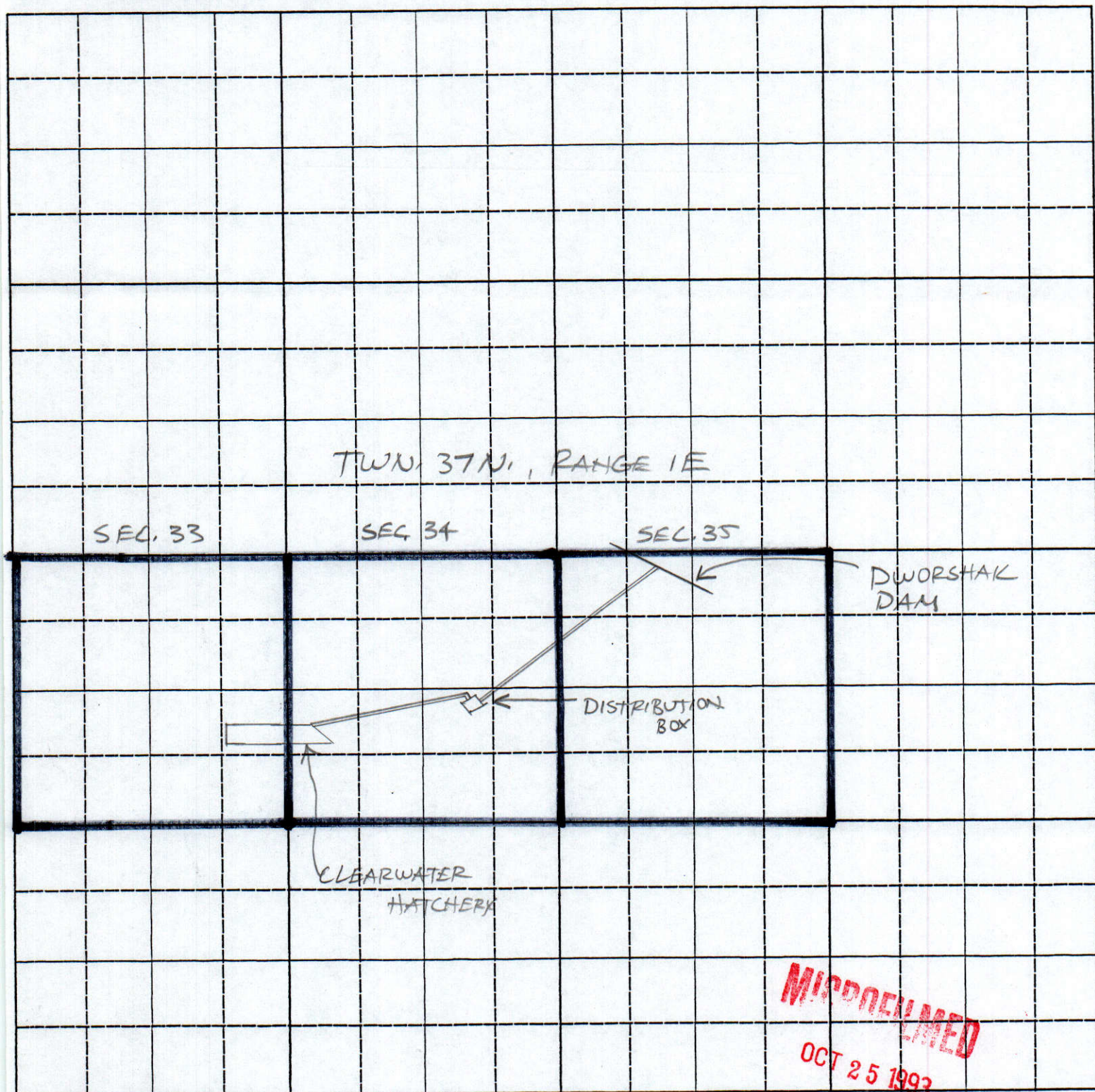


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

[Signature]

(Applicant)

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

 Date 081293 INVOICE No. L00377233

 Account No. 964750 05-07593

 Description 77233NOTIC

 Times 2 Lines 63

Tab Lines _____

**LEGAL ADVERTISING
INVOICE**

 \$ 157.50

SOLD TO:

 DEPT OF WATER RESOURCES
1910 NORTHWEST BLVD. 210
COEUR D'ALE
ID 83814

 NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

77233

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

85-07593

 STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25

BOISE, IDAHO 83720

Source: CLEARWATER RIVER, NORTH FORK

Tributary: CLEARWATER RIVER

Diversion Pt.: NENW Sec 35 T 37N R 01E in CLEARWATER County.

Use: FISH PROPOGATION (89.000 CFS)

Total Diversion: (89.000 CFS)

Date Filed: 5/6/1993

In: CLEARWATER County

T37N R01E S33 NESE

S34

NWSW

86-07324

CITY OF LEWISTON

P.O. BOX 617

LEWISTON, ID 83501

Source: CLEARWATER RIVER

Tributary: SNAKE RIVER

Diversion Pt.: SENW Sec 27 T 36N R 05 W

SWSE Sec 27 T 36N R 05W in Nez Perce County

Use: IRRIGATION (4.00 CFS)

STOCKWATER (.020 CFS)

INDUSTRIAL (1.400 CFS)

COMMERCIAL (.570 CFS)

MUNICIPAL (6.200 CFS)

MUNICIPAL (18.600 CFS)

DOMESTIC (.240 CFS)

Total Diversion: (18.600 CFS)

Date Filed: 4/28/1993

In: NEZ PERCE County

T35N R04W

S17

S18

NWSW

SESW

SENE

NESW

NWSW SESW

NESE

NWSE

NWNW

NWNW

NESE

SESE

NESW

NWSW

R05W

S04

S13

R06W

S12

S13

S24

T36N R05W

S29

S30

S33

NENE

NWNE

NESE

SWNE

NWSW

SWSW

20.0 ACRES TOTAL

MUNICIPAL USE IS LOCATED WITHIN THE CITY LIMITS OF LEWISTON.

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 85-7589 in the name of Gregory J. Dillon was advertised incorrectly on May 20 & 27, 1993.

One use did not include an amount of water. It should correctly be shown as Fish Prop. Storage (0.68A/F).

(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814 on or before August 23, 1993.

R. KEITH HIGGINSON, Dir.

Published in the Lewiston Morning Tribune on August 5 and 12, 1993.

AFFIDAVIT OF PUBLICATION

 STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis

being duly sworn,

poses and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication began on 080593, or once a

WEEK for 2 consecutive WEEKS, the first publication thereof being on the 080593, and the last publication thereof being on the 081293, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of said newspaper and in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 13

of August 1993

1993

Sherel M. Lantz

 Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

OCT 25 1993 Commission Expires 6-6-97

NOTICE OF
APPLICATION FOR
WATER RIGHT

The Following
application(s) have been
filed to appropriate the
public waters of the State
of Idaho:

35-07593

STATE OF IDAHO

DEPT OF FISH AND

GAME

PO BOX 25

BOISE, ID 83720

Source: CLEARWATER

RIVER, NORTH FORK

Tributary: CLEARWATER

RIVER

Diversion Pt: NENW Sec

35 T 37N R 01E in

CLEARWATER County.

