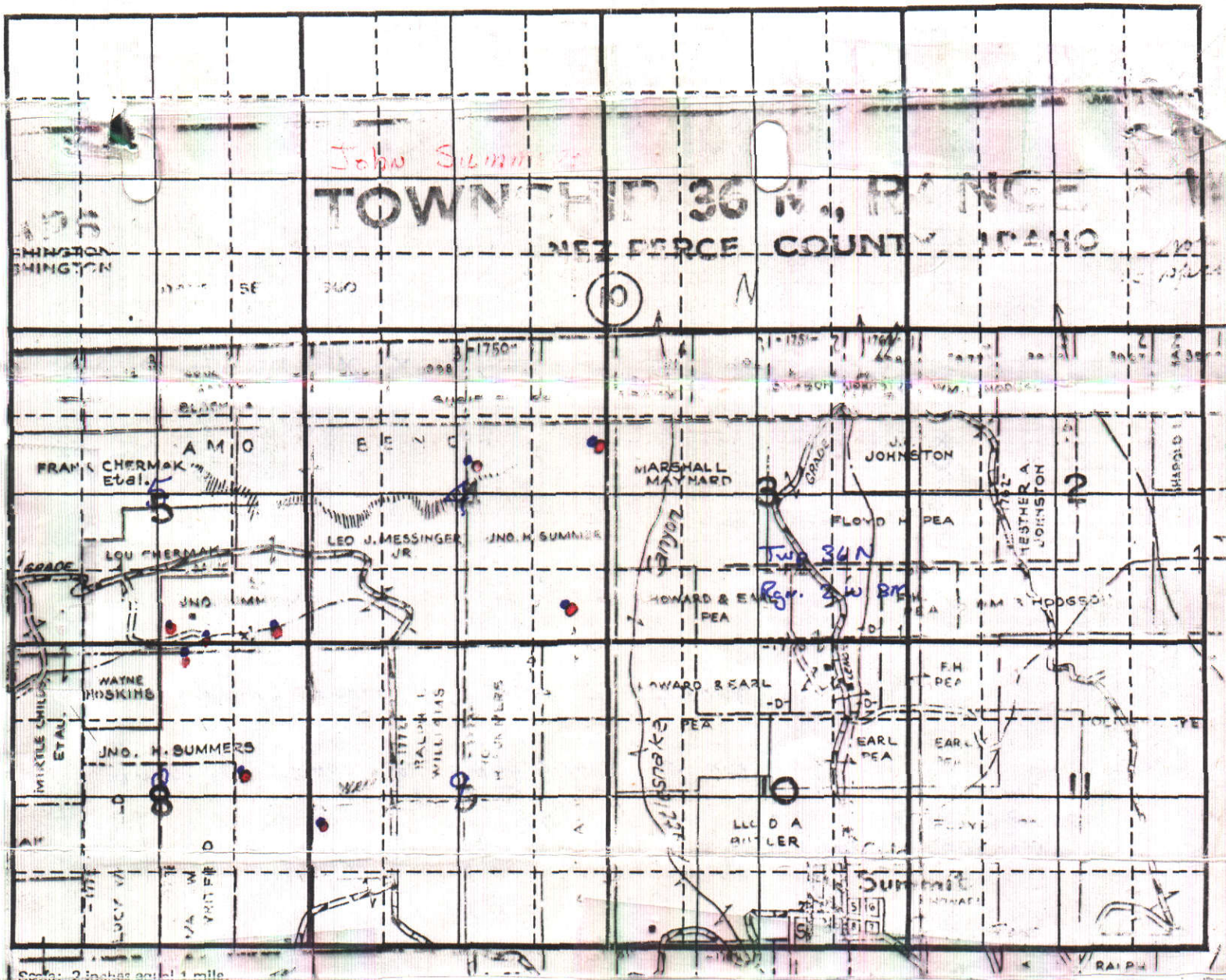


(8) Remarks Rotated Pastures for proper grazing use.
USDA Assisted. SCS - (1 OVER LAY ATTACHED)



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 affiant's knowledge.

* Margaret E. Summers
x John H. Summers
(Claimant)

Sworn to before me this 3rd day of January, 1983.

