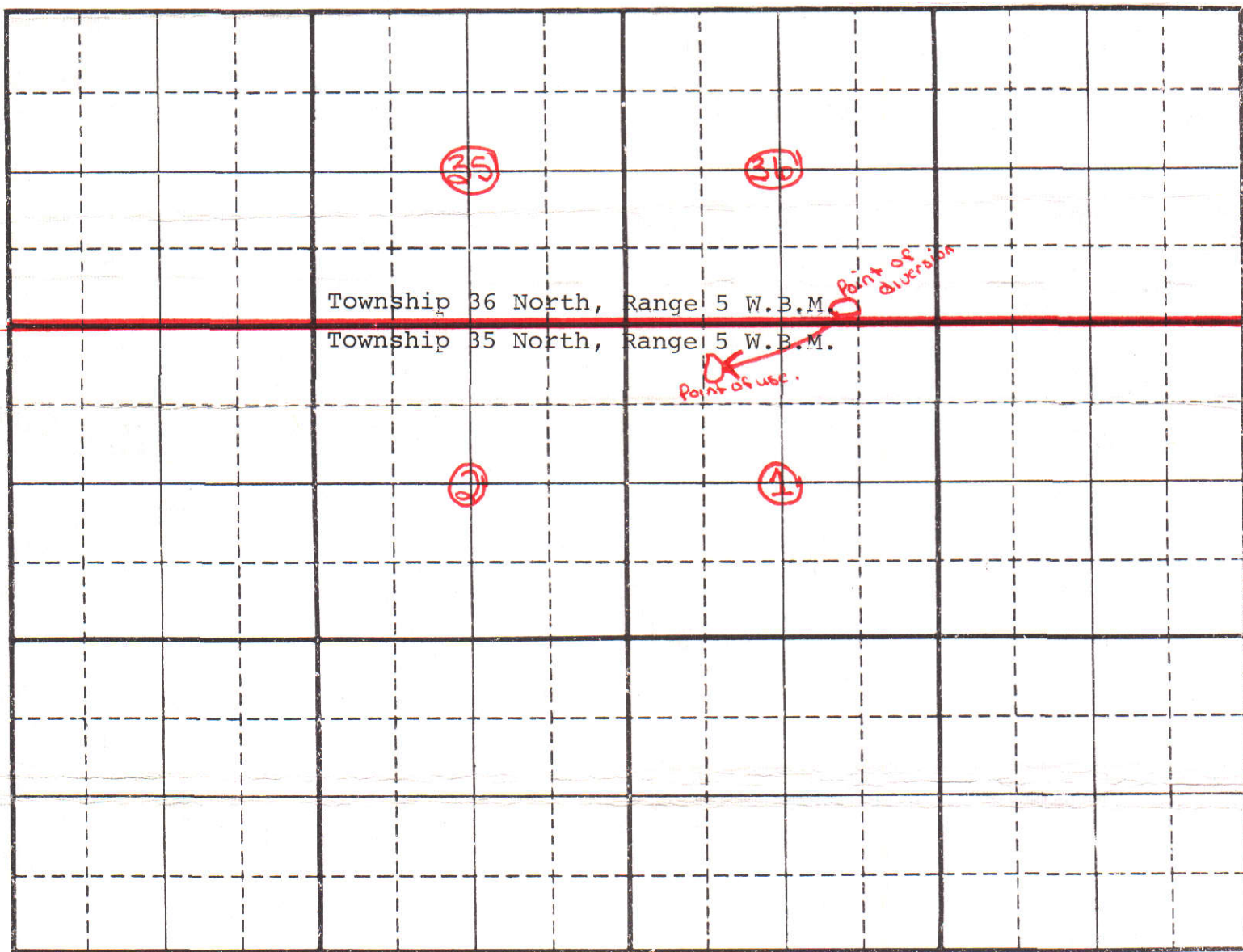


(8) Remarks None.



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 26th day of February, 1983.

Stephen R. Schaub
(Claimant)

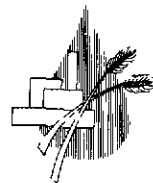
Notary Public
Residing at Lewiston, Idaho.

