

T 35 R 1E

Sec 16

The diagram consists of a grid of squares. A solid horizontal line runs across the grid, and a dashed horizontal line runs below it. A solid vertical line runs down the grid, and a dashed vertical line runs to its right. A rectangular area is defined by the solid lines. An arrow points from the bottom-left corner of this area to a specific point on the dashed vertical line.

drilled well

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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.

Ethel B. Benge
(Claimant)
19 83
James E. Drake
Notary Public
Residing at *Kroy*

3R-7-12-83

Received by <u>RAH</u>	Date <u>7/1/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>AB</u>	Date <u>7-2-83</u>		claimant by:	
\$30.00 fee received by <u>[Signature]</u>	Date <u>7/2/83 (25261)</u>			
Published in <u>Lexis County Herald</u>				
Dates <u>8/1/83</u> <u>8/2/83</u>				

PROOF OF PUBLICATION

I, Robert E. Wherry, publisher of The Lewis County Herald, a weekly newspaper of general circulation established in 1897 and published continuously in the City of Nezperce, County of Lewis, State of Idaho do solemnly swear that the herewith attached publication was printed in the regular edition of The Lewis County Herald, and not in a supplement, for

9 consecutive issues, the first publication having been on the 17 day of Nov, 19 83, and the last publication on the 24 day of Nov, 19 83.

Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 29 day of Nov, 19 83

Robert E. Wherry

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right Numbers ~~85-4433~~ and 85-4442 were advertised incorrectly on 8/18 and 8/25/83.

No. 85-4433 in the name of Elsie Kinzer was advertised with the Diversion Pt. in the SENW Sec 07 T34N R01W; whereas, it should be in the SENW Sec 07 T32N R01W.

No. 85-4442 in the name of Ethel Z. Renfrow was advertised with the Place of Use in the SESE Sec 16 T34N R01E; whereas, correctly it should be the SESE Sec 16 T35N R01E.

Any exception to the above-referenced corrections must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.

Published Nov. 17 and 24, 1983

K
12/9/83

RECEIVED

DEC 9 1983

Department of Water Resources
Northern District Office

MICROFILMED

PROOF OF PUBLICATION

I, Robert E. Wherry, publisher of The Lewis County Herald, a weekly newspaper of general circulation established in 1897 and published continuously in the City of Nezperce, County of Lewis, State of Idaho do solemnly swear that the herewith attached publication was printed in the regular edition of The Lewis County Herald, and not in a supplement, for

9 consecutive issues, the first publication having been on the 18 day of Aug, 1983, and the last publication on the 25 day of Aug, 1983.

Subscribed and sworn to before me, a Notary Public, this 30 day of Aug, 1983

Salvador P. Wherry

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on water rights created by diversion and beneficial use:

85-4428

FOX, FRED
P.R. FOR J. J. FOX ESTATE, AND
IVY M. FOX, P. O. BOX 85,
CULDESAC, ID 83524

Source: MISSION CREEK trib. to
LAPWAI CREEK SPRINGS trib. to
MISSION CREEK

Priority Date: 01/01/1920

Diversion Pt: SWSW Sec 02 T 33N R
03W NESE NWSE NENE SWNE
SENE Sec 11 T 33N R 03W SENW
SWNW Sec 12 T 33N R 03W

Use: STOCKWATER (0.35 CFS)

In: NESE NWSE NENE SWNE SENE
Sec 11 T 33N R 03W SENW SWNW
Sec 12 T 33N R 03W SWSW Sec 02 T
33N R 03W

85-4429

LANGDON, MABLE
RT. 2 BOX 39, CRAIGMONT, ID
83523

Source: UNNAMED STREAM trib. to
LITTLE CANYON CREEK

Priority Date: 09/01/1941

Diversion Pt: NWNE Sec 02 T 34N R
01E SESE Sec 35 T 34N R 01E

Use: STOCKWATER (0.01 CFS)

In: NWNE Sec 02 T 34N R 01E SESE
Sec 35 T 35N R 01E

85-4430

LANGDON, MABLE &/or JOHN
RT. 2 BOX 39, CRAIGMONT, ID
83523

Source: LITTLE CANYON CREEK
trib. to CANYON CREEK

Priority Date: 01/01/1917

Diversion Pt: SWSW Sec 36 T 35N R
01E

Use: STOCKWATER (0.01 CFS)

