

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

SEC'S, 36 AND 1 TWP'S, 38 AND 37 ... N. R. ... 1 EAST, BOISE MERIDIAN

SEC 36

THE MERCATOR, IDAHO WEST ZONE COORDINATES FOR THE FREEMAN CREEK WATER SUPPLY INTAKE
ARE: N 1,793,445.36
E 367,371.83

WATER SUPPLY INTAKE

N 43°12'06.4"W
159.72 FT.

S 1/4 COR, SEC 36, T. 38 N., R. 1 E.

T 38 N
T 37 N

SEC 1

FREEMAN CREEK STATE PARK
WATER USE AREA

SCALE: 1 INCH = 800 FT.
EACH SMALL SQUARE = 10 ACRES

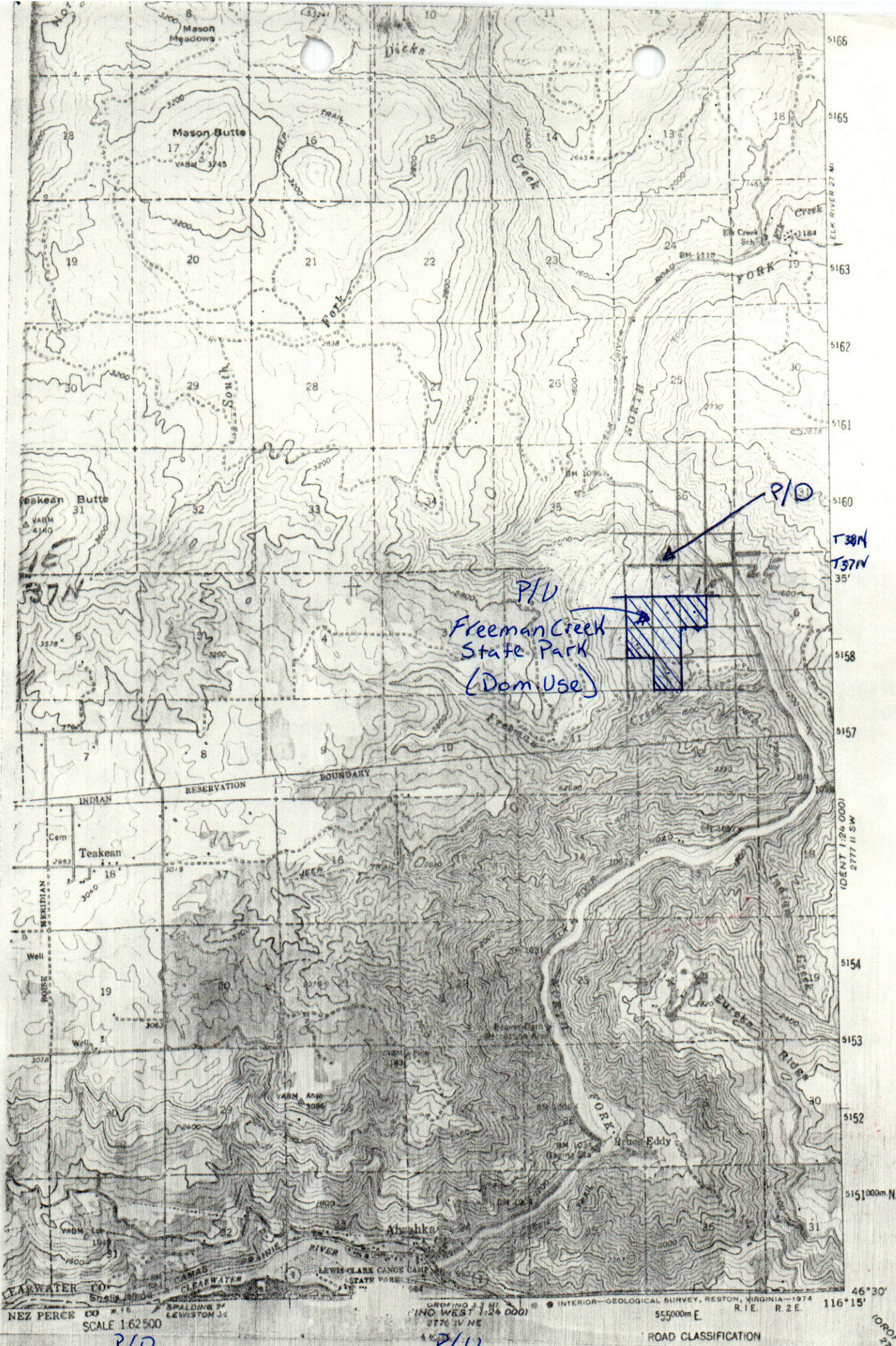
11 12

THE FREEMAN CREEK STATE PARK WATER SUPPLY INTAKE IS LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 36, TWP 38 NORTH, RANGE 1 EAST OF THE BOISE MERIDIAN. IT LAYS N 43°12'06.4"W, A DISTANCE OF 159.72 FT. FROM THE SOUTH 1/4 CORNER OF SAID SEC 36.

