

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice
(First Copy)

Application for water permit

TITLE OF PUBLICATION

Schmelzel 65-12034

SPONSOR OR PLAINTIFF

Idaho Dept. Water Resources

PLAINTIFF OR LEGAL AGENT

O. Sharon Swanson, being

duly sworn, deposes and says:

That *he* is the *principal* of

THE INDEPENDENT-ENTERPRISE, a weekly newspaper published in Payette, in the County of Payette and State of Idaho; that it has been and is in general circulation in the county aforesaid; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of the newspaper during the period and time of publication, and was in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seven consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

October 27, 1977, and ending with *November 3, 1977*

Subscribed and sworn to before me this *7* day of *November*, 19 *77*

Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires *April 25*, 19 *80*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that LARRY D. & or R. JOAN SCHMELZEL Route 1, New Plymouth, Idaho has on October 18, 1977 submitted Application No. 65-12034 for a permit to appropriate 0.12 cubic feet per second of water from a groundwater source by means of well and pump within the NE 1/4 SW 1/4 Sec. 31 T8N-R4W B.M., Payette County to be used from Jan 1 to Dec. 31 for commercial purposes and from Mar. 15 to Nov. 15 for irrigation of 6 acres within the NE 1/4 SW 1/4 Sec. 31 T8N-R4W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before November 14, 1977.

C. STEPHEN ALLRED
Director

Published in the Independent Enterprise, Payette, Idaho on October 27, 1977 and November 3, 1977.

