

08/07/2006

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

RIGHT NUMBER: 3-2013

NAME AND ADDRESS: DE ATLEY CO DIVISION OF EUCON CORP
4341 SNAKE RIVER AVE
LEWISTON ID 83501-5195

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.680 CFS
736.580 AFY

PRIORITY DATE: 09/21/1966

POINT OF DIVERSION:

T35N R06W S14 SWSENE Lot 1 Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	01/01 12/31	0.840 CFS 736.58 AFY
COMMERCIAL	01/01 12/31	0.840 CFS 736.58 AFY

Water is used for aggregate washing and processing, dust control and steam cleaning.

PLACE OF USE: INDUSTRIAL Within NEZ PERCE County

T35N R06W S14 Lot 2 NESE	T35N R06W S14 Lot 3 SWSE
T35N R06W S14 SESE	T35N R06W S23 NENE
T35N R06W S23 NWNE	

COMMERCIAL Within NEZ PERCE County

T35N R06W S14 Lot 2 NESE	T35N R06W S14 Lot 3 SWSE
T35N R06W S14 SESE	T35N R06W S23 NENE
T35N R06W S23 NWNE	

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: BASIS OF CLAIM - License

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

This right is renumbered from former right 3-10158.

Right 3-10158 is renumbered from former right 85-11723.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



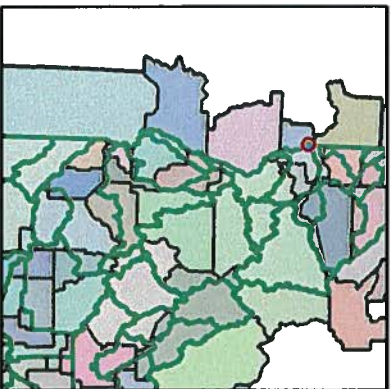
Idaho Department of Water Resources

SRBA Recommendation:

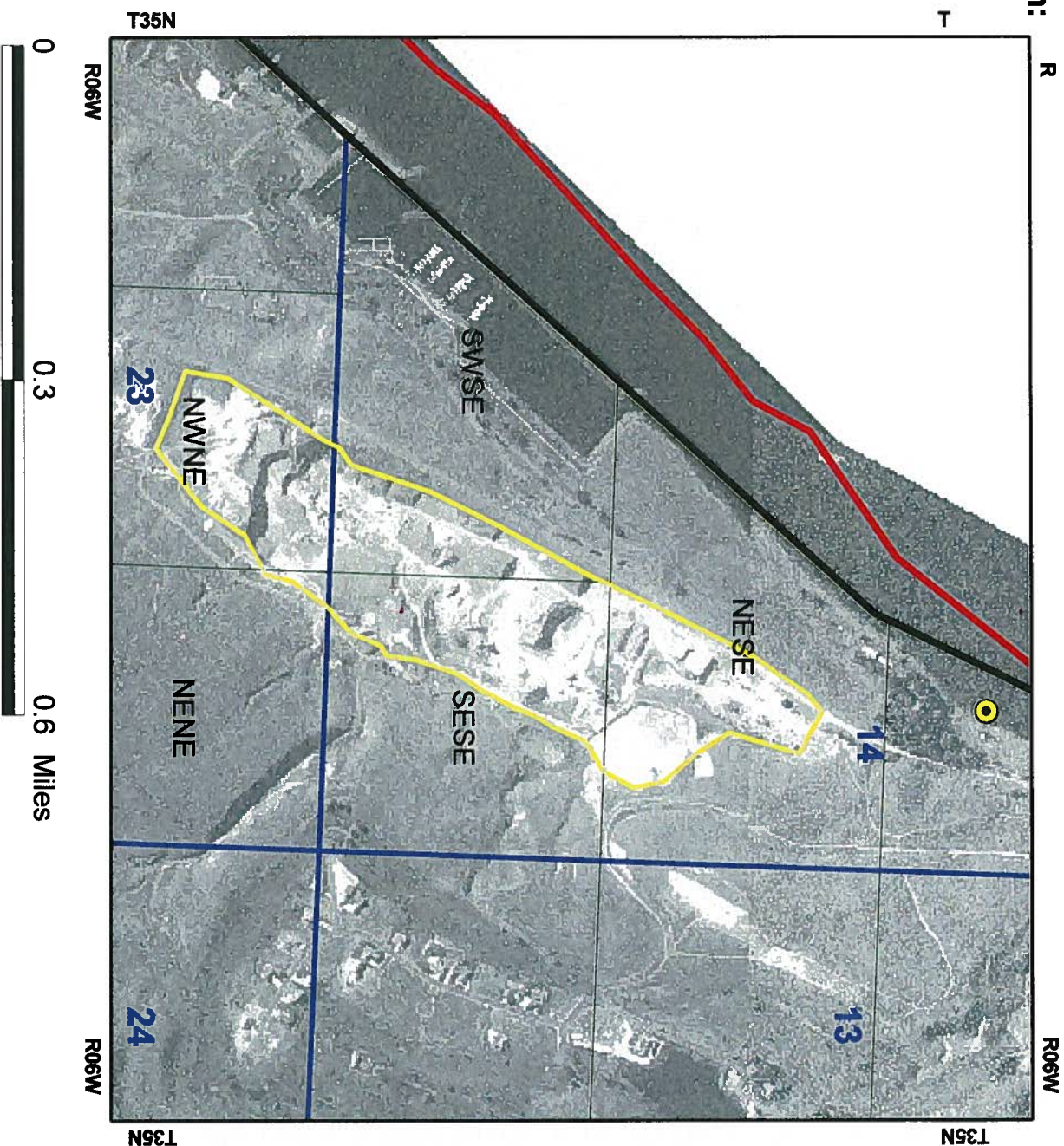
3-2013

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Nez Perce, Asotin Wa Counties
IDWR Basin 3



Prepared by J. Dean
On Monday, August 7, 2006
1987/88 Aerial Photography

RECEIVED

JUL 21 2006

06/16/2006

NOTICE OF ERROR
REPLY

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 7/21/06

Water right number: 3-7007

LEWISTON GOLF & COUNTRY CLUB INC
3985 COUNTRY CLUB DR
LEWISTON ID 83501

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

THERE appears to be a discrepancy on the
River intake location plating

2. Describe the changes you wish to make in the proposed recommendation:

possible correction required on actual
plating for intake location

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 6-20-06

SIGNATURE: James B. Merrill

Please print your name: JAMES B. MERRILL

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

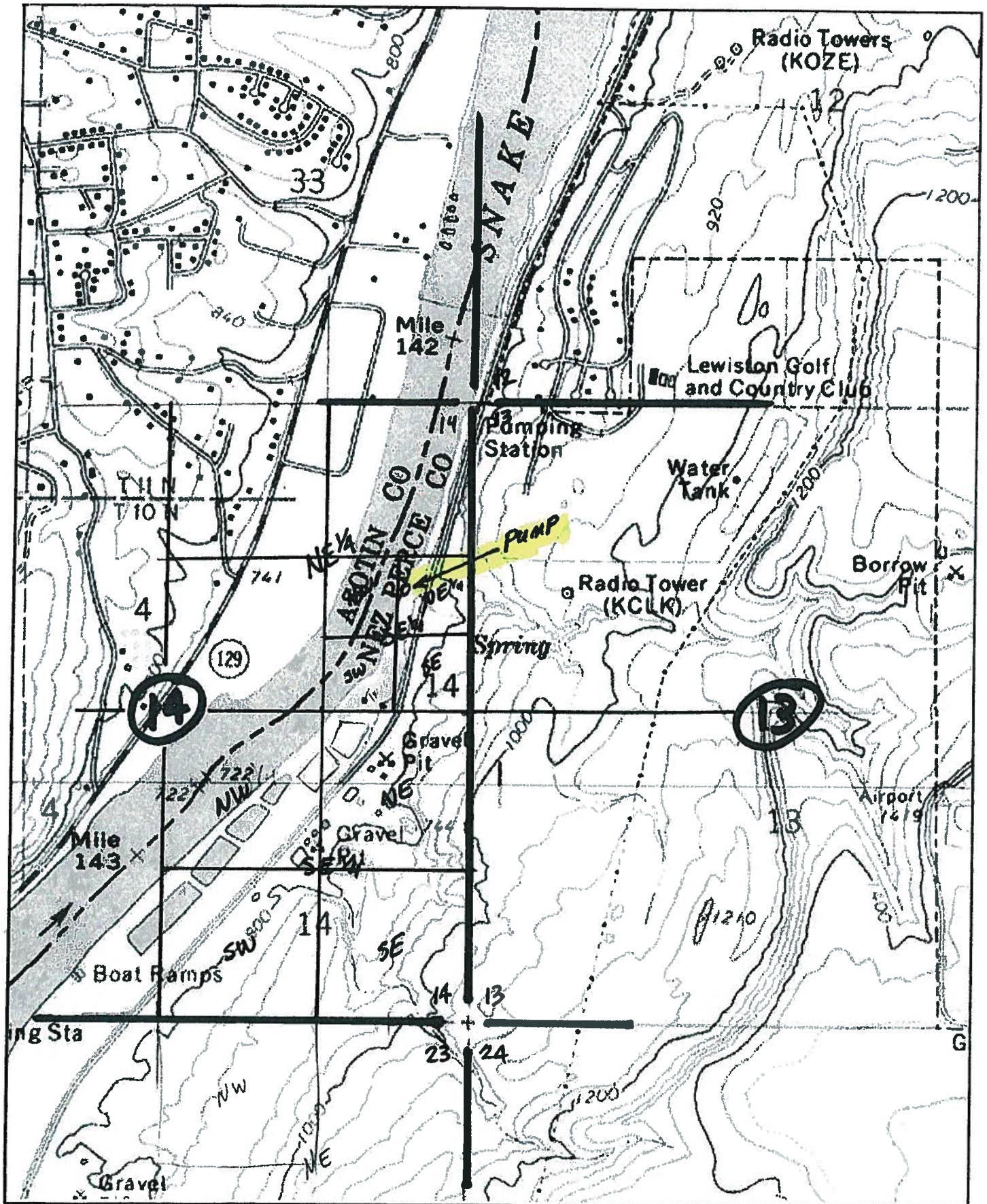
for Lewiston Golf & Country Club

Ron Jensen from Atlas
743-5596 sand & Rock
shared POD.

