

01/29/2004

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

RIGHT NUMBER: 85-2147

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: BROWNS CREEK
UNNAMED STREAM

TRIBUTARY: CAPTAIN JOHN CREEK
TRIBUTARY: BROWNS CREEK

Point of injection in T32N, R04W, S01, NESW is into Webb Creek. Point of diversion in T33N, R03W, S29, SESW is where water is stored and released at Soldiers Meadow Reservoir. Point of rediversion in T33N, R03W, S06, Lot 2 (NWNE) is from Webb Creek via the Webb Creek Canal. Point of injection in T34N, R04W, S34, NENE is into the East Fork of Sweetwater Creek. Point of rediversion in T34N, R04W, S21, Lot 3 (NWSW) is from Sweetwater Creek via the Sweetwater Canal. Point of injection and point of rediversion in T35N, R04W, S17, Lot 18 (SESE) is from Lindsay Creek at Mann Lake.

QUANTITY: 20.000 CFS
2,000.000 AFY

Storage Capacity is 2930 AF.

PRIORITY DATE: 12/04/1934

POINT OF DIVERSION:

T32N R04W S1 NWNW Lot 4 Within NEZ PERCE County
T32N R04W S1 NESW Injection Within NEZ PERCE County
T32N R04W S2 NWNE Lot 2 Within NEZ PERCE County
T33N R03W S6 NWNE Lot 2 Rediversion Within NEZ PERCE County
T33N R03W S29 SESW Within NEZ PERCE County
T34N R04W S21 NWSW Lot 3 Rediversion Within NEZ PERCE County
T34N R04W S34 NENE Injection 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>
IRRIGATION STORAGE	01/01 12/31	2,000.00 AFY
IRRIGATION FROM STORAGE	02/15 11/30	2,000.00 AFY
MUNICIPAL STORAGE	01/01 12/31	2,000.00 AFY
MUNICIPAL FROM STORAGE	01/01 12/31	2,000.00 AFY
DIVERSION TO STORAGE	01/01 12/31	20.000 CFS

PLACE OF USE:

3845 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
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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 irrigation from storage 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:

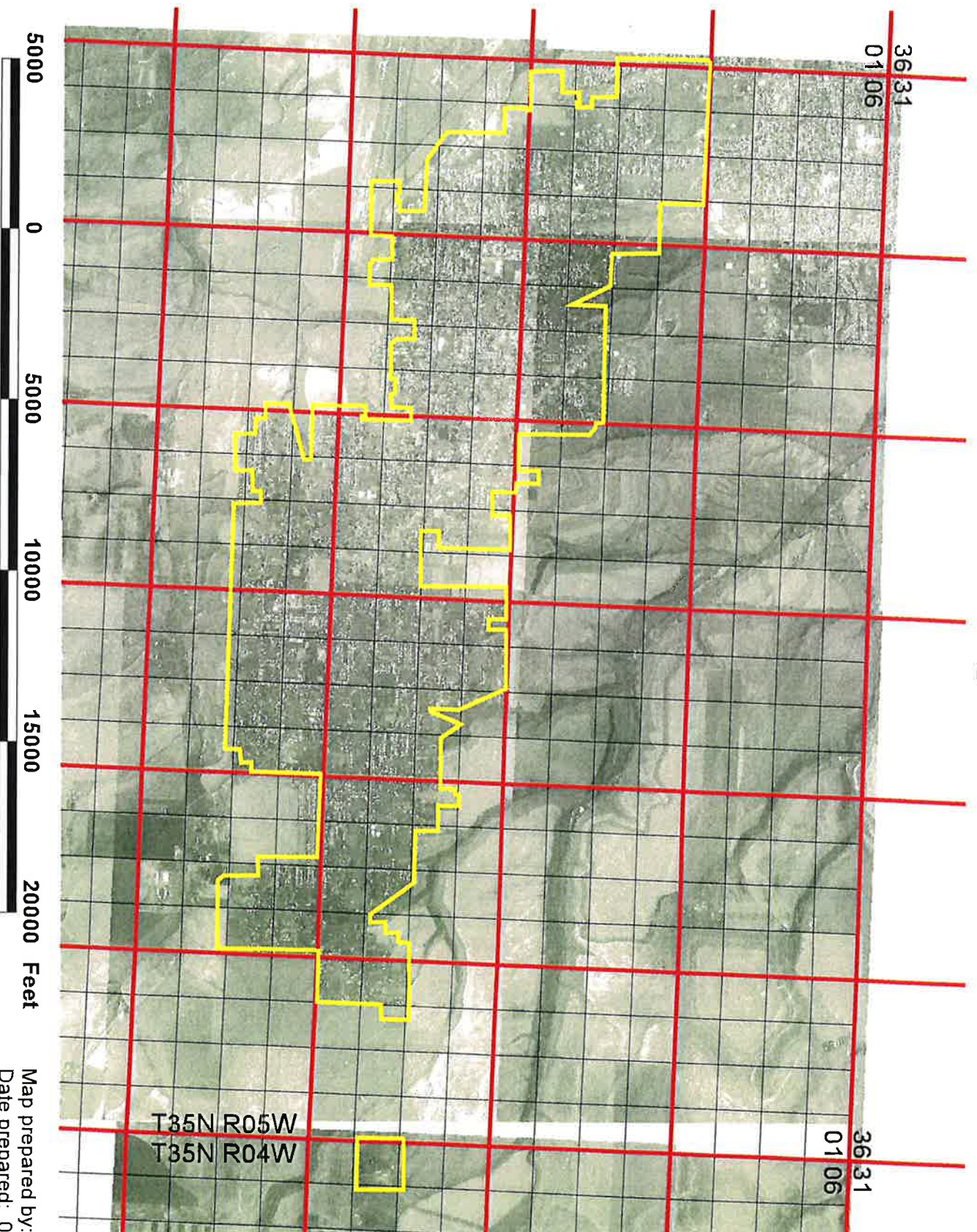
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: License

Municipal use includes domestic use as claimed.

