

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 94-07203

Priority: June 30, 1981

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.04 CFS
1.2 AF

This is to certify, that THOMAS S. LIVICH
MARTHA JANE LIVICH

P.O. BOX 50

CATALDO, ID 838101050

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 29, 1981; and has submitted Proof of Beneficial Use on October 2, 1986. An examination indicates that the works have a diversion capacity of .040 cfs of water from:

SPRING

tributary to LATOUR CREEK

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: NENE , Sec. 17, Township 48N, Range 01E
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

48N 01E 17

NENW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

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MAR 28 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 94-07203

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 15th
day of February, 1990.

Acting for

R. Keith Higginson, Director

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MAR 28 1990

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 94-07203

Date of Priority: June 30, 1981

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.04 CFS
1.2 AF

Comes now

THOMAS S. LIVICH
MARTHA JANE LIVICH

P.O. BOX ⁵⁰~~352~~
CATALDO, ID 83810-1050

and represents to the Director of the

APPROVED

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 94-07203, and requests that the permit be changed as follows:

Source: SPRING

tributary to LATOUR CREEK

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

DOMESTIC

01/01 to 12/31

0.04 CFS

1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENE, Sec. 17, Township 48N, Range 01E
KOOTENAI County

PLACE OF USE: DOMESTIC

TWN RGE SEC

48N 01E 17

NENW

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DEC 20 1989

Department of Water Resources

MICROFILMED

MAR 28 1990

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Mrs Thomas S. Livich this 7 day of December, 19 89.

Mrs Thomas S. Livich
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 94-07203

FOR DEPARTMENT USE ONLY

Preliminary check by kw Fee = \$20.00✓ Received by C. Wong Date 12/20/89 #C013611

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 94-07203 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

Witness my hand this 15th day of February, 1990

R. Keith Higginson
Acting for R. Keith Higginson, Director

RECORDED

MAR 28 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 94-7203 IN THE)
NAME OF MARTHA JANE OR THOMAS S. LIVICH) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October 1, 1986; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, October 1, 1986 the permit lapsed for failure of the permit holders to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on October 2, 1986;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 94-7203 be REINSTATED and the priority advanced to June 30, 1981.

Dated this 14th day of November, 1986.

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DEC 17 1986

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant MARTHA JUNE LIVICH and THOMAS S. LIVICH Phone

Post office address P.O. Box 352, CATALDO, Id. 83810

2. Source of water supply Spring which is a tributary of Latah Creek

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17 Township 48N

Range 1E B.M. Kookerai County, additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 0.04 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.02 for Stock water purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.14 for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.20 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. gravity flow system
from developed spring to place of use

b. Height of storage dam feet, active reservoir capacity acre-feet; total reservoir capacity acre-feet, materials used in storage dam:

Period of year when water will be diverted to storage to inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is inches; proposed depth of well is feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year – maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17 Township 48N
Range 1E B.M.

(2) Amount of power to be generated: horsepower under feet of head.

(3) List number of each kind of livestock to be watered 2 Horses, 1 cow

(4) Name of municipality to be served , or number of families to be supplied with domestic water 1.

(5) If water is to be used for other purposes describe:

APPROVED

DEC 17 1986

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

[illegible]

Total number of acres to be irrigated 5

c. Describe any other water rights used for the same purposes as described above. *None*

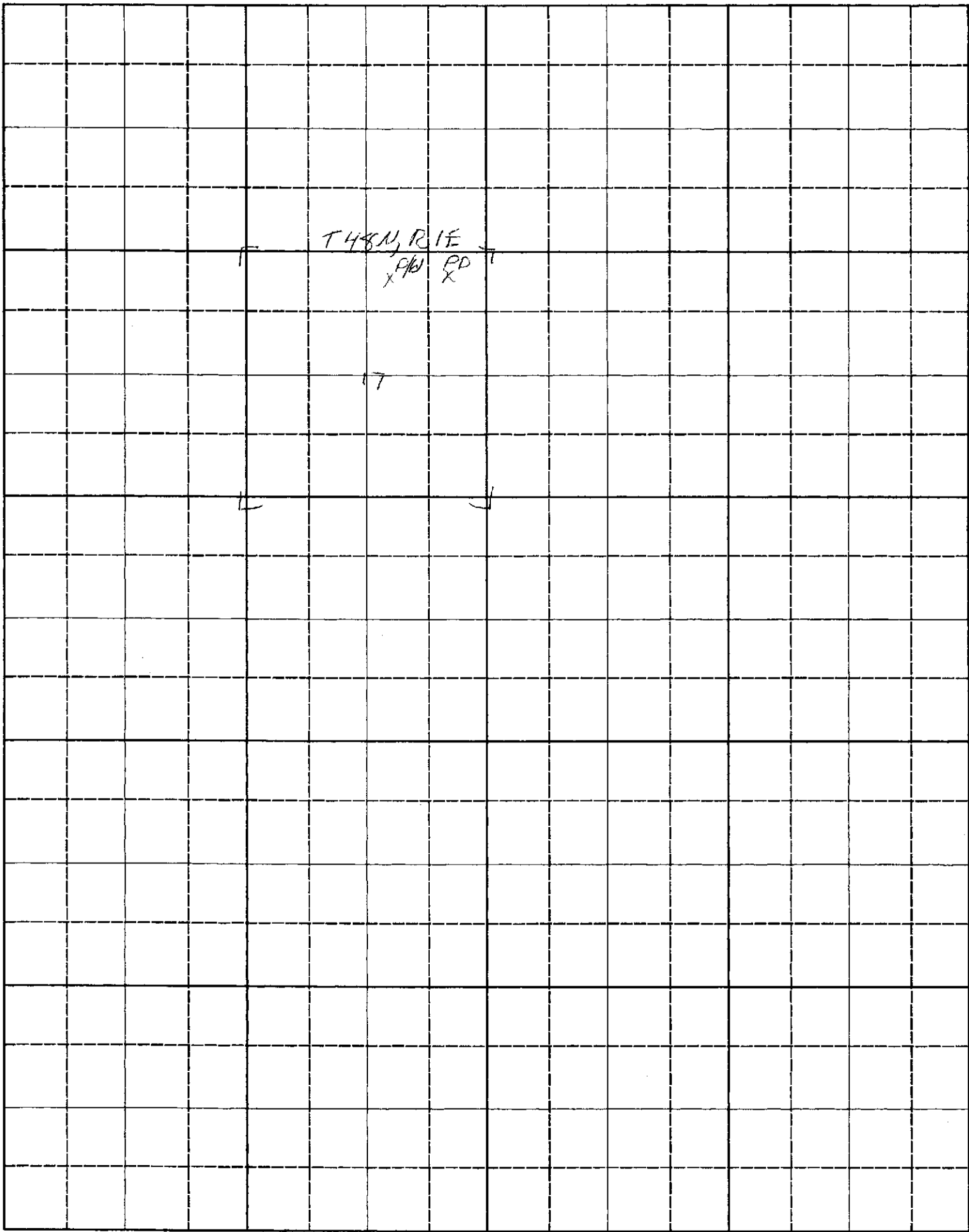
9. a. Who owns the property at the point of diversion *CDN*

b. Who owns the land to be irrigated or place of use *app*

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

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.

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DEC 1 1961

Martha Jane Thwick
(Applicant)

Proposed Priority 6/29/1981

Received by LB Date 6/29/81 Time 4:00
Preliminary check by TK Fee \$ 30.00
Receipted by LB Date 6/29/81 (18212)
Publication prepared by pm Date 7/9/81
Published in Coeur d'Alene Press
Publication dates 7/16 & 23/81
Publication approved pm Date 8/5/81
Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RC

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 94-7203 , 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 October 1 , 19 86 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: _____

Witness my hand this 20 day of October , 19 81 .

