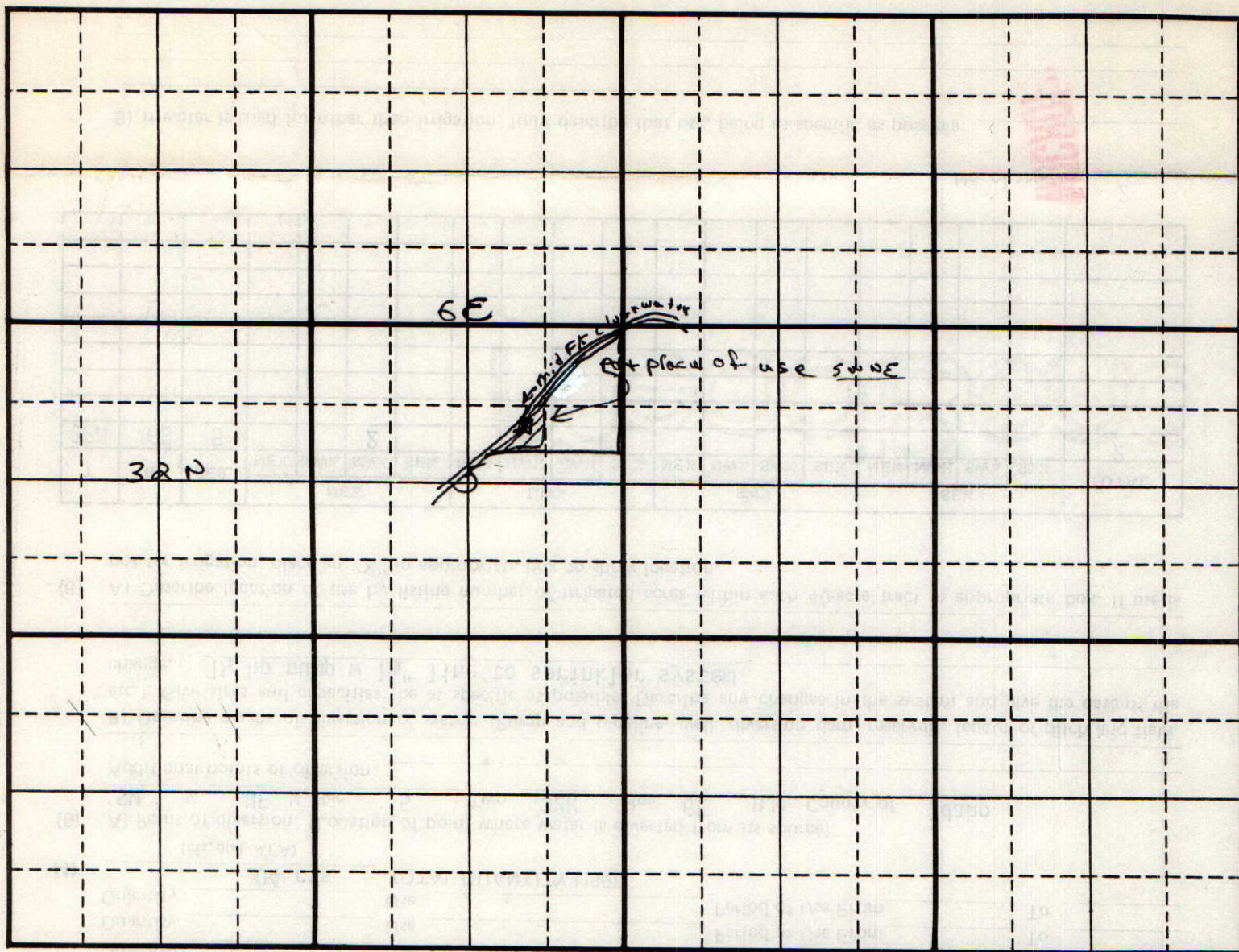


(8) Remarks _____



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 16 day of November, 19 79.

Joseph Schwartz
(Claimant)
Vala S. Knecht
Notary Public
Residing at Boise, Id

My commission expires life

FOR DEPARTMENT USE ONLY

Received by CEB Date 16 NOV 79 Exception filed by: _____ Date _____
Prelim. check by SK Date 11.27.79
\$20.00 fee received by CEB Date 16 NOV 79 251
Published in Idaho County Free Press
Dates 12/5 & 12/19

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 Joseph &/or Lorena Schwartz
(Name of Claimant)
Star Rt., Box 41, Kooskia, ID 83529 Telephone No. 926-4373
(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) 1929

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)
Middle Fork Clearwater tributary to Clearwater River

(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</u>	Use	<u>Irrigation</u>	Period of Use From <u>3/1</u>	To <u>11/1</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)
SW ¼ NE ¼, Sec. 5 Twp. 32N Rge. 6E B.M., County of Idaho
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. 1½ hp pump w 1½" line to sprinkler system

(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	
32N	6E	5			2														2

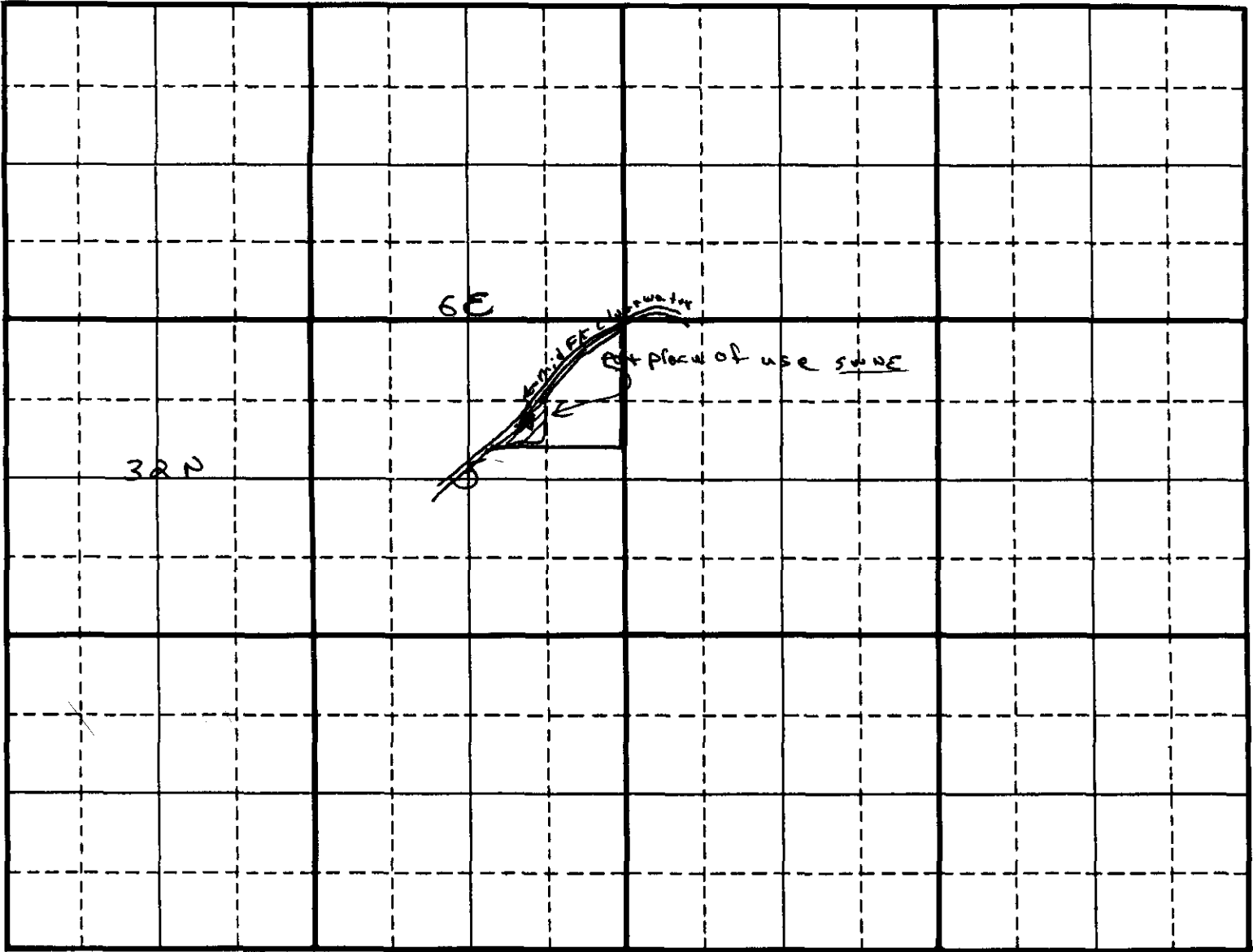
No. of ac 2

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

NOTE: Include here the type and number of stock watered:

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

(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 16 day of November, 19 79.
Joseph Schwartz (Claimant)

Walter S. Knecht
Notary Public
Residing at Boise, Id

My commission expires life

FOR DEPARTMENT USE ONLY

Received by <u>CEB</u>	Date <u>16 NOV 79</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>SK</u>	Date <u>11.27.79</u>		claimant by:	
\$20.00 fee received by <u>CEB</u>	Date <u>16 NOV 79</u>	<u>251</u>		
Published in <u>Idaho County Free Press</u>				
Dates <u>12/5 & 12/79</u>				

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:

81-4022

HURBON, JOHN F. &/or
KATHARINE
AR RT., KOOSKIA, ID
39

Source: SELWAY RIVER
tributary to CLEARWATER
RIVER, MIDDLE FORK
Priority Date: 09/01/1967
Amount: 0.04 CFS

Diversion Point: SWNW Sec
T32N R 07E, IDAHO Co.
Use: DOMESTIC (0.04 CFS)
from 01/01 to 12/31

Place of Use: SWNW Sec 15
22N R 07E

Diversion Means: PUMPS &
PIPE

81-4023

CHWARTZ, JOSEPH &/or
ORENA

STAR RT. BOX 41,
KOOSKIA, ID 83539

Source: CLEARWATER
RIVER, MIDDLE FORK
tributary to CLEARWATER
RIVER

Priority Date: 01/01/1929

Amount: 0.04 CFS

Diversion Point: SWNE Sec
05T 32N R 06E, IDAHO Co.

Use: IRRIGATION (0.04
CFS) from 03/01 to 11/01

Place of Use: SWNE Sec 05
T32N R 06E FOR 2 ACRES

Diversion Means: PUMP &
SPRINKLER

81-4024

BENTON, BARNY &/or
ESTHER &/or DOUG &/or
PAT

STAR RT. BOX 45,
KOOSKIA, ID 83539

Source: LITTLE SMITH
tributary to CLEARWATER
RIVER, MIDDLE FORK

Priority Date: 01/01/1959

Amount: 0.10 CFS

Diversion Point: SWSE Sec
32 T 33 N R 06E, IDAHO Co.

Use: IRRIGATION (0.06
CFS) from 04/01 to 11/01

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

Place of Use: SWSE Sec 32
T33N R 06E FOR 3 ACRES

Diversion Means: BOX &
PIPE

81-4025

SPETS, ORVILLE

STAR RT. BOX 133,
KOOSKIA, ID 83539

Source: UNNAMED
STREAM & SPRINGS

tributary to MAGGIE
CREEK

Priority Date: 01/01/1968

Amount: 0.26 CFS 6.0 AC-FT

Diversion Point: SENE Sec
19T 33N R 05E, IDAHO Co.

Use: IRRIGATION
STORAGE (6.0 AC-FT) from
01/01 to 12/31

IRRIGATION FROM
STORAGE (0.20 CFS) from
03/15 to 11/15

STOCKWATER (0.02 CFS)
from 01/01 to 12/31

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

Place of Use: SENE Sec 19T
33N R 05E FOR 10 ACRES

Diversion Means: PONDS,
PUMP, SPRINKLERS &
DEVELOPED SPRING.

Use: DOMESTIC (0.08 CFS)
from 01/01 to 12/31

Place of Use: NWNE Sec 21
T31N R 04E

Diversion Means: WELL,
PUMP & PIPE

Any exception to any claim
of water right may be filed
with the Director of the
Idaho Department of Water
Resources, 4055 Gov't Way,
Coeur d'Alene, Id, 83814.

C. STEPHEN ALLRED

Director

Published 12/5 & 12/12/79

D5-12

82-4043

KLEMENT, JOHN E. &/or
JANET A.

RT. 1 BOX 5B,
GRANGEVILLE, ID 83530

Source: GROUNDWATER

Priority Date: 01/01/1910

Amount: 0.06 CFS

Diversion Point: SENE Sec
14 T30N R 04E, IDAHO Co.

Use: STOCKWATER (0.02
CFS) from 01/01 to 12/31

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

Place of Use: SENE Sec 14
T30N R 04E

Diversion Means: WELL &
PUMP

85-4124

LAMB, VOLNEY &/or
ZELDA

STAR RT. 2 BOX 239,
KOOSKIA, ID 83539

Source: CLEARWATER
RIVER, SOUTH FORK

tributary to CLEARWATER
RIVER

Priority Date: 06/01/1967

Amount: 0.03 CFS

Diversion Point: SWSE Sec
16 T 31N R 04E, IDAHO Co.

Use: IRRIGATION (0.03
CFS) from 04/01 to 11/01

Place of Use: NWNE Sec 21
T31N R 04E FOR 1 ACRES

Diversion Means: PUMP,
PIPE & SPRINKLER

85-4127

LAMB, VOLNEY &/or
ZELDA

STAR RT. 2 BOX 239,
KOOSKIA, ID 83539

Source: GROUNDWATER

Priority Date: 01/01/1968

Amount: 0.08 CFS

Diversion Point: NWNE Sec
21 T 31N R 04E, IDAHO Co.

AFFIDAVIT OF PUBLICATION

.....Nona Donaldson..... being first duly

sworn, says he is the Office Manager

the IDAHO COUNTY FREE PRESS, a weekly newspaper which

published and issued weekly at Grangeville, Idaho County,

e of Idaho, and which is of general circulation in said county

state; that the said notice, of which the one hereto attached

true copy, was published in said paper for 2..... weeks,

g published 2..... times, the first publication being

on 5..... day of December....., 1979.....,

the last publication on the ... 12 day of

.....December..... 1979...; and that the said notice

published in the newspaper proper and not a supplement;

said newspaper has been continuously and uninterruptedly

shed in said county during a period of more than seventy-

consecutive weeks prior to the first publication of said

or advertisement.

Subscribed and sworn to before me this 14..... day

.....December....., 1979.....

.....Marilyn J. Stolley....., Notary Public

for State of Idaho, residing at Grangeville, Idaho.

FILED

RECEIVED

DEC 17 1979

Department of Water Resources
Northern District Office

ACT
ION
N OWNER LAST NAME - SCHWARTZ
N OWNER LAST NAME - SCHWARTZ
N ADDRESS LINE 1 - STAR RT. BOX 41
N
N SOURCE - CLEARWATER RIVER, MIDDLE FORK
N STAGE - STAIRY CLM
N DIVERSION POINT - SWNE 05 32N 06E
N FROM - 03-01 TO - 11-01 USE - IRRIGATION
N USE - IRRIGATION
N DIVERSION MEANS - PUMP & SPRINKLER

FIRST NAME - JOSEPH
FIRST NAME - LORENA

CITY - KOOSKIA
CITY OF - CLEARWATER RIVER
PRIORITY - 01-01-1929

STATE - ID ZIP CODE - 83529

COUNTY - IDAHO

USE DIV. RATE - .0400CFS

PLACE OF USE - TWN 32N RNG 06E SEC 05 TRACT SWNE

TOTAL DIV. RATE - .0400CFS

AC 02

126

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ✓

Right Number 81-4023 ~~Amplified~~

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By RB Date 12-17-79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Jmi Date 1/18/80

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN W. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

DECEMBER 24, 1979

JOSEPH SCHWARTZ
LORENA SCHWARTZ
STAR RT. BOX 41
KODSKIA

ID 83529

RE: Claim No. 81-4023

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,

Robert G. Haynes

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

UNRECORDED

81-4023-

SCHWARTZ, JOSEPH &/or LORENA

STAR RT. BOX 41, KOOSKIA, ID 83529

Source: CLEARWATER RIVER, MIDDLE FORK tributary to CLEARWATER RIVER

Priority Date: 01/01/1929

Amount: 0.04 CFS

Diversion Point: SWNE Sec 05 T 32N R 06E, IDAHO Co.

Use: IRRIGATION (0.04 CFS) from 03/01 to 11/01

Place of Use: SWNE Sec 05 T 32N R 06E FOR 2 ACRES

Diversion Means: PUMP & SPRINKLER