

Basin 86, Irrigation and Other. The claimants, Bernard and Linda Schatz, filed the only objection to the recommendation, which is being withdrawn concurrently with IDWR's withdrawal of this recommendation.

DATED this 13th day of March, 2000.



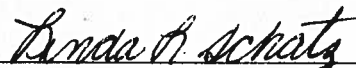
SUSAN HAMLIN
Deputy Attorney General
Idaho Department of Water Resources

DATED this 15th day of March, 2000.



IDWR Concurrence
Roxanne Brown
Senior Water Right Agent
Idaho Department of Water Resources

DATED this 15 day of March, 2000.



Claimant/Objector Concurrence

CERTIFICATE OF SERVICE

I hereby certify that on the 27th day of March, 2000, I mailed the original and copies of this notice to the following persons by mailing in the U.S. Mail, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

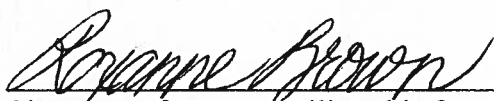
2. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

U.S. Dept. of Justice
Environment & Natural Res. Div.
550 West Fort St., MSC 033
Boise, ID 83724

Nez Perce County Courthouse
Lewiston, ID 83501-0896

Bernard Schatz
Linda Schatz
3808 15th St.
Lewiston, ID 83501



Signature of person mailing this form

RECEIVED

SEP 13 1999

Department of Water Resources

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

In Re SRBA

Case No. 39576

Subcase 86-10497
(Court water right number)

DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

Please fill in the following information:

B NAME AND ADDRESS OF PERSON OBJECTING

Name: Bernard and Linda Schatz
Address: 3808-15th St.
Lewiston, ID 83501
Daytime Phone: 208-743-9504

Name & Address of Attorney, if any:

C CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Bernard and Linda Schatz
Address: 3808-15th St.
Lewiston, ID 83501

☒ I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ Name and Address
Should be: _____

2. ☐ Source
Should be: _____

3. ☒ Quantity
Should be: 50 gal per min 30,000 gal per day

4. ☐ Priority Date
Should be: _____

5. ☐ Point(s) of Diversion
Should be: _____

6. ☐ Instream Flow Description
Should be: _____

7. ☐ Purpose(s) of Use
Should be: _____

8. ☐ Period of Year
Should be: _____

9. ☐ Place of Use
Should be: _____

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

☒ REASONS SUPPORTING OBJECTION(S): This well is for
approximately 40 ^{acres} ~~acres~~ which includes
shop and office, 1 residence, trees planted around
perimeter which use drip system



VERIFICATION (Must be Completed)

State of Idaho

County of Nez Perce

Bernard Schatz, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Bernard Schatz
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: 9-10-99

Brenda Schatz
Notary Public for Idaho
Residing at: Lewiston
My Commission Expires: 9-22-2000

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.



CERTIFICATE OF MAILING

I certify that on 9-10, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Bernard Schatz

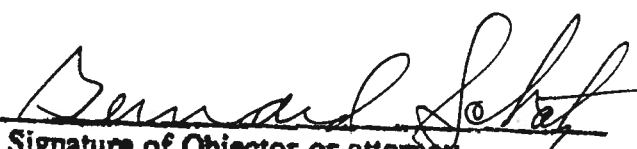
Address: 300B-15th St
Lewiston, ID 83501

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney
mailing on Objector's behalf

CLAIM NUMBER: AB6-10497, PARCEL NUMBER: 36N05W271910

"A" VERSION VERIFIED DATE: 8/13/90, VERIFIED BY: UF

"R" VERSION CREATED DATE: 8/13/90, VERIFIED DATE SET Y (☒) N (), BY: LF
5-6-90

REMARKS:

MICROFILMED
APR 27 1993

Water Right Number - A86-10497

[illegible]

