

NOTE:

The filing deadline has been extended with a substantially increased fee.
Date Claim Filed
Until 6-30-1983
7-01-1983 thru 6-30-1984 \$30
7-01-1984 thru 6-30-1985 \$100
\$200

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

CLAIM TO A WATER RIGHT

Department of Water Resources
Northern District Office

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 Karthe H, Marvin J. & Daniel G. Wittman
(Name of Claimant)
Lapwai, ID 83540 Telephone No 843-2326
(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) 1950

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)
Spring tributary to No name creek

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.02 cfs</u>	Use <u>Livestock</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) .02 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion. (Location of point where water is diverted from its source) SEE Item #6
NE 1/4 SE 1/4, Sec. 36 Twp. 35N Rge. 4W B.M., County of NEZ PERCE
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. Surface water from stream created by spring

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
35N	4W	36													X				

No of acres 1

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

livestock water

NOTE: Include here the type and number of stock watered: Mixed Cows, Yearlings, & Calves 80 Head

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

N/A

MULTI-FILMED

(8) Remarks ^{See} ASCS Photo 8" = 1 mile (attached)

[illegible]

State of Idaho)
County of Blaine) ss.

Sworn to before me this 20 day of June

Bertel H. Withers
(Claimant)
1983

(Claimant)
 1983
 Notary Public
 Residing at Lewiston

My commission expires 2-1-83

FOR DEPARTMENT USE ONLY

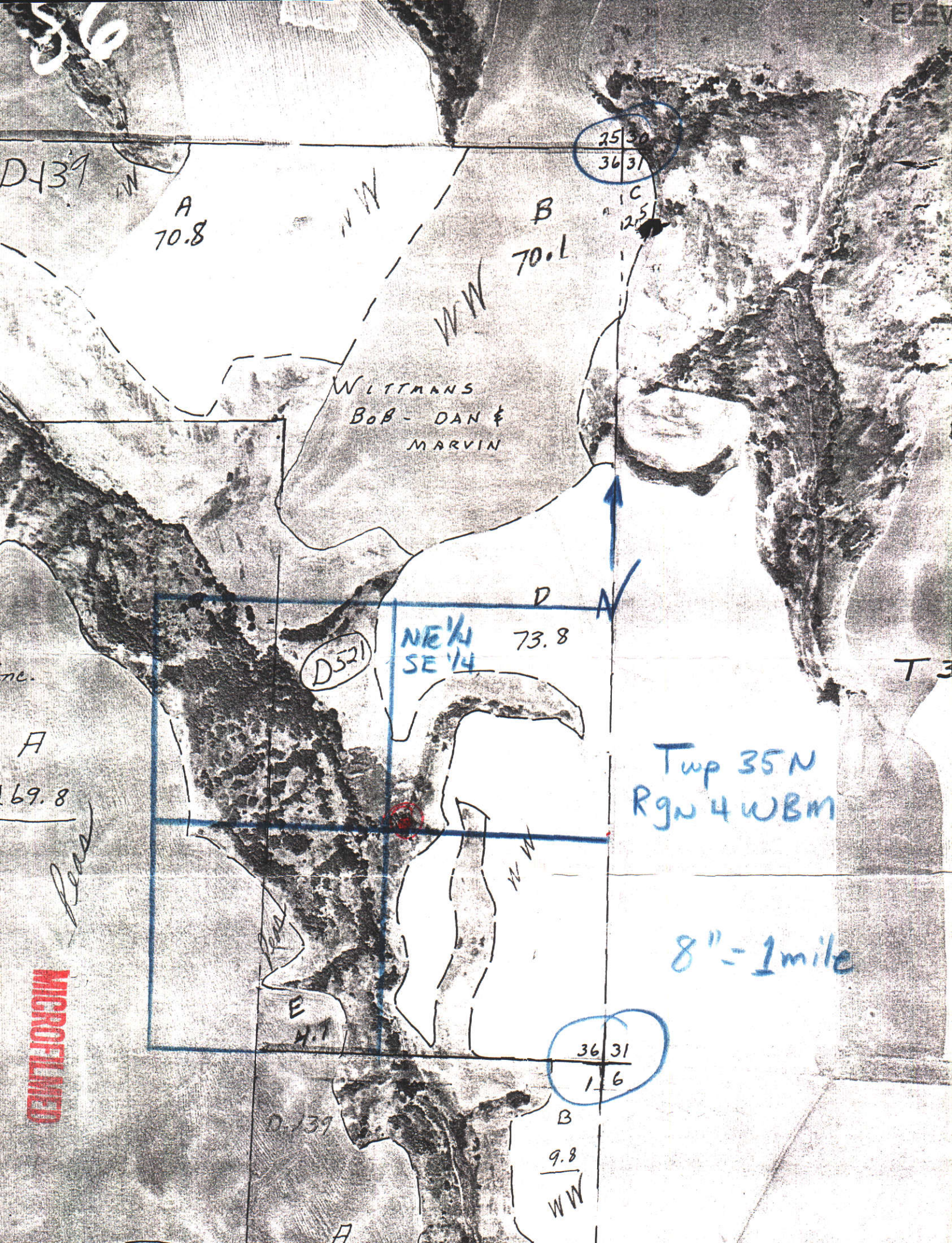
Received by [Signature] Date 6/21/83 Exception filed by: _____ Forwarded to _____ Date _____

