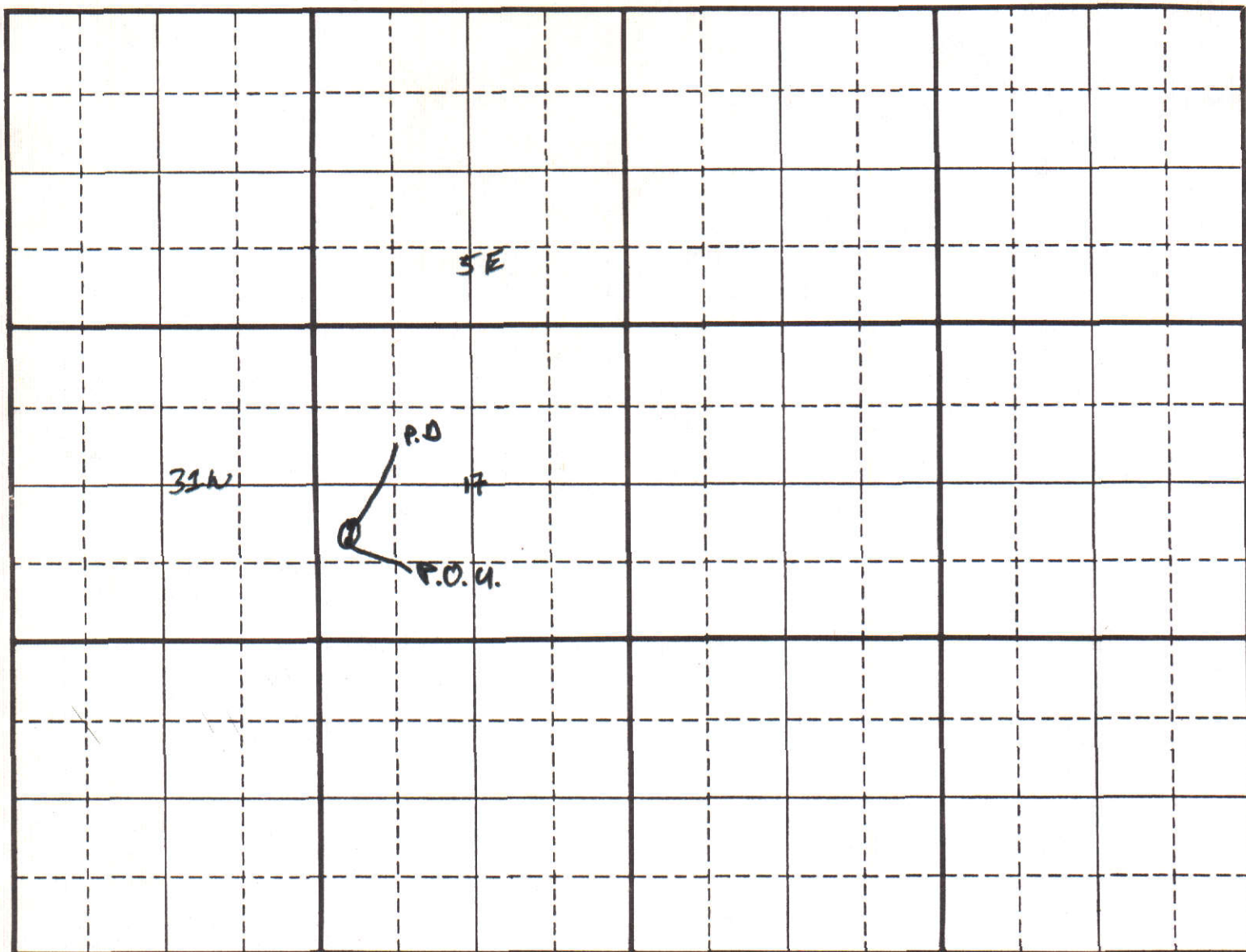


(8) Remarks \_\_\_\_\_

MICROFILMED



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 Ada ) 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 28 day of May, 1981.

