



IDAHO DEPARTMENT OF
WATER RESOURCES

Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763

Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 16, 2021

SCHWEITZER PROPERTIES LLC
C/O EDMUND O SCHWEITZER III
330 NW BRANDON DR
PULLMAN WA 99163

Dear Mr. Schweitzer:

This letter is regarding Notice of Claims to a Water Right numbered 87-7145 and 87-7146, received in this office on September 7, 2021.

All claims in Basin 87 for the Palouse River Basin water system have been submitted to the water court for decree. In order to file new claims in this basin, you must file through the courts.

Consequently, I am returning the claims, along with a form entitled "Motion to File a Late Notice of Claim" also known as an SF4. Once you have completed the SF4, you will need to return the two claims, along with an SF4 for each claim to the water court (as well as copies to several other entities). You will then receive further instructions from the court on when the Motions will be heard. Once that happens and the claims are approved for submittal, the court will send the claims to our Boise office for further review, and final court decree.

Please note:

1. The claim numbered 87-7145, for stock, wildlife and fire protection storage, was not submitted on the correct form (42-1409-2 vs 42-1409-1). I've prepared a new claim form, with the same information as you filed, and taken directly from our data base. A similar claim has been prepared for 87-7146. Please review both claims for accuracy, then sign and date under item 14. Also included is a copy of the original licenses to help in your review. If you need to make any corrections on the claims, cross out the old information add in the new, and initial and date each change. A map is enclosed, if there are any changes to the diversion or place of use please show on the map.

2. Claim filing fees - We received a total of \$50.00 equaling \$25.00 for each claim. However, the cost of the claims is as follows: 87-7146 is \$25.00 and 87-7145 is \$102.00. This is based on a \$25.00 flat rate for 87-7146 and for claim 87-7145; a \$50.00 flat rate, variable fee of \$2.00 for the separate water use quantities and a late fee of \$50.00 (there is no fee for fire protection or stock water storage). The filing date for these claims was September 15, 2020, hence the late fee. Consequently, we need an additional filing fee for claim 87-7145 of \$77.00

The filing instructions are listed on the SF4 form; however, my contact information is listed below, should you have any questions.

Sincerely,

Linda A. Werner

Water Resource Agent, Sr.

(208) 762-2802

linda.werner@idwr.idaho.gov

Enclosure(s): Original Notice of Claim to a Water Right (2), Copy of Licensed Rights, Motion to File a Late Notice of Claim (2), Prepared Notice of Claim to a Water Right number 87-7145 and 87-7146, Claim Instructions, Map

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 PALOUSE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 59576

Claim ID: 87-7145

Date Received: 9-7-2021

Receipt No: N037343

Claim Fee: 25.00 By: JL

RECEIVED SEP 07 2021

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

IDWR / NORTH

Please type or print clearly

1. Name of claimant(s) Schweitzer Properties LLC Phone (509) 332-8503
Mailing address 330 NW Brandon Drive Pullman WA Zip 99163
Street or Box City State

2. Date of priority: (Only one per claim) 04/02/1990 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (x) (a) SPRING
which is tributary to (b) SINKS

4. Location of point of diversion is: Township 40N, Range 05W, Section 28,
NE 1/4 of NE 1/4, or Govt. Lot BM, County of Latah;
Parcel no. RP40N05W280868

Additional points of diversion, if any:

If available, GPS coordinates:

5. Description of diverting works (wells, pumps, spring boxes, pipelines, 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.
1" pipe to pond by gravity, pond located SE 1/4 of SW 1/4 of SE 1/4 Section 21 Township 40 Range 5W

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)

For Stockwater & Storage purposes from 1/1 to 12/31 amount .01 cfs (x) or AFY ()
For Fire Protection & Wildlife purposes from 1/1 to 12/31 amount

7. Total quantity claimed 1.2 cfs () or AFY (x)

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Stockwater use is for potential livestock, wildlife, and fire protection storage

9. Location of place of use is: Township 04N, Range 05W, Section 21,
SW 1/4 of SE 1/4, Govt. Lot _____ BM, Parcel no. RP04N05W210751
If different than shown in Item 4

for (check one) **Domestic** () **Stock** (✓) **Domestic and Stock** ()

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? LATAH

11. Do you own the property listed above as place of use? Yes (✓) No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
87-07146 is for domestic use, but at the same place or None ()

13. Remarks (include an explanation of the priority date selected):
Original priority date established by Donald E. Morton

14. Basis of claim (check one) Beneficial Use () Posted Notice () License (✓) Permit () Decree ()
Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 87-07145

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Palouse River Basin Water System 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Managing Member of Schweitzer Properties LLC,
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 31 Aug 2021

Printed Name of Authorized Agent Edmund O. Schweitzer III

16. Notice of Appearance:

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on 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 _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

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 PALOUSE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 59576

Claim ID: 87-7146

Date Received: 9-7-2021

Receipt No: N037343

Claim Fee: 25.90 By: JA

RECEIVED SEP 07 2021 IDWR / NORTH

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW For Domestic and/or Stockwater Purposes Where Daily Use is less than 13,000 gallons per day

Please type or print clearly

1. Name of claimant(s) Schweitzer Properties LLC Phone (509) 332-8503 Mailing address 330 NW Brandon Drive Pullman WA Zip 99163 Street or Box City State Email address (optional)

2. Date of priority: (Only one per claim) 04/02/1990 (Explain priority date selected in Remarks) Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (checked) (a) SPRING which is tributary to (b) SINKS

4. Location of point of diversion is: Township 40N, Range 05W, Section 21 NE 1/4 of NE 1/4, or Govt. Lot BM, County of Latah Parcel no. RP40N05W210751

Additional points of diversion, if any: If available, GPS coordinates:

5. Description of diverting works (wells, pumps, spring boxes, pipelines, 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. 5,000 gal reservoir from spring supplying domestic use for one home and stockwater

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions) For Stockwater purposes from 1/1 to 12/31 amount .01 cfs (checked) or AFY () For Domestic purposes from 1/1 to 12/31 amount .01

7. Total quantity claimed 1.3 cfs () or AFY (checked)

8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind) Stockwater use is for potential livestock, Domestic for one home

9. Location of place of use is: Township 04N, Range 05W, Section 21,
NW 1/4 of SE 1/4, Govt. Lot _____ BM, Parcel no. _____
If different than shown in Item 4

for (check one) **Domestic** () **Stock** () **Domestic and Stock** ()

Additional places of use, if any 40N 05W 21 NE SE

10. In which county(ies) are lands listed above as place of use located? LATAH

11. Do you own the property listed above as place of use? Yes () No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

87-07145 is for stockwater use at the same place or None ()

13. Remarks (include an explanation of the priority date selected):

Original priority date established by Donald E. Morton

14. Basis of claim (check one) Beneficial Use () Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 87-07146

15. **Signature(s)**

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(b.) I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Managing Member of Schweitzer Properties LLC,

Agent's title (Please print)

Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent  Date 31 Aug 2021

Printed Name of Authorized Agent Edmund O. Schweitzer III

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on 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 _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

