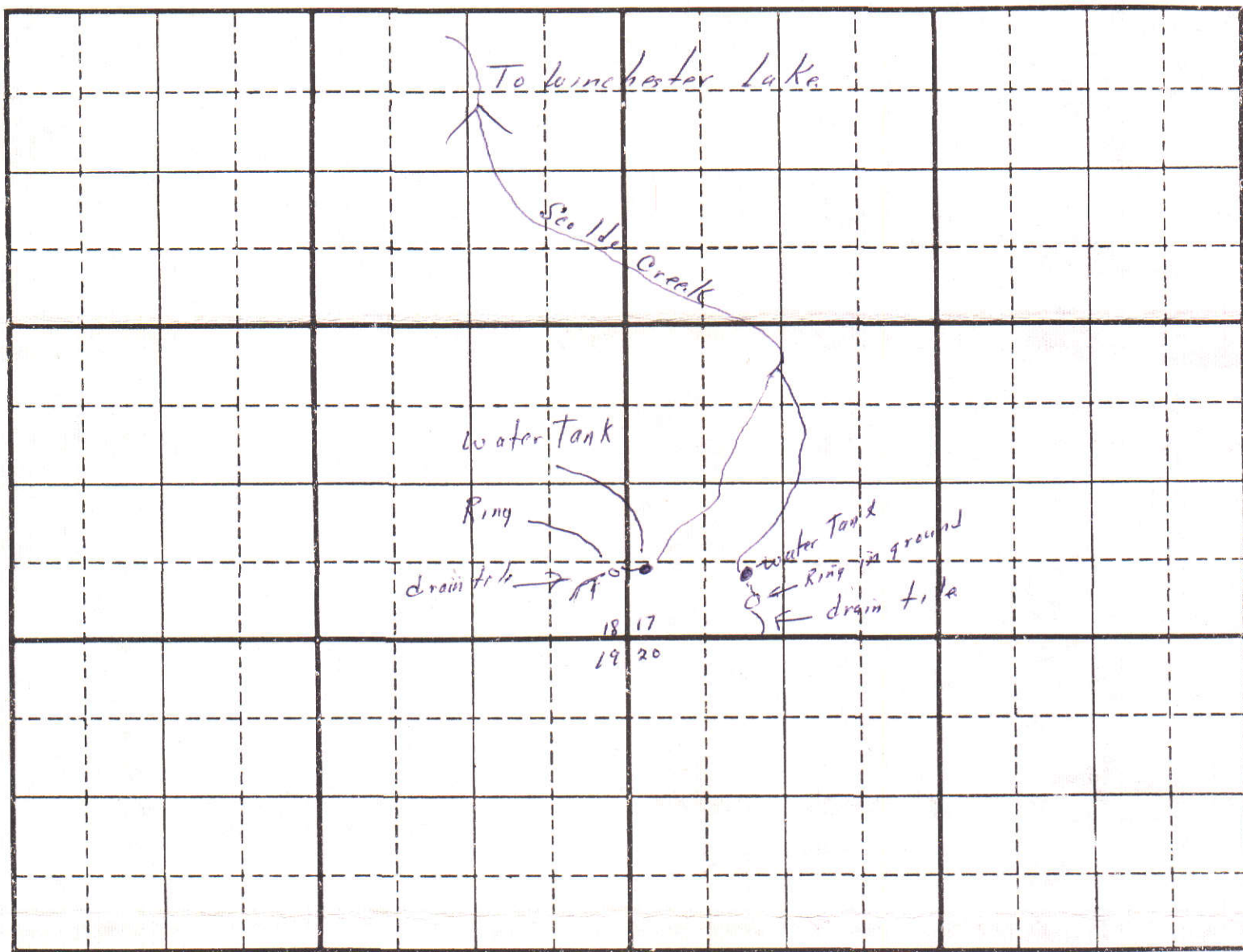


(8) Remarks Water from both developments
flow in Seolds Creek Then to Winchester
Lake - and Clearwater River.



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)

) ss.

County of Lewis)

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.

Ray C. Benjamin
(Claimant)

Sworn to before me this 16th day of June, 19 83.

Calvin E. Newlander
Notary Public
Residing at Craigmont, Idaho

My commission expires Continues

FOR DEPARTMENT USE ONLY

Received by RSA Date 6/17/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by RSA Date 6/17/83 claimant by: _____
\$30.00 fee received by RSA Date 6/17/83 # 27719
Published in Lewis County Herald
Dates 6/30 - 7/7/83

RECEIVED

JUN 17 1983

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

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 Ray E. Benjamin
(Name of Claimant)

Star Rt. Winchester Idaho 83355 Telephone No 208-924-2862
(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) Prior to 1976

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)

under ground spring tributary to Sculds Creek - Winchester Lake

- (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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.61320</u>	Use <u>stock</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>.61320</u>	Use <u>stock</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 _____

- (4) .02640 TOTAL QUANTITY USED.
(cfs, af)

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

SE 1/4 SW 1/4, Sec 17 Twp 33N Rge 24W B.M., County of Lewis

Additional points of diversion SE 1/4 SE 1/4 Section 18 T-33

Range 24W 13N Lewis County

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.

