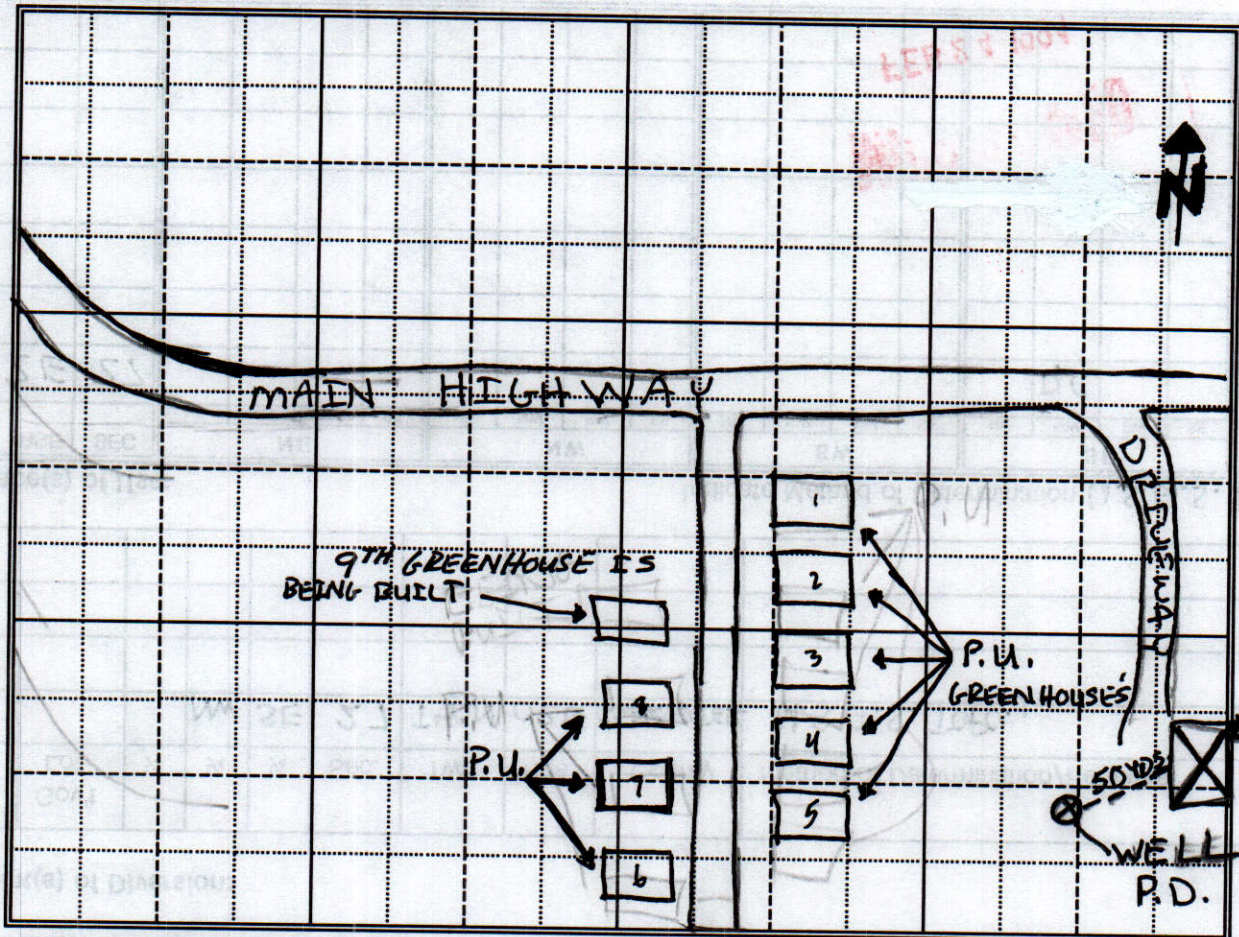


3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		4 _{HP}			

*Code to correspond with No. on map and aerial photo

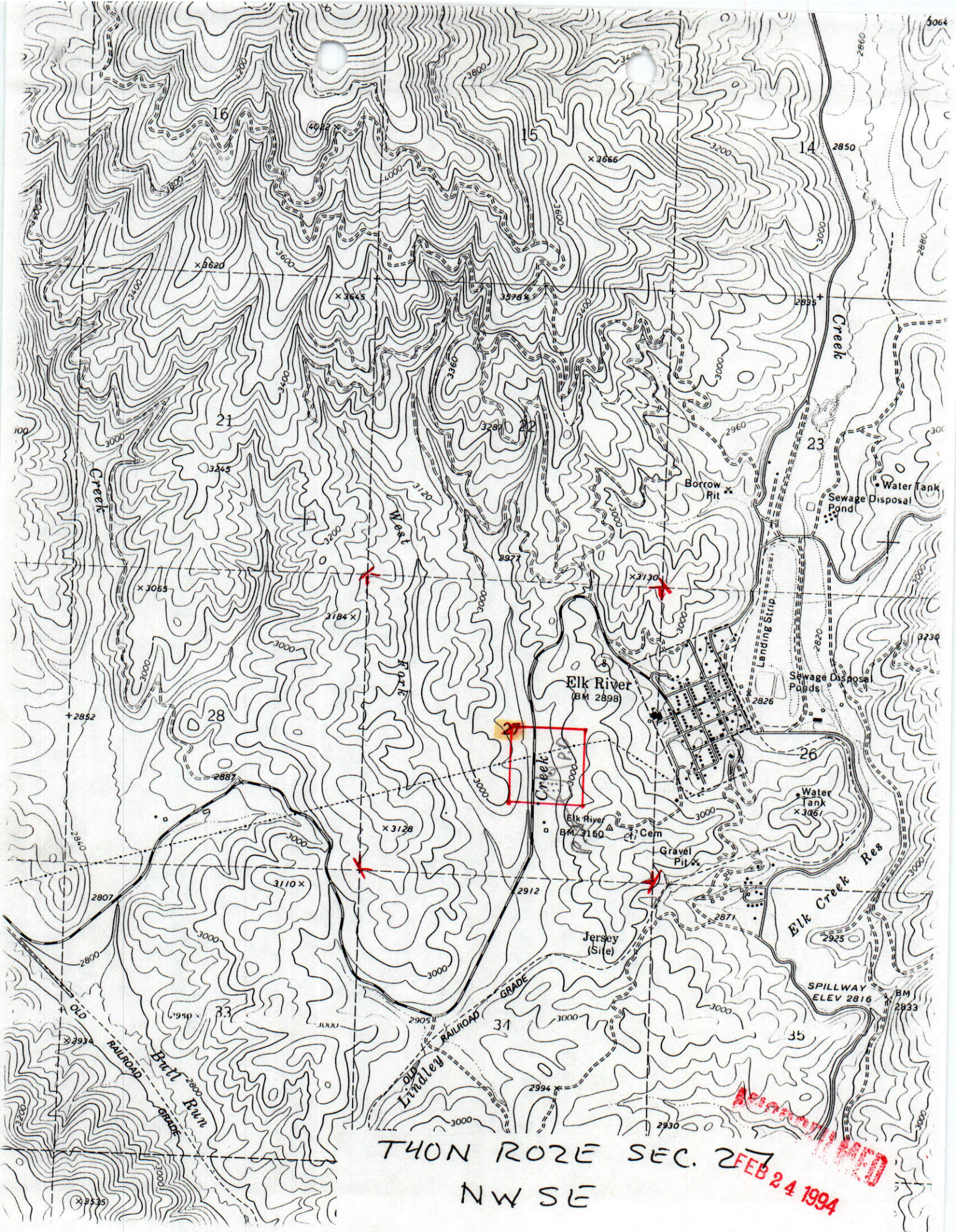
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: NONE

RECEIVED
FEB 24 1994



T40N R02E SEC. 27

NW SE

FEB 24 1994



83-07097
MR. SCHWARTZ'S
HOME
← P.U.



MIR. SCHWARTZ'S
WELL
← P.D.



MIR. SCHWARTZ'S
GREENHOUSE'S
(COMMERCIAL)
← P.U.

FEB 24 1994

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Lolita M. Brown

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice of Correction
Dept. of Water Resources

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issues beginning on the 6th day of April, 1989 and ending on the 13th day of April, 1989.

Lolita M. Brown

STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 14 day of April in the year of 1989, before me, a Notary Public, personally appeared LOLITA BROWN

known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jane J. Greene
Notary Public for Idaho
Resident at Orofino, Idaho
My commission expires: 5-16-94

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT THE APPLICATION FOR PERMIT NO. 83-7097 in the name of James & Marla Schwartz was advertised incorrectly on 2/16 & 23/1989.

The point of diversion was incorrectly described as the NESE Sec 27 T40N R02E; whereas, correctly it should be the NWSE Sec 27 T40N R02E. The place of use was incorrectly described as T40N R02E S27 NESW; whereas, correctly it should be T40N R02E S27 NWSE.

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 on or before April 24, 1989.