In: SWSW Sec 36 T 35N R 01E

85-4433

KINZER, ELSIE
316 W. MAIN ST., CRAIGMONT ID
83523

Source: GROUNDWATER

Priority Date: 02/01/1958

Diversion Pt: SENW Sec 07 T 34N R
01W

Use: STOCKWATER (0.02 CFS)

In: SENW Sec 07 T 32N R 01W

85-4434

KINZER, ELSIE
316 W. MAIN ST., CRAIGMONT, ID
83524

Source: UNNAMED STREAM trib. to
LAWYERS CANYON CREEK

Priority Date: 07/01/1962

Diversion Pt: NWSE Sec 08 T 32N R
01W

Use: STOCKWATER (0.03 CFS)

In: NWSE Sec 08 T 32N R 01W

85-4442

RENFROW, ETHEL Z.
RT. 1 BOX 74, TROY, ID 83871

Source: GROUNDWATER

Priority Date: 01/01/1925

Diversion Pt: SESE Sec 16 T 35N R
01E

Use: STOCKWATER (0.05 CFS)

DOMESTIC (0.05 CFS)

In: SESE Sec 16 T 34N R 01E

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, 4055 Gov't Way, Coeur
d'Alene, Id, 83814.

KEN DUNN, Dir.

Published August 18 & 25, 1983

MICROFILMED

[illegible]

Scale: 2 inches equal 1 mile.

State of Idaho)
County of Latah) ss.

Sworn to before me this 29th day of June

My commission expires 5-12-86

Received by <u>MSH</u>	Date <u>11/1/85</u>	Exception filed by:	Forwarded to	Date
Prelim. check by	Date		claimant by:	
\$30.00 fee received by	Date			
Published in				
Dates				

(8) Remarks _____

T 35 R 1 E

Sec 16

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 29th day of June

(Elizabeth) Kinross
 (Claimant)
 1983.
 James Kinross
 Notary Public
 Residing at Ray

My commission expires 5-12-86

SP-7-12-83

FOR DEPARTMENT USE ONLY

Received by <u>KSH</u>	Date <u>7/1/83</u>	Exception filed by	Forwarded to	Date
Prelim check by <u>213</u>	Date <u>7-2-83</u>		claimant by:	
\$30.00 fee received by <u>✓</u>	Date <u>7-1-83 (25761)</u>			
Published in <u>Lewis County Herald</u>				
Dates <u>8/1/83</u> <u>8/2/83</u>				

AFFIDAVIT AS TO WATER RIGHT

RECEIVED

SEP 15 1983

STATE OF IDAHO)
) ss.
County of Lewis)

Department of Water Resources
Northern District Office

THE UNDERSIGNED, BERNICE M. LACEY, being first duly sworn, deposes and says:

That she is the legal record owner of certain real property, being described as The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 16, Township 35 North, Range 1 East of the Boise Meridian, Lewis County, Idaho.

That a claim to a water right, being Claim #85-4442 in the records of the Department of Water Resources, was filed for a ground water source, a domestic well, on the above described real property by ETHEL Z. RENFROW of Route 1, Box 74, Troy, Idaho.

That this affiant is the owner of that land and is the owner of the ground water source thereon, being a drilled well, and the affiant herein takes exception to the water right filed on her land, pursuant to the provisions of Idaho Code, Section 42-225(b) and all statutes amendatory thereof.

That no one, other than your affiant, who owns both the land and the water source, has any claim to this water source and exception is taken under the aforementioned statute to the granting of the claim to a water right in the names of any other persons other than this affiant, BERNICE M. LACEY.

FURTHER AFFIANT SAYETH NOT.

Bernice M. Lacey
Bernice M. Lacey

SUBSCRIBED AND SWORN TO before me this 14 day of

September, 1983.

Dixie Davis
Notary Public, State of Idaho
Residing at Kamiah therein.

(NOTARY SEAL)

AFFIDAVIT AS TO WATER RIGHT

RECEIVED

SEP 15 1983

STATE OF IDAHO)
) ss.
County of Lewis)

Department of Water Resources
Northern District Office

THE UNDERSIGNED, BERNICE M. LACEY, being first duly sworn, deposes and says:

That she is the legal record owner of certain real property, being described as The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 16, Township 35 North, Range 1 East of the Boise Meridian, Lewis County, Idaho.