Prelim. check by [Signature] Date 8/19/83 claimant by: _____

\$30.00 fee received by [Signature] Date 8/19/83 (31305)

Published in [Signature]

Dates 9/8 & 15/83



PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

85-4461

WITTMAN, BARTHEL H. &/or MARVIN J. &/or DANIEL G.
LAPWAI, ID 83540

Source: SPRING trib. to LAPWAI CREEK

Priority Date: 01/01/1950

Diversion Pt: NESE Sec 36 T 35N R 04W

Use: STOCKWATER (0.02 CFS)

In: NESE Sec 36 T 35N R 04W

85-4463

WITTMAN FARMS INC.

RT. 1 BOX 212, LAPWAI, ID 83540
Source: SPRINGS trib. to LAPWAI CREEK

Priority Date: 01/01/1940

Diversion Pt: NWNW Sec 36 T 35N R 04W

Use: IRRIGATION (0.02 CFS)

STOCKWATER (0.02 CFS)

DOMESTIC (0.04 CFS)

In: SWSE Sec 26 T 35N R 04W NWNW Sec 36 T 35N R 04W SWSE Sec 26 T 35N R 04W FOR 5 ACRES

85-4464

WITTMAN FARMS INC.

RT. 1 BOX 212, LAPWAI, ID 83540
Source: SPRINGS trib. to WEBB CREEK

Priority Date: 01/01/1926

Diversion Pt: SESE Sec 24 T 34N R 04W SWSW Sec 19 T 34N R 03W NENE Sec 31 T 34N R 03W NESW Sec 32 T 34N R 03W

Use: STOCKWATER (0.04 CFS)

In: SESE Sec 24 T 34N R 04W SWSW Sec 19 T 34N R 03W NENE Sec 31 T 34N R 03W NESW Sec 32 T 34N R 03W

85-4465

CARPENTER, JOHN W.

5275-B TAMMANY CREEK RD., LEWISTON, ID 83501

Source: SPRINGS trib. to SINKS

Priority Date: 05/01/1946

Diversion Pt: NESE Sec 20 T 35N R 05W

Use: IRRIGATION (0.05 CFS)

STOCKWATER (0.01 CFS)

DOMESTIC (0.01 CFS)

In: NESE Sec 20 T 35N R 05W FOR 18 ACRES

85-4466

TUMELSON, ROY T.

426 LAPWAI RD., LEWISTON, ID 83501

Source: LINDSEY CREEK trib. to CLEARWATER RIVER

Priority Date: 06/15/1938

Diversion Pt: SESE Sec 32 T 36N R 05W

Use: IRRIGATION (0.12 CFS)

STOCKWATER (0.40 CFS)

DOMESTIC (0.04 CFS)

In: SESE Sec 32 T 36N R 05W FOR 6 ACRES

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, ID 83814.

KEN DUNN, Dir.

NOTICE OF APPLICATION FOR WATER RIGHT

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

85-7399

LEWISTON VETERINARY CLINIC INC.

421 22ND ST. N., LEWISTON, ID 83501

Source: GROUNDWATER

Date Filed: 08/24/1983

Diversion Pt: SESE Sec 23 T 35N R 05W

Use: IRRIGATION (0.14 CFS)

COMMERCIAL (0.11 CFS)

DOMESTIC (0.04 CFS)

In: SESE Sec 23 T 35N R 05W FOR 7 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before SEPTEMBER 26, 1983.