8/7/06- JD POD okay for this claim. Fixed for
DeAtley Corp who shares the same pump location.
Added QQQ because location is better defined
and known.

SCANNED

JUL 24 2006



Copyright (C) 1997, Maptech, Inc.

1" = 1000'

Map provided by Eric Bjorkman (Perkins-Coie) 7/25/06 to clarify POD.
Submitted on behalf of DeAtley corp.



Map provided by Eric Bjorkman (Perkins-Coie) on behalf of DeAtley corp. 7/25/06 to clarify PoD.

06/16/2006

NOTICE OF ERROR
REPLY

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 7/21/06

Water right number: 3-7007

LEWISTON GOLF & COUNTRY CLUB INC
3985 COUNTRY CLUB DR
LEWISTON ID 83501

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2. Describe the changes you wish to make in the proposed recommendation:

possible correction required on actual
plating for intake location

3. Give a brief explanation as to why you disagree with these portions:

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DATE: 6-20-06 SIGNATURE: James B. Merrill

Please print your name: JAMES B. MERRILL

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

for Lewiston Golf & Country Club

This Notice of Error Reply
was also sent via FedEx
on 7/20/06 Thank you

Jim Merrill will call back.

Karen Kaufman
(208) 743-3549

Maintenance # 798-0483
Shop

SCANNED
JUL 21 2006

06/16/2006

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

RIGHT NUMBER: 3-7007

NAME AND ADDRESS: LEWISTON GOLF & COUNTRY CLUB INC
3985 COUNTRY CLUB DR
LEWISTON ID 83501

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.050 CFS
378.00 AFY

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 04/19/1972

POINT OF DIVERSION: ☒ ☒ ☒ ☒
T35N R06W S14 SENE Lot 1 Within NEZ PERCE County

Licensed PoD

SENE S14 T35N R06W

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
RECREATION	01/01 12/31	1.000 CFS 45.00 AFY
IRRIGATION STORAGE	01/01 12/31	45.00 AFY
DIVERSION TO STORAGE	01/01 12/31	1.050 CFS
IRRIGATION	03/01 12/01	1.050 CFS 378.00 AFY

The use of water for irrigation under this right may begin as early as February 15 provided other elements of the right are not exceeded. The use of water before March 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within NEZ PERCE County

T35N R06W S13	SWNW	4.00	T35N R06W S13	SENW	9.00
T35N R06W S13	NESW	17.00	T35N R06W S13	NWSW	8.00
T35N R06W S13	SWSW	17.00	T35N R06W S13	SESW	18.00
T35N R06W S14	SESE	1.00	T35N R06W S24	NENW	2.00
T35N R06W S24	NWNW	8.00			

IRRIGATION STORAGE Within NEZ PERCE County

T35N R06W S13	SWNW	T35N R06W S13	SENW
T35N R06W S13	NESW	T35N R06W S13	NWSW
T35N R06W S13	SWSW	T35N R06W S13	SESW
T35N R06W S14	SESE	T35N R06W S24	NENW
T35N R06W S24	NWNW		

RECREATION Within NEZ PERCE County

T35N R06W S13	SWNW	T35N R06W S13	SENW
T35N R06W S13	NESW	T35N R06W S13	NWSW
T35N R06W S13	SWSW	T35N R06W S13	SESW
T35N R06W S14	SESE	T35N R06W S24	NENW
T35N R06W S24	NWNW		

DIVERSION TO STORAGE Within NEZ PERCE County

T35N R06W S13	SWNW	T35N R06W S13	SENW
T35N R06W S13	NESW	T35N R06W S13	NWSW
T35N R06W S13	SWSW	T35N R06W S13	SESW
T35N R06W S14	SESE	T35N R06W S24	NENW
T35N R06W S24	NWNW		

84 ACRES TOTAL

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: BASIS OF CLAIM - License

A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

RECEIVED
JUL 21 2006
DEPARTMENT OF
WATER RESOURCES

**NOTICE OF ERROR
REPLY**

Water Right Number: 3-2013
Water Right Claimant: DeAtley Company, Inc.
4341 Snake River Avenue
Lewiston, ID 83501-5195
Telephone Number: (208) 743-1531

1. **Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):**

The Water Right Claimant incorrectly located the Point of Diversion in its Notice of Claim to a Water Right ("Notice of Claim") at T35N R06W S14 NWSESE. The Idaho Department of Water Resources ("IDWR") Preliminary Recommendation incorrectly located the Point of Diversion at T35N R06W S14 SWNESE Lot 2. The correct Point of Diversion, based on our review of the correct actual current and historic geographic location of the pumping station on the Snake River diverting water for this water right, is at T35N R06W S14 SENE (i.e., SE ¼ of the NE ¼).

2. **Describe the changes you wish to make in the proposed recommendation:**

The Water Right Claimant requests that the Point of Diversion be changed to T35N R06W S14 SENE (i.e. SE ¼ of the NE ¼). To the extent the Notice of Claim needs to be amended to reflect this change, the Water Right Claimant requests that such amendment be made.

3. **Give a brief explanation as to why you disagree with these portions:**

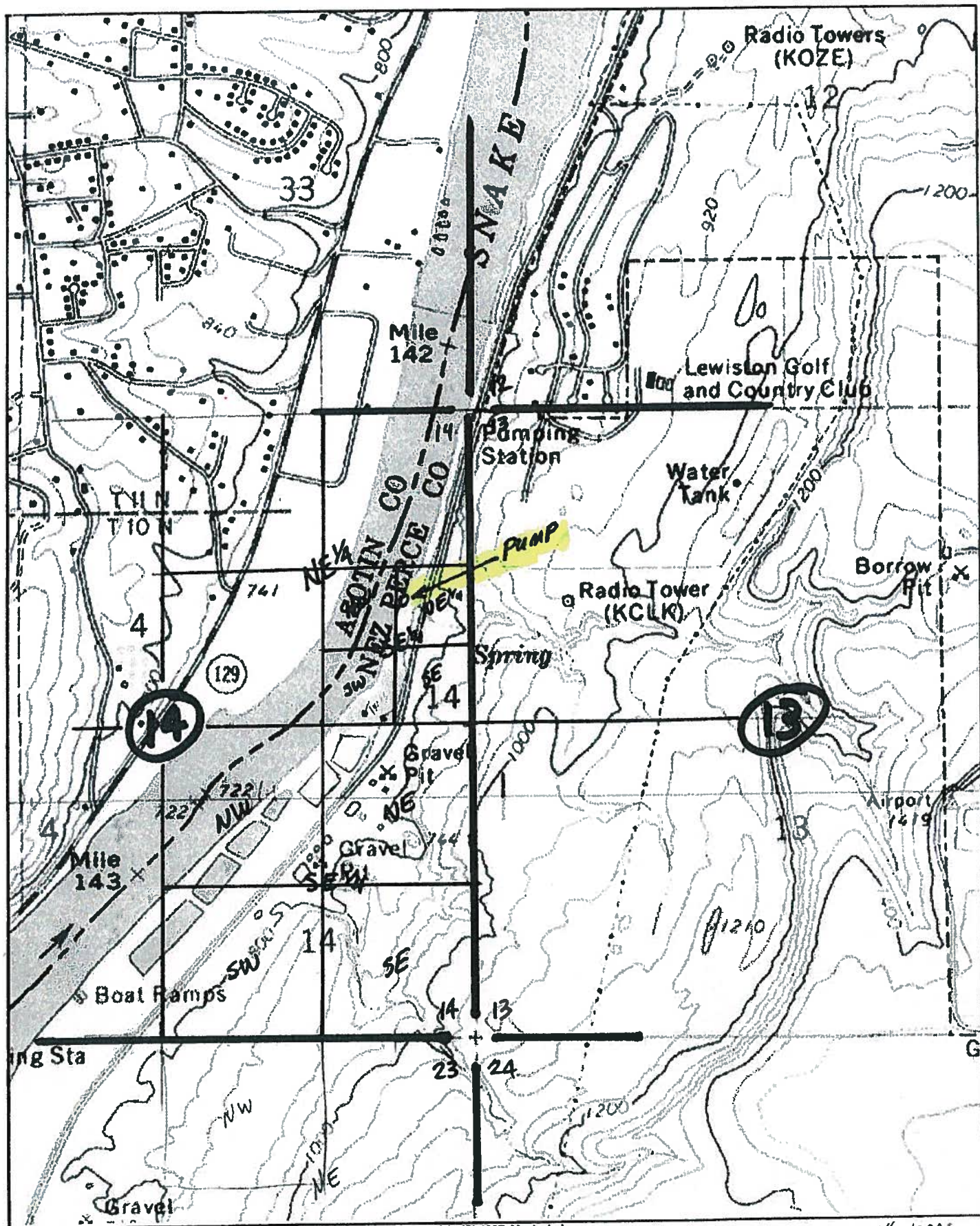
The Point of Diversion is not accurately identified in the Preliminary Recommendation.

