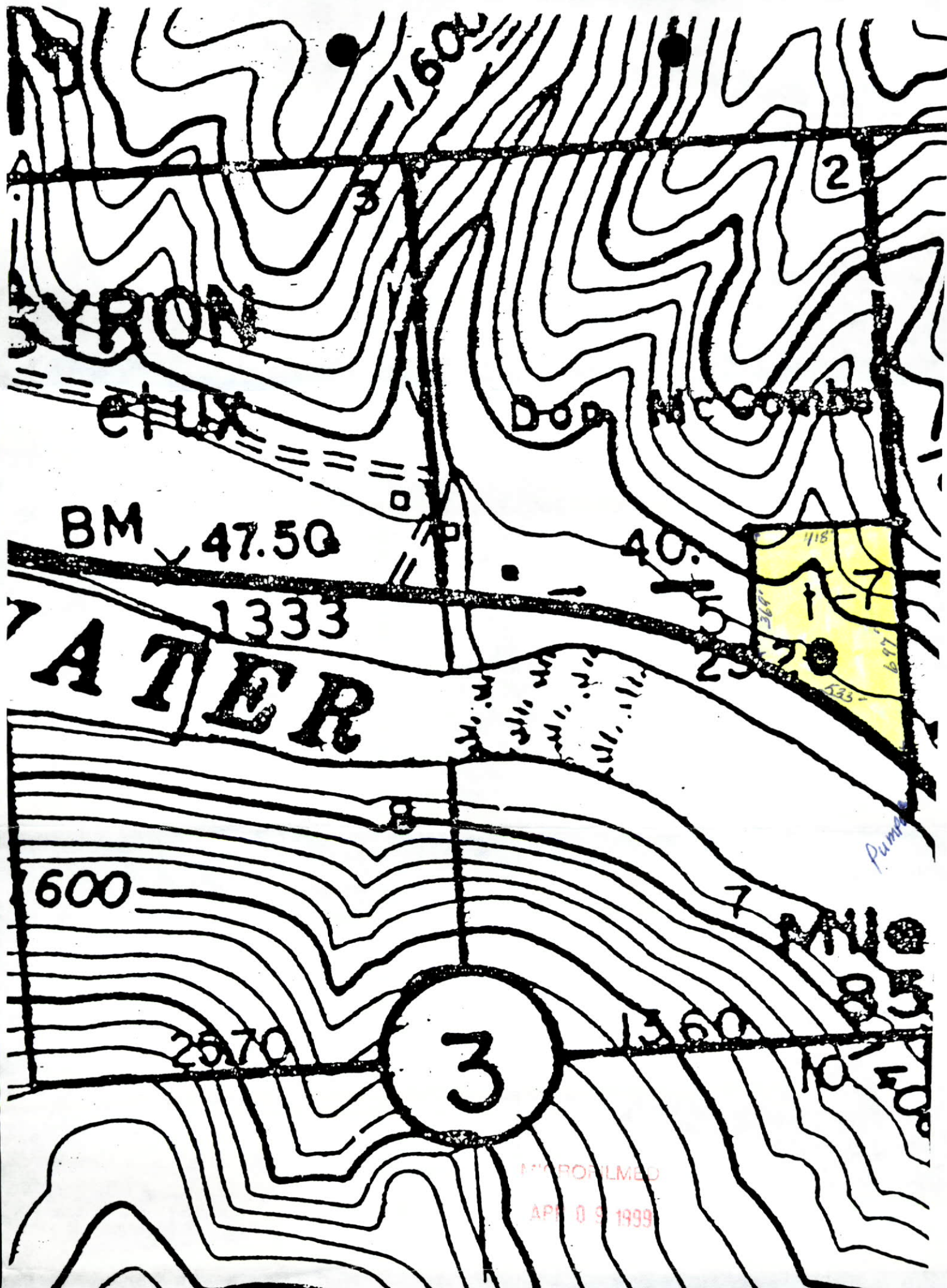




MICROFILMED
APR 0 9 1999

HYW. 12

2 HP APPROX 50' FROM EAST EDGE OF PROPERTY

1/2 HP " " " WEST " " " "

X

Δ

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.