Sworn to before me this 7th day of January, 1983.
Karen Byington
Notary Public, Lewiston, Idaho

James E. Boyd
Notary Public
Residing at
**CLERK OF THE DISTRICT COURT AND
EX-OFFICIO AUDITOR AND RECORDER
NEZ PERCE COUNTY, IDAHO**

FOR DEPARTMENT USE ONLY
Received by [Signature] Date 1/12/83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by [Signature] Date 1-13-83
\$30.00 fee received by [Signature] Date 1/12/83 (24804)
Published in Lewiston Tribune
Dates 2/3-10/83

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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

Gayle Schumacher

, 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 2 consecutive weeks, the

first publication thereof being on the _____ day of
_____, A. D. 19____, and the last publica-

tion thereof being on the 3rd day of February,
A. D. 1983, 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.

Gayle Schumacher

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

10th day of February, 1983

Sheryl M. Lentz

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

RECEIVED

FEB 14 1983

Department of Water Resources
Northern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

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

85-4244

SUMMERS, JOHN H. &/or MAR-
GARET E.

RT. 1, BOX 103, CULDESAC, ID 83524
Source: SPRINGS Trib. to COYOTE
CREEK

Priority Date: 03/01/1930

Diversion Pt: SWSE SESE Sec 05 T 36N
R 02W NWNE SENE Sec 08 T 36N R
02W NWSW Sec 09 T 36N R 02W SWNE

SENE SESE Sec 04 T 36N R 02W

Use: STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SWSE SESE Sec 05 T 36N R 02W
NWNE SENE Sec 08 T 36N R 02W
NWSW Sec 09 T 36N R 02W SWNE
SWNE SESE Sec 04 T 36N R 02W

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

KEN DUNN, Dir.

MICROFILMED

PUBLISHER'S AFFIDAVIT OF PUBLICATION

RECEIVED

APR 29 1983

Department of Water Resources
Northern District Office

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 85-4244 in the name of John H. &/or Margaret E. Summers was advertised incorrectly on 2-3 and 2-10, 1983.

The Place of Use was incorrectly advertised as SWSE SESE Sec. 8, NWNE SENE Sec. 8, NWSW Sec. 9 SWNE SWNE SESE Sec. 4, T36N, R2W; whereas, correctly it should be the SWSE SESE Sec. 5, NWNE SENE Sec. 8, NWSW Sec. 9 and the SWNE SENE SESE Sec. 4, T36N, R2W.

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

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

_____, 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 CORRECTION

attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
_____ week for 2 consecutive _____ weeks, the

first publication thereof being on the 3rd day of
March, A. D. 1983, and the last publica-

tion thereof being on the 10th day of March,
A. D. 1983, and said NOTICE OF CORRECTION

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.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

28th day of April, 1983

Sheryl M. Lentz

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

MICROFILMED

AK
5/4/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



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, 1993. 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 JOHN H. SUMMERS & MARGARET E. SUMMERS
(Name of Claimant)

RT #1 Box 103 CULDESAC IDAHO
(Mailing Address)

(Name of Claimant)

Telephone No. 836-5585

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) X March 1930

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)

9 (Nine) Springs tributary to Coyote Creek → Cottonwood Crk

(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>0.02</u>	Use <u>Stockwater</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity <u>0.04</u>	Use <u>Domestic</u>	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) 0.06 TOTAL QUANTITY USED.
(cfs. app. AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source) *SEE ITEM NO. 6.*

1/4 1/4, Sec. Twp. 36N Rge. 2W B.M., County of Nez Perce

Additional points of diversion: Point of diversion is in the same
40 acre tract as each place of use.

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. Spring boxes, 1" pipe to troughs

(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]

