

01/28/2004

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

RIGHT NUMBER: 85-2049

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
1150 N CURTIS RD STE 100
BOISE ID 83706-1234

SOURCE: WAHA LAKE

TRIBUTARY: SINKS

Point of injection in T33N, R04W, S09, NWNW is into an unnamed stream tributary to the West Fork of Sweetwater Creek. Point of redirection in T34N, R04W, S21, Lot 3 (NWSW) is from Sweetwater Creek via the Sweetwater Canal. Point of injection and point of redirection in T35N, R04W, S17, Lot 18 (SESE) is from Lindsay Creek at Mann Lake.

QUANTITY: 10.000 CFS

Right Nos. 85-2049 and 85-2063 are limited to a total combined diversion rate of 10.0 cfs.

PRIORITY DATE: 05/26/1915

POINT OF DIVERSION:

T33N R04W S9 NWNW Injection Within NEZ PERCE County
T33N R04W S9 SESE Lot 5 Within NEZ PERCE County
T34N R04W S21 NWSW Lot 3 Rediversion Within NEZ PERCE County
T35N R04W S17 SESE Lot 18 Injection Within NEZ PERCE County
T35N R04W S17 SESE Lot 18 Rediversion Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	01/01 12/31	10.000 CFS
IRRIGATION	02/15 11/30	10.000 CFS

PLACE OF USE:

3845 ACRES TOTAL

Right Nos. 85-16, 85-2049, 85-2063, 85-2065, 85-2146, 85-2147, 85-4483 and 85-11087 are limited to the irrigation of a combined total of 3845 acres in a single irrigation season.

Place of use is within the service area of Lewiston Orchards Irrigation District as provided for under Idaho law. The place of use is generally described as within the city limits of Lewiston and the surrounding service area.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SRBA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

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

01/28/2004

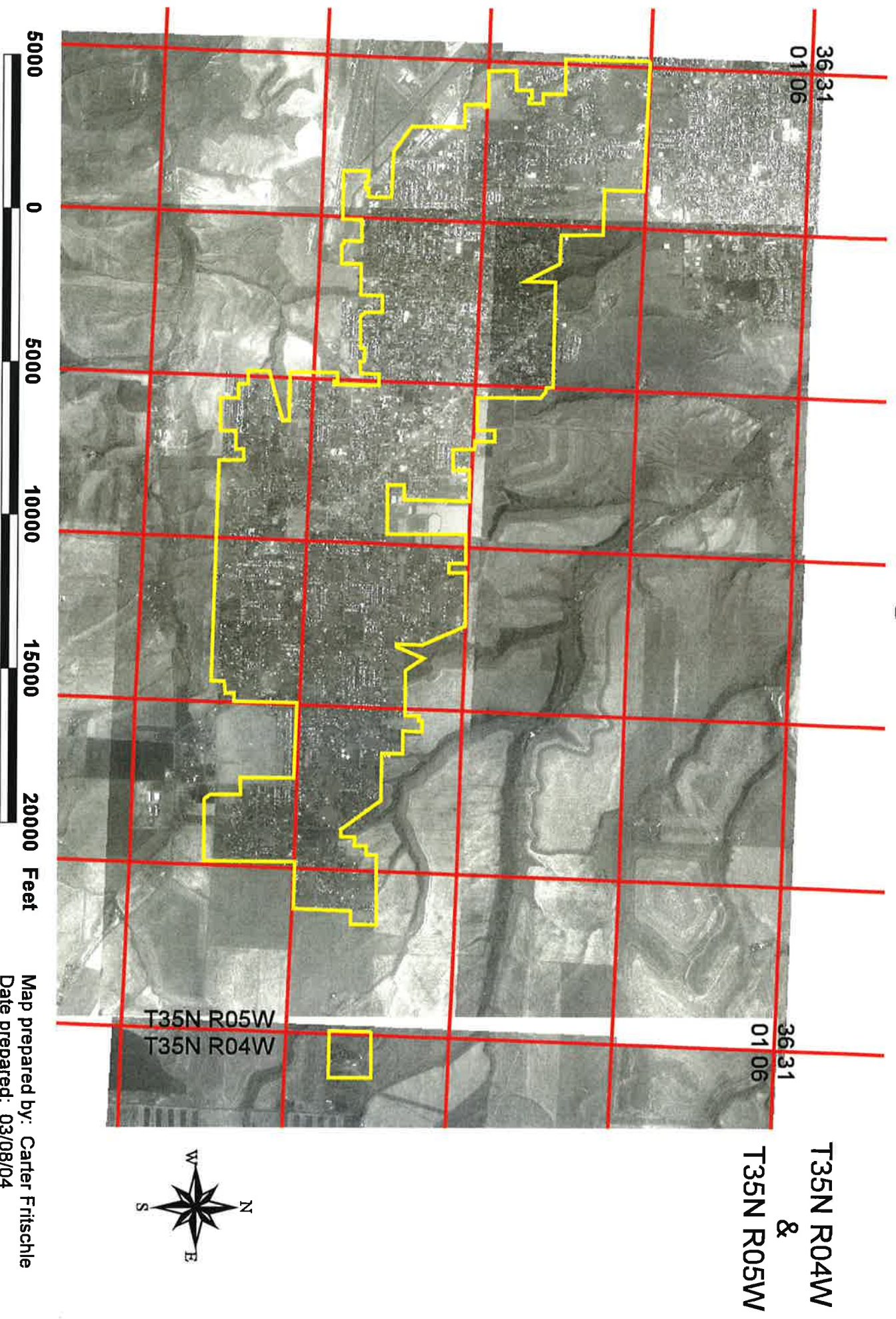
IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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

