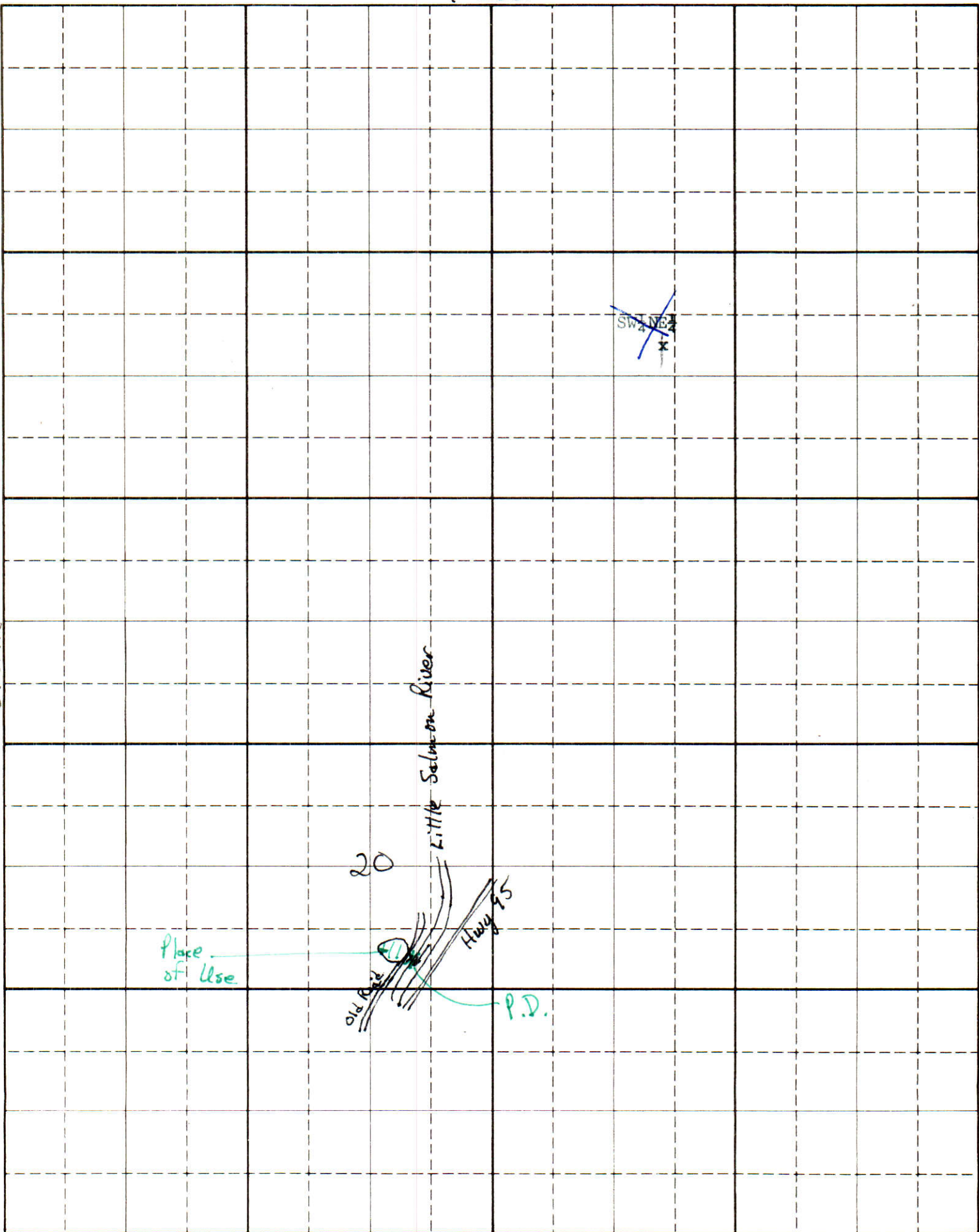


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

1 East

23 North



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.

Patricia A. Spain
(Applicant)

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that Kirk J. &/or Patricia A. Spain Box 194, Pollock, ID has on March 24, 1977 submitted Application No. 78-7093 for a permit to appropriate 0.2 cubic feet per second of water from Little Salmon River tributary of Salmon River by means of Pump, sprinkler pipe and heads within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 20 T23N-R1E B.M., Idaho County to be used from Apr 15 to Oct 31 for the irrigation of 11.4 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 20 T23N-R1E 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 Director of the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho 83705 on or before April 25, 1977.

C. STEPHEN ALLRED

Acting Director

Published in the Idaho
County Free Press,
Grangeville, ID April 6, 1977
and April 13, 1977.

