

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.
Raelene Thornton

NOTICE OF CLAIM TO A WATER RIGHT NO. 86-4045

Notice is hereby given that Wayne D. Schwenne, Rt. 2, Box 64, Genesee, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 45 gallons per minute of water from a groundwater source with point of diversion in the SW 1/4 SW 1/4 Sec 19, T37N, R5W, B.M., Nez Perce County.

The water is claimed to be used from Jan. 1 to Dec. 1 for domestic (5 gpm) and stock water (5 gpm) purposes and from April 1 to Nov. 1 for the irrigation of 1 acre (5 gpm) with a priority of August, 1959; the place of use is within the SW 1/4 SW 1/4 Sec 19, T37N, R5W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.
C. STEPHEN ALLRED,
Director

_____, being duly sworn deposes and says, I am the Classified Bookkeeper of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the Notice of claim to a water right attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 6 day of October, A. D. 1977, and the last publication thereof being on the 13 day of October, A. D. 1977, and said Notice of claim to a water right was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Raelene Thornton

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
13 day of October, 1977.

Rauletta J. Hamilton

Notary Public in and for the State of Idaho
residing at Lewiston, therein.

NOTICE OF CLAIM TO A WATER RIGHT

NO. 86-4045

Notice is hereby given that Wayne D Schwenne
Rt 2 Box 64, Genesee, Id
has filed a claim to a water right established by diversion and application
to beneficial use of 15 ~~cubic feet per second~~ gallons per minute
of water from a groundwater source
with point of diversion in the SW₄SW₄ Sec 19, T37N, R5W, B.M., Nez Perce
County.

The water is claimed to be used from Jan 1 to Dec 1 for domestic (5 gpm)
and stockwater (5 gpm) purposes and from April 1 to Nov 1 for the irrigation
of 1 acre (5 pgm)
with a priority of August, 1959 ;
the place of use is within the SW₄SW₄ Sec 19, T37N, R5W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

C. STEPHEN ALLRED
Director

Published in the Lewiston Morning Tribune, Lewiston, Id
on October 6 and October 13, 1977

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D'ALENE, IDAHO 83814

September 23, 1977

RE: Claims No. 86-4045 & 86-4046

Wayne D Schwenne
Rt 2 Box 64
Genessee, Id 83832

Dear Mr Schwenne,

Attached is your receipt No. 9410 in the amount of \$20.00 for the filing fee on the above referenced item which was received in this office.

Sincerely,

Alea Beito
Secretary

AB

Attachment

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Wayne D. Schwenne (name of claimant)
of Rt. 2 Box 64, Genesee, Idaho 83832, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Ground water
_____, tributary to _____
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | |
|---------------------|----------------------------|---|
| Amount <u>5 gpm</u> | Use <u>Dom.</u> | Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u> |
| Amount <u>5 gpm</u> | Use <u>Irri.</u> | Period of Use: From <u>Apr. 1</u> To <u>Nov. 1</u> |
| Amount <u>5 gpm</u> | Use <u>Stock</u> | Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u> |
| (cfs, gpm or a/f) | (dom., irri., stock, etc.) | (both dates inclusive) |
- (3) Total quantity of water claimed: _____ cubic feet per second, or _____ acre feet per annum, and/or 15 gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) Aug. 1959

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW ¼ SW ¼, Sec. 19 Twp. 37 N Rge. 5 W B. M. County of Nez Perce
Additional points of diversion: None

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. Pump in pit, 500' of 1" pipeline from well to house, other buildings and outside hydrants.

- (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	
37N	5W	19											X						1

Total No. of acres 1

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Used also for household and livestock. Used to water about 100 head of cattle and 1 house

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

Well
Land irri.

24 19
25 30

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.

State of Idaho)
County of Blaine) ss.
Blaine)

Sworn to before me this 24 day of September, 1977
Wayne O. Schuman
 (Claimant)

Residing at

My commission expires February 1979

For Department Use Only

Received by <u>B. (man)</u>	Date <u>9-22-77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>SR</u>	Date <u>9-27-77</u>		claimant by:	
\$10.00 fee received by <u>B</u>	Date <u>9-28-77 (94/10)</u>			
Approved for publication by <u>B</u>	<u>9-28-77</u>			
Published in <u>San Antonio Morning</u>	<u>News</u>			
Dates <u>10-8-77</u>				
<u>10-14-77</u>				

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.
Raelene Thornton

NOTICE OF CLAIM TO A WATER RIGHT NO. 28-4045

Notice is hereby given that Wayne D. Schenck, Rt. 2, Box 84, Genesee, Idaho, has filed a claim to a water right established by diversion of water from a beneficial use of 100,000 gallons per minute from a point of diversion on the Sec 18, T37N, R5W, Nez Perce County, Idaho.

