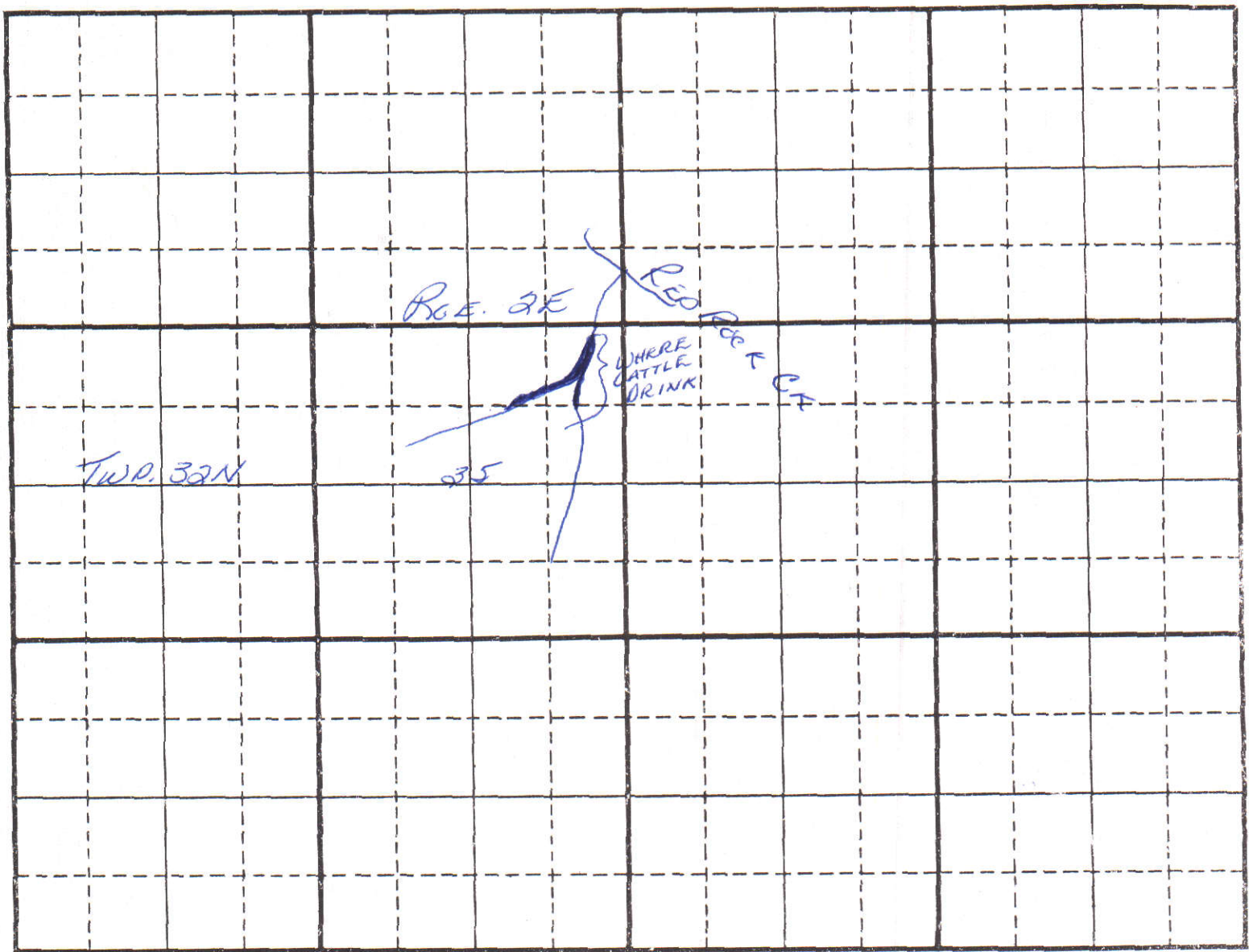


(8) Remarks _____



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 6 day of April, 19 82.

James A. Schmaher
(Claimant)

Nancy M. Northway
Notary Public
Residing at Boise

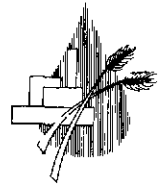
My commission expires Life

FOR DEPARTMENT USE ONLY

Received by jc Date 4/6/82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by JK Date 4-15-82
\$30.00 fee received by jc Date 4/6/82 #21436
Published in Id. City Free Press
Dates 4/22-28/82

MICROFILMED

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 JAMES A. & DR BETTIE SCHWABACHER
(Name of Claimant)
T-1, BOX 131 COTTAGEWOOD, ID 83522 Telephone No. 208-562-3933
(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) 6/1/900

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)
INDIAN STREAM tributary to RED ROCK 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:

Examined		(Both dates inclusive)	
(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Mo., Day)
Quantity <u>0.02 cfs</u>	Use <u>STOCK WATER</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) 0.02 TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 35 Twp 32N Rge. 2E B M., County of IDAHO
 Additional points of diversion: _____

NW 1/4 NE 1/4, SEC 35, T10P 32N, R6E 2E, D.M.

