

NAME: SCHAUB

CLAIM: A 85-04394
CORRESPONDENCE
EVIDENCE OF
PRIORITY

975

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: **A85-04394**
Date Received: 3/ 3/1989
Receipt No: N002390
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: STEPHEN A SCHAUB
Address: 3745 LAPWAI RD
LEWISTON ID 83501
208-743-6632

2. Date of Priority: JAN 1, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
35N	05W	1	NE	NW			NEZ PERCE

5. Description of diverting works:
312' WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 3 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
35N	05W	1	NE	NW		DOMEST	

11. Place of use in counties: NEZ PERCE

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

13. Other Water Rights Used:

WATER FROM SPRING SITUATED IN SW1/4 SE1/4 T.36N R.5W.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

DO NOT FILM

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

A85-04394

Date Received

3/3/89

Receipt Number

N 2390

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

Please type or print clearly

1. Name of Claimant (s) Stephen A. Schaub Phone (208) 743-6632
Mailing Address 3745 Lapwai Road
Lewiston, ID Zip 83501

2. Date of Priority (Only one (1) per claim) 1957 JAN. 1

3. Source of water supply (a) developed deep well
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 35 N. Range 5 W. Section 1,
_____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Nez Perce

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. Well - approximately 312 feet deep.

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APR 25 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For domestic purposes from 1-1 to 12-31 amount .12 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .12 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is n/a acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic use for ranch complex, hired man's house and rental for security persons to live in.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
35N	5W	1					D												1/4

Total number of acres irrigated 1/4

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 XX 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.

Water from spring situate in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T36N, R 5 W.B.M. or None ()

14. Remarks:

Last Name Schaub

Ident No.

A85-04394

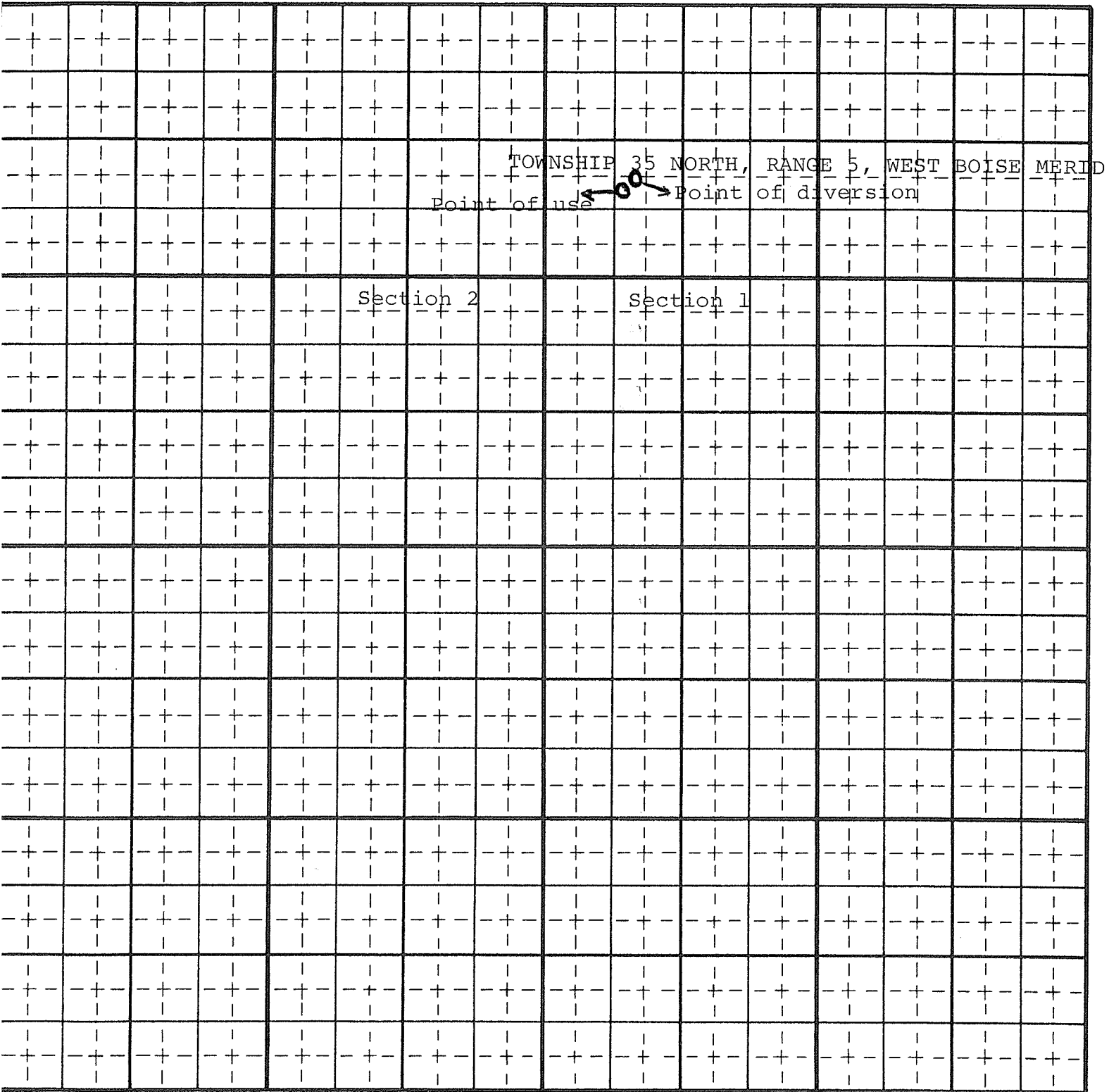
Copies: White - State - Yellow - Claimant