A6-13

AFFIDAVIT OF PUBLICATION

Nona Donaldson

..... being first duly
Office Manager
sworn, says he is the
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 2..... weeks,
being published 2..... times, the first publication being
on the 6th..... day of April....., 197.....7.,
13th
and the last publication on the day of
.....April..... 197.....7.; 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.

Nona Donaldson

Subscribed and sworn to before me this 13th..... day
of April....., 197.....7.

Marilyn J. Stalley, Notary Public
for State of Idaho, residing at Grangeville, Idaho.

OK
4-25-77
JF

MICROFILMED

NOTARY PUBLIC
IDAHO

Notary Public for the State of Idaho
Grangeville, Idaho

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 78-7093 Priority March 24, 1977 Amount .20 cfs

THIS IS TO CERTIFY, that KIRK J. &/or PATRICIA A. SPAIN
of Pollock, Idaho, has complied with the terms and conditions of Permit
No. 78-7093 issued pursuant to Application for Permit dated March 24, 1977,
and has submitted proof to the Department of Water Resources on May 1, 1978,
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 .24 cfs of water from The Little Salmon River,
tributary to The Salmon 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
Irrigation	from <u>April 15</u> to <u>October 31</u> at <u>.20</u> cfs and <u>44</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than .20 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
44 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 20, Twp. 23N,
Rge. 1E, B.M. in the County of Idaho

Description and location of place of use:

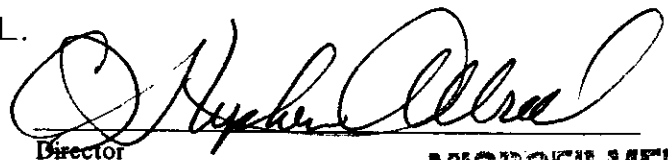
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
23N	1E	20												11	11

Total number of acres irrigated 11

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
January, 19 81.


Director

MICROFILMED

Identification No. _____

Application No. 78-7093

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Kirk J. & Patricia A. Spain Phone: 628-3398
post office address Box 194, Pollock, Idaho 83547
2. Source of water supply Little Salmon River which is a tributary of Salmon River
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 20 Township 23 N
Range 1 E B.M. Idaho County County; additional points of diversion if any: None

- b. If water is not consumed, it will be discharged into Salmon River at a point in SW $\frac{1}{4}$
of SE $\frac{1}{4}$ of Section 20 Township 23N Range 1E B.M. Idaho County

4. Water will be used for the following purposes:

Amount .20 cfs for Irrigation purpose from April 15 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. .20 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Gas driven pump with sprinkler pipe and heads

- b. Height of storage dam NA feet, active reservoir capacity NA 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 One years.

- b. Estimated construction cost is \$ 400.00.

8. Description of proposed uses:

- a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____

(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: _____

MICROFILMED

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				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	
23N	1E	20															11.4		11.4

