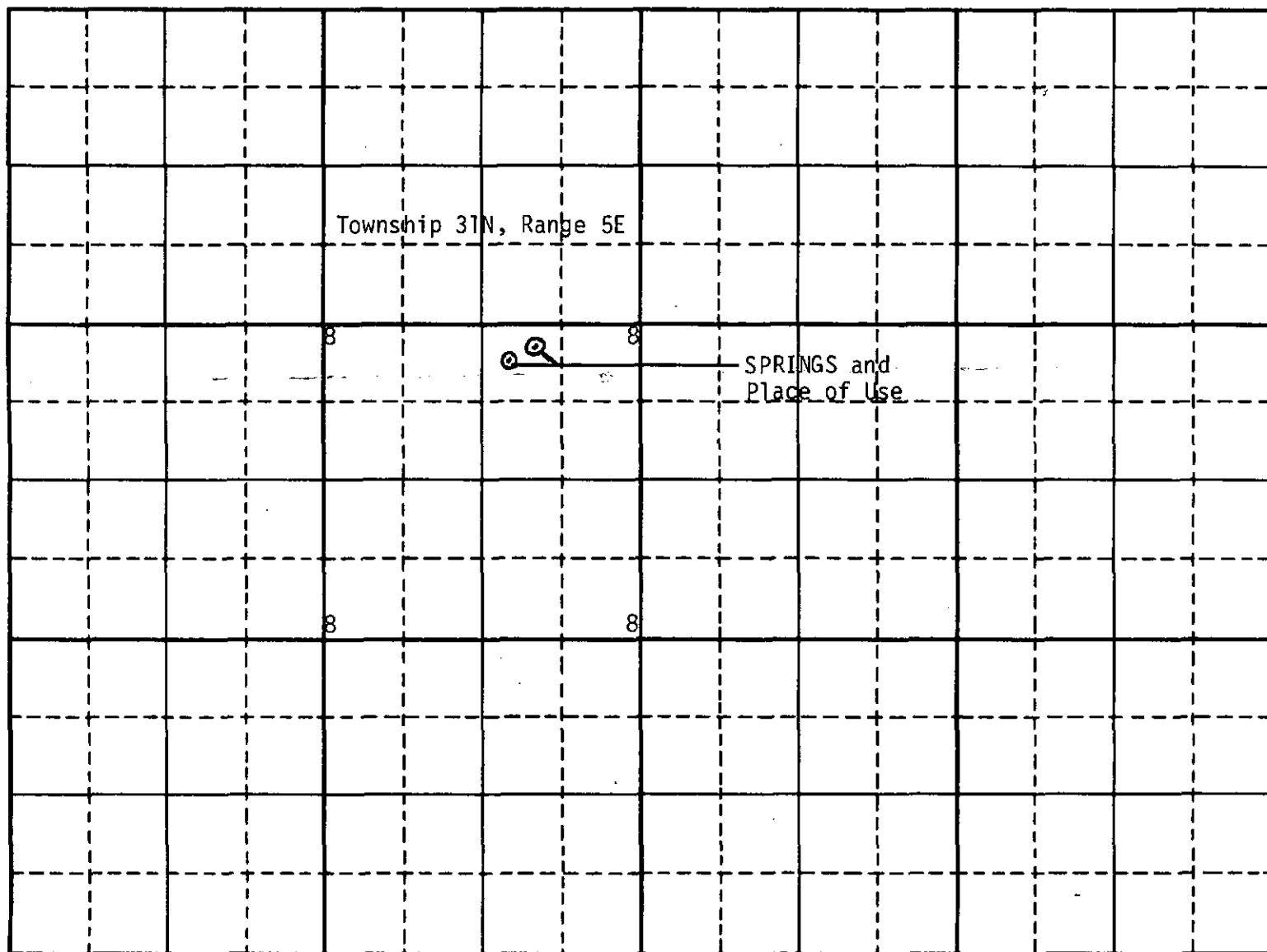
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
31N	5E	8		X															

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for stockwatering purposes for 10 head of cattle.

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

(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 Nez Perce) 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 affiants knowledge.