Delores H. Heimgartner  
(Claimant)

Nancy M. Northway  
Notary Public  
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by Cam Date 28 May 1981 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by TK Date 6/1/81  
\$20.00 fee received by Cam Date 28 May 1981 #18979  
Published in Idaho County Free Press  
Dates 6/10 & 17/81

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 DELORES HEIMGARTNER  
(Name of Claimant)  
Rt. 1, Box 30, Juliaetta, ID 83535 Telephone No. 276-3318  
(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) 1920  
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)  
spring (unnamed) tributary to unnamed creek Trib. to Rabbit Ck.  
(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, gpd, AFA) |                | (Domestic, Irrigation, Stock, Etc.) |                   | (Both dates inclusive) |                            |
|-----------------|----------------|-------------------------------------|-------------------|------------------------|----------------------------|
|                 |                |                                     |                   | (Mo., Day)             | (Mo., Day)                 |
| Quantity        | <u>.02 cfs</u> | Use                                 | <u>domestic</u>   | Period of Use From     | <u>1/1</u> To <u>12/31</u> |
| Quantity        | <u>.02 cfs</u> | Use                                 | <u>stockwater</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) .02 TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)  
NW 1/4 SW 1/4, Sec. 17 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. Describe any changes in the system and give the date of the change. Spring box and pipeline

- (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 |       |
| 31N | 5E | 17   |        |        |        |        |        |        |        |        | X      |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |
|     |    |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |       |

No. of acres \_\_\_\_\_

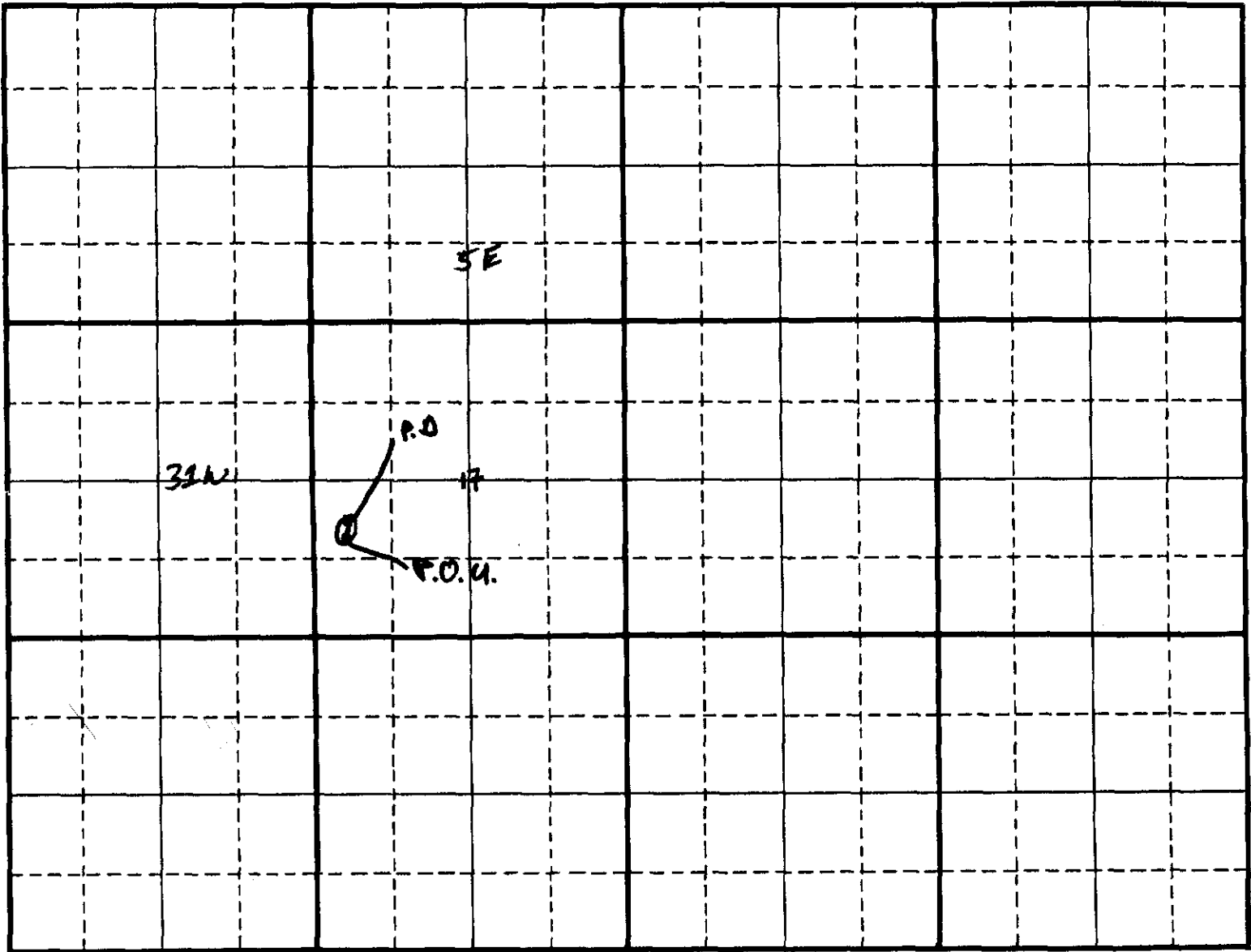
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: 1 household

NOTE: Include here the type and number of stock watered: 25

- (7) If you are claiming water as a member of an organization, list name of organization: Idaho Fish and Game Commission

(8) Remarks \_\_\_\_\_

*Map of 1981*



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 Ada ) 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.

