

(8) Remarks None.

MICROFILMED

TOWNSHIP 35 NORTH, RANGE 5 WEST BOISE MERIDIAN

Point of use → Point of diversion

Section 2 Section 1

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 Nez Perce) 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 15th day of June

Stephen A. Schaub
STEPHEN A. SCHAU (Agent)
19 83

A. C. Victor
Notary Public
Residing at Lewiston, Idaho.

My commission expires Perpetual.

FOR DEPARTMENT USE ONLY

Received by JK Date 6-16-83 Exception filed by: _____ Date _____
Prelim. check by JK Date 6-16-83
\$20.00 fee received by JK Date 6-16-83 (27700)
Published in Lewiston Morning Tribune
Dates 6/30-7/7/83

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 16 1983



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 STEPHEN A. SCHAUB

(Name of Claimant)

3745 Lapwai Road, Lewiston, Idaho 83501

(Mailing Address)

(Zip Code)

Telephone No. (208) 743-6632

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)
- 1957

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)

developed deep well tributary to

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

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.12 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

- (4) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion (Location of point where water is diverted from its source)

NE 1/4 NW 1/4, Sec. 1 Twp. 35 N. Rge. 5 W. B.M., County of Nez PerceAdditional points of diversion: None

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. Well - approximately 312 feet deep.

- (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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
35N	5W	1					X												1/4

No. of acres 1/4

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

Domestic use for ranch complex, hire man's home and rental for security persons to live in.NOTE Include here the type and number of stock watered. none.

- (7) If you are claiming water as a member of an organization, list name of organization
- none.

(8) Remarks None.

TOWNSHIP 35 NORTH, RANGE 5 WEST BOISE MERIDIAN

Point of use → OR Point of use version

Section 2

Section 1

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)
) ss.
County of Nez Perce)

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 15 day of June

Stephen A. Schaub
STEPHEN A. SCHAU (S) (S)
1933.

Notary Public
Residing at Lewiston, Idaho.

My commission expires Perpetual.

FOR DEPARTMENT USE ONLY

Received by JH Date 6-16-83 Exception filed by _____ Forwarded to _____ Date _____
 Prelim. check by JH Date 6-16-83 claimant by _____
 \$20.00 fee received by AK Date 6-16-83 (27700)
 Published in Quincy Morning Tribune _____
 Dates 6/30-7/7/83 _____

PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER RIGHT

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

85-7361

PEER, ERNEST

3419 11th ST., LEWISTON, ID 83501
Source: BLUE LAKE trib. to SINKS
Date Filed: 06/17/1983
Diversion Pt: NWSE Sec 09 T 33N R 04W
Use: IRRIGATION (0.09 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.06 CFS)
In: NWSE Sec 09 T 33N R 04W FOR 3 ACRES

86-7186

ECKROTH, WALLACE DAVID
2109 ROBINSON PARK RD., MOSCOW, ID 83843
Source: GROUNDWATER
Date Filed: 06/20/1983
Diversion Pt: NWNW Sec 21 T 37N R 03W
Use: IRRIGATION (0.16 CFS)
COMMERCIAL (0.10 CFS)
DOMESTIC (0.04 CFS)
In: NWNW Sec 21 T 37N R 03W FOR 8 ACRES

86-7187

BROWN, DONALD L.
1128 ALDER AVE., LEWISTON, ID 83501
Source: PINE CREEK trib. to CLEARWATER RIVER
Date Filed: 06/21/1983
Diversion Pt: NWNE Sec 25 T 37N R 03W
Use: IRRIGATION (0.20 CFS)
STOCKWATER (0.02 CFS)
In: NENE SWNE Sec 25 T 37N R 03W NWNE Sec 25 T 37N R 03W FOR 20 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 JULY 18, 1983.

NOTICE OF CLAIMS TO WATER RIGHTS

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

85-4390

HEUETT, JACK R.
RT. 1 BOX 80, CULDESAC, ID 83524
Source: SPRINGS trib. to COYOTE CREEK
Priority Date: 01/01/1904
Diversion Pt: NWNW NESW Sec 18 T 36N R 02W
Use: IRRIGATION (0.04 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: NESW Sec 18 T 36N R 02W NWSW Sec 18 T 36N R 02W FOR 2 ACRES

85-4391

MCMASTERS, ELLA MAE
VAWTER, GLADYS ANN
3533 16TH ST., LEWISTON, ID 83501
Source: SPRINGS trib. to MILL CREEK
Priority Date: 01/01/1939
Diversion Pt: NENE NWNE SWNE Sec 28 T 34N R 03W
Use: STOCKWATER (0.02 CFS)
In: NENE NWNE SWNE Sec 28 T 34N R 03W

85-4393

SPIKER, ROBERT G.
529-A LINDEN DR., LEWISTON, ID 83501
Source: SPRINGS trib. to LAKE CREEK
Priority Date: 01/01/1929
Diversion Pt: SENE Sec 22 T 33N R 04W
Use: DOMESTIC (0.04 CFS)
In: SENE Sec 22 T 33N R 04W

85-4394

SCHAUB, STEPHEN A.
3745 LAPWAI RD., LEWISTON, ID 83501
Source: GROUNDWATER
Priority Date: 01/01/1957
Diversion Pt: NENW Sec 01 T 35N R 05W
Use: DOMESTIC (0.12 CFS)
In: NENW Sec 01 T 35N R 05W

85-4398

FERWALT, WILLIAM H.
P.O. BOX 230290, PORTLAND, OR 97223
Source: UNNAMED STREAM trib. to WEBB CREEK
Priority Date: 5/01/1965
Diversion Pt: SWNW LOT 11 Sec 27 T 35N R 04W
Use: IRRIGATION (0.04 CFS)
STOCKWATER (0.0020 CFS)
DOMESTIC (0.02 CFS)
In: SWNW LOT 11 Sec 27 T 35N R 04W FOR 2 ACRES

STATE OF IDAHO, } ss
County of Nez Perce }

Gayle Schumacher, being duly sworn, deposes and says, I am the Classified Bookkeeper 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 Application for 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 30th day of

June, A.D. 1983, and the last publication thereof being on the 7th day of July

A.D. 1983, and said Notice of Application for 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 7th day of July, 1983.

