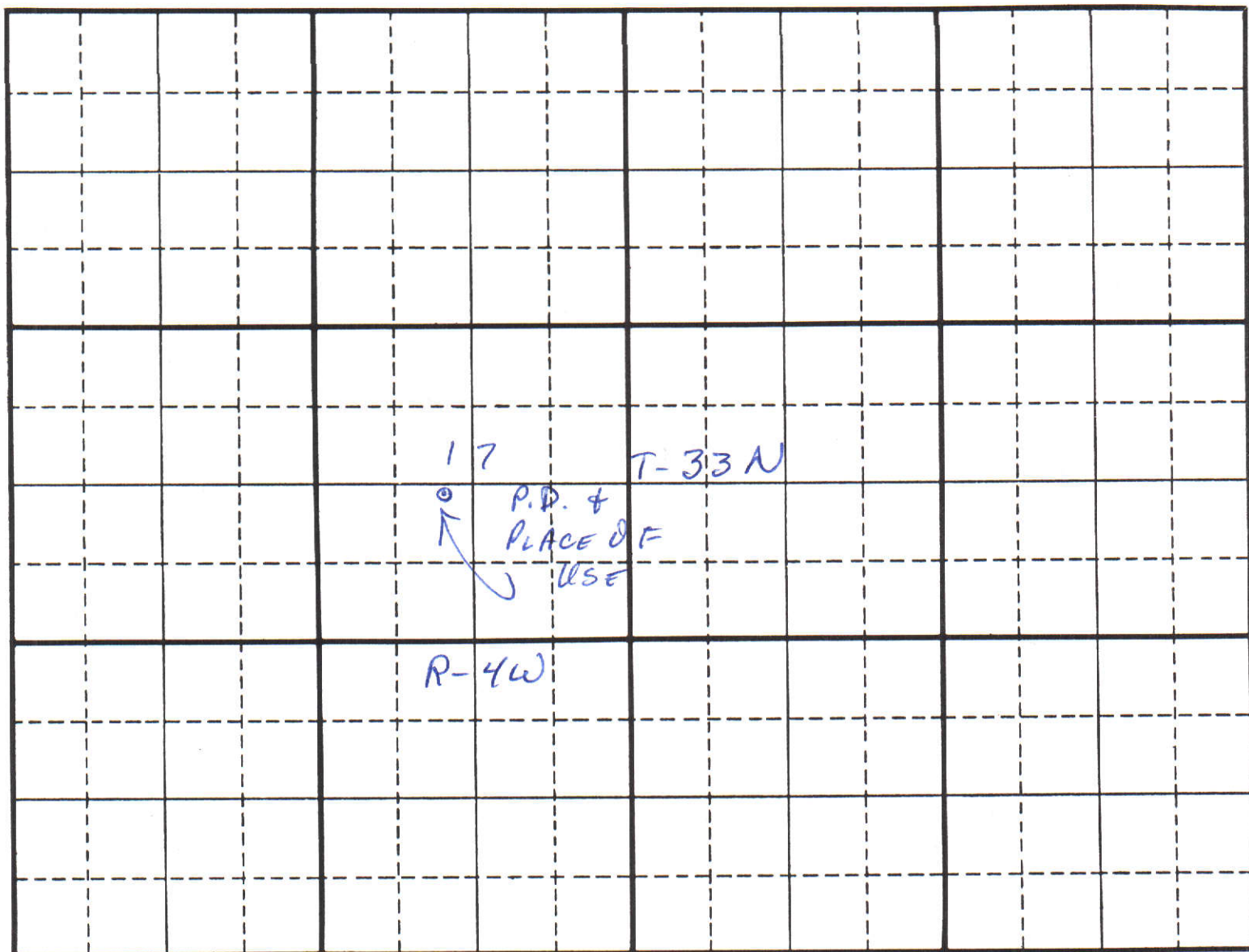


(8) Remarks _____



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 Kootenai) 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

6

day of

April

(Claimant)

19 78

Robert S. Haynes

Notary Public
Residing at

cd #

My commission expires

Lifetime

FOR DEPARTMENT USE ONLY

Received by

KK

Date

4/6/79

Exception filed by:

#13513

Forwarded to

Date

Prelim. check by

KK

Date

4/6/79

claimant by:

\$20.00 fee received by

KK

Date

4/6/79

Published in

Lewiston Morning Tribune

Dates

4/1/79-2/6/79

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 LARRY R. DELANE M.D.
(Name of Claimant)

3326 4th LEWISTON, ID 83501
(Mailing Address) (Zip Code)

Telephone No. 746 8233

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) AUG 1959

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)

WHISPERING PINES CREEK tributary to REDBIRD 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:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.02</u>		Use <u>STOCKWATER</u>		Period of Use From <u>JAN 1</u>	To <u>DEC 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) 0.02 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

NE 1/4 SW 1/4, Sec. 17 Twp. 33N Rge. 4W B.M., County of NEZ PERCE
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. COLLECTION BOX

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>33N</u>	<u>4W</u>	<u>17</u>									X								

No. of acres _____

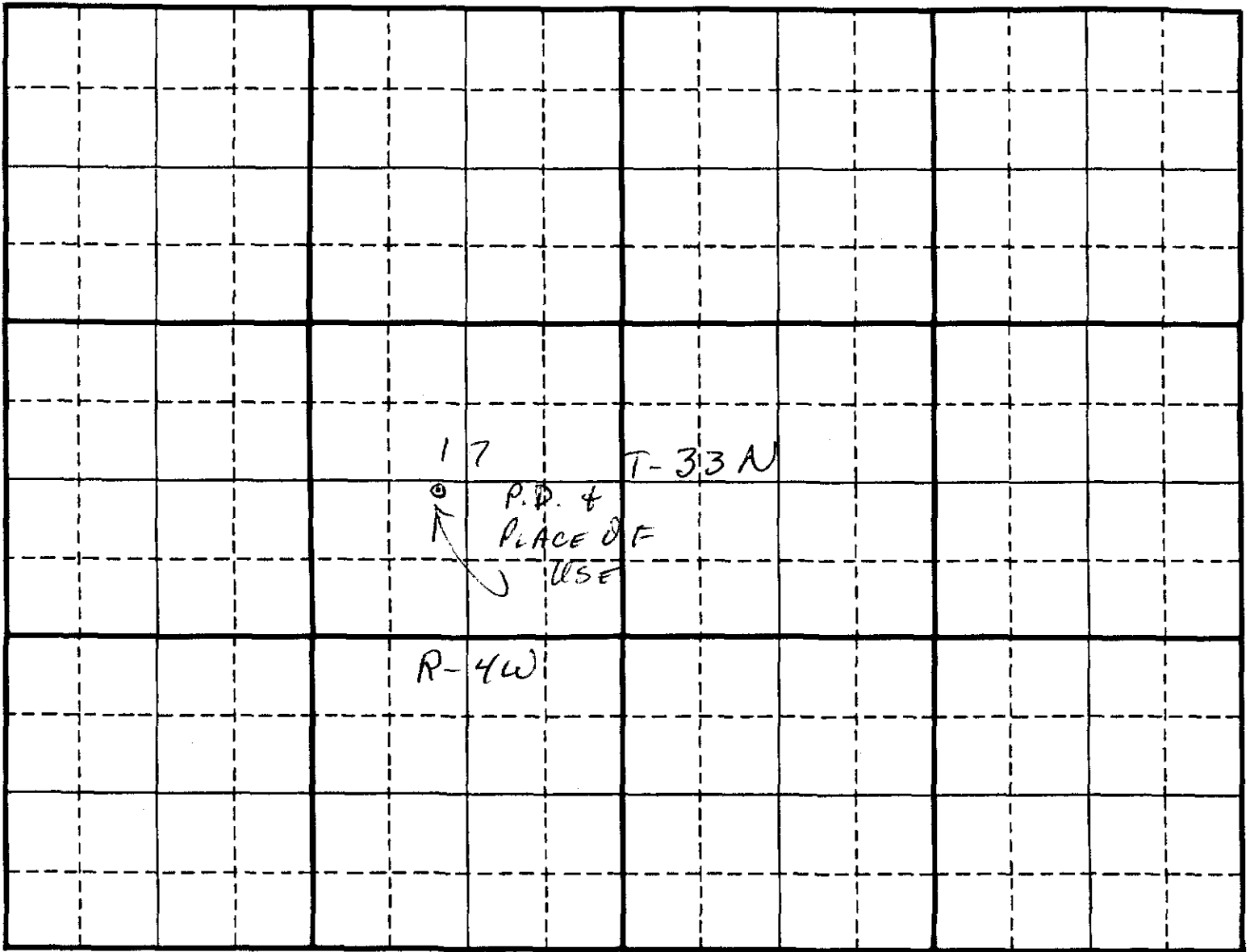
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 100 HEAD OF CATTLE & HORSES

