

02/02/2004

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

RIGHT NUMBER: 85-7146

NAME AND ADDRESS: LEWISTON ORCHARDS IRRIGATION DISTRICT
1520 POWERS AVE
LEWISTON ID 83501

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.340 CFS

PRIORITY DATE: 04/29/1977

POINT OF DIVERSION:

T35N R05W S22 NENW Within NEZ PERCE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

MUNICIPAL

01/01 12/31

1.340 CFS

PLACE OF USE:

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.

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

85-7146

This is Well No. 1 and was claimed as being 1795 feet deep

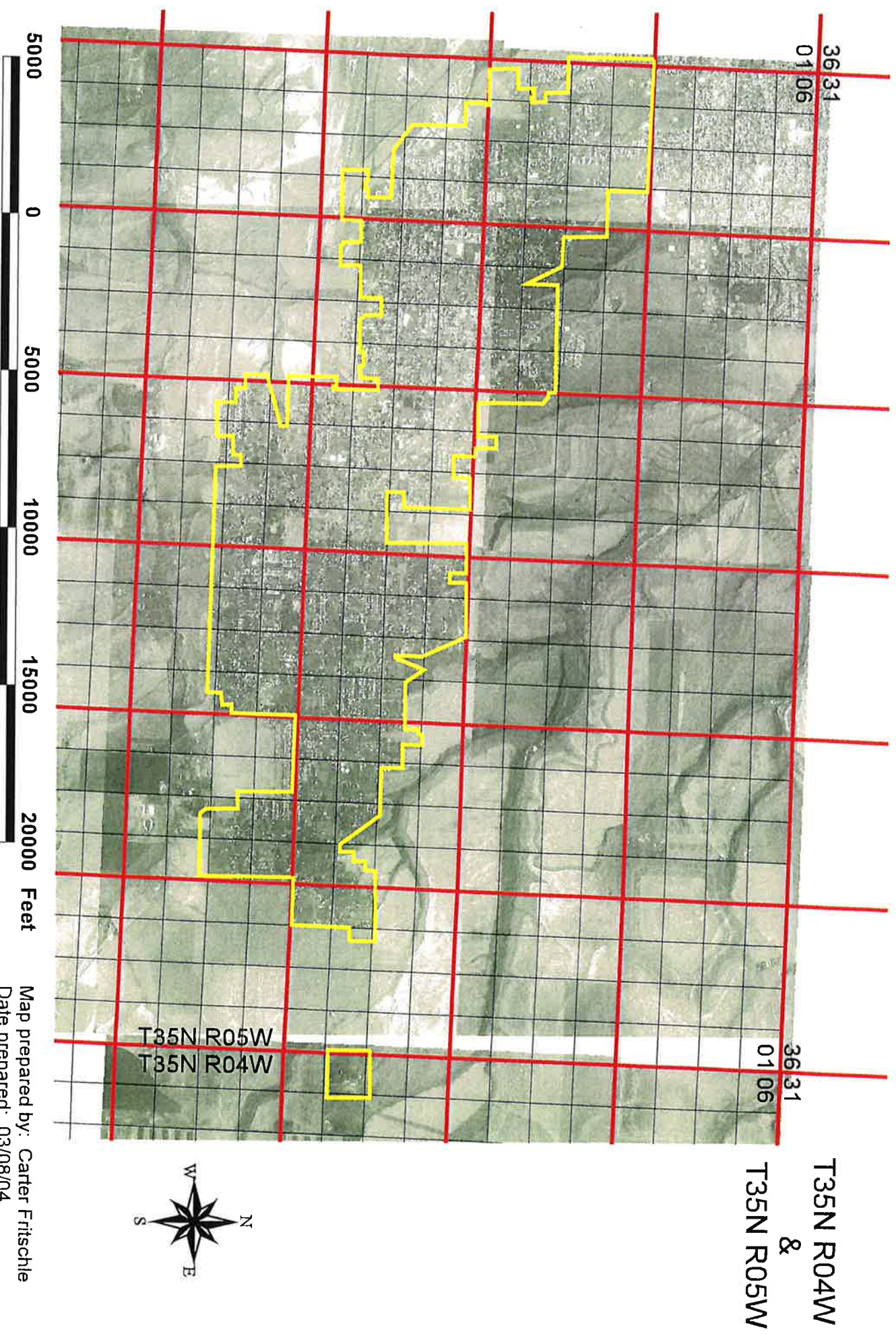


T35N R05W S22 NWNE

0 300 600 1,200 Feet



Lewiston Orchards Irrigation District Service Area



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

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:

Ident. Number

Date Received

Receipt Number

39576

A85-0146

N-2102

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 22 1988

NORTHERN REGION
IDWR

Please type or print clearly

1. Name of Claimant (s) LEWISTON ORCHARDS IRRIGATION DISTRICT Phone (208) 746-8235
Mailing Address 1520 Powers Avenue, Lewiston, Idaho Zip 83501

2. Date of Priority (Only one (1) per claim) 1977, APRIL 29

3. Source of water supply (a) Ground Water
which is tributary to (b) N/A

4. a. Location of existing point of diversion is: Township 35 N Range 5 W Section 22,
NW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Nez Perce

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. 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. (LOID Well No. 1)

Municipal Well, 1795 feet in depth, with a multi-stage submersible
pump and motor, delivering domestic water to the residents of the
Lewiston Orchards, via Network Distribution system.

MICROFILMED

APR 26 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Municipal & Industrial purposes from 1 / 1 to 12/31 amount 4 or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) Four (4) (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2,895.87 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Domestic use, approx. 5,280 accounts - approx. 17,000 residents of the Lewiston Orchards.

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	

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 X
 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.
Well No. 2 Permit # 85-7428 or None ()

14. Remarks: Most all the land belongs to LOID Water Users.

MICROFILMED
APR 26 1993

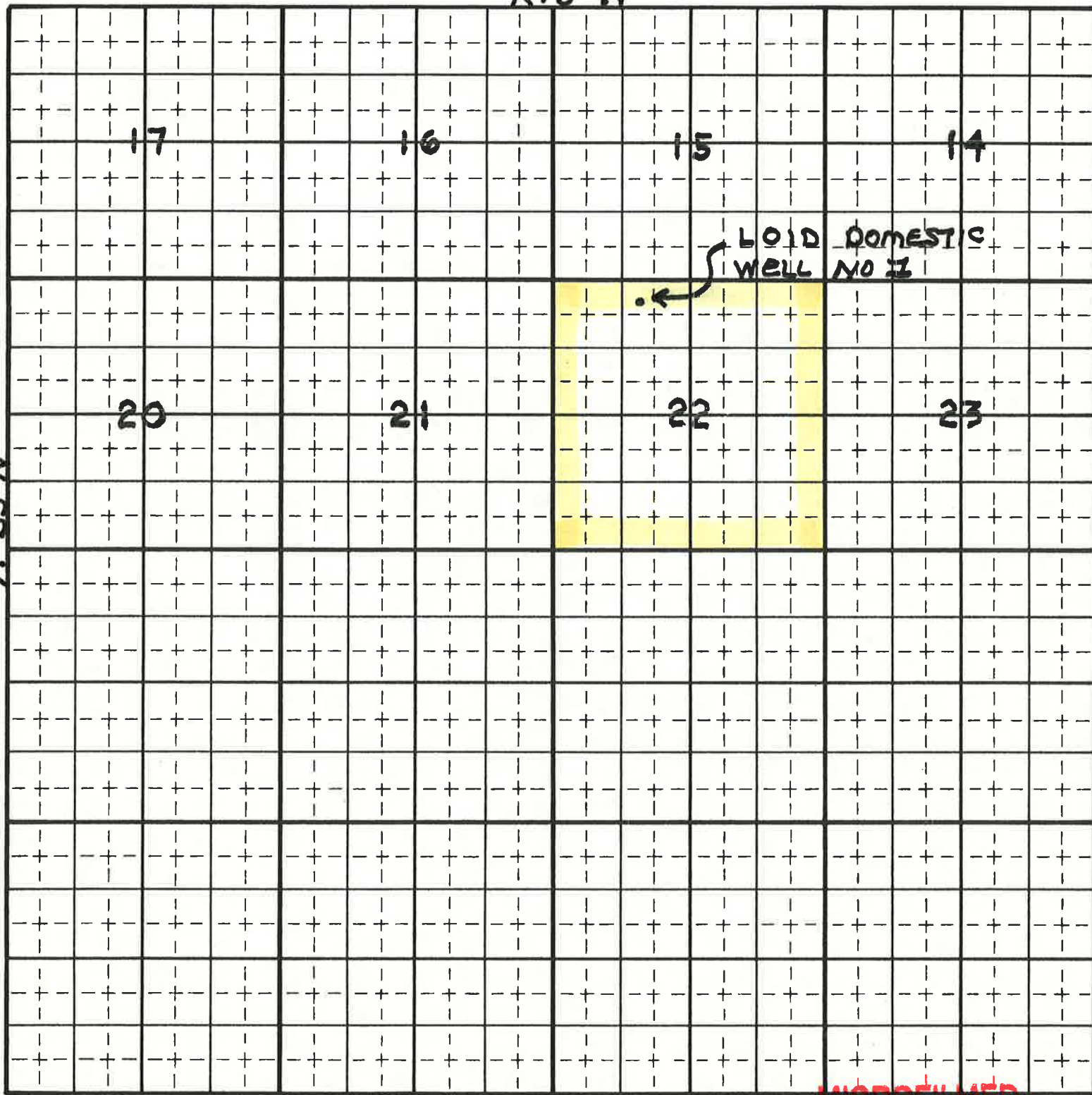
Last Name _____ Ident No. 185-7146

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

R. 5 W



MICROFILMED

APR 26 1993

Last Name _____

Ident No. A85-7146

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit X
Decree _____
If applicable provide IDWR Water Right Number 85-7146
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 X
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 District Manager
Title
of Lewiston Orchards Irrigation District, that I have signed the foregoing
Organization
document in the space below as Manager of L.O.I.D.
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent *Stanley A. French*
Title and Organization Manager, LOID Date 11-18-88