Notary Public in and for the State of Idaho,

residing at Lewiston, therein

85-4399

MCKENZIE, WILLIAM F.
P.O. BOX 28, CULDESAC, ID 83524
Source: SPRING trib. to MISSION CREEK
Priority Date: 01/01/1945
Diversion Pt: SWNW Sec 21 T 35N R 03W
Use: IRRIGATION (0.04 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.02 CFS)
In: SWNW Sec 21 T 35N R 03W FOR 2 ACRES

85-4403

JACKSON, DUDLEY
RT. 1 BOX 199, LAPWAI, ID 83540
Source: SPRINGS trib. to SWEETWATER CREEK, EAST FORK
UNNAMED CREEK trib. to SWEETWATER CREEK, EAST FORK
Priority Date: 01/01/1900
Diversion Pt: NWSE SWNE Sec 35T 34N R 04W
Use: IRRIGATION (0.10 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWNE Sec 35 T 34N R 04W NWSE Sec 35 T 34N R 04W FOR 5 ACRES

86-4196

HOLBENS' CONTOUR FARMS INC.
RT. 2 BOX 41, GENESEE, ID 83832
Source: SPRING trib. to HATWAI CREEK
Priority Date: 01/01/1875
Diversion Pt: NWSW Sec 08 T 36N R 05W
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.04 CFS)
In: NWSW Sec 08 T 36N R 05W

86-4198

KASPER, MARY M.
RT. 2, BOX 110, GENESEE, ID 83832
Source: GROUNDWATER
Priority Date: 01/01/1920
Diversion Pt: NWNW NENW Sec 33 T 37N R 03W
Use: STOCKWATER (0.03 CFS)
DOMESTIC (0.04 CFS)
In: NWNW Sec 33 T 37N R 05W NENW Sec 33 T 37N R 05W

86-4199

HOLBENS' CONTOUR FARMS INC ET AL.
RT. 2 BOX 41, GENESEE, ID 83832
Source: SPRINGS trib. to HATWAI CREEK
Priority Date: 01/01/1875
Diversion Pt: SESW Sec 05T 36N R 05W SWNE Sec 08 T 36N R 05W
Use: STOCKWATER (0.04 CFS)
DOMESTIC (0.04 CFS)
In: SESW Sec 05 T 36N R 05W SWNE Sec 08 T 36N R 05W
Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id 83814

NOTICE OF AMENDED CLAIM TO A WATER RIGHT

On June 17, 1983, J.P. &/or Georgia C. Berry filed with the Department of Water Resources Amended Claim No. 85-4085 to change the date of priority and the number of acres irrigated. The original claim shows the priority date as 1971 and the number of irrigated acres as 1/2 acre. The claimant now wishes the claim to show the priority date as January 1, 1965 and the number of irrigated acres as 1 acre. Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Id. 83814.

KEN DUNN, DIR

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number 85-4394

Applicant Schant

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 JK

Date 7/14/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw

Date 8/19/83

Returned to region 8/9/83 for receipt number. kw

RECEIVED
AUG 19 1983

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOGInitialsDateItem

KK

6/17/83

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted
and changes entered

Licence Signed

Transfer Approved

Key punched by State Office

RECEIVED

AUG 3 1983
Department of Water Resources

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

JULY 18, 1983

STEPHEN A. SCHAUB
3745 LAPWAI RD.
LEWISTON ID 83501

RE: Claim No. 85-4394

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

UNRECORDED

85-4394

SCHAUB, STEPHEN A.

3745 LAPWAI RD., LEWISTON, ID 83501

Source: GROUNDWATER

Priority Date: 01/01/1957

Diversion Pt: NENW Sec 01 T 35N R 05W

Use: DOMESTIC (0.12 CFS)

In: NENW Sec 01 T 35N R 05W

10

Law Offices of
Keeton and Tait

P O DRAWER E
312 MILLER STREET

Lewiston, Idaho

83501

**Paul C. Keeton
John Reid Tait**

AREA CODE 208
743-6231

15 June 1983

Idaho Department of Water Resources
Northern Regional Office
Route 5, Box 203
4055 Government Way
Coeur d'Alene, ID 83814

Gentlemen:

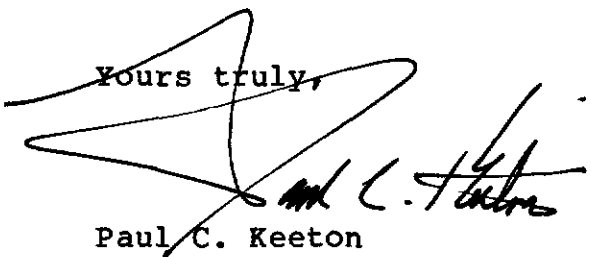
Enclosed herein you will find a claim to a Water Right for Mr. Stephen A. Schaub, who lives at 3745 Lapwai Road, Lewiston, Idaho.

Would you please promptly process this claim and do the necessary publications? A check in the amount of \$30 is enclosed to cover the filing fee.

If you have any questions, you may call my office collect, (208) 743-6231.

Thank you.

Yours truly,


Paul C. Keeton

seo
Enclosures

cc: Mr. Stephen A. Schaub
Mrs. Irene Schaub

MICROFILMED