10-27-2tc

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *19*

Number of Insertions *two*

19 Lines @ *42 1/2¢* .. \$ *8.07*

19 Lines @ *30 1/2¢* .. \$ *5.80*

TOTAL COST
WILL BE \$ *13.87*

No 469

MICROFILMED

OK 11-14-77

**T08N R04W
S31**

Idaho Department of Water Resources

**Claim: 65-12034
Prepared by:
RON HOWERTON
Modified 4-23-01**

 **Place of use**

 **POD**

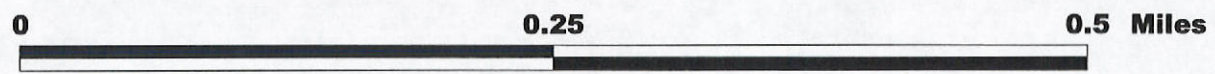
 **SECTION**

 **1/4 1/4**

6.0 Acres



1987 NAPP



**T08N R04W
S31**

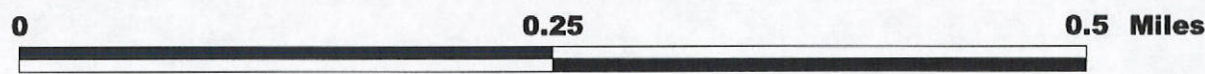
Idaho Department of Water Resources

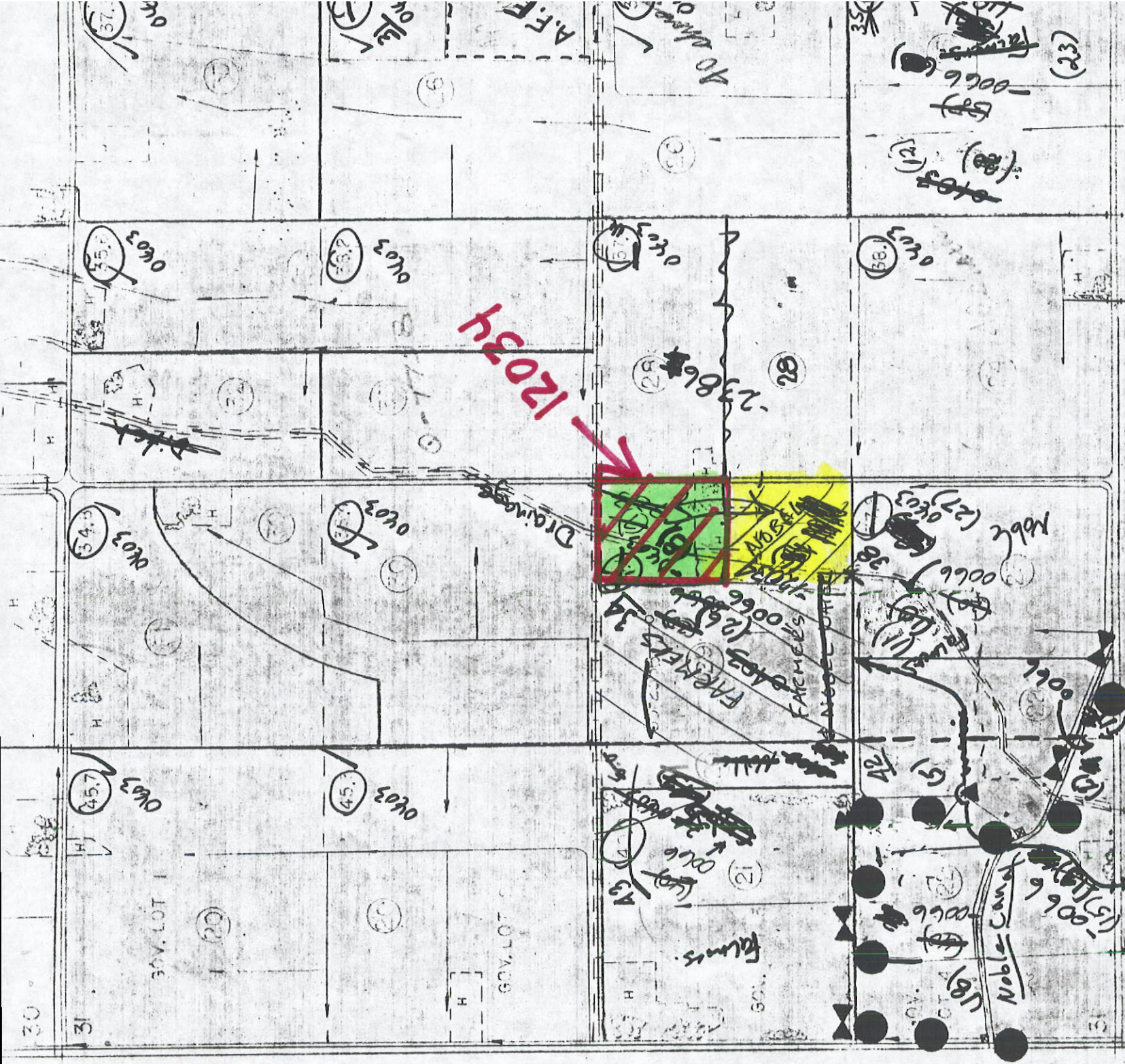
**Claim: 65-12034
Prepared by:
RON HOWERTON
Modified 4-23-01**

-  **Place of use**
-  **POD**
-  **SECTION**
-  **1/4 1/4**



1987 NAPP





DHY-225-127

MAP "F"

T8N R4W
S31, N6S3

- 1 Smith, H. A.
- 2 Harvey, Earl A.
- 3 Majors, Delmar
- 4 Tschirgl, L.
- 5 White, Ellis A.
- 6 Farni, V. V.
- 7 Ervin, B. E.
- 8 Hopkins, Wesley
- 9 Eldred, Ever
- 10 Gardner, H. Grant
- 11 Hall, R. E.
- 12 Reece, W. D.

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-12034 Date: 9-24-99

CLAIMANT(s): Schmelzel, Larry

Overlapping POU Claim #'s: _____

				NE				NW				SW				SE				Sum
	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	8N	4W	31									6								6
GIS												6								6
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 69

POD_ID #(s): 36

Total Claimed Acres: 6

Total GIS Acres: 6

COMMENTS:

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-12034
Date Received: 4/13/1990
Receipt No: X999999
Received By: _____

AMENDED NOTICE OF CLAIM TO A WATER RIGHT AMENDED
ACQUIRED UNDER STATE LAW

1. Name: LARRY D SCHMELZEL 208-452-4583
Address: 6753 BOISE ROAD
NEW PLYMOUTH ID 83655

Name: RHETA JOAN SCHMELZEL 208-452-4583
Address: 6753 BOISE ROAD
NEW PLYMOUTH ID 83655

2. Date of Priority: OCT 18, 1977
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04W	31		NE	SW		PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		27.00
COMMERCIAL	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 28.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08N	04W	31	NE	SW		COMMER	
			NE	SW		IRR	6.0
						Section Acres	6.0
						Total Acres	6.0

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD.
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