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

Subscribed and sworn (or affirmed) before me this 18th day of November 19 88

SEAL

Notary Public *Alvina R. Helling*

Residing at Lewiston, Idaho

My Commission Expires 1/17/89

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 _____

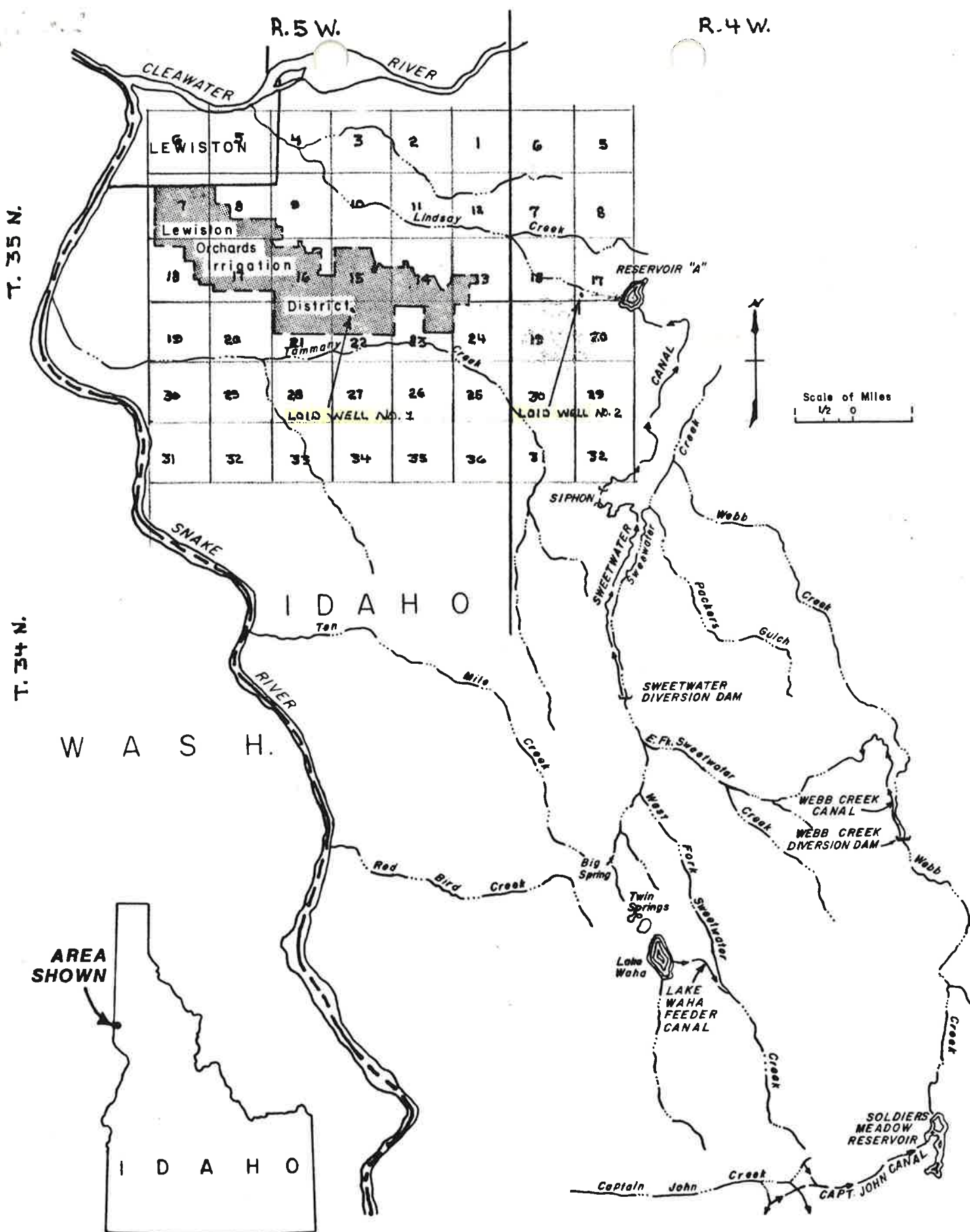
Address _____

Date _____

MICROFILMED
APR 26 1993

Last Name _____ Ident. Number A85-7146

Copies White-State, Yellow-Claimant



MICROFILMED
 APR 26 1993

LEWISTON ORCHARDS
 IRRIGATION DISTRICT
 LOCATION MAP

A85-7146

***** CONVERSATION MEMORANDUM *****

DATE: November 28, 88 TIME: 8:45

NAME OF PARTY: Stanley French

EMPLOYEE: AB

*
*
*
*
*
*

COMMUNICATION

PHONE CONVERSATION X

LETTER (SEE ATTACHED)

REGARDING:

*I talked with Stan to verify if all of the
uses were within the city limits, they were.
I suggested that he file for municipal uses
only.*

ITEMS MODIFIED:

ITEM # 6, RE: I crossed out industrial

ITEM # , RE:

ITEM # , RE:

ITEM # , RE:

ITEM # , RE:

ITEM # , RE:

COMMENTS:

MICROFILMED
APR 26 1993

A85-7146

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 85-7146 Priority April 29, 1977 Amount 1.34 cfs

THIS IS TO CERTIFY, that Lewiston Orchards Irrigation District
of Lewiston, Idaho, has complied with the terms and conditions of Permit