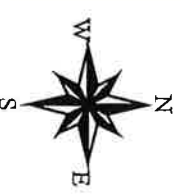
Water is delivered through the Captain John Diversion Canal.

Lewiston Orchards Irrigation District Service Area



T35N R04W
&
T35N R05W

T35N R05W
T35N R04W



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

The topographic map displays the study area with contour lines indicating elevation. Key features include:

- Mountain**: Located in the upper left portion of the map.
- Creek**: A water feature flowing through the center of the map.
- POB**: Points of Interest or Boundary markers, labeled in several locations.
- Point of Injection**: A specific location marked near the bottom center.
- Meadow**: A flat area located at the bottom of the map.
- JEEP**: A road or path labeled in the lower left.

 A red grid is overlaid on the map, and various elevation contours (e.g., 4800, 4900, 5000) are visible.



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: A85-02147
Date Received: 10/03/1988
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: DEC 04, 1934

3. Source: CAPTAIN JOHN (BROWNS) CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
32N	04W	1		NW	NW		NEZ PERCE
		2		SW	NE		NEZ PERCE

5. Description of diverting works:
DAMS AND CANALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	20.000		
DOMESTIC	01/01	12/31	20.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC

A85-02147

Page 1

Date: 12/05/88

MICROFILMED

JAN 17 1989

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:

85-0016,85-2003,85-2049,85-2063,85-2065,85-2146,85-2147

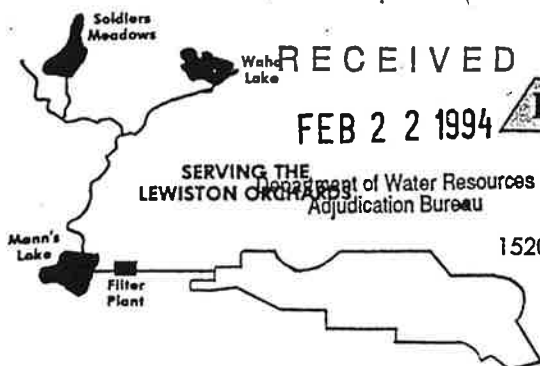
14. Remarks:

P/U = LEWISTON ORCHARDS IRRIGATION DISTRICT - NEZ PERCE COUNTY
3845.48 ACRES IRRIGATED

WATER IS DIVERTED FROM BROWNS CREEK (A TRIBUTARY OF CAPTAIN JOHN
CREEK) FOR STORAGE IN SOLDIERS MEADOW RESERVOIR---THEN RELEASED
FROM STORAGE FOR BENEFICIAL USE.