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. CATTLE DRINK FROM CREEK AS DIVERSION WORKS

(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]

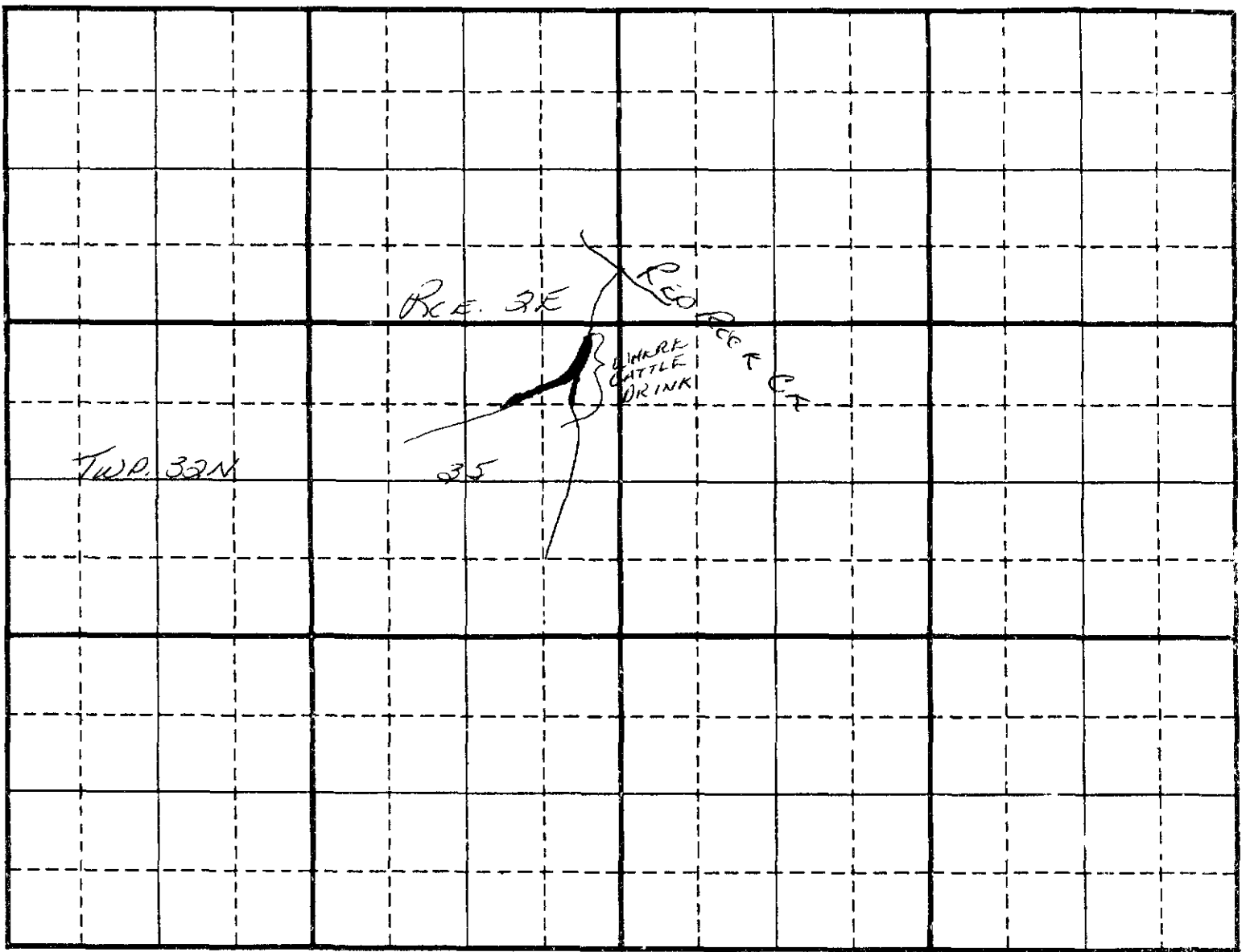
No. of acres _____

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

NOTE. Include here the type and number of stock watered. NO HD
If you are claiming water as a member of an organization, list name of organization: _____

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 6 day of April, 1982.