DATE: July 21, 2006

SIGNATURE: Vern Scaggin

Print your name: Vern Scaggin

8/7/06 JD POD corrected for this claim. Correction based upon maps and field exam 8/4/06.



Copyright (C) 1997, Maptech, Inc.

Map provided by Eric Bjorkman (Perkins-coie) on behalf of DeAtley Corp.
7/25/06 to clarify POD.



Map provided by Eric Bjorkman (Perkins-Coie) on behalf of DeAtley Corp. 7/25/00 to clarify POD.

06/16/2006

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

RIGHT NUMBER: 3-2013

NAME AND ADDRESS: DE ATLEY CO DIVISION OF EUCON CORP
4341 SNAKE RIVER AVE
LEWISTON ID 83501-5195

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.680 CFS
736.58 AFY

PRIORITY DATE: 09/21/1966

POINT OF DIVERSION:

T35N R06W S14 SWNESE Lot 2 Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

Actual: SWSENE Lot 1 T35N R6W S14

*License
NWSE S14 T35N R6W*

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
INDUSTRIAL	01/01 12/31	0.840 CFS 736.58 AFY
COMMERCIAL	01/01 12/31	0.840 CFS 736.58 AFY

Water is used for aggregate washing and processing, dust control and steam cleaning.

PLACE OF USE: INDUSTRIAL Within NEZ PERCE County

T35N R06W S14 Lot 2 NESE	T35N R06W S14 Lot 3 SWSE
T35N R06W S14 SESE	T35N R06W S23 NENE
T35N R06W S23 NWNE	

COMMERCIAL Within NEZ PERCE County

T35N R06W S14 Lot 2 NESE	T35N R06W S14 Lot 3 SWSE
T35N R06W S14 SESE	T35N R06W S23 NENE
T35N R06W S23 NWNE	

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

This right is a from former right 3-10158. - *check condition*

Contacts Data Entry Form

Claim Number: 3-2013

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	DE ATLEY CO DIVISION OF EUCON CORP	4341 SNAKE RIVER AVE	LEWISTON	ID	83501-519 (208)743-1531 5	

Comment for 1: Desk Review

Date of Field Exam: 8/4/06 Time: 9:00am PDTAccompanied By: Ron Jensen Phone Number: 743-5596Relationship to Claimant: Manager

Directions to Property (if different from above) and/or update owner information:

meet at Atlas Sand & Rock on Snake River Ave.

Reviewer: JLDDate: 8/7/06

Priority Date Data Entry Form

Claim Number 3-2013

Claimed Priority Date: 9/21/1966

Claimed Basis: License

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Recommended as per license

Reviewer: JLDDate: 8/7/06

Point of Diversion and Source Data Entry Form

Claim Number 3-2013

Claimed Point of Diversion and Source

T35N R06W S14 NWSESE Within NEZ PERCE County Source: SNAKE RIVER COLUMBIA RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

<u>Snake River</u>	<u>Columbia River</u>
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
35N	06W	14	1	SW SE NE	Nez Perce	Snake River

Other rights from this POD? shared pumphouse w/3-7007

Document how the POD and Source were verified:

600hp 100hp Hellas shaft pump motor

Reviewer: JLDDate: 8/7/06

Place Of Use Data Entry Form

Claim Number 3-2013

Claimed Place Of Use

T35N R06W S14

NWSE

Total Acres

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres X

Document how the POU was verified:

see recommendation for POU
recommended as per aerial photography

Reviewer: JLDDate: 8/7/06

Purpose of Use Data Entry Form

Claim Number 3-2013

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
INDUSTRIAL			
COMMERCIAL			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
-----------	-----------------	-----------------	------------

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

License / claimReviewer: JLDDate: 8/7/06

Period of Use and Quantity Data Entry Form

Claim Number 3-2013

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
INDUSTRIAL	01/01	12/31	0.84	736.58
COMMERCIAL	01/01	12/31	0.84	736.58
Overall Diversion Rate 1.68		Overall Diversion Volume 736.58		

 Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Overall Diversion Rate		Overall Diversion Volume		

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

License/claim.

Reviewer: JLD

Date: 8/7/06



Snake River pump site for 3-2013 and 3-7007. Pump for 3-2013 is 100-hp pump on left and pump for 3-7007 is 60-hp pump on right. Picture obtained 3/4/06 on Lewiston field exam. JD

Idaho Department of Water Resources

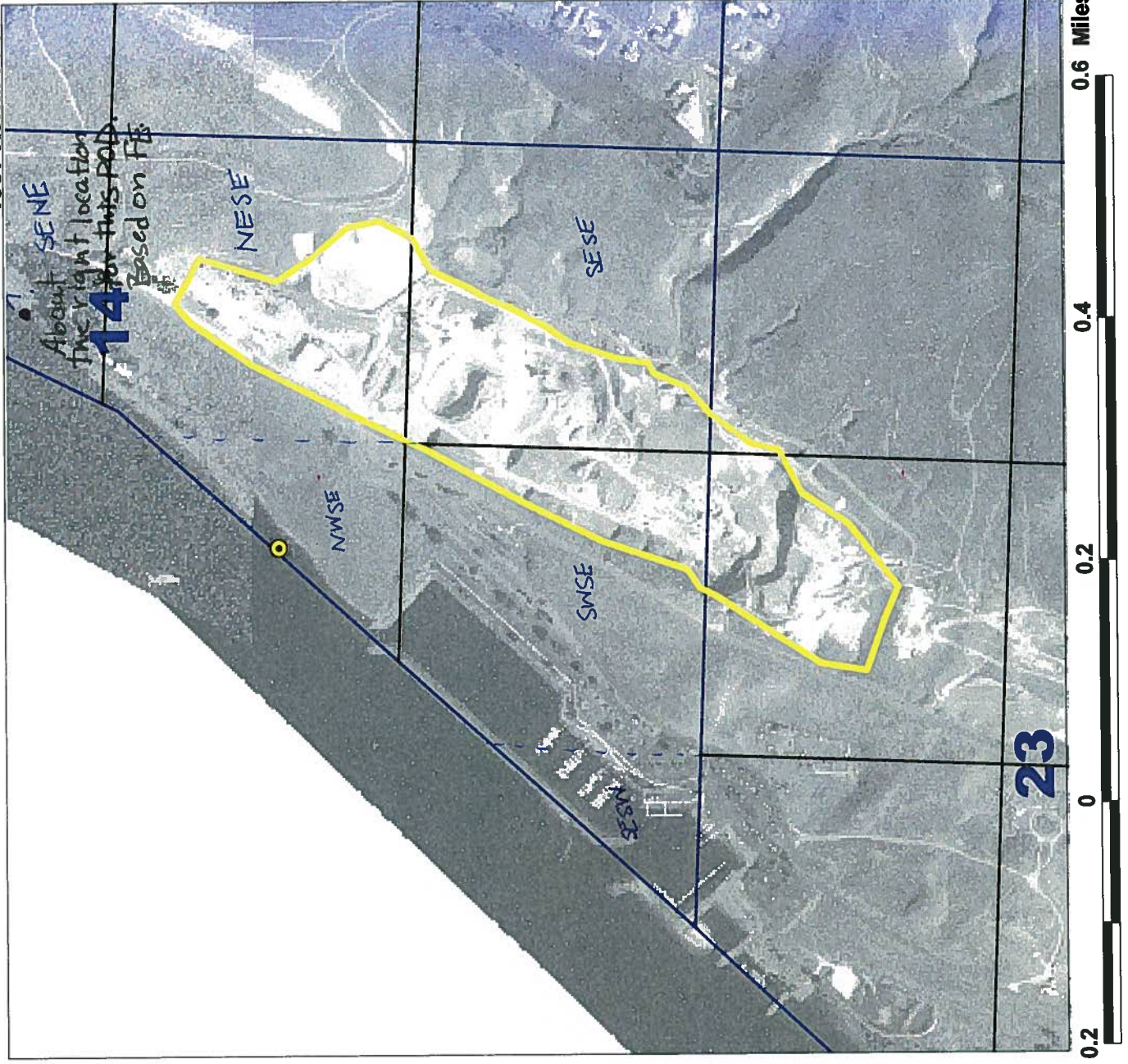
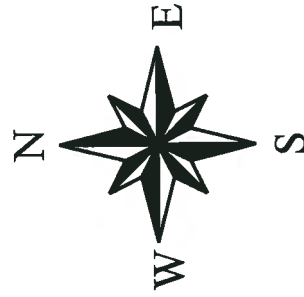
1987 Aerial Photo

