

12/20/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-7033

NAME AND ADDRESS: GERTRUDE B FORSMAN
BOX 223
KAMIAH ID 83536

SOURCE: SPRING

TRIBUTARY: DEER CREEK

QUANTITY: 0.030 CFS
1.400 AFY

PRIORITY DATE: 07/16/1973

POINT OF DIVERSION:

T33N R03W S33 NWSWSE Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01/01 12/31

QUANTITY
0.030 CFS
1.40 AFY

PLACE OF USE: STOCKWATER Within NEZ PERCE County

T33N R03W S33

NWSE

T33N R03W S33

SWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A79-07033
Date Received: 7/26/1988
Receipt No: N000747
Received By: EJR

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GERTRUDE B. FORSMAN
Address: BOX 223
KAMIAH, ID 83536
208-926-0198
2. Date of Priority: JUL 16, 1973
3. Source: SPRING Trib. to: DEER CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
33N	03W	33	SW	SE			NEZ PERCE
5. Description of diverting works:
SMALL PONDING AREA.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.030		
STOCKWATER STORAGE	01/01	12/31			1.40
STOCKWATER FROM STORAGE	01/01	12/31			1.40
7. Total Quantity Appropriated is:
0.030 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/100 CATTLE.
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
33N	03W	33	SW	SE		STOCK	

A79-07033

Page 1

Date: 08/20/88

MICROFILMED
OCT 06 1992

11. Place of use in counties: NEZ PERCE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
OCT 06 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A-1907033Date Received 7/26/88Receipt Number N-747

RECEIVED
JUL 29 1988

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED
JUL 26 1988

Department of Water Resources
Western Regional Office

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Department of Water Resources
Northern District Office

Please type or print clearly

- Name of Claimant (s) Gertrude B. Forsman Phone (208) 926-0198
Mailing Address P.O. Box 223 Kamiah, Idaho Zip 83536
- Date of Priority (Only one (1) per claim) 7/16/73
- Source of water supply (a) Spring
which is tributary to (b) Deer Creek
- Location of point of diversion is: Township 33N Range 3W
Section 33, Sw 1/4 of SE 1/4 of _____ 1/4, Govt. Lot _____, B.M.,
County of Nez Perce
- ☒ Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Small ponding area
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For Stockwater purposes from 1/1 to 12/31 amount .03
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .03 (cfs)
1.4 acre feet
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of
livestock) 100 hd cattle

MICROFILMED

OCT 06 1992

10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
33N	3W	33															S	

11. In which county (ies) are lands listed above as place of use located? Naz Perce

12. Do you own the property listed above as place of use? Yes x No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____

If applicable provide IDWR Water Right Number 79-7033

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Mrs Gertrude Forsman Date 7-25-88

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 25th day of July 19 88

SEAL

Notary Public Ray A. Jensen

Residing at Kasslin

My Commission Expires 5-94

Last Name Forsman Ident No. A79-07033

COPIED BY _____

OCT 06 1992

CLAIMANT'S NAME Forsman, Gertrude B. CLAIM IDENT. NO. A79-07033
DATE RECEIVED 07/26/08 CK # 34869 AMOUNT \$ 116.00

	YES	NO
Is the name and address complete with zip code?	☒	☐
Is priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).		
(a) Is a source entered?	☒	☐
(b) Is a tributary to entered? (if required)	☒	☐
Is the legal description of the p.d. complete?	☒	☐
Is there a description of the diverting works?	☒	☐
Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.	☒	☐
Is the period of use included?	☒	☐
Is a quantity claimed for each use?	☒	☐
Is a total quantity claimed entered?	☒	☐
Is the consumptive use correct?	☒	☐
If required is a consumptive use entered?	☒	☐
Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim.	☒	☐
0. Is (are) the place(s) of use entered?	☒	☐
1. Is (are) the county(ies) entered?	☒	☐
2. Is the ownership of p.u. checked?	☒	☐
3. Are other water rights listed or "none" checked?	☒	☐
4. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐
15. Is the basis of the claim checked?	☒	☐
16. Is the claim signed by the claimant? Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
Has the claim been signed, sealed, and dated by a notary?	☒	☐
Is the fee enclosed correct?	☒	☐
Should this claim be receipted and data entered?	☒	☐
If this claim is based on an existing water right, has the identification number been entered?	☒	☐

Claim checked by: LW

Comments: _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 79-7033 Priority July 16, 1973 Amount 0.03 cfs

THIS IS TO CERTIFY, that CARLOS &/or GERTRUDE FORSMAN
of Lewiston, Idaho, has complied with the terms and conditions of Permit
No. 79-7033 issued pursuant to Application for Permit dated July 16, 1973,
and has submitted proof to the Department of Water Resources on July 15, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.03 cfs of water from an unnamed spring,
tributary to Deer Creek, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Stockwater</u>	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.03</u> cfs and	<u>1.4</u> acre feet
	from _____	_____ cfs and	_____
	from _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.03 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1.4 acre feet per year, said waters to be diverted within the SW 1/4 Sec. 38,
Twp. 33 N., Rge. 3 W., B. M. in the County of Nez Perce

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
33N	3W	33													

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
November, 19 74.

Director

Boise, Idaho 83720-0098

Return Service Requested

5.0

6.

79-7033

84-2033 ✓ R.O.
+ 84-4025

GERTRUDE B FORSMAN
BOX 223
KAMIAH ID 83536

KAMIAH ID 83536

**PRESORTED
FIRST CLASS**



\$00.29³

0004227270

FEB 01 2007

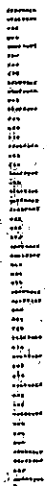
MAILED FROM ZIP CODE 83702

RECEIVED

FEB 12 2007

DEPARTMENT OF
WATER RESOURCES

837204-906



Post Office
P.O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

02 1A
0004510839
AUG 22 2006
MAILED FROM ZIP CODE 83702
\$ 00.63⁰⁰

RECEIVED

AUG 3 0 2006

DEPARTMENT OF
WATER RESOURCES

Postage and Fees Paid
Postmaster: Return to
Post Office Box 83720
Boise, ID 83720-0098
Permit No. 1000
Boise, ID

GERTRUDE B FORSMAN
BOX 223
KAMIAH ID 83601

678

Dept. of Water Resources
Adjudication Bureau
P.O. Box 83720
Boise, ID 83720-0098

79-703-3
84-2033
84-4025

GERTRUDE B FORSMAN
BOX 223
KAMIAH ID 83536

RECEIVED
NOV 06 2006
DEPARTMENT OF
WATER RESOURCES

FIRST 



02 1A \$00.870
0004310839 OCT 27 2006
MAILED FROM ZIP CODE 83702

ATTEMPTED
NOT KNOWN