Lester Cathbert & or Carrie B. Cathbert & or Evan M. Teats & or Melvin E. Teats
(Claimant)

Sworn to before me this 18 day of April, 19 77

Notary Public

Residing at

813 park Dr
Lewiston Idaho

My commission expires

Life

For Department Use Only

Received by <u>AK</u>	Date <u>4-27-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>AK</u>	Date <u>4-27-77</u>		claimant by:	
\$10.00 fee received by <u>AK</u>	Date <u>4-27-77 (5448)</u>			
Approved for publication by <u>B</u>	Date <u>4-28-77</u>			
Published in <u>IDPHO Co Free Press</u>				
Dates <u>5-4- & 5-11-77</u>				

**NOTICE OF CLAIM
TO A WATER RIGHT**

NO. 81-4013

Notice is hereby given that Lester &/or Carrie B Cuthbert &/or Melvin E &/or Eva M Teats of Rt. 1 Box 39, Kooskia, Id 83539 has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from 2 springs, tributaries to Clear Creek with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 8, T31N, R5E, B.M. Idaho County.

The water is claimed to be used from Jan 1 to Dec 31 for stockwatering purposes with a priority of 1946 the place of use is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, T31N, R5E, 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.

C. STEPHEN ALLRED

Director

Published in the Idaho County Free Press, Grangeville, Id on May 4 and May 11, 1977.

M4-11

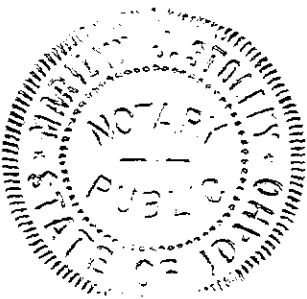
AFFIDAVIT OF PUBLICATION

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 4th..... day of May....., 197...7..., and the last publication on the 11th..... day of May..... 197...7...; 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 11th..... day of May....., 197...⁷...

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



OK.
5-16-77
\$

MICROFILMED

ACTION

N OWNER LAST NAME - CUTHBERT

FIRST NAME - LESTER

N OWNER LAST NAME - CUTHBERT

FIRST NAME - CARRIE B.

N OWNER LAST NAME - TEATS

FIRST NAME - MELVIN E.

N OWNER LAST NAME - TEATS

FIRST NAME - EVA M.

N ADDRESS LINE 1 - RT. 1 BOX 39

CITY - KOOSKIA

STATE - ID ZIP CODE - 83539

N SOURCE - SPRINGS

TRIBUTARY OF - CLEAR CREEK

N STAGE - STATRY CLM

PRIORITY - 06-01-1946 COUNTY - IDAHO

TOTAL DIV. RATE - .0200CFS

N DIVERSION POINT - NWNE 08 31N 05E

USE DIV. RATE - .0200CFS

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

N USE - STOCKWATER

PLACE OF USE - TWN 31N RNG 05E SEC 08 TRACT NWNE

N REMARKS - 2 P/D IN NWNE, S8, T31N, R5E.

N NON IRRIG USE - S/10 RANGE.

IDENT. NO. 81-4013

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 81-4013
Old No. New No.

Record

1. Original Owner: Lester & Carrie B. Luthbert
& Melvin E. & Eva M. Teats

Present Owner: _____

2. Address: Rt. 1 Box 393. City: Kassia State: ID Zip: 835394. A. Source of Water: spring
B. Tributary of: Clear Creek5. A. Stage (A,P,L,D,S,J): J
B. Status (D,L,R,C,A,I,F - leave blank if valid):C. Priority Date: 6-1-1946D. County: 49E. Total Diversion Rate: .02

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>NWNE</u>	<u>8</u>	<u>31N</u>	<u>5E</u>		

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

from	<u>1-1</u>	to	<u>12-31</u>	for	<u>J</u>	purposes.	Amount <u>.02</u> (cfs or AC-FT/yr)
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

91779

8. Use Code: S

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
31N	5E	8		S															

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. 2 P/D in NWNE, S8, T31N, R5E.
 B.
 C.
 D.
 E.

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

S/ 10 range

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): pipeline & gravity flow



DEPARTMENT OF WATER RESOURCES

COEUR D' ALENE, IDAHO 83814

NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 N. Government Way

(208) 667-6484

May 17, 1977

RE: Claim No. 81-4013

Lester &/or Carrie B Cuthbert
Melvin E &/or Eva M Teats
Rt 1 Box 39
Kooskia, Id 83539

Dear Mr & Mrs Cuthbert & Mr & Mrs Teats,

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

April 28, 1977

RE: Application for Permit No. 81-7047
Claim to a Water Right No. 81-4013

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

NOTICE OF CLAIM TO A WATER RIGHT

NO. 81-4013

Notice is hereby given that Lester &/or Carrie B Cuthbert &/or Melvin E
&/or Eva M Teats of Rt 1 Box 39, Kooskia, Id 83539
has filed a claim to a water right established by diversion and application
to beneficial use of 0.02 cubic feet per second ~~gallons per minute~~
of water from 2 springs, tributaries to Clear Creek
with point of diversion in the NW 1/4 Sec 8, T31N, R5E, B.M. Idaho
County.