CLAIM AMENDED PER APPROVED LICENSE, DATED 3/24/90. RDH

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12034

Priority: October 18, 1977

Maximum Diversion Rate: 0.12 CFS
Maximum Diversion Volume:¹ 28.2 AF

This is to certify, that LARRY D. SCHMELZEL
R. JOAN SCHMELZEL

RT. 1

NEW PLYMOUTH, ID 83655 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 18, 1977; and has submitted Proof of Beneficial Use on January 3, 1983. An examination indicates that the works have a diversion capacity of .240 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.12 CFS	27.0 AF
COMMERCIAL	01/01 to 12/31	0.04 CFS	1.2 AF
	Totals	0.12 CFS	28.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NESW , Sec. 31, Township 08N, Range 04W
PAYETTE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08N 04W 31	NESW 6			6
	Total number of acres irrigated:			6

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

MICROFILMED

APR 19 1990

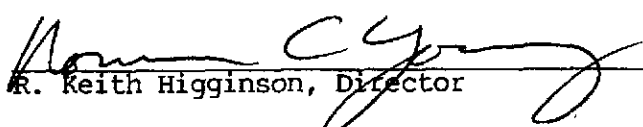
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12034

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 24TH
day of MARCH, 1990.

Acting for 
R. Keith Higginson, Director

RECORDED

APR 19 1990

Identification No. _____

Application No. 65-12034

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
OCT 18 1977

To Appropriate the Public Waters of the State of Idaho Department of Water Resources
(TYPE OR PRINT IN INK) Western Regional Office

RECEIVED

1 Name of applicant Larry D. and/or R. Joan Schmelzel Phone 452-4583
post office address Route 1, New Plymouth, ID 83655

2 Source of water supply groundwater which is a tributary of _____

3 a Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 8N
Range 4W B M Payette County; additional points of diversion if any _____

b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B M _____

4 Water will be used for the following purposes

Amount .12 for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum)

Amount .04 for commercial purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

5 Total quantity to be appropriated

a .12 cubic feet per second and/or

b _____ acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc. well and pump

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir capacity _____ acre feet, materials used in storage dam _____

Period of year during which storage will occur _____ to _____ (Mo. Day) inclusive

c Proposed well diameter is _____ inches, proposed depth of well is _____ feet

7 a Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years

b Estimated construction cost is \$1000.00

8 Description of proposed uses

a If water is not for irrigation

(1) Give the place of use of water NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 31 Township 8N
Range 4W B M _____

