

(8) Remarks _____

TWP 31 N. R. 3. E. B.M.

sec. 19				sec. 20				sec. 21				sec. 22			
sec. 30				sec. 29				sec. 28				sec. 27			
sec. 31				sec. 32				sec. 33				sec. 34			

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.

Frank Hartzell Schmadeka
Frank Hartzell Schmadeka
Wilma A. Schmadeka
Wilma A. (Claimant) Schmadeka

Sworn to before me this 24 day of May, 1983.

William H. Schmadeka
Notary Public William H. Schmadeka
Residing at Lewiston, Idaho

My commission expires 1/1/85

FOR DEPARTMENT USE ONLY

Received by JK Date 6-3-83 Exception filed by: _____ Date _____
Prelim. check by JK Date 6-3-83 Forwarded to claimant by: _____
\$30.00 fee received by JK Date 6-3-83(27110)
Published in Idaho City Free Press
Dates 6/22-28/83

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 F. Hartzell and Wilma A. Schmadeke
(Name of Claimant)

Route 1, Box 114, Grangeville, Idaho 83501 Telephone No. (208) 983-1065
(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) August 1, 1892

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)
Long Haul creek, a southern tributary to Cottonwood 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

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.065</u>	Use <u>Stock</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 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) .065 TOTAL QUANTITY USED
(cfs, af)

(5) A) Point of diversion. (Location of point where water is diverted from its source) None
1/4 1/4, Sec. Twp Rge B.M., County of
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.

(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	
31N	3E	31				X									X	X	X		160

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible
Used to supply water up to 100 Head of Livestock

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
None

(8) Remarks _____

TWP 31 N. R. 3. E. B.M.

SEC. 19				SEC. 20				SEC. 21				SEC. 22			
SEC. 30				SEC. 29				SEC. 28				SEC. 27			
SEC. 31				SEC. 32				SEC. 33				SEC. 34			

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.

Frank Hartzell Schmadeka
Frank Hartzell Schmadeka
Wilma A. Schmadeka
Wilma A. (Claimant) Schmadeka

Sworn to before me this 24 day of May

William H. Schmadeka
Notary Public William H. Schmadeka
Residing at Lewiston, Idaho

My commission expires 1/1/85

FOR DEPARTMENT USE ONLY

Received by JK Date 6-3-83 Exception filed by _____ Date _____
Prelim. check by JK Date 6-3-83 Forwarded to claimant by _____ Date _____
\$30.00 fee received by JK Date 6-3-83(27110)
Published in Idaho City Free Press
Dates 6/22-24/83

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

81-4127

COOLEY, OLIN R.
RT. 1 BOX 53B, KOOSKIA,
ID 83539

Source: CLEAR CREEK
trib. to CLEARWATER
RIVER, MIDDLE FORK
Priority Date: 01/01/1928
Diversion Pt: NWSE SWSE
Sec 22 T 32N R 04E
Use: IRRIGATION (0.27
CFS)
In: NWSE Sec 22 T 32N R
04E FOR 3 ACRES.

81-4128

LYONS, PAULA
RT. 1 BOX 80, KOOSKIA, ID
83539

Source: SPRING trib. to BIG
CEDAR CREEK
Priority Date: 01/01/1950
Diversion Pt: SWSW Sec 33 T
32N R 05E
Use: DOMESTIC (0.02 CFS)
In: SWSW Sec 33 T 32N R
05E.

81-4129

LYONS, PAULA
RT. 1 BOX 80, KOOSKIA, ID
83539

Source: BIG CEDAR
CREEK trib. to CLEAR
CREEK
Priority Date: 01/01/1950
Diversion Pt: SWSW Sec 33 T
32N R 05E
Use: STOCKWATER (0.10
CFS)
In: SWSW Sec 33 T 32N R
05E.

81-4130

SPOON, IRENE I.
RT. 1 BOX 64, KOOSKIA, ID
83539

Source: SPRING trib. to BIG
HORSE CREEK, UN-
NAMED STREAM trib. to
BIG HORSE CREEK
Priority Date: 01/01/1940
Diversion Pt: NWNW SWNW
Sec 21 T 32N R 05E
Use: STOCKWATER (0.04
CFS)
In: NENE SENE Sec 20 T
32N R 05E NWNW SWNW
Sec 21 T 32N R 05E.

81-4131

SPOON, FRANKLIN H.
RT. 1 BOX 64, KOOSKIA, ID 20 1983
83539

Source: SPRING trib. to
CLEAR CREEK
Priority Date: 01/01/1950
Diversion Pt: SENW Sec 21
T 32N R 05E
Use: STOCKWATER (0.02
CFS)
In: SENW Sec 21 T 32N R
05E.

82-4134

SCHWARTZ EN-
TERPRISES INC.
STAR RT.,
GRANGEVILLE, ID 83530
Source: SPRING trib. to
CLEARWATER RIVER,
SOUTH FORK
Priority Date: 01/01/1908
Diversion Pt: SESW Sec 22 T
29N R 04E
Use: STOCKWATER (0.01
CFS) DOMESTIC (0.05 CFS)
In: SESW Sec 22 T 29N R
04E.

Water Resources
District Office

AFFIDAVIT OF PUBLICATION

Donna Donaldson

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 2 weeks,
being published 2 times, the first publication being
on the 6 day of July 19 33,
and the last publication on the 13 day of
July 1933, 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

Subscribed and sworn to before me this 15 day
of July 1933

Notary Public
for State of Idaho residing at Grangeville, Idaho

85-4333

SCHMADEKA, F. HART-
ZELL &/or WILMA A.