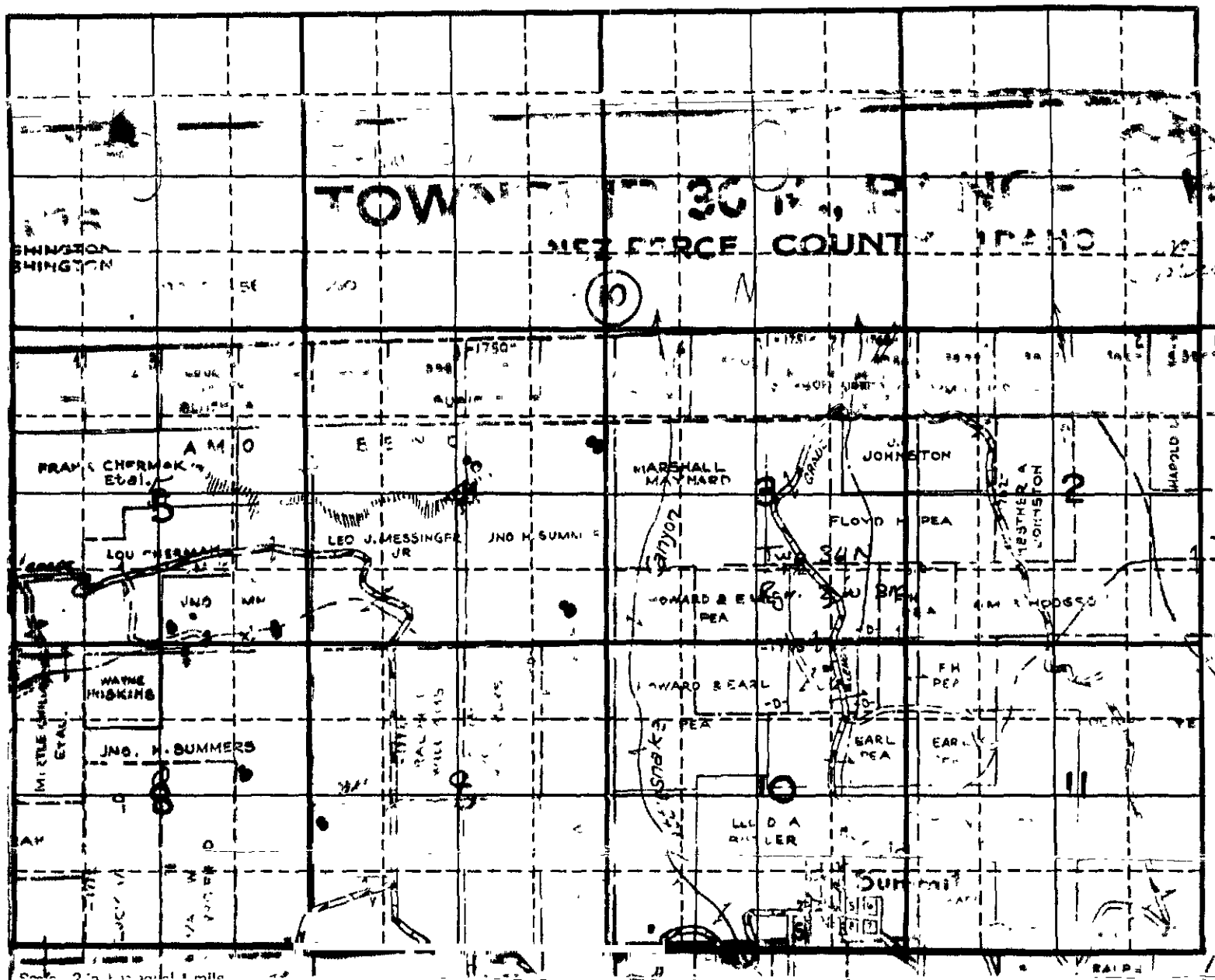
No. of acres

8) If water is used for other than irrigation, fully describe that use, being as specific as possible: No

NOTE: Include here the type and number of stock watered: Beef Cow/calf, 50 head Average
If you are claiming water as a member of an organization, list name of organization.

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

(8) Remarks Rotated PASTURES for proper grazing use.
USDA assisted. SCS - (1 OVER lay attached)



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 affiant's knowledge.

* Margaret C. Summers
* John H. Summers
(Claimant)

Sworn to before me this 3rd day of January, 1983.

Sworn to before me this 7th day of January, 1983.