R. KEITH HIGGINSON,
Director.
4-6,13c

MICROFILMED

SEP 25 1989



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Lolita M. Brown

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice of Application for Water Right
Dept. of Water Resources

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two issues commencing on the 16th day of February, 1989 and ending on the 23rd day of February, 1989.

Lolita M. Brown

STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 24 day of February in the year of 1989, before me, a Notary Public, personally appeared LOLITA BROWN

known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jane L. Greene
Notary Public for Idaho
Resident at Orofino, Idaho
My commission expires: 5-16-94



NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

83-07097

SCHWARTZ, JAMES
SCHWARTZ, MARLA
P.O. BOX 149
ELK RIVER, ID 83827

Source: GROUNDWATER
Diversion Pt: NESE Sec 27 T 40N R 02E
Use: COMMERCIAL (.030 CFS)
DOMESTIC (.030 CFS)
Date Filed: 10/18/1988
In: T40N R02E S27 NESW

84-07249

CARPENTER, HENRY J.
3144 UPPER FORDS CREEK RD.
OROFINO, ID 83544

Source: SPRING
Tributary: OROFINO CREEK
Diversion Pt: SENWNW Sec 15 T 36N R 02E
Use: STOCKWATER (.020 CFS)
Date Filed: 11/07/1988
In: T36N R02E S15 NWNW

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before **MARCH 6, 1989.**

R. KEITH HIGGINSON,
Director
2-16,23c

MICROFILMED

SEP 25 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 83-07097

Priority: October 18, 1988

Maximum Diversion Rate:

0.06 CFS

Maximum Diversion Volume:

2.7 AF

This is to certify, that JAMES SCHWARTZ
MARLA SCHWARTZ

PO BOX 149

ELK RIVER ID 83827

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 18, 1988; and has submitted Proof of Beneficial Use on May 9, 1991. An examination indicates that the works have a diversion capacity of .160 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	0.03 CFS	1.5 AF
DOMESTIC	01/01 to 12/31	0.03 CFS	1.2 AF
	Totals	0.06 CFS	2.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSE , Sec. 27, Township 40N, Range 02E
CLEARWATER County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

40N 02E 27

NWSE

PLACE OF USE:

DOMESTIC, same as COMMERCIAL use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Commercial use is for a greenhouse operation.
6. Domestic use is for 1 home.

MICROFILMED

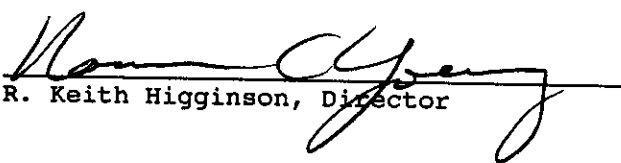
FEB 24 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 83-07097

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22nd
day of FEBRUARY, 1994.

Acting for  R. Keith Higginson, Director

MICROFILMED

FEB 24 1994

RECEIVED

MAY 9 1991

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 83-07097 Telephone No. 208-826-3408

2. Name(s) of Permit Holder(s): Maria Schwede & James Schwede

3. Post Office Address: P.O. Box 149 Elk River, Idaho 83827-0149

4. Source of Water: Well

a. If ground water, well driller's name: Will drilling Lewis Date drilled: July 1988

b. Pump horsepower: 4hp Pressure (psi): 20 gal/min Dynamic pumping level (ft.): 60

5. Extent of Use:

Domestic ☒ (No. of households)

Irrigation 5.5 acre/ft (No. of acres)

Stockwater _____ (No. and type of stock)

Other Greenhouse irrigation

6. Total rate and/or volume for which proof is submitted .06 cfs _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

OR
Flow Measurement Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ 50.00 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Maria Schwede Name 208-826-3408 Telephone No.

3405 Highway 8 Elk River Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

May 16 1991
Date

Maria James Schwede
Signature (and title if on behalf of a company or organization) **JUL 16 1991**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 83-7097

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant JAMES MARLA SCHWARTZ Phone 208-826-3408
Post office address Box 149 LEK RIVER IDAHO 83827
2. Source of water supply Ground water which is a tributary of _____
3. Location of point of diversion is NE ^{NW PER ASSESSOR - JK} $\frac{1}{4}$ of SE $\frac{1}{4}$ of _____ $\frac{1}{4}$ Govt. Lot _____
Sec. 27 Township 40N Range 2E B.M. CLEARWATER County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .03 CFS for domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum) COMMERCIAL (JK 1/30/89)
Amount .03 CFS for greenhouse 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 is (a) .06 CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. pump from 90ft well
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 6" inches; proposed depth of well is 90 feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
X 5 ^{JK} years (minimum 1 year).

