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467-0424

P/O
SUSE

5 ACRES

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1 ACRES

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OCT 02 1992

50.00

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: A67-04124
Date Received: 10/02/1989
Receipt No: W006116
Received By: Rch

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANTHONY B. SCHWARTZ 208-253-4802
Address: P.O. BOX 58
FRUITVALE, ID 83620

OR

Name: EDITH SCHWARTZ 208-253-4802
Address: P.O. BOX 58
FRUITVALE, ID 83620

2. Date of Priority: MAY 01, 1900

3. Source: WEISER RIVER, WEST FORK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	01W	32	SW	SE			ADAMS

5. Description of diverting works:
ROCK DAM, CONC. HEADGATE, SCREW DOWN CLOSING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.240		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
INSTREAM STOCKWATERING

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	9	NW	SW		IRR	5.0
			SE	SW		IRR	6.0
			SW	SE		IRR	1.0
						Section Acres	12.0
						Total Acres	12.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A67-02053C

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 X 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): Anthony B. Schell, atty Date: 10/2/89
_____ Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of Oct 19 89

Ron Howerton
Notary Public

Seal

Residing at P Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 1994

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4934

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2

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BR3063

BR3063

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Claim No

STATE OF IDAHO

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Anthony B. or Edith J. Schwartz
(name of claimant)
of P.O. Box 58 Fruitvale, Idaho 83620, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) West Fork Weiser River
 , tributary to, _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | |
|--------|-----------------|-----|--------------------|---------------------|-----------------|----|----------------|
| Amount | <u>0.36 cfs</u> | Use | <u>irri, stock</u> | Period of Use: From | <u>April 15</u> | To | <u>Oct. 15</u> |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
| Amount | _____ | Use | _____ | Period of Use: From | _____ | To | _____ |
- (cfs, gpm or a/f) (dom., irri., stock, etc.) (both dates inclusive)
- (3) Total quantity of water claimed: 0.36 - 0.24 cfs cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
1/2 mi. S. Sec. 5, Twp. 14, Rge. 10, B. M. County of Adams
 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. The diversion dam is rock and there is a concrete headgate, with a screw down closing.

- (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]

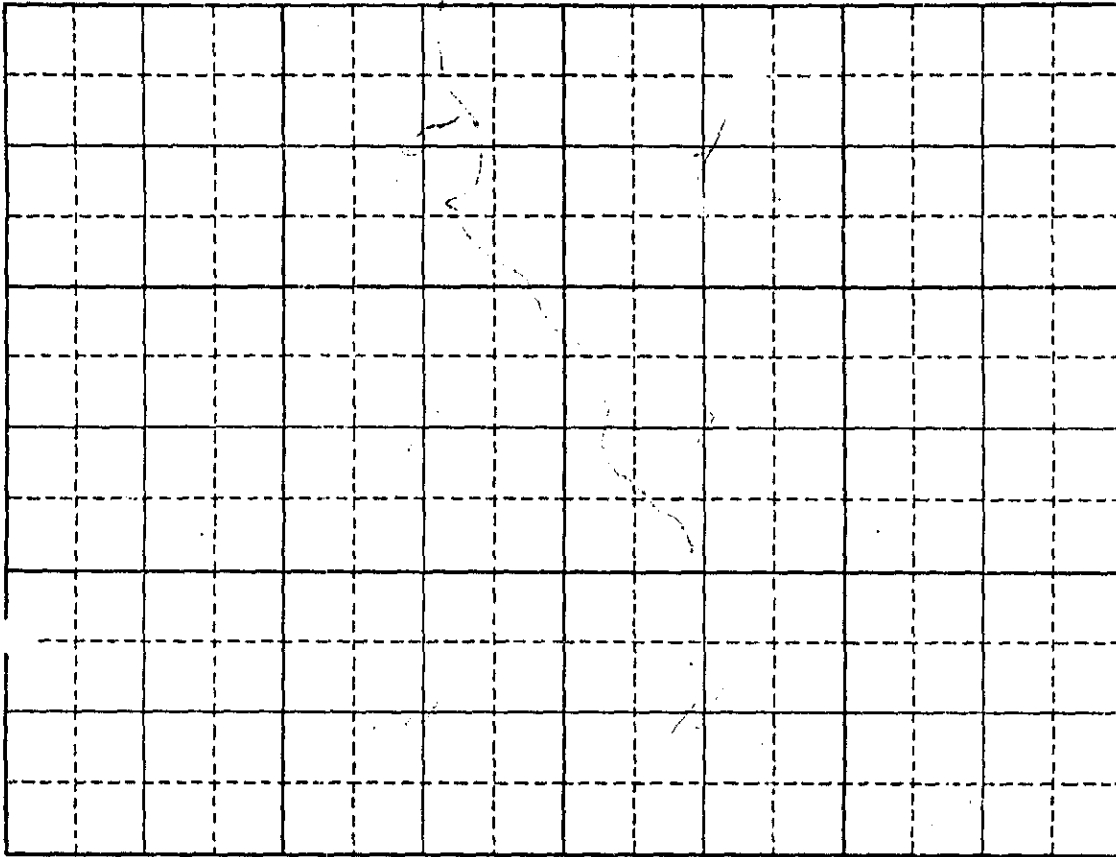
Total No. of acres 12

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- _____
- _____
- (7) If you are claiming water as a member of an organization, list name of organization: _____
- MICR

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Point of Diversion



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)
) ss.
County of Adams)

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 affiants knowledge.

Edith J. Schwartz W. B. L. L. L.
(Claimant)

Sworn to before me this 15th day of April 19 75.

Edwin D. Kessler
Notary Public
Residing at Council, Idaho

My commission expires Life

For Department Use Only

Received by <u>W</u>	Date <u>4-17-75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>W</u>	Date <u>4-19-75</u>		claimant by:	
\$10.00 fee received by <u>W</u>	Date <u>4-17-75</u> #499			
Approved for publication by <u>W. B. L. L. L.</u>	<u>5-12-75</u>			
Published in <u>Adams County Register</u>				
Dates <u>May 1 & May 18 4/24/75</u>				

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