4 inch under ground tile and 1 inch
pipe line

- (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	24W	17												X					.61320
33N	24W	18															X		.61320

No. of acres 61

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

water

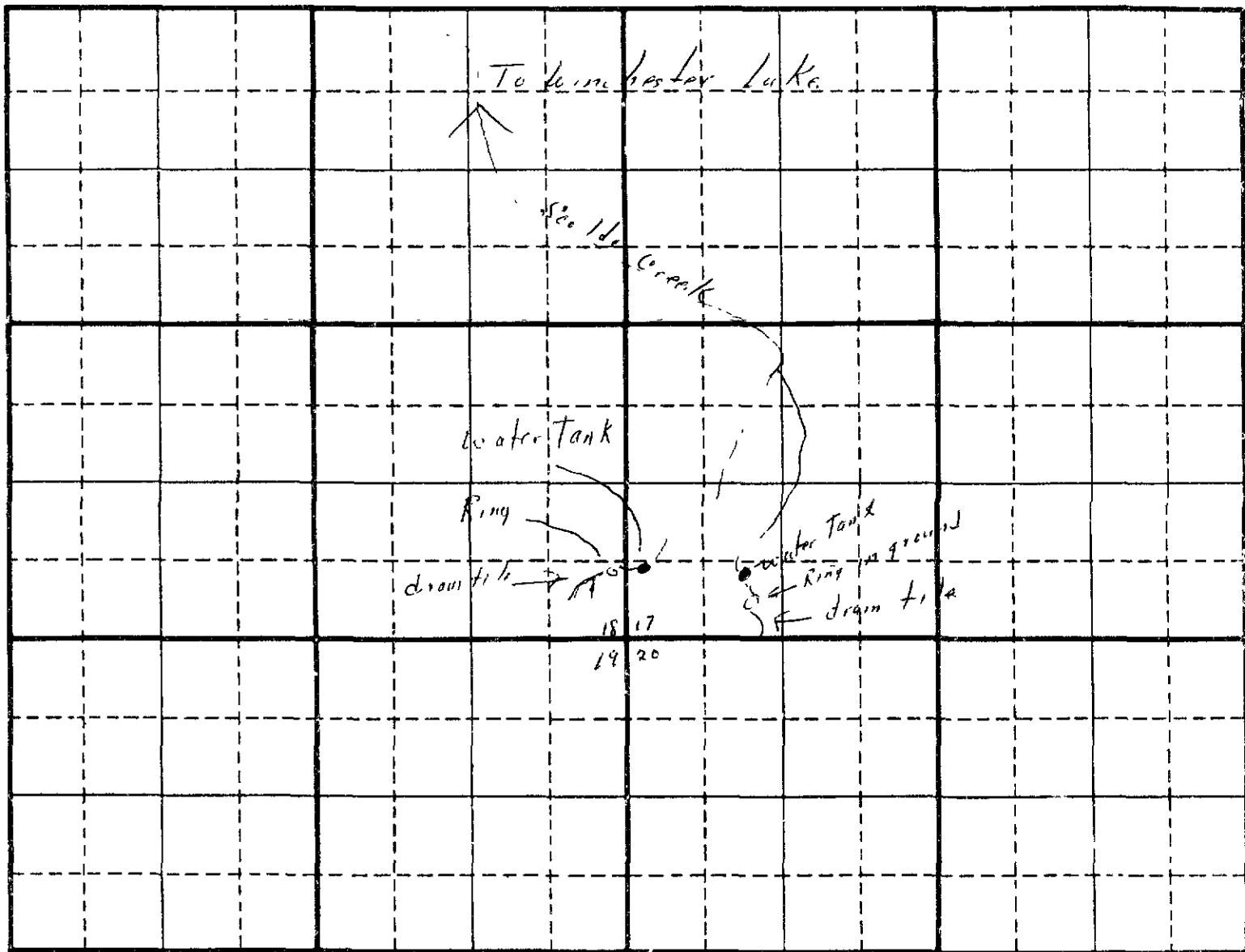
stock

NOTE: Include here the type and number of stock watered

Beef 60 head

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

(8) Remarks Water from both developments
flow in Scolds Creek then to Winchester
Lake - and Clearwater River.



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 Lewis) 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 16th day of June, 19 83.

Calvin E. Newlander
Notary Public
Residing at Craigmont, Idaho

My commission expires Continuous

FOR DEPARTMENT USE ONLY

Received by RJA Date 6/17/83 Exception filed by _____ Date _____
Prelim check by RJA Date 6/17/83 Forwarded to claimant by _____ Date _____
\$30.00 fee received by RJA Date 6/17/83 # 27719
Published in Lewis County Herald
Dates 6/30 - 7/7/83

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 11 day of

Aug, 1983, and the

last publication on the 18 day

of Aug, 1983.