Claim Number:

03-02013

- Point of Diversion
- Place of Use
- Sections
- Quarter Quarters

Legal: T35N, R06W, S14 & 23



Reviewed by: JLD 3/8/06

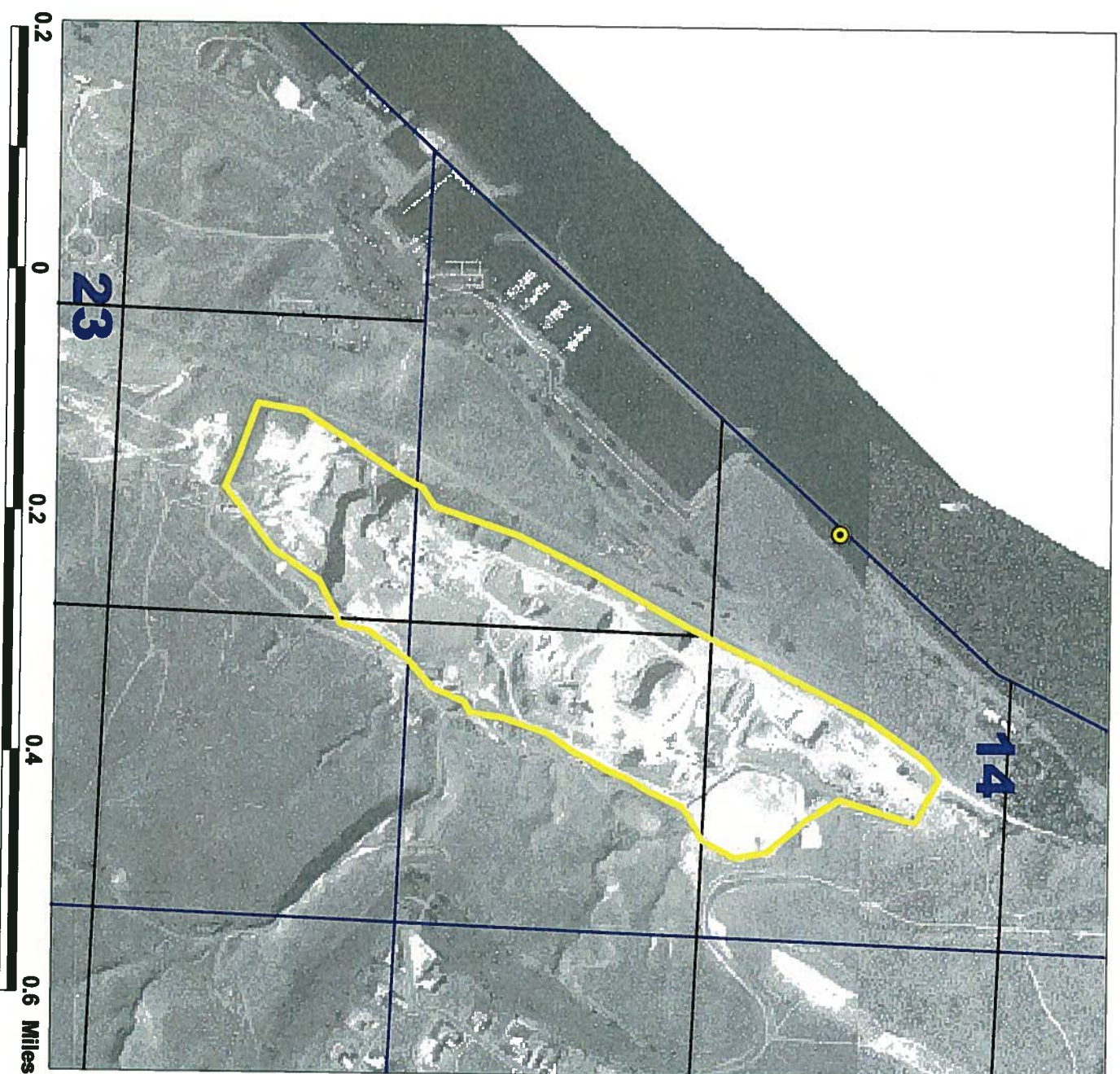
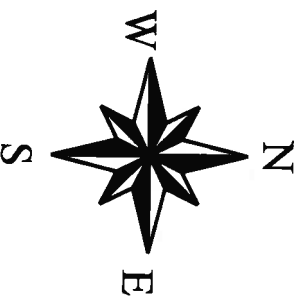
Idaho Department of Water Resources

Claim Number:

03-02013

-  **Point of Diversion**
-  **Place of Use**
-  **Sections**
-  **Quarter Quarters**

Legal: T35N, R06W, S14 & 23



1987 Aerial Photo

03/08/2006

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

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LEWISTON ID 83501-5195

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TRIBUTARY: COLUMBIA RIVER

QUANTITY: 1.680 CFS
736.580 AFY

PRIORITY DATE: 09/21/1966

POINT OF DIVERSION:

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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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T35N R06W S14 Lot 2 NESE	T35N R06W S14 Lot 3 SWSE
T35N R06W S14 SESE	T35N R06W S23 NENE
T35N R06W S23 NWNE	

COMMERCIAL Within NEZ PERCE County

T35N R06W S14 Lot 2 NESE	T35N R06W S14 Lot 3 SWSE
T35N R06W S14 SESE	T35N R06W S23 NENE
T35N R06W S23 NWNE	

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

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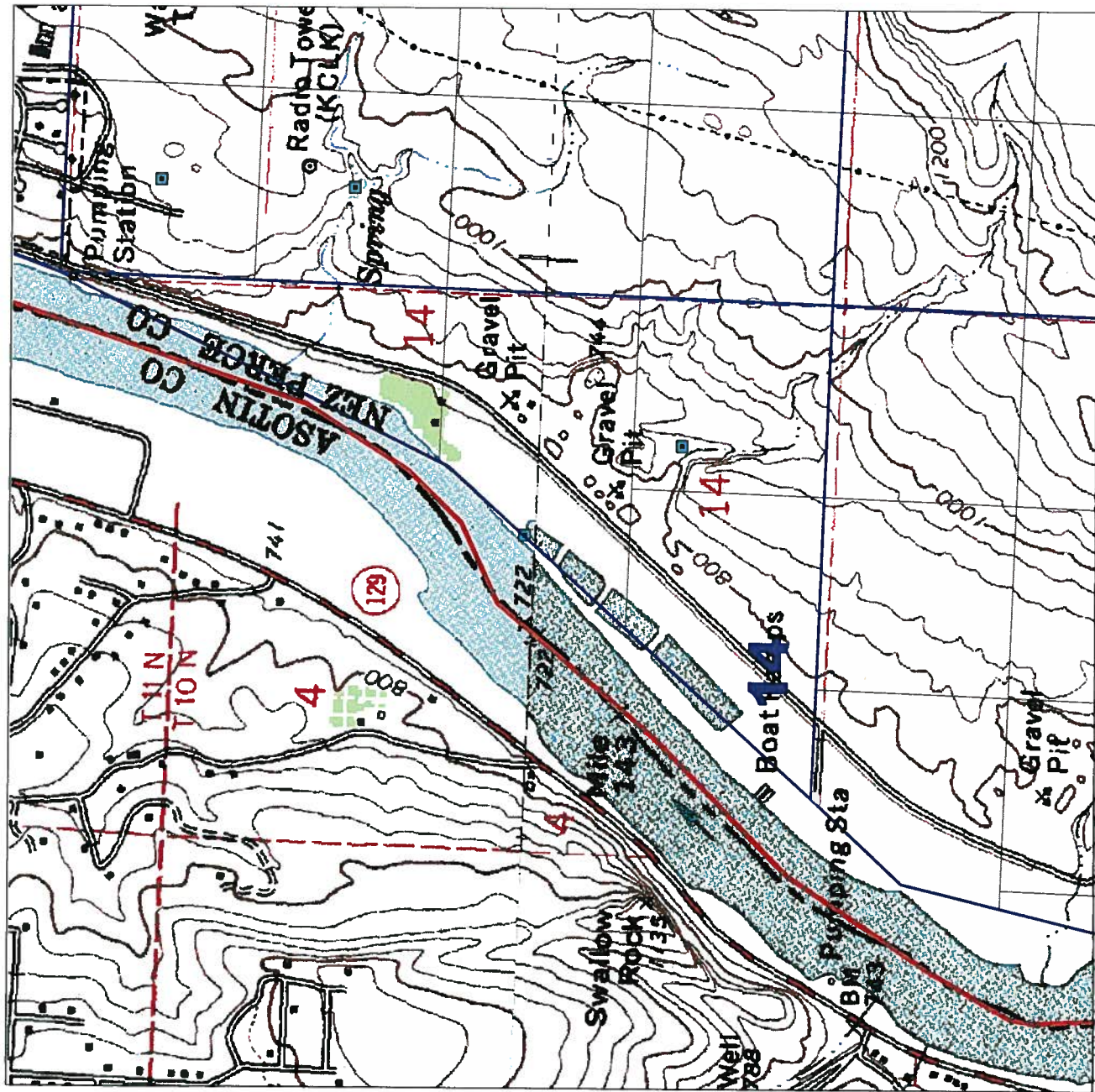
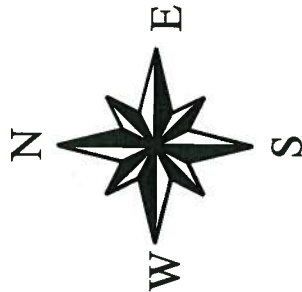
This right is a from former right 3-10158.

Idaho Department of Water Resources

Claim Number:
03-02013

-  Sections
-  GCDB35N06W GCDB
-  Claim POD
-  Administrative BasinsAdminbas.shp

Legal: T35N, R06W, S14



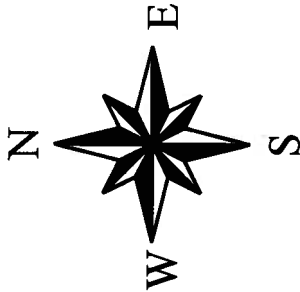
Idaho Department of Water Resources

Claim Number:

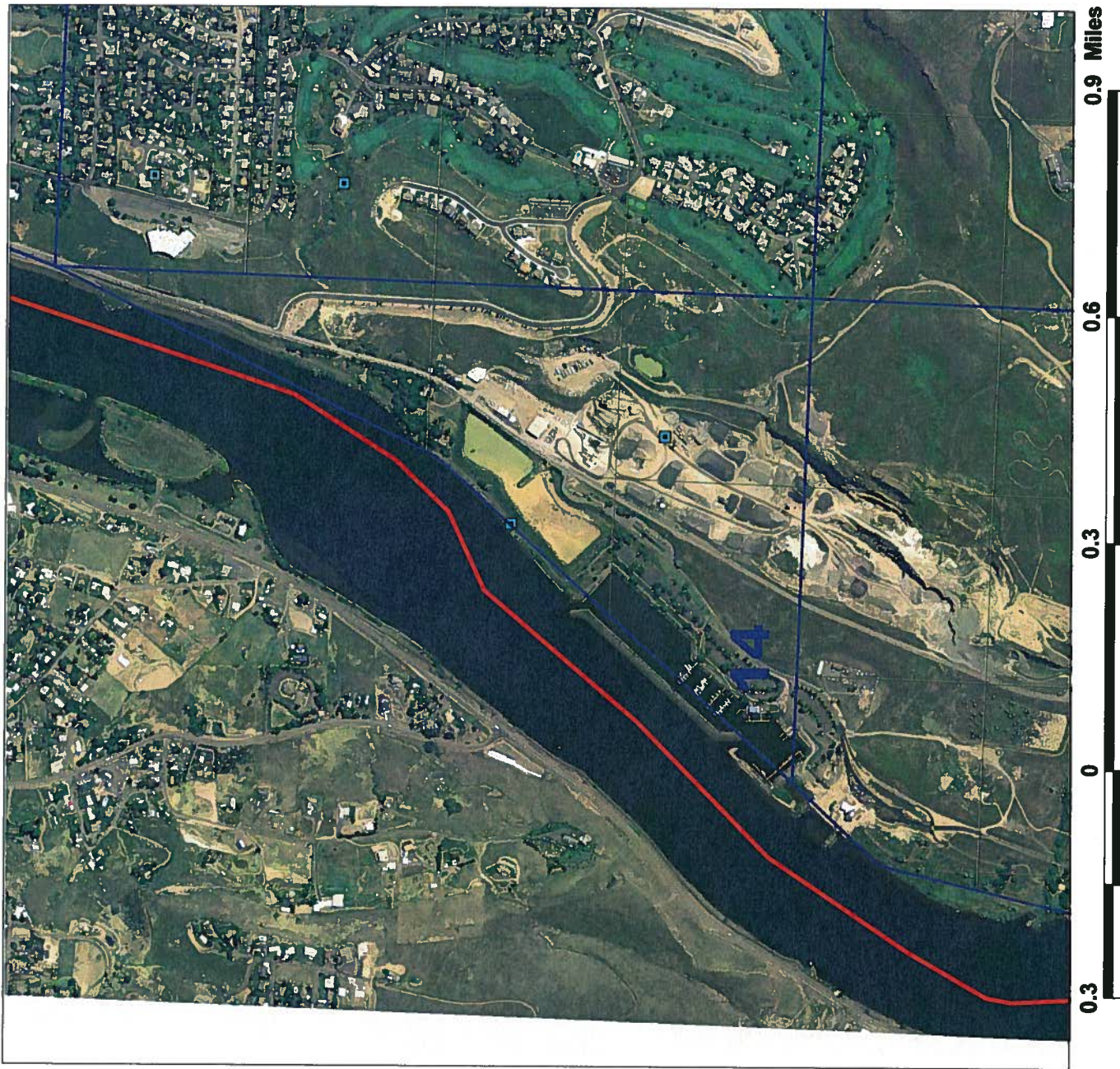
03-02013

- Sections
- GCDB35N06W GCDB
- Claim POD
- Administrative BasinsAdminbas.shp

Legal: T35N, R06W, S14



2004 NAIP Photo

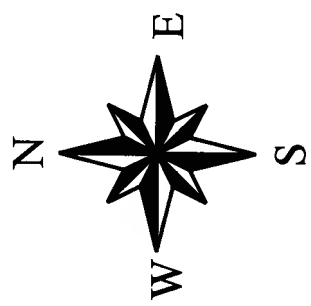


Idaho Department of Water Resources

Claim Number:
03-02013

- Sections
- GCDB35N06W GCDB
- Claim POD
- Administrative BasinsAdminbas.shp

Legal: T35N, R06W, S14



2004 NAIP Photo

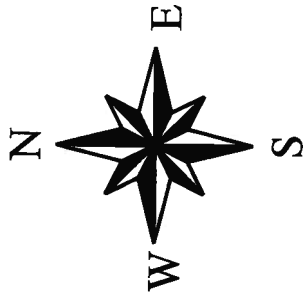
Idaho Department of Water Resources

Claim Number:

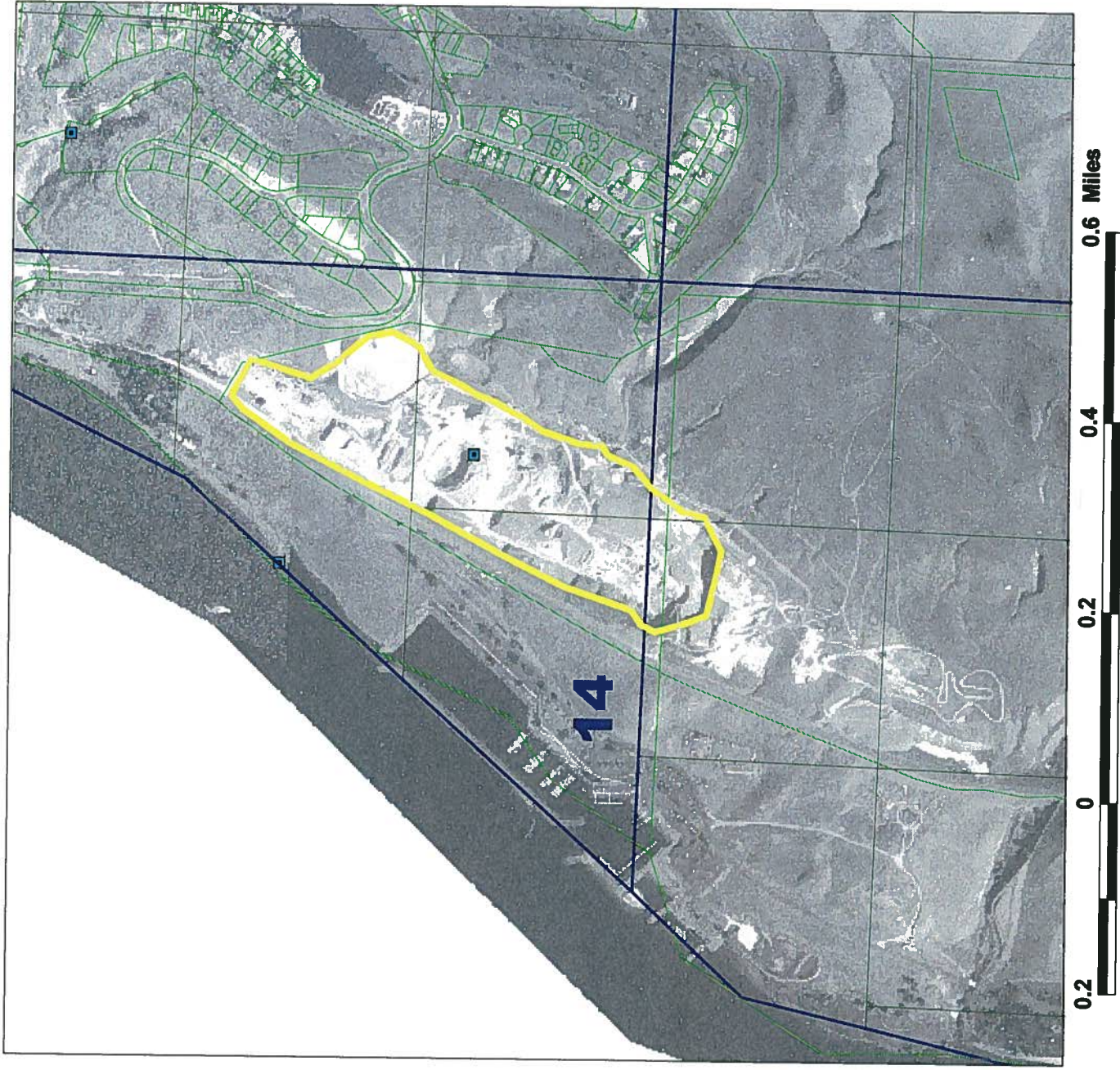
03-02013

-  03_02013_pou.shp
-  Nez Perce taxlots
-  Sections
-  GCDB35N06W GCDB
-  Claim POD

Legal: T35N, R06W, S14



2004 NAIP Photo



WATER LICENSE

Water License No. 33279/03-2013 Priority September 21, 1966 Amount 1.68 c.f.s.

THIS IS TO CERTIFY, that DEATLEY CORPORATION
of Lewiston, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 21, 1966, that Permit 33279/03-2013 was issued pursuant
to said application; that the proposed works were completed on or about 1960
with a storage/or carrying capacity of 1.68 c.f.s., said works consisting of
pump, motor, and settling ponds; and that on August 29, 1967
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 736.58
acre feet per season, with a maximum rate of diversion of 1.68 cubic feet per second of the waters
of Snake River, tributary of Columbia River,
for the purpose of manufacturing from January 1 to December 31;
(washing sand and gravel)
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 35 N, R. 6 W, B.M., and
other additional points _____, in the County of
Nez Perce; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 736.58 acre feet per year.

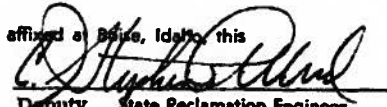
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>35 N</u>	<u>6 W</u>	<u>14</u>																X	

Total number of acres irrigated _____

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

12th day of February, 1970.

Deputy State Reclamation Engineer

33279
03-2013

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: A03-10158
Date Received: 3/16/1989
Receipt No: N002591
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: DE ATLEY CO., DIVISION OF EUCON CORP. 208-743-1531
Address: 3665 SNAKE RIVER AVENUE
LEWISTON ID 83501

2. Date of Priority: SEP 21, 1966

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
35N	06W	14	NW	SE	SE		NEZ PERCE

5. Description of diverting works:
2 60HP PUMPS W/20' D" GRAVITY FED WET WELL W/60' INTAKE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
INDUSTRIAL	01/01	12/31	0.840		
COMMERCIAL	01/01	12/31	0.840		

7. Total Quantity Appropriated is:
1.680 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
AG PROCESSING & WASH, DUST CONTROL, STEAM 'CLEANING, AESTHETIC

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
35N	06W	14	NE	NE		INDUST	
			NE	NE		COMMER	
			SE	NE		INDUST	

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JUL 07 1994

A03-10158

Page

1

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JUL 27 1994

Date: 05/17/94

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AUG 10 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
35N	06W	14	SE	NE		COMMER	

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:
CONTACT RON JENSEN, AGENT FOR DE ATLEY CO.

15. Basis of Claim: BENEFICIAL USE

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~~JUL 27 1994~~



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 18, 1994

DE ATLEY CO DIV OF EUCON CORP
3665 SNAKE RIVER AVE
LEWISTON ID 83501

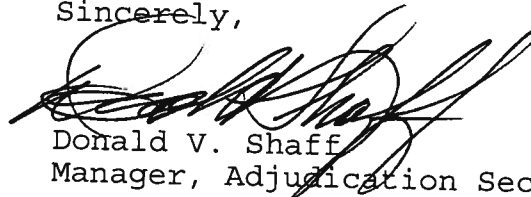
Re: Snake River Basin Adjudication (SRBA)
Nez Perce County - #A03-10158
Identification Number Change

Dear Claimant:

The Identification Number to your Water Right has been changed from #A85-11723 to #A03-10158. This change does not affect your claim in any other way. A copy is enclosed for your records. Please use the new number in future inquiries or correspondence you may have with our Department.

Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,



Donald V. Shaff
Manager, Adjudication Section

DVS:ss:region
Enclosure:

Copy of Notice of Claim #A03-10158

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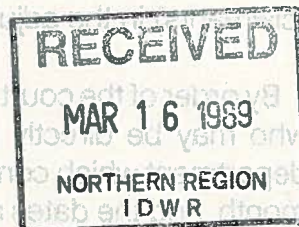
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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 AB5-11723Date Received 3/16/89Receipt Number 1002591

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Please type or print clearly

1. Name of Claimant (s) DeAtley Co., A Division of Eucon Corp. Phone (208) 743-1531Mailing Address 3665 Snake River Ave. Lewiston, Idaho 83501 Zip 835012. Date of Priority (Only one (1) per claim) September 21, 19663. Source of water supply (a) Snake Riverwhich is tributary to (b) Columbia River4. a. Location of existing point of diversion is: Township 35N Range 6W.BM Section 14,
NW 1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of Nez PerceAdditional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township 35N Range 6W.BM Section 14, NW 1/4 of SE 1/4 of SE 1/4,Govt. Lot B.M., County of Nez Perceending point is: Township 35N Range 6W.BM Section 14, NW 1/4 of SE 1/4 of
SE 1/4, Govt. Lot B.M., County of Nez Perce5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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. (2) Two 60HP pumps (1,500gpm) in head works
consisting of a 20ft "D" gravity fed wet well with 60" of intake (8" PVC).Discharge is through 6" PVC @ 2.650 ft to 3 (three) separate holding ponds. One
of these ponds used for recycling wash water for Ag. wash. (See enclosed material)

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APR 26 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Industrial purposes from 1-1 to 12-31 amount .84 or 368.29 07

For Commercial purposes from 1-1 to 12-31 amount .84 or 368.29 10

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 1.68 (cfs) and/or (b) 736.58 (acre feet)

8. Total consumptive use claimed is 736.58 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Ag - Processing & wash, dust control, steam cleaning, Aesthetic

10. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See Instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			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	
35N	6W.BM	14	C 160			60 C 1													80

Total number of acres irrigated

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

12. Do you own the property listed above as place of use? Yes ☒ 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:

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Copies: White-State, Yellow-Claimant

Last Name DeAtley Co.

Ident No.

A85-11223

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

If applicable provide IDWR Water Right Number _____

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) _____ Date _____

_____ Date _____

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

of DeAtley Co., A Division of Eucon Corp. _____, that I have signed the foregoing
Organization

document in the space below as _____ of DeAtley Co., A Division of Eucon
Title Organization Corp.

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

Signature of Authorized Agent ☒ _____

Title and Organization DeAtley Co., A Division of Eucon Corp. Date 3/9/89

State of Idaho/or _____)
County of Nez Perce _____) SS.

Subscribed and sworn (or affirmed) before me this 9 day of March 1989

SEAL

Notary Public _____

Residing at Lewiston, Idaho

My Commission Expires Lifetime

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name DeAtley Co. Ident. Number A85-11723