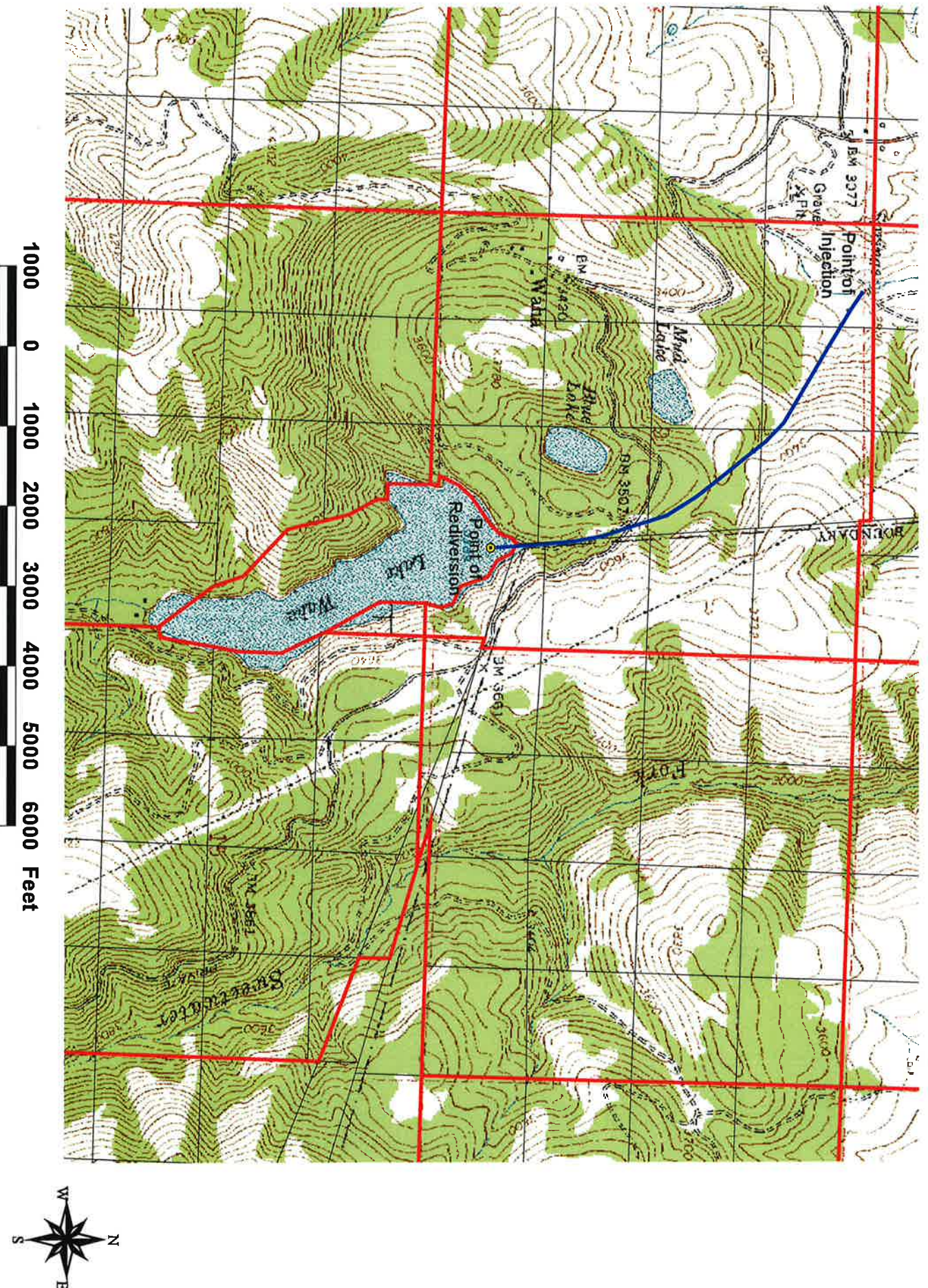
Municipal use includes domestic use as claimed.

Lewiston Orchards Irrigation District Service Area



Map prepared by: Carter Frischle
Date prepared: 03/08/04
1987-1988 NAPP photography
Idaho Department of Water Resources

Lewiston Orchards Irrigation District 85-2049



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: A85-02049

Date Received: 9/27/1988

Receipt No:

Received By:

Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: UNITED STATES OF AMERICA, ACTING THROUGH 208-334-1165
Address: REGIONAL DIRECTOR, P.N. REGION
BUREAU OF RECLAMATION
BOX 043-550 WEST FORT STREET
BOISE, ID 83724

2. Date of Priority: MAY 26, 1915

3. Source: WAHA LAKE Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
33N	04W	9	SE	SE	SE		NEZ PERCE

5. Description of diverting works:
PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	10.000		
DOMESTIC	01/01	12/31	10.000		
IRRIGATION STORAGE	01/01	12/31			4000.00
IRRIGATION FROM STORAGE	03/15	11/15			4000.00
DOMESTIC STORAGE	01/01	12/31			4000.00
DOMESTIC FROM STORAGE	01/01	12/31			4000.00