Use: FISH PROPAGA-

TION (89.000 CFS)

Total Diversion: (89.000

CFS)

Date Filed: 5/ 6/ 1993

In: CLEARWATER County

T37N R01E S33 NESE

S34 NWSW

86-07324

CITY OF LEWISTON

PO Box 617

LEWISTON, ID 83501

Source: CLEARWATER

RIVER

Tributary: SNAKE RIVER

Diversion Pt: SENW Sec

27 T 36N R 05W

SWSE Sec 27 T 36N R

05W in NEZ PERCE

County.

Use: IRRIGATION (.400

CFS)

STOCKWATER (.020

CFS)

INDUSTRIAL (1.400

CFS)

COMMERCIAL (.570

CFS)

MUNICIPAL (6.200 CFS)

MUNICIPAL (18.600

CFS)

DOMESTIC (.240 CFS)

Total Diversion: (18.600

CFS)

Date Filed: 4/ 28/ 1993

In: NEZ PERCE County

T35N R04W S17 NWSW

SESW

S18 SENE NESW NWSW

SESW

NESE NWSW

S19 NWNW

R05W S04 NWNW

S13 NESE SESE

S22 NESW NWSW

R06W S12 NENW

S13 NWNW

S24 NENE NWNW

T36N R05W S29 NESE

S30 NWNW SWNE

S33 NWSW SWSW

20.0 ACRES TOTAL

MUNICIPAL USE IS LO-

CATED WITHIN THE

CITY LIMITS OF LEWIST-

ON.

For additional information

concerning the property lo-

cation, call the Northern

Regional Office at (208)

769-1450.

The permit(s) will be sub-

ject to all prior water

rights. Protests must be

filed with the Director,

Dept. of Water Resources,

Northern Region, 1910

Northwest Blvd., Suite

210, Coeur d' Alene,

Idaho 83814 on or before

AUGUST 23, 1993.

R. KEITH HIGGINSON,

Director

PUBLISHED: 8/ 5/ 1993

Affidavit Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

I, Linda Capps McGuire being first duly sworn upon oath, depose
and say that I am Prine Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive Weeks,
commencing with the issue dated August 5, 19 93,
and ending with the issue dated August 12, 19 93.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO

COUNTY OF TWIN FALLS

On this 1 day of September in the year of 1993, before me,

a Notary Public, personally appeared Linda Capps McGuire,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

MICROFILMED

Notary Public for Idaho

Residing at

My commission expires:

OCT 25 1993

Twin Falls
5/19/94

RECEIVED

SEP 1 1994

STATE OF IDAHO

~~Department of Water Resources~~

DEPARTMENT OF WATER RESOURCES

FOR OFFICE USE ONLY

Amt. of Fee \$: 600

Receipt No. 03181

Receipt By: RT

Date Received: 9-1-91

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have 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, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 85-07593-83-07127 Telephone No. (208) 334-3730
Department of Fish & Game
2. Name(s) of Permit Holder(s): State of Idaho/US Dept. of Defense
3. Mailing Address: 600 S. Walnut, P.O. Box 25, Boise, ID 83707
4. Source of Water: No. Fork Clearwater River GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____
a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____
b. **OPTIONAL:**
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: Fish Propagation
6. Total rate of diversion and/or volume for which proof is submitted: 89 cfs OR _____ acre feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
- | | | | | |
|------------------------|--|--------------|----|----------|
| Measuring Device: | Is a measuring device required? | Yes <u>X</u> | or | No _____ |
| | Has the measuring device been installed? | Yes <u>X</u> | or | No _____ |
| Flow Measurement Port: | Is a flow measurement port required? | Yes _____ | or | No _____ |
| | Has the measurement port been installed? | Yes _____ | or | No _____ |
8. Fee Enclosed: \$ 600.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Philip G. Jeppson Telephone Number: (208) 334-3730
Address: 600 S. Walnut, P.O. Box 25, Boise, ID 83707
10. The information given on this form 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.
- Signature of permit holder: [Signature] - Chief of Engineering Date: 8-29-94
(include your title, if on behalf of company or organization)

DEC 07 1994

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. ~~83-07593~~ 83-07127

Proposed Priority: May 6, 1993

Maximum Diversion Rate:

89.00 CFS

This is to certify, that **STATE OF IDAHO**
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 837200025

has applied for a permit to appropriate water from:

CLEARWATER RIVER, NORTH FORK tributary of **CLEARWATER RIVER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
FISH PROPAGATION	01/01 to 12/31	89.00 CFS

LOCATION OF POINT(S) OF DIVERSION: NENW , Sec. 35, Township 37N, Range 01E
CLEARWATER County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

37N 01E	33	NESE
	34	NWSW

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1994**.
2. Subject to all prior water rights.
3. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
4. Assignment or sale of this right is subject to a determination by the Department that the right holder has proceeded to develop the right with due diligence and without speculation.
5. The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
6. Measuring devices of a type approved by the Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
7. The issuance of this right in no way grants any right-of-way or easement across the land of another.
8. Place of use is locally known as Clearwater Hatchery.
9. Fish propagation use is for 1.5 million chinook salmon, 2 million steelhead, and 250,000 rainbow trout.

APPROVED
OCT 25 1993

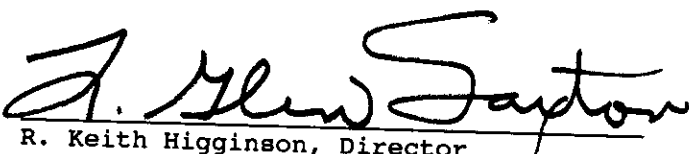
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. ~~65-07593~~ 83-07127

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

18th day of October, 1993.

for 
R. Keith Higginson, Director

RECEIVED

1993

RECEIVED

MAY 06 1993

RECEIVED
6/85
SEP 23 1993

Department of Water Resources

STATE OF IDAHO

Ident. No. 85-7593

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

Department of Water Resources

To appropriate the public waters of the State of Idaho

PER PHONE CALL WITH
STEVE GALE - CORPS 8/3/93 AS

1. Name of applicant State of Idaho Dept. of Fish & Game
U.S. Army Corps of Engineers/Clearwater Hatch Phone (509) 522-6516
Post office address PO Box 25 BOISE ID 83720
Building 602, City County Airport, Walla Walla, WA 99362

2. Source of water supply NF Clearwater River/Dworshak Reservoir which is a tributary of Clearwater River

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 35
Sec. 35 Township 37 N Range 1 E B.M. Clearwater County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 89 for Fish Propagation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)

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

Amount _____ for _____ purposes from _____ to _____ (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 is (a) 89 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. two pipelines from Dworshak Reservoir to
distribution box. A 36" diam. concrete cylinder pipe from surface intake and an
18" diam. concrete cylinder pipe from a deep water inlet supply water through the dam
to the distribution box. 20" diam. & 18" diam. concrete cylinder pipe divert water from
the distribution box to the hatchery.

b. Height of storage dam 717 feet; active reservoir capacity 2,000,000 acre-feet; total
reservoir capacity 3,450,000 acre-feet; period of year when water will be diverted to storage:

Jan. 1 to Dec. 31 inclusive.

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? no

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

OCT 25 1993

8. Description of proposed uses (if irrigation only, go to item 9):
- Hydropower; show total feet of head and proposed capacity in KW. _____
 - Stockwatering; list number and kind of livestock. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. _____
 - Other; describe fully. Fish Propagation. 1.5 million chinook salmon. 2 million steelhead, 250,000 rainbow trout.
9. 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 the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

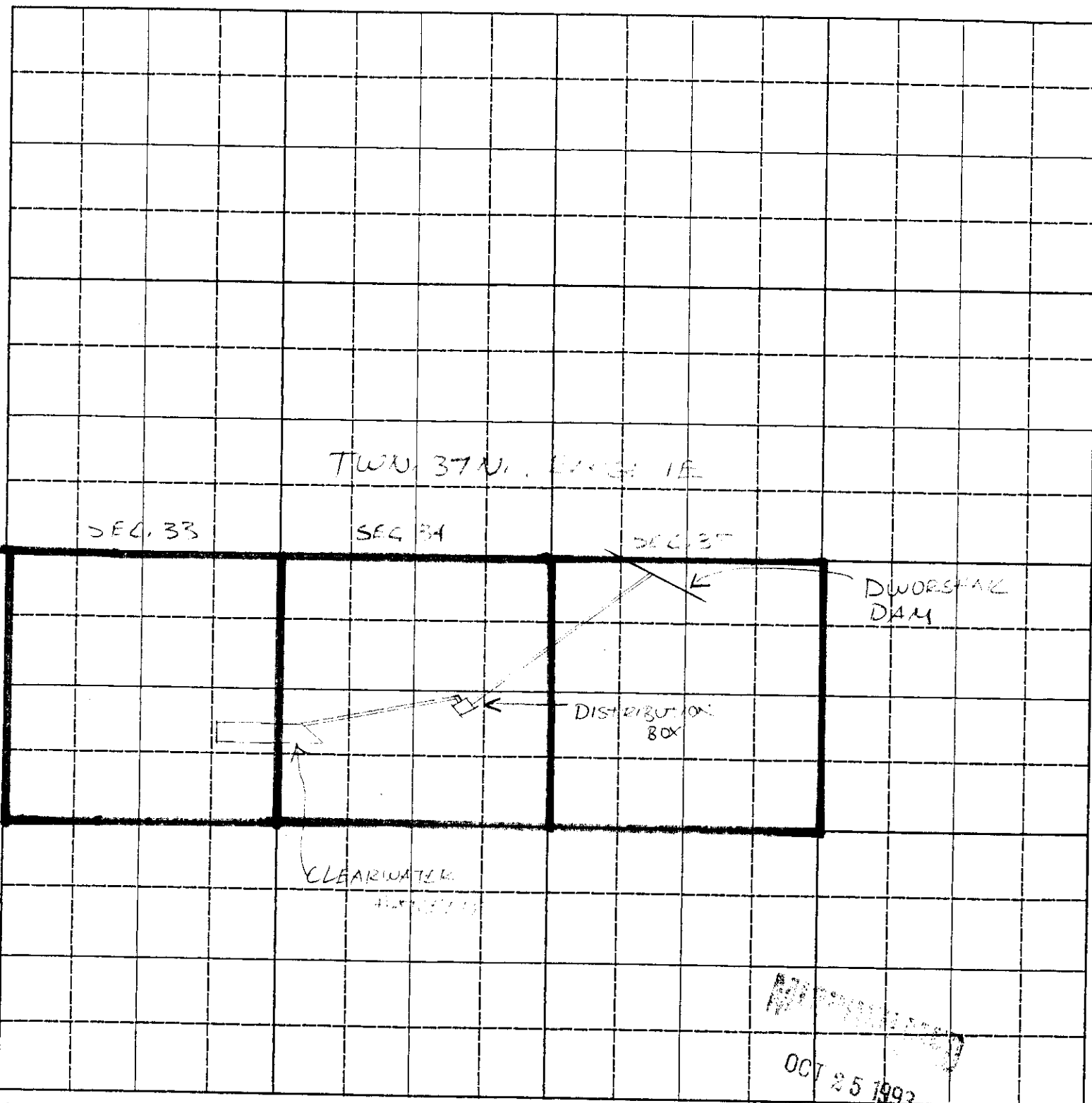
TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
37N	1E	34																	
37N	1E	33									H								
															H				

Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. _____
11. a. Who owns the property at the point of diversion? U.S. Army Corps of Engineers
- b. Who owns the land to be irrigated or place of use? U.S. Army Corps of Engineers
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Idaho Department of Fish and Game operates the Clearwater Fish Hatchery for the U.S. Army Corps of Engineers.
12. Remarks: _____

OCT 25 1993

13. 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.

[Signature]

(Applicant)

Received by for office Date 5/10/93 Time 2:45 PM Preliminary check by _____
Fee \$ 1,115.00 Receipted by CA # C 27424 Date 5/16/93
Publication prepared by _____ Date 7/28/93 Published in Idaho Stateman Post Register
Publication approved _____ Date 9/21/93

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. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

CCT 45 1993

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 85-7593 Reviewed by Jy Date 9/27/94

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

☒ Surface water source
☐ Ground water source
____ Drilling permit required?
____ Copy in the file? Drilling Permit No. _____
____ Amount paid for permit _____ Correct?
____ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
600.00 Amount Submitted
yes Correct?
yes Required?
yes Installed?
____ Waiver requested?

PRIORITY CALCULATION

Date proof received _____
Date proof due _____ - _____
No. of days late _____ = _____
Priority Date _____ + _____
New Priority Date _____

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____

Proof Made 9/1/94

September 29, 1994

STATE OF IDAHO
US DEPT OF DEFENSE
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 837200025

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 85-07593

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
DEC 07 1994

July 31, 1994

STATE OF IDAHO
US DEPT OF DEFENSE
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 837200025

PROOF DUE NOTICE

RE: PERMIT NO. 85-07593

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

DEC 07 1994





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

February 24, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: Permit No. 85-07593

Jerry M. Conley
Idaho Fish & Game
600 S. Walnut/Box 25
Boise, ID 83707-0025

Dear Mr. Conley:

You recently corresponded with our department concerning the above referenced permit. You explained how the land and facilities are owned by the Corps of Engineers but the hatchery is operated by Fish and Game and requested that the Corps of Engineers be added to the water right as joint owners.

Although Fish and Game does not own the property listed as the place of use, a permit is simply authorization for the right holder of record to develop the use as described. Your letter, though, helped to clarify the eventuality of the right and we have no problems with showing joint ownership with the Corps of Engineers and they have been added to our computer records.

If we can be of further assistance, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

RECEIVED

DEC 07 1994



IDAHO FISH & GAME

600 South Walnut / Box 25
Boise, Idaho 83707-0025

Cecil D. Andrus / Governor
Jerry M. Conley / Director

November 8, 1993

RECEIVED
NOV 15 1993
Department of Water Resources

Mr. Jim Johnson
Water Rights Supervisor
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

RE: Permit No. 85-07593 (Clearwater Hatchery)

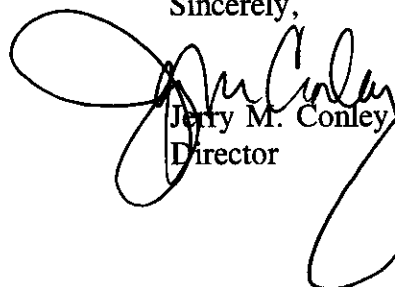
Dear Mr. Johnson:

We have received a copy of the above-referenced permit and have the following comments. The land and the facility are owned by the U.S. Army Corps of Engineers (Corps), but the hatchery is operated by the Idaho Department of Fish and Game (IDFG). The original application for permit was filed in the name of the Corps, not the IDFG, but this was apparently changed at the Corps' request. At other Corps-built hatcheries within the state the Corps has transferred ownership of the facilities to the U.S. Fish and Wildlife Service (USFWS), and the water rights now are held in the name of the USFWS. We anticipate the same action occurring at the Clearwater facility; however, ownership has not yet been transferred to the USFWS.

It is our understanding of state water law that because IDFG does not own the property listed as the place of use, it is not appropriate for us to own the water right. In fact, as stated above, the USFWS is the entity that will eventually own the facility and will hold the water right. In the interim, we request the application for permit be amended to show joint ownership by the Corps and the IDFG until such time as the facilities and the water rights are transferred to the USFWS.

If we can provide any additional information regarding this request, please call Cindy Robertson at 334-2597.

Sincerely,


Jerry M. Conley
Director

CR:alb

cc: Tom Rogers, Fisheries
Jerry McGehee, Clearwater Hatchery
Ed Crateau, USFWS, LSRCO, Boise

DEC 07 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 19, 1993

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 837200025

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07593

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Please be advised that water quality is subject to regulations of the Idaho Department of Health and Welfare. We suggest that you check with them before starting construction.

Please be advised that your plans for fish propagation may be subject to regulations of the Idaho Department of Fish and Game. We suggest that you check with them before starting construction.

Sincerely,

for JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED

OCT 25 1993

APPLICATION FOR PERMIT
STATE OFFICE REVIEW

Application #: 85-7593 Date: 9/28/93 Reviewer: Cindy Zimmerman

AREA OF CONCERN? - No/Yes S/C Mor
SYSTEM COMPLETED:
No - 26A-P17
Complete in 1 year - P16
Yes
Proof not submitted - ~~P16~~
Proof submitted - N/A
GROUNDWATER:
+ 0.2 cfs <flo-ch> - 01G-P03 (new), 01C-P03 (existing), NMR
- 0.2 cfs - NMR <flow chart>
Drilling Permit:
Included w/permit - P99 Permit No. _____
Existing well - N/A (if drilled before 7/1/87)
No WD permit? - 046-46A<Irr>-46B-P23 (if drilled after 7/1/87)
SURFACE WATER: not in WD - 01C-P03 (+.2 w/pump), NMR <flow chart> (see below)
LOCATION:
Water District - WD No. _____
Surface water - 005 or 005-01J-P08 (+.2)
or 005-01H-P01 (-.2 w/pump); NMR
Groundwater - P05 (if well has not been drilled)
In stream channel - 030 (stream channel alteration)
Irrigation Dist. - 023
Canal Co. Areas - 023
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (Groundwater temperature)
Swan Falls Flag - B <See condition code chart>
Trust - 051-052-053-P74 (Consumptive Uses)
Non Trust <1> - 048-049
RIVER BASINS (Surface): Water District Control Condition (005) &....
Boise (63) - 05A (req), 11E (non-domestic use), NA
Payette (65) - 064 (consump. use), 047-P04 (Payette Lake), NA
Snake (01, 02 & 03) - 11A-P04 (01), 061-P07 (02/03 No W.D.Cond.), NA
USE:
Fish Propagation - 010/06A/09E-P10(WQ) & 07A-042-002-P06(MD) (req)
044 (N 1000 Spr)
Irrigation - 803 (if GW use SW 1st) (+5A do POU comparison)
Power - 08A-17K-025-027 (req); 01F-P19; 09E-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERE); 18B-P09
Mining - 06A/010/09E-P10 & 054 (req)
Storage (✓ 3 compo.) - 18A-for multi MD in WD, 18B-P09 (+10' high dam)
Domestic (surface) - 021 (Boise R + L Peak), 27A (Payette R)
OWNERSHIP:
Non land owner - 004 (P/D or P/U)
PROTESTED:
Prehearing agreement - 020
OTHER CONDITIONS:
REMARKS:
① P/P locally known as Dwarshak Reservoir -
② P/U locally known as Clearwater Hatchery
BENEFICIAL USE DUE: - 10 -1-199 4
COMMENTS: - (1) Mor Exempt (2) Div Sec. 39/44 P/D owned by Corp of Eng.

WR0749NP
No. P85-07593

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 10/07/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE ID 837200025	05/06/1993	FISH PROPAGATION	01-01 12-31	89.00 CFS	
TOTAL DIVERSION:					89.00 CFS	

Water Source: CLEARWATER RIVER, NORTH FORK

Tributary to: CLEARWATER RIVER

Stage: PERMIT

Point(s) of Diversion:

T37N R01E S35

NE NW

Place of use Legal Description for: FISH PROPAGATION

				NE				NW				SW				SE							
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
37N	01E	33	:					:					:					:					:
37N	01E	34	:					:					:					:					:

Pou County: CLEARWATER

Conditions of Approval:

- 09E - Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
- 07A - Assignment or sale of this right is subject to a determination by the Department that the right holder has proceeded to develop the right with due diligence and without speculation.
- 042 - The right holder shall be required to provide the Department, upon request, information showing volume changes per hour necessary to maintain an adequate environment for the fish propagation facility. Volume changes per hour shall be based upon actual fish production.
- 002 - Measuring devices of a type approved by the Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.
- 004 - The issuance of this right in no way grants any right-of-way or easement across the land of another.

Remarks: Place of use is locally known as Clearwater Hatchery.
Fish propagation use is for 1.5 million chinook salmon,
2 million steelhead, and 250,000 rainbow trout.

Dates: App. Received: 05/06/1993 Priority Date: 05/06/1993
Proof Due Date: 10/01/1994 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

MEMORANDUM

DATE: September 30, 1993
TO: File No. 85-87593
FROM: Jim Johnson
SUBJECT: Rule 4,5,3 information

=====

In this application, Idaho Fish & Game proposes diverting 89.0 cfs for fish propagation at their Clearwater Hatchery facility. Due to the diversion rate, the rule 4,5,3 normally would apply to this application. However, this application covers an existing use for the Clearwater Hatchery facility; therefore, the additional information requirement of rule 4,5,3 concerning potential impacts and feasibility is not necessary.

MICROFILMED

OCT 25 1993

RECEIVED
SEP 23 1993

APPLICATION # _____

***** INITIAL REVIEW ***** Department of Water Resources

APPLICANT: U.S. ARMY CORPS

BY:

DATE: 5/6/93

ITEM	REQUIRED INFORMATION
------	----------------------

1. (x) Name and Address
2. (x) Source
3. (x) Point of Diversion & County
4. (x) Quantity
(x) Nature of Proposed Use
(x) Period of Use
5. (x) Total Quantity
6. (x) Description of diverting works
7. (x) Time required for b/u
8. (x) Proposed use
9. (x) Place of use or acres irrigated
10. (x) Other Water Rights
11. (x) Ownership
13. (x) Map
(x) Signature
(x) Fee (Amt, recpt, acknowlegment)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

Yes No

- _____ X Field check: by _____
 _____ / Field report attached
 _____ / Analysis Supp. attached(>5cfs/500af)
 _____ d Water delivered by water master?
 _____ Water District # _____

PROCESSING

Yes No

PRIORITY DATE: 5/6/93

X (Include Moratorium Remark)

 x Statewide Avertising: (Diversion rate
greater than 10 cfs or 1,000 af).

ADVERTISE IN: CLEARWATER County.

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
 () Power Information () Other: _____
- NEED TO ALTER
DATA ENTRY*

INFORMATION RECEIVED:

- () Dam Information () Fish Information
() Power Information () Other: _____

Water District # _____

***** GROUNDWATER SECTION *****

(Yes) (No)

Checked by: _____ Date: ____/____/____

Remarks:

- | YES/NO | | Remarks |
|-------------------------------------|---|---------|
| ☒ | Groundwater management area | |
| ☒ | Critical ground water area | |
| ☒ | Well Drilling Permit required | |
| ☒ | Well Drilling Application and Fees received | |
| ☒ | Well Drilling Application approved? | |
| | Well Drilling Application Number | |

***** FINAL REGIONAL PROCESSING/REVIEW *****

(Yes) (No)

Notice of pending void order issued. Final order response date: ___/___/___

- ☒ Further information required from applicant
☒ Affidavit of publication received
☒ Application published correctly, If not, record action taken:
Clearwater Sub used wrong name in ad. - Blom said not to re-ad. - 9/21/93
☒ Publication dates and paper recorded on application | Sr. Agent initial MS
☒ Protests received. Final protest date: 8/23/93
☐ Measuring device required
☐ Measuring port required
☐ Special conditions:
☐ Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by:

Date: 9/21/93

85-07593

US DEPT OF DEFENSE
DEPT OF ARMY
CORP OF ENGINEERS
BLDG 602 CITY COUNTY AIRPORT
WALLA WALLA, WA 99362

*State of Idaho
Dept of Fish & Game
P.O. Box 25
Boise, ID 83720*

*Original on
2/21/93*

Source: CLEARWATER RIVER, NORTH FORK Tributary: CLEARWATER RIVER

Diversion Pt: NENW Sec 35 T 37N R 01E in CLEARWATER County.

Use: FISH PROPAGATION (89.000 CFS)
Total Diversion: (89.000 CFS)

Date Filed: 5/ 6/1993

In: CLEARWATER County
T37N R01E S33 NESE
S34 NWSW

RECEIVED

OCT 25 1993

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Clearwater)

Bonnie M. Bessent

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE; that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of:

Water Rights

That said Rights

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for a full period of two consecutive issues commencing on the 5th day of August 1993 and ending on the 12th day of August 1993

Bonnie M. Bessent
STATE OF IDAHO)
COUNTY OF CLEARWATER)

On this 12th day of August in the year of 1993, before me, a Notary Public, personally appeared Bonnie M. Bessent

known or identified to me to be the person whose name subscribed to the within instrument, and being by me duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same

Janice A. Linke
Notary Public for Idaho
Resident at Orofino, Idaho
My commission expires: 5/13/99

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

HEADQUARTERS SUBDIVISION WATER CO.
HC 64 BOX 1012
HEADQUARTERS, ID 83546

Source: GROUNDWATER

Diversion Pt: SWSE Sec 15 T 38N R 05E in CLEARWATER County.

Use: IRRIGATION (.090 CFS)
DOMESTIC (.110 CFS)
FIRE PROTECTION (.200 CFS)
Total Diversion: (.200 CFS)

Date Filed: 7/23/1993

In: CLEARWATER County SWSW SESW
T38N R05E S15

3.0 ACRES TOTAL

US DEPT OF DEFENSE
DEPT OF ARMY
CORP OF ENGINEERS
BLDG 602 CITY COUNTY AIRPORT
WALLA WALLA, WA 99362

Source: CLEARWATER RIVER, NORTH FORK Tributary: CLEARWATER RIVER
DIVERSION PT: NENEW Sec 35 T 37N R 01E in CLEARWATER County.
Use: FISH PROPAGATION (\$9,000 CFS)
Total Diversion: (\$9,000 CFS)

Date Filed: 5/6/1993

In: CLEARWATER County NESE NWSW
T3 7N R01E S33 S34

For additional information concerning the property location, call the Northern Regional Office at (208)769-1450.
The permit(s) will be subject to all prior water rights. Permits must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814 on or before AUGUST 23, 1993.
R. KEITH HIGGINSON, Director
8-5; 8-12c

RECEIVED

OCT 25 1993

*Stone should be Dept. of Justice
Blum J. and need not re-survey
9/21/93*

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

85-07593

STATE OF IDAHO
DEPT OF FISH AND GAME
PO BOX 25
BOISE ID 83720

Source: CLEARWATER RIVER, NORTH FORK Tributary: CLEARWATER RIVER

Diversion Pt: NENW Sec 35 T 37N R 01E in CLEARWATER County.

Use: FISH PROPAGATION (89.000 CFS)
Total Diversion: (89.000 CFS)

Date Filed: 5/ 6/1993

In: CLEARWATER County
T37N R01E S33 NESE
S34 NWSW

86-07324

CITY OF LEWISTON
PO BOX 617
LEWISTON, ID 83501

Source: CLEARWATER RIVER Tributary: SNAKE RIVER

Diversion Pt: SENW Sec 27 T 36N R 05W
SWSE Sec 27 T 36N R 05W in NEZ PERCE County.

Use: IRRIGATION (.400 CFS)
STOCKWATER (.020 CFS)
INDUSTRIAL (1.400 CFS)
COMMERCIAL (.570 CFS)
MUNICIPAL (6.200 CFS)
MUNICIPAL (18.600 CFS)
DOMESTIC (.240 CFS)
Total Diversion: (18.600 CFS)

Date Filed: 4/28/1993

In: NEZ PERCE County				
T35N R04W S17	NWSW	SESW		
S18	SENE	NESW	NWSW	SESW
	NESE	NWSE		
S19	NWNE			
R05W S04	NWNW			
S13	NESE	SESE		
S22	NESW	NWSW		
R06W S12	NENW			
S13	NWNW			
S24	NENE	NWNE		
T36N R05W S29	NESE			
S30	NWNE	SWNE		
S33	NWSW	SWSW		

20.0 ACRES TOTAL

MUNICIPAL USE IS LOCATED WITHIN THE CITY LIMITS OF LEWISTON.

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d' Alene, Idaho 83814 on or before AUGUST 23, 1993.

R. KEITH HIGGINSON, Director

Published: 8/ 5/1993 & 8/12/1993

APPROVED
OCT 25 1993

MESSAGE TRANSMISSION
TRANSMISSION

Debra Stetson

Post-It™ brand fax transmittal memo 7671		# of pages ▶
To	<i>Donna</i>	From <i>Pat</i>
Co.	<i>Legals</i>	Co. <i>IDWR.</i>
Dept.		Phone # <i>769-1450</i>
Fax #		Fax #

NOV 14-15
910108-03

RECEIVED 11:34
OCT 25 1993
F-9999

OCT 25 1993

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OCT 25 1993

MESSAGE CONFIRMATION
TRANSMISSION

MICROFILMED

OCT 25 1993

TERM ID: 200 0000

TEL NO.: 200 0000

OCT 25 TUE 14:18

1993

NO.	DATE	ST. TIME	TOTAL TIME	ABBF SBD	ID
915	08-03	14:17	30*00'53		914260765

Post-It™ brand fax transmittal-r

To	Bernie	PM Oct 25
Co.		I.D. W.R.
Dept.	RUSH!	
Fax #	any question call 769-1450	

1 page sent.

MESSAGE CONFIRMATION
TRANSMISSION

RECEIVED

OCT 25 1993

NO.	DATE	ST. TIME	T
912	08-03	12:23	

Post Register

AUG-03-'93 TUE 12:25

P-5299

Post-It™ brand fax transmittal memo 7671

of pages ▶

2

To	<i>Cathy-Legala</i>	From	<i>Pat</i>
Co.		Co.	<i>IDWR</i>
Dept.		Phone #	<i>769-1450</i>
Fax #	<i>RUSH!</i>	Fax #	<i>Thank you!</i>

#PGS

<- 2 / NG- 0

MESSAGE CONFIRMATION
TRANSMISSION

Levin J. Subme

AUG-03-1993 TUE 12:13

RECEIVED

1993

Post-It™ brand fax transmittal memo 7671		# of pages ▶	1
To	<i>Gen. Legala</i>		
From	<i>Pat</i>		
Co.	<i>IDNR</i>		
Dept.	<i>RUSH</i>		
Phone #	<i>769-1450</i>		
Fax #	<i>Thank you!</i>		

NO.	DF
911	DE

OCT 25 1993

DEPT CODE	HPGS
41	OK- 1145-0

MESSAGE CONFIRMATION
TRANSMISSION

Shirley News

8/3/93

Post-It™ brand fax transmittal memo 7671 # of pages ▶ 1

To	<i>Sharon - you already made</i>	From	<i>Pat</i>
Co.	<i>Change - this hard copy</i>	Co.	<i>IDWR</i>
Dept.	<i>is for your records</i>	Phone #	<i>769-1450</i>
Fax #	<i>Pat</i>	Fax #	

NO. 144
913 08-

RECEIVED

P-9999

OCT 25 1993

DEPT CODE	#PGS
101	101-1111-0

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING INVOICE

SOLD TO:

DEPT OF WATER RESOURCES
1910 NORTHWEST BLVD. 210
COEUR D'ALE
ID 83814

Date 081293 INVOICE No. L00377233
Account No. 964750 JS-07593
Description 77233NOTIC
Times 2 Lines 63
Tab Lines _____

\$ 157.50

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis

poses and says, I am the Legal Clerk, being duly sworn,
the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in
said Lewiston Morning Tribune, 2 time(s). Publication be-
on 080593

WEEK for 2 consecutive WEEKS the first
publication thereof being on the 080593, and the last pub-
lication thereof being on the 081293, and said

NOTICE OF APPLICATION

is so published in the regular and entire issue of said newspaper and
in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
forth above.

Karen J. Lewis

DESCRIBED AND SWORN BEFORE ME THIS THE 13
of August 1993

Sherral M. Lantz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.
Commission Expires 6-6-97

OCT 25 1993

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

138.00

Account Number 100631		Identification NOTICE OF APPLICATION FOR WATER RIGHT	
Ordered By Patricia M. Stypa	P.O. Number	Rate NT	Run Dates August 5, 12, 1993
State of Idaho Department of Water Resources Northern Region 1910 Northwest Boulevard, Suite 211 Coeur d'Alene, Idaho 83814		Estimated Inches.	Real Inches
		= Affidavits 1	Legal Number 5579

"WHERE DO YOU PUT YOUR NOSE?"

220 - Restaurant/Lounge/Hotel
LOCK STOCK & BARREL is hiring a dish washer. Must have clean work habits. Apply 4705 Emerald.

MANAGEMENT opportunities available with KFC for qualified people with 3 years restaurant supervisory background and a desire to be a leader. Send resume for Personnel Director, 3575 Overland, Boise, ID 83705.

NOW HIRING part time drivers. Day/night. Apply 2-4 Chicago Connection, 3504 W. State St. store only.

OWYHEE PLAZA HOTEL Now hiring a full-time afternoon/evening Hostess & a full-time Waitress in the Plaza Grill. Apply in person, 1109 Main St.

P/T, F/T Waitress/Cook Evening & weekend shifts. Apply: 4712 W. State.

Restaurant Local opportunities with RED LOBSTER

SECOND Location Opening! Pizza Chef is looking for Drivers, Cashiers, Cooks, Management. Call Dave, Wed-Sat. 1:30-4:30 p.m. Or apply in person same hours, 590 E. Boise Ave.

SNACK BAR ATTENDANT, P/T. Apply at Eagle Hills Golf Course. 939-0402, ask for Scott.

Super 8 Lodge accepting apps. for front desk, 11-7, night shift, Thur.-Sat. 2773 Elder.

VAULT/CAGE MANAGER Gaming exper. preferred. Send resumes to: Box #D360, c/o The Idaho Statesman, P.O. Box 40, Boise, ID, 83707.

WAIT PERSON, day hours, part time. Apply at Jim's Coffee Shop, 812 W. Fort.

2-PERSON TEAM for Assistant Managers to perform maintenance & desk duties at 52-unit motel in Pendleton, OR. Studio apartment, utilities, phone & \$1,200/mo. Send resume to: P.O. Box 331, Pendleton, OR 97801.

**** SKIPPER'S **** Now hiring P/T day help. Must be able to work days after school begins. Apply at Boise Town Square Skipper's. \$4.50+/hr.

222 - Sales
Advertising PART FULL-TIME Established ing oppor motivator make \$\$\$! necessary. F tion call E auto sales

BETTI High volu dealership help becau sales.

WE High quali Medical & Profit shar. 401K Plan 60 Day gui High Incom Excellent v

YOU! Outgoing p Stable wor Positive at Good driv! Call or A Ask for

AUTO SA New B Exper. c

AVON nee No door-Sell at work

BIG SUR / Bedroom Retailer. I we are lool career m! Must be er to work he son at: 75: No phone

BON MAR is now f for FT S: Women pref. We on comr Apply in St. 4th f Equal i portunt

CUSTOMER house- distribu store C-product house of utur. Ap Sawyer.

220 - Res
Hot

RECEIVED
AUG 16 1993
NORTHERN REGION
IDWR

CAROL PAYNE-CULPAN

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of AUGUST 5, 1993

and ending with the issue of AUGUST 12, 1993

Carol Payne-Culpan

STATE OF IDAHO)

SS.