15. Basis of Claim: LICENSE

Water Right Number: R-576



RECEIVED

FEB 22 1994

LEWISTON ORCHARDS IRRIGATION

and Irrigation Water

domestic

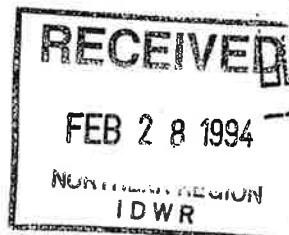
DISTRICT

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,

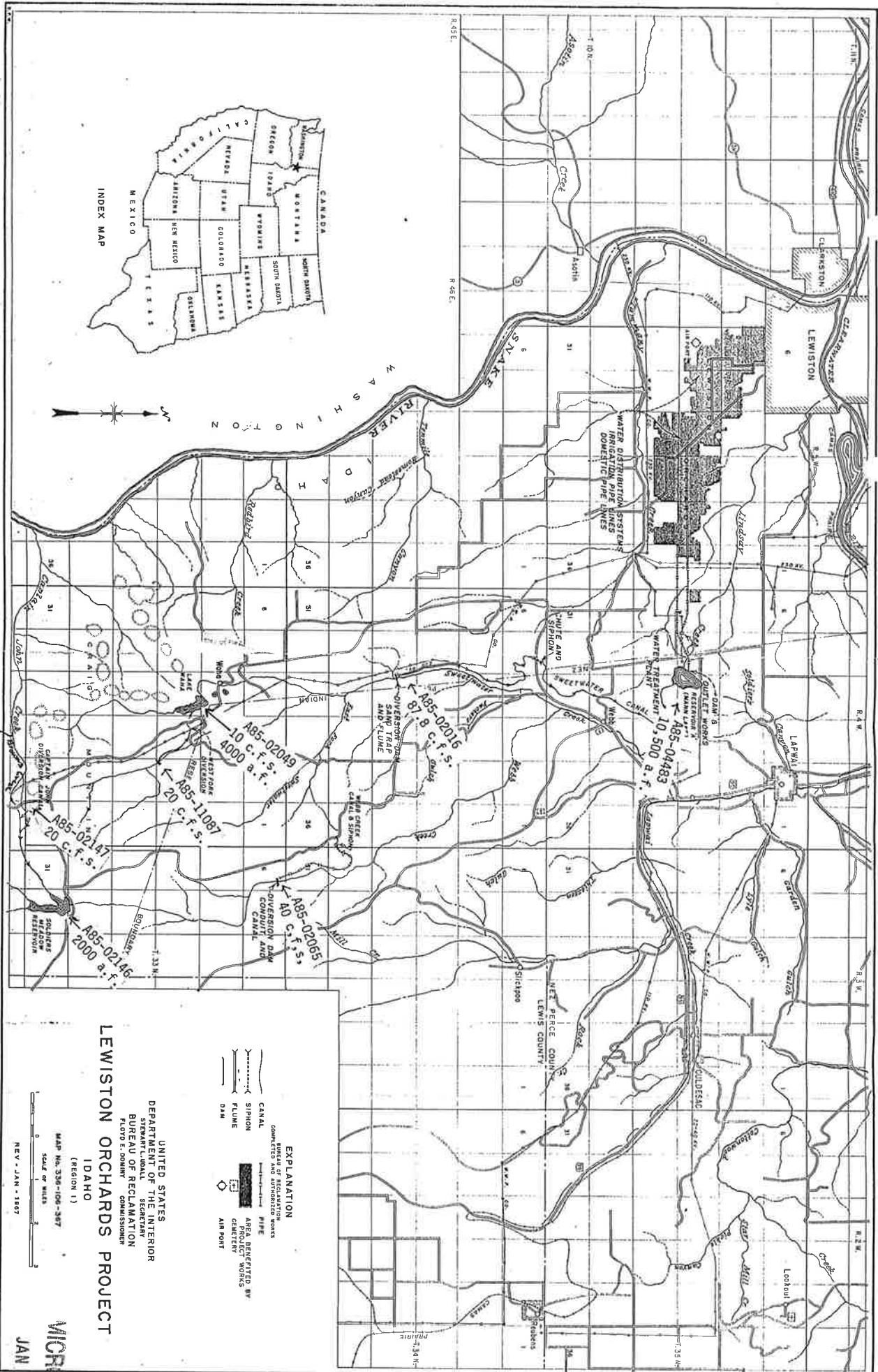
Randy Moore
District Manager
Lewiston Orchards Irrigation District

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



- EXPLANATION**
- CANAL
 - SYPHON
 - FLUME
 - DAM
 - PIPE
 - AREA BENEFITED BY
 - CEMENT WORKS
 - AIR PORT

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
FLORE E. DOWNEY, COMMISSIONER

LEWISVILLE ORCHARDS PROJECT

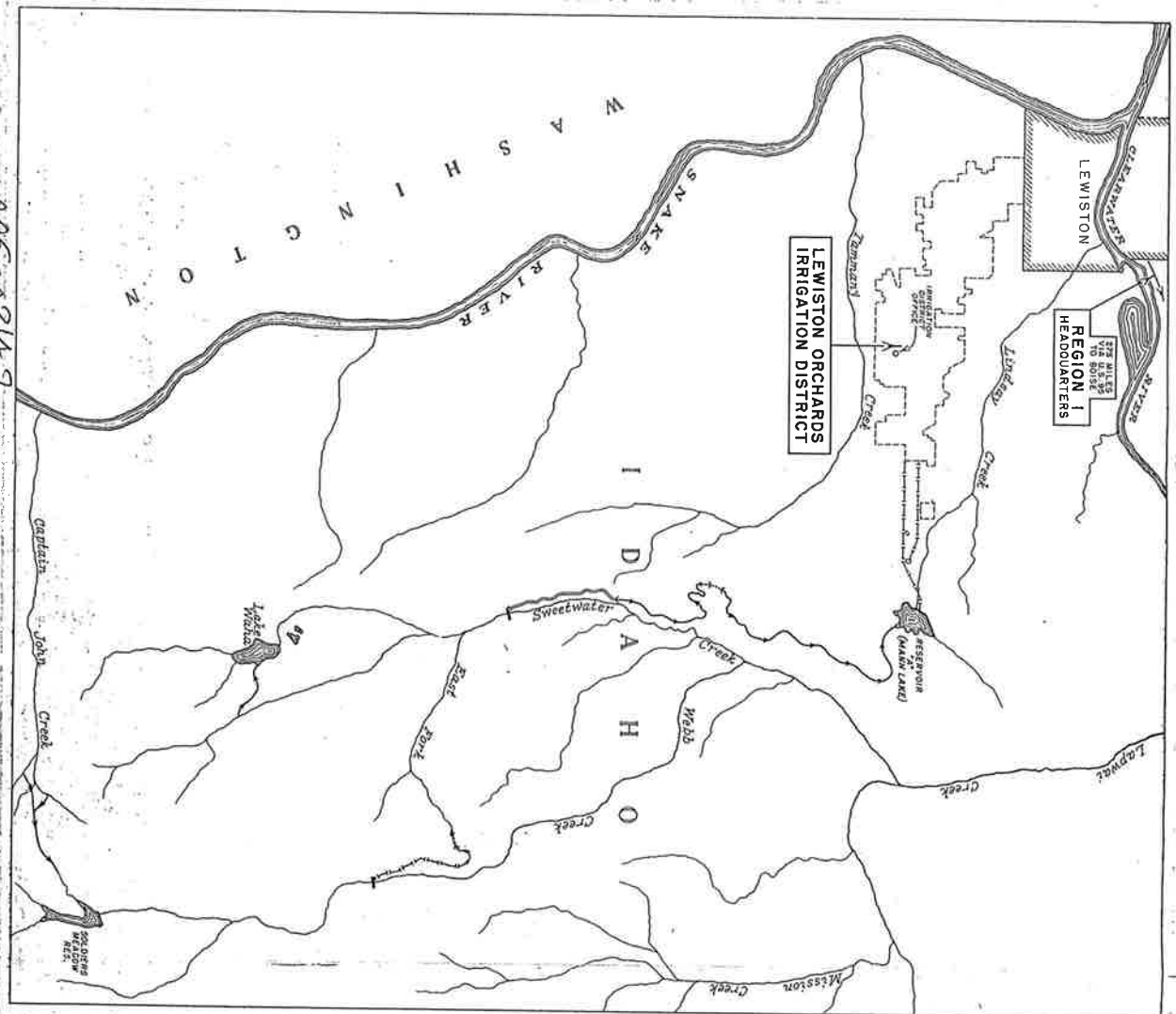
IDAHO
(REGION 1)

