



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region • 7600 N MINERAL DR STE 100 • COEUR D ALENE, ID 83815-7763
Phone: (208)762-2800 • Fax: (208)769-2819 • Website: www.idwr.idaho.gov

Brad Little
Governor

Gary Spackman
Director

January 14, 2021

TODD ROBERTSON
PO BOX 117
KAMIAH ID 83536-0117

RE: Water Right Change in Ownership No(s): 85-7078

Dear Interested Parties:

The Department of Water Resources (Department) acknowledges receipt of your Notice of Change in Water Right Ownership (Notice).

During our review of the documentation you submitted we found discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. The water right on file in Routh's name shows the location as being in Government lot 15. I have enclosed a copy of the water right(s) for your reference (originally in the name of Peterson). In addition, there appears to be a separate water right under the name of Patrick Finney. This water right is no. 85-10012.

Because the Department cannot process the Notice without sufficient evidence of ownership, please submit a chain of title going back to either Finney, Routh, or Peterson. The Department will hold any action on your notice pending receipt of the necessary evidence. If we do not receive the necessary evidence within 30 days we will return your notice and all attachments and your notice will not be processed.

Also, please note that permit holders are required to report any change of ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Forms to assign ownership or update your address are available from any office of the Department or on the Department's website.

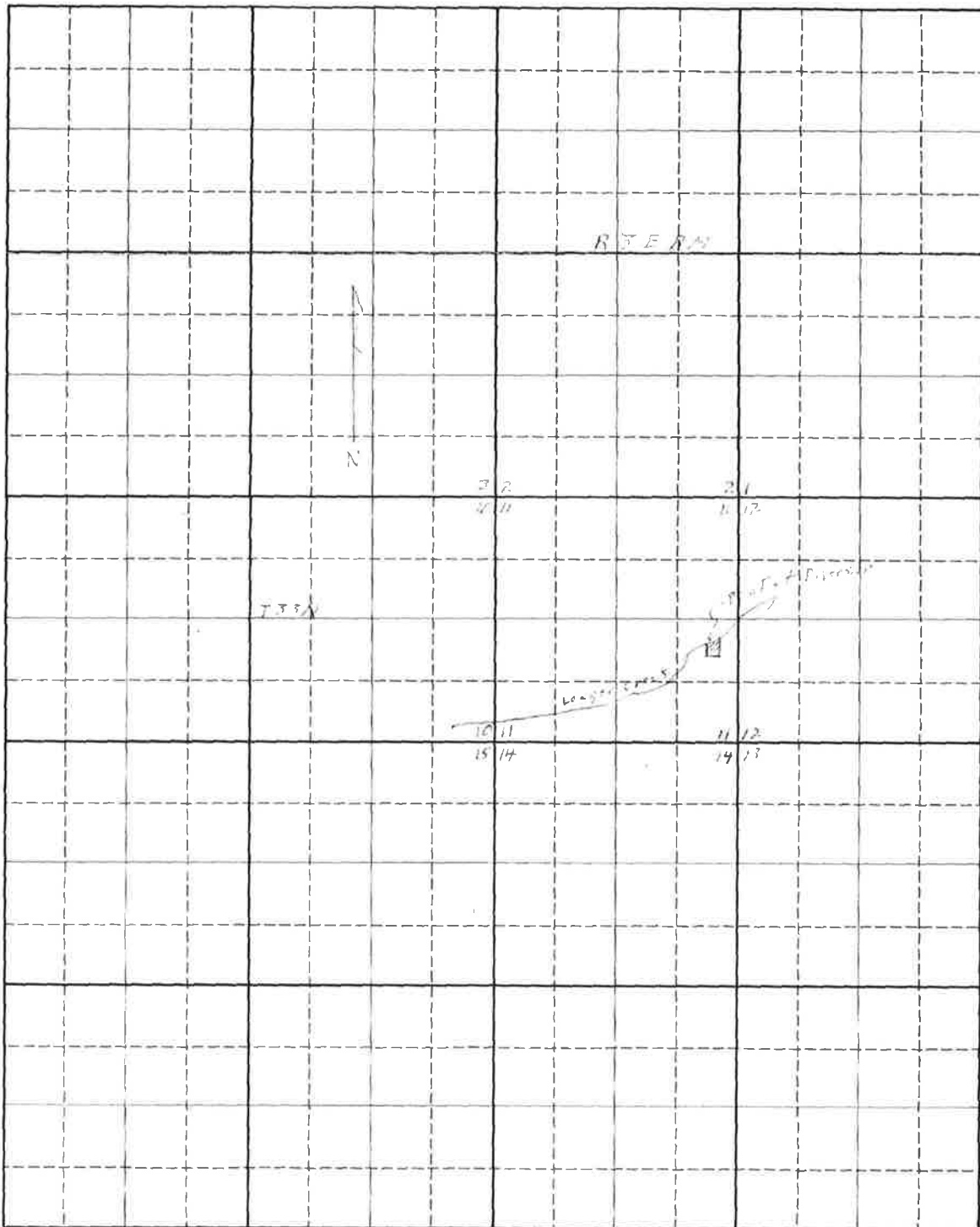
If you have any questions regarding this matter, please contact me at (208) 762-2813.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)

