

(8) Remarks _____

R 3W

16	
127	

$\begin{array}{c} H \\ \text{---} \\ H \end{array}$

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 _____

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 affiants knowledge.

Sworn to before me this 1st day of February

(Claimant)

Notary Public

Residing at

My commission expires _____

Rec. #4897

For Department Use Only

Received by

Date _____

Exception filed by:

Forwarded to

Date _____

Prelim. check by

Date _____

claimant by:

\$10.00 fee received by cp

Date _____

Approved for publication by _____

Published in Lewiston Morning Tribune

Dates 2-17 & 2-24-77

Section 42-225a, Idaho Code

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.

(name of claimant)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (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>3 gpm</u>	Use	<u>domestic</u>	Period of Use:	From	<u>Jan. 1</u>	<u>Dec 31</u>
Amount	<u>3 gpm</u>	Use	<u>domestic</u>	Period of Use:	From	<u>Jan. 1</u>	To <u>Dec 31</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To <u> </u>
	(cfs, gpm or a/f)		(dom., irri, stock, etc.)			(both dates inclusive)	

- (4) Priority claimed: (the date water was first applied to beneficial use) Before 1945 when we bought the farm.

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)

Additional points of diversion: Water from both springs are collected into a common storage reservoir about 20 feet below the lowest spring.

in the storage reservoir which forces water to the house through a 1" ID pipeline. Approx. length of pipeline is 1000 ft. to house located in SW $\frac{1}{4}$ NE $\frac{1}{4}$ S 12 Twp. 35N Range 3W BM. and old house 300 feet south of reservoir.

- (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
Water also used at old house site

[illegible]

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 domestic purposes which includes the irrigation of lawns and gardens.

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

SECRET

(8) Remarks _____

[illegible]

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

\$5.

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

Lela Schwane
(Claimant)

Notary Public

Residing at

My commission expires

Rec. #4897

For Department Use Only

Received by

Date _____

Exception filed by:

Forwarded to

Date _____

Prelim. check by

Date _____

claimant by:

\$10.00 fee received by

ср

Date _____

Approved for publication by

Published in

Lewiston Morning Tribune

Dates

2-17 & 2-24-77

PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

No. 85-4073

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 3.00 gallons per minute of water from Two Springs, tributary to

Cottonwood Creek with a point of diversion in the SE 1/4 NW 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 domestic purposes with a priority of prior to 1945; the place of use is within the SW 1/4 NE 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

STATE OF IDAHO, }
County of Nez Perce } ss.

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. 1977, and the last publication thereof being on the 24th day of February, A. D. 1977, and said Right No. 85-4073 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

24th day of February, 1977.

Charles R. Foeltz
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
~~G. Stephen Albee~~
Director

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

June 29, 1982

Ms. Lela Schwane
Rt. 2
Culsedac, Id. 83524

Re: 85-4073 and 85-4074

Dear Ms. Schwane:

Pursuant to your recent inquiry, the above-referenced claims have been duly recorded and processed by our Department.

Since the claims are your sworn statement of what you claim your water rights are, you may wish to support your claims by furnishing our Department with affidavits from disinterested third parties (such as neighbors) who can attest to the fact that the water was used for those purposes since the dates shown on the claims.

If you have any questions, please contact our office.

Sincerely,

/s/
Patricia M. Stypa
Senior Secretary

✓ cc: IDWR - State Office - w/enc.

**NOTICE OF CLAIM TO
A WATER RIGHT**

No. 85-4073

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 3.00 gallons per minute of water from Two Springs, tributary to Cottonwood Creek with a point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 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 domestic purposes with a priority of prior to 1945; the place of use is within the SW $\frac{1}{4}$ 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

**NOTICE OF CLAIM TO
A WATER RIGHT**

No. 85-4974

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 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.

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, 1968; 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

*Are these still
O.K.? If not please
send me two new
Blanks to fill out.*

Thank you,

Lela Schwane

R E C E I V E D

JUN 28 1982

**Department of Water Resources
Northern District Office**



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, V 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

WATER RIGHT NUMBER 85-4073

WATER RIGHTS EDIT REPORT

12/17/79

PAGE 62

ACT
ION

N

OWNER LAST NAME - SCHWANE

FIRST NAME - LELA

N

ADDRESS LINE 1 - RT. 2

N

N

SOURCE - SPRINGS

CITY - CULDESAC

STATE - ID ZIP CODE - 83524

N

STAGE - STATRY CLM

TRIBUTARY OF - COTTONWOOD CREEK

N

DIVERSION POINT - SENW 12 35N 03W

PRIORITY - 06-01-1945 COUNTY - NEZ PERCE TOTAL DIV. RATE - .0100CFS

N

FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0100CFS

N

USE - DOMESTIC

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

IDENT. NO. 85-4073

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:

[illegible]

8. Use Code: 0

[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

MICROFILMED

February 14, 1977

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

Ms. Lela Schwane
Route 2
Culdesac, ID 83524

Dear Ms. Schwane:

Attached is your receipt No. 4897 in the amount of \$20 for the filing fee on
the above referenced claims which were received in this office.

Very truly yours,

Corda M. Patterson
Secretary

CP

Attachment

MICROFILMED



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)

RECEIVED
FEB 14 1977
DISTRICT SUPERVISOR

bill: 3-1-77-4

NOTICE OF CLAIM TO A WATER RIGHT

NO. 85-4073

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 3.00 ~~xxxxxx feet per second~~ gallons per minute
of water from Two Springs, tributary of Cottonwood Creek
with point of diversion in the SE 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 domestic
purposes

with a priority of prior to 1945 ;
the place of use is within the SW 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

MICROFILMED

NOTICE OF CLAIM TO
A WATER RIGHT

No. 15-4073

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 200 gallons per minute of water from Two Springs, tributary to Cottonwood Creek with a point of diversion in the SE 1/4 NW 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 domestic purposes with a priority prior to 1945; the place of use is within the SW 1/4 NE 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 83314.
R. KEITH HIGGINSON
Director

O.L.
2-18-77
d

February 4, 1977

Ms. Lela Schwane
Route 2
Culdesac, ID 83524

Dear Ms. Schwane:

We are returning the two Claims to a Water Right you submitted and also your Check No. 92-131 in the amount of \$30. The filing fee is \$10 per claim; therefore, the total fee that should be submitted is \$20.

Please note that under Item #6 on each claim that we have indicated in pencil the location where the water is used. We obtained this information from your maps. If these locations are correct, either type or indicate in ink the appropriate locations.

Please return the forms to our office at your earliest convenience, along with the \$20 filing fee. Feel free to contact us if there are any questions.

Very truly yours,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH:CP

Enclosures

MICROFILMED