*** C - CURRENT OWNER ***
SCHATZ

BERNARD

1 - 3808 - 15TH

State- ID Zip- 83501

City- LEWISTON
Phone - 208-743-0767

LINDA

State- ID Zip- 83501

City- LEWISTON
Phone - 208-743-0767

```

+ - - Priority Date - - +      + - - - Region - - - +      + - - - Stage - - - +      + - - - Status - - - +
                                18                                J - BENEFICIAL USE
                                03/10/1986

```

[illegible]

GROUNDWATER

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

(69) NEZ PERCE

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

43 - DOMESTIC

0.040

+ - Total Div. Rate	- +	+ - Total Div. Volume	- +	+ - Total Div. Capacity	- +	+ - Total Consumptive Use	- +	+ - KW Usage
0.040								

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

43 DOMESTIC

(69) NEZ PERCE

Total Acres:

+ - - Diversion Means - Well and Pump

+ - - Non-Irrigation Use - SALVAGE YARD

+ - - Other Rights for Same Use - NONE

+	APR	1964	Remarks
			THIS USE IS FOR DOMESTIC PURPOSES IN A SALVAGE YARD, BUSINESS PURPOSES

27 + Old Water Right Numbers - - - - - Old Water Right Numbers found.
5-13-90

$$5 - 13 = 90 \text{ dx}$$

Water right number - A86-10497	Adj. flag translation: Adjudication Temporary Work Area	
+ - - - -	- - - - - Conditions of Approval - - - - -	- - - - -
	No Conditions of Approval found.	
+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
+ - - - -	- - - - - Comments - - - - -	- - - - -
	No Comments Found	
+ - - Audit Fields - 08/16/89 TIPPETT 10/03/89 REFUNDML		
+ - - - -	- - - - - Adjudication Rights Dates and Flags Area - - - - -	- - - - -
	Court Report Filing - 00/00/0000	Civil Case Number - 39576
	Objection Filed Date - 00/00/0000	Old Case Number -
	Response Filed Date - 00/00/0000	Old Judicial District -
	Claim Received Date - 03/17/1989	Temporary Right - P
	Claims Tape Error Flg -	Water District -
	Fee Exempt Flag -	Federal/State Indicator - S
		Presumption Flag -
	Field Inspection Made - 00/00/0000	
	Field Inspection Flag -	
	Verified Date - 00/00/0000	
	Last Amended Date - 00/00/0000	
	Receipt Number - N002624	
	POU Ownership Flag - Y	
	Name Connector - OR	

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AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: OCT-24-1997

PAGE: A-190

RIGHT NUMBER: 86-10497

NAME & ADDRESS: BERNARD SCHATZ
LINDA SCHATZ
3808 15TH
LEWISTON ID 83501

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 03/10/1986

POINT OF DIVERSION: T36N R05W S27 SESWNE Within NEZ PERCE County

PURPOSE AND

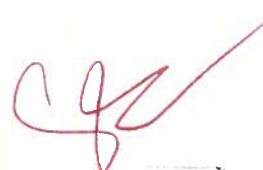
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC SALVAGE YARD	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within NEZ PERCE County
T36N R05W S27 SWNE

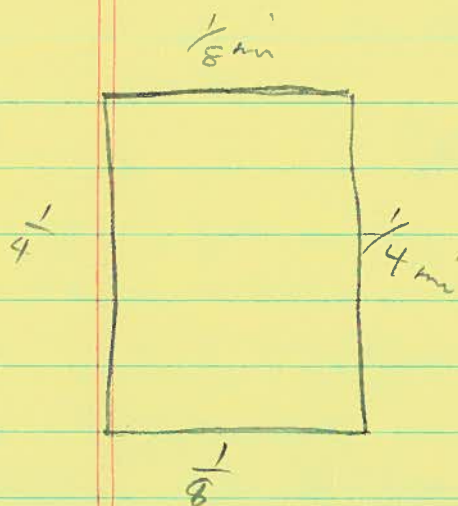
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim proved by: 

NOV 06 1997



(5280 x .75)

$$3960 \text{ ft} \times 3' \text{ wide} = 11,880 \text{ ft}^2$$

$$= .27 \text{ ac}$$

When did trees go in - How many
decimons?