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SEP 25 1989

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. one household.
- e. Other; describe fully. Greenhouses (5 @ 3000 Ft² EA.)
JK 2-3-89

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
40N	2E	27																	

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. Spring & Stream

11. a. Who owns the property at the point of diversion? _____
- b. Who owns the land to be irrigated or place of use? _____
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: No point of diversion. (JK 1-30-89)
Basis of Claim Beneficial Use necessary
for household + greenhouse operations.

SEP 20 1989

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

Section 21

Range

Needham's well

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SEP 25 1989

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.

Paula Thomas Schwartz
James Schwartz
(Applicant)

Proposed Priority 10/18/88

Received by AB Date 10/18/88 Time 2:30 Preliminary check by TK
Fee \$ 30.00 Receipted by AB # N-1906 Date 10/18/88
Publication prepared by [Signature] Date 5/8/89 Published in Clearwater Tribune
Publication approved [Signature] Date 5/4/89

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. 83-7097, 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 July 1, 19 91.

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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 6th day of June, 1989.

J. NewSaxon

REGISTERED

SEP 25 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 22, 1994

JAMES SCHWARTZ
MARLA SCHWARTZ
PO BOX 149
ELK RIVER ID 83827

RE: WATER RIGHT NO. 83-07097

Dear Water Right Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

FEB 24 1994

WR0749NP
No. L83-07097

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/11/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JAMES SCHWARTZ	10/18/1988	COMMERCIAL	01-01 12-31	0.03 CFS	1.50 AFA
C	MARLA SCHWARTZ		DOMESTIC	01-01 12-31	0.03 CFS	1.20 AFA
	PO BOX 149					
	ELK RIVER ID 83827					
	(208) 826-3408					
				TOTAL DIVERSION:	0.06 CFS	2.70 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 0.16 CFS

Point(s) of Diversion: T40N R02E S27 NWSE

CLEARWATER County

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE			
				NENE NUNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
40N	02E	27	:																

Place of use location for DOMESTIC is the same location as described for: COMMERCIAL

Pou County: CLEARWATER

Remarks: Commercial use is for a greenhouse operation.
Domestic use is for 1 home.

Dates: App. Received: 10/18/1988 Priority Date: 10/18/1988
Proof Due Date: 07/01/1991 Proof Made Date: 05/09/1991
Exam Made Date: 12/29/1993 Exam Sent to S.O.: 12/28/1993
Licensed Date:

Misc: Water District Number: Field Exam Fee: R (Received)

Audit: 02/10/94 CHAPMAN 02/10/94 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 83-7097

Date 2-10-94

Brenda Chapman

NAME	Yes ☐ No ☒	Or Address Change?
PRIORITY DATE	☐ ☒ ☐ ☒ ☐ ☒	Advance? <u> </u> Advanced to: <u> </u> Order to Reinstate Needed? <u> </u> Incorrect Fee for rate recommended? <u> </u>
SOURCE	☐ ☒ ☐ ☒	Changes? <u> </u> Clarification of Originally Intended source <u> </u> Notice of Intent to Void - Source change. <u> </u>
P/D	☐ ☒ ☐ ☒	Amendment Needed? <u> </u> Overlap(s) <u> </u>
P/U	☐ ☒ ☐ ☒	Amendment Needed? <u> </u> Overlap(s) <u> </u>
TOTAL CFS	☐ ☒	Measurement <u> </u> Theoretical only ☒ <u>8 greenhouses x 1000 x 60 = 480,000 gallons</u> <u>Q = 159 gpm according to memo or .03 cfs</u> <u>Use a 1500 gallon holding tank.</u> Allowable Amount: <u> </u> Capacity of System: <u>.16</u>
TOTAL VOLUME	☐ ☒	Season of Use: <u>GREEN HOUSES 7 months per yr</u> <u>April thru October</u> Calculations: <u> </u> <u>GREEN HOUSES = 1.5 gpm</u> <u>DOMESTIC = 1.2</u> Flow limit: <u>.06 x 365 x 1.9835 = 43.4</u>
USES	☐ ☒ ☐ ☒	Change(s) in Nature of Use? <u> </u> Amendment Needed? <u> </u>
REMARKS	☐ ☒ ☐ ☒	Multiple P/Ds in 1/4 1/4? <u> </u> Special Overlap <u> </u>
CONDITIONS	☐ ☒ ☐ ☒ ☐ ☒ ☐ ☒	Measuring/Locking Devices <u> </u> W/Master Control - District <u> </u> Irrigation Overlap <u> </u> Water Quality <u> </u> Other <u>HAVE NO IDEA WHY 004 WAS PLACED ON PERMIT</u>

COMMENTS:

RECOMMENDED

CFS

DIV VOL

LICENSE ☒

DOMESTIC
COMMERCIAL

.03
.03

1.2
1.5

1ST AMEND LETTER
2ND AMEND LETTER

Totals

.06

2.7

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 03 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 83-07097

1. Owner: MR. SCHWARTZ Phone No. (208) 826-3408

Current Address: PO BOX 149 ELK RIVER, ID. 83827

2. Accompanied by: NO BODY. EXAM DATE: 8-27-93

Address: — Phone No. —

Relationship to Permit Holder: —

3. Source: GROUNDWATER tributary to —

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SE	27	T40N	O2E	ELK RIVER	U.S.G.S. TOPO.

