

(8) Remarks _____

A grid of graph paper with handwritten labels "R3W" and "R2W" at the top. The grid is divided into four quadrants by a central vertical dashed line and a central horizontal dashed line. The top-left quadrant contains handwritten numbers "1", "2", "3", "4", "5", "6", and "7" arranged in a circular pattern around a central point.

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 Blaine)

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 affiants knowledge.

Sworn to before me this 1st day of February, 1997

Notary Public

Residing at

My commission expires

Rec. #4897

For Department Use Only

Received by CP Date 2-3-77
Prelim. check by CP Date 2-9-77
\$10.00 fee received by cp Date 2-9-77
Approved for publication by CP
Published in Lewiston Morning Tribune
Dates 2-17 & 2-24-77

Exception filed by:

Forwarded to
claimant by:

Date _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that LELA SCHWANE (name of claimant)
of Route 2 Culdesac, Idaho 83524, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) spring (known as Pinkham Spring), tributary to, Cottonwood Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>5 gpm</u>	Use <u>fish & stock</u>	Period of Use: From <u>Jan 1</u> To <u>Dec 31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: -- cubic feet per second, or -- acre feet per annum, and/or five gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) December 1969

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 12 Twp. 35N Rge. 3W B. M. County of Nez Perce, Idaho
Additional points of diversion: Run from spring into pond then into livestock watering tank

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. Gravity flow in natural channel into pond. Pond has a pipeline through the dam into stock watering tank. Tank has a float valve to control water level.

- (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. N A

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>35N</u>	<u>3W</u>	<u>12</u>	<u>X</u>																

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Water is used for production of fish for private use and for livestock water.

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

MICROFILMED

(8) Remarks _____

R3W R2W

1	6
12	7

T
35
N

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 West Lake)

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 affiants knowledge.

Sworn to before me this 1st day of

Leta Schwane
(Claimant) 15

Notary Public

Residing at

My commission expires

April 14, 1977

Rec. #4897

For Department Use Only

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Dates 2-17 & 2-24-77

Exception filed by:	Forwarded to claimant by:	Date
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PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

No. 85-4074

Notice is hereby given that Lela Schwane, Route 2, Culesac, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 5.00 gallons per minute of water from ~~the~~ Spring (known as Pinkham Spring), tributary to Cottonwood Creek with a point of diversion in the NE¹/₄NE¹/₄, Sec. 12, T. 35N, R. 3W, B.M., Nez Perce County.

The water is claimed to be used from Jan. 1 to Dec. 31 for fish propagation and stock watering purposes with a priority of December, 1969; the place of use is within the NE¹/₄NE¹/₄, Sec. 12, T. 35N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

STATE OF IDAHO, }
County of Nez Perce }

ss. Department of Water Resources
Northern District Office

DeAnna D. Kincart

, 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 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the Notice of Claim to a Water 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 17th day of February, A. D. 19 77, and the last publication thereof being on the 24th day of February, A. D. 19 77, and said Right No. 83-4074 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.

DeAnna D. Kincart

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

24th day of February, 1977.

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



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Executive Director~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

July 28, 1982

Mr. John Mattson
Route 2
Culdesac, Id. 83524

Re: 85-4073 and 85-4074

Dear Mr. Mattson:

We have received your letter of July 26, 1982, and we have placed it in Lela Schwane's files. For the letter to be admitted as evidence of the right, however, your signature must be notarized.

I am enclosing a copy of your letter so that you may write a new letter and have it notarized, if you wish to do so. You should also mention the earliest date of use of which you are aware.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Correspondence

Route 2, W E D
Culdesac, Idaho
July 26, 1982

JUL 26 1982

Department of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

Department of Water Resources
Northern District Office

Dear Sirs;

I was requested by Lela Schwane that verification as to the use of her springs be made.

The two springs in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 12, T 35N, R 3W, B.M, Nez Perce County are used for domestic purposes, for they run into a reservoir furnishing water to house and garden. The over flow water some cattle.

The Spring at NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 12T 35N, R. 3W, B M. is flowing into a large pond. This can also water cattle, as it has a 4" valve at the base of the dam.

Sincerely,


John Mattson

Re-85-4073 and 85-4074

ION

N

OWNER LAST NAME - SCHWANE

FIRST NAME - LELA

N

ADDRESS LINE 1 - RT. 2

N

N

SOURCE - SPRING

CITY - CULDESAC

STATE - ID ZIP CODE - 83524

N

STAGE - STATRY CLM

TRIBUTARY OF - COTTONWOOD CREEK

N

DIVERSION POINT - NENE 12 35N 03W

PRIORITY - 12-01-1969

COUNTY - NEZ PERCE

TOTAL DIV. RATE -

.0100CFS

N

USE - STOCKWATER

USE DIV. RATE -

.0100CFS

N

USE - STOCKWATER

USE - FISH PROP.

PLACE OF USE - TWN 35N RNG 03W SEC 12 TRACT NENE

IDENT. NO. 85-4074

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

Present Owner: _____

J. Right Basis (for adjudication claims A,B,C only):

7. Period of Use, Use, Diversion Rate/Volume:

from to for purposes. Amount

8. Use Code: S

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.

B.

C.

D.

E.

11. Other Uses (Non-irrigation explanatory information):



12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Route 5, Box 203 - Suite #1
4055 N. Government Way

COEUR D'ALENE, IDAHO 83814

(208) 667-6484

March 8, 1977

Re: Claim to a Water Right No. 85-4073
" " " " " " 85-4074

Ms. Lela Schwane
Route 2
Culdesac, ID 83524

Dear Ms. Schwane:

The Department of Water Resources has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with our office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we may be of any further assistance, please contact us.

Very truly yours,

ROBERT G. HAYNES
District Supervisor

RGH:CP

Enclosure

RECEIVED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

February 11, 1977

Re: Claim No. 85-4073 - Lela Schwane
" " 85-4074 Lela Schwane

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:cp

Enc: Legal Notice(s)

UNRECORDED

Bill 3-1-77.4

NOTICE OF CLAIM TO A WATER RIGHT

NO. 85-4074

Notice is hereby given that Lela Schwane,

Route 2, Culdesac, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 5.00 ~~cubic feet per second~~ gallons per minute
of water from a Spring (known as Pinkham Spring), tributary to Cottonwood Creek
with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 35N, R. 3W, B.M.,
Nez Perce County

The water is claimed to be used from Jan. 1 to Dec. 31 for fish
propagation and stockwatering purposes

with a priority of December, 1969;
the place of use is within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 35N, R. 3W, B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho,
83814.

R. KEITH HIGGINSON
Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho
on Feb. 17 and Feb. 24, 1977

RECEIVED
FEB 24 1977
CLERK OF DISTRICT COURT
IDAHO

NOTICE OF CLAIM TO
A WATER RIGHT

No. 85-4074

Notice is hereby given that Lela Schwane, Route 2, Culldesac, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 5.00 gallons per minute of water from a Spring known as Pinkham Spring, tributary to Cottonwood Creek with a point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 35N, R. 3W, B.M., Nez Perce County.

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Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814.
R. KEITH HIGGINSON
Director

O.K.
9-18-77
8