Anthony Z. Schinner
(Applicant)

AFFIDAVIT OF PUBLICATION

_____ Gary D. Cash _____ being first duly sworn, says he is the _____ Office Manager _____ of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for _____ two _____ weeks, being published _____ two _____ times, the first publication being on the _____ 16th _____ day of _____ June _____, 1971, and the last publication on the _____ 23rd _____ day of _____ June _____, 1971 and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

_____ Gary D. Cash _____

Subscribed and sworn to before me this _____ 23rd _____ day of _____ June _____, 1971

_____ Richard C. Hatch _____, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Anthony F. Schinner, Star Route, Box 26, Kooskia, Idaho has on May 25, 1971 submitted Application No. 81-7012 for a permit to appropriate 0.05 cubic feet per second of water from Middle Fork Clearwater River, tributary of Clearwater River by means of pumps and pipe within Lot 5, Sec. 3, T. 32N, R. 5E, B.M., Idaho County to be used from June 1 to Oct. 1 for the irrigation of three acres within Lot 5, Sec. 3, T. 32N, R. 5E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before July 5, 1971.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on June 16 and June 23, 1971. Jn16-23

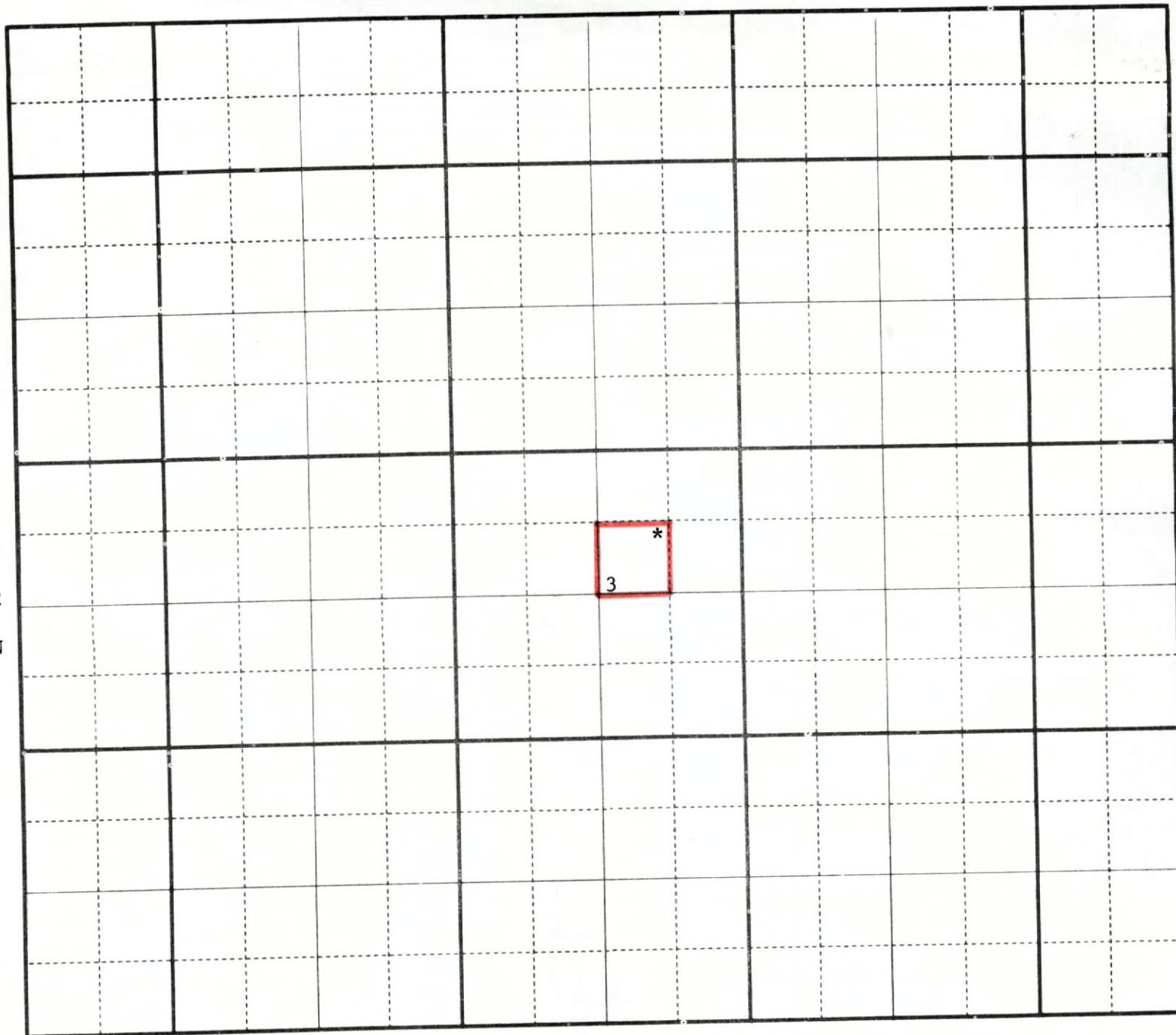
T
32
N

Diagram of System

RECEIVED

JAN 22 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): 81-07012
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Marlene Turner
HC 75 Kooskia, ID 83539
4. New Owner/Claimant(s) Jerry and Lori Eggert
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P.O. Box 275
 City, State and ZIP Code Kamiah, ID 83536
 New Telephone Number (208) 926-7280
5. Date you acquired the property Sept. 21, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS .04 Number of homes 1 Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner ☒ Jerry K Eggert
 or Claimant(s) ☒ Lori L. Eggert
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

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APR 09 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

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APR 09 1999

402230

COPY

WARRANTY DEEDCOMPUTER 11
INDEXED 11
TRACTED 11
FILMED 11
ANNEXED 11

THIS INDENTURE, made on this 21st day of September, 1998, by MARLENE TURNER, also known as MARLENE A. TURNER, a single person, acting through THOMAS COLLAR, her attorney in fact by virtue of a Power of Attorney dated and recorded on 18th day of August, 1998, as Idaho County Instrument #401578, hereinafter referred to as the Grantor, and JERRY K. EGGERT and LORI L. EGGERT, husband and wife, of P.O. Box 275, Kamiah, Idaho, 83536, hereinafter referred to as the Grantees.

WITNESSETH:

That, the said Grantor, for and in consideration of the sum of Ten Dollars (\$10), lawful money of the United States of America, and other good and valuable considerations to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents does grant, bargain, sell, convey and confirm unto the said Grantees, their heirs and assigns forever, all the following described of real property situate in the County of Idaho, State of Idaho, to wit:

Township 32 North, Range 5 East, Boise Meridian, Idaho County, Idaho, Section 3: A portion of Lots 2 and 5, more particularly described as follows: Beginning at a point whence the Northeast corner of Lot 5, said Section bears South 151 feet; thence West 418 feet; thence South 369 feet; thence Southeasterly 533 feet along the arc of a four degree curve on the North boundary of State Highway No. 9; thence North 697 feet to the Point of Beginning.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances with all improvements and water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity of the said Grantor.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns forever.

And the said Grantor, for herself, her heirs, executors and administrators, do covenant, grant, bargain and agree to and

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APR 09 1999

with the said Grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents they were well seized of the premises above conveyed as of good, sure, perfect, absolute and indefeasible estate of inheritance, in fee simple, and have good right, full power and lawful authority to grant, bargain, sell and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments and encumbrances of whatever kind or nature whatsoever, EXCEPT:

- a) General taxes for the year 1998, which are a lien, not yet due and payable.
- b) Judgment on Declaration of Taking and Order for Delivery of Possession, including the terms and conditions thereof, by and between UNITED STATES OF AMERICA, Plaintiff vs ANTHONY F. SCHINNER, et al, Civil No. 78-3051, recorded July 28, 1978, under Instrument No. 274542, records of Idaho County, Idaho.
- c) Easement Agreement, including the terms and conditions thereof, by and between ANTHONY F. SCHINNER and UNICE FLORA SCHINNER, husband and wife, first parties, and THE STATE OF IDAHO, second party, recorded February 20, 1986, under Instrument No. 325060, records Idaho County, Idaho.
- d) Road Right of Way Easement, including the terms and conditions thereof, by and between ANTHONY F. SCHINNER and UNICE FLORA SCHINNER, husband and wife, Grantors, and ARTHUR MIESNER and CRESSIE I. ROBINETT, Grantees, recorded July 24, 1991, under Instrument No. 359245, records of Idaho County, Idaho.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantor will and shall WARRANT AND FOREVER DEFEND.

That, this deed is given by Grantor to Grantees, not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantees to Grantor.

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APR 09 1999

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal the day and year first above written.