(2) Amount of power to be generated _____ hp under _____ feet of head

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe commercial:
mint still

RECEIVED

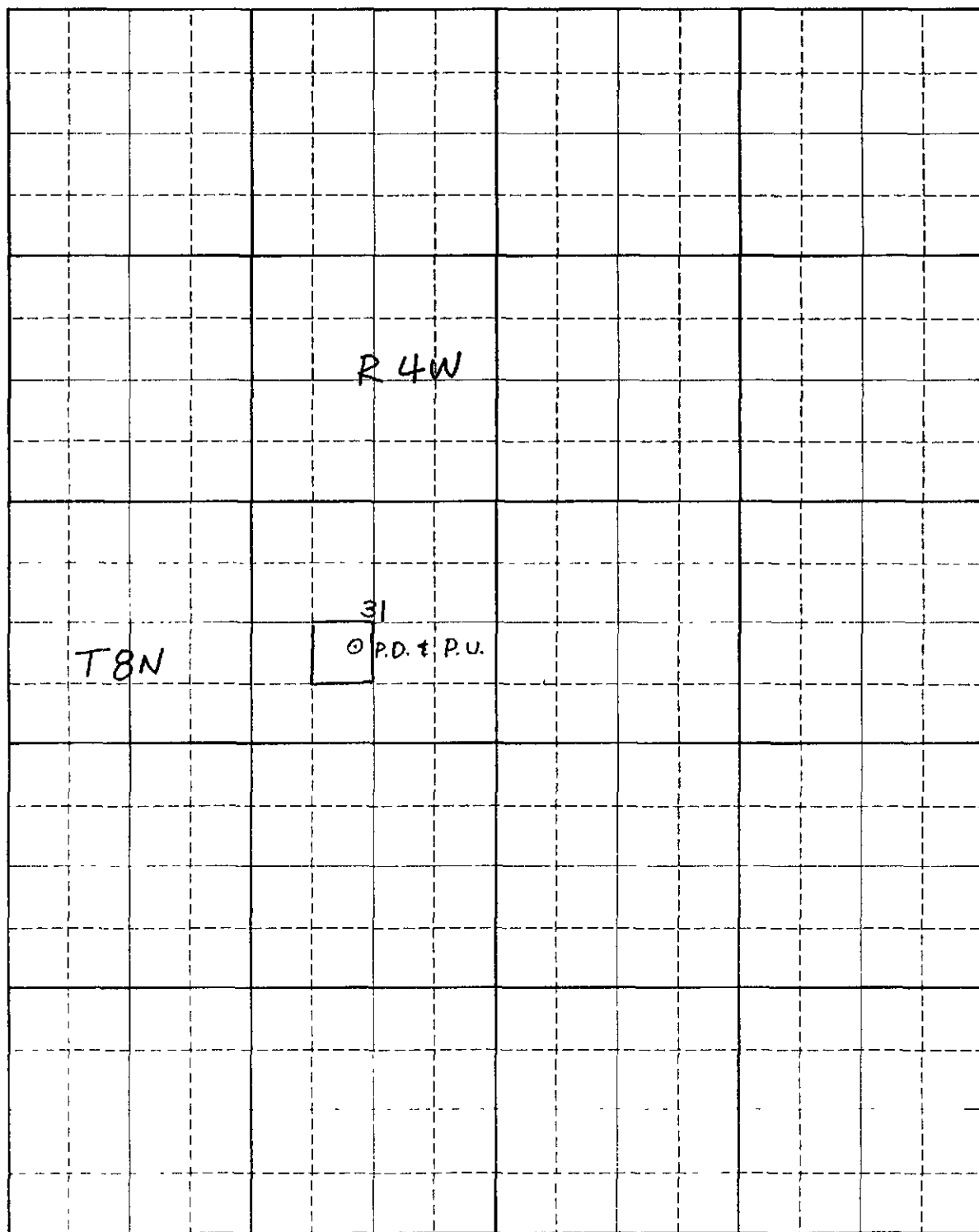
[illegible]

c Describe any other water rights used for the same purposes as described above
none

- 9 a Who owns the property at the point of diversion applicant
b Who owns the land to be irrigated or place of use applicant
c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10 Remarks THIS WILL REPLACE 65-7213 (LAPSED)

11 Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number



Scale 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth

(Applicant)

[Signature]

Proposed Priority 10/18/77

Received by DRT Date 10-18-77 Time 4:10

Preliminary check by RH Fee \$ 10.00 # 9604

Received by DRT Date 10-18-77

Publication prepared by sf Date 10-20-77

Published in Independent Enterprise

Publication dates Oct 27, Nov 3

Publication approved sf Date 11-14-77

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by J. J. Witham

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 65-12034, and said application is hereby APPROVED

1 Approval of said application is subject to the following limitations and conditions

a SUBJECT TO ALL PRIOR WATER RIGHTS.

b Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 83

c Other _____

2 Denial of said application is for the following reasons _____

Witness my hand this 29 day of January 19 78.

J. J. Witham
DEPUTY Director

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Copy of Notice
(First Copy)

Application for water permit

TITLE OF PUBLICATION

Schmelzel 65-12034

SPONSOR OR PLAINTIFF

Idaho Dept. Water Resources

PLAINTIFF OR LEGAL AGENT

D. Sharon L. Swanson being

duly sworn, deposes and says:

That he is the

principal clerk
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published in the County of Payette and State of Idaho; that it has been and is in general circulation in the county aforesaid the vicinity of Payette; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a

two consecutive weeks in the regular and entire issue of the newspaper during the period and time of publication, and was published in the newspaper proper and not a supplement; that said newspaper has been established and regularly published for more than seven consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

October 27, 1977

and ending with

November 3, 1977

Subscribed and sworn to before me this

November 3, 1977

at *Payette, Idaho*

Notary Public, Residing at Payette, Idaho.

My Commission Expires *April 25, 1980*

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that *LARRY D. & R. JOAN SCHMELZEL* Route 1, New Plymouth, Idaho has on October 18, 1977 submitted Application No. 65-12034 for a permit to appropriate 0.12 cubic feet per second of water from a groundwater source by means of well and pump within the NE 1/4 SW 1/4 Sec. 31 T8N-R4W B.M., Payette County to be used from Jan 1 to Dec. 31 for commercial purposes and from Mar. 15 to Nov. 15 for irrigation of 6 acres within the NE 1/4 SW 1/4 Sec. 31 T8N-R4W B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before November 14, 1977.