David R. Tuttle
ACTING Chief, Operations Bureau

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POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT	LT	#SOURCE	#NAME
				1\4 1\4 1\4			
9407203	48N	01E	17	NE NE		SPRING	LIVICH, MARTHA

INDEXED

MAR 28 1990

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS**

Permit No. 94-7203

Permit No. 11-1205
Name(s) of Permit Holder(s): MARTHA J & THOMAS LIVICH

Post Office Address: Box 352

CATALDO, ED 83810 Tel

4. Thereby certify that construction of diversion works on the above referenced permit began on 1981. I understand that I must

(date)

continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

***Note: A financing difficulty is not an acceptable reason.**

4/22/83
Date

Signature of Permit Holder

Martha Jane Ruich
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

94-7203
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat *None*

Check of P/D index J.A. 1-5-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system
☐ Increase rate of flow or volume
☐ Other: _____

Check of P/U index J.A. 1-5-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume
☐ Add P/D's
☐ Increase number of acres within tracts
☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☐ Photographs of Point of Diversion and Place of Use
- ☐ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Jennifer Arguier (Signature of examiner and date) 7-7-87
Exam Reviewed by Senior Water Resource Agent K 8/87 (Initial and date)
Exam Reviewed by Manager of Regional Office PJA 11/3/87 (Initial and date)
Exam Date Entered in Computer 22-11/4/87 (Initial and date)
Exam sent to State Office 22-11/4/87 (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

REMARKS / PHOTOS

PERMIT # 94-7203

DATE

INITIALS

6-23-87 Go over two bridges up L. Creek
Small road vers up ^{Little} bald creek up that
then turn left J.A.
7-7-87 Appt For 7-7-87 9:00AM J.A.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

REMARKS / PHOTOS

PERMIT # 94-7203

DATE

INITIALS

8/3/87 check on legal with ASST.

• NENE NW 17sec 48N 1E - home ^{#1}

own land

NENE 17sec 48N 1E

~~1E~~

NENE 17sec 48N 1E - home ^{#2}

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MAR 28 1990



STATE OF IDAHO

OF WATER RESOURCES

PERMIT # 94-7203

INITIALS

P/D
← Pipe in
Spring

P/U
#1
Home



#2 home

← P/U
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MAR 28 1990



PRODUCED BY THE UNITED STATES GEOLOGICAL SURVEY
CONTROL BY ... USGS, NOS/NOAA ... 1977
... AERIAL PHOTOGRAPHS TAKEN ... 1985

UNFILMED

T 48N#

R 1E MAR 28 1990

SEL. 17

94-720

EXAM DATE - 7-7-87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: Thomass, & Martha Jane ALivich Permit No. 94-7203
Current Address: P.O. Box 352, Cataldo, Idaho 83810 Phone No. NONE
2. Accompanied by: SAME EXAM. DATE: 7-7-87
Address: SAME Phone No. _____
Relationship to Permit Holder: _____
3. Source: Springs tributary to La tour CR. JK

B. OVERLAP REVIEW

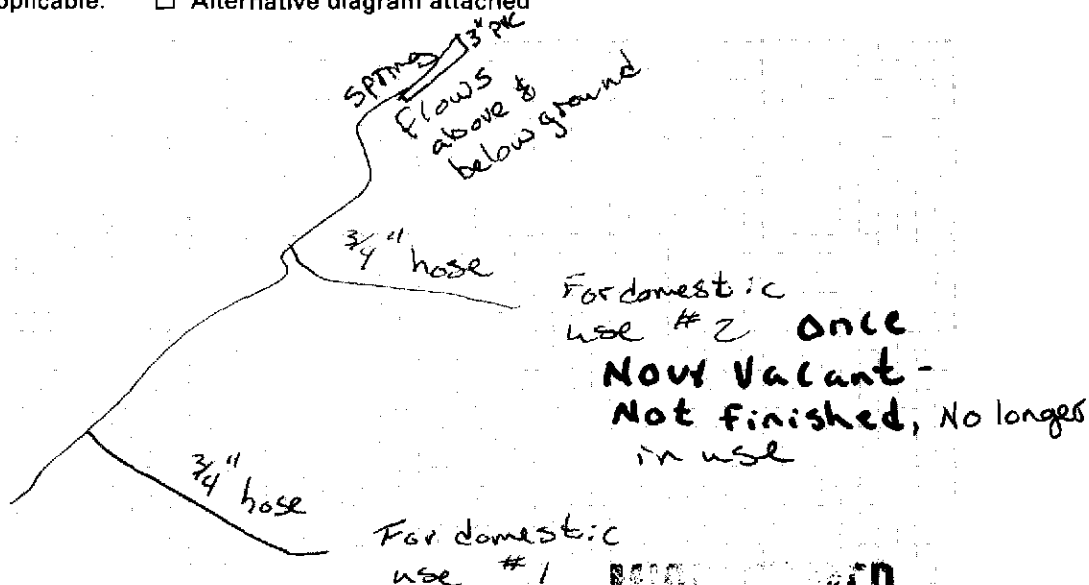
1. Other water rights with same place of use: NONE