The water is claimed to be used from Jan 1 to Dec 31
for stockwatering purposes
with a priority of 1946;
the place of use is within the NW 1/4 Sec 8, T31N, R5E, 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.

C. STEPHEN ALLRED
Director

Published in the Idaho County Free Press, Grangeville, Id
on May 4 and May 11, 1977

MICROFILMED

December 14, 1976

Lester and Carrie B. Cuthbert
Route 1, Box 39
Kooskia, ID 83539

Dear Mr. and Mrs. Cuthbert:

We are returning your Application for Permit and Claim to a Water Right, and your Check No. 92-327 in the amount of \$10, along with an Application for Permit and a Claim to a Water Right which we have typed from the information you submitted.

In order for you to better understand the purpose of each of the forms we have typed, we would like to briefly explain what each form represents. The "Claim to a Water Right" form may be filed with our Department to record any water rights which have been in use for a period of time. The "Application for Permit" form must be filed with our Department for any new diversion of surface water after May 20, 1971. Since the water has been used for stockwatering purposes for approximately 30 years, this use has been indicated on the Claim form; however, the uses we have listed on the Application form were determined to have begun after 1971 and cannot be listed on the Claim as existing water rights.

Under Item 6B of the Claim form, please list the number of cattle that have been supplied with water since 1946. If all other items are in order, please have your signature notarized on the back of the form. Please review all items on the Application form also and if they are correct, sign at the bottom of Page 3. When returning these forms to our office, each must be accompanied by a \$10 filing fee (a total fee of \$20).

If we have not clarified this matter to your satisfaction, perhaps it would benefit you to contact us by phone or visit our office if you plan to be in the Coeur d'Alene area.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:CP

Enclosures

RECEIVED
DEC 15 1976
IDAHO DEPT. OF AGRICULTURE
BOISE

RECEIVED

Department of Water Administration JUL 12 1976

Department of Water Resources
Northern District Office

Dear Sirs,

I would like to establish a water ~~water~~ right on two large springs in the North West $\frac{1}{4}$ of the North East $\frac{1}{4}$ of Section 8, Township 31 - Range 5 East B.M. I have been using the springs for many years for stock water, & for the last year, for a house my husband & I built in the Northeast corner of the South West $\frac{1}{4}$ of the North East $\frac{1}{4}$ of Section 8, joining the $\frac{1}{4}$ with the springs. I am in the process of selling the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8 to my two daughters, Melvin Ellis Teats and Eva May Teats. I would like a water right with all three of the following names on it.
Mr. & Mrs. Lester Cathbert

Melvin Ellis Teats

Eva May Teats

Eva May has cattle pasturing in this 40 acre piece, & Melvin has a ceramics shop there also. Both Eva May & Melvin Ellis Teats plan to build homes on this 40 acre piece of land in the next 3 to 10 years. It may be Melvin longer than Eva, to build, because he is just 18 yrs. old. But he has a good start in the ceramics business already. Please send me a claim form & an application for permit form.

Thank you, Carrie B. Cathbert
Rt 1 Box 39 - Koshkia Ala. 83539

MICROFILMED

Carrie B. Cuthbert
Rt 1-Box 39
Koochie, Ida.
83539



Northern District Manager
of Department of Water Administration
401 Front Ave. Rm. 209
Coeur d'Alene,

RECEIVED

Rt 5 Box 203 Ste 1
Coeur d'Alene, ID 83814



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

COEUR D' ALENE, IDAHO 83814

April 28, 1977

RE: Application No. 81-7047 & Claim No. 81-4013

Mr & Mrs Lester Cuthbert
Rt 1 Box 39
Kooskia, Id 83539

Dear Mr & Mrs Cuthbert,

Attached is your receipt No. 5448 in the amount of \$ 20.00 for the
filing fee on the above referenced item which was received in this office.

Very truly yours,

Alea Beito
Secretary

AB

Attachment

MICROFILMED