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



Scale: 2 inches equal 1 mile

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

B. Edward Peterson
(Applicant)

85 7078

RECEIVED

FEB 13 1974

Department of Agriculture
Northern District Office

AFFIDAVIT OF PUBLICATION

**NOTICE OF APPLICATION
FOR WATER PERMIT**
Notice is hereby given that
B. Edward Peterson, Box 176,
Kamiah, Idaho has on January
21, 1974 submitted Application
No. 85-7078 for a permit to
appropriate 0.04 cubic feet per
second of water from Lawyers
Creek, tributary of Clearwater
River by means of pump, pipe-
line and sprinkler within the
NE 1/4 Sec. 11, T. 33N,
R. 3E, B.M., Idaho County
be used from Jan. 1 to Dec. 31
for stockwatering purposes
(0.01 cfs); and from April 1
to Oct. 15 for the irrigation
of 1.5 acres (0.03 cfs), both
uses within the NE 1/4 Sec.
11, T. 33N, R. 3E, B.M.
If issued, this permit will be
subject to all prior water rights.
Protests against the granting
of the permit must be filed
with the Idaho Department of
Water Administration, 401
Front Ave., Coeur d'Alene,
Idaho, 83814 on or before Feb-
ruary 16, 1974.
R. KEITH HIGGINSON
Director
Published in the Idaho Coun-
ty Free Press, Grangeville,
Idaho on Jan. 30 and Feb. 6,
1974. J30-F6

I, Marilyn J. Stolley..... being first duly
sworn, says he is the office manager.....
of the IDAHO COUNTY FREE PRESS, a weekly newspaper which
is published and issued weekly at Grangeville, Idaho County,
State of Idaho, and which is of general circulation in said county
and state; that the said notice, of which the one hereto attached
is a true copy, was published in said paper for two..... weeks,
being published two..... times, the first publication being
on the 30th..... day of January....., 1974.,,
and the last publication on the 6th..... day of
...February..... 1974.; and that the said notice
was published in the newspaper proper and not a supplement;
that said newspaper has been continuously and uninterruptedly
published in said county during a period of more than seventy-
eight consecutive weeks prior to the first publication of said
notice or advertisement.

Marilyn J. Stolley

Subscribed and sworn to before me this 6th..... day
of February....., 1974.

Burton C. Hath
....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.