C STEPHEN ALLRED

Director

Published in the Independent Enterprise, Payette, Idaho on October 27, 1977 and November 3, 1977

No. 469

10-27-77

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines *19*

Number of Insertions *two*

19 Lines @ *42 1/2¢* \$ *8.07*

19 Lines @ *30 1/2¢* \$ *5.80*

TOTAL COST
WILL BE \$ *13.87*

No. 469

MICROFILMED

Hand-drawn map on a grid showing a proposed road layout. The map includes labels for "RGE. NW", "TWP. 8N", "R.R. TRACKS", "AD. F. PL. 0-100", "COUSE RD.", "BUTTE RD.", "HWY 30", and "TO NEW PLYMOUTH". A dashed line indicates a proposed road segment labeled "3/1".

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: NE 1/4 SW 1/4, S. 31, T. 8N, R. 4W.

[illegible]

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A65-12034
Date Received: 4/13/1990
Receipt No: X999999
Received By: DE JON

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: LARRY D. SCHMELZEL 208-452-4583
Address: 6753 BOISE ROAD
NEW PLYMOUTH ID 83655

Name: RHETA JOAN SCHMELZEL 208-452-4583
Address: 6753 BOISE ROAD
NEW PLYMOUTH ID 83655

2. Date of Priority: OCT 18, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08N	04W	31		NE	SW		PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
COMMERCIAL	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED

SEP 24 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08N	04W	31	NE SW		IRR	6.0
Section Acres						6.0
Total Acres						6.0

11. Place of use in counties: PAYETTE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD.
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.
THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION
PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY.
NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.

15. Basis of Claim: PERMIT

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED

SEP 24 1992

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

SEP 24 1992

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

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

CIVIL CASE NUMBER: 39576
Ident. No. 65-12034

RECEIVED
APR 13 1990

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 13 1990
Department of Water Resources

Department of Water Resources

Please type or print clearly:

Name of Claimant(s) Larry D. Schmelzel

Rheta Joan Schmelzel

Mailing Address
(include Zip Code)

6753 Boise Road

New Plymouth, Idaho 83655

Phone Number (208) 452 - 4583

MICROFILMED

SEP 24 1992

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

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

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 65-12034
DATE RECEIVED: 4-13-90
RECEIPT NO: X999999
RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: LARRY D. SCHMELZEL
ADDRESS: ROUTE 1
NEW PLYMOUTH, ID

83655

NAME: R. JOAN SCHMELZEL
ADDRESS: ROUTE 1
NEW PLYMOUTH, ID

83655

APR 13 1990
Department of Water Resources

2. DATE OF PRIORITY: OCT 18, 1977

3. SOURCE: GROUNDWATER

TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION		1/4 OF 1/4	LOT	COUNTY
08N	04W	31	[REDACTED]	NE SW		PAYETTE

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(CR)	A.F.A.
IRRIGATION	03/15	11/15	0.120		
COMMERCIAL	01/01	12/31	0.040		1.20

7. TOTAL QUANTITY APPROPRIATED IS:
0.120 C.F.S. (AND/OR)

1.20 A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4	LOT	USE	ACRES
08N	04W	31	NE	SA	IRR	6.0
SECTION ACRES						6.0
TOTAL ACRES						6.0

11. PLACE OF USE IN COUNTIES: PAYETTE, PAYETTE

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO., LTD.
SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.
THIS PERMIT RIGHT IS NOT DECREED BY THE PRESENT ADJUDICATION
PROCEDURE, AND IS INCLUDED FOR INFORMATION PURPOSES ONLY.
NORMAL STATUTORY PROCEDURES MUST BE COMPLETED FOR LICENSING.

15. BASIS OF CLAIM: PERMIT

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO _____ DO NOT _____ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 1

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): Larry Schuchel DATE: 3/5/90
Rita Jean Schuchel DATE: 3/5/90

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Payette) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 5th DAY

OF MARCH 19 90

Rick S. Walters
NOTARY PUBLIC

SEAL

RESIDING AT FRUITLAND

MY COMMISSION EXPIRES 4-10-94

01/12/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-12034

NAME AND ADDRESS: LARRY D SCHMELZEL
RHETA JOAN SCHMELZEL
6753 BOISE ROAD
NEW PLYMOUTH, ID 83655

SOURCE: GROUND WATER

QUANTITY: 0.12 CFS
28.2 AFY

THIS RIGHT WHEN COMBINED WITH RIGHTS OF NOBLE DITCH CO.,
LTD. SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 10/18/1977

POINT OF DIVERSION: T08N R04W S31 NESW Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.12 CFS 27.00 AFY
COMMERCIAL	1-01 12-31	0.04 CFS 1.20 AFY

COMMERCIAL USE IS SPRAYING.

