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JUN 13 2003

Department of Water Resources

June 11, 2003

Edward C. Swartz
34874 Waha Rd.
Lewiston, ID 83501

~~KariLynn Townsend~~ *AS*
IDWR
1301 N. Orchard
Boise, ID 83706-2237

Claim #: 85-11473

85-11473

Enclosed find "Notice of Claim to a Water Right" received by your office May 1, 2003 and returned to me because I forgot to enclose the \$25 fee.

I hope this connects our "Claim" with our check. Thanks for getting back to me on this. I apologize for the inconvenience.

Ed Swartz

Ed Swartz

RECEIVED

MAY - 1 2003

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 85-11473Date Received 5.2.03Receipt Number C06882NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Marsha and Edward Swartz Phone (208) 743-3641Mailing Address 34874 Waha Rd, Lewiston ID Zip 835012. Date of Priority (Only one per claim) 4/22/03 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (X) (a) well
Name or kind of sourcewhich is tributary to (b) Tammany Creek4. Location of point of diversion is: Township 34N Range 4 W.B.MSection 18 SW 1/4 of SE 1/4 of SW 1/4, Govt. Lot _____, BM.,County of Nez PerceAdditional points of diversion if any: The south 1150 feet of the west 758 feet of the east half of the Southwest Quarter of Section 18, Township 34 North, Range 4 W.B.M. Nez Perce County, Idaho5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. NONE

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For domestic purposes from 1/01 Month/Day to 12/31 Month/Day amount 20.04 (cfs) ECS
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 20.04 (cfs) ECS8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 0/1 home

10. Place of use is: Township: 34N Range 04W
Section 18, SE 1/4 of SW 1/4, Govt. Lot _____, B.M., *see attached description of property*
County of Nez Perce for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any None

11. In which county (ies) are lands listed above as place of use located? Nez Perce

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
none

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 3 A) GIFT DEED, B) DEED OF DISTRIBUTION, C) MAP

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Edward C. Smith Date 04/29/03
Marsha R. Smith Date 4/29/03

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
document in the space below as _____ of _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____ }
County of Nez Perce } SS.

Subscribed and sworn (or affirmed) before me this 29th day of April, 2003



Notary Public Shirley J. Taylor

Residing at Lewiston, ID

My Commission Expires April 28, 2004