COUNTY OF ADA)

On this 12TH day of AUGUST in the year of 1993, before me, a Notary Public, personally appeared CAROL PAYNE-CULPAN, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho

Residing at BOISE, ID

My commission expires: 11-27-93

OCT 25 1993

TH

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

138.00

Account Number 100631		Identification NOTICE OF APPLICATION FOR WATER RIGHT	
Ordered By Patricia M. Stypa	P.O. Number	Rate NT	Run Dates August 5, 12, 1993
State of Idaho Department of Water Resources Northern Region 1910 Northwest Boulevard, Suite 211 Coeur d'Alene, Idaho 83814		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 5579

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT
The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

STATE OF IDAHO
DEPT. OF FISH AND GAME
PO BOX 25
BOISE, ID 83720

85-07593

Source:
Tributary:
Diversion Pt: NENW
Use: FISH PROPAGATION
Total Diversion:
Date Filed:
In: CLEARWATER County
T37N R01E S33 NESE
S34 NWSW

CLEARWATER RIVER, NORTH FORK
CLEARWATER RIVER
In CLEARWATER County.
(89,000 CFS)
(89,000 CFS)
5/ 6/1993

CITY OF LEWISTON
PO BOX 617
LEWISTON, ID 83501

86-07324

Source: CLEARWATER RIVER
Diversion Pt: SENW Sec 27 T 36N R 05W
SWSE Sec 27 T 36N R 05W In NEZ PERCE County-
Tributary: SNAKE RIVER

Use: IRRIGATION
STOCKWATER
INDUSTRIAL
COMMERCIAL
MUNICIPAL
MUNICIPAL
DOMESTIC
Total Diversion:
Date Filed:
In: NEZ PERCE County
T35N R04W S17 NWSW
S18 SENE NESW NWSW SESW
S19 NWSW
R05W S04 NWNW
S13 NESE SESE
S22 NESW NWSW
R06W S12 NENW
S13 NWNW
S24 NENE NWNE
T36N R05W S29 NESE
S30 NWNE SWNE
S33 NWSW SWSW

20.0 ACRES TOTAL
MUNICIPAL USE IS LOCATED WITHIN THE CITY LIMITS OF LEWISTON.
For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.
The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources Northern Region, 1910 Northwest Blvd., Suite 211, Coeur d'Alene, Idaho 83814 on or before AUGUST 23, 1993.
R. KEITH HIGGINSON, Director
Pub. August 5, 12, 1993

OCT 25 1993

-CULPAN

being duly
s: That she is the Principal Clerk of The
newspaper printed and published at Boise,
Idaho, and having a general circulation therein
per has been continuously and uninterruptedly
during a period of twelve consecutive
publication of the notice, a copy of which is
id notice was published in The Idaho
with Section 60-108, Idaho Code as

☐ consecutive daily ☐ single ☐ odd skip

with the issue of AUGUST 5, 1993

of AUGUST 12, 1993

C. Payne-Culpan

ss.

day of AUGUST in the year of
a Notary Public, personally appeared
known or identified to
name subscribed to the within instrument,
sworn, declared that the statements therein
to me that she executed the same.

Public for Idaho

ing at BOISE, ID

mmission expires: 11-27-93

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

85-07593

STATE OF IDAHO
DEPT OF FISH AND GAME
PO BOX 25
BOISE ID 83720
Source: CLEARWATER RIVER, NORTH
FORK

Tributary: CLEARWATER RIVER
Diversion Pt: NENW Sec 35 T 37N R 01E
in CLEARWATER County.
Use: FISH PROPAGATION (89.000
CFS)

Total Diversion: (89.000 CFS)
Date Filed: 5/6/1993
In: CLEARWATER County
T37N R01E S33 NESE
S34 NWSW

86-07324

CITY OF LEWISTON
PO BOX 617
LEWISTON, ID 83501
Source: CLEARWATER RIVER
Tributary: SNAKE RIVER

Diversion Pt: SENW Sec 27 T 36N R 05W
SWSE Sec 27 T 36N R 05W in NEZ PER-
CE County.

Use: IRRIGATION (.400 CFS)
STOCKWATER (.020 CFS)
INDUSTRIAL (1.400 CFS)
COMMERCIAL (.570 CFS)
MUNICIPAL (6.200 CFS)
MUNICIPAL (18.600 CFS)
DOMESTIC (.240 CFS)

Total Diversion: (18.600 CFS)

Date Filed: 4/28/1993

In: NEZ PERCE County

T35N R04W S17 NWSW SESW

S18 SENE NESW NWSW SESW NESE
NWSE

S19 NWNE

R05W S04 NWNW

S13 NESE SESE

S22 NESW NWSW

R06W S12 NENW

S13 NWNW

S24 NENE NWNE

*T36N R05W S29 NESE

S30 NWNE SWNE

S33 NWSW SWSW

20.0 ACRES TOTAL

MUNICIPAL USE IS LOCATED WITH-
IN THE CITY LIMITS OF LEWISTON.

For additional information concerning
the property location, call the Northern
Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Northern Region, 1910 Northwest Blvd.,
Suite 210, Coeur d' Alene, Idaho 83814 on
or before AUGUST 23, 1993.

R. KEITH HIGGINSON, Director

Published: August 5, 12, 1993

MICROFILMED

OCT 25 1993

Proof of Publication The Post-Register

State of Idaho,
County of Bonneville } ss

I, S. BOB BRIGHT or TED DELEZENE, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

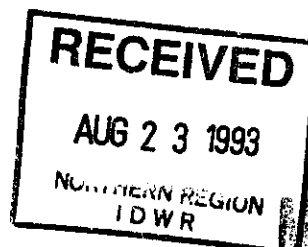
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 5th day of August, 1993, last publication having been made on the 12th day of August, 1993, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this 18th day of August, 1993.

Ted Delezene
Susan Magpan
Notary Public

My commission expires July 1, 1997.

B10



OCT 25 1993

**NOTICE OF
APPLICATION FOR
WATER RIGHT**

The following
application(s) have been
filed to appropriate the
public waters of the State
of Idaho:

35-07983
STATE OF IDAHO
DEPT. OF FISH AND
GAME

TO: BOX 25
BOISE, IDAHO 83720

Source: CLEARWATER
RIVER, NORTH FORK

tributary: CLEARWATER
RIVER

Division: Pt. NENW Sec

35 T 37N R 01E in

CLEARWATER County.

Use: FISH PROPAGA-

tion (CFS)

Total Diversion: (89,000

CFS)

Date Filed: 8/ 8/ 1993

In: CLEARWATER County

TOWN: NESE

SECTION: 24

CITY OF LEWISTON

PO BOX 617

LEWISTON, ID 83501

Source: CLEARWATER

RIVER

tributary: SNAKE RIVER

Division: Pt. SENW Sec

32 T 38N R 09W

SWSE Sec 27 T 36N R

09W in NEZ PERCE

County.

Use: IRRIGATION (.400

CFS)

STOCKWATER (.020

CFS)

INDUSTRIAL (1.400

CFS)

COMMERCIAL (.570

CFS)

MUNICIPAL (8.200 CFS)

MUNICIPAL (18.600

CFS)

DOMESTIC (.240 CFS)

Total Diversion: (18.600

CFS)

Date Filed: 8/ 28/ 1993

In: NEZ PERCE County

T26N R04W S17 NWSW

SESW

S18 SENE NESW NWSW

SESW

NESE NWSE

S19 NWNE

R05W S04 NWNW

S13 NESE SESE

S22 NENW NWSW

R04W S12 NENW

S13 NWNW

S25 NENE NWNE

T30N R05W S29 NESE

S30 NWNE SWNE

S38 NWSW SWSW

20.0 ACRES TOTAL

MUNICIPAL USE IS LO-

CATED WITHIN THE

CITY LIMITS OF LEWISTON,

ON.