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC

A85-02049

Page

1

Date: 05/11/89

MICROFILMED

JAN 17 1995

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
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11. Place of use in counties:

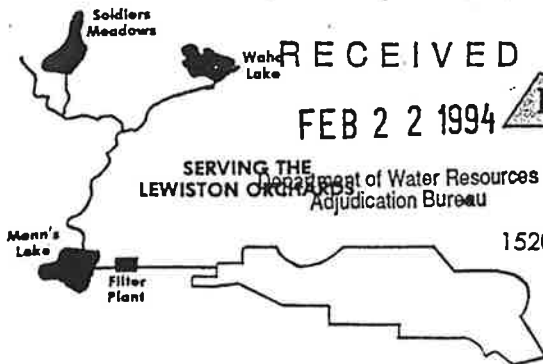
12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
85-2002 AND OTHERS

14. Remarks:

P/U = LEWISTON ORCHARDS IRRIGATION DISTRICT - NEZ PERCE COUNTY
3845.48 ACRES IRRIGATED
DIVERSION INCLUDES NATURAL ACCRUALS AS WELL AS WATERS IMPORTED TO
LAKE WAHA FROM THE WEST FORK OF SWEETWATER CREEK AND DRAFTING OF
4000 ACRE FEET FROM LAKE WAHA.

15. Basis of Claim: LICENSE
Water Right Number: 11331



RECEIVED

FEB 22 1994

LEWISTON ORCHARDS IRRIGATION

and Irrigation Water

domestic

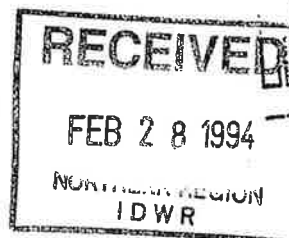
DISTRICT

1520 Powers Avenue

(208) 746-8235

Lewiston, Idaho 83501

Rebecca Craven
Deputy Counsel
Nez Perce Tribal Executive Committee
Office of Legal Counsel
P.O. Box 305
Lapwai ID 83540



FEB 17 1994

Dear Ms. Craven:

I would like to thank you for the invitation to participate in the negotiations of the Nez Perce tribal water right claims in the Snake River Basin Adjudication. Lewiston Orchards Irrigation District does possess water rights within the Snake River drainage area that could be effected by any claims that the Nez Perce Tribe may make in this adjudication process.

Currently the water rights of the District, as well as title to all facilities are held as collateral by the Bureau of Reclamation due to loans that were received in the past. The Bureau of Reclamation oversees the interest of the United States in the affairs of the District and the condition of the collateral that was put forth in the rehabilitation and betterment loans secured in 1947. It will be imperative that they are introduced to the negotiation process. The citizens that reside within the city limits of the City of Lewiston are also beneficiaries of the water rights that the District administers, therefore, should also be included in any negotiations in this adjudication.

I would request that you keep myself informed of any meetings in the future regarding this adjudication. I do appreciate your contacting me and look forward to meeting with you in the future during the negotiations.

Sincerely,

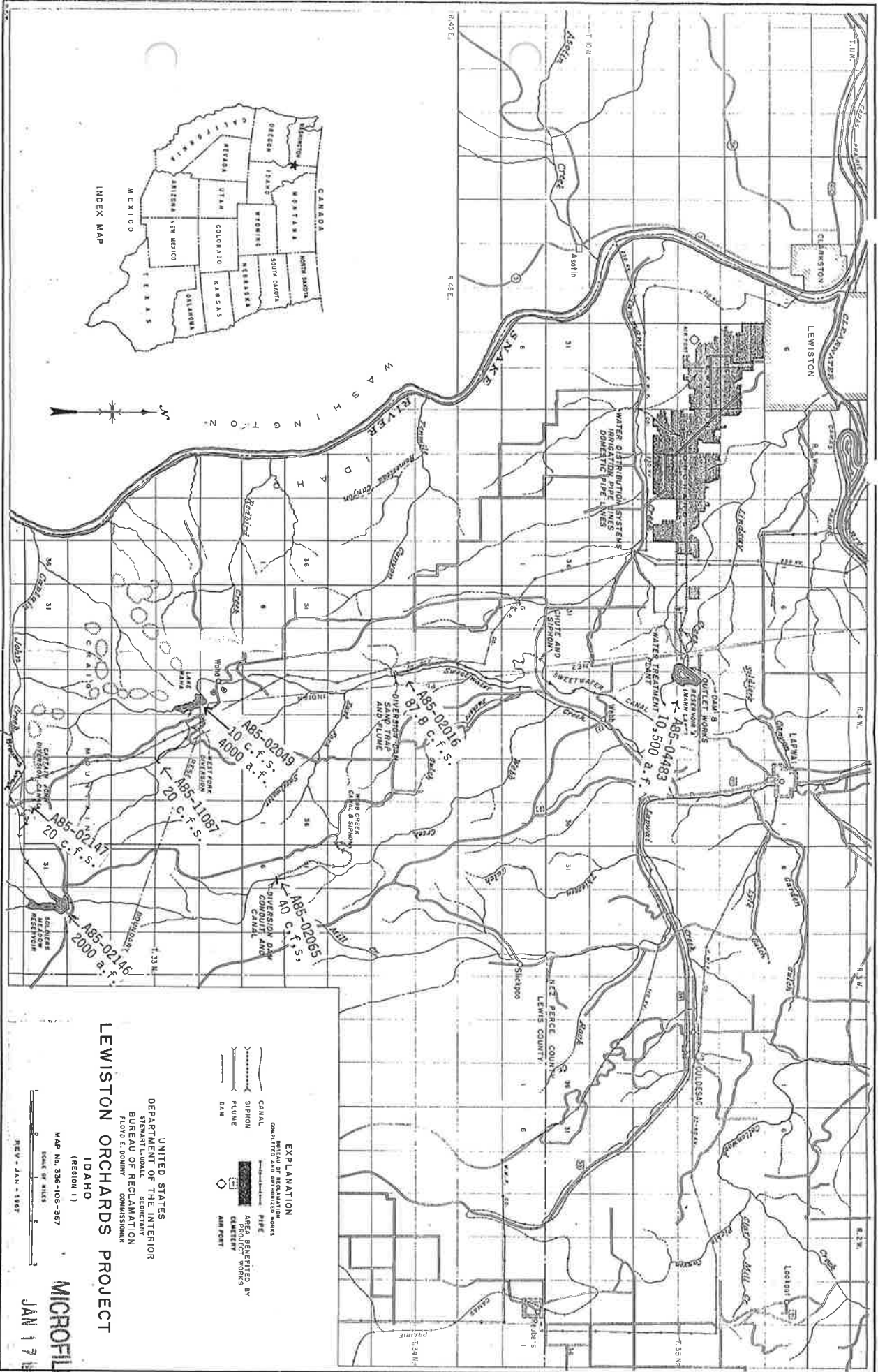
Randy Moore
District Manager
Lewiston Orchards Irrigation District