Marlene Turner By Thomas Collar
MARELENE TURNER
By Thomas Collar,
Attorney in Fact

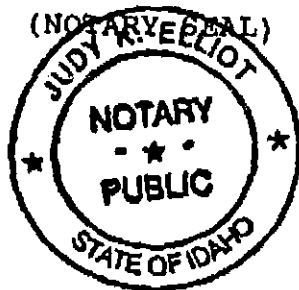
Thomas Collar
THOMAS COLLAR
Attorney in Fact

STATE OF IDAHO

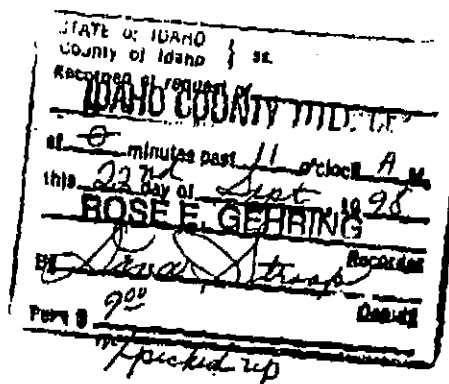
County of Idaho ^{SS}

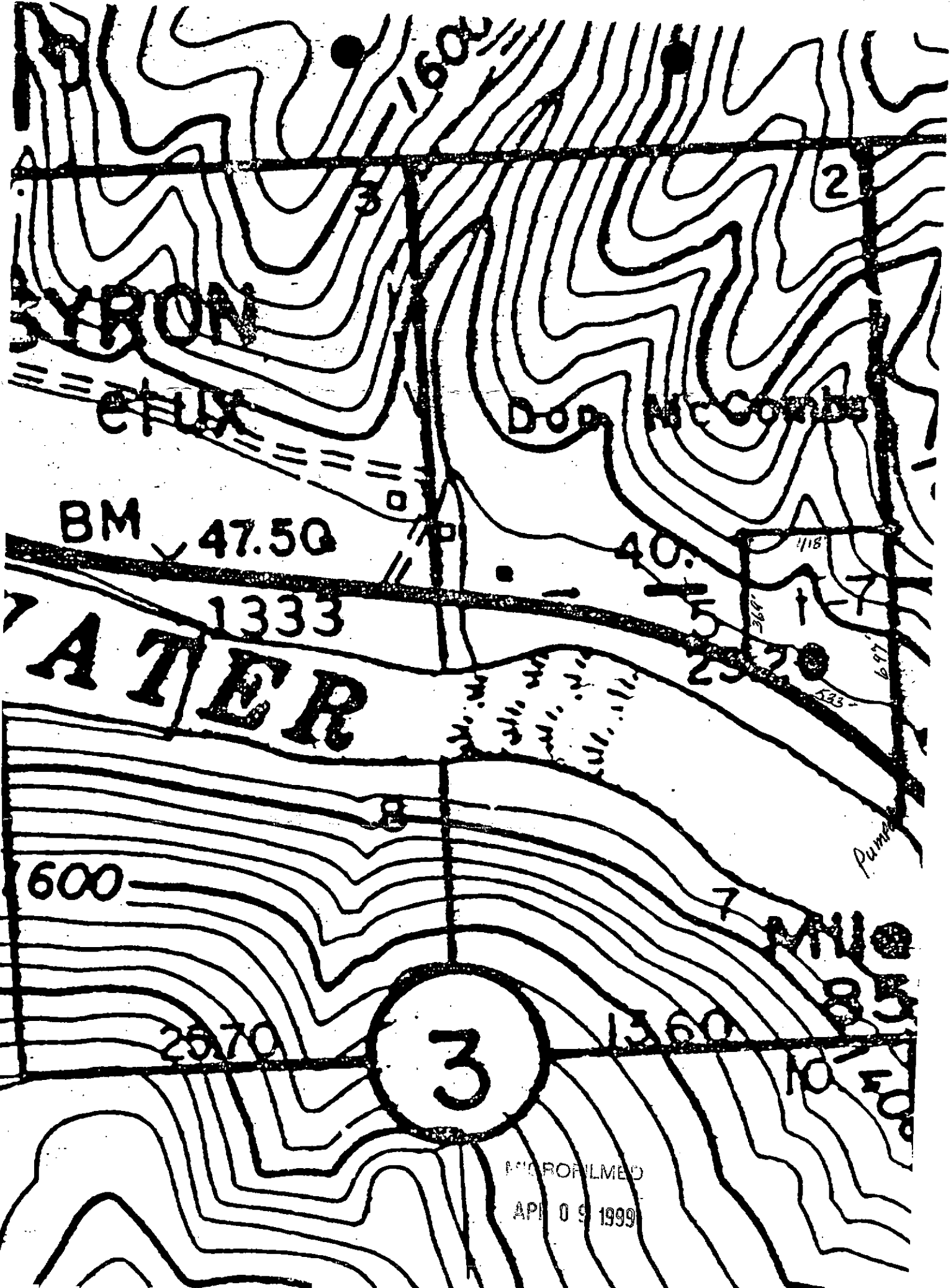
On this 21st day of September 1998, before me, a Notary Public for said County and State, personally appeared THOMAS COLLAR, known to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Marlene Turner, and he acknowledged to me that he subscribed the name of Marlene Turner thereto as principal, and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Judy K. Elliot
Notary Public for State of Idaho,
Residing at Grangeville therein.
My commission expires 3-26-04.