KEN DUNN, Dir.

STATE OF IDAHO,
County of Nez Perce

ss.

MICROFILMED

Gayle Schumacher

, being duly sworn,

Classified Bookkeeper

deposes and says, I am the of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the

NOTICE OF CLAIMS TO WATER RIGHTS

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the

first publication thereof being on the 8th day of September, A.D. 1983, and the last publica-

tion thereof being on the 15th day of September, A.D. 1983, and said

NOTICE OF CLAIMS TO WATER RIGHTS was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

SUBSCRIBED AND SWORN BEFORE ME THIS THE 15th day of September, 1983.

Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

RECEIVED
SEP 26 1983
Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: *[Signature]*

Right Number 85-4461 Applicant *Hittman*

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 *[Signature]* Date 10/2/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By *DC* Date 10-25-83

MICROFILMED

WATER RIGHT
DATA ENTRY LOG

[illegible]

85-4461

WITTMAN, BARTHEL H. &/or MARVIN J. &/or DANIEL G.

LAPWAI, ID 83540

Source: SPRING trib. to LAPWAI CREEK

Priority Date: 01/01/1950

Diversion Pt: NESE Sec 36 T 35N R 04W

Use: STOCKWATER (0.02 CFS)

In: NESE Sec 36 T 35N R 04W

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

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

SEPTEMBER 26, 1983

BARTHEL H. WITTMAN
MARYVIN J. WITTMAN
DANIEL G. WITTMAN
LAPWAI

ID 83540

RE: Claim No. 85-4461

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, P.E.
Regional Supervisor

Enclosure

MICROFILMED



Wittman Farms, Inc.



ROUTE 1 BOX 47

Dink ~~MARVIN J. WITTMAN~~

PHONE (208) 843-5595

CULDESAC, IDAHO 83524

Aug 17, 1983

Dear Sirs -

Enclosed are resubmitted water right claims. Hopefully all questions have been answered satisfactorily. Hope this is returned within your deadline. Harvest has made it hard to attend to before now.

If you have further questions, please advise.

Sincerely
Dink Wittman

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RECEIVED

AUG 19 1983

Department of Water Resources
Northern District Office



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

A. Kenneth Dunn
Director

State No. 9
U.S.S. Government Work
U.S. G.A. No. Idaho 8481
C.D. 9 66 6481

Date: 6/22, 1983

Dear _____:

This office is in receipt of your Claim to a Water Right and Check No. _____ in the amount of \$_____ and we are returning same to you because the Claim cannot be formally receipted until the following information is provided:

- | | |
|--|--|
| _____ Complete Name. | _____ Location of Point(s) - Item 5.
of Diversion |
| _____ Complete Mailing Address. | _____ Location of Place of Use. |
| _____ Date of Priority - Item 1. | (Acres irrigated if water is - Item 6.
claimed for irrigation.) |
| _____ Source of Water - Item 2. | <u>X</u> Filing Fee. (\$30.00) |
| _____ Amount, Nature & Period of Use - Item 3. | _____ Signature. |
| _____ Total Quantity Claimed - Item 4. | _____ Notarization of Signature. |

Other *Since check is for \$90.00 I am reluctant to accept that amount and request a refund of \$60.00 from the State Auditors office; So I am also returning this claim*

Please note that your Claim has been stamped and initialed as received. If you amend the Claim by adding the needed information and return the Claim to this office no later than 60 days from the date of this letter, the original date submitted will be utilized for purposes of determining the appropriate filing fee. INITIAL ALL CHANGES.

Instructions for completing a Claim to a Water Right are included for your information. However, if you desire assistance, please feel free to contact this office.

Sincerely,

IDAHO DEPARTMENT OF WATER RESOURCES

pms

Enc. - Claim
Check
Instructions

MICROFILMED

NOTE:

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with a substantial increase in **10**
Date Claim Filed
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7-01-1984 thru 6-30-1985 \$100
\$200

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		(Both dates inclusive)	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>.02 cfs</u>	Use <u>Livestock</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) .02 cfs TOTAL QUANTITY USED.
(cfs. af)

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NE ¼ SE ¼, Sec 36 Twp 35N Rge. 4W B M, County of NEZ PERCE
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.

Surface water from stream created by spring

(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.

[illegible]

No. of acres

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

livestock water

NOTE Include here the type and number of stock watered Mixed Cows, Yearlings, & Calves 90 Head

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

2/14

RECEIVED