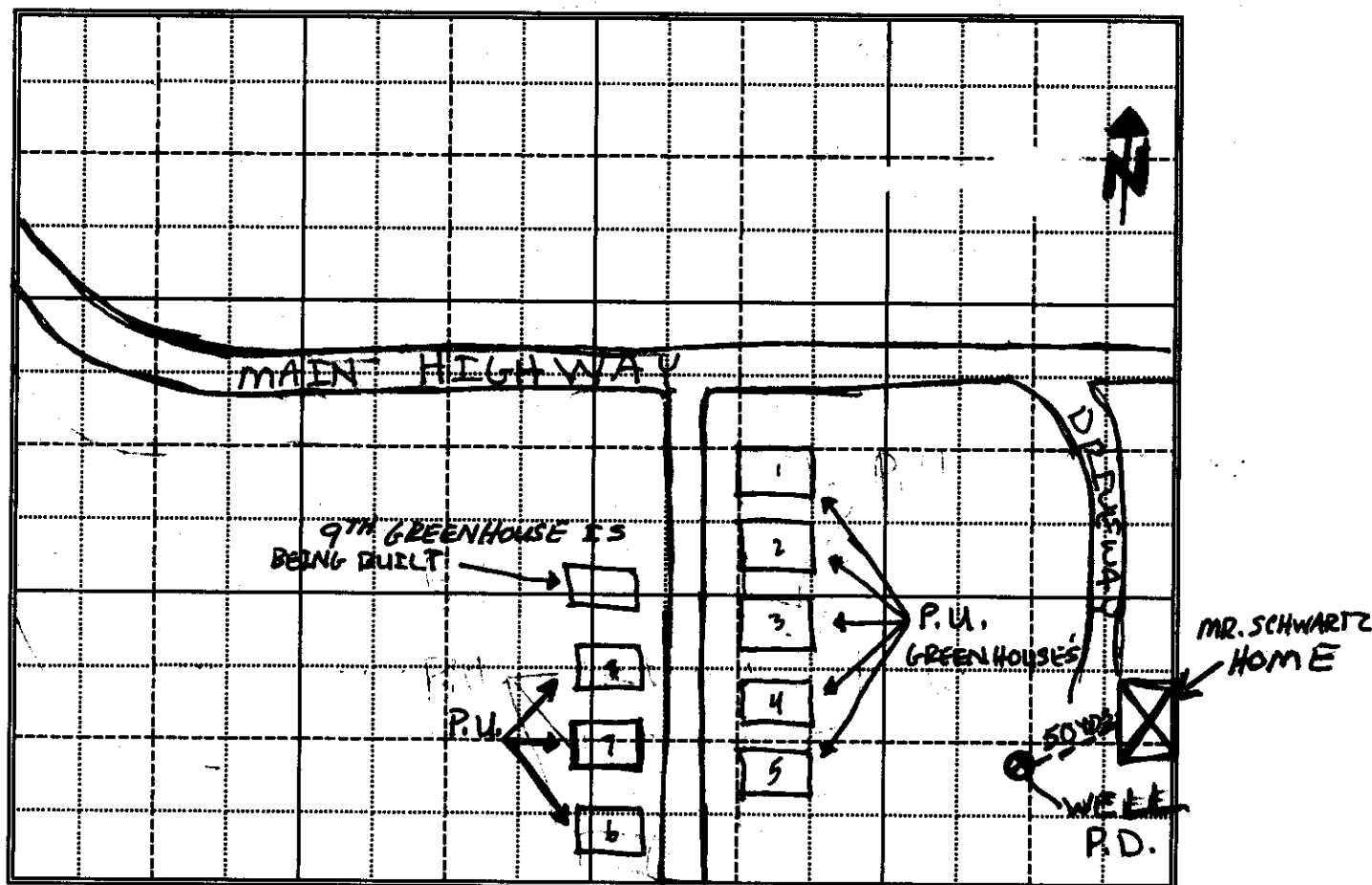
2. Place(s) of Use:

Indicate Method of Determination U.S.G.S. TOPO.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
40N	2E	27																D,C	

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FEB 24 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		4 HP			

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: NONE

MINOR FILMED
FEB 24 1994

E. NARRATIVE/REMARKS/COMMENTS

NO BODY WAS THERE TO SHOW ME THE WHOLE SYSTEM. THERE IS 9 TOTAL GREENHOUSES 8 ARE IN USE AND THE 9TH ONE IS BEING BUILT. I SEEN ELECTRICAL STUBS FOR ABOUT 5 TO 6 MORE GREENHOUSES.