James A. Schenker
(Claimant)

Nancy M. Northway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by JG Date 4/6/82 Exception filed by _____ Date _____
Prelim. check by JK Date 4-15-82 Forwarded to claimant by _____ Date _____
\$30.00 fee received by JG Date 4/6/82 #21436
Published in Idaho State Journal
Dates 4/28-28/82

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:

81-4038

HENDREN, JEFF &/or NINA

RT. 1 BOX 70A, KOOSKIA, ID 83539

Source: SPRING tributary to SINKS

Priority Date: 01/01/1914

Amount: 0.08 CFS 1.0 AC-FT

Diversion Point: NESE Sec 27 T 32N R 05E, IDAHO Co.

Use: STOCKWATER STORAGE (1.0 AC-FT) from 01/01 to 12/31 DOMESTIC (0.04 CFS) from 01/01 to 12/31 RECREATION STORAGE (1.0 AC-FT) from 01/01 to 12/31 DIVERSION TO STORAGE (0.04 CFS) from 01/01 to 12/31

Place of Use: NESE NWSE Sec 27 T 32N R 05E

81-4039

WELBORN, FLOYD L. WINCHESTER, ID 83555

Source: UNNAMED STREAM tributary to BIG CEDAR CREEK

Priority Date: 01/01/1961

Amount: 3.0 AC-FT

Diversion Point: NESW Sec 21 T 32N R 05E SWNE SENW Sec 22 T 32N R 05E SESW Sec 21 T 32N R 05E NWNW Sec 28 T 32N R 05E, IDAHO Co.

Use: STOCKWATER STORAGE (3.0 AC-FT) from 01/01 to 12/31 STOCKWATER FROM STORAGE (3.0 AC-FT) from 01/01 to 12/31

Place of Use: SESW NESW Sec 21 T 32N R 05E SWNE SENW Sec 22 T 32N R 05E NWNW Sec 28 T 32N R 05E.

81-4040

WELBORN, FLOYD L. WINCHESTER, ID 83555

Source: UNNAMED STREAMS tributary to CLEARWATER RIVER, MIDDLE FORK

Priority Date: 01/01/1961

Amount: 2.0 AC-FT

Diversion Point: SENW NESW SESW Sec 14 T 32N R 05E, IDAHO Co.

Use: STOCKWATER STORAGE (2.0 AC-FT) from 01/01 to 12/31 STOCKWATER FROM STORAGE (2.0 AC-FT) from 01/01 to 12/31

Place of Use: SENW NESW SESW Sec 14 T 32N R 05E.

82-4033

PAYTON, RICHARD P.O. BOX 355, KOOSKIA, ID 83539

Source: GROUNDWATER

Priority Date: 11/18/1969

Amount: 0.04 CFS

Diversion Point: NENE Sec 08 T 32N R 04E, IDAHO Co.

Use: IRRIGATION (0.02 CFS) from 04/01 to 11/01 DOMESTIC (0.02 CFS) from 01/01 to 12/31

Place of Use: NENE Sec 08 T 32N R 04E FOR 1 ACRES.

WAGNER, JR., AL D/B/A SUNSET AUTO VUE, P.O. BOX 33, GRANGEVILLE, ID 83530

Source: GROUNDWATER

Priority Date: 01/01/1965

Amount: 0.10 CFS

Diversion Point: NWNE Sec 29 T 30N R 03E, IDAHO Co.

Use: COMMERCIAL (0.10 CFS) from 01/01 to 12/31

Place of Use: NWNE Sec 29 T 30N R 03E.

SPENGLER, HENRY L RT. 1 BOX 31, GRANGEVILLE, ID 83530

Source: STOCKNEY CREEK tributary to COTTONWOOD CREEK, COTTONWOOD CREEK tributary to CLEARWATER RIVER, SOUTHFORK

Priority Date: 01/01/1910

Amount: 0.06 CFS

Diversion Point: NWSE SESE Sec 12 T 31N R 01E NWSW Sec 05 T 31N R 02E, IDAHO Co.

Use: STOCKWATER (0.06 CFS) from 01/01 to 12/31

Place of Use: NWSE SESE Sec 12 T 31N R 01E NWSW Sec 05 T 31N R 02E.

SCHUMACHER, JAMES A &/or BETTIE RT. 1 BOX 131, COTTONWOOD, ID 83522

Source: UNNAMED STREAM tributary to RED ROCK CREEK

Priority Date: 06/01/1900

Amount: 0.02 CFS

Diversion Point: NENE NWNE Sec 35 T 32N R 02E, IDAHO Co.

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

Place of Use: NENE NWNE Sec 35 T 32N R 02E

TERHAAR, RALPH &/or CELINE GREENCREEK, ID 83533

Source: LAWYER CREEK tributary to CLEARWATER RIVER, UNNAMED STREAMS tributary to LAWYER CREEK

Priority Date: 01/01/1954

Amount: 0.05 CFS

Diversion Point: NENW SENW SWSW Sec 20 T 32N R 01W NENE SENE Sec 19 T 32N R 01W SENE Sec 19 T 32N R 01W NENW SENW SWSW Sec 20 T 32N R 01W.