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~~APR 26 1993~~

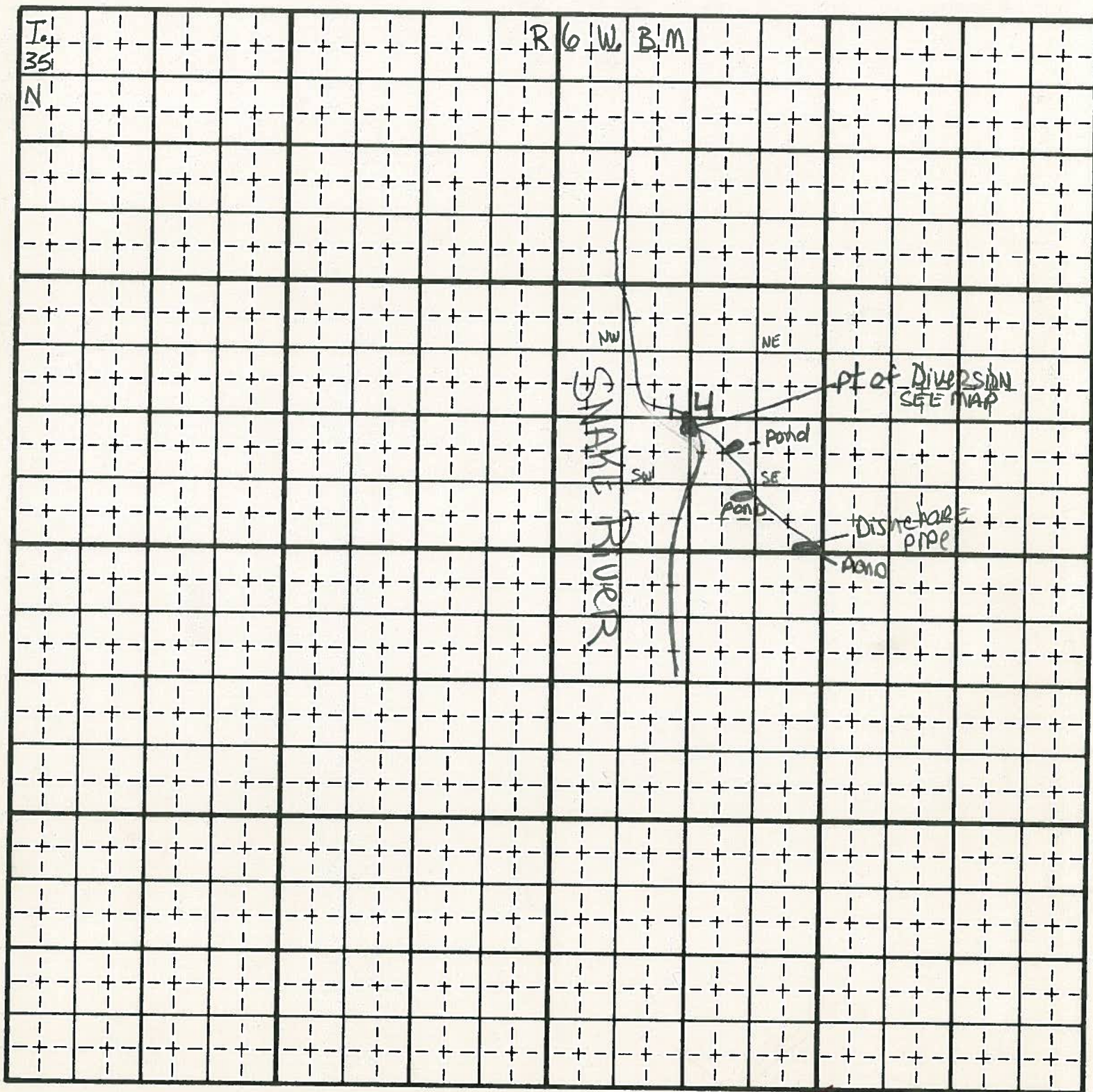
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Copies White-State, Yellow-Claimant

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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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Last Name

DeAtley Corp

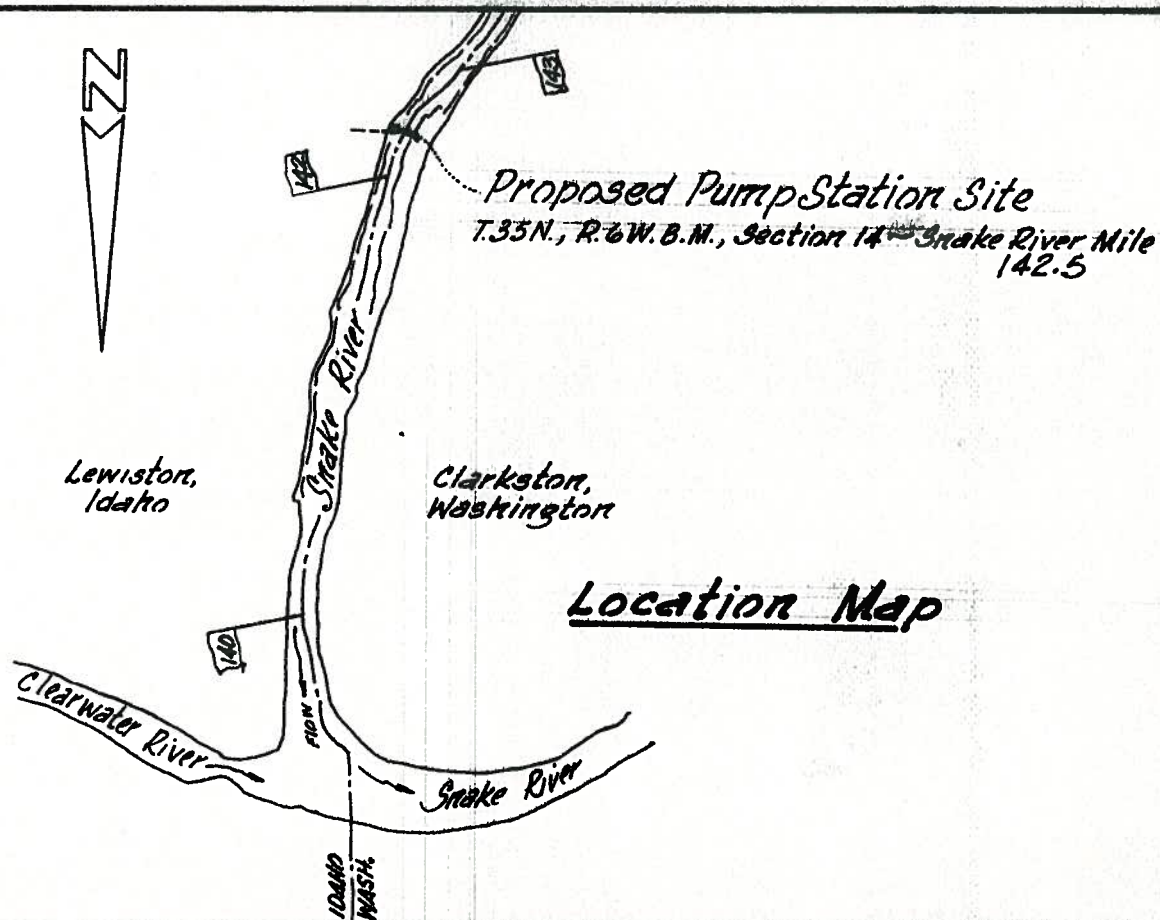
Ident No.

AB5-11723

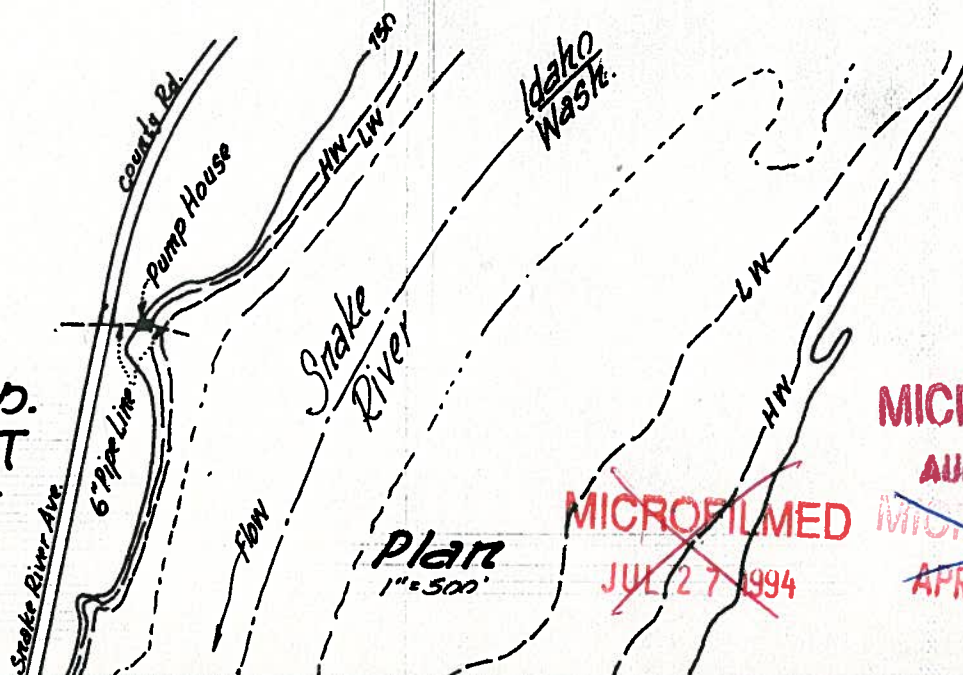
Copies: White State Yellow Claimant

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~~AUG 10 1994~~



section
1"=300'