No. 85-7146 issued pursuant to Application for Permit dated April 29, 1977,
and has submitted proof to the Department of Water Resources on May 10, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.34 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Municipal</u>	from <u>January 1</u> to <u>December 31</u>	at <u>1.34</u> cfs and	<u>n/a</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 1.34 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
n/a acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, Twp.
35N, Rge. 4W in the County of Nez Perce

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 $\frac{1}{4}$	

Total number of acres irrigated _____

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
November, 19 81.

Acting for the

Director

Norman C. Young

MEMORANDUM

TO:FILE

FROM:ROXANNE MCCARTHY

RE: LEWISTON ORCHARDS IRRIGATION DISTRICT

DATE: 12-OCT-1989

=====

The place of use is found in the following tracts:

35N 04W 18 NWSW SESW
19 NWNE

35N 05W 07 SWNE SENE SWNW SENW SW1/4 SE1/4
08 SW1/4 SE1/4
09 NWSW SWSW SESW
13 NESW NWSW SWSW
14 SWNW SW1/4 SE1/4
15 NWNE SWNE SENE NW1/4 SW1/4 SE1/4
16 NWNE SWNE NW1/4 SW1/4 SE1/4
17 ENTIRE QUARTER
18 NE1/4 NESE NWSE
20 NESE
21 NE1/4 NW1/4 NESW NWSW
22 NE1/4 NW1/4
23 NE1/4 NENW NWNW

SCANNED

FEB 20 2003