W. H. K.

Deepened the well 7 yrs. ago

88 - 86

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

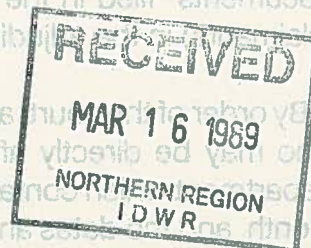
CIVIL CASE NUMBER: 39576

Ident. Number 486-10497

Date Received

Receipt Number W-2624

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Please type or print clearly

1. Name of Claimant (s) Bernard or Linda Schatz Phone (208) 743-0767Mailing Address 3808-15th, Lewiston, ID Zip 835012. Date of Priority (Only one (1) per claim) MARCH 10, 19863. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 36N Range 5W Section 27,
SE 1/4 of SW 1/4 of NE 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 & PUMP

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from JAN 1 to DEC 31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) SALVAGE YARD

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
36N	5W	27			D														

Total number of acres irrigated _____

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 ☒ 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. _____ or None (☒)

14. Remarks: THIS USE IS FOR DOMESTIC PURPOSES IN A SALVAGE YARD BUSINESS PURPOSES.

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Last Name _____ Ident No. A86-10497

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 _____ 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) X Linda L. Schatz Date 3/16/89

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 16 day of MARCH 19 89

SEAL

Notary Public Allen Beardsley

Residing at Rathbun

My Commission Expires 7/20/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

Address _____

Date _____

Last Name _____ Ident. Number A86-10497

Copies White-State, Yellow-Claimant

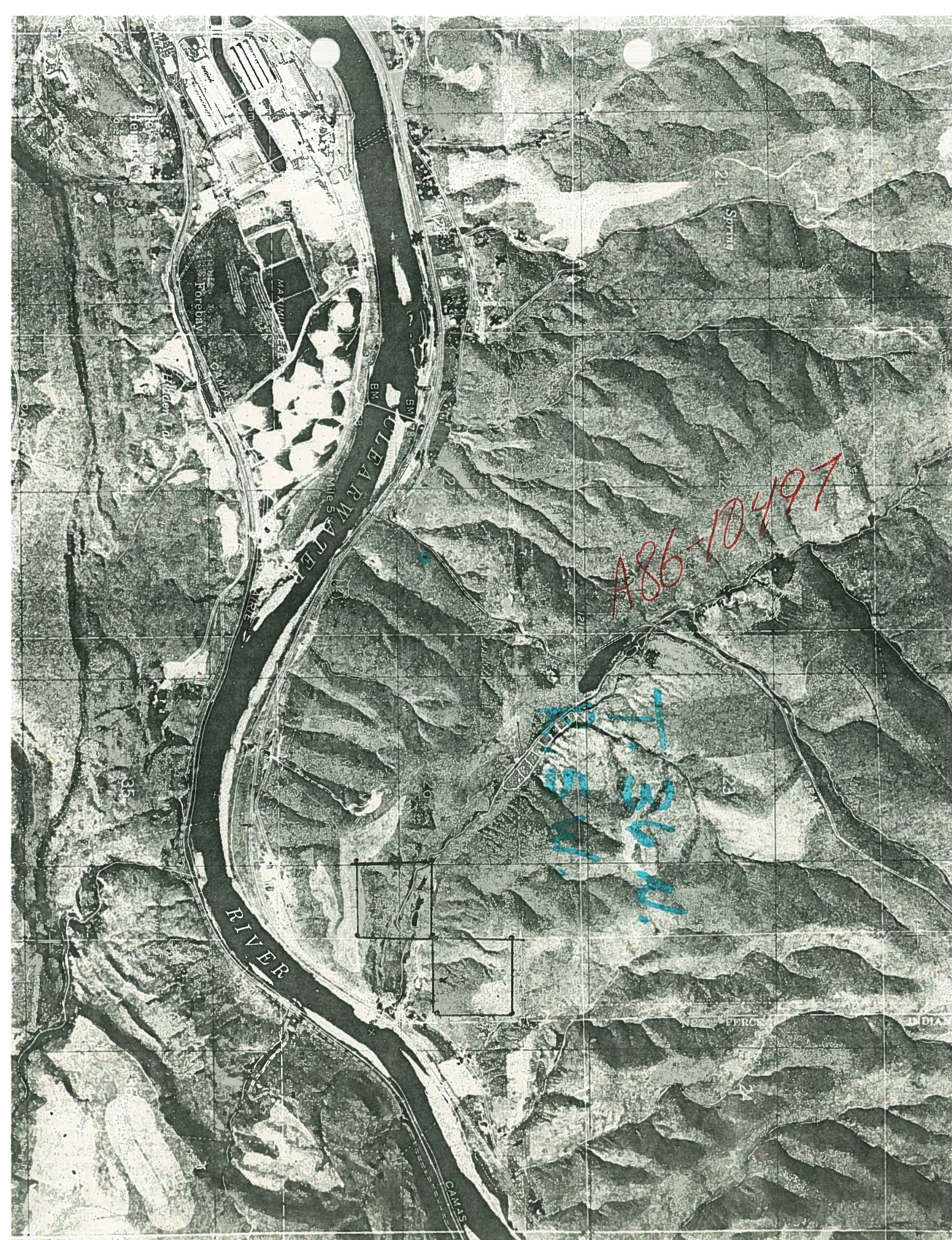
MICROFILMED
APR 27 1993

Scale: 2 inches equals 1 mile

A 16x16 grid of squares. Each square contains a crosshair pattern formed by two dashed lines intersecting at the center. The grid is composed of 16 columns and 16 rows of these squares.

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APR 27 1993

Copies: White-State, Yellow-Claimant



CLAIMANT'S NAME Bernard or Linda Schatz CLAIM NO. 486-10497