Total number of acres to be irrigated 11.4

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

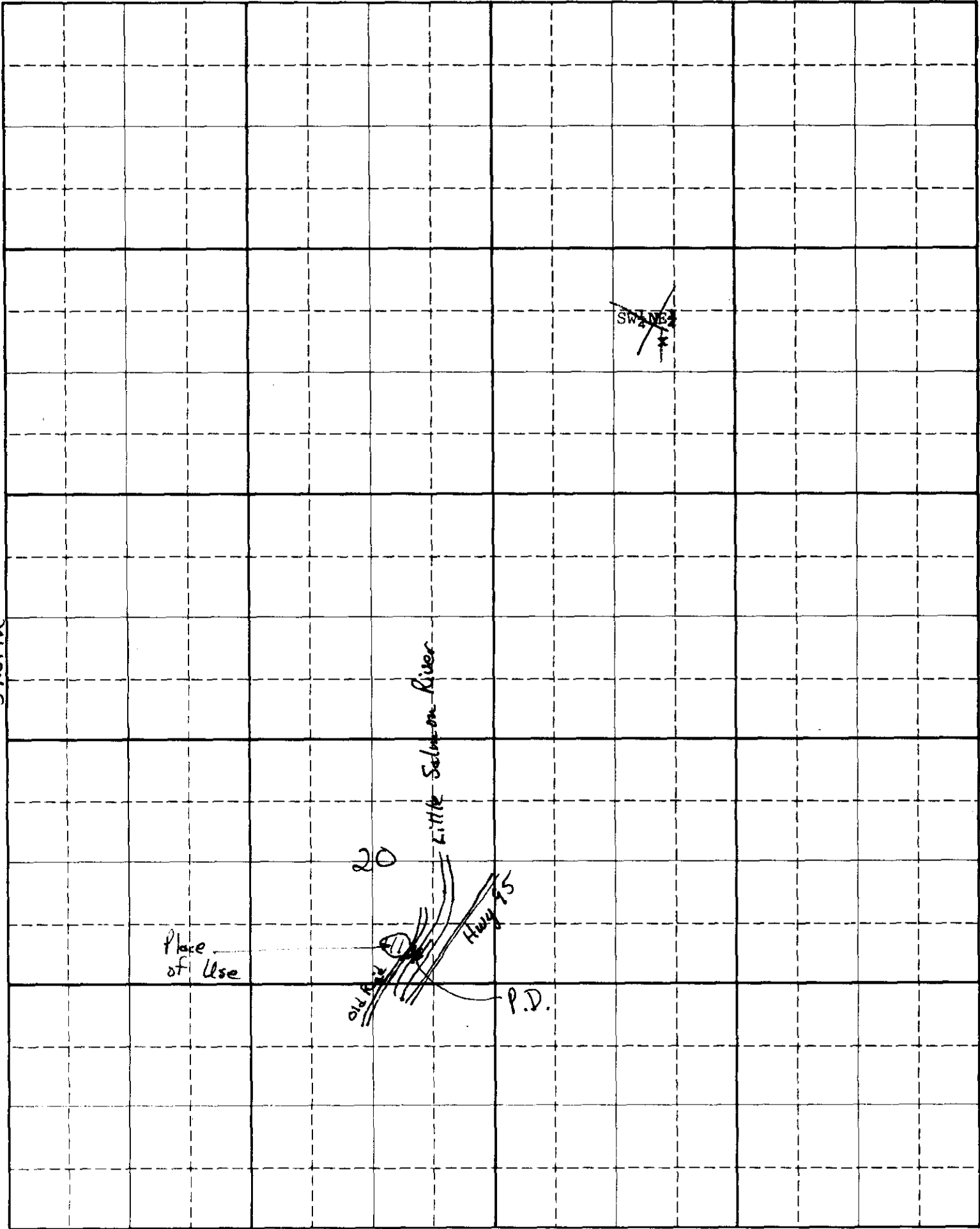
9. a. Who owns the property at the point of diversion Perpetual easement through H.F. Gellenbeck
b. Who owns the land to be irrigated or place of use Kirk and Patricia Spain property.
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to 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.

1 East

23 North



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.

Patricia A. Spain
(Applicant)

Proposed Priority 3/24/77

Received by WKM Date 3-24-77 Time 4:00

Preliminary check by WKM Fee \$ 10.00 #7065

Received by WKM Date 3-24-77

Publication prepared by CS Date 3-31-77

Published in Idaho County Free Press

Publication dates 4-6-77 & 4-13-77

Publication approved Y Date 4-25-77

Priority reduced to Y Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JHJ

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. 78-7093, 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 June 1, 1978.

c. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

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

Witness my hand this 31 day of May, 1977.

[Signature]
Deputy Director

AFFIDAVIT OF PUBLICATION

Nona Donaldson 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 2..... weeks, being published ²..... times, the first publication being on the 6th..... day of April....., 197...7., and the last publication on the 13th..... day of April..... 197...7.; 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.

Nona Donaldson
.....

Subscribed and sworn to before me this 13th..... day of April 7....., 197.....

Marilyn J. Staley
....., Notary Public
for State of Idaho, residing at Grangeville, Idaho.

OK
4-25-77
MF

MICROFILMED

IDENT. NO. 78-7093

WATER RIGHT
DATA ENTRY LOG[illegible]

- DATA ENTRY -

Record

Present Owner: _____

J. Right Basis (for adjudication claims A,B,C only):

7. Period of Use, Use, Diversion Rate/Volume:

from to for purposes. Amount

ff 92579

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. $\text{acc. in} = 11.4$.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date: 6-1-1978

B. Date Permit Approved or Denied: 5-31-1977

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank): *P*

G. Field Exam Made (P,R,F or blank): F

H. Conditions of Approval: 04

14. Diversion Means (brief narrative): *pump, pipeline & sprinklers*



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

February 4, 1981

Kirk & Patricia Spain
Box 194
Pollock, Idaho 83547

Dear Mr. & Mrs. Spain,

RE: License No. 78-7093

Enclosed is a copy of the Water Right License issued on the above referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr

Enclosure

MICROFILMED

FIELD REPORT

- TOTAL ACREAGE** 11.4

[illegible]

Diagram of System

DATE OF EXAM July 5, 1978

ACREAGE
Found 11.4
Recommended 11.4 *round to 11 acres*

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 0.20 c.f.s. V = 44.0 AF/Ann. from April 15 to October 31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured 0.24 cfs Method of measurement estimate

Total Q recommended 0.20 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 45.6 AF/year

Recommended Amendments:
P.D. _____
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:
3/4" nozzles on 15 heads, at estimate operating pressure of 50 PSI
 $Q = 15 \times 15 \text{ heads} \times 7.18 \text{ gpm/head} = 44.88 \text{ gpm} = 0.24 \text{ cfs capacity}$
ALLOW .20 AS PER PERMIT
 $V = 4.0 \text{ AF/year} \times 11.4 \text{ A} = 45.6 \text{ AF/year}$
 $4.0 \times 11 = 44.0$
 $.2 \times 1.9835 \times 198 = 79.2$

SYSTEM DESCRIPTION:
4 cylinder Hercules motor powers centrifugal pump.
3 inch intake in river with 3 inch discharge to sprinkler system.