MAP No. 335-106-367
SCALE OF MILES
REV. JAN - 1957

MICROFILMED
JAN 17 1995

85-02147

AB5-02147



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 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 Creek. The dam, an earth structure 90 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 36-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 36-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 3¼ miles 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 the protection.

WATER TREATMENT PLANT AND CLEARWATER RESERVOIR is supplied with raw water from the 36-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 all 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 190 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 55 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 1947, and was completed in 1950.

State of Idaho

License and Certificate of Water Right

Water License No. R-576Amount 2000 acre feet

Water District No. _____

Priority December 4, 1934

THIS IS TO CERTIFY that LEWISTON ORCHARDS IRRIGATION DISTRICT store and
of Lewiston, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 4, 19 34; that Permit No. R-576
was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2000
acre second feet, was issued thereunder on February 27, 19 37, showing that said works
were completed on the 7th day of January, 19 36; and that on the 7th
day of January, 19 37,

LEWISTON ORCHARDS IRRIGATION DISTRICT

of Lewiston, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Captain Johns
Creek, a tributary of Snake River, for the purpose of irrigation and
domestic use, under Use Permit No. R-576 of the Commissioner of Reclamation
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 7
of Licenses, at page 4024, on the 20th day of July, 19 40;

The right hereby confirmed dates from December 4, 19 34;
Outlet

The Point of Diversion is located
in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Tp. 33 N., R. 4 W., B. M. Nez Perce County

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 2000 acre
feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated

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 20th day of July, 19 40

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

Twp.	Range	Section	Forty-Acre Tract	No. Acres described in Permit	No Acres actually Irrigated
35 N	4 W	7	SW NE	9.89	9.89
			NE NW	1.21	1.21
			SW NW	2.63	2.63
			SE NW	6.86	6.86
			NE SW	37.78	37.78
			NE SE	38.97	38.97
			NW SE	38.31	38.31
			SW SE	40.00	40.00
			SE SE	39.77	39.77
		8	NE SW	40.08	40.08
			NW SW	40.66	40.66
			S. SW	40.72	40.72
			SE SW	39.96	39.96
			NE SE	40.55	40.55
			NW SE	41.06	41.06
			SW SE	40.72	40.72
			SE SE	39.94	39.94
		9	NW SW	10.44	10.44
			SW SW	10.45	10.45
			SE SW	5.02	5.02
		12	SW SW	43.01	43.01
			SE SW	37.47	37.47
		13	NE NW	39.87	39.87
			N. NW	29.76	29.76
			S. NW	40.87	40.87
			SE NW	36.75	36.75
			NE SW	40.69	40.69
			NW SW	40.00	40.00
			SW SW	39.50	39.50
			SE SW	39.26	39.26
			NE SE	40.35	40.35
			NW SE	40.00	40.00
			SW SE	38.61	38.61
			SE SE	39.34	39.34
		14	SW NE	6.62	6.62
			SE NE	17.01	17.01
			SW NW	40.00	40.00
			SE NW	23.12	23.12
			NE SW	40.00	40.00
			NW SW	40.00	40.00
			SW SW	38.84	38.84
			SE SW	38.40	38.40
			NE SE	37.66	37.66
			NW SE	37.60	37.60
			SW SE	38.26	38.26
			SE SE	36.31	36.31
		15	NE NE	36.22	36.22
			NW NE	17.88	17.88
			SW NE	36.39	36.39
			SE NE	40.41	40.41
			NE NW	42.20	42.20
			NW NW	41.60	41.60
			SW NW	40.00	40.00
			SE NW	40.83	40.83
			NE S.	40.95	40.95
			NW SW	40.00	40.00
			SW SW	39.82	39.82
			SE SW	36.74	36.74
			NE SE	40.28	40.28
			NW SE	40.00	40.00
			SW SE	40.45	40.45
			SE SE	41.26	41.26
		16	NW NE	30.47	30.47
			SW NE	35.00	35.00
			NE NW	40.71	40.71
			NW NW	41.22	41.22
			SW NW	40.16	40.16
			SE NW	39.92	39.92
			NE SW	39.92	39.92
			NW SW	34.86	34.86
			SW SW	39.08	39.08
			SE SW	39.71	39.71
			NE SE	40.90	40.90
			NW SE	40.00	40.00
			SW SE	39.68	39.68
			SE SE	40.59	40.59
		17	NE NE	40.07	40.07
			NW NE	41.02	41.02
			SW NE	39.72	39.72
			SE NE	40.48	40.48
			NE NW	40.12	40.12
			NW NE	40.66	40.66
			SW NW	40.72	40.72
			SE NW	40.12	40.12
			NE SW	40.21	40.21
			NW SW	40.72	40.72
			NE SE	40.88	40.88
			NW SE	30.54	30.54
		18	NE NE	39.40	39.40
			NW NE	39.66	39.66
			SW NE	40.00	40.00
			SE NE	39.39	39.39
			NE SE	39.19	39.19
			NW SE	40.00	40.00
		21	NE NE	40.99	40.99
			NW NE	40.00	40.00
			SW NE	40.30	40.30

12	SW	SW	40.01	
	SE	SW	37.47	37.47
13	NE	NW	39.87	39.87
	NW	NW	29.75	29.75
	SE	NW	40.97	40.97
	SE	NW	35.75	35.75
	NE	SW	40.69	40.69
	NE	SW	40.00	40.00
	SW	SW	38.50	38.50
	SE	SW	39.25	39.25
	NE	SE	40.35	40.35
	NW	SE	40.00	40.00
	SW	SE	38.51	38.51
	SE	SE	39.34	39.34
14	SW	NE	6.62	6.62
	SE	NE	17.01	17.01
	SW	NW	40.00	40.00
	SE	NW	23.12	23.12
	NE	SW	40.00	40.00
	NW	SW	40.00	40.00
	SW	SW	38.84	38.84
	SE	SW	38.40	38.40
	NE	SE	37.55	37.55
	NW	SE	37.60	37.60
	SW	SE	38.26	38.26
	SE	SE	38.31	38.31
15	NE	NE	36.22	36.22
	NW	NE	17.88	17.88
	SW	NE	36.39	36.39
	SE	NE	40.41	40.41
	NE	NW	42.20	42.20
	NW	NW	41.60	41.60
	SW	NW	40.00	40.00
	SE	NW	40.83	40.83
	NE	SW	40.95	40.95
	NW	SW	40.00	40.00
	SW	SW	39.82	39.82
	SE	SW	38.74	38.74
	NE	SE	40.28	40.28
	NW	SE	40.00	40.00
	SW	SE	40.45	40.45
	SE	SE	41.26	41.26
16	NW	NE	30.47	30.47
	SW	NE	35.00	35.00
	NE	NW	40.71	40.71
	NW	NW	41.28	41.28
	SW	NW	40.16	40.16
	SE	NW	39.92	39.92
	NE	SW	39.92	39.92
	NW	SW	34.86	34.86
	SW	SW	39.08	39.08
	SE	SW	39.71	39.71
	NE	SE	40.90	40.90
	NW	SE	40.00	40.00
	SW	SE	39.68	39.68
	SE	SE	40.59	40.59
17	NE	NE	40.07	40.07
	NW	NE	41.02	41.02
	SW	NE	39.72	39.72
	SE	NE	40.48	40.48
	NE	NW	40.12	40.12
	NW	NE	40.66	40.66
	SW	NW	40.72	40.72
	SE	NW	40.12	40.12
	NE	SW	40.21	40.21
	NW	SW	40.72	40.72
	NE	SE	40.88	40.88
	NW	SE	30.54	30.54
18	NE	NE	39.40	39.40
	NE	NE	39.66	39.66
	SW	NE	40.00	40.00
	SE	NE	39.39	39.39
	NE	SE	39.19	39.19
	NW	SE	40.00	40.00
21	NE	NE	40.99	40.99
	NW	NE	40.00	40.00
	SW	NE	40.30	40.30
	SE	NE	41.63	41.63
	NE	NW	39.92	39.92
	NW	NW	38.67	38.67
	SW	NW	38.66	38.66
	SE	NW	40.20	40.20
22	NE	NE	40.90	40.90
	NW	NE	39.67	39.67
	SW	NE	40.84	40.84
	SE	NE	41.30	41.30
	NE	NW	25.50	25.50
	NW	NW	40.00	40.00
	SW	NW	40.72	40.72
	SE	NW	41.73	41.73
23	NE	NE	39.89	39.89
	NW	NE	40.00	40.00
	SW	NE	41.35	41.35
	SE	NE	41.32	41.32
	NW	SW	40.47	40.47
	NW	SW	40.00	40.00
	SE	SW	38.74	38.74
	SE	SW	39.33	39.33

35 N. 4 W.

18

Total Number of Acres Irrigated - 4,332.16

LAND LIST ATTACHMENT

85-2147

Description and location of place of use: A

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 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	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
35N	4W	7			10		1		3	7	38				39	38	40	40	
		8									40	40	41	40	41	41	41	40	
		9									11	10	5						
		12									43	37							
		13					40	30	41	37	41	40	38	39	40	40	39	39	
		14			7	17			40	23	40	40	39	38	38	38	38	38	
		15	38	18	39	40	42	42	40	41	41	40	40	39	40	40	40	41	
		16		30	35		41	41	40	40	40	35	39	40	41	40	40	41	
		17	40	41	40	40	40	41	41	40	40	41	1		41	31			
		18	39	40	40	39					41	40	38	39	39	40			
		21	41	40	40	42	40	39	39	40									
		22	41	40	41	41	26	40	41	42									
		23	40	40	42	41													
35N	4W	18																	

Total number of acres irrigated 4, 332.16

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. B-576

This proof is for Completion of Works In Water District No.