My commission expires Perpetual

FOR DEPARTMENT USE ONLY
Received by [Signature] Date 3/1/83 Exception filed by: _____ Date _____
Prelim. check by [Signature] Date 3/8/83 Forwarded to claimant by: _____ Date _____
\$30.00 fee received by [Signature] Date 3/8/83 (24956)
Published in Lewiston Tribune
Dates 4/7 & 14/83

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 STEPHEN A. SCHAUB

(Name of Claimant)

3745 Lapwai Road, Lewiston, Idaho 83501

(Mailing Address)

Telephone No. (208) 743-6632

(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) Prior to 1940

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 Smalls Canyon

- (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>.12 cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>.02 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>5-1</u>	To <u>10-1</u>
Quantity	<u>.02 cfs</u>	Use <u>Stock</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

- (4) TOTAL QUANTITY USED

(cfs, af)

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

SW 1/4 SE 1/4, Sec. 36 Twp. 36N Rge 5 W. B.M., County of Nez Perce

Additional 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. Water is pumped from the ground and up a hill to a cistern

approximately 200 yards distance, then piped to the premises where it is used, approximately 1/4 mile distance.

- (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%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
35N	5W	1					Lot 3												1/4 acre

No. of acres 1/4

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

At the ranch complex there is a home for the hired man and there is another small home which is rented to persons who live there and watch the security of the ranch as part of their duties.

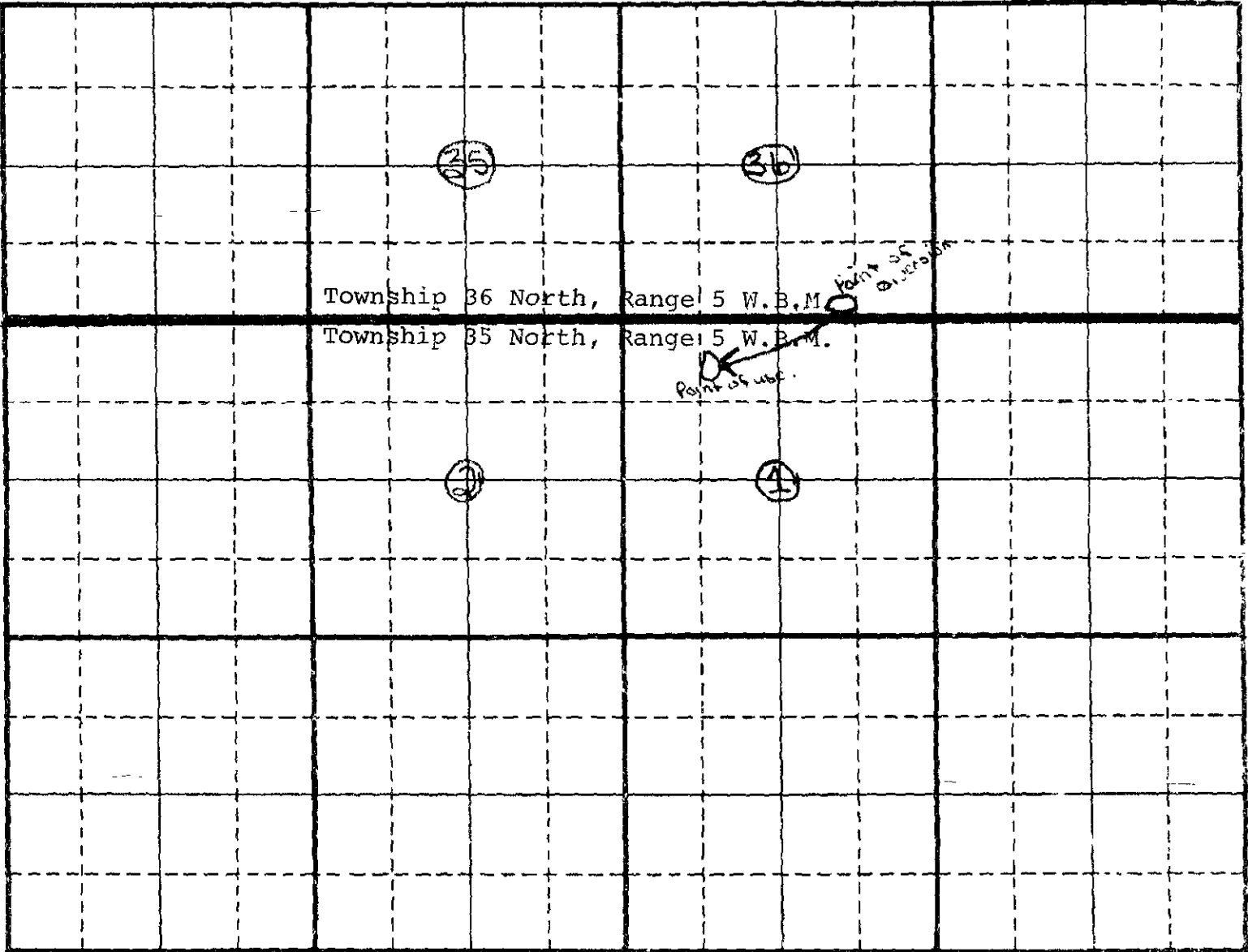
NOTE. Include here the type and number of stock watered.

