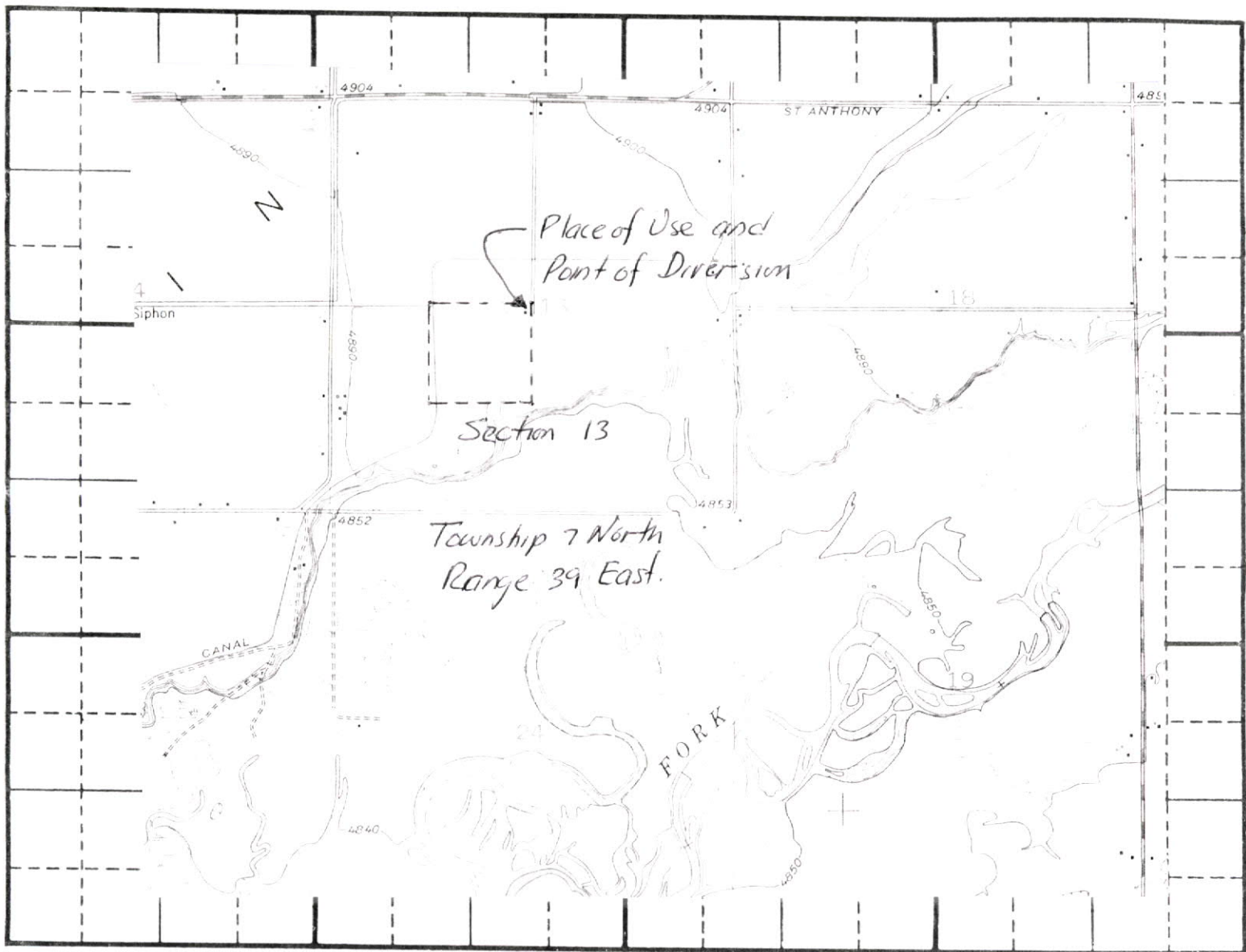


(8) Remarks The well was originally a hand dug well. The present well was drilled in approximatly 1948.



Scale: 2 inches equal 1 mile.

