

Agreement

POOR QUALITY ORIGINAL

This is to authorize (as far as the undersigned are concerned) Mr. Harold Debenham and Mr. Willard C. Quinn to re-work and develop the natural spring on our property, Gov. Lot #4, Sec. 4, Township 47 N, Range 4 WBM.

It is understood that Mr. Quinn and Mr. Debenham will develop the spring in such a way as to consolidate the flow into one channel and create a reservoir that will store water for the use of all the property owners of Cotton-wood Bay Colony, by taping the reservoir and piping the flow to the road-side in the vicinity that it is now flowing. Mr. Quinn and Mr. Debenham in return shall have exclusive permission to tap and run pipes to their property and to use the overflow from this said reservoir. Maintaining of the reservoir and pipes will be the responsibility of these two parties or by arrangements they are able to make with the other property owners.

It is also understood that the tap at the road-side shall have connection means so that a hose or such can be attached to gain the maximum use of the water in case of fire.

We shall--and do request that all the property owners help as best they can to keep this equipment in good order by not abusing it or contaminating the water in any way.

Signed December 13, 1962

Paul Stewey
Harold Debenham

RECEIVED
DEC 14 1962
NORTH DAKOTA
COUNTY CLERK

RECEIVED
DEC 14 1962
NORTH DAKOTA
COUNTY CLERK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that ROBERT DEE or LYNN E. SCHWENDIMAN
(Name of Claimant)
SE 1100 SPRING ST PULLMAN, WASH 99163 Telephone No (509) 334-1300
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1965

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 is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
NO NAME SPRING tributary to SINKS

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.04</u>		Use <u>DOMESTIC</u>		Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

(4) TOTAL QUANTITY USED.

(5) A) Point of diversion: (Location of point where water is diverted from its source)
1/4 Sec. 4 Twp. 47N Rge. 4W B.M., County of KOOTENAI
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. Describe any changes in the system and give the date of the change. RESERVOIR AND PIPELINE

(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.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>47N</u>	<u>4W</u>	<u>4</u>			<u>64</u> <u>X</u>														

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: DOMESTIC FOR ONE HOME

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

I am a member to hand through

[illegible]

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.

Kostenau

attendant's knowledge.

25 day of May

1983
(Claimant)

Erfolgreich

Exception filed by: 5/21/83

Date _____

Exception filed 5/21/83
#21022

9/10/6
C2/10/1

AFFIDAVIT OF PUBLICATION

JUN 20 1983

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

94-4183
DAMIANO, DAVID A.
14323 WILLOW RD., MEAD, WA 99021

Source: BELL CREEK trib. to ANDERSON LAKE
Priority Date: 07/01/1969
Diversion Pt: SWNE Sec 06 T 47N R 03W
Use: IRRIGATION (0.1330 CFS)
In: SWNE NWNE Sec 06 T 47N R 03W FOR 15 ACRES

95-4608
VAN KLEECK, DONALD A. &/or DOROTHY E.
W. 2350 HWY. 96, COEUR D ALENE, ID 83814

Source: COEUR D ALENE LAKE trib. to SPOKANE RIVER
Priority Date: 01/01/1900
Diversion Pt: LOT 02 Sec 15 T 50N R 04W
Use: IRRIGATION (0.20 CFS)
In: LOT 02 Sec 15 T 50N R 04W FOR 7 ACRES

95-4611
OGG, EVA S.
N. 606 LAKEVIEW DR., COEUR D ALENE, ID 83814

Source: SPRING trib. to SINKS
Priority Date: 01/01/1961
Diversion Pt: NESE Sec 15 T 50N R 04W
Use: DOMESTIC (0.04 CFS)
In: LOT 01 Sec 14 T 50N R 04W

95-4613
WHITE, DARREL &/or KATHY E.
8300 CORBIN HILL RD., HAYDEN LAKE, ID 83835

Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1938
Diversion Pt: SWNW Sec 09 T 52N R 03W
Use: DOMESTIC (0.04 CFS)
In: NWNW Sec 09 T 52N R 03W