State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 81-7012 Priority May 25, 1971 Amount 0.05 cfs

THIS IS TO CERTIFY, that ANTHONY E. SCHINNER
of Kooskia, Idaho, has complied with the terms and conditions of Permit
No. 81-7012 issued pursuant to Application for Permit dated May 25, 1971,
and has submitted proof to the Department of Water Administration on July 31, 1973,
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 0.06 cfs of water from Middle Fork Clearwater River,
tributary to Clearwater River, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>June 1</u> to <u>Oct. 1</u>	at <u>0.05</u> cfs and	<u>9 acre feet or</u>
			<u>3.0 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.05 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
9 acre feet per year, said waters to be diverted within the Lot 5 of Sec. 3,
Twp. 32 N, Rge. 5 E, B. M. in the County of Idaho

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
32 N	5 E	3			L.5 3														Three

Total number of acres irrigated Three

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 22 day of
August, 19 74.

Director

81 7012

Identification No. 81-7012
Application No. _____

LICENSE ISSUED FOR .05 SEC. FY.
LICENSE PAGE NO. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant ANTHONY F. SCHINNER
post office address STAR RT. BOX 26 KOOSKIA IDAHO
2. Source of water supply MIDDLE FORK CLEARWATER RIVER which is a tributary of CLEARWATER RIVER
3. a. Location of point of diversion is LOT 5 of 1/4 of Section 3 Township 32 N
Range 5 E B.M. IDAHO County; additional points of diversion if any: _____
af
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$ of _____ of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount .05 for IRRIGATION purpose from JUNE 1 to OCT 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .05 cubic feet per second and/or
b. _____ acre-feet-per-annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 2 HP ELECTRIC PUMP
200 FT 3" ALUMINUM PIPE & 300 FT 2" ALUM PIPE
1/2 HP ELECT PUMP 150 FT. 1" PLASTIC PIPE
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years.
b. Estimated construction cost is \$ 400.00.
8. Description of proposed uses:
a. If water is not for irrigation:
(1) Give the place of use of water: LOT 5 of _____ $\frac{1}{4}$ of Section 3 Township 32 N
Range 5 E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
(5) If water is to be used for other purposes describe: IRRIGATION FOR 3 ACRES
IN LOT 5 SECTION 3 TOWNSHIP 32 N RANGE 5 IN
IDAHO COUNTY

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

[illegible]

Total number of acres to be irrigated 3

c. Describe any other water rights used for the same purposes_____

9. a. Who owns the property at the point of diversion STATE HIGHWAY DEPT

b. Who owns the land to be irrigated or place of use ~~ANTHONY F. SCHINNER~~ ANTHONY F. SCHINNER

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 _____

Received by ij Date 5-25-71 Time 8:00 AM
Preliminary check by DL Fee \$ 10.00
Receipted by ej Date 5-25-71
Publication prepared by cr Date 6-8-71
Published in Idaho County Free Press
Publication dates 6-16 & 6-23-71
Publication approved de Date 7-01-71
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DS

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 81-7012, 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 August 1, 19 73.

c. Other: _____

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

Witness my hand this 13th day of July, 19 71.

R. Kindley
Director ~~STATE RECLAMATION ENGINEER~~

81 7012

AFFIDAVIT OF PUBLICATION

..... Gary D. Cash being first duly sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 16th day of June 19~~8~~71, and the last publication on the 23rd day of June 19~~8~~71 and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

Gary D. Cash

Subscribed and sworn to before me this 23rd day of June 19~~8~~71

Richard C. Hatch Notary Public
for State of Idaho, residing at Grangeville, Idaho.

