

14

⊗ P.O.T.
Use

T. 4N.

R. 1E.B.m.

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.

Jack W. Schwarz
(Applicant)

Microfilm

COUNTY OF ADA)

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

63-9211

1587

19 79

Notary Public for ~~Idaho~~, Residing at Boise, Idaho

RECEIVED

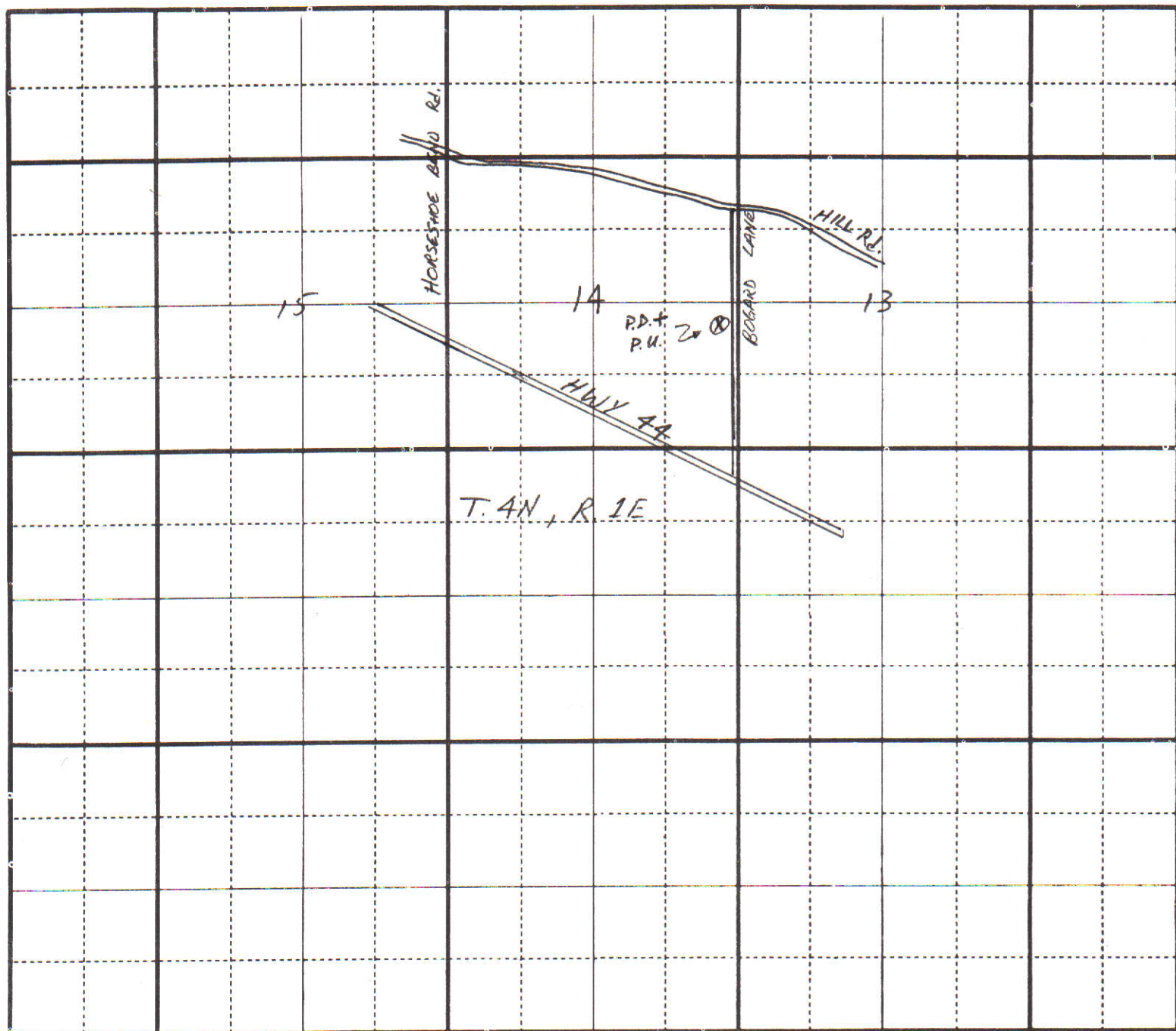


Diagram of System

RECEIVED
DEC 11 1961

Remarks _____

A grid of graph paper with handwritten notes. The notes are as follows:

- In the middle row, column 4: M
- In the middle row, column 6: $\textcircled{D}$ RD & USE.
- In the middle row, column 8: T. H. V
- In the bottom row, column 5: R. I. E. B m.

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 Gem)

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.

Jack W. Schwarz
(Claimant)

Sworn to before me this 31 day of January, 19 79.

Notary Public
Residing at Emmett

My commission expires

lifetime

FOR DEPARTMENT USE ONLY

Received by R.W.H.

Date _____

1-21-79

Exception filed by:

Forwarded to

Date _____

Prelim. check by

Date

✓31/79 #12565

claimant by:

Published in

Dates

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-9211 Priority February 12, 1979 Amount 0.02 cfs

THIS IS TO CERTIFY, that JACK W. SCHWARTZ

of Boise, Idaho, has complied with the terms and conditions of Permit No. 63-9211 issued pursuant to Application for Permit dated February 12, 1979, and has submitted proof to the Department of Water Resources on April 17, 1979, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.15 cfs of water from a ground water source, tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>October 31</u>	at <u>0.01</u> cfs and	<u>4.5 acre feet</u>
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.01</u> cfs and	<u>0.2 acre feet</u>
	from _____ to _____	at _____ cfs and	_____
(both dates inclusive)			

Subject, however, to the condition that no more than 0.02 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 4.7 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14 Twp. 4N, Rge. 1E, B.M., in the County of Ada

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 $\frac{1}{4}$	
4N	1E	14																	1

Total number of acres irrigated 1

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of June, 19 79.

Deputy Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Jack W. Schwartz Phone 342-4369

Post office address 7605 Bogart Ave., Boise, ID 83702

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14 Township 4N

Range 1E B.M. Ada County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.01 for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.01 for Stockwater purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 h.p. motor, 2" pump, sprinkler system, 24" well 20' deep

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 24 inches; proposed depth of well is 20 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14 Township 4N

Range 1E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 4 horses, 4 cows

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated	1.0
---------------------------------------	-----

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

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

[illegible]

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

14

⊗ POT
USE

T. 4N.

R. 1E.B.m.

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.

Jack W. Schwarz
(Applicant)

Proposed Priority 2-12-79

Received by KK Date (2/12/79) 1-31-79 Time 2:00 p.m.

Preliminary check by RWH Fee \$ 20.00 # 12565

Receipted by KK Date 1/31/79

Publication prepared by KK Date 2/13/79

Published in Statesman

Publication dates 2/22 + 3/1

Publication approved _____ Date _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by pas sb.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-9211, 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 March 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 21st day of March, 19 79.

J. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

Присутствующие

two

Nancy Smith

Subscribed and sworn to before me this 1st

day of March, 19 79.

Notary Public for ~~Idaho~~, Residing at Boise, Idaho

OK-
KK
3/12/79

RECEIVED

Department of Water Resources
Western Regional Office

WRD417

WATER RIGHTS PROOF READING REPORT

04/18/85

PAGE 1

WATER RIGHT NUMBER 63-9211

OWNER LAST NAME - SCHWARTZ

FIRST NAME - JACK W.

ORIG OWNER -

ADDRESS LINE 1 - 7605 BOGART AVENUE

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BOISE

STATE - ID ZIP CODE - 83702

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 02-12-1979 COUNTY - ADA

TOTAL DIV. RATE - .0200 -CFS

TOTAL DIV. VOLUME - 4.70 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESE 14 04N 01E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - .0100 CFS USE DIV. VOLUME - 4.50 AFA

FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE - .0100 CFS USE DIV. VOLUME - .20 AFA

USE - IRRIGATION

PLACE OF USE - TWN 04N RNG 01E SEC 14 TRACT NESE LOT AC 01

DECREE NAME -

DATE -

TOTAL ACRES 1

REMARKS -

NON IRRIG USE - 4 HORSES, 4 COWS

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 03-01-1984 PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS -

VERIFIED JKN



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

June 28, 1979

Jack W. Schwartz
7605 Bogart Ave.
Boise, ID 83702

Dear Mr. Schwartz:

RE: Water Right No. 63-9211

Enclosed is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MICROFILMED

FIELD REPORT

TOTAL ACREAGE

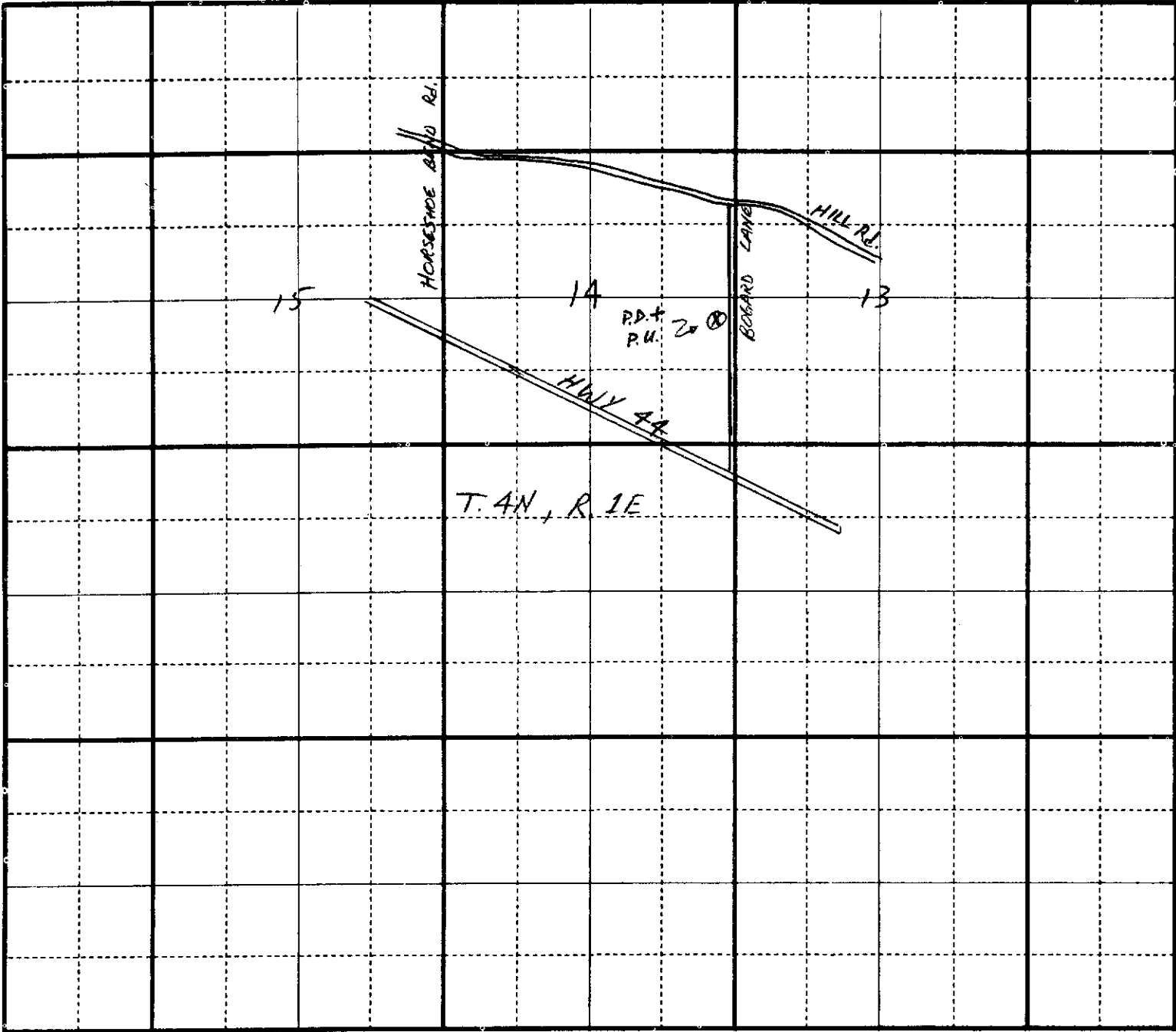


Diagram of System

DATE OF EXAM 5/10/79

ACREAGE
Found 1
Recommended 1

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = .01 c.f.s. V = 4.5 AF/Ann. from 9/1 to 10/31
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = .01 c.f.s. V = 0.2 AF/Ann. from 1/1 to 12/31

Is water co-mingled? yes no ✓

Name source: GROUNDWATER
twp. 4N N/S, Rge 1E E/W, B.M., Sec. 14, Sub. N1E 1/4 SE 1/4 ADA
County

Exchange? yes no ✓

Name source exchanged with:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Point of injection:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Point of exchange:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4
County

Total Q measured .15 cfs Method of measurement CALCULATION

Total Q recommended .02 cfs Meter No. Type Condition

Total V recommended 4.7 AF/Ann.

Recommended Amendments:

P.D.
Place of Use
Other
None ✓

MEASUREMENT CALCULATION:

$Q = 2hp (.8 EFF.) (8.8) / (.4333) + 0' LIFT = 0.15 cfs$
 $V = (.01 cfs) (1.98) (365 day/yr) = 7.23 AF/Ann$
 $V = (.01 cfs) (1.98) (213 day/yr) = 4.22 AF/Ann$
 $\star V = 4.5 AF/Ann + 1.2 AF/Ann = 4.7 AF/Ann$

SYSTEM DESCRIPTION:

8 ROBINIRD 260-3/16" NOZZLE GARDEN 16 @ 6.41 gpm = .23 cfs
8 " " " " PASTURE

2hp pump

REMARKS:

Examiner's Signature Charles W. Bryan Jr. Date 5/11/79

Checked by DBS Date 5/14/79

Approved by Date



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

April 20, 1979

Jack W. Schwartz
7605 Bogart Avenue
Boise, ID 83702

Dear Mr. Schwartz:

Re: Permit No. 63-9211

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of 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 you have any questions regarding the field examination, please contact our regional office in Boise.

Sincerely,

RITA FLECK
Water Rights

EX-107

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
**PROOF OF APPLICATION
OF WATER TO BENEFICIAL USE**

RECEIVED
APR 17 1979
Department of Water Resources

1. a) Name of permit holder JACK W. SCHWARTZ
b) Post office address 7605 Bogart Avenue, Boise, ID
2. Permit number 53-9211
3. Date of priority that you are prepared to establish 2-12-79
4. a) Source from which water was appropriated groundwater
b) Location of the point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14
Township 4N, Range 1E Boise Meridian. Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 0.01 for irrigation purposes from 4-1 to 10-31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount 0.01 for stockwater purposes from 1-1 to 12-31 incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs &/or acre-feet per annum) (month-day) (month-day)
b) Total amount appropriated 0.02 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:
Estimate at time of filing based on well, pump and use.
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:

b) Describe the agreement of 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 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):
2 HP motor, 2" pump, sprinkler system 24" well 20' deep
b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)
N/A

c) Give well driller's name and address and the date the well was completed: Deep by myself
in fall of 1970.

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
Water stock at same place as well.

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:
Sprinkle garden & flood lawn - total less than 1 acre.

T	R	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
4N	1E	14													1				1

Total number of acres irrigated 1

10. Remarks: _____

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

4-16-79
(Date)

Jack W. Schwartz
(Signature)

State of _____)
County of Ada) ss.

On this 16th day of April, 19 79, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires _____

Carole Clark
Notary Public
Residing at Boise Idaho

uw2ekwante
7605 Bogart Ave.
Boise Idaho 83702



State of Idaho
Department of Water Resources
373 W Franklin Street
Boise, Idaho 83720



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

March 21, 1979

Re: Permit No. 63-9211

Jack W. Schwartz
7605 Bogart Avenue
Boise, Idaho 83702

Dear Mr. Schwartz:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure



63-9211

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. W Source
3. ✓ Point of Diversion
4. .02 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. ✓ Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 20 Fee & Rec't. No.

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>7</u> Idaho Fish & Game Dept.	<u>7</u> Dept. of Lands
<u> </u> Bureau of Land Management	<u> </u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land None plotted

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. NO
 ID Power Co. Letter - G.W. & Tribs. Yes
 Snake River Condition NO
 Payette River Letter 7
 Priority Date 2/12/79
 Water Quality #16 NO
 Water Quality #10
 Intrastate Interstate

Meas. Dev. or Sc. Meas. NO
 Totalizing meter
 Supplemental
 Right-of-Way Cond.
 Watermaster Cond.
 Wtr. Dist No.
 Meas. Dev. Cond. for apps within a Water Dist.

Jim Reviewer
3/20/79 Date

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 03-9211

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) CWB 2/12/79

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) CWB 2/12/79

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

_____ Declining, ☒ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use No Gw platted

(10) _____

Comments: _____

(11) LL OK

Affidavit of Publication received (date) 3/12/79

(12) _____

Final date for protests 3/12/79
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

2/12/79 Proposed Priority

_____ Reason for Reduction _____

No Measuring device required

_____ See attached sheet for other conditions approval

_____ No special conditions for approval

(15) District W By LLM Date 3/15/79

I.P. Gw letter
RECEIVED
MAR 19 1979

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

FEBRUARY 15, 1979

The Idaho Statesman
Box 40
Boise, ID 83707

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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 along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before MARCH 12, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

RECEIVED
FEB 16 1979
DEPT. OF WATER RESOURCES
BOISE, IDAHO

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before MARCH 12, 1979.

C. STEPHEN ALLRED

Director

Published 2/22 & 3/1/79.

63-9211

February 7, 1979

RE: Application for Permit

Jack W. Schwartz
7605 Bogart Avenue
Boise, ID 83702

Dear Mr. Schwartz:

Please sign the enclosed Application for Permit on Page 3 and return to our office. Thank you for your cooperation.

Sincerely,

Karla Knecht
Secretary

February 2, 1979

RE: Claim to a Water Right

Jack W. Schwartz
7605 Bogart Avenue
Boise, ID 83702

Dear Mr. Schwartz:

When I looked at the mandatory date for filing a permit when you were in the office, I looked at the date for surface water rather than groundwater. The date for groundwater is March 25, 1963.

Since your claim shows the priority date of 1/1/71 and includes irrigation as one of the uses, you will have to file an application for permit or amend the claim to show the irrigation as domestic. Under a domestic right, you would irrigate 1/2 acre of land.

Please advise us which way you want to handle the matter. If you wish, we can type either form and send it to you for your signature.

Sincerely,

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:kk

MICROFILMED

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 Jack W. Schwartz

(Name of Claimant)

7605 Bogart Ave., Boise, ID 83702

(Mailing Address)

Telephone No. 342-4369

(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) 1/1/71

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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.01</u>	Use <u>Irrigation</u>	Period of Use From <u>4/1</u>	To <u>10/31</u>
Quantity	<u>0.01</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) 0.02 TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ SE ¼, Sec. 14 Twp. 4N Rge. 1E B.M., County of Ada

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. 2 h.p. motor, 2" pump, sprinkler system, 24" well 20' deep

- (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%	
4N	1E	14													1				1.0

No. of acres 1.0

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

NOTE: Include here the type and number of stock watered: 4 horses, 4 cows

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

MICROFILMED

A grid of graph paper with handwritten notes. The grid is composed of 10 columns and 10 rows. The notes are as follows:

- In the 4th column, 5th row from the bottom: $14/$
- In the 5th column, 5th row from the bottom: $\textcircled{B}$ AD & USE.
- In the 7th column, 5th row from the bottom: T.4N
- In the 5th column, 1st row from the bottom: R.I.E.B.m.

FOR DEPARTMENT USE ONLY

Received by <u>R.W.H.</u>	Date <u>1-31-79</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by _____	Date _____		claimant by: _____	
\$20.00 fee received by <u>tw</u>	Date <u>1/31/79 #12565</u>			
Published in _____				
Dates _____				