cc: Jan Vasser, City Manager
City of Lewiston
Max VanDenBerg, Bureau of Reclamation

A85-04483
A85-02146
A85-02065
A85-02049
A85-02147
A85-11087
A85-02016

MICROFILMED

JAN 17 1995



LEWISTON ORCHARDS PROJECT

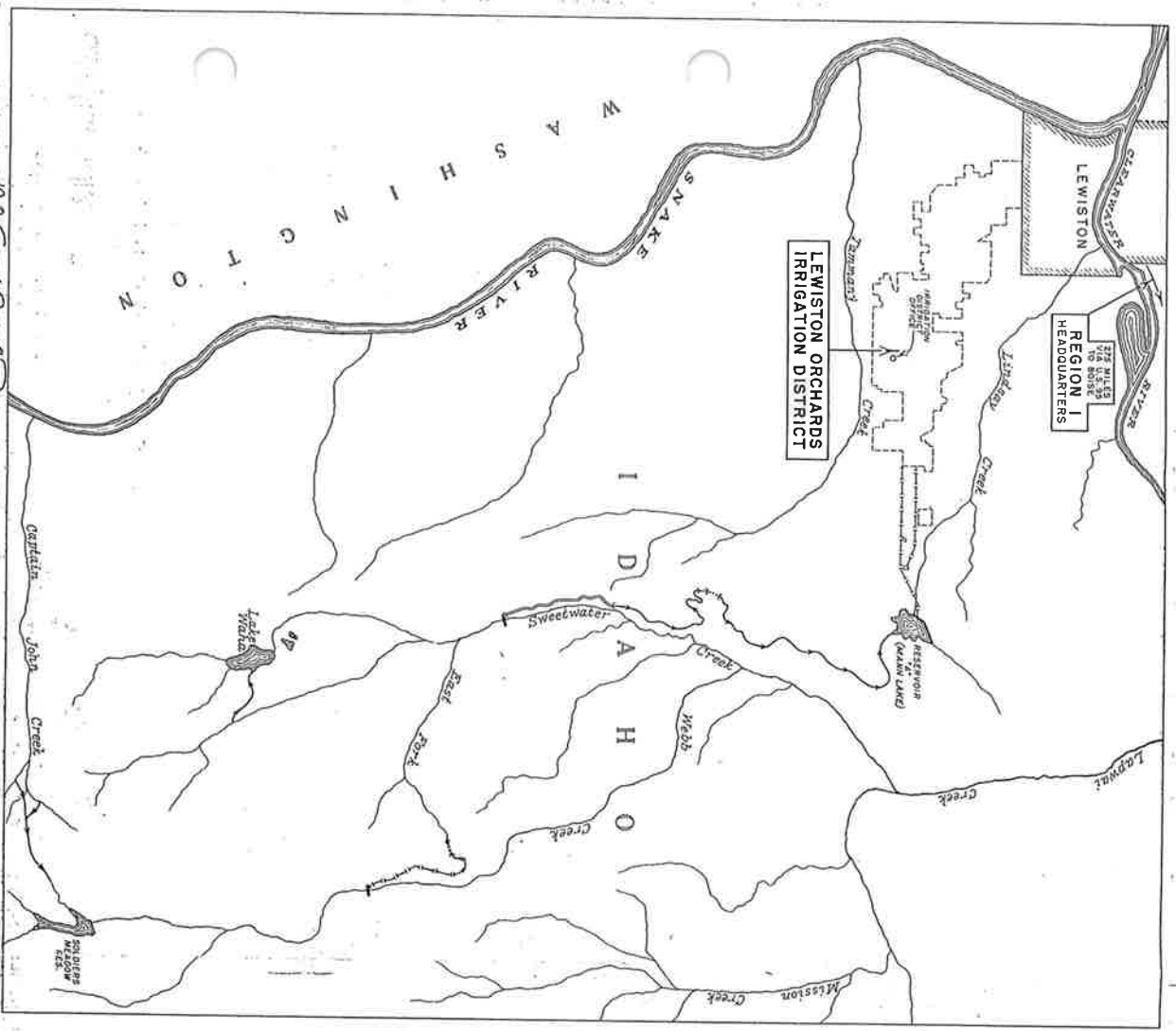
UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
FLOYD E. DOWNEY, COMMISSIONER
IDAHO
(REGION 1)
MAP NO. 335-108-367
SCALE OF MILES
0 1 2
NEW - JAN - 1967

