



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 9, 2020

JIM SCHWARTZ
MARTHA SCHWARTZ
3500 ELMORE RD
PARMA, ID 83660-6201

RE: Application for Permit No. 63-34820

Dear Applicant(s):

A legal notice of the application has been prepared and is scheduled for re-publication in the INDEPENDENT ENTERPRISE on 4/15/2020 and 4/22/2020 due to an advertising error. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Thorneycroft, Kensie

From: Thorneycroft, Kensie
Sent: Thursday, April 09, 2020 11:03 AM
To: 'legals@ind-ent.com'
Subject: Payette Legal Notice
Attachments: CoverLetter.docx; LegalNotice.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Legal Clerk,

I am sending you the new legal notices, please send confirmation to my email.

Please see the attached ad for publication on 04/15/2020 and 04/22/2020.

Please confirm these are okay to publish as shown.

Kensie Thorneycroft
Administrative Assistant 1
Idaho Dept. of Water Resources
208-334-2190



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN Region • 2735 W AIRPORT WAY • BOISE, ID 83705-5082

Phone: (208)334-2190 • Fax: (208)334-2348 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

April 9, 2020

LEGAL NOTICE DEPARTMENT
INDEPENDENT ENTERPRISE
124 S MAIN
PAYETTE, ID 83661

RE: Application for Permit No. 63-34820

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 5/4/2020. Your cooperation is appreciated.

Sincerely,

Kensie Thorneycroft
Administrative Assistant

Enclosure(s)

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-34820

JIM SCHWARTZ

MARTHA SCHWARTZ

3500 ELMORE RD

PARMA, ID 83660-6201

Point of Diversion L4(NWNW) S1 T06N R05W PAYETTE County Source GROUND WATER

Point of Diversion L3(NENW) S1 T06N R05W PAYETTE County Source GROUND WATER

Use: IRRIGATION 03/01 to 11/15 0.26 CFS

Use: FISH PROPAGATION 01/01 to 12/31 1.1 CFS

Use: COMMERCIAL 01/01 to 12/31 1.1 CFS

Use: FISH PROPAGATION STORAGE 01/01 to 12/31 90.5 AF

Use: COMMERCIAL STORAGE 01/01 to 12/31 90.5 AF

Use: DIVERSION TO STORAGE 01/01 to 12/31 1.36 CFS

Total Diversion: 1.36 CFS 90.5 AF

Date Filed: 11-13-2019

Place Of Use: COMMERCIAL,COMMERCIAL STORAGE,DIVERSION TO STORAGE,FISH PROPAGATION,FISH PROPAGATION STORAGE,IRRIGATION

T06N R05W S1 L4(NWNW)

Place Of Use: COMMERCIAL,COMMERCIAL STORAGE,DIVERSION TO STORAGE,FISH PROPAGATION,FISH PROPAGATION STORAGE

T07N R05W S36 SWSW

Total Acres: 13

Water bearing zone to be appropriated is from 350 to 450 feet.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the Western office at (208)334-2190; or for a full description of the right(s), please see <https://idwr.idaho.gov/apps/ExtSearch/WRAApplicationResults/>. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 W AIRPORT WAY, BOISE ID 83705-5082 together with a protest fee of \$25.00 for each application on or before 5/4/2020. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 4/15/2020 and 4/22/2020


FEB 14 2020

WATER RESOURCES
WESTERN REGION

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Payette }Melissa Swetland
Of Payette, Payette County, Idaho, being
First duly sworn, deposes and says:

- 1) That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not party to the above entitled action.
- 2) That I am the representative of the Independent Enterprise, a weekly newspaper published in the County of Payette and State of Idaho; that the said newspaper is in general circulation in the said County of Payette, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
- 3) That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
02/05/2020 02/12/2020Legal # 259530
WATER RIGHTS 63-34820
L-259530State of Idaho }
County of Payette }On this 12th day of February in the year 2020
Before me a Notary Public personally appeared.
Melissa Swetland, known or identified to me to be
the person whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.
Notary Public for Idaho
Residing at Payette County
My Commission expires *

November 4, 2025

YVONNE DEE LEE
Notary Public - State of Idaho
Commission Number 62548
My Commission Expires Nov 4, 2025The following application
has been filed to
appropriate the public
waters of the State of Idaho:

63-34820

JIM SCHWARTZ

MARTHA SCHWARTZ

3500 ELMORE RD

PARMA, ID 83660-6201

Point of Diversion L4

(NWNW) S1 T06N R05W

PAYETTE County Source

GROUND WATER

Point of Diversion L3

(NENW) S1 T06N R05W

PAYETTE County Source

GROUND WATER

Use: COMMERCIAL 01/01

to 12/31 1.1 CFS

Use: COMMERCIAL

STORAGE 01/01 to 12/31

90.5 AF

Use: DIVERSION TO

STORAGE 01/01 to 12/31

1.36 CFS

Use: FISH PROPAGATION

01/01 to 12/31 1.1 CFS

Use: FISH PROPAGATION

STORAGE 01/01 to 12/31

90.5 AF

Use: IRRIGATION 03/01 to

11/15 0.26 CFS

Total Diversion: 1.36 CFS,

90.5 AF

Date Filed: 11/13/2019

Place Of Use: IRRIGATION

T06N R05W S1 L4(NWNW)

Place Of Use: FISH

PROPAGATION, FISH

PROPAGATION STORAGE,

COMMERCIAL,

COMMERCIAL STORAGE,

DIVERSION TO STORAGE

T06N R05W S1 L4(NWNW)

T06N R05W S86 L3

Actually T07N not

T06N.

Permits will be subject to all
prior water rights. For addi-
tional information concern-
ing the property location,
contact Western Region of-
fice at (208) 334-2190; or
for a full description of the
right(s), please see www.id-
wr.idaho.gov. Protests may
be submitted based on the
criteria of Idaho Code
§ 42-203A. Any protest
against the approval of the
application(s) must be filed
with the Director, Dept. of
Water Resources, Western
Region, 2735 Airport Way,
Boise ID 83705 together
with a protest fee of \$25.00
for each application on or
before 02/24/2020. The
protestant must also send a
copy of the protest to the
applicant.GARY SPACKMAN, Director
Published on 2/5/2020 and
2/12/2020Legal Number 259530
February 5, 12, 2020