* THERE IS A 1,500 GAL HOLDING TANK THE WATER IS USE SEVEN MONTHS OUT OF THE YEAR IN THE GREENHOUSES.

Have conditions of permit approval been met? ☒ yes ☐ no

APPROVED
FEB 24 1994

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

NONE

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

NONE

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

8 GREEN HOUSES
8,000 GAL OF H₂O USED/IRR. TIME
60 TIMES IN THE 7mo. PERIOD.
THE GREENHOUSES ARE IRR.

$$1 \text{ AF} = 325,850 \text{ GAL}$$

$$X = 480,000 \text{ GAL.}$$

$$X = 1.47 \text{ AF}$$

$$325,850 \overline{) 480,000} \quad 1.47 \text{ AF}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa) ?
	From	To		
DOMESTIC	01-01	12-31	0.03	0.9 ?
COMMERCIAL	01-01	12-31	0.03	1.5
Totals:			0.06	2.4

BC
1.2

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name Jon M. Kunz Date 9-2-93

Reviewer _____ Date _____

FEB 24 1994

NOTES TO THE FILE

07/06/90

A83-07097, 83-07097

BACKGROUND:

DUE TO INCONSISTENCIES BETWEEN THE APPLICATION FOR PERMIT AND THE SRBA CLAIM, I CALLED MRS. SCHWARTZ TO VERIFY THE AMOUNT OF WATER AND USES. MRS. SCHWARTZ STATED THAT AT THIS TIME THEY WERE WATERING (4) GREENHOUSES AND PLANNED TO HAVE THE 5TH COMPLETED BEFORE THE BENEFICIAL USE EXAM WAS SCHEDULED 07/01/91. MRS. SCHWARTZ ALSO STATED THAT THEIR WELL PRODUCED APPROX. 15 GPM. THERE WAS A 1,500 GAL. HOLDING TANK THAT SUPPLIES WATER TO THE GREENHOUSES. THE IRRIGATION OCCURS BETWEEN APRIL 1 - OCT. 31, THE GREEN HOUSES ARE IRRIGATED APPROXIMATELY 60 TIMES DURING THAT PERIOD. EACH IRRIGATION SESSION REQUIRES APPROXIMATELY 5,000 GALLONS OF WATER - (1,000 GAL PER GREENHOUSE).

ACTION REQUESTED FROM WATER RIGHTS PERSONNEL:

PLEASE NOTIFY A.B. (ADJUDICATION AFTER BENEFICIAL USE EXAM IS CONDUCTED).

ADJUDICATION:

MR. SCHWARTZ IS SENDING \$31.00 TO COVER THE COMMERCIAL USE LISTED ON THE CLAIM. THE CLAIM WILL BE HELD UNTIL THE BENEFICIAL USE EXAM IS COMPLETED AND CLAIM WILL BE MODIFIED TO CORRESPOND WITH PROSPECTIVE LICENSE.

APR 20 1994
FEB 24 1994

83-07097

MR. SCHWARTZ'S

HOME

← P.U.

MIR. SCHWARTZ'S

WELL

← P.D.

MIR. SCHWARTZ'S

GREENHOUSE'S
(COMMERCIAL)

← P.U.

FEB 24 1994

JAMES SCHWARTZ
MARLA SCHWARTZ
P.O. BOX 149
ELK RIVER, ID 83827

June 21, 1991

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 83-07097

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

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JUL 16 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 83-7097

Date 5-15-91

GENERAL CONSIDERATIONS

- 4 Name same as permit?
4 Address same as permit? If no, indicate below.
9 Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- Surface water source
4 Ground water source
 Drill permit req'd?
 Copy in file? Drill permit no.
 Amt paid for drilling permit? Correct?
9 Well log in file?

LICENSE EXAMINATION FEE

- 48.00 Required?
58.00 Amount submitted?
9 Correct amount?