Karen Byington
Notary Public, Lewiston, Idaho

My commission expires _____

James E. Boyd
Notary Public
Residing at _____

**CLERK OF THE DISTRICT COURT AND
EX-OFFICIO AUDITOR AND RECORDER
NEZ PERCE COUNTY, IDAHO**

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 1/26/83 Exception filed by _____ Forwarded to _____ Date _____
Prelim. check by [Signature] Date 1-13-83 claimant by _____
\$30.00 fee received by [Signature] Date 1/2/83 (24804)
Published in Lewiston Tribune
Dates 2/3-10/83

NOTICE OF CORRECTION

Notice is hereby given that Claim to a Water Right No. 85-4244
in the name of John H. &/or Margaret E. Summers
was advertised incorrectly on 2/3 and 2/10, 1983.

The Place of Use was incorrectly advertised as SWSE SESE Sec. 5,
NWNE SENE Sec. 8, NWSW Sec. 9, SWNE SWNE SESE Sec. 4, T36N, R2W;
whereas, correctly it should be the SWSE SESE Sec. 5, NWNE SENE
Sec. 8, NWSW Sec. 9 and the SWNE SENE SESE Sec. 4, T36N, R2W.

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 Lewiston Morning Tribune on
3/3 and 3/10, 1983.

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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

Gayle Schumacher

, 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 2 consecutive weeks, the

first publication thereof being on the _____ day of
_____, A. D. 19____, and the last publica-

tion thereof being on the 3rd day of February,
A. D. 1983, and said NOTICE OF CLAIMS TO WATER RIGHT

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.

Gayle Schumacher

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

10th day of February, 1983

Sheryl M. Lutz

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

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FEB 14 1983

Department of Water Resources
Northern District Office

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RECEIVED
JUN 29 1983

APR 29 1983

APR 2
Department of Water Resources
Northern District Office

Notice is hereby given that Claim to a Water Right for the name of John H. and Margaret E. Summers was advertised incorrectly on 2-3 and 2-10-1983.

The Place of Use was incorrectly advertised as ~~NWSW Sec 5~~, NWNW SENE ~~Sec 9~~, SWNE SWNE ~~Sec 8~~, T10N, R2W, whereas, correctly it should be the SWSE SESE ~~Sec 7~~, NWNE SENE ~~Sec 8~~, NWSW Sec 3, and the SENE SENE SESE Sec 4, T10N, R2W.

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

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

_____, 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 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said

period; that the NOTICE OF CORRECTION
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for 2 consecutive weeks, the
first publication thereof being on the 3rd day of
March, A. D. 1983, and the last publica-
tion thereof being on the 10th day of March,
A. D. 1983, and said NOTICE OF CORRECTION
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.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
28th day of April, 19 83

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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Fenwick Dunn
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

January 5, 1983

85-4274

Mr. John Summers
Rt. 1 Box 103
Culdesac, Id. 83524

Dear Mr. Summers:

I regret to inform you that this Department is prohibited from accepting a Claim to a Water Right without a \$30.00 filing fee, so I am forced to return your claim.

Before you refile the claim, please either make the claim in the name of "John P. Summers or Margaret E. Summers", or have Margaret Summers sign the claim before a Notary Public. Since the claim is your sworn statement, I can add nothing to it above your signature, so would you please complete Item No. 4.

If you need any assistance, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Claim

RECEIVED
JAN 10 1983
WATER RESOURCES

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: [Signature]

Right Number 85-4244 Applicant Summers

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 [Signature] Date 5/1/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 5/10/83

RECEIVED
MAY 09 1983

Department of Water Resources

WATER RIGHT
DATA ENTRY LOG

[illegible]

85-4244-

SUMMERS, JOHN H. &/or MARGARET E.

RT. 1 BOX 103, CULDESAC, ID 83524

Source: SPRINGS trib. to COYOTEE CREEK

Priority Date: 03/01/1930

Diversion Pt: SWSE SESE Sec 05 T 36N R 02W NWNE SENE Sec 08 T 36N R 02W NWSW
Sec 09 T 36N R 02W SWNE SENE SESE Sec 04 T 36N R 02W

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

In: SWSE SESE Sec 05 T 36N R 02W NWNE SENE Sec 08 T 36N R 02W NWSW
Sec 09 T 36N R 02W SWNE SENE SESE Sec 04 T 36N R 02W

REC-100

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

FEBRUARY 22, 1983

JOHN H. SUMMERS
MARGARET E. SUMMERS
RT. 1 BOX 103
CULDESAC

ID 83524

RE: Claim No. 85-4244

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