Robert E. Wherry

Subscribed and sworn to

before me, a Notary Public,

this 30 day of Aug,

19 83

Robert E. Wherry

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 85-4392 in the name of Ray E. Benjamin was advertised incorrectly on 6/30 and 7/7, 1983.

The diversion point was advertised as the SESE Sec. 18 T33N R02W; whereas in addition there should have been the SESW Sec. 17 T33N R02W also.

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, Idaho 83814.

A. KENNETH DUNN

Director

Published Aug. 11 and 18, 1983

SEP 6 1983
Department of Water Resources
Northern District Office

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 30 day of June, 1983, and the last publication on the 7 day of July, 1983.

Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 19 day of July, 1983.

Notary Public

NOTICE OF CLAIMS TO WATER RIGHTS

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

85-4392

BENJAMIN, RAY E.
STAR RT., WINCHESTER, ID 83555
Source: SPRING trib. to SCOLDS CREEK

Priority Date: 01/01/1970

Diversion Pt: SESE Sec 18 T 33N R 02W

Use: STOCKWATER (0.0264 CFS)
In: SESW Sec 17 T 33N R 02W SESE Sec 18 T 33N R 02W

85-4396

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 1808 N. 3RD ST. COEUR D'ALENE, ID 83814
Source: POND trib. to CLEARWATER RIVER

Priority Date: 08/07/1957

Diversion Pt: NWNW Sec 04 T 35N R 02E

Use: STOCKWATER STORAGE (0.1 AF)

WILDLIFE (0.1AF)

In: NWNW Sec 04 T 35N R 02E

85-4397

U.S. DEPT. OF INTERIOR
BUREAU OF LAND MGMT., 1808 N. 3RD ST., COEUR D'ALENE, ID 83814
Source: SPRING trib. to BIG CANYON CREEK

Priority Date: 06/20/1968

Diversion Pt: SWNE Sec 08 T 35N R 01E

Use: STOCKWATER (0.01 CFS)

WILDLIFE (0.01 CFS)

In: SENE Sec 08 T 35N R 01E

85-4402

MIZER, LOIS
625 3RD ST., CLARKSTON, WA 99403

Source: LONG HOLLOW CREEK trib. to BIG CANYON CREEK

Priority Date: 01/01/1900

Diversion Pt: NESE Sec 04 T 33N R 01E

Use: STOCKWATER (0.04 CFS)

In: NESE Sec 04 T 33N R 01E

85-4404

CITY OF WINCHESTER
P.O. BOX 245, WINCHESTER, ID 83555

Source: GROUNDWATER

Priority Date: 01/01/1910

Diversion Pt: NWNW Sec 05 T 33N R 02W

Use: MUNICIPAL (0.1550 CFS)

In: NESE NWSE SWSE SESE Sec 31 T 34N R 02W

85-4405

CITY OF WINCHESTER
P.O. BOX 245, WINCHESTER, ID 83555

Source: GROUNDWATER

Priority Date: 01/01/1962

Diversion Pt: NWNW Sec 05 T 33N R 02W

Use: MUNICIPAL (0.0750 CFS)

In: NESE NWSE SWSE SESE Sec 31 T 34N R 02W

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 June 30 and July 7, 1983



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

August 3, 1983

Lewis County Herald
517 Oak
NezPerce, Id. 83543

Gentlemen:

Enclosed are two Notice of Corrections. Please advertise them on August 11 and 18, 1983, and forward your affidavit of publication and bill.

If you cannot advertise on these dates, please advise, since this will change the wording in the ad.

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

Sincerely,

Patricia M. Stypa
Secretary

Enc. - Notices (2)

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 85-4392
in the name of Ray E. Benjamin
was advertised incorrectly on 6/30 and 7/7, 19

The diversion point was advertised as the SESE Sec. 18 T33N
R02W; whereas in addition there should have been the SESW
Sec. 17 T33N R02W also.

*Reader.
add Pd.
Dun
Lyon*

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, Idaho 83814.

A. KENNETH DUNN

Director

Published in the Lewis County Herald on
8/11 and 8/18, 1983.

85-4392

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: LB

Right Number 85-4392 Applicant Benjamin

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 TK Date _____

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 11-1-83

85-4392

BENJAMIN, RAY E.

STAR RT., WINCHESTER, ID 83555

Source: SPRING trib. to SCOLDS CREEK

Priority Date: 01/01/1970

Diversion Pt: SESE Sec 18 T 33N R 02W *add SESW 17 33N 2W*

Use: STOCKWATER (0.0264 CFS)

In: SESW Sec 17 T 33N R 02W SESE Sec 18 T 33N R 02W

*changed
on 8/3/83
K*

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

JULY 18, 1983

RAY E. BENJAMIN
STAR RT.
WINCHESTER ID 83555

RE: Claim No. 85-4392

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