95-4614
FINCH, IVALEE
N. 2981 IVALEE DR., POST FALLS, ID 83854

Source: GROUNDWATER
Priority Date: 01/01/1948
Diversion Pt: LOT 04 (NENE) Sec 06 T 50N R 04W
Use: DOMESTIC (0.08 CFS)
In: LOT 04 (NENE) Sec 06 T 50N R 04W

95-4615
KIESBUY, DON
2914 FERNAN HILL RD., COEUR D ALENE, ID 83814

Source: GROUNDWATER
Priority Date: 01/01/1900
Diversion Pt: LOT 04 Sec 04 T 51N R 05W
Use: DOMESTIC (0.04 CFS)
In: LOT 04 Sec 04 T 51N R 05W

STATE OF IDAHO,
County of Kootenai,

} ss.

Department of Water Resources
Northern District Office

Carol Hedge being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The *Notice*

of which the annexed is a printed copy, was published in the regular issue of said newspaper for *2* consecutive *weeks* commencing on the *9* day of *June*, 19*83* and ending on the *16* day of *June*, 19*83*, and such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this *16* day of *June*, 19*83*.

Roberta Stanley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

95-4616
JESSICK, EARL L. &/or JEANNE &/or ROSE MARY
W. 1620 BLACKWELL RD., COEUR D ALENE, ID 83814

Source: SPRING trib. to COEUR D ALENE LAKE
Priority Date: 01/01/1947
Diversion Pt: NESE Sec 15 T 50N R 04W
Use: DOMESTIC (0.08 CFS)
In: NESE Sec 15 T 50N R 04W

95-4617
SCHWENDIMAN, ROBERT DEE &/or LYNN E.
S. E. 1100 SPRING ST., PULLMAN, WA 99163

Source: SPRING trib. to SINKS
Priority Date: 01/01/1965
Diversion Pt: LOT 04 Sec 04 T 47N R 04W
Use: DOMESTIC (0.04 CFS)
In: LOT 04 Sec 04 T 47N R 04W

95-4618
PRAIRIE WATER ASSN.
C/O JOE ZELLER, E. 2670 HUCKLEBERRY LN, POST FALLS, ID 83854

Source: GROUNDWATER
Priority Date: 01/01/1959
Diversion Pt: NWSW Sec 25 T 51N R 05W
Use: IRRIGATION (2.50 CFS)
In: SWNW NESW NWSW SWSW Sec 25 T 51N R 05W SENE Sec 26 T 51N R 05W FOR 220 ACRES

95-4619
HULL, PAUL F.
STAR RT., COEUR D ALENE, ID 83814

Source: SPRING trib. to KIDD ISLAND CREEK
Priority Date: 09/01/1964
Diversion Pt: SWNW Sec 02 T 49N R 04W
Use: IRRIGATION (0.08 CFS); STOCKWATER (0.08 CFS); DOMESTIC (0.08 CFS)
In: SENW Sec 02 T 49N R 04W SWNW SENW Sec 02 T 49N R 04W FOR 1 ACRES

95-4620
STROPE, FLEETA I
P. O. BOX 136, SILVERTON, ID 83867

Source: COEUR D ALENE LAKE trib. to SPOKANE RIVER
Priority Date: 06/01/1945
Diversion Pt: LOT 04 Sec 06 T 48N R 03W
Use: DOMESTIC (0.06 CFS)
In: LOT 04 Sec 06 T 48N R 03W

95-4621
POINTNER, JOHN C. &/or CALLIE S.
601 LAKESIDE AVE., COEUR D ALENE, ID 83814

Source: COEUR D ALENE LAKE trib. to SPOKANE RIVER
Priority Date: 01/01/1964
Diversion Pt: SWNW Sec 22 T 50N R 04W
Use: FIRE PROTECTION (2.80 CFS)
In: SWNW Sec 22 T 50N R 04W