1. Name of applicant D. S. Wallace, Manager, Lewiston Orchards Irrigation District

2. Source of water supply: Captain John's Creek

3. Location of point of ^{outlet} ~~diversion~~: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29

T. 33 N. R. 3 W. County of Nez Perce

4. Describe works as they exist, giving dimensions and capacities of same: Diversions are made by earth dams of 7 ft. height and headgates 4' wide x 4' high with flash board control, Spillways on dams are adequate. Ditches are 5 ft. wide x 2 ft. deep all in cut, (2 to 7 ft.) and lead to tributary of Webb Creek above Reservoir C.

Capacity of diversions in excess of 40 sec. ft.

5. Water is used for: irrigation and domestic

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions 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): SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, & SE $\frac{1}{4}$ Sec. 7; S $\frac{1}{2}$ Sec. 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$ & S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 9; S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 12; NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 13; S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 14; all Sec. 15; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 16; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 17; NE $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18; N $\frac{1}{2}$ Sec. 21; N $\frac{1}{2}$ Sec. 22; NE $\frac{1}{4}$ Sec. 23; T. 35 N., R. 5 W., B. M., & SW $\frac{1}{4}$ Sec. 18, T. 35 N., R. 4 W., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Snake River via Clearwater River.

Remarks This water is supplemental to waters from Sweetwater Creek and Lake Waha and has been used beneficially upon lands included in the above list.

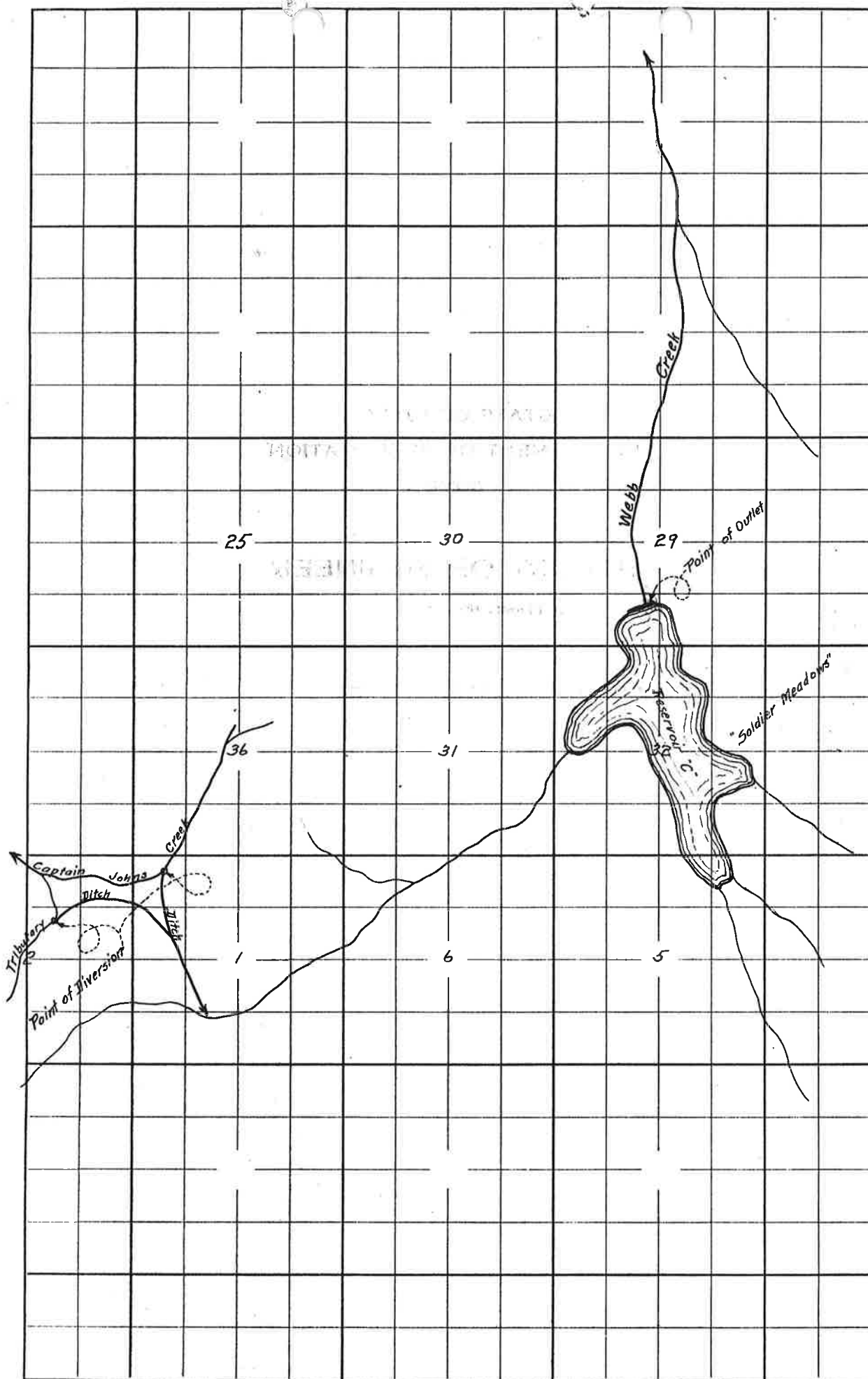
At date of this examination the water available at the points of diversion from Captain John's Creek was 1/50 second foot.

This examination was made on the 4th day of August, 19 36

(Signed)

Paul H. Nelson
Examiner.

R-576



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-576

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Lewiston Orchards Irrigation District (D. S. Wallace, Mgr.)
2. Source of water supply: Captain John's Creek
outlet
3. Location of point of ~~diversion~~: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29
T. 33 N. R. 3 W., B. M. County of Nez Perce

4. Describe works as they exist, giving dimensions and capacities of same: *Diversions consist of earth dams 7 ft. high $\frac{3}{4}$ head gates 4 wide x 4 high with flash board control. Spillways on dams are adequate. Ditches are 5 to 6 ft wide $\frac{3}{4}$ 2 ft deep.*

5. Water is used for: Irrigation and Domestic

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions 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): SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 7; S $\frac{1}{2}$ Sec. 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 9; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 12; NW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 13; S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 14; Sec. 15; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 16; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 18; N $\frac{1}{2}$ Sec. 21; N $\frac{1}{2}$ Sec. 22; NE $\frac{1}{4}$, Sec. 23; all in T. 35 N., R. 5 W., B. M.; and SW $\frac{1}{4}$, Sec. 18, T. 35 N., R. 4 W., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Clearwater River
Remarks District reservoirs are Soldier Meadows 2000 Reservoir "A" 3000 $\frac{3}{4}$ Lake Waha 7200 Acre feet respectively. The present irrigated area is approximately 4334 Acres. The system includes 32 miles of flumes, 17 miles of main canal $\frac{3}{4}$ many miles of pipe

This examination was made on the 21st day of October, 1937

(Signed)

Red H. Johnson

Examiner.

R-576

85-2147

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of Idaho

Application No. R 35263
Permit No. R 576

1. Name of Applicant: **LEWISTON ORCHARDS IRRIGATION DISTRICT**

Postoffice address: **Lewiston**

County **Nez Perce**

State **Idaho**

I. If applicant is a corporation, give:

Lewiston, Idaho

(a) Date and place of incorporation: **January 19, 1920, /**

(b) Amount of Capital Stock: \$ **none**

(c) Amount paid in: \$ **none**

(d) Names and addresses of directors: **F. B. Ruddock, D. S. Wallace, Walter Eddy, Paul Johnson, George Alden, L. G. Heitfeld, P. E. Farrington, all addressed at Lewiston, Idaho.**

II. The financial resources of the corporation are:

(a) Cash on hand: \$ **1280.00**

(b) Treasury Stock: \$

(c) Bonds to be issued: \$ **none**

(d) Other resources: **Real property and complete water system.**

2. Quantity of water to be stored: **2000** acre feet per annum.
3. Source of water supply is **Captain Johns** (Creek) (~~XXXXXXXXXX~~) a tributary of **Snake** River.
4. The outlet of the proposed reservoir is located (bearing) _____ feet, distant from the _____ corner of Section _____, Township _____, Range _____, B. M. and is in the **SE** $\frac{1}{4}$ of **SW** $\frac{1}{4}$ of Section **29**, Township **33 N.**, Range **3 W.**, B. M. County of **Nez Perce**
5. Fill out either (a) or (b).
(a) The reservoir is located in the channel of **Webb** (Creek) (~~XXXX~~)
(b) The reservoir is to be filled through a feeder canal, the point of diversion for which ~~is~~ ^{are} located (bearing) _____ feet distant from the _____ corner of Section _____, Township _____, Range _____, B. M., and is in the **NW** $\frac{1}{4}$ of **NW** $\frac{1}{4}$ of Section **2**, Township **33 N.**, Range **4 W.**, B. M.; width at bottom **5** feet, width at top _____ feet, depth of water **7** feet; average grade per mile **5** feet; Capacity **25** cubic feet per second.
6. (a) The area of the high water line of the reservoir is **90** acres.
(b) The reservoir capacity is **2000** acre feet.
7. Height of reservoir dam **57** feet, length at top **540** feet, length at bottom **50** feet, size of outlet **3' pipe** feet by _____ feet. The dam is ~~to be~~ constructed of materials as follows: **Earth, dam completed in 1922**

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of **Webb and Sweetwater Creeks** (~~XXXXXXXXXX~~)? **No**
(b) Water stored in reservoir will be carried in the channel of **Webb** (Creek) (~~XXXX~~) a distance of **5** miles to point of diversion located in the **NW** $\frac{1}{4}$ Sec. **6**, T. **33 N.**, R. **3 W.**, thence through the **Webb** Creek canal-See Remarks. (bearing) _____ distant from the _____ corner of Section _____, Township _____, Range _____, B. M., and in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section _____, Township _____, Range _____, B. M.
9. Amount of water claimed from _____ (Creek) (River) (Spring) in addition to that stored in reservoir _____ cubic feet per second.
10. Water is to be used for **irrigation and domestic** purposes.
11. If for mining, milling, power or manufacturing purposes give:
(a) Point of use of water _____ feet, distant from _____ Corner of Section _____, Township _____, Range _____, B. M. and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section _____, Township _____, Range _____, B. M.
(b) Amount of power generated: **H. P.**, under _____ feet head.
(c) Water is to be returned to _____ (Creek) (River) (Spring) at a point _____ (bearing) _____ feet distant from the _____ corner of Section _____, Township _____, Range _____, B. M., in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section _____, Township _____, Range _____, B. M.
12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. _____, which is hereby referred to and made a part hereof.

13. Kind of diversion works: Dam, canal, flume, reservoir, pipe lines
(Dam, canal, flume, pipe, etc.) are
14. Height of diversion dams: Webb Creek 20 feet, length at top 50 feet, length at bottom 20 feet. The dam is 2000 feet constructed
Sweetwater 10 feet, length at top 75 feet, length at bottom 60 feet.
- of materials as follows: Webb Creek, rock filled log crib dam, Sweetwater Creek, Log crib dam, faced with plank.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgates Width 3 feet, Height 4 feet.
16. Diversion Canal: Webb Creek 7 feet, width at water line 9 feet, depth of water 2 feet, Dimensions of Flume 3 1/2' wide, 2 1/2' in height
Sweetwater 7 feet, width at water line 18.6 feet, depth of water 2.8 feet, Dimensions of Flume 5' wide, 4' in height
length 1.77 miles Diameter of Pipe 30 inches; Length of Conduit Flume 9.95 miles. Average grade per mile See Remarks feet.
length 1.75 miles 7000' pipe line
17. Estimated cost of Works: Storage Works: \$ none Diversion Works: \$ 10,000.00
18. Time required for completion of work 1 years.
19. Time required for complete application of water to proposed beneficial use is 1 years.
20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 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	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
35 N.	5 W	7	9.89				1.21		2.63	6.86	32.78				38.97	38.31	40	39.77	215.42
		8									40.08	40.66	40.72	39.96	40.55	41.06	40.72	39.94	323.69
		9										10.44	10.45	5.02					25.91
		12											43.01	37.47					80.48
		13					39.87	29.76	40.87	36.75	40.69	40	38.50	39.26	40.35	40	38.61	39.34	464.00
		14	6.62 17.01						40	23.12	40	40	38.64	38.40	37.66	37.60	38.26	38.31	395.82
		15	38.22	17.68	36.39	40.41	42.20	41.60	40	40.83	40.95	40	39.82	38.74	40.28	40	40.45	41.26	619.03
		16	30.47 35				40.71	41.23	40.16	39.92	39.92	34.86	39.08	39.71	40.90	40	39.68	40.59	542.28
		17	40.07	41.02	39.72	40.48	40.12	40.65	40.72	40.12	40.21	40.72					30.54		475.26
		18	39.40	39.66	40	39.39									39.19	40			237.64
		21	40.99	40	40.30	41.63	39.92	38.67	38.66	40.20									320.37
		22	40.90	39.67	40.84	41.30	25.50	40	40.72	41.73									310.66
		23	39.89	40	41.85	41.32													163.06
	4 W	18									40.47	40	38.74	39.33					158.54

Total Number of Acres to be Irrigated 4332.16

Remarks: Water stored in Soldier's Meadow Reservoir (completed in 1922) is run down the channel of Webb Creek a distance of 5 miles and thence through the Webb Creek canal and flume a distance of 3.52 miles thence into Sweetwater Creek and down the channel of Sweetwater Creek a distance of 4 miles to the headgates of the Sweetwater Canal and flume, thence through the Sweetwater canal and flume to Reservoir "A", thence through pipe lines to the land to be irrigated.

Webb Creek Flume-1.77 miles, width 3.5', height 2 1/2', grade 15' per M.
" " canal-1.75 " " " 7', depth 2', " 10' " M.
Sweetwater flume-1.75 " " " 5', height 4', " 3.2' " M.
" canal-8.2 " " " 7', depth 2.8', " 3.2' " M.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

Lewiston Orchards Irrigation District Applicant.

By D. S. Wallace, Mgr., Agent.

Date of first receipt at office of Commissioner of Reclamation 4:15 P. M. December 4, 1934

Returned to applicant for correction

Corrected application received

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 576

Recorded in book R 2, page 576 Approved January 7, 1935

This is to certify that I have examined the within application for a permit to construct a reservoir and store and 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 March 6, 1935

and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before July 7, 1935

The whole of said work to be completed on or before January 7, 1936

Beneficial use of water stored in accordance herewith, to be made on or before January 7, 1937.

Witness my hand this 7th day of January

1934
R. W. FARIS
Commissioner of Reclamation.

Permit No. R-576

CERTIFICATE OF COMPLETION OF RESERVOIR AND RIGHT
TO STORE WATER

Amount 2000 Acre Feet

Priority December 4, 1934

This is to certify that LEWISTON ORCHARDS IRRIGATION DISTRICT of Lewiston, County of Nez Perce, and State of Idaho, the holder of Permit No. R-576, issued upon Application No. R-25263, bearing date of priority of December 4, 1934, authorizing the construction of a reservoir and the right to store the waters of Captain John's Creek, a tributary of Snake River, 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 as set out and described in said Permit; that said works are adequate for the storage of 2000 acre feet of water annually; that the location of the outlet of said reservoir is in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29, Township 33 N., Range 3 W., Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the Commissioner of Reclamation and entered of record in Volume R-2, of Permits, at page 576, records of the Department of Reclamation on the 27th day of February, 1937; that the right hereby confirmed dates from December 4, 1934; and that the amount of water to which said right is, by this certificate, entitled to store annually shall not exceed 2000 acre feet.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 27th day of February, A. D. 1937.

(SEAL)

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made January 7, 1936
Certificate of Completion of Works issued February 27, 1937

PERMIT ISSUED FOR 2000 ACRE FEET

P. 4024

2000 acre feet