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 _____) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Elma M. Holmes
(Claimant)

Sworn to before me this _____ day of _____, 19____.

Notary Public
Residing at _____

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by Sm Date 5-13-83 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by Kaw Date 5-25-83 claimant by: _____
\$30.00 fee received by Sm Date 5-26-83 #26310
Published in Fremont Chronicle
Dates 6/9 - 6/16/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



AMENDED

CLAIM TO A WATER RIGHT

AMENDED

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 Gail &/or Lyle Schmardebeck &/or Elma Holmes

Rt. #2, Box 55A, St. Anthony, ID 83445 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 624-7031

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) April 1, 1880

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)
groundwater tributary to

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

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	0.04 cfs	Use domestic	Period of Use From 1/1	To 12/31
Quantity	0.02 cfs	Use stockwater	Period of Use From 1/1	To 12/31
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 13 Twp. 7N Rge. 39E B.M., County of Fremont
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.
well, pump, and pipeline to single family domestic home

(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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
7N	39E	31									X								

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Water is used for domestic use at one home and watering of lawn and garden

NOTE: Include here the type and number of stock watered: 100 head cattle

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

Remarks

R 3 9 E

T 7N

Sec. 13

* Point of diversion & place of use

Scale: 2 inches equal 1 mile.

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)
) ss.
County of Bonneville)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of August

Lyle Schomard
(Claimant)
83
_____, 19____.

Andrew Wray

Notary Public
Residing at _____
Idaho Falls, ID

My commission expires 6/15/85

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>8-17-83</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by <u>Kaw</u>	Date <u>9-26-83</u>		claimant by: _____	
\$30.00 fee received by <u>N.A.</u>	Date _____			
Published in <u>Hemont Chronicle</u>				
Dates <u>10/6 - 10/13/83</u>				

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 Lyle Gail and/or Schmardebeck and/or Elma Holmes
(Name of Claimant)

Rt. 2, Box 55A St. Anthony, ID 83445 Telephone No. 624-7031
(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) April 1, 1948

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)
Groundwater tributary to

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

(cfs, ~~af~~)	(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 <u>.02</u>	Use <u>Stockwater</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 _____

(4) .04 TOTAL QUANTITY USED.
(cfs, ~~af~~)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 13 Twp. 7N Rge. 39E B.M., County of Fremont
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. Well pump and pipeline to single domestic home.

(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.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
7N	39E	31									X								