- EXPLANATION**
- RECLAMATION PROJECTS AND AUTHORIZED WORKS
 - PIPE
 - AREA BENEFITED BY RECLAMATION WORKS
 - CANAL
 - SIPHON
 - FLUME
 - DAM
 - AIR PORT

MICROFILMED
JAN 17 1965

AB5-02049

AB5-82049



FACTUAL DATA ON THE LEWISTON ORCHARDS PROJECT

WATER SUPPLY

The Craig mountains lying south and east of the project lands and rising to a height of 5,000 feet are the source of the project's water supply. The total drainage area of 32 square miles furnishes an annual runoff of 17,000 acre-feet.

The drainage area is divided into the Sweetwater Creek drainage of 30 square miles, and the Webb Creek drainage of 22 square miles, the latter including the diversion from Captain John's Creek which normally flows west into the Snake River.

FEATURES OF THE PROJECT PLAN

SOLDIERS MEADOW DAM AND RESERVOIR on the headwaters of Webb Creek has a capacity of 2,000 acre-feet and stores the water from the upper Webb Creek area as well as that diverted from Captain John's Creek. The dam, an earth structure 50 feet in height and 800 feet in length, was constructed in 1923.

WEBB CREEK DIVERSION DAM is a low, rock-fill structure that diverts water from the Webb Creek drainage through 2½ miles of covered conduit and canal into the Sweetwater Creek drainage.

LAKE WAHA, a natural body of water formed by an early landslide can provide 6,000 acre-feet of storage. Water from this lake reaches Sweetwater Creek through underground channels and is further drawn down by pumping when necessary.

SWEETWATER DIVERSION DAM is a rock-fill structure which diverts both Sweetwater and Webb Creek flows through a series of concrete flumes and canals with a capacity of 65 cubic feet per second, a distance of 9 miles into Reservoir "A".

RESERVOIR "A" has a capacity of 3,000 acre-feet and receives its supply from the Sweetwater diversion canal. The dam is an earth structure 2,700 feet long and 60 feet in height, and was constructed in 1907.

MAIN SUPPLY LINE, a 96-inch steel pressure conduit ¾ mile long, diverts the project's water requirements from Reservoir "A" to the Water Treatment Plant, where domestic water and irrigation is divided.

IRRIGATION DISTRIBUTION SYSTEM begins at the end of the 96-inch Main Supply Line, where a portion of the raw water is diverted in 14-inch pipe line to the Water Treatment Plant, while the remainder is carried through

a 30-inch steel pipe ¾ mile into the irrigation distribution system. Water is distributed through pipe ranging from 30-inch to ¾-inch diameter throughout the project, with delivery through meters to all ownerships. The system is activated throughout the year for fire protection.

WATER TREATMENT PLANT AND CLEAR-WATER RESERVOIR is supplied with raw water from the 30-inch irrigation main. The plant, with a capacity of 1,500,000 gallons per day, filters and chlorinates the water which then is diverted into a 1,500,000-gallon-capacity, concrete-covered reservoir.

DOMESTIC WATER DISTRIBUTION SYSTEM beginning at the Clearwater Reservoir, extends throughout the district in pipelines ranging from 14-inch to ¾-inch diameter. Delivery is to each dwelling by meter.

NUMBER OF IRRIGABLE ACRES

The project at present has 3,450 acres of irrigable land, with provision to increase this to 3,880 acres.

CHARACTER OF SOIL

The project lands are gently rolling and are characterized by silt loam soils.

ALTITUDE OF IRRIGABLE AREA

Elevation of the project lands vary from 1,000 to 1,500 feet.

DUTY OF WATER

The average farm delivery requirement is 2.20 acre-feet per acre, with much of this supplied to the land by sprinklers.

LENGTH OF IRRIGATION SEASON

The average irrigation season extends from April 10 to October 20, or 90 days.

ANNUAL RAINFALL

Average annual precipitation on the project is 14 inches.

RANGE OF TEMPERATURE

The temperature range varies from a low of 20 degrees below zero to a high of 110 degrees, with an average temperature of 52 degrees.

PRINCIPAL PRODUCTS

Cherries, apples, berries, potatoes, tomatoes, alfalfa, and truck gardening are the crops generally grown.