**NOTICE OF APPLICATION
FOR WATER PERMIT**
Notice is hereby given that Anthony F. Schinner, Star Route, Box 26, Kooskia, Idaho has on May 25, 1971 submitted Application No. 81-7012 for a permit to appropriate 0.05 cubic feet per second of water from Middle Fork Clearwater River, tributary of Clearwater River by means of pumps and pipe within Lot 5, Sec. 3, T. 32N, R. 5E, B.M., Idaho County to be used from June 1 to Oct. 1 for the irrigation of three acres within Lot 5, Sec. 3, T. 32N, R. 5E, B.M.
If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before July 3, 1971.
R. KEITH HIGGINSON
Director
Published in the Idaho County Free Press, Grangeville, Idaho on June 16 and June 23, 1971. Jnl6-23





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

January 26, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JERRY EGGERT
LORI EGGERT
PO BOX 275
KAMIAH ID 83536

RE: Water Right 81-07012

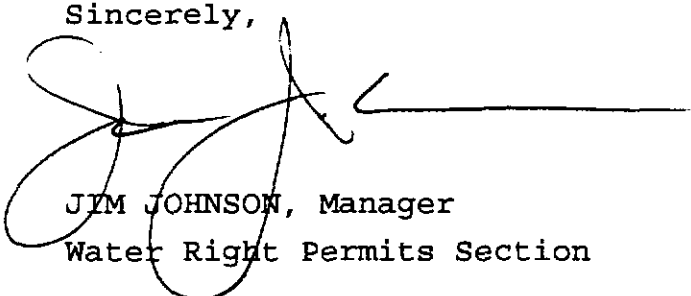
Dear Mr. & Mrs. Eggert:

The Department is in receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosure

MICROFILMED
APR 09 1999

August 23, 1974

Re: Permit No. 81-7012

Anthony E. Schinner
Star Route, Box 26
Kooskia, ID 83539

Dear Mr. Schinner:

Enclosed is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

81-7012

RECEIVED

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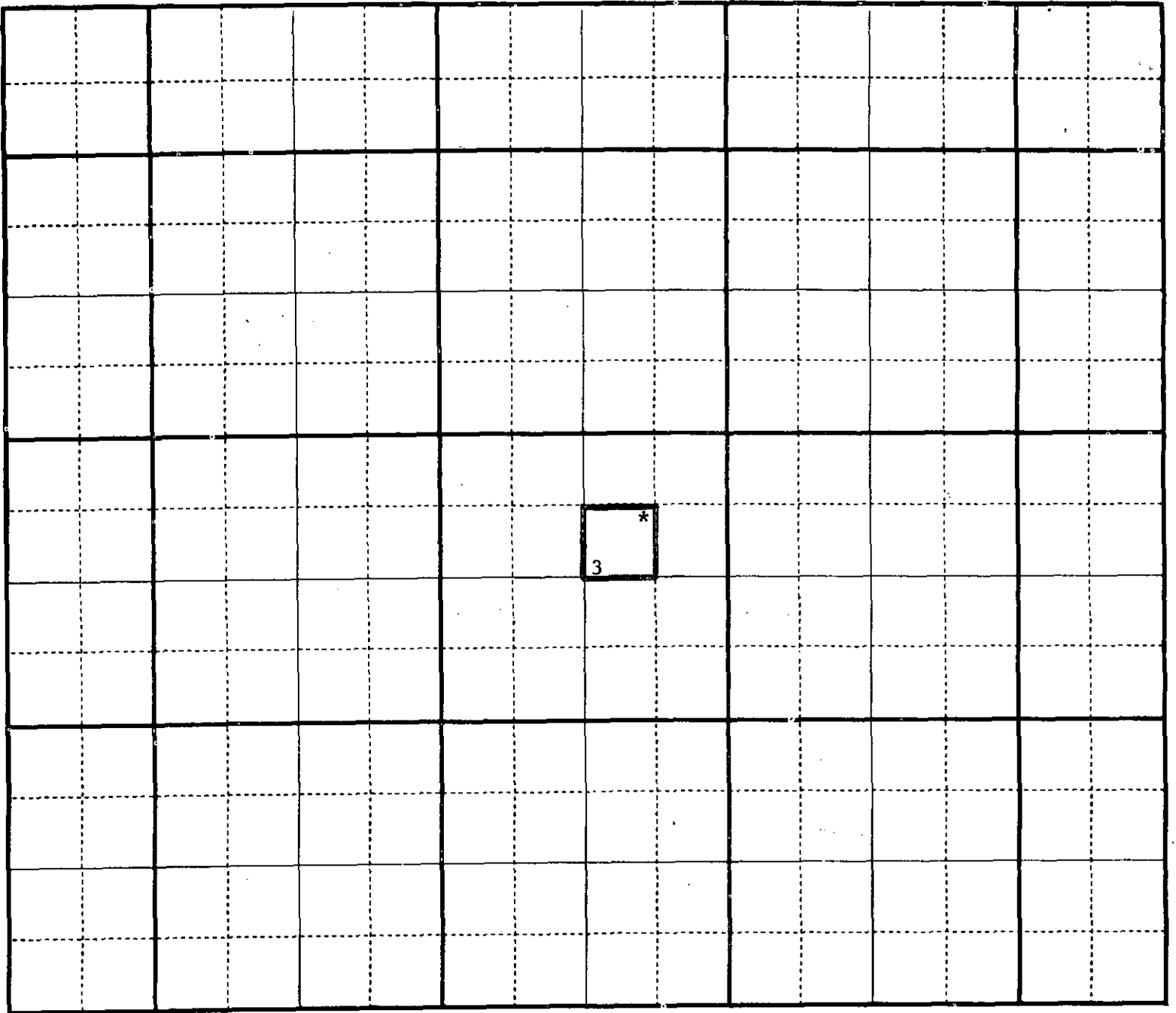


