

Range 17 E 13 N

Township
7
South

9

Domestic Well

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Breda Belmar
(Applicant)

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 4 1969

State of Idaho, }
County of Jerome } SS.

Department of Reclamation

Alan P. Meucher

being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 6th day of Feb, 1969, and the date of the last publication was on the 13 day of Feb, 1969.

Alan P. Meucher

Subscribed and sworn to before me this 24th

day of February, 1969.
(SEAL)

Alice T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>23</u>	
Number of Insertions	<u>2</u>	
<u>23</u> Lines at 15c		<u>345</u>
<u>23</u> Lines at 10c		<u>230</u>
TOTAL COST		<u>5.75</u>

COPY OF NOTICE

(Paste Here)

Notice of Application for Water
TITLE OF NOTICE App. # 36-7051

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Reclamation
Fred A. Schwartz
BILL TO

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Fred A. Schwartz, 1227 Lynwood Mall, Twin Falls, Idaho has on January 15, 1969 applied for permit to divert .02 cubic feet per second of water from a ground water source under application No. 36-7051. Water will be diverted by a well, pump, and septic tank within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 9, T. 7 S. R. 17 E. B.M., Jerome County and is to be used from January 1 to December 31 for domestic use in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 9, T. 7 S. R. 17 E. B.M..
Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.
2-6-2tc

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive	
insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	
insertions	10c

No 2557

36 7051

WATER LICENSE

Water License No. 36-7051 Priority January 15, 1969 Amount 0.02 c.f.s.

THIS IS TO CERTIFY, that FRED A. SCHWARTZ
of Twin Falls, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated January 15, 1969; that Permit 36-7051 was issued pursuant
to said application; that the proposed works were completed on or about May 5, 1969,
with a storage/or carrying capacity of 0.02 c.f.s., said works consisting of
well, pump, and septic tank; and that on May 9, 1969,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 0.57
acre feet per season, with a maximum rate of diversion of 0.02 cubic feet per second of the waters
of ground-water, tributary of _____,
for the purpose of Domestic from January 1 to December 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9, T. 7 S, R. 17 E, B.M., and
other additional points _____, in the County of
Jerome; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 0.57 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
7 S	17 E	9																X	

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

9th day of June, 19 70.

[Signature]
State Reclamation Engineer

36 7051

36-7051

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

*rec'd
May 1969*

1. a) Name of Permit Holder Fred A. Schwartz ✓
b) Post Office Address 1227 Lynwood Mall, Twin Falls, Idaho 83301 ✓
2. Permit Number 36-7051 ✓
3. Date of Priority that you are prepared to establish January 15, 1969 ✓
4. a) Source from which water was appropriated Underground - well ✓
b) Location of the point of diversion: SE $\frac{1}{4}$ ✓ $\frac{1}{4}$ SE $\frac{1}{4}$ ✓ $\frac{1}{4}$, Section 9 ✓
Township 7 S. ✓, Range 17 East, Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
amount .02 cfs for domestic purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: Not applicable
b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Subterranean source - ✓
3 h.p. pump - 20 gal. per min. - 6 in. casing; well casing, 8 ft. 6"
casing; depth of well 400 ft. - water stands at 310 ft.

- b) Describe the type and size of measuring device which you have installed at your point of diversion: None

- c) Give well drillers name and address and date the well was completed Ralph C. Denton,
Drilling Contractor, Murtaugh, Idaho - 10-6-65 ✓

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Domestic use

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

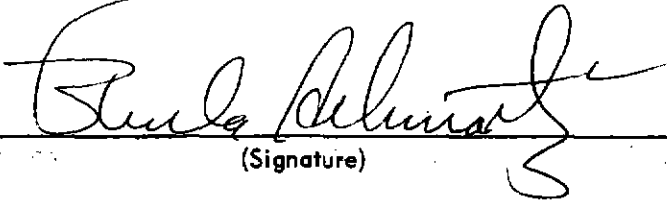
TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	

Total number of acres irrigated

10. Remarks:

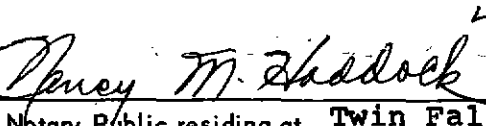
The above information is a true statement of the extent to which the above numbered permit has been developed.

5-5-69
(Date)


(Signature)

State of Idaho)
County of Twin Falls ss.)

On this 8th day of May, 19 69, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.


Notary Public residing at Twin Falls, Idaho.