CONSTRUCTION PROGRAM

Construction started in the fall of 1927, and was completed in 1930.

State of Idaho
License and Certificate of Water Right

Water License No. 11331

Amount 10 sec. ft.

Water District No. 81-X

Priority 5-26-15.

THIS IS TO CERTIFY that The Lewiston-Sweetwater Irrigation Company, Limited, of Lewiston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 26, 1915; that Permit No. 11331 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10 second feet, was issued thereunder on January 25, 1918, showing that said works were completed on the 14th day of November, 1917; and that on the 5th day of June, 1922, the Lewiston Valley Water Company of Lewiston, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of Waha Lake, for the purpose of irrigation and domestic use under Use Permit No. 11331 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 2955, on the 5th day of July, 1922;

The right hereby confirmed dates from May 26, 1915;

The Point of Diversion is located at a point from whence the Southeast Corner of Section 9, Tp. 33 N., R. 4 W., B. M., bears South 49° 35' E. 1558.1 feet. County of Nez Perce.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 10 cubic feet per second.

Description and location of use:

Twp.	Rge.	Sec.	Forty-acre Tract	No. Acres	No. Acres
				Described in Permit	Actually Irrigated
35 N.	5 W.	7	SW $\frac{1}{4}$ NE $\frac{1}{4}$	)	)
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	(	(
			SE $\frac{1}{4}$	)	)
		8	S $\frac{1}{2}$	)	)
		9	NW $\frac{1}{4}$ SW $\frac{1}{4}$	)	)
			S $\frac{1}{2}$ SW $\frac{1}{4}$	(	(
		12	S $\frac{1}{2}$ SW $\frac{1}{4}$	(	(

2049

Twp.	Rge.	Sec.	Forty-acre Tract	No. Acres	
				Described in Permit	Actually Irrigated
35 N.	5 W.	13	NW $\frac{1}{4}$ S $\frac{1}{2}$	(	(
		14	S $\frac{1}{2}$ NW $\frac{1}{4}$ S $\frac{1}{2}$	(	(
		15	All	(4560	(4389
		16	W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ S $\frac{1}{2}$	(	(
		17	N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$	(	(
		18	NE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$	(	(
		21	N $\frac{1}{2}$	(	(
		22	N $\frac{1}{2}$	(	(
		23	NE $\frac{1}{4}$	(	(
35 N.	4 W.	18	SW $\frac{1}{4}$	(	(

The right to the use of the water aforesaid 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 Commissioner of Reclamation, affixed at Boise, Idaho, this 5th day of July, 1922.

(Seal)

W. G. Swendsen
Commissioner of Reclamation

85-2049

REPORT OF ENGINEER

This proof is for Beneficial Use.In Water District No. 81-X

1. State name of applicant and number of permit: Lewiston Valley Water Co. Permit 11331
2. State source of water supply: Lake Waha and tributaries.
3. Location of point of diversion: Whence SE Cor. Sec. 9-33N-4 W., bears S. 49° 35' E., 1550 ft.

4. Describe works as they exist, giving dimensions and capacities of same: Pump of 11.6 sec. ft. capacity against 125 foot head. Pump operated by motor which draws power from plant situated approx 1 mile from lake. The water pumped is used to generate the power. Water is carried down Sweetwater creek to main channel 10 1/2 miles long and discharging into Reservoir A. From Res. A. water is conveyed thru a pipe distribution system to lands to be irrigated. Works are completed in accordance with the original plans as filed with the permit.
5. State whether or not water has been turned into works of diversion: Yes. Plant has been in use for 7 years.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Better see plat at office of Co., (Jas. E. Babb, Atty. Lewiston)

7. Submit map on enclosed plat, showing location and details of above description.

8. How many parties conduct water in this system? Lewiston Valley Water Co. Only.

9. Give names and amount of each right: Co. has other rights which will be carried in parts of this system.

10. What large stream would the water here appropriated finally reach? None.

11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: Lake Waha has no natural outlet.

Remarks:

This examination was made on the

9th day of

June

1922

(Signed)

Geo. H. Carter

Examiner.

11331

REPORT OF ENGINEER

Completion of Works -

Permit No. 11331.

1. State name of applicant and number of permit: Lewiston-Sweetwater Irrigating Co.
2. State source of water supply: Lake Waha
3. Location of point of diversion: At a point from whence the S.E. corner of Sec. 9
T. 33 N., R. 4 W., B.M., bears S. 49° 35' E. 1558.1 ft/
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: _____
5. Describe works as they exist, giving dimensions and capacities of same: _____

Water is pumped from Lake Waha by Byron Jackson pump. 14" suction, 12" discharge into 20" steel pipe about 1600' long through a lift of about 115 ft, where it discharges into a concrete sump or reservoir. From this reservoir it is conducted by a 15" steel pipe, 3850' long, with a fall of 585' to a Pelton wheel in a power house and from this wheel the water wastes into tributary of the Sweetwater Creek, and thence by natural water course it reaches the headgate of the Lewiston-Sweetwater Irrigating Company and thence by the Main Canal of said company to the Storage Reservoir and thence by a distribution system of pipe lines the water reaches the lands to be reclaimed. The aforesaid Main Canal is about 12 miles long. Capacity of canal about 75 second feet. The Pelton Wheel above mentioned will develop 400 H.P. with 11 sec. ft. going through it. It is attached to an Alternating Current Generator. A power line runs from this generator to the point of diversion from Lake Walcott and into a 60 H.P. Motor which is connected to the pump. There is a 35 H.P. Gas Engine attached to pump which is used to fill the pipe and start the electrical power development. Capacity of works from Lake Waha to Sweetwater Creek is 10 second feet, and from Sweetwater Creek to place of use is more than 10 second feet. See Remarks.