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

MICROFILMED

(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 Kootenai) 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 6 day of April

Jerry R. DeFenno
(Claimant)
1978

Robert D. Haynes

Notary Public
Residing at

cd A

My commission expires

Lifetime

FOR DEPARTMENT USE ONLY

Received by <u>KK</u>	Date <u>4/6/79</u>	Exception filed by: <u>#13513</u>	Forwarded to	Date
Prelim. check by <u>KK</u>	Date <u>4/6/79</u>		claimant by:	
\$20.00 fee received by <u>KK</u>	Date <u>4/6/79</u>			
Published in <u>Lewiston Morning Tribune</u>				
Dates <u>4/19/79-26/79</u>				

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

85-4100

Delane, M. D., Larry R., 3326
4th, Lewiston, ID 83501.

Source: Whispering Pines
Creek tributary to Redbird Creek.

Priority Date: 06-01-1959.

Amount: 0.02 CFS.

Diversion point: NESW Sec 17 T
33N R 04W, Nez Perce County.

Use: Stockwater (0.02 CFS)
from 01-01 to 12-31.

Place of use: NESW Sec 17 T
33N R 04W.

Diversion means: Collection
box.

Any exception to any claim of
water right may be filed with the
Director of the Idaho Department
of Water Resources, 4055
Government Way, Coeur d'Alene,
ID 83814.

C. STEPHEN ALLRED
Director

_____, 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 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 TWO consecutive WEEKS, the
first publication thereof being on the 19 day of
APRIL, A. D. 1979, and the last publica-
tion thereof being on the 26 day of APRIL,
A. D. 1979, and said 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.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

27 day of April, 1979.

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

WATER RIGHT NUMBER 85-4109

M-4

WATER RIGHTS BOLT REPORT

PAGE 4

04/11/79

OWNER LAST NAME - DELANE, M.D.

ADDRESS LINE 1 - 3326 4TH

FIRST NAME - LARRY R.

SOURCE - WHISPERING PINES CREEK

STAGE - STATUTORY CLAIM

DIVERSION POINT - NESW 17 33N 04W

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

USE - STOCKWATER

NON IRRIG USE - 100 HEAD OF CATTLE & HORSES

DIVERSION MEANS - COLLECTION BOX

CITY - LEWISTON

TRIBUTARY OF - REDBIRD CREEK

PRIORITY - 08-01-1959

COUNTY - NEZ PERCE

USE DIV. RATE - .0200CFS

PLACE OF USE - TWN 33N RNG 04W SEC 17 TRACT NESW

STATE - ID ZIP CODE - 83501

TOTAL DIV. RATE -

.0200CFS

85-4108

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RAH

Right Number

85-4108

Applicant

DeSane

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

5/4/79

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By

Date

B5-4109

DELANE, M.D., LARRY R.

3326 4TH, LEWISTON, ID 83501

Source: WHISPERING PINES CREEK tributary to REDBIRD CREEK

Priority Date: 08/01/1959

Amount: 0.02 CFS

Diversion Point: NESW Sec 17 T 33N R 04W, NEZ PERCE Co.

Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31

Place of Use: NESW Sec 17 T 33N R 04W

Diversion Means: COLLECTION BOX

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

MAY 7, 1979

LARRY R. DELANE, M.D.
3326 4TH
LEWISTON

ID 83501

RE: Claim No. 85-4109

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

MICROFILMED