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APR 25 1993

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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APR 25 1993

Last Name Schaub

Ident No. A85-04394

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use XXX Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 85-4394
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Stephen A. Schaub Date 2-24-89
by Irene Schaub P.O. Date ' '

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 24 day of February 19 89

SEAL

Notary Public Paul C. Keeton

Residing at Lewiston, Idaho

My Commission Expires 7-11-91

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, Paul C. Keeton will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature Paul C. Keeton

Address P.O. Drawer E, Lewiston, Idaho 83501

Date 2-28-89

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APR 25 1989

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APR 25 1989

Last Name Schaub Ident. Number A85-04394

Copies White-State, Yellow-Claimant

485-04329
✓ 485-04394
J. H. H. H.

Law Offices of
Keeton and Talt

P.O. DRAWER E
312 MILLER STREET

Lewiston, Idaho
83501

Paul C. Keeton
John Reid Talt

AREA CODE 208
743-6231

28 February 1989

Idaho Department of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814

Gentlemen:

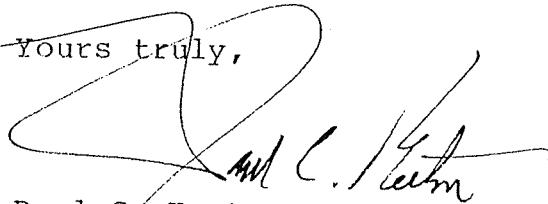
Enclosed herein you will find Form No. 42-1409(2)a, Notice of Claim to a Water Right, for Mr. Stephen A. Schaub, who lives at 3745 Lapwai Road, Lewiston, Idaho. A check in the amount of \$62 is enclosed for the filing fee for this claim.

Also enclosed please find Form No. 42-1409(2)b, Notice of Claim to a Water Right, for Mr. Schaub. A check in the amount of \$25 is enclosed for the filing fee for this claim.

Would you please file these notices? If you have any questions, you may call my office at the above number.

Thank you.

Yours truly,



Paul C. Keeton

PCK:ser
Enclosures

cc: Mrs. Irene Schaub
Mr. Stephen A. Schaub

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APR 25 1993

Water Right Number - A85-04394

Adj. Flag Translation: Adjudication Temporary Work Area

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SCHAUB

STEPHEN A.

1 - 3745 LAPWAT RD.
2 -
3 -
City- LEWISTON
Phone - 208-743-6632

State- ID Zip- 83501

+ - - Priority Date - - + + - - Region - - - + + - - - - - Stage - - - + + - - - Status - - - +
01/01/1957 18 ERROR IN REGION S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code) - - - - - +
Twn Rng Sec Tract Lot Rflg County

35N 05W 1 NE NW (69) NEZ PERCE

+ - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - - +
Code Description Period From Period To

43 - DOMESTIC 01/01 12/31 0.120

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.120

+ - - - - Place of Use - - - - - Description - - - - - County - - - - - +
Twn Rng Sec Tract Lot Acres Code

35N 05W 1 NE NW 43 DOMESTIC (69) NEZ PERCE

Total Acres:

+ - - Diversion Means - WELL AND PUMP.

+ - - Non-Irrigation Use - D/3 HOMES.

+ - - Other Rights for Same Use - WATER FROM SPRING SITUATED IN SW1/4 SE1/4 T.36N R.5W.

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

VERIFIED BY: SL 3-5-91

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ADD 2 P. 4000

DATE: 09/15/98
PAGE: 1

Stage: BENEFICIAL USE

NEZ PERCE County

NE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A85-04394

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

9.12.98 M 43

WATER RIGHT NUMBER - A85-04394

PREFIX TRANSLATION: ADJUDICATION CLAIM

DLO (D) NUMBER -

```

+ - - - - LAST NAME
*** C - CURRENT OWNER ***
SCHAUB

```

STEPHEN A.

1 - 3745 LAPWAI RD.

CITY- LEWISTON
PHONE - 208-743-6632

STATE- ID ZIP- 83501

++- - PRIORITY DATE - - +
01/01/1957

18 NORTHEN REGION

STAGE - - - +
- - - BENEFICIAL USE
+ - - -

+	+
-	-
-	-
-	-
STATUS	-
-	-
-	-
-	-
-	-

- - SOURCE
GROUNDWATER

TRIBUTARY - - - - -

	TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
35N	05W	1	NE NW	(69)	NEZ PERCE				

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	MATER USE	DIVERSION RATE	DIVERSION VOLUME
43 - DOMESTIC		01/01	12/31		0.120	

+	-	TOTAL DIV. RATE	-	+	+	-	TOTAL DIV. VOLUME	-	+	+	-	TOTAL DIV. CAPACITY	-	+	+	-	TOTAL CONSUMPTIVE USE	-	+	+	-	KM USAGE	-	+
		0.120															0.0							

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE CODE	DESCRIPTION	COUNTY
35N	05W	1	NE NW			43	DOMESTIC	(69) NEZ PERCE

+ - - DIVERSION MEANS - 318 FT. WELL AND PUMP.

+ - - NON-IRRIGATION USE - 0/3 HOMES.

+ - - OTHER RIGHTS FOR SAME USE - WATER FROM SPRING SITUATED IN SW1/4 SE1/4 T.36N R.5W.

	REMARKS
	NO REMARKS FOUND.

NO OLD WATER RIGHT NUMBERS FOUND.

NO CONDITIONS OF APPROVAL FOUND.

[illegible]

+ - - AUDIT FIELDS - 03/03/89 BEARDSLE 10/03/89 REFUNDML 03/05/91 FLEGELE

MICROFILMED
JAN 18 1995

WATER RIGHT NUMBER - A85-04394

PREFIX TRANSLATION: ADJUDICATION CLAIM

NO COMMENTS FOUND

COURT REPORT FILING		FIELD INSPECTION MADE		CIVIL CASE NUMBER	
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	- 00/00/0000	OLD CASE NUMBER	- 39576
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 03/05/1991	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 03/03/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- N002390	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLAG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

RP 35805 W012408

DATA ENTRY
ENTERED 11-08-91
CHECKED [Signature]

Verified By
Tara K. Outh-PQ
A-03 Map
Water Right Records
N-03 Photos
N-03 Diagram
N-03 Other (See Remarks)
N-03 Records
N-03 Comments
N-03 Notes
N-03 Records

VERIFIED
FEB 21 1993

CERTIFIED
FEB 23 1993
WATER EXAMINER

PROOF
OCT 10 1991