Delores H. Heingartner  
(Claimant)

Sworn to before me this 28 day of May, 1981.

Nancy M. Northway  
Notary Public  
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by Gen Date 28 May 1981 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by TK Date 6/1/81 Forwarded to claimant by: \_\_\_\_\_  
\$20.00 fee received by Gen Date 28 May 1981 #18979  
Published in Idaho County Free Press  
Dates 6/10 & 17/81

**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:

82-4048

HEIMGARTNER,  
DELORES  
RT. 1, BOX 30, JULIAETTA,  
ID 83535

Source: SPRING tributary  
to RABBIT CREEK

Priority Date: 01/01/1920

Amount: 0.02 CFS

Diversion Point: NWSW Sec  
17 T 31N R 05E, IDAHO Co.

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

DOMESTIC (0.02 CFS) from  
01/01 to 12/31

Place of Use: NWSW Sec 17  
T 31N R 05E

82-4049

HEIMGARTNER,  
DELORES  
RT. 1 BOX 30, JULIAETTA,  
ID 83535

Source: SPRINGS tributary  
to RABBIT CREEK

Priority Date: 01/01/1950

Amount: 0.02 CFS

Diversion Point: NWNE Sec  
20 T 31N R 05E, IDAHO Co.

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

Place of Use: NWNE Sec 20  
T 31N R 05E

Any exception to any claim  
of water right may be filed  
with the Director of the  
Idaho Department of Water  
Resources, 4055 Gov't Way,  
Coeur d'Alene, Id, 83814.

A. KENNETH DUNN

Director

Published 6/10 & 6/17/81.

Jn 10-17

**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 10th day of June, 1981,

and the last publication on the 17th

June, 1981; 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.

Subscribed and sworn to before me this 17th day

of June, 1981

Notary Public

for State of Idaho, residing at Grangeville, Idaho.

**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:

82-4048

HEIMGARTNER,  
DELORES  
RT. 1, BOX 30, JULIAETTA,  
ID 83535

Source: SPRING tributary  
to RABBIT CREEK

Priority Date: 01/01/1920

Amount: 0.02 CFS

Diversion Point: NWSW Sec  
17 T 31N R 05E, IDAHO Co.

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

DOMESTIC (0.02 CFS) from  
01/01 to 12/31

Place of Use: NWSW Sec 17  
T 31N R 05E

WATER RIGHT NUMBER 92-4045

OWNER LAST NAME - BEINGARTER

FIRST NAME - DELORES

ORIG OWNER -

ADDRESS LINE 1 - RT. 1 BOX 30

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - JOLIETTA

STATE - ID ZIP CODE - 83535

SOURCE - SPRING

TRIBUTARY OF - RABBIT CREEK

STAGE - STAFFY C/L

STATUS -

PRIORITY - 01-01-1970 COUNTY - IDAHO

TOTAL DIV. RATE -

.0200 -CFS

TOTAL DIV. VOLUME -

.00 AFS DEPT/AMPL -

WATER DIST. -

DUE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - RSW 17 311 FOR DILL

REDIV -

FROM - 01-01-10 - 12-31 USE - STOCKWATER

USE DIV. RATE - .0200 CFS

USE DIV. VOLUME -

.00 AFA

FROM - 01-01-10 - 12-31 USE - DOMESTIC

USE DIV. RATE - .0200 CFS

USE DIV. VOLUME -

.00 AFA

USE - STOCKWATER

FLICK UP USE - 10-31-80 RAG USE SEC 17 TRACT RWS# LUT

AC

DECKE NAME -

DATE -

TOTAL ACRES

0

REMARKS -

NON IRRIG USE - 5725 FRINGE, D/L HOME.

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/REVIEW -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - CLAD. OF APPROVAL -

DIVERSION REASON -

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 82-4048 Applicant Heimgartner

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 7/2/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 7/9/81

RECEIVED



82-4048

HEIMGARTNER, DELORES

RT. 1 BOX 30, JULIAETTA, ID 83535

Source: SPRING tributary to RABBIT CREEK

Priority Date: 01/01/1920

Amount: 0.02 CFS

Diversion Point: NWSW Sec 17 T 31N R 05E, IDAHO Co.

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

Place of Use: NWSW Sec 17 T 31N R 05E

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

JUNE 29, 1981

DELORES HEIMGARTNER  
RT. 1 BOX 30  
JULIAETTA ID 83535

RE: Claim No. 82-4048

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**