The water is to be used from the domestic (5 gpm) to Nov. 1 for 1 acre (5 gpm) from August 1977 within the SW 1/4, T37N, R5W, B.1E.

All of this claim of water right was filed with the Idaho Department of Water Resources, 1555 Government Way, Coeur d'Alene, Idaho 83814.
C. STEPHEN ALLRED,
Director

_____, being duly sworn deposes and says, I am the Classified Bookkeeper of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the Notice of claim to a water right attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 6 day of October, A. D. 19 77, and the last publication thereof being on the 13 day of October, A. D. 19 77, and said Notice of claim to a water right was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Raelene Thornton

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

13 day of October, 19 77.

Paulitta J. Hamilton

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D'ALENE, IDAHO 83814

October 17, 1977

RE: Claims No. 86-4045 & 86-4046

Wayne D Schwenne
Rt 2 Box 64
Genesee, Id 83832

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:ab

Enclosure

RECORDED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

September 29, 1977

RE: Claims No. 86-4045 & 86-4046

Lewiston Morning Tribune
505 C Street
Lewiston, Id 83501

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

Bill received
10-19-77
\$

NOTICE OF CLAIM TO A WATER RIGHT

NO. 86-4045

Notice is hereby given that Wayne D Schwenne

Rt 2 Box 64, Genesee, Id

has filed a claim to a water right established by diversion and application
to beneficial use of 15 ~~XXXXXX XXXX XXXX XXXX XXXX~~ gallons per minute
of water from a groundwater source

with point of diversion in the SW₁SW₄ Sec 19, T37N, R5W, B.M., Nez Perce
County

The water is claimed to be used from Jan 1 to Dec 1 for domestic (5 gpm)
and stockwater (5 gpm) purposes and from April 1 to Nov 1 for the irrigation
of 1 acre (5 gpm)

with a priority of August, 1959 ;
the place of use is within the SW₁SW₄ Sec 19, T37N, R5W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

C. STEPHEN ALLRED
Director

Published in the Lewiston Morning Tribune, Lewiston, Id
on October 6 and October 13, 1977



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT
4055 Government Way
667-6484

COEUR D'ALENE, IDAHO 83814

September 28, 1977

RE: Claims No. 86-4045 & 86-4046

Wayne J Schwenne
Rt 2 Box 64
Genessee, Id 83832

Dear Mr Schwenne,

Attached is your receipt No. 9410 in the amount of \$20.00 for the filing fee on the above referenced item which was received in this office.

Sincerely,

Alea Beito
Secretary

AB

Attachment

RECEIVED
SEP 29 1977
NORTH DISTRICT
DEPT. OF WATER RESOURCES
COEUR D'ALENE, IDAHO

September 2, 1977

Re: Claim to a Water Right

Mr. Wayne D. Schwenne
Rt. 2, Box 64
Genesee, ID 83832

Dear Mr. Schwenne:

I am herewith returning your Claims to a Water Right. Before they can be accepted a \$10.00 filing fee must accompany each one.

The Claim for stockwater from Cow Creek is acceptable in its present form, however, the other Claim is vague and possibly misleading.

As you are aware, the Claim is your sworn statement of Water Rights that are at this time valid. To be of any value to you the claim must be specific as to uses, amounts and places used. Because of the number of changes, I feel it would be best to fill out a new form. Therefore I have enclosed a blank form for your convenience. The following items need to be included or changed to clarify your Claim.

1. Item # 1. List source and stream to which it is tributary. If it is a well, place "groundwater" in the space provided. Only one source can be claimed on a form unless the sources share a common system.
2. Item # 2. List each use individually and the quantity of water diverted for each one. I believe it should appear in this fashion:

Amount	0.02 cfs domestic from	Jan 1 to Dec 31
Amount	0.02 cfs stockwater from	Jan 1 to Dec 31
Amount	0.02 cfs irrigation from	April 1 to November 1
3. Item # 3. A total of 0.06 cfs should be claimed. (This is equal to approximately 25 gpm). If you feel this is more water than you are using, feel free to lower each amount appropriately.

September 2, 1977
Page 2.
Wayne D. Schwenne

4. Item # 6. a. List the number of houses, even if only one. The number of cattle should be listed as you did origionally.

If this office can be of any further assistance, please do not hesitate to contact us.

Sincerely,

TOM KING
Senior Water Resource Agent

TK/sdw

Enclosure