Two horses and occasionally a small number of cows.

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

None.

(8) Remarks None.



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 26th day of February, 1983.

Stephen R. Schaub
(Claimant)
Paul C. Peterson
Notary Public
Residing at Lewiston, Idaho.

My commission expires Perpetual

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\$30.00 fee received by [Signature] Date 3/1/83 (24956)
Published in Lewiston Tribune
Dates 4/7 & 14/83
Exception filed by _____ Date _____
Forwarded to claimant by _____ Date _____

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

85-4327
NANNINGA, JR., JOHN
1901 FIRST ST., LEWISTON, ID 83501
Source: GROUNDWATER
Priority Date: 06/01/1953
Diversion Pt: SWSE Sec 01 T 35N R 06W
Use: IRRIGATION (0.06 CFS)
In: SWSE Sec 01 T 35N R 06W FOR 3 ACRES

85-4328
VAN HOUTEN, HERMAN JOHAN
Rt. 1 BOX 133, LAPWAI, ID 83540
Source: GROUNDWATER
Priority Date: 08/29/1962
Diversion Pt: SWNW Sec 13 T 35N R 04W
Use: DOMESTIC (0.60 CFS)
In: SWNW Sec 13 T 35N R 04W

85-4329
SCHAUB, STEPHEN A.
3745 LAPWAI RD., LEWISTON, ID 83501
Source: SPRING trib. to SMALLS CANYON
Priority Date: 01/01/1940
Diversion Pt: SWSE Sec 36 T 36N R 03W
Use: IRRIGATION (0.02 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.12 CFS)
In: LOT 03 Sec 01 T 35N R 05W FOR 1 ACRES

85-4330
SPRINGSTON, HAROLD
RT. 1 BOX 42, PECK, ID 83545
Source: SPRING trib. to JACK CREEK
Priority Date: 01/01/1935
Diversion Pt: NWSW Sec 17 T 36N R 01W
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.05 CFS)
In: NWSW Sec 17 T 36N R 01W

85-4333
OSBORN, M.L. &/or CONSTANCE
1030 PROSPECT ST., LEWISTON, ID 83501
Source: SPRINGS trib. to SINKS
Priority Date: 01/01/1900
Diversion Pt: SENW NESW Sec 02 T 36N R 02W
Use: STOCKWATER (0.02 CFS)
STOCKWATER STORAGE (3.0 AF)
STOCKWATER FROM STORAGE (3.0 AF)
DIVERSION TO STORAGE (0.10 CFS)
In: SENW NESW Sec 02 T 36N R 02W

86-4172
GROSECLOSE, VIRGIL A.
9949 N & S HWY., LEWISTON, ID 83501
Source: UNNAMED STREAM trib. to CLEARWATER RIVER
Priority Date: 01/01/1939
Diversion Pt: SWSW Sec 16 T 36N R 04W
Use: IRRIGATION (0.02 CFS)
DOMESTIC (0.04 CFS)
In: SWSW Sec 16 T 36N R 04W FOR 3 ACRES

