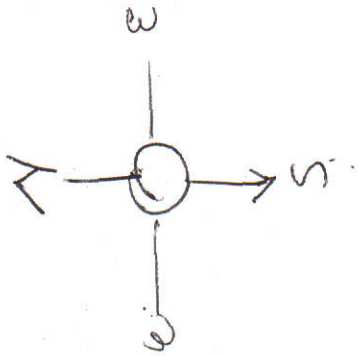




Platted
Block 104

Lewiston

Orchards
Tract 15

Lot 5

Lot 6

OR.

SW 1/4 of SW 1/4
of NE 1/4

Reservoir 1918

Reservoir
Old

NW 1/4 of SE 1/4

Section 23

Township 35 North

Range 5. W.B.M.

Barn

House

Form
Buildings

New Well
1946

Well
1914

42 RDS.

220'

139 RDS 5 ft

Lynd F. S. S. S. S.

3148

30.98 Ac.

3147

4402 Ac.

Gray Lamb

School 2

.93 Acres

Township 35 North

Range 5

5165

85 4045

Township 35 North Range 5

PUBLISHER'S AFFIDAVIT OF PUBLICATION

RECEIVED

FEB 5 1971

Department of Water Administration

NOTICE OF CLAIM TO A WATER RIGHT

No. 85-4015

Notice is hereby given that Lynn and Edith Schwandt, Route 1, Box 42, Lewiston, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 30 acre feet per annum of water from a ground source with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 35N, R. 5W, B.M., Nez Perce County.

The water is claimed to be used from April 1 to October 1 for irrigation and Jan. 1 to Dec. 31 for domestic and stockwater purposes with a priority of 1914 (15 af) and 1946 (15 af); the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 35N, R. 5W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho, on January 28 and February 4, 1971.

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

D. N. Sinclair, being duly sworn

deposes and says, I am the Office Manager 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 Claim To A Water Right attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a

week for two consecutive weeks, the

first publication thereof being on the 28th day of

January, A. D. 19 71, and the last publica-

tion thereof being on the 4th day of February,

A. D. 19 71, and said Claim To A Water Right

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.

D. N. Sinclair

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

4th day of February, 19 71.

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

Identification No. 85-4015

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Lynn and Edith Schwandt
post office address Route 1 Box 42 Lewiston, Idaho 83501
2. The point of diversion is in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 23 Township 35-N
Range 5 W. B.M. located on Ground Water
(name of source)
tributary to _____ in Nez Perce County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

Well - 1914 amount: .01368 c.f.s. or ~~15~~ 15 acre feet
Well - 1946 amount: .04456 c.f.s. or ~~40~~ 40 acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or 30 acre feet

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Irrigation period of use from April 1 to October 1 (both dates inclusive)
use Stock period of use from year around (both dates inclusive)
use Domestic period of use from year around (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

Concrete Storage Reservoir made of Concrete
4' x 10' x 14'

- b. Underground water diverting works: is well flowing or pumped Pumped ; depth of well is 1914 - 148'
1946 - 187' feet; diameter of well is 5 1/2" inches; type of pump is 1946 Well is Jet pump.
capacity of pump is 20 g.p.m.; name and address of well driller is _____

1914 well was windmill - now Broken - 4 inch
submersible pump to be installed.

well Driller, has left area or deceased.

_____ ; if so, give dates and explain _____

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible. Water is piped from 1946

ing date and dimensions if possible Water is piped from 1946
well to Reservoir by one inch Pipe-

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built No, if so, give dates and describe _____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known_____

b. Do you get water through a ditch owned by several users? NO If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

Hogs 150, Cattle 4, Chickens 15

7. Where water is used for domestic or municipal purposes give number of families served One
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

New Submersible pump to be installed in
1978 well to replace windmill -
new 3" pipe line to run from 1978
well to vicinity of farm buildings
for irrigation and stock

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 affiants knowledge.

Lynn Schwartz
Claimant

Sworn to before me this 26th day of January, 19 71.

Owen L. Knowlton
Notary Public

Residing at Lewiston, therein

My commission expires 12/19/71

For Department Use Only

85 4015

Received by aj Date 11-5-70

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by aj Date 1-11-70

Fee received by aj Date 1-11-70 Fee \$ 10.00

Approved for publication by _____

Published in Lewiston Morning Tribune Dates 1-28 & 2-4, 71

dg

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	May 18, 1871	amount:	0.8 c.f.s. or	acre feet
	June 1, 1901	amount:	0.4 c.f.s. or	acre feet
	Total claimed:		1.2 c.f.s. or	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

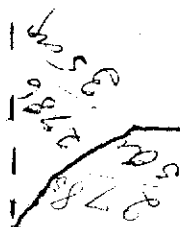
4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

85 4915



Lewiston

Oachands

Tract 15

6075-

2076

or.

SW 1/4 of SW 1/4
EN 10 of NE 1/4

Rosen v. F. [] 1918,

SW 1/4 of SE 1/4

Reservoir.
old

Section N 23

Township 35 North

Range S. W. B. M.

f-7 Barn

Howe

Form Buildings

7000
New
New Wall
1946


 recd
 well
 1914

63147

4402 AC.

139.805 5 ft

10

#3148

30.98 Acres

Rev. J. S. March

7245

#5163-

58 405

1944-1945

REF ID: A66367

D. N. Sinclair

, being duly sworn

period; that the Claim To A Water Right attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a

January, A. D. 19 71, and the last publication thereof being on the 4th day of February, A. D. 19 71, and said Claim To A Water Right

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.

W. H. Sinclair

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
4th day of February, 1971

Notary Public in and for the State of New York

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

NOTICE OF CLAIM FOR A WATER RIGHT

Notice is hereby given that the
and of the State of New York
42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868,

The power is claimed to be "applied to the water" by October 1, 1914, and Jan. 1, 1916, for the purpose of stockwater purposes, with a view of 1914-1915 and 1916-1917. The date of use is within the time specified, Sec. 23, T. 35N., R. 5W., S.M.

Any exception to this claim, however, may be filed with the U.S. Patent Office.

to the Department of Water Administration,
5500 10th Ave, Bldg. 1000,

R. KEITH HIGGINSON
Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho, on January 28 and February 1, 1937.

WATER RIGHT NUMBER 85-4015

WATER RIGHTS EDIT REPORT

12/17/79

ACT
ION

N OWNER LAST NAME - SCHWANDT

N OWNER LAST NAME - SCHWANDT

N ADDRESS LINE 1 - RT. 1 BOX 42

N CITY - LEWISTON

STATE - ID ZIP CODE - 83501

N SOURCE - GROUNDWATER

PRIORITY - 06-01-1914 COUNTY - NEZ PERCE

N STAGE - STAIRY CLM

N TOTAL DIV. VOLUME -

USE DIV. RATE -

.0500CFS

USE DIV. VOLUME - 15.00 AFA

N DIVERSION POINT - NWSE 23 35N 05W

N FROM - 04-01 TO - 10-01 USE - IRRIGATION STORAGE

USE DIV. VOLUME - 15.00 AFA

N FROM - 04-01 TO - 10-01 USE - IRRIGATION FROM STORAGE

USE DIV. VOLUME - 15.00 AFA

N FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. VOLUME - 15.00 AFA

N FROM - 01-01 TO - 12-31 USE - STOCKWATER STORAGE

USE DIV. VOLUME - 15.00 AFA

N FROM - 01-01 TO - 12-31 USE - STOCKWATER FROM STORAGE

USE DIV. VOLUME - 15.00 AFA

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

USE DIV. VOLUME - 15.00 AFA

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

USE DIV. VOLUME - 15.00 AFA

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

USE DIV. VOLUME - 15.00 AFA

N FROM - 04-01 TO - 10-01 USE - DIVERSION TO STORAGE

USE DIV. VOLUME - 15.00 AFA

N USE - IRRIGATION

USE DIV. RATE - .0500CFS

AC 15

N REMARKS - PRIORITIES ARE 1914 & 1946 OF 15. AFA.

N NON IRRIG USE - S/4 RANGE, 150 HOGS & 15 CHICKENS.

IDENT. NO. 85-4015

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. / 35 4015
 OTd No. New No.

Record

1. Original Owner: Lynn & Edith Schwanck

Present Owner:

2. Address: Rt. 1 Box 42

3. City: Leavittown State: PA Zip: 83501

4. A. Source of Water: GW

B. Tributary of:

5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1914

D. County: 69

E. Total Diversion Rate:

F. Total Diversion Volume: 15

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

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

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NWSE</u>	<u>23</u>	<u>35^N</u>	<u>5W</u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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

from 4-1 to 10-1 for A purposes. Amount .05 / 15
4-1 10-1 AS (cfs or AC-FT/yr) 15
 from 4-1 to 10-1 for AR purposes. Amount 15
1-1 12-31 S
 from 1-1 to 12-31 for SS purposes. Amount 15
1-1 12-31 D
 from 1-1 to 12-31 for DS purposes. Amount 15
1-1 12-31 DR
 from 1-1 to 12-31 for DR purposes. Amount 15
 from 4-1 to 10-1 for B purposes. Amount .05 cfs

8. Use Code: A

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *Priorities are 1914 ~~3~~ + 1946 for 15 ap.*
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information): S/ 4 range,
150 Hogs + 15 chickens.

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):

February 18, 1971

Re: Claim to a Water Right No. 85-4015

Lynn & Edith Schwandt
Route #1, Box 42
Lewiston, Idaho 83501

Dear Mr. & Mrs. Schwandt:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 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 your 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 this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr

Enclosures: Copy of claim
Receipt No. 5483

85 4015

February 10, 1971

Re: Claim to a Water Right No. 85-4015 - Lynn & Edith Schwandt

Henry Felton, Lawyer
Post Office Box #365
Lewiston, Idaho 83501

Dear Mr. Felton:

Please forgive our error of February 5, 1971.

Pursuant to your previous request, please find enclosed two of this department's claim to a water right forms. If we may be of any assistance in helping you to complete these forms, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CM

Enc: two claim to a water right forms

85 4015

HENRY FELTON
LAWYER
LEWISTON, IDAHO
ZIP 83501
534 FOURTH AVENUE

POST OFFICE BOX 365
TELEPHONE SH 3-1521
AREA CODE 208

February 8, 1971

Dorian Clay,
Appropriation Examiner,
Department of Water Adm.,
Statehouse, Annex 2,
Boise, Idaho, 83707,

Re: Water Right No. 85-4015
Lynn & Edith Schwandt,

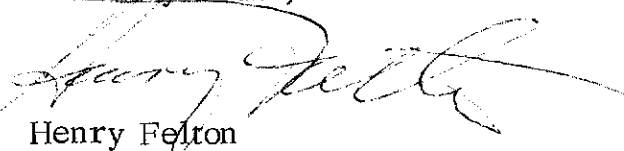
Dear Sir:

You furnished me a copy of a Claim to Water Rights
for Mr. and Mrs. Schwandt.

I also requested a form so that I could make a
claim on behalf of another client who has a well thereby.
By inadvertance you apparently forgot to include the blank.

Will you send it to me.

Sincerely Yours,


Henry Felton

HF:jf

85 4015

February 5, 1971

Re: Claim to a Water Right No. 85-4015 - Lynn & Edith Schwandt

Henry Felton, Lawyer
Post Office Box #365
Lewiston, Idaho 83501

Dear Mr. Felton:

Pursuant to your letter of January 29, 1971, please find enclosed a copy of Claim No. 85-4015, in the name of Lynn and Edith Schwandt, as advertised in the Lewiston

Morning Tribune on January 28, 1971 and February 4, 1971.

If we may assist you further in this matter, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CM

Enc: above mentioned copy

85 4015

HENRY FELTON
LAWYER
LEWISTON, IDAHO
ZIP 83501
534 FOURTH AVENUE

85-4015

POST OFFICE BOX 365
TELEPHONE SH 3-1521
AREA CODE 208

January 29, 1971

RECEIVED

Mr. R. Keith Higginson,
Director,
Department of Water Administration,
Statehouse,
Boise, Idaho,

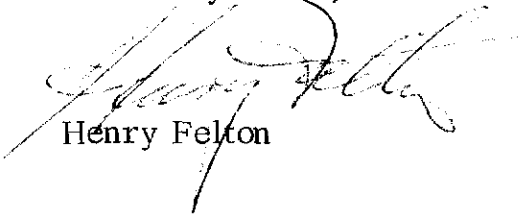
Dear Mr. Higginson,

Will you send me copies of the claim to water right made by Edith Schwandt as advertised in your legal notices in the Lewiston Morning Tribune on January 28, 1971.

I have one or more clients who need to apply for water rights on wells in the vicinity.

Will you send me four or five forms for such application.

Sincerely Yours,


Henry Felton

HF:jf

85 4015

Law Offices
OWEN L. KNOWLTON
426 BREIER BUILDING
LEWISTON, IDAHO 83501
—
AREA CODE 208
743-7211

RECEIVED
JAN 28 1971
Department of Water Administration

January 26, 1971

STATE OF IDAHO
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Sir:

Enclosed is the Water Agreements for Lynn Schwandt,
with the corrected Notarization.

Yours very truly,

OLK by ca.
Owen L. Knowlton

enc.

85 4000

NOTICE OF CLAIM TO A WATER RIGHT

No. 85-4015

Notice is hereby given that Lynn and Edith Schwandt, Route 1, Box 42, Lewiston, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of 30 acre feet per annum of water from a ground source with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 35N, R. 5W, B.M., Nez Perce County.

The water is claimed to be used from April 1 to October 1 for irrigation and Jan. 1 to Dec. 31 for domestic and stockwater purposes with a priority of 1914 (15 af) and 1946 (15 af); the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 35N, R. 5W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho, on January 26 and February 4, 1971.

85 4015

January 22, 1971

Re: Claim No. 85-4015

Lynn and Edith Schwandt
Route #1, Box 42
Lewiston, Idaho 83501

Dear Mr. and Mrs. Schwandt:

We are returning your claim to a water right, no. 85-4015, as we have been advised by the Idaho Attorney General's office that the claim form, as printed, is insufficient with which to comply with requirements of the Idaho Code. The Idaho Code requires your claim to be in affidavit form, that is, a sworn statement. They have approved the label attachment which we are enclosing with your claim. Please affix the label on the top of the original notorization, have your signature re-notorized, and return your claim for processing.

We are sorry for any inconvenience this has caused you, but we feel that your water right is important enough that it must be properly recorded. Your assistance in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: claim no. 85-4015
label attachment

85 4015

January 19, 1971

Re: Claim No. 85-4015 - Lynn and Edith Schwandt

Lewiston Morning Tribune
505 "C" Street
Lewiston, Idaho 83501

Gentlemen:

Enclosed you will find 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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

Bill submitted 2-10-71 By dw

85 4015

NOTICE OF CLAIM TO A WATER RIGHT

No. 85-4015

Notice is hereby given that Lynn and Edith Schwandt, Route 1,
Box 42, Lewiston, Idaho, have
has/filed a claim to a water right established by diversion and appli-
cation to beneficial use of 30 ~~cubic feet per second~~ acre feet per annum
of water from a ground water source
with point of diversion in the NW¹/SE⁴, Sec. 23, T. 35N, R. 5W, B.M.,
Nez Perce County.

The water is claimed to be used from April 1 to October 1 for irrigation
and Jan. 1 to Dec. 31 for domestic and stockwater purposes
with a priority of 1914/ddd/1946 1914 (15 af) and 1946 (15 af) ;
the place of use is within the NW¹/SE⁴, Sec. 23, T. 35N, R. 5W, B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho.
on January 28 and February 4, 1971.

85 4015

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215

January 11, 1971



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

RE: Lynn Schwandt

Owen L. Knowlton
Attorney at Law
303 Brier Building
Lewiston, Idaho 83501

File

Dear Mr. Knowlton:

Returned herewith is Departmental Receipt No. 5483 in the amount of
\$10.00 for Claim application,

which was received in this office under the above date.

Very truly yours,

M. Russell Bosch
ejw

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

*Receipt enclosed
with letter to
claimant of
2-17-71
de*

85 4915

January 11, 1971

RE: Lynn Schwandt

Owen L. Knowlton
Attorney at Law
303 Brier Building
Lewiston, Idaho 83501

Dear Mr. Knowlton:

Returned herewith is Departmental Receipt No. 5483 in the amount of
\$10.00 for Claim application,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

25 4915

Law Offices
OWEN L. KNOWLTON
303 BREIER BUILDING
LEWISTON, IDAHO 83501
—
AREA CODE 208
743-7211

January 7, 1971

Mr. Dorian Clay, Appropriation Examiner
Idaho State Department of Water Administration
Statehouse, Annex 2
Boise, Idaho 83707

Dear Mr. Clay:

I herewith resubmit the claim to a water right of Lynn Schwandt. We have had the cubic feet per second computed by the Director of the Lewiston Orchards Irrigation District and we hope it is right.

Yours truly,

Owen L. Knowlton
Owen L. Knowlton

OLK:ms
cc: Lynn Schwandt
Box 42
Lewiston, Idaho 83501

85 8945

November 6, 1970

Law Offices of OWEN L. KNOWLTON
303 Breier Building
Lewiston, Idaho 83501

Dear Mr. Knowlton:

We are herewith returning the check #92-313, in the amount of \$10.00, and claim to a water right that you have submitted in the behalf of Lynn Schwandt. We find in reviewing this claim, that there will need to be some clarification of a few points before we could process it. Please note that under item 3a, you will be required to list a point of diversion in cubic feet per second, as this is not a storage structure, such as a dam or reservoir. Also, please note under item 3b, that the period of use should be listed by month and day, such as January 1, through December 31.

As soon as you have made these necessary clarifications, and re-submitted the claim, we shall begin the processing.

If we may be of any further assistance in this matter, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enc: check #92-313
claim to a water right

85 4015

Law Offices
OWEN L. KNOWLTON
303 BREIER BUILDING
LEWISTON, IDAHO 83501
—
AREA CODE 208
743-7211

RECEIVED
NOV 5 1970
Department of Water Administration

November 4, 1970

State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Claim to Water Right, Lynn Schwandt

Dear Sirs:

I enclose the check of Lynn Schwandt in the amount of \$10.00 together with his claim for water right.

Also enclosed is a plat of the property and the wells in question.

If you need additional information, please let me know.

Yours very truly,

Owen L. Knowlton

OWEN L. KNOWLTON

OLK:mk
enc.

85 4015