My commission expires Aug. 13, 1972

Identification No. 36-7051
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Fred A. Schwartz
post office address 1227 Lynwood Mall, Twin Falls, Idaho 83301
2. Source of water supply Underground which is a tributary of _____
3. a. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 7 S.
Range 17 E. B.M. Jerome County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .02^{cfs} for domestic purpose from Jan 1st to Dec. 31st (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .02 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Domestic well, pump and septic tank.

- b. Not applicable
Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 6 inches; proposed depth of well is 350 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years. Works are already completed
b. Estimated construction cost is \$ 2575.00
8. Description of proposed uses:
a. If water is **not** for irrigation: _____
(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9 Township 7 S.,
Range 17 E. B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.
(5) If water is to be used for other purposes describe: Domestic use

36 7051

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below: Not applicable.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes None

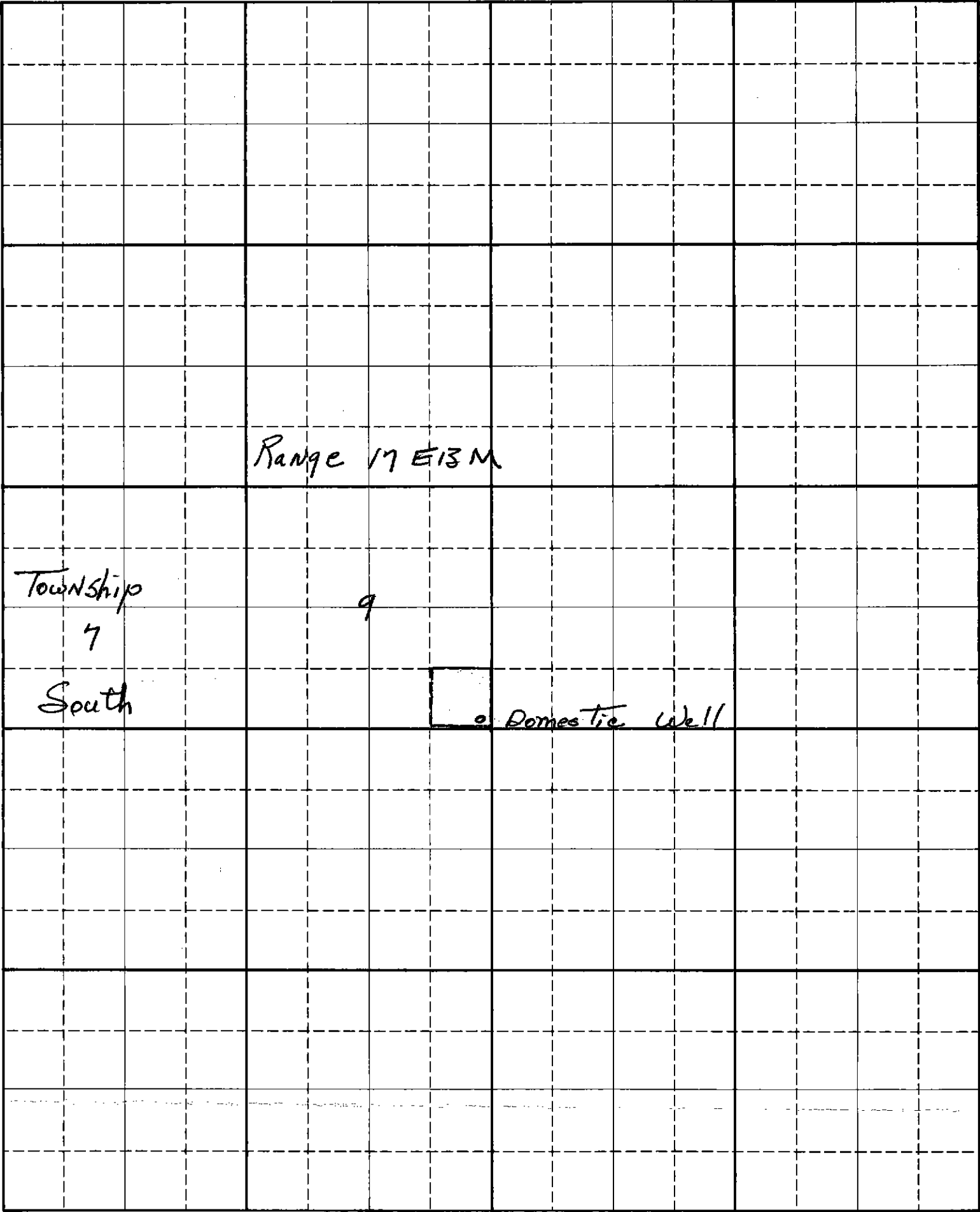
9. a. Who owns the property at the point of diversion Fred A. Schwartz

b. Who owns the land to be irrigated or place of use Fred A. Schwartz

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Not applicable

10. Remarks _____

11. Map of proposed project:



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Bruce A. Belknap
(Applicant)