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Rge. 3E

T
33
N

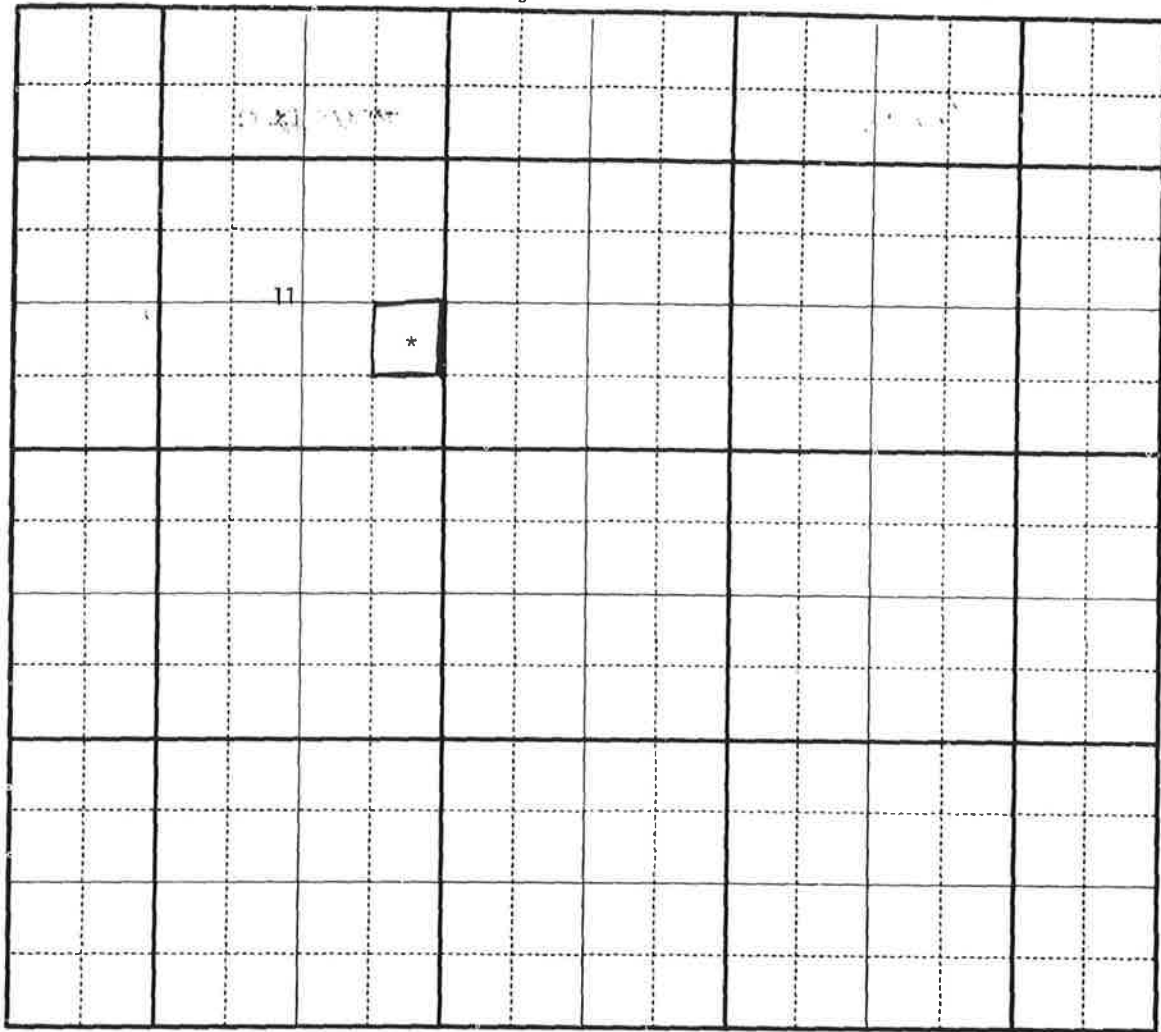


Diagram of System

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 85-7078 Priority January 21, 1974 Amount 0.04 cfs

THIS IS TO CERTIFY, that B. EDWARD PETERSON
of Kamiah, Idaho, has complied with the terms and conditions of Permit
No. 85-7078 issued pursuant to Application for Permit dated January 21, 1974
and has submitted proof to the Department of Water Resources on May 31, 1977
that he has applied water to a beneficial use. an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from Lawyers Creek
tributary to Clearwater River, 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>Irrigation</u>	from <u>April 1</u> to <u>October 15</u> at <u>0.03</u> cfs and	<u>4.5 acre feet</u>	
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u> at <u>0.01</u> cfs and	<u>.2 acre feet</u>	
	from _____ to _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 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
4.7 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, Twp. 33N,
Rge. 3E, B. M. in the County of Idaho

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 $\frac{1}{4}$	
33N	3E	11													X 1.5				1.5

Total number of acres irrigated 1.5

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 10 day

April, 19 78.


Director

Identification No. 85-7078

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- 1 Name of applicant B Edward Peterson
post office address Box 175 Kamiah, Idaho - 83536
- 2 Source of water supply Lawyers Creek which is a tributary of Clearwater River
- 3 a Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 33 N
Range 3 E B M Idaho County; additional points of diversion if any. _____

b If water is not consumed, it will be discharged into Lawyers Creek at a point in NE $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 11 Township 33 N Range 3 E B.M. _____
- 4 Water will be used for the following purposes:
Amount 0.03 for Irrigation purpose from Apr 1 to Oct 15 (both dates inclusive)
Amount 0.01 for Stock purpose from Jan 1 to Dec 31 (both dates inclusive)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated
a 0.04 cubic feet per second and/or
b ~~acre feet per annum~~
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc. _____
Pump at creek, pipeline to field and garden and sprinkler on field

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)
c Proposed well diameter is _____ inches, proposed depth of well is _____ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years
b Estimated construction cost is \$ 300.00
- 8 Description of proposed uses
a If water is not for irrigation
(1) Give the place of use of water NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 33 N
Range 3 E B M
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered 3 HORSES

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe _____

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

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 $\frac{1}{4}$	
33	N 3 E	11													1.5				1.5