6. State whether or not water has been turned into works of diversion: Yes
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Water is available for
- | | |
|---|-------------------|
| <u>NE 1/4 SW 1/4; S 1/2 NE 1/4; SE 1/4 Sec. 7</u> | <u>280 Acres</u> |
| <u>S 1/2 NE 1/4 Sec. 8; SW 1/4; W 1/2 SE 1/4; SE 1/4 SE 1/4 Sec. 9; SW 1/4 SW 1/4 Sec. 10</u> | <u>800 "</u> |
| <u>S 1/2 SW 1/4 Sec. 12; NW 1/4; S 1/2 Sec. 13; NW 1/4; S 1/2 Sec. 14</u> | <u>1040 "</u> |
| <u>All of Secs. 15, 16, & 17; NE 1/4; N 1/2 SE 1/4 Sec. 18;</u> | <u>2160 "</u> |
| <u>N 1/2 Sec. 21; N 1/2 Sec. 22, NE 1/4 Sec. 23</u> | <u>800 "</u> |
| <u>All in T. 35 N. R. 5 W. B.M.</u> | <u>5080</u> |
| <u>Also in T. 35 N. R. 4 W. B.M. - SW 1/4 Sec. 10</u> | <u>160</u> |
| <u>Total</u> | <u>5240 Acres</u> |

Which are all embraced under the system for Permit 877.

8. Submit map on enclosed plat, showing location and details of above description.

Remarks: This permit is to supplement the supply under Permit 877 which is not sufficient for the lands under cultivation during low water stages on Sweetwater Creek. The works under permit 877 will carry from 75 to 100 second feet from Sweetwater Creek to the reservoir which will store about 2500 Acre Feet.

See map filed in connection with Proof of Completion of Works under Permit 877.

This examination was made on the 13th & 14th days of November 1917.

(Signed) Samuel E. Vance Jr.

Examiner.

11331

Point of diversion from Sweetwater Creek under Permit No. 877

Sweetwater Creek

Branch of Sweetwater Creek

Point of diversion

Lake Wahai

River House

Sump

Point of diversion

SEC. 27

SEC. 28

SEC. 33

SEC. 34

SEC. 3

SEC. 4

SEC. 9

SEC. 10

SEC. 15

SEC. 16

T. 34 N. R. 4 W. B.M.

T. 33 N. R. 4 W. B.M.

113131

113131

Date of first receipt at office of State Engineer 11.45 a.m. May 26, 1915.

Returned to applicant for correction June 3, 1915.

Corrected application received June 11, 1915.

APPROVAL OF STATE ENGINEER

The number of this permit is 11331

Recorded in Book 38 Page 11331 Approved June 19, 1915.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of to be filed on or before

Work to begin on or before August 18, 1915 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 19, 1915.

The whole of said work to be completed on or before June 19, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 19, 1922.

Witness my hand this 19th day of June, 1915.

J. H. Smith,
State Engineer.

Remarks:

The water is to be lifted from the Lake with a pump having a maximum capacity of 5250 G. P.M. against a head of 125 ft. From the pump the water will be discharged into a steel pipe 20" in diameter 1650' long rising to an elevation of 115 ft. From thence the water will be discharged into a steel pipe 15" in diameter 3650' long with a drop of 585.8 ft. through a water wheel thence by natural channels of Sweetwater Creek to the headgate on Sweetwater Creek of the plant of the Lewiston-Sweetwater Irrigating Company now installed and operating under Permit No. 877, for which certificate of completion of works was issued by the State Engineer on the 22nd day of October, 1909. Thence through the irrigation system of said Company operating under said Permit No. 877 to the land described in this application.

The water wheel above mentioned will operate an electric generator of 240 K.W. capacity from whence the electricity will be conducted to an electric motore of 250 H.P. capacity direct connected to the pump first above described.

At the point of diversion an auxiliary pump having a normal capacity of 400 G. P. M. against a head of 150 feet driven by a gasoline engine will fill the pipe between the pump and the water wheel for the purpose of starting the water wheel.