Diagram of System

DATE OF EXAM 7/31/74

ACREAGE
Found 3
Recommended 3

Irrigation Requirement 30 Ac Ft/Ac

USE
Irrigation Q= 0.05 c.f.s. V= 9 AF/Ann. from JUNE 1 to OCT 1
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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 0.06 Method of measurement PRESSURE GAGE

Total Q recommended 0.05 Meter No. _____ Type _____ Condition _____

Total V recommended 9 AF

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None X

MEASUREMENT CALCULATION:

5-RAINBIRDS MODEL 40-5/32 X 3/32 7° - 35 PSI

$$\frac{5.71 \times 5}{448.8} = 0.063 \text{ cfs}$$

SYSTEM DESCRIPTION:

<u>G.E. MOTOR</u>	<u>UNIVERSAL PUMP</u>
<u>SKC49TG28FT</u>	<u>H2DL1-S</u>
<u>219504 SER. SWF</u>	<u>AWNE1870</u>

REMARKS:

Examiner's Signature [Signature] Date 8/5/74

Checked by [Signature] Date 8/9/74

Approved by _____ Date _____

81-7012

August 10, 1973

Re: Permit No. 81-7012

Anthony F. Schinner
Star Route, Box 26
Kooskia, Idaho 83539

Dear Mr. Schinner:

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 exam, please contact our Northern District office at 401 Front Ave., Room 209, Coeur d'Alene, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC

81-7012

Identification No. _____

Permit No. _____

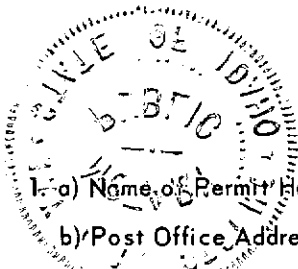
STATE OF IDAHO

DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JUL 31 1973

Department of Water Administration



1. a) Name of Permit Holder ANTHONY P. SCHINNER

b) Post Office Address STAR BT Box 26 HOOSKIA IDAHO 83539

2. Permit Number 81-7012

3. Date of Priority that you are prepared to establish AUG 1 1973

4. a) Source from which water was appropriated MIDDLE FORK CLEAR WATER RIVER

b) Location of the point of diversion: LOT 5 1/4 1/4, Section 3

Township 32 N, Range 5 E Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:

amount .05 for IRRIGATION purposes from JUNE 1 to OCT. 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated .05 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: 5 BAINBRID SPRINKLERS 3 G.P.M. AT 40 P.S.I. E.C.
2 BAINBRID SPRINKLERS 2 1/2 G.P.M. AT 40 P.S.I. (MANUFACTURERS SPECIFICATIONS)

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: 3" ALUMINUM PIPE THROUGH CULVERT UNDER STATE HWY #12. 2 H.P. ELECTRIC PUMP.

b) Describe the agreement or understanding by which you take water from the works: APPLIED FOR PERMIT

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 2 H.P. ELECTRIC MOTOR & PUMP 1/4" INTAKE
1 1/2" OUTLET. 2" PLASTIC PIPE SUCTION LINE INTO RIVER

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

NONE (REFER TO 5C)

c) Give well drillers name and address and date the well was completed _____

Exam typed 8/10/73 by jc

81 7012

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

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
32N	5E	3	PART OF LOT 5																3

Total number of acres irrigated 3

10. Remarks: _____

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

7-30-73 (Date) Anthony Z. Schinner (Signature)

State of IDAHO)
County of IDAHO) ss.

On this 30 day of July, 19 73, 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 9.23.76
Carl Schinner
Notary Public residing at CLEWATON IDAHO

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

Arthur Z. Shuman

24565

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

JUN - 2 1973

3

81 7012

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



Postmark of Delivering Office

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$500



SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83702

June 1, 1973

CERTIFIED MAIL

#24565

Re: Permit No. ⁷81-7012

Anthony F. Schinner
Star Route, Box 26
Hooskia, Idaho 83539

Dear Mr. Schinner:

One of the conditions of approval of your water Permit No. 81-7012 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before August 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

81 7012

July 14, 1971

Re: Permit No. 81-7012 - Anthony F. Schinner

Anthony F. Schinner
Star Route, Box 26
Kooskia, Idaho 83539

Dear Mr. Schinner:

Enclosed is a copy of your approved Application for Permit No. 81-7012. We direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures

81 7012

June 8, 1971

Re: Application No. 81-7012 - Anthony F. Schinner
82-7008 - Wallace D. Miller

Idaho County Free Press
Box 267
Grangeville, Idaho 83530

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

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

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cr

Enclosure

*Bill submitted
7-01-71
da*

81 7012

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Anthony F. Schinner, Star Route, Box 26, Kooskia, Idaho has on May 25, 1971 submitted Application No. ~~81-7012~~ for a permit to appropriate 0.05 cubic feet per second of water from Middle Fork Clearwater River, tributary of Clearwater River by means of pumps and pipe within Lot 5, Sec. 3, T. 32N, R. 5E, B.M., Idaho County to be used from June 1 to Oct. 1 for the irrigation of three acres within Lot 5, Sec. 3, T. 32N, R. 5E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before July 5, 1971.

R. KEITH HIGGINSON
Director

Published in the Idaho County Free Press, Grangeville, Idaho on June 16 and June 23, 1971. Jn16-23

81 7012

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Anthony F. Schinner, Star Route, Box 26,
Kooskia, Idaho
has on May 25, 1971 submitted Application No. 81-7012
for a permit to appropriate 0.05 cubic feet per second ~~2000 cubic feet per second~~
of water from Middle Fork Clearwater River, tributary of Clearwater River
by means of pumps and pipe
within ~~the~~ Lot 5, Sec. 3, T. 32N, R. SE, B.M., Idaho County

to be used from June 1 to Oct. 1
for the irrigation of three acres

within ~~the~~ Lot 5, Sec. 3, T. 32N, R. SE, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before July 5, 1971.

R. KEITH HIGGINSON

Director

Published in the Idaho County Free Press, Grangeville, Idaho
on June 16 and June 23, 1971.

81 7012

June 1, 1971

Anthony F. Schinner
Star Route, Box 26
Kooskia, Idaho 83539

Dear Mr. Schinner:

Returned herewith is your receipt No. 6517 in the amount of \$10.00
for your application for permit,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

May 19, 1971



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

Mr. Anthony F. Schinner
Star Route
Post Office Box #26
Kooskia, Idaho 83539

Dear Mr. Schinner:

We are returning your application for permit and personal check #92-327 in the amount of \$10.00. We find in reviewing this application that there are several questions that need clarification before we can process it.

Please note under item #4 that you have listed the nature of use as irrigation, but have neglected to state the quantity of water used. Under normal conditions, the maximum quantity that we could approve for irrigation would be one inch, or 0.02 cubic feet per second, per irrigated acre. Item #8a should list the number of acres irrigated in each 40 acre Subdivision or Government Lot, Section, Township and Range. We also wish to advise you that the signature on page three (3) of the application must appear in the exact manner as the name of the applicant under item #1, page one, of the application.

As soon as you have made these necessary clarifications and re-submitted the application, we shall begin its processing.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosures

81 7012

May 20, 1971

Mr. Anthony F. Schinner
Star Route
Post Office Box #26
Kooskia, Idaho 83539

Dear Mr. Schinner:

We are returning your application for permit and personal check #92-327 in the amount of \$10.00. We find in reviewing this application that there are several questions that need clarification before we can process it.

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DC:cm

Enclosures

81 7012