 DATE RECEIVED 3-16-89 CK # 5341 AMOUNT \$ 54.00

YES NO

1. Is the name and address complete with zip code? ☒ ☐
 2. Is priority date entered? ☒ ☐

Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
 A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). Use care if claim is returned. Refer to Adjudication Memos # 1 (Adj. Claims/Applications) and # 9 (Rejection of Claims). Explain in Comments.

3. (a) Is a source entered? ☒ ☐
 (b) Is a tributary to entered? (if required) ☒ ☐

4. Is the legal description of the p.d. complete? ☒ ☐

5. Is there a description of the diverting works? ☒ ☐

6. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form. ☒ ☐

Is the period of use included? ☒ ☐

Is a quantity claimed for each use? ☒ ☐

7. Is a total quantity claimed entered? ☒ ☐

8. Is the consumptive use correct? ☒ ☐

If required is a consumptive use entered? ☒ ☐

9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim. ☒ ☐

10. Is (are) the place(s) of use entered? ☒ ☐

11. Is (are) the county(ies) entered? ☒ ☐

12. Is the ownership of p.u. checked? ☒ ☐

13. Are other water rights listed or "none" checked? ☒ ☐

14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ ☐

15. Is the basis of the claim checked? ☒ ☐

16. Is the claim signed by the claimant?
 Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ ☐

- Has the claim been signed, sealed, and dated by a notary? ☒ ☐

- Is the fee enclosed correct? ☒ ☐

- If this claim is based on an existing water right, has the identification number been entered? ☒ ☐ N/A ☒

- Should this claim be receipted and data entered? ☒ ☐

Claim checked by: APR 27 1993

MICROFILMED
 APR 27 1993

Comments: X

N002624

3/17/1989

BERNARDS REPAIR & TOWING

ADJUDICATION FEE FOR BERNARD SCHATZ	410162	9337	6490	54.00
-------------------------------------	--------	------	------	-------

CHECK	5241		\$	54.00
-------	------	--	----	-------

A86-10497	-	Water Right Numbers	-	-
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Region: NORTHERN

Signature: _____

drip line around 18 acres
~~265774~~
dis * obj
fax 208 746-7164
86-70497
N002624