Paragraph 7 - 2 - (d) and it crosses the following quarter sections:

The SE $\frac{1}{4}$, the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Section 9, Township 33 N. Range 4, W. B. M. thence the water will flow in the natural channel of Sweetwater Creek to the headgate of the Lewiston-Sweetwater Irrigating Company, Limited, now installed and operated under Permit No. 877, crossing the following quarter sections: The NW $\frac{1}{4}$ Sec. 9, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 4, Township 33 N. Range 4 W. B. M. the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 33, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 28, Township 34 N., Range 4 W. B. M., thence the water will flow through the system of said Company operated under said permit to the lands described herein and crossing the following quarter sections: The SE $\frac{1}{4}$, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ Sec. 28, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 21, the NE $\frac{1}{4}$ of Sec. 20, the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 17, SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 8, the NW $\frac{1}{4}$ of Sec. 9, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 4, the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 5, Township 34 N. Range 4 W. B. M. the SE $\frac{1}{4}$ of Sec. 32, the SW $\frac{1}{4}$, the SE $\frac{1}{4}$, the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 33, the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 28, the SE $\frac{1}{4}$ of Sec. 21, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 22, the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 21, township 35 N. Range 4 W. B. M. to the reservoir located on the following quarter sections: The NW $\frac{1}{4}$ of Sec. 21, the NE $\frac{1}{4}$ of Sec. 20, the SE $\frac{1}{4}$ of Sec. 17, the SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Sec. 16, Township 35 N. Range 4 W. B. M. thence the water will flow through a pipe line through the following quarter sections: the SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Sec. 17, the SE $\frac{1}{4}$ of Sec. 18, Township 35 N. Range 4 W. B. M. to the lands described to be irrigated in paragraph 5 I (b) of this application, all according to the attached map.

Proof of completion of works made November 14, 1917.
Certificate of completion of works issued January 25, 1918.

Permit No. 11331.

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Lewiston-Sweetwater Irrigating Company, Limited, of Lewiston, County of Nez Perce, and State of Idaho, the holder of Permit No. 11331, issued upon Application No. 16453, bearing date of priority of May 26, 1915, authorizing the diversion of ten (10) second feet of the waters of Waha Lake, and all its sources and tributaries, County of Nez Perce, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use ten (10) second feet of the waters of Waha Lake; that the point of diversion of said waters is at a point from whence the Southeast corner of Sec. 9, T. 33 N., R. 4 W., B. M., bears South 49° 35' E. 1558.1 ft., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ of SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 7; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 8; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 12; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 13; NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 14; Sec. 15; Sec. 16; Sec. 17; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, ^{N $\frac{1}{2}$ Sec. 21} Sec. 18; N $\frac{1}{2}$, Sec. 22; NE $\frac{1}{4}$, Sec. 23; all in T. 35 N., R. 5 W., B. M., also the SW $\frac{1}{4}$, Sec. 18, T. 35 N., R. 4 W., B. M.

Witness my hand this 25th day of January, A. D. 1918.

J. H. SMITH,

State Engineer of the State of Idaho.

License issued for 10 second feet

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No. 16453.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Lewiston-Sweetwater Irrigating Company, Limited,

Postoffice address: Lewiston County: Nez Perce State: Idaho.

I. If applicant is a corporation, give

(a) Date and place of incorporation: September 15, 1905, Portland, Oregon.

(b) The amount of capital stock: \$650,000.00

(c) The amount paid in: \$575,000.00

(d) Names and addresses of directors: H. L. Powers, Lewiston, Idaho - Tom Richardson, 395-16th St., S. Portland, Ore. - Otis B. Wight, 608-14 Medical Bldg., Portland, Ore. C. E. Grelle, 20th & York Sts. Portland, Oregon.

II. The financial resources of the applicant are: (a) Cash on hand: \$483.96

(b) Treasury stock: \$75,000.00 (c) Bonds to be issued: None

(d) Other resources: The company owns its present plant which has cost more than \$750,000.00

2. The quantity of water claimed is 10 cu. ft. per second during March, cubic feet per second.
April, May, June, July, August & September

3. Source of water supply: Waha Lake and all its sources and tributaries including both normal flow and flood flow water of said Lake and its sources and tributaries.

4. Location of point of diversion: A point from whence the SE corner of Sec. 9 Township 33 N. Range 4 W. B. M. bears South 49° 35' E. 1558.1 ft.

County of Nez Perce.

5. To be used for: Irrigation and domestic supply.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: 5,120 acres.

(b) In the following legal subdivisions: The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 7, The NE $\frac{1}{4}$, the SW $\frac{1}{4}$, the SE $\frac{1}{4}$ of Sec. 8, The SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 9, The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 10, The S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 12, The NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 13, The NW $\frac{1}{4}$, the SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 14, Sec. 15, Sec. 16, Sec. 17, NE $\frac{1}{4}$ and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 18, The E $\frac{1}{2}$ of Sec. 21, N $\frac{1}{2}$ of Sec. 22, NE $\frac{1}{4}$ of Sec. 23, all in township 33 N. Range 4 W. B. M. Also the SW $\frac{1}{4}$ of Sec. 18, Township 35 N. R. 4 W. B. M.

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

(c) Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$15,000.00

7. Description of works for diversion:

I. Kind of works: A pump, pipe line and hydro-electric power plant for furnishing the power for pumping.

II. Dimensions of works: Full description is given below.

(a) Height of dam feet, length of dam at top feet,

length of dam at bottom feet. Material used in construction:

(b) Capacity of reservoir acre feet. (c) Size of headgate, width feet,

Height feet. (d) Conduit width at bottom feet,

width at water line feet, depth of water feet; diameter of pipe

inches; average grade per mile is feet. Length of conduit is miles,
and it crosses the following quarter sections:

8. The time required for the completion of the construction of such work is one years.

9. Time required for the complete application of the water to the proposed use is 6 additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Lewiston-Sweetwater Irrigating Co. Ltd.,
Applicant.