That a claim to a water right, being Claim #85-4442 in the records of the Department of Water Resources, was filed for a ground water source, a domestic well, on the above described real property by ETHEL Z. RENFROW of Route 1, Box 74, Troy, Idaho.

That this affiant is the owner of that land and is the owner of the ground water source thereon, being a drilled well, and the affiant herein takes exception to the water right filed on her land, pursuant to the provisions of Idaho Code, Section 42-225(b) and all statutes amendatory thereof.

That no one, other than your affiant, who owns both the land and the water source, has any claim to this water source and exception is taken under the aforementioned statute to the granting of the claim to a water right in the names of any other persons other than this affiant, BERNICE M. LACEY.

FURTHER AFFIANT SAYETH NOT.

Bernice M. Lacey
Bernice M. Lacey

SUBSCRIBED AND SWORN TO before me this 14 day of

September, 1983.

[Signature]
Notary Public, State of Idaho
Residing at Idaho therein.

(NOTARY SEAL)

PROOF OF PUBLICATION

I, Robert E. Wherry, publisher of The Lewis, County Herald, a weekly newspaper of general circulation established in 1897 and published continuously in the City of Nezperce, County of Lewis, State of Idaho do solemnly swear that the herewith attached publication was printed in the regular edition of The Lewis County Herald, and not in a supplement, for

9 consecutive issues, the first publication having been on the 17 day of Nov, 19 83, and the

last publication on the 24 day of Nov, 19 83.

Subscribed and sworn to before me, a Notary Public, this 2 day of Nov, 19 83.

Robert E. Wherry

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right Numbers ~~25-4433~~ and ~~25-4442~~ were advertised incorrectly on 8/18 and 8/25/83.

No. 25-4433 in the name of Blaise Kitzer was advertised with the Diversion Pt. in the SENW Sec 07 T34N R01W; whereas, it should be in the SENW Sec 07 T32N R01W.

No. 25-4442 in the name of Ethel Z. Kitzer was advertised with the Place of Diversion in the SESE Sec 16 T34N R01E; whereas, correctly it should be the SESE Sec 16 T33N R01E.

Any objection to the above-referenced corrections must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.

Published Nov. 17 and 24, 1983

[Handwritten signature]
12/19/83

RECEIVED

District Court of the State of Idaho
Northern District

[Vertical stamp on the left margin]

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right Numbers 85-4433 and 85-4442 were advertised incorrectly on 8/18 and 8/25/83.

No. 85-4433 in the name of Elsie Kinzer was advertised with the Diversion Pt. in the SENW Sec 07 T34N R01W; whereas, it should be in the SENW Sec 07 T32N R01W.

No. 85-4442 in the name of Ethel Z. Renfrow was advertised with the Place of Use in the SESE Sec 16 T34N R01E; whereas, correctly it should be the SESE Sec 16 T35N R01E.

Any exception to the above-referenced corrections must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Id. 83814

KEN DUNN, Dir.

Published in the Lewis County Herald on 11/17 and 11/24/83.

PROOF OF PUBLICATION

I, Robert E. Wherry, publisher of The Lewis County Herald, a weekly newspaper of general circulation established in 1897 and published continuously in the City of Nezperce, County of Lewis, State of Idaho do solemnly swear that the herewith attached publication was printed in the regular edition of The Lewis County Herald, and not in a supplement, for

2 consecutive issues, the first publication having been on the 31 day of Nov, 1983, and the last publication on the 6 day of Dec, 1983.
Robert E. Wherry

Subscribed and sworn to

before me, a Notary Public,

this 31 day of Nov,

1983

Robert E. Wherry

Legal Notice

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right Numbers 85-4433 & 85-4432 were advertised incorrectly on 8/18 and 8/25, 1983.

85-4433 in the name of Elsie Kinzer was advertised with the use in SENW Sec 7 T34N R1W; whereas, the use should be in SENW Sec 7 T32N R1W.

85-4442 in the name of Ethel Z. Renfrow was advertised with the use in SESE sec 16 T34N R1E; whereas, the use should be in SESE Sec 16 T34N R1E.

Any exception to the above-referenced correction must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, ID 83814.

A. Kenneth Dunn,

Director

Published Sept. 29 and Oct. 6, 1983

R

130

Water Right

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right Numbers 85-4433 & 85-4441 were advertised incorrectly on 8/18 and 8/25, 1983.