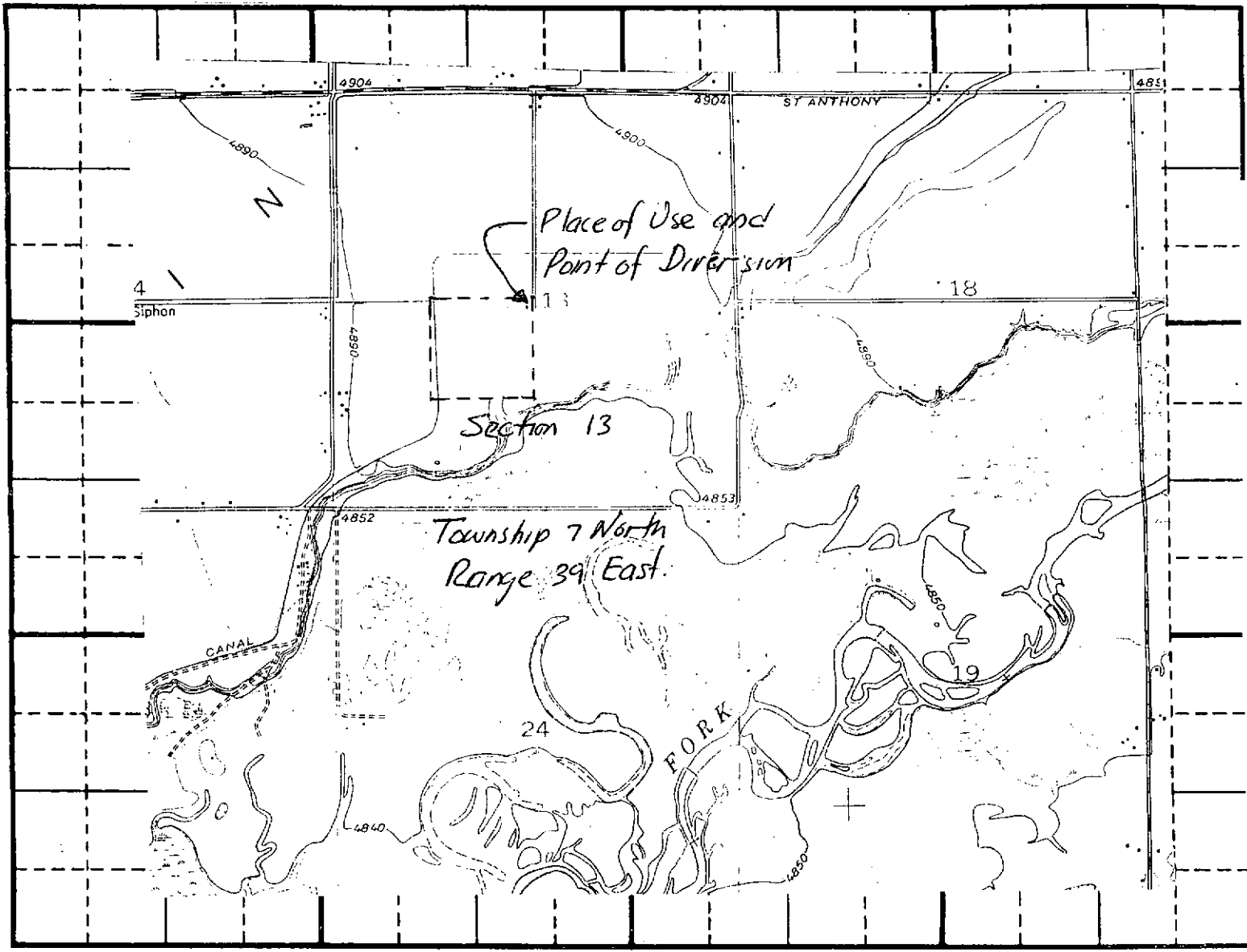
No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water os used for domestic use at 1 home and watering of lawn and garden.

NOTE: Include here the type and number of stock watered: 100 head cattle

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

(8) Remarks The well was originally a hand dug well. The present well was drilled in approximately 1948.



Scale: 2 inches equal 1 mile.

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 _____) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Elma M. Holmes
(Claimant)

Sworn to before me this _____ day of _____, 19____.

Notary Public
Residing at _____

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>Sm</u>	Date <u>5-13-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Kaw</u>	Date <u>5-25-83</u>		claimant by:	
\$30.00 fee received by <u>Sm</u>	Date <u>5-26-83 #26310</u>			
Published in <u>Fremont Chronicle</u>				
Dates <u>6/9 - 6/16/83</u>				

THE CHRONICLE-NEWS
ST. ANTHONY, IDAHO

AFFIDAVIT OF
PUBLICATION

STATE OF IDAHO }
County of Fremont } ss

I, Bruce Porter
being first duly sworn, depose and say, that I am
the printer of THE CHRONICLE-NEWS, a weekly
newspaper printed and published weekly at St.
Anthony, Fremont County, Idaho; and I do
solemnly swear that the
Notice of Amended Claim to a
Water Right NO. 21-4110

a copy of which notice appears attached here-
to, was published in the regular and entire issue
of said newspaper, and not in any

supplement issue thereof for Two
consecutive issues, the first publication hav-

ing been made on October 5, 1983
and the last publication having been made
on October 13, 1983

Further, that said newspaper is one of general
circulation in said county; that it is a legal
newspaper, conforming to legal specifications
under the Idaho Statutes; that it has at least two
hundred bona fide subscribers living within the
county of publication; and that it has been
continuously and uninterruptedly published in said
county during a period of seventy-eight con-
secutive weeks prior to the first publication of the
said notice.

[Signature]

Subscribed to and sworn to before me
October 14, 1983

[Signature]
Notary Public.