REMARKS:
Mrs. Spain was present during the exam

Examiner's Signature Willie H. MacAllister Date 7-27-78
Checked by D.B.S. Date 8/1/78
Approved by Robyn Date 1/30/81

7-5-67

Hercules 4 cylinder gas motor

3" line into river ~~Pee~~ Peebles

3" alum. main to field pump

3/16" dual nozzle heads

15 heads assume pressure ~ ⁵⁰ ~~45~~ P.S.I.

Fill out claim for use out of unnamed stream

May 3, 1978

Kirk J. &/or Patricia A. Spain
Box 194
Pollock, ID 83547

RE: 78-7093

Dear Mr. & Mrs. Spain:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise, Idaho.

Sincerely,

JANICE RENK
Water Rights



Identification No. _____

Permit No. _____

RECEIVED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

MAY 1 1978

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Kirk for Patricia A Spain
b) Post Office Address Box 194 Pollock ID 83547
2. Permit Number 78-7093
3. Date of Priority that you are prepared to establish 3/24/77
4. a) Source from which water was appropriated Little Salmon River
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 20
Township 23 N, Range 1 E Boise Meridian, Other points of diversion: None

5. a) The amount of water and use to which the water has been applied:
Amount .20 CFS for Irrigation purposes from April 15 to Oct 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated .20 cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: The pump is a Zenith Centrifugal pump which would not pump more than the above amount.

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement or understanding by which you take water from the works:

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Zenith pump. driven by gasoline engine.

Water is conveyed to a crease by plastic pipe.

b) Describe the type and size of measuring device which you have installed at your point of diversion: Zenith pump.

c) Give well driller's name and address and the date the well was completed:

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

Exam typed 5/2/78 by [signature]

WATER



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

March 31, 1978

CERTIFIED MAIL

128548

Re: Permit No. 78-7093

Kirk J. &/or Patricia A. Spain
Box 194
Pollock, Idaho 83547

Dear Mr. & Mrs. Spain:

One of the conditions of approval of your water Permit No. 78-7093 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before June 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.


NORMAN C. YOUNG
Administrator,
Resources Administration Division

NCY:jfr

Encl: Proof affidavit

June 6, 1977

Re: Permit No. 78-7093

Kirk J. &/or Patricia A. Spain
Box 194
Pollock, ID 83547

Dear Mr. and Mrs. Spain:

Enclosed is a copy of your approved Application for Permit No. 78-7093 . We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

RECEIVED
JUN 14 1977
WATER RIGHTS

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 78

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) WAM 3-25-77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) WAM 3-25-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels: N/A
_____ Declining, _____ Stable, _____ Increasing
(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) y OC

Affidavit of Publication received(date) 4-25-77

(12) _____

Final date for protests 4-25-77
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction

NO Measuring device required
✓ R/W clause
See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By WJH Date 4-26-77

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

April 1, 1977

Re: Notice of Application for Water Permit No. 67-7307 -- Emmett F. Hartnett

The Signal American
P. O. Box 709
Weiser, ID 83672

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due after allowing all just credits and that no part of the same has been paid."

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before April 25, 1977.

Sincerely,

MICROFILMED

Bill submitted
4-25-77
J

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Kirk J. &/or Patricia A. Spain
Box 194, Pollock, ID
has on March 24, 1977 submitted Application No. 78-7093
for a permit to appropriate 0.2 cubic feet per second acre feet
XXXXXXXXXX per annum of water from Little Salmon River tributary of Salmon River
XXXXXXXXXX by means of Pump, sprinkler pipe and heads
within the SW $\frac{1}{4}$ Sec 20 T23N R1E B.M., Idaho County
XXXXXXXXXX
XXXXXXXXXX
to be used from Apr 15 to Oct 31
for the irrigation of 11.4 acres
XXXXXXXXXX
within the ~~SW $\frac{1}{4}$ Sec 20 T23N R1E B.M.~~ SW $\frac{1}{4}$ Sec 20 T23N R1E B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Director of
the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho
83705 on or before April 25, 1977.

C. STEPHEN ALLRED
Acting Director

Published in the Idaho County Free Press, Grangeville, ID
April 6, 1977 and April 13, 1977.

MICROFILMED