Use: STOCKWATER (0.05 CFS) from 01/01 to 12/31

Place of Use: SWSW SESW Sec 17 T 32N R 01W NENE SENE Sec 19 T 32N R 01W NENW SENW SWSW Sec 20 T 32N R 01W.

TERHAAR, THOMAS &/or IRENE M. RT. 1 BOX 35, GRANGEVILLE, ID 83530

Source: STOCK CREEK tributary to COTTONWOOD CREEK, UNNAMED STREAM tributary to STOCK CREEK

Priority Date: 01/01/1910

Amount: 0.03 CFS

Diversion Point: SWSW SESW Sec 03 T 31N R 02E NWNW SWNW NWSW NESW SWSW SESW Sec 04 T 31N R 02E, IDAHO Co.

Use: STOCKWATER (0.03 CFS) from 01/01 to 12/31

Place of Use: SWSW SESW Sec 03 T 31N R 02E NWNW SWNW NWSW NESW SWSW SESW Sec 04 T 31N R 02E.

WAGNER, JR., AL D/B/A SUNSET AUTO VUE, P.O. BOX 33, GRANGEVILLE, ID 83530

Source: GROUNDWATER

Priority Date: 01/01/1965

Amount: 0.10 CFS

Diversion Point: NWNE Sec 29 T 30N R 03E, IDAHO Co.

Use: COMMERCIAL (0.10 CFS) from 01/01 to 12/31

Place of Use: NWNE Sec 29 T 30N R 03E.

AFFIDAVIT OF PUBLICATION

Nona 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 21st day of April, 19 82, and the last publication on the 28th day of April, 19 82, 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 30th day of April, 19 82

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

84-4159

NIMS, LAWRENCE R.

STAR RT. BOX 35A1, KAMIAH, ID 83536

Source: LINDER CREEK tributary to TOM TARA CREEK

Priority Date: 04/01/1971

Amount: 0.12 CFS

Diversion Point: NWNW NENW Sec 31 T 34N R 04E, IDAHO Co.

Use: IRRIGATION (0.08 CFS) from 04/01 to 11/01

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

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

Place of Use: NWNW NWNW Sec 31 T 34N R 04E FOR 1 ACRES.

84-4160

HAUNTZ, DALE W. HIGHWAY 12 RT. 2, KAMIAH, ID 83536

Source: GROUNDWATER

Priority Date: 06/01/1936

Amount: 0.06 CFS

Diversion Point: NWNE Sec 30 T 33N R 04E, IDAHO Co.

Use: DOMESTIC (0.06 CFS) from 01/01 to 12/31

Place of Use: NWNE Sec 30 T 33N R 04E.

85-4193

CITY OF GRANGEVILLE

CITY HALL, GRANGEVILLE, ID 83530

Source: SPRING tributary to SINKS, SPRINGS tributary to THREEMILE CREEK

Priority Date: 01/01/1920

Amount: 0.16 CFS

Diversion Point: NWSW Sec 05 T 29N R 03E SESE Sec 06 T 29N R 03E NWNW, NWSW SWSW SESW Sec 06 T 29N R 03E, IDAHO Co.

Use: MUNICIPAL (0.16 CFS) from 01/01 to 12/31

DOMESTIC (0.16 CFS) from 01/01 to 12/31

Place of Use: NESE Sec 31 T 29N R 03E NESW NWSW SWSW SESW NESE NWSE SWSE SESE Sec 32 T 29N R 03E. Place of Use located within the city limits of Grangeville.

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. A. KENNETH DUNN Director Published 4/21 & 4/28/82

A21-28

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JK

Right Number

85-4200

Applicant

Schneider

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

me

Date

5/18/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

RC

Date

5/27/82

MICROFILMED

RECEIVED
MAY 21 1982

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

85-4200-

SCHUMACHER, JAMES A. &/or BETTIE

RT. 1 BOX 131, COTTONWOOD, ID 83522

Source: UNNAMED STREAM tributary to RED ROCK CREEK

Priority Date. 06/01/1900

Amount: 0.02 CFS

Diversion Point. NENE NWNE Sec 35 T 32N R 02E, IDAHO Co.

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

Place of Use: NENE NWNE Sec 35 T 32N R 02E

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

MAY 10, 1982

JAMES A. SCHUMACHER
BETTIE SCHUMACHER
PT. 1 BOX 131
COTTONWOOD

ID 83522

RE: Claim No. 85-4200

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