85-4433 in the name of Elsie Kinzer was advertised with the use in SENW Sec 7 T34N R1W; whereas, the use should be in SENW Sec 7 T32N R1W.

85-4442 in the name of Ethel Z. Renfrow was advertised with the use in SESE sec 16 T34N R1E; whereas, the use should be in SESE Sec 16 T34N R1E.

Any exception to the above-referenced correction must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, ID 83814.

A. Kenneth Dunn

Director

Published in the Lewis County Herald on 9/29 and 10/6, 1983.

*Newspaper error
please do not
Bill*

PROOF OF PUBLICATION

I, Robert E. Wherry, publisher of The Lewis County Herald, a weekly newspaper of general circulation established in 1897 and published continuously in the City of Nezperce, County of Lewis, State of Idaho do solemnly swear that the herewith attached publication was printed in the regular edition of The Lewis County Herald, and not in a supplement, for

7 consecutive issues, the first publication having been on the 11 day of May, 1917, and the last publication on the 22 day of July, 1917.

Subscribed and sworn to before me, a Notary Public, this 26 day of July, 1917.

NOTICE OF CLAIMS TO WATER RIGHTS

The following claims have been filed on water rights created by diversion and beneficial use:

85-4428

FOX, FRED
P.R. FOR J. J. FOX ESTATE, AND
IVY M. FOX, P. O. BOX 85,
CULDESAC, ID 83524

Source: MISSION CREEK trib. to
LAPWAI CREEK SPRINGS trib. to
MISSION CREEK

Priority Date: 01/01/1920

Diversion Pt: SWSW Sec 02 T 33N R
03W NESE NWSE NENE SWNE
SENE Sec 11 T 33N R 03W SENW
SWNW Sec 12 T 33N R 03W

Use: STOCKWATER (0.35 CFS)

In: NESE NWSE NENE SWNE SENE
Sec 11 T 33N R 03W SENW SWNW
Sec 12 T 33N R 03W SWSW Sec 02 T
33N R 03W

85-4429

LANGDON, MABLE
RT. 2 BOX 39, CRAIGMONT, ID
83523

Source: UNNAMED STREAM trib. to
LITTLE CANYON CREEK

Priority Date: 09/01/1941

Diversion Pt: NWNE Sec 02 T 34N R
01E SESE Sec 35 T 34N R 01E

Use: STOCKWATER (0.01 CFS)

In: NWNE Sec 02 T 34N R 01E SESE
Sec 35 T 35N R 01E

85-4430

LANGDON, MABLE &/or JOHN
RT. 2 BOX 39, CRAIGMONT, ID
83523

Source: LITTLE CANYON CREEK
trib. to CANYON CREEK

Priority Date: 01/01/1917

Diversion Pt: SWSW Sec 36 T 35N R
01E

Use: STOCKWATER (0.01 CFS)

In: SWSW Sec 36 T 35N R 01E

85-4433

KINZER, ELSIE
316 W. MAIN ST., CRAIGMONT ID
83523

Source: GROUNDWATER

Priority Date: 02/01/1958

Diversion Pt: SENW Sec 07 T 34N R
01W

Use: STOCKWATER (0.02 CFS)

In: SENW Sec 07 T 32N R 01W

85-4434

KINZER, ELSIE
316 W. MAIN ST., CRAIGMONT, ID
83524

Source: UNNAMED STREAM trib. to
LAWYERS CANYON CREEK

Priority Date: 07/01/1962

Diversion Pt: NWSE Sec 08 T 32N R
01W

Use: STOCKWATER (0.03 CFS)

In: NWSE Sec 08 T 32N R 01W

85-4442

RENFROW, ETHEL Z.
RT. 1 BOX 74, TROY, ID 83871

Source: GROUNDWATER

Priority Date: 01/01/1925

Diversion Pt: SESE Sec 16 T 35N R
01E

Use: STOCKWATER (0.05 CFS)

DOMESTIC (0.05 CFS)

In: SESE Sec 16 T 34N R 01E

T35N

Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, 4055 Gov't Way, Coeur
d'Alene, Id, 83814.

KEN DUNN, Dir.