86-4174
NELSON, RUDOLPH
RT. 1 BOX 70, TROY, ID 83871
Source: UNNAMED STREAM trib. to BIG BEAR CREEK
Priority Date: 06/01/1951
Diversion Pt: NESE Sec 22 T 39N R 03W
Use: IRRIGATION (0.20 CFS)
IRRIGATION STORAGE (65.0 AF)
STOCKWATER STORAGE (1.0 AF)
In: NESE Sec 22 T 39N R 03W FOR 10 ACRES

86-4176
MESSINGER, JR., LEO
Rt. 1 BOX 100, CULDESAC, ID 83526
Source: SPRING trib. to MAGPIE CREEK
Priority Date: 01/01/1952
Diversion Pt: SWSW Sec 06 T 36N R 03W
Use: STOCKWATER (0.02 CFS)
DOMESTIC (0.08 CFS)
In: NENE NWNE Sec 12 T 36N R 03W
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.

85-7327
OSBORN, M.L. &/or CONSTANCE
1030 PROSPECT ST., LEWISTON, ID 83501
Source: RATTLESNAKE CREEK trib. to CLEARWATER RIVER
Date Filed: 03/24/1983
Diversion Pt: SWNW Sec 03 T 36N R 02W
Use: IRRIGATION (0.20 CFS)
In: SWNW NWSW Sec 03 T 36N R 02W FOR 20 ACRES

The permit(s) will be subject to all prior water rights. Protest, if any, must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before APRIL 25, 1983.

County of Nez Perce } ss.
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 20 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 7th day of April, A. D. 1983, and the last publication thereof being on the 14th day of April, A. D. 1983, and said NOTICE OF CLAIMS TO WATER RIGHTS was so published in the regular and entire issue of the 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 TO BEFORE ME THIS THE
14th day of April, 1983

RECEIVED

APR 21 1983

Department of Water Resources
Northern District Office

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

MICROFILMED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: AB

Right Number

85-4309

Applicant

Schaub

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

RyH

Date

4/27/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

tw

Date

5/3/83

RECEIVED
MAY 02 1983

RECEIVED
MAY 02 1983

Department of Water Resources

1. The first step is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

Int LOT 03 Sec 01 T 35N R 05W FOR 1 ACRES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
P. KENNETH DUNN
Director

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

APRIL 25, 1983

STEPHEN A. SCHAUB
7735 LAPWAI RD.
LEWISTON

ID 83501

RE. Claim No. 85-4329

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 42-242 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 D. Haines, P.E.
Regional Supervisor

Enclosure

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
743-8231

5 March 1983

RECEIVED
MAR 7 1983
Department of Water Resources
Northern District Office

Mr. Tom D King
Senior Water Resource Agent
State of Idaho
Department of Water Resources
4055 Government Way, Suite No. 1
Coeur d'Alene, ID 83814

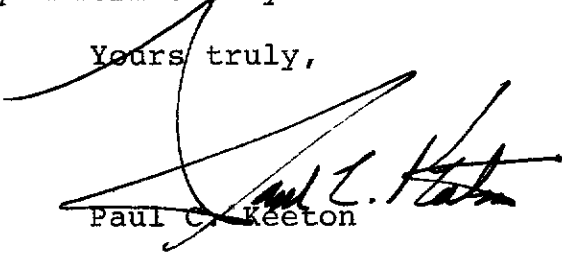
Dear Mr. King:

I am enclosing herein the \$30 you requested, and I am sorry that it was not enclosed at the time the Claim to a Water Right was forwarded to you.

If it appears anywhere in your instructions that a \$30 filing fee was required, I did not see it, and I think that I read these instructions very carefully. However, if this is all in order, I would appreciate the Department doing the necessary publications without delay.

I thank you for your courtesy in this matter, and if you have any questions, you can call Mrs. Oakes at my office. You are probably familiar with the fact that I am currently serving with the Idaho Legislature so I am only in my office on weekends and would not be available for a telephone call during the week. Mrs. Oakes is very familiar with this matter, and if you need to talk with anyone in my office, she will give you any information you need.

Yours truly,


Paul C. Keeton

PCK:seo
Enclosure