(SEAL)

My commission expires Life

RECEIVED

NOV 7 1983

Department of Water Resources
Eastern District Office

NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
No. 21-4110

Notice is hereby given that Claim to a
Water Right No. 21-4110 in the name of Gail
&/or Lyle Schmardebeck &/or Elma Holmes,
St. Anthony, Idaho, was filed with a priority
date of April 1, 1948 for the diversion and
application to beneficial use of .04 cfs of
water from a groundwater source with the
point of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.
13, T. 7N, R. 39E, B.M. Fremont County;
the water is claimed to be used from Jan. 1 to
Dec. 31 for domestic and stockwatering
purposes within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T.
7N, R. 39E B.M.

The claimant now proposes to amend
Claim No. 21-4110 amending the priority
date to April 1, 1880.

Any exception to any claim of water right
may be filed with the Dept. of Water
Resources, 150 Shoup Ave., Suite 15,
Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

Publ. Oct. 6 and 13, 1983CN

THE CHRONICLE-NEWS

ST. ANTHONY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Fremont } ss

I, Carol R. Nash

being first duly sworn, depose and say, that I am the printer of THE CHRONICLE-NEWS, a weekly newspaper printed and published weekly at St. Anthony, Fremont County, Idaho; and I do solemnly swear that the

Notice of Claims to Water Rights

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any

supplement issue thereof for two consecutive issues, the first publication having

ing been made on June 9, 1983 and the last publication having been made on June 16, 1983

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Carol R. Nash

Subscribed to and sworn to before me this June 17, 1983

Jerry Darnier
(SEAL) Notary Public.

My commission expires lifetime

RECEIVED

JUL 18 1983

NOTICE OF CLAIMS TO WATER RIGHTS

Department of Water Resources
Eastern District Office

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

21-4110

SCHMARDEBECK, GAIL & or LYLE
HOLMES, ELMA
RT. 2, BOX 55A, ST. ANTHONY, ID
83445
Source: GROUNDWATER
Priority Date: 04/01/1948
Diversion Pt: NESW Sec 13 T 07N R 39E
Use: STOCKWATER (0.02 CFS),
DOMESTIC (0.04 CFS)
In: NESW Sec 31 T 07N R 39E

22-4106

PETERSON, DYLE B. & or ILA
RT. 1, BOX 167, ST. ANTHONY, ID
83445
Source: GROUNDWATER
Priority Date: 07/31/1900
Diversion Pt: SWSW Sec 20 T 07N R 41E
Use: STOCKWATER (0.07 CFS),
DOMESTIC (0.04 CFS)
In: SWSW Sec 20 T 07N R 41E

22-4107

PETERSON, DYLE B. & or ILA
RT. 1, BOX 167, ST. ANTHONY, ID
83445
Source: GROUNDWATER
Priority Date: 10/30/1946
Diversion Pt: SWSW Sec 10 T 07N R 41E
Use: STOCKWATER (0.07 CFS),
DOMESTIC (0.04 CFS)
In: SWSW Sec 10 T 07N R 41E

22-4108

PETERSON, DYLE B. & or TAD
RT. 1, BOX 167, ST. ANTHONY, ID
83445
Source: GROUNDWATER
Priority Date: 06/15/1900
Diversion Pt: NWSW Sec 10 T 07N R 41E
Use: STOCKWATER (0.10 CFS),
DOMESTIC (0.04 CFS)
In: NWSW Sec 10 T 07N R 41E

22-4109

PETERSON, DYLE B. & or ILA & or BEN
RT. 1, BOX 167, ST. ANTHONY, ID
83445
Source: GROUNDWATER
Priority Date: 05/15/1949
Diversion Pt: SESE Sec 09 T 07N R 41E
Use: STOCKWATER (0.07 CFS),
DOMESTIC (0.04 CFS)
In: SESE Sec 09 T 07N R 41E
Exceptions to a claim may be filed with the
Director, Dept. of Water Resources, 150
Shoup Ave., Suite 15, Idaho Falls, Idaho
83402.