De Atley Corp.
WASH PLANT
Pumping Station
20 Sept. 1973
Sht. 1 of 2

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AUG 18 1974

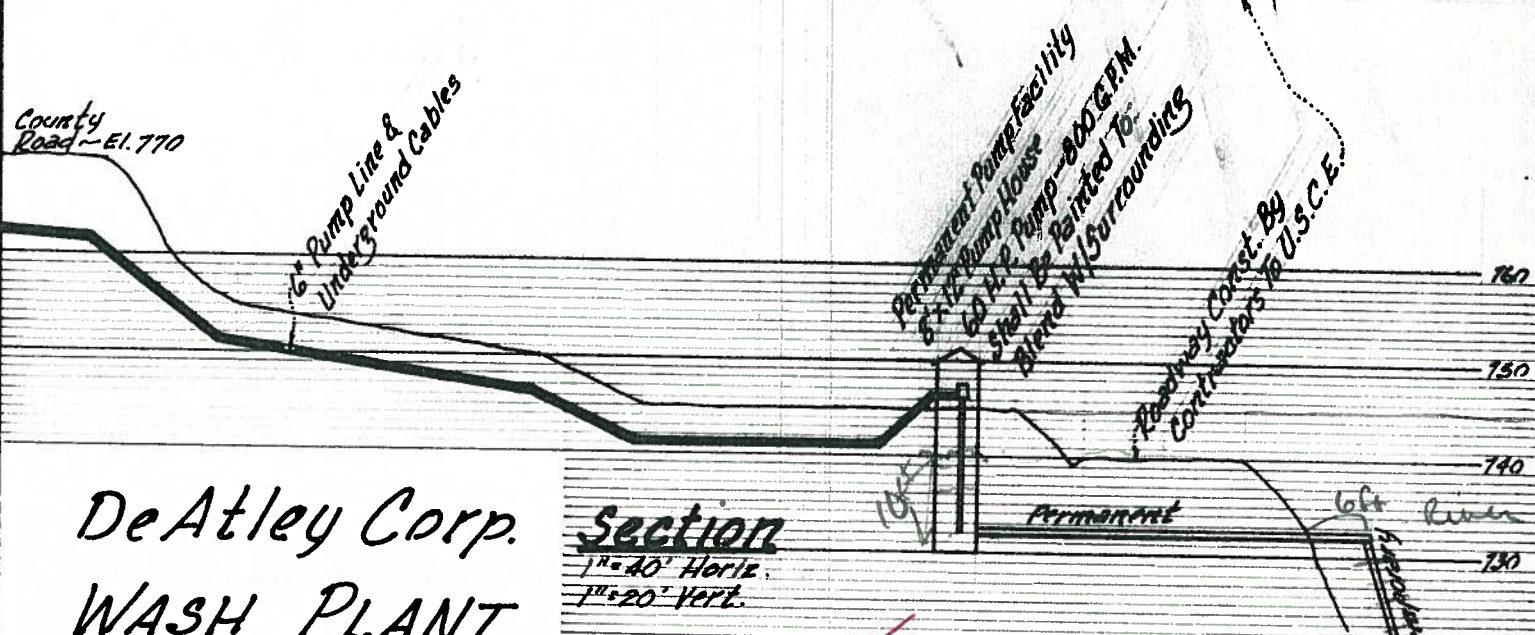
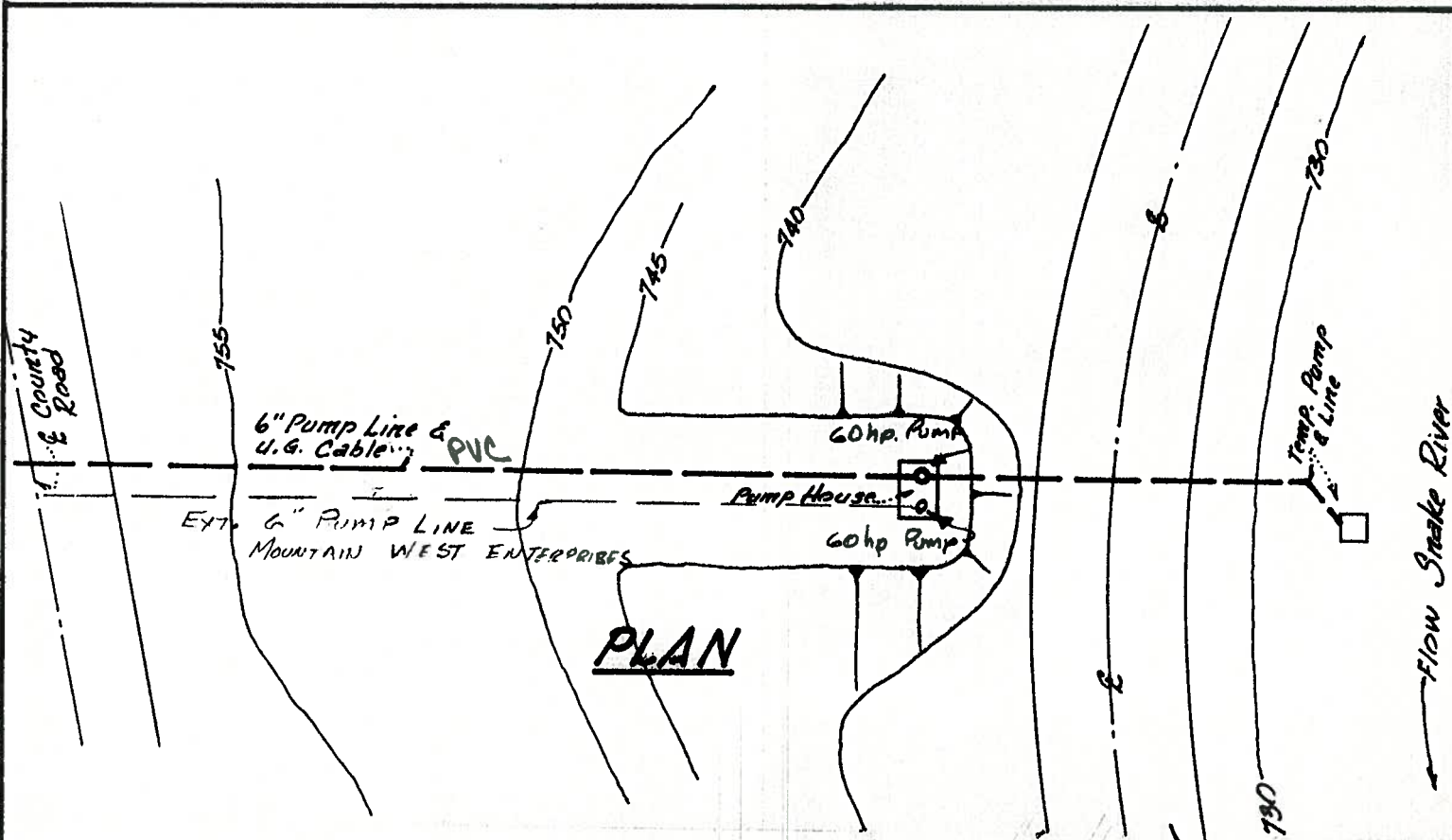
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ARS-11723



DeAtley Corp.
 WASH PLANT
 Pumping Station
 20 Sept. 1973
 Sht. 2 of 2

Section
 1" = 40' Horiz.
 1" = 20' Vert.

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Temp. 10 H.P. Pump & Line
 To Be Removed When Lower
 Granite Pool Level is Raised

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 AUG 26 1993

AUG 10 1994

105-11723



CLAIM CHECKING RECEIVING CHECKLIST

CLAIMANT'S NAME Antley Co

CLAIM NO. A85-11723

DATE RECEIVED 3-16-89

CK # 23536

AMOUNT \$ 218.00

- | | YES | NO |
|---|-------------------------------------|--------------------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ |
| 2. Is priority date entered? | ☒ | ☐ |
| <p>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: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). Use care if claim is returned. Refer to Adjudication Memos # 1 (Adj. Claims/Applications) and # 9 (Rejection of Claims). Explain in Comments.</p> | | |
| 3. (a) Is a source entered? | ☒ | ☐ |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ |
| 4. Is the legal description of the p.d. complete? | ☒ | ☐ |
| 5. Is there a description of the diverting works? | ☒ | ☐ |
| 6. 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? | ☒ | ☐ |
| 7. Is a total quantity claimed entered? | ☒ | ☐ |
| 8. Is the consumptive use correct? | ☒ | ☐ |
| If required is a consumptive use entered? | ☒ | ☐ |
| 9. 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. | ☒ | ☐ |
| 10. Is (are) the place(s) of use entered? | ☒ | ☐ |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ |
| 13. Are other water rights listed or "none" checked? | ☒ | ☐ |
| 14. 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?) | ☒ | ☐ |
| 17. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ |
| 18. Is the fee enclosed correct? | ☒ | ☐ |
| 19. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ |
| 20. Could this claim be receipted and data entered? | ☒ | ☐ |

N/A ☒

Comments:

Claim checked by: SG

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EUCON CORPORATION: ATLAS SAND & ROCK; DEATLEY CO.; PACIFIC ROCK PRODUCTS
18208 S.E. 1st ST. • CAMAS, WA 98607

23536

TRANSACTION NUMBER	REFERENCE	DATE	DESCRIPTION	GRC	MOUNT	DISCOUNT	NET AMOUNT
		3/14/89	Filing fee Water Right Civil Case #39576 for DeAtley Co., A Division of Eucon Corp				218.00
EUCON CORPORATION ATLAS SAND & ROCK DEATLEY CO. PACIFIC ROCK PRODUCTS							
				AS-11723			
VENDOR NO.			TOTALS		218.00		218.00

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~~JUL 27 1994~~

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~~APR 26 1993~~