☐ Copies Attached
2. Other water rights with same point of diversion: NONE

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = NTS

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more)
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)

Department of Water Resources

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

≈ 3" PVC stuck in ground water flows naturally
to near home, hose is use for inside water
+ 1/2 Ac. lawn & garden. Gravity feed system for 2 homes.
1 home; second home no longer in use.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
—	—	—	—	—	—

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
					NE NE 17	48N	1E	Kootenai	Map - permit

6. Place(s) of Use:

Indicate Method of Determination Map - permit

Twp.	Rge.	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	
48N	1E	17	D				D												

UNRECORDED

MAR 28 1990

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$Q = .04$ via permit for 1 Domestic

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) : Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

$V = 1.8 \text{ AF} = 1.2 \text{ AF}$
1.8 Dom
+ 1/2 AC
lawn &
garden total

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MAR 28 1990

NONE

1. Recommended Amounts

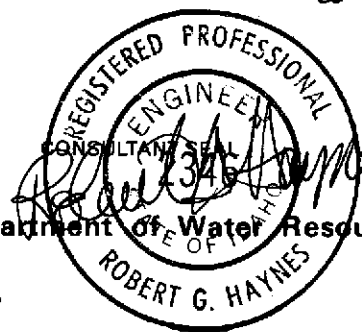
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>1-1</u>	<u>12-31</u>	<u>.04 cfs</u>	<u>1.8 AF</u> <u>1.2 JK</u>
Totals:			<u>.04 cfs</u>	<u>1.8 AF</u> <u>1.2 JK</u>

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☒ Change P.U. as reflected above ^{JK} ☐ Add P.U. as reflected above

☐ None

~~Other~~ ~~more uses~~
~~more diversity~~

Field Examiner's Name Jenniter Argraves
Signature Jennifer Argraves
Certification Date 5/15/87
Field Report Preparation Date 8/12/87



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

reviewed: Royanne McCarthy
3/7/89

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MAR 28 1990

~ALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 94-7203

DATE: 11-4-1986

Date proof received

275

Oct. 2

Proof due

-279

Oct. 1

Number of day proof late

1

Priority date

+181

June 29, 1981

New priority date

182

June 30, 1981

Remarks:

RECORDED
INDEXED

DEC 17 1986

RECEIVED
OCT 6 1986

RECEIVED
OCT 2 1986

Department of Water Resources
Northern District Office

STATE OF ~~Idaho~~ Department of Water Resources

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Fee Received MA
Date 10/11/86
Receipt # 111496
Receipt by MA
Reviewed by MA
Sent to region MA

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 94-7203

Name(s) of Permit Holder: LIVICH, MARTHA JANE & THOMAS S.

Post Office Address: P.O. BOX 352

CATALDO, ID 83810 Telephone No. NO Phone

Source of Water: Spring Feed

Extent of Use:

Domestic X 1 (number of households) Stockwater _____ (number and type of stock)

Irrigation _____ (acres) Other/Remark _____

Total rate and/or volume for which proof is submitted 0.04 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 6-80

Measuring Device: Required? Yes ✓ No
Installed? Yes ✓ No

Fee enclosed \$ MA
(See License Examination Fee Schedule)

Flow Measurement Port: Required? Yes ✓ No
Installed? Yes ✓ No

Person to contact to accompany the Department representative during the field examination:

(Name)

(Telephone Number)

(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

8-18-86

Thomas S. Livich
Martha Jane Livich

DEC 17 1986

Date

Signature of Permit Holder (and title, if appropriate)

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK APPLICATION NUMBER: 94-7203

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

- ☒ Yes ☒ No Field check required.
☒ Yes ☒ No Critical groundwater area.
☒ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: 8/3/81 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 9/5/81 ✓
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
☒ 6/29/81 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: [Signature] Date: 9/9/81

STATE OFFICE REVIEW:

2 w/o cond

- ☐ See attached sheet for more information.
By: [Signature] Date: 10/9/81

RECEIVED
SEP 14 1981