MEASURING DEVICE

- No Measuring device or access port required?
 Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

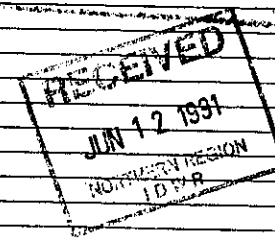
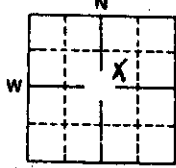
- Proof acceptable

PRIORITY CALCULATION

Date proof received	_____	_____
Date proof due	_____	- _____
No. of days late	_____	= _____
Priority date	_____	+ _____
NEW PRIORITY DATE	_____	= _____

LB

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>Vin Schwartz</u> Address <u>Box 81, Elk River, Idaho</u> Drilling Permit No. _____ Water Right Permit No. _____	7. WATER LEVEL Static water level <u>25</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ of. Quality _____ Describe artesian or temperature zones below.																																
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Well diameter increase ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)	8. WELL TEST DATA ☐ Pump ☐ Bailor ☒ Air ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Discharge G.P.M.</th> <th>Pumping Level</th> <th>Hours Pumped</th> </tr> </thead> <tbody> <tr> <td align="center"><u>30</u></td> <td align="center"><u>Recommended Pump setting 50-55' test</u></td> <td></td> </tr> </tbody> </table>	Discharge G.P.M.	Pumping Level	Hours Pumped	<u>30</u>	<u>Recommended Pump setting 50-55' test</u>																											
Discharge G.P.M.	Pumping Level	Hours Pumped																															
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3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or injection ☐ Other _____ (specify type)	9. LITHOLOGIC LOG <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Bore Diam.</th> <th>Depth From To</th> <th>Material</th> <th>Water Yes No</th> </tr> </thead> <tbody> <tr> <td></td> <td>0 2</td> <td>Soil</td> <td></td> </tr> <tr> <td></td> <td>2 67</td> <td>Clay</td> <td></td> </tr> <tr> <td></td> <td>67 79</td> <td>Decomposed granite</td> <td></td> </tr> <tr> <td></td> <td>79 89</td> <td>Decomposed granite approx 30gpm</td> <td align="center">☒</td> </tr> </tbody> </table>	Bore Diam.	Depth From To	Material	Water Yes No		0 2	Soil			2 67	Clay			67 79	Decomposed granite			79 89	Decomposed granite approx 30gpm	☒												
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	0 2	Soil																															
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4. METHOD DRILLED ☒ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary ☐ Cable ☐ Dug ☐ Other _____	JUL 16 1991 																																
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Thickness</th> <th>Diameter</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>.250</u> inches</td> <td><u>8</u> inches</td> <td><u>1</u> foot</td> <td><u>67</u> feet</td> </tr> <tr> <td><u>.250</u> inches</td> <td><u>6</u> inches</td> <td><u>58</u> feet</td> <td><u>89</u> feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ inches</td> <td>_____ inches</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Was casing drive shoe used? ☒ Yes ☐ No Was a packer or seal used? ☒ Yes ☐ No Perforated? <u>6"</u> ☒ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☒ Torch ☐ Gun Size of perforation <u>1/4"</u> inches by <u>8</u> inches <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Number</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td><u>30</u> perforations</td> <td><u>29</u> feet</td> <td><u>89</u> feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> <tr> <td>_____ perforations</td> <td>_____ feet</td> <td>_____ feet</td> </tr> </tbody> </table> Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth <u>30'</u> Material used in seal: ☐ Cement grout ☒ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☒ Overbore to seal depth Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent Weld ☐ Cemented between strata Describe access port _____	Thickness	Diameter	From	To	<u>.250</u> inches	<u>8</u> inches	<u>1</u> foot	<u>67</u> feet	<u>.250</u> inches	<u>6</u> inches	<u>58</u> feet	<u>89</u> feet	_____ inches	_____ inches	_____ feet	_____ feet	_____ inches	_____ inches	_____ feet	_____ feet	Number	From	To	<u>30</u> perforations	<u>29</u> feet	<u>89</u> feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	10. Work started <u>June 1987</u> finished <u>June 1987</u>
Thickness	Diameter	From	To																														
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County _____ SW 1/4 NE 1/4 Sec. 27 T. 40 S R. 2 E 1/4	11. DRILLERS CERTIFICATION I/we certify that all minimum well construction standards were complied with at the time the rig was removed. Firm Name <u>K.W. Drilling</u> Firm No. <u>444</u> Address <u>2019 Powers Ave. Healdston, Id 83501</u> Date <u>6/10/91</u> Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Operator)																																

USE ADDITIONAL SHEETS IF NECESSARY - FORWARD THE WHITE COPY TO THE DEPARTMENT

138513

April 30, 1991

JAMES SCHWARTZ
MARLA SCHWARTZ
P.O. BOX 149
ELK RIVER, ID 83827

PROOF DUE NOTICE

RE: PERMIT NO. 83-07097

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

JUL 16 1991

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
June 7, 1989

JAMES SCHWARTZ
MARLA SCHWARTZ
P.O. BOX 149
ELK RIVER, ID 83827

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 83-07097

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

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SEP 20 1989

Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

CS: SC
Enclosures

RECEIVED

SEP 25 1989

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Lolita M. Brown

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice of Correction

Dept. of Water Resources

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issues beginning on the 6th day of April, 1989 and ending on the 13th day of April, 1989.