Received by df Date 1-15-69 Time 9:00 am
Preliminary check by Dunn Fee \$ 10.00 Dunn
Receipted by df Date 1-15-69
Publication prepared by TH Date 1-30-69
Published in Northern Idaho News
Publication dates 2-6 & 13-69
Publication approved TH Date 2-4-69
Priority reduced to _____ Reason _____

Protests filed by: (none) 3-4-69

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Dunn CRH. m/s

ACTION OF STATE RECLAMATION ENGINEER

APPROVED

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-7051, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. ~~SUBJECT TO ALL PRIOR WATER RIGHTS.~~
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before "April 1", 19 70.
- c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 27th day of March, 19 69.

L. Keith Higgins
State Reclamation Engineer

AFFIDAVIT of PUBLICATION

RECEIVED

MAR 4 1969

State of Idaho,
County of Jerome

SS.

Department of Reclamation

Alvin P. Yeucher being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 6th day of Feb, 1969, and the date of the last publication was on the 13 day of Feb, 1969.

Alvin P. Yeucher

Subscribed and sworn to before me this 24th day of February, 1969.
(SEAL)

Alice T. Hendrickson
NOTARY PUBLIC

NORTH SIDE NEWS Jerome, Idaho COST OF PUBLICATION

Number of Lines in Notice 22
Number of Insertions 2
22 Lines at 15c 3.45
22 Lines at 10c 2.30
TOTAL COST 5.75

COPY OF NOTICE (Paste Here)

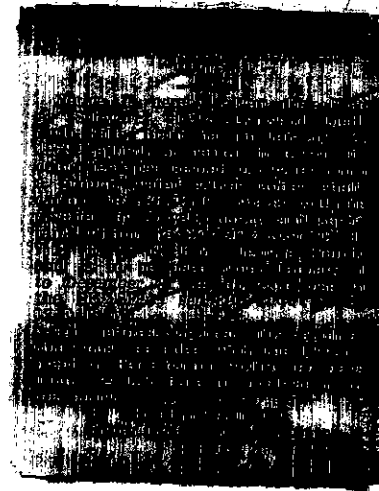
Notice of Application for Water
FILE OF NOTICE App. # 36-7051

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Reclamation
Fred H. Schwarz
BILL TO



PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956)
7 pt. per line, straight 14c
7 pt. per line, tabular 20c
7 pt. per line, successive
insertions 10c
6 pt. per line, straight 15c
6 pt. per line, tabular 20c
6 pt. per line, successive
insertions 10c

Nº 2557
36 7051

June 10, 1970

Re: Permit No. 36-7051

Mr. Fred A. Schwartz
1227 Lynwood Mall
Twin Falls, Idaho 83301

Dear Mr. Schwartz:

Enclosed herewith is your Water License issued on the above
numbered permit.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosure

C
O
P
Y

36-7051

May 12, 1970

Re: Permit No. 36-7051

Mr. Fred A. Schwartz
1227 Lynwood Mall
Twin Falls, Idaho 83301

Dear Mr. Schwartz:

A representative from this department has made an examination of your works covered by Permit 36-7051. The works were found capable of producing 0.02 c.f.s. of which 0.02 c.f.s. can be recognized as beneficially used and licensed under Idaho law. The water is used for domestic purposes within the SE¹SE¹ Sec. 9. T. 7 S., R. 17 E., B.M.

If you disagree with the findings, please advise us within 10 days; otherwise, a license will be issued showing the findings as set forth in this letter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

36-7051

Range 17E

9

townships 14S

Q = 0.02473
V = 1.57474
Priority January 15, 1969

Permit No. 36-7051

36 No Photo

Name of Applicant Fred A. Schwartz, 1227 Lynwood Mall, Twin Falls, Idaho

Source of Water Underground

a tributary of

Location of P.D. SESE, Sec. 9, T. 7S, R. 17E.8.11., Jerome County

Water is used for Domestic

Quantity of water claimed: Permit .02 c.f.s. Depositions .02 c.f.s.