For additional information

concerning the property lo-

cation, call the Northern

Regional Office at (208)

750-1450.

The permit(s) will be sub-

ject to all prior water

rights. Protests must be

filed with the Director,

Dept. of Water Resources,

Northern Region, 19

Northwest Blvd., Suite

219, Coeur d'Alene,

Idaho 83814 on or before

AUGUST 23, 1993.

R. KEITH HIGGINSON,

Director

PUBLISHED: 8/ 5/ 1993

and 8/ 12/ 1993

Affidavit Publication

STATE OF IDAHO
COUNTY OF TWIN FALLS } SS.

No 25103

I, Linda Capps McSwine being first duly sworn upon oath, depose
and say that I am Raine Blech of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in
any supplement thereof, for Two consecutive Weeks,
commencing with the issue dated August 5, 1993,
and ending with the issue dated August 12, 1993.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily ex-
cept Monday, both of which newspapers prior to consolidation had been published under said names in said city and
county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at
which time said newspaper began daily publication under said name in said city and county continuously and
uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho,
to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers,
and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 1 day of September in the year of 1993, before me,
a Notary Public, personally appeared Linda Capps McSwine
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

MICROFILMED

Notary Public for Idaho

Residing at

My commission expires:

Lewia R. Feltman

Twin Falls

5/19/94

OCT 25 1993

Please change name to:

85-07593

~~US DEPT OF DEFENSE~~
~~DEPT OF ARMY~~
~~CORP OF ENGINEERS~~
~~BLDG 602 CITY COUNTY AIRPORT~~
~~WALLA WALLA, WA 99362~~

STATE OF IDAHO
DEPT OF FISH AND GAME
PO BOX 25
BOISE ID 83720

Source: CLEARWATER RIVER, NORTH FORK Tributary: CLEARWATER RIVER

Diversion Pt: NENW Sec 35 T 37N R 01E in CLEARWATER County.

Use: FISH PROPAGATION (89.000 CFS)
Total Diversion: (89.000 CFS)

Date Filed: 5/ 6/1993

In: CLEARWATER County
T37N R01E S33 NESE
S34 NWSW

*For info.
on this
Thursday & next morning
8/5 & 8/12/93.*

Thank you!
JH
8/3/93

RECORDED

OCT 25 1993

August 3, 1993

State of Idaho Dept. of Fish and Game
P.O. Box 25
Boise, ID 83720

RE: Application for Permit Number 85-07593

Dear Sir:

The Idaho Department of Water Resources acknowledges receipt of your Application For Permit to Appropriate the Public Waters of the State of Idaho and have assigned to it the above referenced number. To assist us in providing you with prompt, accurate service, please refer to this number in all future matters concerning this application.

We have changed the name on this filing from the Army Corps of Engineers to the State of Idaho Dept. of Fish and Game.

Your appropriation application is currently being advertisement in the county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests.

If the application is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before the application can be approved or denied, so if the Protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

Review of your application indicates the following additional information is required to make part of the application file pursuant to IDAHO CODE section 42-203A and the water Appropriation Rules and Regulations.

- 1) The applicant must submit an affidavit establishing residency or qualifications to do business in the state of Idaho. (Idaho Code 42-206)
- 2) If the diversion structure is also used for irrigation, the applicant must show possessory interest, if any, in the irrigation diversion structure. (Idaho Code 42-205 (2))
- 3) Copies of applications for other needed permits , licenses and approvals, must be provided and the applicant must keep the department apprised of the status of the applications and any subsequent approvals or denials. (Rule 4,5,3,3,2)
- 4) If the project will have an installed capacity of more than 0.37 MW the applicant must submit a certified financial statement or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the proposed use. (Rule 4,5,3,4,1)

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State of Idaho Department of Fish and Game
Page two
August 3, 1993

- 5) Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights. (Rule 4,5,3,1,3)
- 6) The applicant must submit information showing the diversion rate that will be required during peak use and during average use, as well as the annual volume to be diverted and the annual volume that will be consumptively used. (Rule 4,5,3,2,1)
- 7) The applicant must submit information showing the quantity of water available from the source during peak and average water demand periods and information on other sources of supply that may be used as a supplemental water source. For groundwater sources, information concerning the properties of the aquifers that water is to be taken from must be submitted. (Rule 4,5,3,2,2)
- 8) The applicant must submit copies of deeds. leases. easements. or other information documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. (Rule 4,5,3,3,1)
- 9) The applicant must submit copies of plans and specifications along with the estimated construction costs for the project works. The plans must be definite enough to allow for determination of project impacts and implications. (Rule 4,5,3,4,2)
- 10) You must seek comment on the effects of the construction and operation of the proposed project from the city and/or county within which the project is to be located, the Idaho Department of Fish and Game, the Idaho Department of Health and Welfare, Division of Environment, and any irrigation district, canal company or tribal reservation within which the project is to be located. A copy of your application is enclosed for your use in seeking comments. (Rule 4,5,3,5,1)

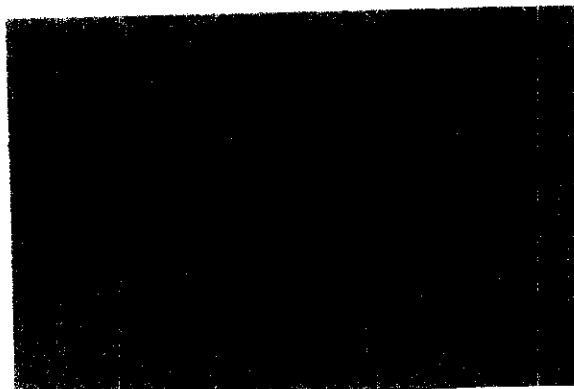
The required additional information must be submitted within 30 days after the final date for receiving protests. The time may be extended upon request and showing of good cause that additional time is required to submit the information.

If I can be of further assistance, please contact me at this office.

Sincerely,

ALLEN BEARDSLEE
SENIOR WATER RESOURCE AGENT

OCT 25 1993





State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450 ~~(208) 769-1450~~ ~~for (208) 769-2088~~ Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 28, 1993

U.S. Army Corps of Engineers
Building 602, City-County Airport
Walla Walla, WA 99362

RE: Application for Permit Number 85-07593

Dear Sir:

The Idaho Department of Water Resources acknowledges receipt of your Application For Permit to Appropriate the Public Waters of the State of Idaho and have assigned to it the above referenced number. To assist us in providing you with prompt, accurate service, please refer to this number in all future matters concerning this application.

Your appropriation application is currently being advertisement in the county newspaper. The advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests.

If the application is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before the application can be approved or denied, so if the Protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

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- 4) If the project will have an installed capacity of more than 0.37 MW the applicant must submit a certified financial statement or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the proposed use. (Rule 4,5,3,4,1)

OCT 28 1993

U.S. Army Corps of Engineers
Page two
July 28, 1993

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The required additional information must be submitted within 30 days after the final date for receiving protests. The time may be extended upon request and showing of good cause that additional time is required to submit the information.

If I can be of further assistance, please contact me at this office.

Sincerely,



ALLEN BEARDSLEE

SENIOR WATER RESOURCE AGENT

P.S. Enclosed is your Receipt No. C27424 in the amount of \$1,115.00.

Enc. - Receipt

001295