Lolita M. Brown

STATE OF IDAHO)

COUNTY OF CLEARWATER)

On this 14 day of April in the year of 1989, before me, a Notary Public, personally appeared LOLITA BROWN

known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jane J. Greene
Notary Public for Idaho
Resident at Orofino, Idaho

My commission expires: 5-16-94

MICROFILMED

SEP 25 1989



NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 83-7097 in the name of James & Marla Schwartz was advertised incorrectly on 2/16 & 23/1989.

The point of diversion was incorrectly described as the NESE Sec 27 T40N R02E; whereas, correctly it should be the NWSE Sec 27 T40N R02E. The place of use was incorrectly described as T40N R02E S27 NESW; whereas, correctly it should be T40N R02E S27 NWSE.

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before April 24, 1989.

R. KEITH HIGGINSON, Dir.

Published in the Clearwater Tribune on 4/6 & 13/1989.

MICROFILMED

SEP 20 1989

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Lolita M. Brown

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Notice of Application for Water Right

Dept. of Water Resources

That said Notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two issues commencing on the 16th day of February, 1989 and ending on the 23rd day of February, 1989.

Lolita M. Brown

STATE OF IDAHO)
)
COUNTY OF CLEARWATER)

On this 24 day of February in the year of 1989, before me, a Notary Public, personally appeared LOLITA BROWN

known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Jane L. Greene

Notary Public for Idaho
Resident at Orofino, Idaho

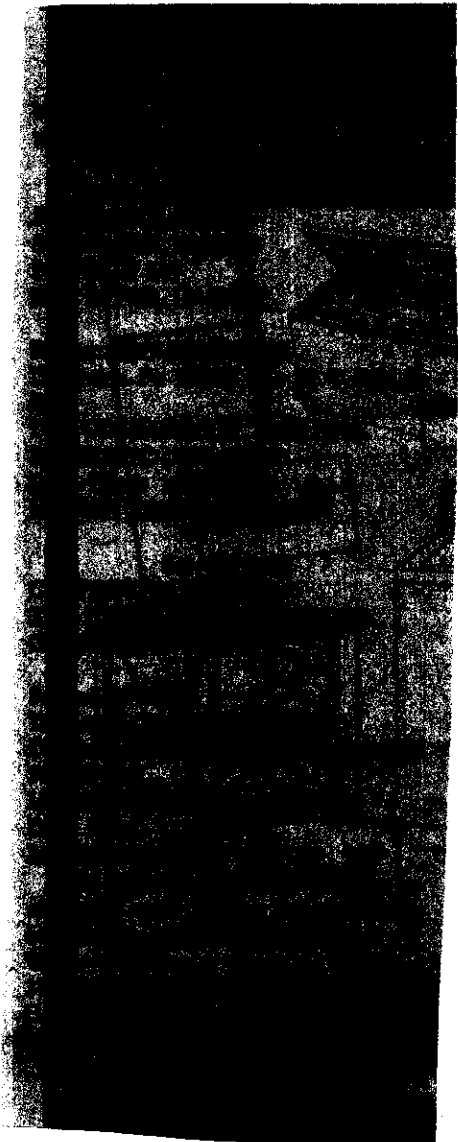
My commission expires: 5-16-94

RECEIVED

MAR 01 1989

NORTHERN REGION
IDWR

[Handwritten notes and signatures]
3/2/89
P/D
P/V
J. Greene



MICROFILMED

SEP 25 1989

83-07097

SCHWARTZ, JAMES
SCHWARTZ, MARLA
P.O. BOX 149
ELK RIVER, ID 83827

Source: GROUNDWATER

Diversion Pt: ^{NWSE}
~~NESE~~ Sec 27 T 40N R 02E

Use: COMMERCIAL (.030 CFS)
DOMESTIC (.030 CFS)

Date Filed: 10/18/1988

In: T40N R02E S27

~~NESW~~
NWSE

*Corrected
on computer
3/28/89*

MICROFILMED

SEP 25 1989