Published August 18 & 25, 1983

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 85-4442 Applicant Ranfran

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 PC Date 12/12/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By PC Date 12/15/83

11/15/83

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WATER RIGHTS

October 11, 1983

Mr. Loren G. Knutson
Rapoich & Knutson
Knutson Building
Nepherce, Id 83543

Re: Water Rights - 85-4441, 85-4442 and 85-4443

Dear Mr. Knutson:

This is in response to your letter of October, 11, 1983, to advise you that the exceptions filed by you on behalf of Mrs. Bernice Lacey are a part of the record of the water right filings.

The purpose of having the exceptions made in affidavit form is so that equal weight may be given to both the claim itself and the exception.

As to whether the filings made by Mrs. Renfrow stand, it would be up to a court of law to determine if they were valid. Certainly the option of filing claims on her property are available to Mrs. Lacey, if she desires to do so.

If we can be of any further assistance, please don't hesitate to contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

MICROFILMED

Nezperce-Cottonwood Offices
937 2409—Nezperce
962-3351—Cottonwood
LOREN & KNUTSON

LAW OFFICES
RAPAICH & KNUTSON
ASSOCIATES
Knutson Building
116 IPFRC IDAHO 83543

LEWISTON OFFICE
SUITE 2 PORTER BUILDING
622 MAIN
743-9496
ELI RAPAICH
DAN RADAKOVICH

October 11, 1983

Dept. of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

RECEIVED

OCT 12 1983

Attention: Robert G. Haynes, P.E.
Regional Supervisor

Department of Water Resources
Northern District Office

Dear Sir,

RE: Water Rights Claim #85-4441
#85-4442
#85-4443

I had filed an Affidavit on behalf of Mrs. Bernice Lacey, who owns the real property upon which certain water rights were filed some months ago. We had filed an Affidavit, pursuant to the Idaho Code Section cited in your letter to us, dated September 1, 1983.

In the information received by you on September 23rd, you have quoted certain provisions of the Idaho Code, but no further mention is made as to whether or not the exceptions that we filed have been duly noted and made a part of the record of this particular case.

I am assuming that this is the situation, but I felt somewhat obligated to make further inquiry, because I can't honestly tell my client whether the exceptions we filed have become a part of the file or whether the original water rights claim that was filed is assumed to still stand.

I cannot honestly say that I have ever understood quite how the Department of Water Resources works in these water rights matters. Apparently anyone can file a claim to a water right on anybody's property on any water existing thereon and there really is no determination of the water right unless and until it is taken through the courts.

In that instance I have often wondered just what effect filing a claim for a water right or an application for a permit has in this state.

Dept. of Water Resources
October 11, 1983
Page 2

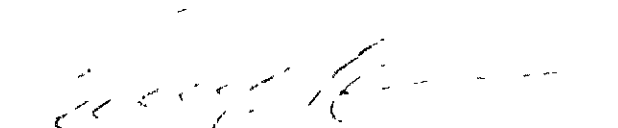
Would you please let me know if these exceptions that Mrs. Lacey filed have been noted and made a part of the record in this matter.

I assume that it would now be advisable for Mrs. Lacey to file water rights on her own land, but I still cannot explain to her whether the prior claims are going to take precedence or not, even though they were filed by someone who doesn't own the land and who has no legitimate claim to the water.

Thank you for any information you can give us in this matter.

Very truly yours,

RAPAICHI & KNUTSON



Loren G. Knutson

LGK/dd

S T A T E O F I D A H O
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

September 23, 1983

Ms. Ethel Z. Renfrow
Rt. 1 Box 74
Troy, Id. 83871

RE: 85-4442

Dear Ms. Renfrow:

Enclosed is a copy of an exception filed in connection with your above-referenced claim. This exception is filed in accordance with the provisions of Section 42-244, IDAHO CODE, which states the followings in part:

"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 ownership 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: fms

Enclosure

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

September 23, 1983

Ms. Bernice Lacey
c/o Mr. Loren G. Knutson
Knutson Bldg.
Nezperce, Id. 83543

RE: 85-4442

Dear Ms. Lacey:

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: fms

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

SEPTEMBER 5, 1983

ETHEL Z. RENFROW
RT. 1 BOX 74
TROY

ID 83871

RE: Claim No. 85-4442

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

MAILED
SEP 11 1983
FBI

Nezperce-Cottonwood Offices
937-2489—Nezperce
942-3351—Cottonwood
LOREN G. KNUTSON

LAW OFFICES
RAPAICH & KNUTSON
ASSOCIATES
Knutson Building
NEZPERCE, IDAHO 83443

LEWISTON OFFICE
SUITE 2, PORTER BUILDING
422 MAIN
743-9496
ELI RAPAICH
DAN RADA KOVICH

September 14, 1983

State of Idaho
Department of Water Resources
Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814

RECEIVED

SEP 15 1983

Department of Water Resources
Northern District Office

Attention: Tom D. King

Dear Mr. King:

Pursuant to your letter of September 1st, I enclose three exceptions to the filing of water rights, claim numbers 85-4441, 85-4442, and 85-4443 on behalf of Bernice M. Lacey of Craigmont, Idaho.

Mrs. Lacey owns the land that these water rights are filed on and while the filings, I am sure, were intended for her benefit, she does not want anyone filing water rights on her land but herself.

Accordingly, she asked us to prepare the exceptions provided by statute, and we submit them herewith. We do not find any reference to a fee schedule for filing an exception, so if there is any cost, feel free to advise.

Very truly yours,

RAPAICH & KNUTSON



Loren G. Knutson

LGK/dd
Enc.
CC: Bernice Lacey



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

Date: July 6, 1983

Dear Herman Benfrow:

This office is in receipt of your Claim to a Water Right and Check No. 92-212 in the amount of \$ 90.00 and we are returning same to you because the Claim cannot be formally receipted until the following information is provided:

_____ Complete Name.	_____ Location of Point(s) - Item 5. of Diversion
_____ Complete Mailing Address.	_____ Location of Place of Use (Acres irrigated if water is - Item 6. claimed for irrigation.)
<u>X</u> _____ Date of Priority - Item 1.	_____ Filing Fee. (\$30.00)
_____ Source of Water - Item 2.	_____ Signature.
_____ Amount, Nature & Period of Use - Item 3.	_____ Notarization of Signature.
_____ Total Quantity Claimed - Item 4.	
_____ Other <u>If farm use is stock water or irrigation it must be</u> <u>listed in item #3.</u>	

Please note that your Claim has been stamped and initialed as received. If you amend the Claim by adding the needed information and return the Claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee. INITIAL ALL CHANGES.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

pms

Enc. - Claim
Check
Instructions



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) 667-6481

Date: July 6, 1983

Dear Harmon Bealman:

This office is in receipt of your Claim to a Water Right and Check No. 22-212 in the amount of \$ 90.00 and we are returning same to you because the Claim cannot be formally receipted until the following information is provided:

_____ Complete Name.	_____ Location of Point(s) - Item 5. of Diversion
_____ Complete Mailing Address.	_____ Location of Place of Use (Acres irrigated if water is - Item 6. claimed for irrigation.)
<u>X</u> _____ Date of Priority - Item 1.	_____ Filing Fee. (\$30.00)
_____ Source of Water - Item 2.	_____ Signature.
_____ Amount, Nature & Period of Use - Item 3.	_____ Notarization of Signature.
_____ Total Quantity Claimed - Item 4.	
_____ Other <u>if farm use is stock water or irrigation it must be</u> <u>listed in item #3.</u>	

Please note that your Claim has been stamped and initialed as received. If you amend the Claim by adding the needed information and return the Claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee. INITIAL ALL CHANGES.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

pms

Enc. - Claim
Check
Instructions

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NOTE:
The filing deadline has been extended
with a substantially increased fee
Date of filing
Until 6:30 P.M.
7-01-1983 thru 6-30-1984
7-01-1984 thru 6-30-1985
Fee
\$ 30
\$100
\$200

RECEIVED

Claim No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Northern District Office

CLAIM TO A WATER RIGHT



PA-6-30-83

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

Ethel Z. RenfrowRt. 1 - Box 74 Troy, Idaho

(Name of Claimant)

(Zip Code)

Telephone No. 8356974

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) _____

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)

drilled well

tributary to _____

- (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, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.05 cfs</u>		Use <u>domestic, Farm</u>	Period of Use From <u>1-1</u>	To <u>1-31</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)
- 0.05 cfs
- TOTAL QUANTITY USED
-
- (cfs, af)

- (5) A) Point of diversion (Location of point where water is diverted from its source)

SE 1/4 SE 1/4, Sec 16 Twp 35N Rge 1E B.M., County of LEWIS

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.
drilled well

- (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	
35	1E	16																X	

No. of acres _____

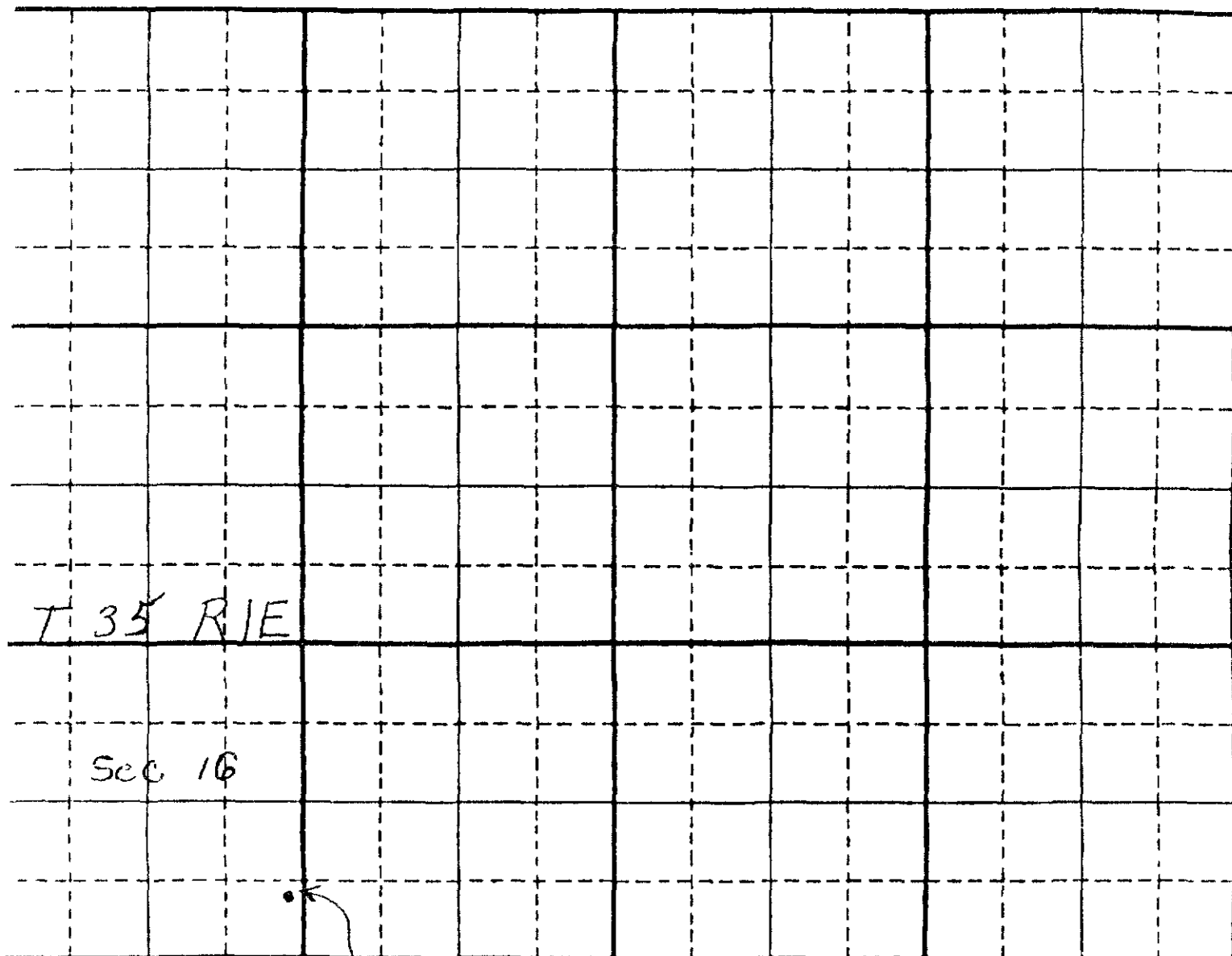
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

domestic and general farm use

NOTE Include here the type and number of stock watered

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

(8) Remarks _____



Scale 2 inches equal 1 mile

drilled well

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 29th day of June

Ethel B. Rongrow
(Claimant)
1983
James E. Drake
Notary Public
Residing at Idaho

My commission expires 5-12-86

FOR DEPARTMENT USE ONLY
Received by [Signature] Date 7/1/83 Exception filed by _____ Date _____
Prelim check by _____ Date _____
\$30.00 fee received by _____ Date _____
Published in _____
Dates _____