Type of measuring device installed or method of measurement and general description of diversion works domestic well, pump, septic tank (not required) measuring device

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
			PLACE OF USE-point of diversion

Total acreage

Filed: January 15, 1969

Due: April 1, 1970

Made: May 9, 1969

Priority: January 15, 1969

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

None

Ronan Clay 2-16-70

36-7051

Total acreage irrigated_____

Signature Joe Clay 2-16-70

Plot ✓

May 13, 1969

Re: Permit No. 36-7051

Fred A. Schwartz
1227 Lynwood Mall
Twin Falls, Idaho 83301

Dear Mr. Schwartz:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 36-7051.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

36 7051

exam typed

LAW OFFICES OF
SCHWARTZ & DOERR

FRED A. SCHWARTZ
JOHN A. DOERR

May 8, 1969

RECEIVED

MAY 9 1969

TWIN FALLS, IDAHO 83301

127 LYNWOOD MALL
Department of Reclamation

Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

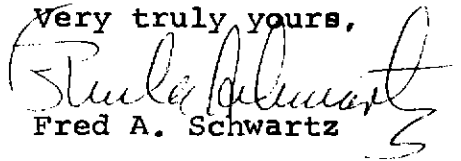
Attention: Mr. Donald W. McEldowney

Re: Fred A. Schwartz - Permit No. 36-7051

Dear Mr. McEldowney:

Enclosed is Proof of Application of Water to
Beneficial Use which I have filled out and signed.

Very truly yours,


Fred A. Schwartz

FAS:NH
Encl.

36 7051

April 7, 1969

Re: Permit No. 36-7051

Mr. Fred A. Schwartz
Attorney at Law
Schwartz and Boerr
1227 Lynwood Mall
Twin Falls, Idaho 83301

Dear Mr. Schwartz:

Thank you for your letter of April 3, 1969. Enclosed is a proof affidavit which must be submitted in connection with proof of beneficial use for the above referenced permit. Under this system, the Department of Reclamation no longer requires separate proof of completion of works and beneficial use.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Proof form

36 7051

LAW OFFICES OF
SCHWARTZ & DOERR

FRED A. SCHWARTZ
JOHN A. DOERR

TWIN FALLS, IDAHO 83301
1227 LYNWOOD MALL
733-4981

April 3, 1969

Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

RECEIVED
APR 4 1969
Department of Reclamation

Attention: Mr. C. Stephen Allred, Assistant
State Reclamation Engineer

Re: Application for Permit 36-7051

Dear Mr. Allred:

Will you please send me the required forms for
submitting proof of completion of works with reference
to the above captioned permit.

Very truly yours, 36 7051

FAS:NH

By

Fred A. Schwartz
Fred A. Schwartz

March 31, 1969

Re: Permit No. 36-7051

**Mr. Fred A. Schwartz
1227 Lynwood Mall
Twin Falls, Idaho 83301**

Dear Mr. Schwartz:

We enclose a copy of your approved application for permit 36-7051
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

**Enclosures: Copy of application
Receipt No. 3521 for \$10.
1 informational letter**

36 7051

February 26, 1969

Re: Application No. 36-7051
Fred A. Schwartz

North Side News
Jerome,
Idaho 83338

Gentlemen:

As of this date we have not received the affidavit or the certified bill of publication for the above referenced application. Please forward these items to us immediately.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: none

36 7051

January 30, 1969

Re: Application No. 36-7051
Fred A. Schwartz

North Side News
Jerome, Idaho 83338

Gentlemen:

Enclosed you will find 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 date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: legal notice (1)

36 7051

*North Side River
Jerome Falls*

**NOTICE OF APPLICATION FOR
WATER**

Notice is hereby given that Fred A. Schwartz, 1227 Lynwood Mall, Twin Falls, Idaho has on January 15, 1969 applied for permit to divert .02 cubic feet per second of water from a ground water source under application No. 36-7051. Water will be diverted by a well, pump, and septic tank within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 9, T. 7 S. R. 17 E. B.M., Jerome County and is to be used from January 1 to December 31 for domestic use in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 9, T. 7 S. R. 17 E. B. M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer.

36 7051

2-6-2tc

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Fred A. Schwartz, 1227 Lynwood Mall,
Twin Falls, Idaho has on January 15, 1969
applied for permit to divert ~~stone~~ .02 cubic feet per second ~~acre/foot~~
of water from a ground water source
under application No. 36-7051. Water will be diverted by a well,
pump, and septic tank within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 9, T. 7 S.
R. 17 E, B.M., Jerome County
and is to be used from January 1 to December 31 for domestic use
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 9, T. 7 S, R. 17 E, B.M.

Any protest against this application must be filed with the Department of
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the North Side News, Jerome, Idaho,
on February 6 and February 13, 1969.

JAN 15 1969

Department of Reclamation.

TWIN FALLS, IDAHO 83301
1227 LYNWOOD MALL
733-4961

Department of Reclamation
State of Idaho
Statehouse - Annex 2
Boise, Idaho 83707

Re: Application for Permit
Fred A. Schwartz

In accordance with your letter of January 9, 1969, I have filled out the new Application for Permit, together with my check for \$10.00 filing fee.

Very truly yours,

 Fred A. Schwartz

36 7051