1.5

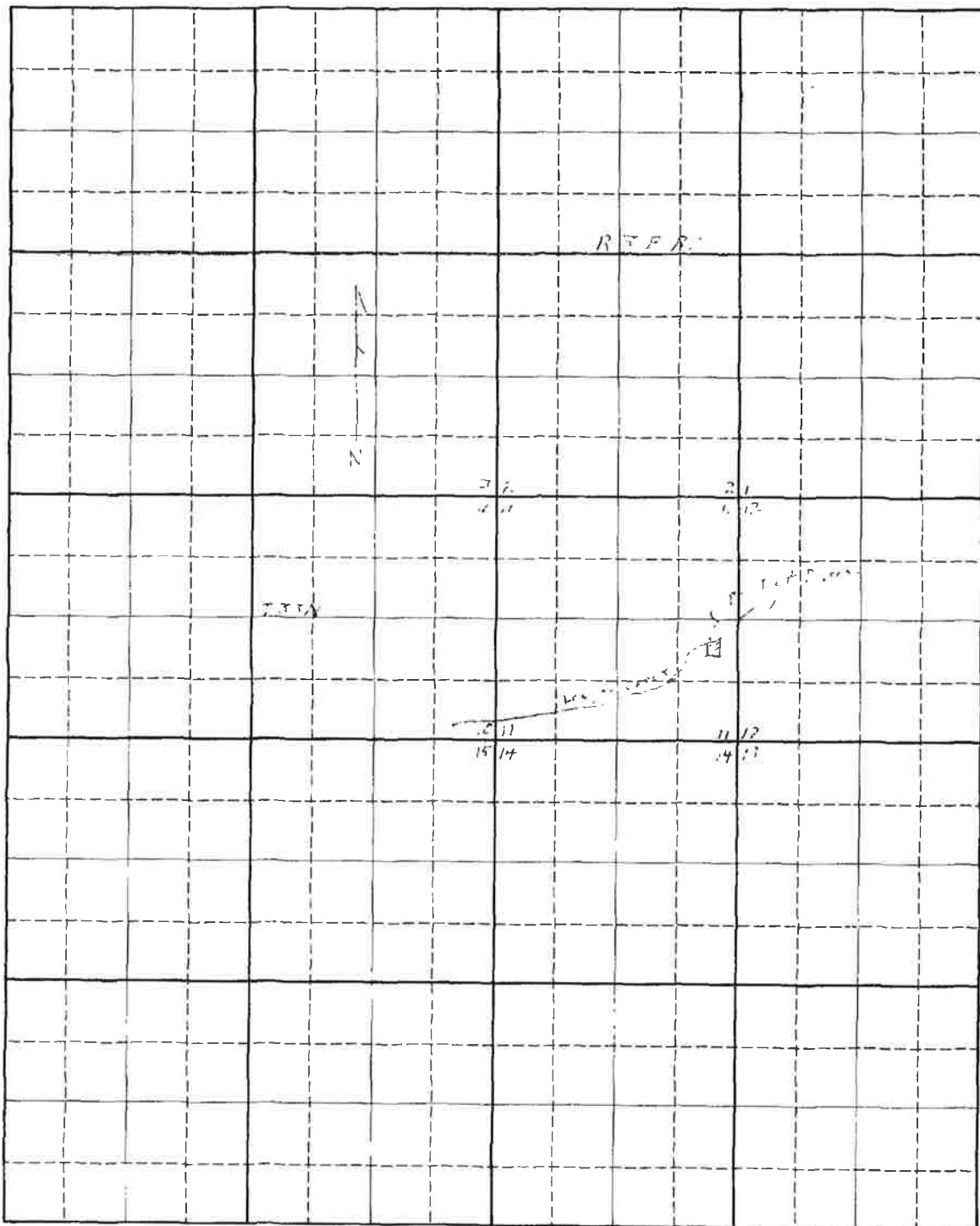
Total number of acres to be irrigated

c Describe any other water rights used for the same purposes as described above

- 9 a Who owns the property at the point of diversion Danny M Peterson
 b Who owns the land to be irrigated or place of use Danny M Peterson
 c If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Verbal lease from Danny M Peterson who is applicants son.

10 Remarks

11. Map of proposed project. show clearly the proposed point of diversion, place of use, section number, township and range number



Scale: 2 inches equal 1 mile

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

B. Edward Peterson
(Applicant)

85 7078

Proposed Priority 1-22-1974

85 7078

Received by CP Date 1-21-74 Time 1:00 pm

Preliminary check by FE Fee \$ 10.00

Received by FE Date 1-22-74 # 12335

Publication prepared by CP Date 1-25-74

Published in Idaho County Free Press

Publication dates 1-30 & 2-6-74

Publication approved CP Date 2-19-74

Priority reduced to _____ Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 85-7078, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a SUBJECT TO ALL PRIOR WATER RIGHTS.

b Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 19 79.

c Other: _____

2. Denial of said application is for the following reasons _____

Witness my hand this 26 day of February 1974.

R. Karl Higin
Director