KEN DUNN
Director

Publ. June 9 and 16, 1983CN

November 14, 1983

RE: Amended Claim to a Water Right No. 21-4110

Gail &/or Lyle Schmardebeck
Elma Holmes
Rt. #2, Box 55-A
St. Anthony, ID 83445

Dear Claimants:

The Department of Water Resources has completed the processing of your amended claim to a water right and no further action is authorized under Sections 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 your amended 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 amended claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your amended claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

October 26, 1983

RE: Amended Claim to a Water Right No. 21-4110 SCHMARDEBECK & HOLMES

Fremont County Chronicle
Box 568
St. Anthony, ID 83445

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on October 6 and 13, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

RECORDED

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

NO. 21-4110

Notice is hereby given that Claim to a Water Right No. 21-4110 in the name of Gail &/or Lyle Schmardebeck &/or Elma Holmes, St. Anthony, Idaho, was filed with a priority date of April 1, 1948 for the diversion and application to beneficial use of .04 cfs of water from a groundwater source with the point of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T. 7N, R. 39E, B.M. Fremont County; the water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T. 7N, R. 39E, B.M.

The claimant now proposes to amend Claim No. 21-4110 amending the priority date to April 1, 1880.

Any exception to any claim of water right may be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN

Director

Published in the Fremont County Chronicle on 10/6 & 10/13/83.

**NOTICE OF AMENDED CLAIM
TO A WATER RIGHT
No. 21-4110**

Notice is hereby given that Claim to a Water Right No. 21-4110 in the name of Gail &/or Lyle Schmardebeck &/or Elma Holmes, St. Anthony, Idaho, was filed with a priority date of April 1, 1948 for the diversion and application to beneficial use of .04 cfs of water from a groundwater source with the point of diversion within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 13, T. 7N, R. 39E, B.M. Fremont County; the water is claimed to be used from Jan. 1 to Dec. 31 for domestic and stockwatering purposes within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T. 7N, R. 39E B.M.

The claimant now proposes to amend Claim No. 21-4110 amending the priority date to April 1, 1880.

Any exception to any claim of water right may be filed with the Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83401.

A. KENNETH DUNN
Director

Publ. Oct. 6 and 13, 1983CN

REPRODUCED

State of Idaho
Department of Water Resources *Amended*

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith C. Wilson

GAIL or LYLE SCHMARDEBECK

Right Number _____

Applicant _____

or ELMA HOLMES

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.

Oct. 24, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

Nov. 10, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

SC

Date

11-16-83

RECEIVED
NOV 16 1983

NOV 16 1983

Department of Water Resources

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

JUNE 27, 1983

RECEIVED

GAIL SCHMARDEBECK
LYLE SCHMARDEBECK
ELMA HOLMES
RT. 2, BOX 55A
ST. ANTHONY

ID 83445

RE: Claim No. 21-4110

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,

RONALD D. CARLSON
Eastern Region Supervisor



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

July 6, 1983

RE: Claim to a Water Right No. 21-4110 SCHMARDEBECK OR HOLMES
22-4107 PETERSON
22-4106 "
22-4109 "
22-4198 "

Fremont County Chronicle
Box 568
St. Anthony, ID 83445

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application(s). The legal notice was to have been published in your paper on June 9 and 16, 1983.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith Carlson

Right Number

~~2122~~ 4110

Applicant

*Gail, Kyle Schwarzenbach
or Elaine Holmes*

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

Ernest Carlson

Date

July 25, 1983.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

RC

Date

7/29/83

RECEIVED
JUL 29 1983
Department of Water Resources

CW

03/11/1950

21-4110

SCHMARDEBECK, GAIL &/or LYLE
HOLMES, ELMA

RT. 2. BOX 55A. ST. ANTHONY, ID 83445

Source: GROUNDWATER

Priority Date: 04/01/1948

Diversion Pt: NESW Sec 13 T 07N R 39E

Use: STOCKWATER	(0.02 CFS)
DOMESTIC	(0.04 CFS)

In: NESW Sec 31 T 07N R 39E