95-4622
KYLE, ALLAN D.
RT. 1 BOX 93, ATHOL, ID 83801

Source: UNNAMED STREAM trib. to SAGE CREEK
Priority Date: 01/01/1910
Diversion Pt: NESE Sec 35 T 53N R 03W
Use: IRRIGATION (0.06 CFS); STOCKWATER (0.0150 CFS); DOMESTIC (0.06 CFS)
In: NWNE SWNE Sec 35 T 53N R 03W SENE Sec 35 T 53N R 03W NWNE SWNE Sec 35 T 53N R 03W FOR 3 ACRES

95-4623
SWARTZ, DON H.
P. O. DRAWER AM, MOSES LAKE, WA 98837

Source: COEUR D ALENE LAKE trib. to SPOKANE RIVER
Priority Date: 01/01/1911
Diversion Pt: NWNW Sec 10 T 49N R 04W
Use: IRRIGATION (0.40 CFS); DOMESTIC (0.04 CFS)
In: NENE Sec 09 T 49N R 04W NWNW Sec 10 T 49N R 04W FOR 4 ACRES

FALLS, ID 83864
Source: GROUNDWATER
Priority Date: 01/01/1941
Diversion Pt: NENW Sec 10 T 50N R 05W
Use: IRRIGATION (0.27 CFS); DOMESTIC (0.16 CFS)
In: NENW Sec 10 T 50N R 05W FOR 2 ACRES

95-4412
BROOKE, MARCELLA
1321 WEBSTER AVE., PALO ALTO, CA 94301

Source: SPIRIT LAKE trib. to SPIRIT CREEK
Priority Date: 01/01/1918
Diversion Pt: LOT 06 Sec 07 T 53N R 04W
Use: IRRIGATION (0.03 CFS); DOMESTIC (0.08 CFS)
In: LOT 06 Sec 07 T 53N R 04W FOR 1 ACRES

95-4421
KYLE, ALLAN D.
RT. 1 BOX 93, ATHOL, ID 83801

Source: SAGE CREEK trib. to SINKS
Priority Date: 01/01/1962
Diversion Pt: SENE SWNE Sec 35 T 53N R 03W
Use: IRRIGATION (1.80 CFS); STOCKWATER (0.05 CFS)
In: NENE SWNE SENE NWSE Sec 35 T 53N R 03W SENE SENE Sec 35 T 53N R 03W FOR 90 ACRES

95-4428
OSTEYEE, MONTE
RT. 1 BOX 102A, ATHOL, ID 83801

Source: SPRING trib. to SINKS
Priority Date: 01/01/1980
Diversion Pt: SWNE Sec 03 T 52N R 03W
Use: IRRIGATION (0.06 CFS); STOCKWATER (0.02 CFS); DOMESTIC (0.04 CFS)
In: SESW Sec 34 T 53N R 03W FOR 2 ACRES
Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4066 Gov't Way, Coeur d'Alene, ID. 83814.
KEN DUNN, Dir.

FILED

agreement

This is to authorize (as far as the undersigned are concerned) Mr. Harold Debenham and Mr. Willard C. Quinn to re-work and develop the natural spring on our property, Gov. Lot #4, Sec. 4, Township 47 N. Range 4 W. 34.

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Signed December 13, 1963

Harold Debenham
Willard C. Quinn

12 13 1963
RECEIVED
COTTONWOOD BAY COLONY

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: RYA

Right Number 95-4617 Applicant Schwandman

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By [Signature] Date 7/11/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By RC Date 7/18/83

RECEIVED

RECEIVED
JUL 18 1983
Department of Water Resources

95-4617

CHWENDIMAN, ROBERT DEE &/or LYNN E.

.E. 1100 SPRING ST., PULLMAN, WA 99163

Source: SPRING trib. to SINKS

Priority Date: 01/01/1965

Diversion Pt: LOT 04 Sec 04 T 47N R 04W

Use: DOMESTIC (0.04 CFS)

In: LOT 04 Sec 04 T 47N R 04W

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

JUNE 27, 1983

ROBERT DEE SCHWENDIMAN
LYNN E. SCHWENDIMAN
S.E. 1100 SPRING ST.
PULLMAN WA 99163

RE: Claim No. 95-4617

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure