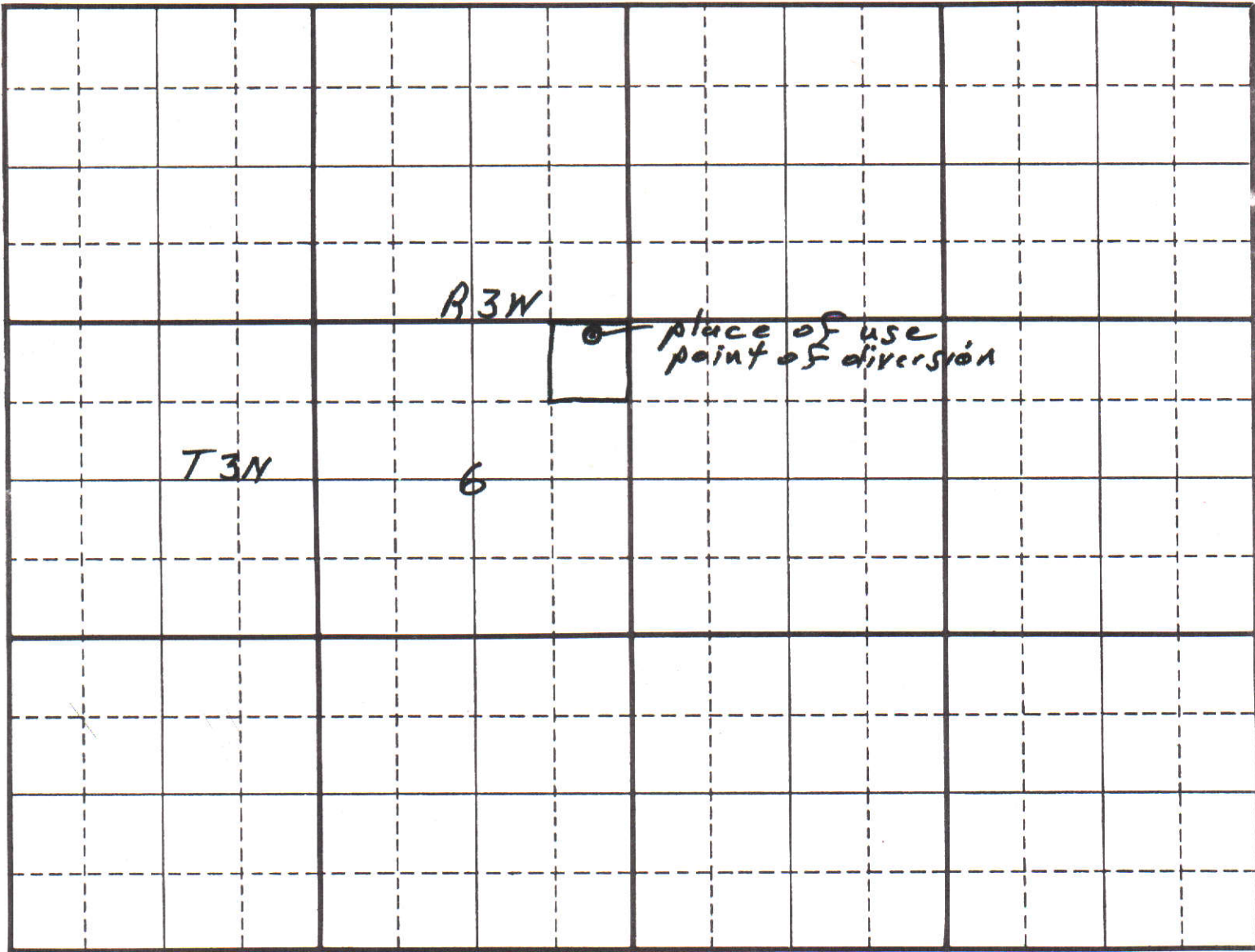


(8) Remarks _____

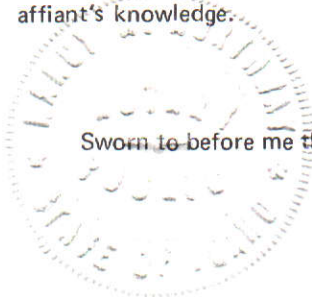


Scale: 2 inches equal 1 mile.

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 Ada) 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.



Sworn to before me this 11 day of June, 1981.

Russ C. Schmitt
(Claimant)
Nancy M. Northway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by GHS Date 6/11/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by GHS Date 6/15/81 claimant by: _____
\$20.00 fee received by GHS Date 6/11/81 # 14423
Published in Idaho Press Tribune
Dates 6/25 - 7/2/81 7/23 & 7/30

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 Erwin C. Schmitt
(Name of Claimant)
Route 6, Box 84, Caldwell, ID 83605 Telephone No. 459-9126
(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) 1920

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>.04 cfs</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) .04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 6 Twp. 3N Rge. 3W B.M., County of Canyon
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. 4" well with submersible pump with 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>3N</u>	<u>3W</u>	<u>6</u>	<u>X</u>																

No. of acres _____

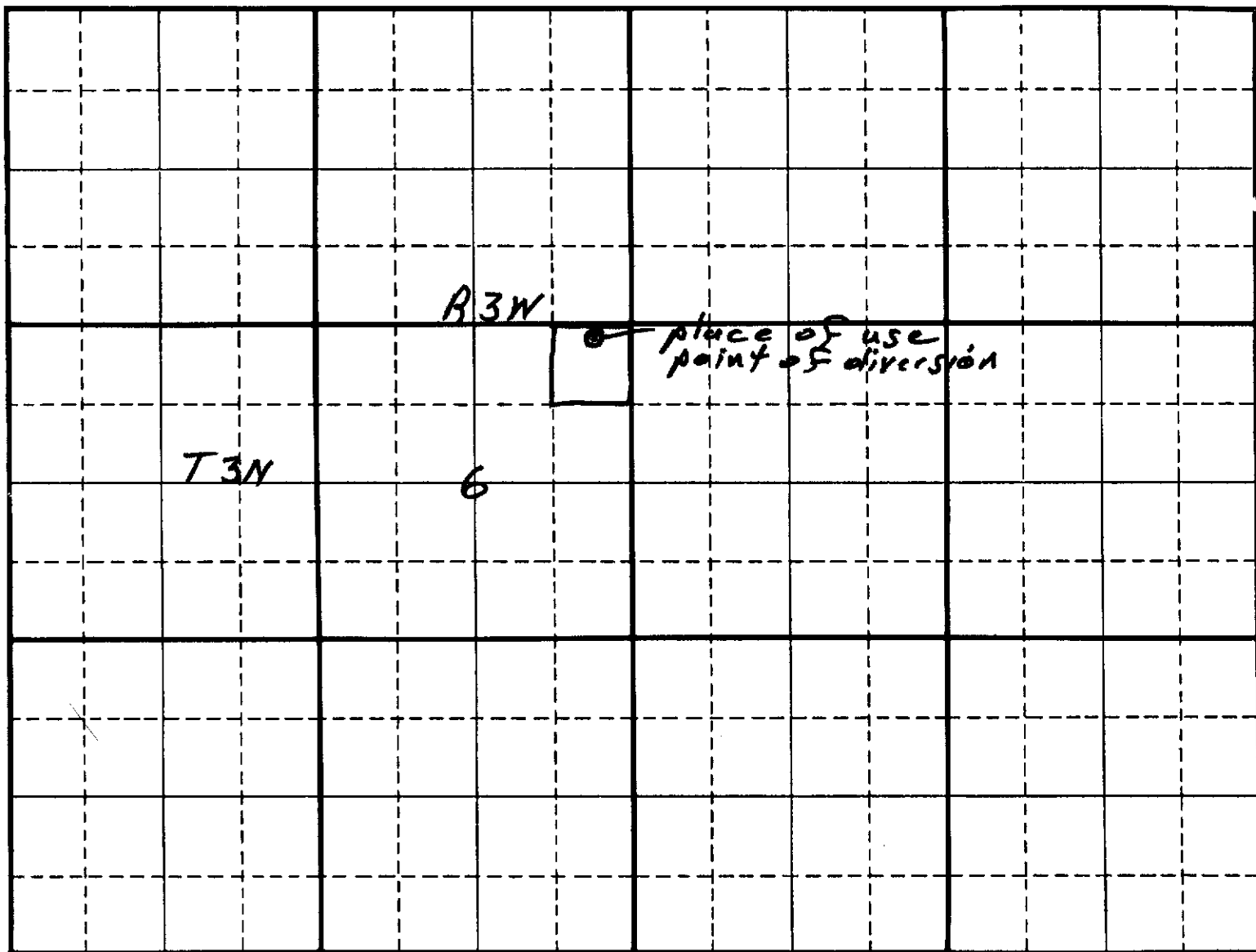
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Domestic for one household.

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: _____

MICROFILMED

(8) Remarks _____



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 Ada) 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.

Sworn to before me this 11 day of June, 1981.

Quinn C. Schmitt
(Claimant)

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by ghs Date 6/11/81 Exception filed by: _____ Date _____
Prelim. check by ghs Date 6/15/81 Forwarded to claimant by: _____
\$20.00 fee received by ghs Date 6/11/81 # 14423
Published in Idaho Press Tribune
Dates 6/25 7/2/84 7/23 & 7/30

RECEIVED
AUG 1981

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Benkert
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

NOTICE OF CLAIMS TO WATER RIGHTS
Notice is hereby given that the following claim(s) to water
right(s) have been established by diversion and application to
beneficial use: **63-4796**
SCHMITT, ERWIN C.
RT. 6, BOX 84, CALDWELL, Idaho 83605
Source: GROUNDWATER
Priority Date: January 1, 1920
Amount: 0.04 CFS
Diversion Point: NENE Sec 06 T 03N R 03W, CANYON County
Use: DOMESTIC (0.04 CFS) from January 1 to December 31
Place of Use: NENE Sec 06 T 03N R 03W
Diversion Means: WELL, SUBMERSIBLE PUMP &
PIPELINE
Any exception to any claim of water right may be filed with
the Director of the Idaho Department of Water Resources, 92 S.
Cole Road, Boise, Idaho 83709
A. KENNETH DUNN
Director
July 23, 30, 1981

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.

2. That I am the Principal Clerk of the Idaho
Press-Tribune, a daily, (except Saturday)
newspaper published in the City of Nampa and
Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation
in the said County of Canyon, and in the vicinity of
Nampa and Caldwell, and has been uninterrupted-
ly published in said County during a period of
seventy-eight consecutive weeks prior to the first
publication of the notice, a copy of which is hereto
attached.

3. That the notice, of which the annexed is a printed
copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

July 23, 30, 1981

Suzanne Benkert

Subscribed and sworn to before me this _____

30th day of July

19 81

James Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Suzanne Smith
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

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:

63-4798

SCHMITT, ERWIN C.
RT. 6, BOX 84, CALDWELL, Idaho 83605
Source: GROUNDWATER
Priority Date: January 1, 1920
Amount: 0.04 CFS
Diversion Point: NENE Sec 06 T 03N R 03W, CANYON County
Use: DOMESTIC (0.04 CFS) from January 1 to December 31
Place of Use: NENE Sec 06 T 03N R 03W
Diversion Means: WELL, SUBMERSIBLE PUMP &
PIPELINE

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 83709 on or before JULY 13, 1981.

A. KENNETH DUNN
Director

June 25; July 2, 1981

*advertise
as a claim*

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.

2. That I am the Principal Clerk of the Idaho
Press-Tribune, a daily, (except Saturday)
newspaper published in the City of Nampa and
Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation
in the said County of Canyon, and in the vicinity of
Nampa and Caldwell, and has been uninterrupted-
ly published in said County during a period of
seventy-eight consecutive weeks prior to the first
publication of the notice, a copy of which is hereto
attached.

3. That the notice, of which the annexed is a prin-
ted copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

June 25;

July 2, 1981

RECEIVED

JUL 6 1981

Department of Water Resources
Western Regional Office

Suzanne Smith

Subscribed and sworn to before me this

2nd day of July

19 81

James Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th 1981

MY COMMISSION EXPIRES
JULY 12th, 1985

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

(63-4807)

BRYANT, H.J.
RT. 2 BOX 642, CALDWELL, Idaho 83605
Source: UNNAMED DRAIN tributary to BOISE RIVER
Priority Date: January 1, 1911
Amount: 1.20 CFS
Diversion Point: NWNW Sec 33 T 05N R 04W, CANYON County
Use: IRRIGATION (1.20 CFS) from March 15 to November 15
Place of Use: SWSW Sec 28 T 05N R 04W SESE Sec 29 T 05N R 04W NENE Sec 32 T 05N R 04W NWNW Sec 33 T 05N R 04W
FOR 55 ACRES
Diversion Means: PUMP, DIRT DITCH & MOTOR

RELK, JOHN &/or AFINE (63-4806)
RT. 7 BOX 7046, NAMPA, Idaho 83651
Source: GROUNDWATER
Priority Date: January 1, 1962
Amount: 0.10 CFS
Diversion Point: NWNE Sec 10 T 02N R 02W, CANYON County
Use: IRRIGATION (0.10 CFS) from March 15 to November 15
Place of Use: NWNE Sec 10 T 02N R 02W FOR 5 ACRES
Diversion Means: MOTOR & SPRINKLER IRR.
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN
Director

July 23, 30, 1981

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

(63-4798)

SCHMITT, ERWIN C.
RT. 6, BOX 84, CALDWELL, Idaho 83605
Source: GROUNDWATER
Priority Date: January 1, 1920
Amount: 0.04 CFS
Diversion Point: NENE Sec 06 T 03N R 03W, CANYON County
Use: DOMESTIC (0.04 CFS) from January 1 to December 31
Place of Use: NENE Sec 06 T 03N R 03W
Diversion Means: WELL, SUBMERSIBLE PUMP & PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN
Director

July 23, 30, 1981

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 63-2754

Notice is hereby given that Canyon Farms, Inc. of Rt. 4 Box 4325A, Nampa, ID 83651 has applied to the Department of Water Resources for a change of the point of diversion of the water of a groundwater source. The right sought to be changed is evidenced by Water Right License 63-2754 and is recorded as follows:

Amount: 2.24 cfs
Point(s) of Diversion: SESW, Sec. 22, T2N, R3W, B.M., Canyon County

The water is used for irrigation purposes for land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, T2N, R3W.

TO BE CHANGED AS FOLLOWS

Amount: 2.24
Point(s) of Diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T2N, R3W
The water will be used for irrigation purposes for land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, T2N, R3W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before August 10, 1981.

A. KENNETH DUNN
Director

July 23, 30, 1981

of your legal advertisement

which will begin in July 23, 1981 issue of The Idaho Press-Tribune. Please notify me as soon as possible of any corrections.

Thank You,
Suzanne Benkert
Legal Clerk

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:

(63-9770)

J.C. WATSON COMPANY
P.O. BOX 278, PARMA, Idaho 83660
Source: GROUNDWATER
Date Filed: July 15, 1981
Amount: 2.40 CFS
Diversion Point: SWNW Sec 26 T 05N R 04W, CANYON County
Use: IRRIGATION (2.40 CFS) from April 1 to October 15
Place of Use: NWNW SWNW NWSW Sec 26 T 05N R 04W FOR 120 ACRES

Diversion Means: WELL & PUMP
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 83709 on or before AUGUST 10, 1981.

A. KENNETH DUNN
Director

July 23, 30, 1981

RECEIVED
JUL 22 1981

Department of Water Resources
Western Regional Office

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WRR100
63-4798

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-4798

02 OLD (D) NUMBER -

03001 - SCHMITT ✓ LAST NAME

04001 - ERWIN C. ✓ FIRST NAME

05001 - C ORIG. OWNER

06 ADD LINE 1 - RT. 6, BOX 84 ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - CALDWELL ✓

10 STATE - ID ✓ 11 ZIP - 83605 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

14001 - SOURCE
GROUNDWATER ✓

15001 - TRIBUTARY OF

16 DIVERSION MEANS - WELL, SUBMERSIBLE PUMP & PIPELINE ✓

17 COUNTY - 27 CANYON ✓

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----														
TRACT	SEC	TWN	RNG	LOT	RFLG	S T R E A M I N D E X F I E L D S								
22001 - NENE ✓	23001 - 06 ✓	24001 - 03N ✓	25001 - 03W ✓	26001 - 27001 -										
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE - D/1 HOUSE

----- PLACE OF USE -----						
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 43 DOMESTIC ✓	31001 - 03N ✓	32001 - 03W ✓	33001 - 06 ✓	34001 - NENE ✓	35001 -	36001 -
						TOTAL ACRES: 0

----- WATER USE -----				
PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101 ✓	38001 - 1231 ✓	39001 - 43 DOMESTIC ✓	40001 - 0.040 ✓	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47 PRIORITY	- 1-JAN-1920 ✓	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROOF DUE	-	56 APPL RECEIVED	-	64 DLE/CAREY ACT	-
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-
50 APPROVE/DENIED-	-	58 DECREE	-	66 FLAG_2	-
51 PROTESTED	-	59 START WORK	-	67 FLAG_3	-
52 HEARING	-	60 ORDER SHOW CAUSE	-		
53 VERIFIED	-	61 DATE_1	-		
54 LAST UPDATE	- 23-JUN-1981	62 DATE_2	-		

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Cem

Right Number 63-4798 Applicant Schm. T7

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. 7.22.81 21613-524.
- ☒ Claim published correctly. 9.23.80. 81.
- ☐ Exceptions processed.

By DBS Date 8/24/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 8/28/81

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JULY 15, 1981

ERWIN C. SCHMITT
RT. 6, BOX 84
CALDWELL

ID 83605

RE: Claim No. 63-4798

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,

DAVID B. SHAW
Western Region Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JUNE 18, 1981

Idaho Press-Tribune
Box 88
Nampa, ID 83651

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 billing to this office before JULY 13, 1981.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN

Director

Published 8/27 & 9/3/81.

MICROFILMED

SCHMITT, ERWIN C.

RT. 6, BOX 84, CALDWELL, ID 83605

Source: GROUNDWATER

Priority Date: 01/01/1920

Amount: 0.04 CFS

Diversion Point: NENE Sec 06 T 03N R 03W, CANYON Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NENE Sec 06 T 03N R 03W

Diversion Means: WELL, SUBMERSIBLE PUMP & PIPELINE

MICROFILMED