RT. 1 BOX 114,
GRANGEVILLE, ID 83530
Source: LONG HAUL
CREEK trib. to COT-
TONWOOD CREEK

Priority Date: 08/01/1882
Diversion Pt: SENE NESE
NWSE SWSE Sec 31 T31N R
03E
Use: STOCKWATER (0.0850
CFS)

In: SENE NESE NWSE
SWSE Sec 31 T 31N R 03E.

Exceptions to a claim
may be filed with the
Director, Dept. of Water
Resources, 4035 Gov't. Way,
Coeur d'Alene, Id. 83814.

KEN DUNN, Dir.
Published 6/22 & 6/29/83
Jy 6-13

**NOTICE OF CLAIMS
TO WATER RIGHTS**

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

81-4127

COOLEY, OLIN R.
RT. BOX 53B, KOOSKIA,
ID 83539

Source: CLEAR CREEK
trib. to CLEARWATER
RIVER, MIDDLE FORK.

Priority Date: 01/01/1926.
Diversion Pt: NWSE SWSE
Sec 22 T 32N R 04E.

Use: IRRIGATION (0.27
CFS).

In: NWSE Sec 22 T 32N R
04E For 3 ACRES.

81-4128

LYONS, PAULA
RT. 1 BOX 80, KOOSKIA, ID
83539.

Source: SPRING trib. to BIG
CEDAR CREEK.

Priority Date: 01/01/1950
Diversion Pt: SWSW Sec 33 T
32N R 05E

Use: DOMESTIC (0.02 CFS)
In: SWSW Sec 33 T 32N R
05E.

81-4129

LYONS, PAULA
RT. 1 BOX 80, KOOSKIA, ID
83539.

Source: BIG CEDAR
CREEK trib. to CLEAR

CREEK.

Priority Date: 01/01/1950.

Diversion Pt: SWSW Sec 33 T
32N R 05E.

Use: STOCKWATER (0.10
CFS)

In: SWSW Sec 33 T 32N R
05E.

81-4130

SPOON, IRENE I.
RT. 1 BOX 64, KOOSKIA, ID
83539.

Source: SPRING trib. to BIG
HORSE CREEK UN-
NAMED STREAM trib. to
BIG HORSE CREEK.

Priority Date: 01/01/1940.

Diversion Pt: NWNW SWNW
Sec 21 T 32N R 05E

Use: STOCKWATER (0.04
CFS)

In: NENE SENE Sec 20 T
32N R 05E NWNW SWNW
Sec 21 T 32N R 05E

81-4131

SPOON, FRANKLIN H.
RT. 1 BOX 64, KOOSKIA, ID
83539

Source: SPRING trib. to
CLEAR CREEK

Priority Date: 01/01/1950

Diversion Pt: SENW Sec 21
T 32N R 05E

Use: STOCKWATER (0.02
CFS)

In: SENW Sec 21 to T 32N R
05E

82-4136

SCHWARTZ EN-
TERPRISES INC.
STAR RT.,
GRANGEVILLE, ID 83530

Source: SPRING trib. to
CLEARWATER RIVER,
SOUTH FORK

Priority Date: 01/01/1908

Diversion Pt: SESW Sec 22 T
29N R 04E

Use: STOCKWATER (0.01
CFS)

Domestic (0.05 CFS)
In: SESW Sec 22 T 29N R 04E

85-4383

SCHMADEKA, F. HART-
ZELL &/or WILMA A.
RT. 1 BOX 114,
GRANGEVILLE, ID 83530

Source: LONG HAUL
CREEK trib. to COT-
TONWOOD CREEK

Priority Date: 08/01/1892

Diversion Pt: SENE NESE
NWSE SWSE Sec 31 T 31N R
03E

Use: STOCKWATER (0.0550
CFS)

In: SENE NESE NWSE
SWSE Sec 31 T 31 NR 03 E

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

KENDUNN, Dir.

Published 6/22 & 6/29/83.

Jn22-29

AFFIDAVIT OF PUBLICATION

Hona Donaldson

being first duly

office manager

sworn, says he is the
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 2 weeks,
being published 2 times, the first publication being
on the 22 day of June, 1983,
and the last publication on the 29 day of
June, 1983, 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

Hona Donaldson

Subscribed and sworn to before me this 29 day

of June, 1983

Notary Public
for State of Idaho, residing at Grangeville, Idaho

RECEIVED
JUL 1 1983
Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: _____

Right Number

85-4383

Applicant

Ahmedela

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. *NONE*
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

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

By

[Signature]

Date

7/12/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

kw

Date

8/9/83

RECEIVED

AUG 3 1983

Department of Water Resources

WATER

IDENT. NO.

85-4383

WATER RIGHT
DATA ENTRY LOG

[illegible]

85-4383-

SCHMADEKA, F. HARTZELL &/or WILMA A.

RT. 1 BOX 114, GRANDEVILLE, ID 83530

Source: LONG HAUL CREEK trib. to COTTONWOOD CREEK

Priority Date: 08/01/1892

Diversion Pt: SENE NESE NWSE SWSE Sec 31 T 31N R 03E

Use. STOCKWATER (0.0650 CFS)

In: SENE NESE NWSE SWSE Sec 31 T 31N R 03E

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

JULY 12, 1983

F. HARTZELL SCHMADEKA
WILMA A. SCHMADEKA
RT. 1 BOX 114
GRANGEVILLE ID 83530

RE. Claim No. 85-4383

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. Hynes, P.E.
Regional Supervisor

Enclosure