PLACE OF USE:

IRRIGATION Within PAYETTE County
T08N R04W S31 NESW 6
COMMERCIAL Within PAYETTE County
T08N R04W S31
NESW

6 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NOBLE DITCH
CO.

DATE: 03/31/00
PAGE: 1

QWT E28
C18

03/08/2001

RECEIVED

APR 16 2001

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 13, 2001

Water right number: 65-12034

RHETA JOAN SCHMELZEL
6753 BOISE ROAD
NEW PLYMOUTH ID 83655
Telephone Number: (208)452-4583

LARRY D SCHMELZEL
6753 BOISE ROAD
NEW PLYMOUTH ID 83655
Telephone Number: (208)452-4583

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Everything seems okay except marked area on enclosed map.

*CHG.
RSH
4-23-01*

2. Describe the changes you wish to make in the proposed recommendation:

Area this water is used for is around and to the north of well instead of to south as indicated on enclosed map.

3. Give a brief explanation as to why you disagree with these portions:

The green marked area on the enclosed arial map should be around the well and to the north (as we have marked in black) instead of to the south of well.

Map is enclosed.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: April 10, 2001

SIGNATURE:

Larry D Schmeltzel

Please print your name:

LARRY D SCHMELZEL

IDWR Regional Office, 2735 Airport Way, Boise, ID 83705, (208) 334-2190

**T08N R04W
S31**

Idaho Department of Water Resources

**Claim: 65-12034
Prepared by:
RON HOWERTON
Modified 4-23-01**

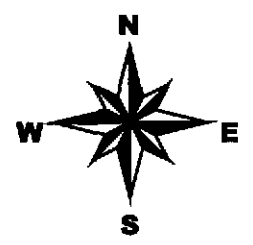
 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**

6.0 Acres



1987 NAPP



**T08N R04W
S31**

Idaho Department of Water Resources

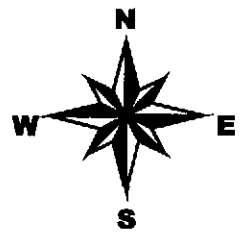
**Claim: 65-12034
Prepared by:
RON HOWERTON
Modified 4-23-01**

 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP



WR5809NP
No. 65-12034

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/17/99
PAGE: 82

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LARRY D. SCHMELZEL	10/18/1977	IRRIGATION	03/15 11/15	0.120 CFS	27.00 AFA
C	R. JOAN SCHMELZEL		COMMERCIAL	01/01 12/31	0.040 CFS	1.20 AFA
	RT. 1					
	NEW PLYMOUTH ID 83655			TOTAL DIVERSION:	0.120 CFS	28.20 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.240 CFS

Point(s) of Diversion: T08N R04W S31 NESW

PAYETTE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	---
08N	04W	31	:					:					:		06			:						:	6.0	
																							TOTAL ACRES	6.0		

Place of use location for COMMERCIAL is the same location as described for: IRRIGATION

Pou County: PAYETTE

Conditions of Approval:

- R32 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.5 afa per acre for
- irrigation of the lands above.

Dates:	App. Received:	10/18/1977	Priority Date:	10/18/1977	(Priority Date Advanced.)
	Proof Due Date:	01/01/1983	Proof Made Date:	01/03/1983	(Proof Received Late.)
	Exam Made Date:	04/24/1984	Exam Sent to S.O.:		
	Licensed Date:	03/24/1990			

Misc: Water District Number: 65 Field Exam Fee:

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 65-12034 Date: 9-24-99

CLAIMANT(s): Schmelzel, Larry

Overlapping POU Claim #'s: _____

			NE				NW				SW				SE				Sum	
TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
Claim	8N	4W	31									6								6
GIS												6								6
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU ID #(s): 69

POD ID #(s): 36

Total Claimed Acres: 6

Total GIS Acres: 6

COMMENTS:

[illegible]