THE WATER USE AREA IS ALL THAT PART OF FREEMAN CREEK STATE PARK LOCATED WITHIN THE N 1/2 OF THE SE 1/4 OF THE SW 1/4, THE NE 1/4 OF THE SW 1/4, THE SE 1/4 OF THE NW 1/4, THE NE 1/4 OF THE SW 1/4 OF THE NW 1/4 AND THE SW 1/4 OF THE SW 1/4 OF THE NE 1/4, ALL IN SECTION 1, TOWNSHIP 37 NORTH, RANGE 1 EAST OF THE BOISE MERIDIAN, CLEARWATER COUNTY, IDAHO. BASED ON SCALED COORDINATES AND DISTANCES, THE WATER USE AREA IS COMPUTED TO CONTAIN 49.5 ACRES MORE OR LESS. THE NW 1/4 SW 1/4, SEC. 1, T37N., R.1 E.-----TKK from map.

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.


(Applicant)
HAROLD BUERSTATTE
Chief, Real Estate Division
Walla Walla District, Corps of Engineers



T 38N R 1E & T 37N R 1E
Sec 36 Sec 1

83-7029

Exam Date: 8/12/86

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JUL 10 1987

Boise Meridian, Idaho.

T37N R1E Sec1

P/O
includes
Gov. lot
9

Sec. 2.

Sec. 1.

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JUL 10 1987



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JUL 10 1981



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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 83-7029

Priority: April 12, 1979

Amount:

.10 CFS

4.0 AFA

This is to certify, that U.S. DEPT. OF DEFENSE

DEPT. OF ARMY

CORPS OF ENGINEERS

BLDG. 602, CITY-COUNTY AIRPORT

WALLA WALLA, WA 99362

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated March 13, 1979, and has submitted proof to the Department of Water Resources on July 16, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .13 cfs of water from;

CLEARWATER RIVER, NORTH FORK

tributary to CLEARWATER RIVER

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Domestic	01/01 to 12/31	.10 cfs	4.0 afa

LOCATION OF POINT OF DIVERSION(S):

SESW , Sec. 36, Township 38N, Range 1E
Clearwater County

PLACE OF USE: Domestic

TWN RGE SEC

37N 1E 1

SWNE
NWSW

SWNW
LOT 9 (SESW)

SENW

NESW

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Domestic use is for Freeman Creek State Park.
5. Source also known as Dworshak Reservoir.

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 20th day of MAY, 1987.

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JUL 10 1987

Acting for the

Director

Norman Young

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT
NO. 83-7029 IN THE NAME
OF U.S. DEPT. OF DEFENSE

ORDER ADVANCING
DATE OF PRIORITY

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 83-7029 for the issuance of a license, the Department makes the following Findings of Fact, Conclusions of Law, and Order pursuant to the provisions of Idaho Code.

FINDINGS OF FACT

1. On May 7, 1979 the Department approved Application for Permit No. 83-7029 to appropriate the public waters of the State of Idaho with a priority of March 26, 1979.
2. On April 30, 1986 the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted confirming the extent of use developed under the permit.
3. The fee was due on June 29, 1986, 60 days from the date of the notice; however, the fee was not received until July 16, 1986, 17 days late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.

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JUL 10 1987

2. The date of priority of Permit No. 83-7029 should be advanced 17 days.

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 83-7029 is advanced to April 12, 1979.

Dated this 17th day of March, 1987.

L. Glen Saxton
L. GLEN SAXTON
Chief, Operations Bureau

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JUL 10 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only	
Fee Received	15.00
Date	1-11-82
Receipt #	21666

REQUEST FOR EXTENSION OF TIME
To provide additional time in which to submit
proof of beneficial use on a water right permit

DEC 14 1981

Department of Water Resources

U.S. ARMY CORPS OF ENGINEERS

(Name)

Bldg. 602, City-County Airport

Walla Walla, WA

(Address)

~~XXXX~~

Fed. Govt.

, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of the State of Idaho No. 83-7029

That under the terms and conditions of said permit, work thereunder was required to be completed on or before 1 December, 19 81.

That he has heretofore performed the following work described under said permit: Completed
(This must be filled out! If no work has been completed put none.)
construction of the campground and intake structure.

Costing \$

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

The project was finished late in the season and the water will not be put into
beneficial use until the Spring of 1982.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to 1 December, 19 82.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME.

Allen L. Baim

ALLEN L. BAIM

(Signature)*

Chief, Real Estate Division

Walla Walla District, Corps of Engineers

If OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to December 1, 1982.

IT IS FURTHER ORDERED that the permit be reinstated and the priority advanced to March 26, 1979, pursuant to Idaho Code, Section 42-218a.

Signed this 14th day of January, 19 82.

J. Glen Saylor

Chief, Operations Bureau

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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 U.S. Department of Army, Corps of Engineers, Walla Walla District Phone (509) 525-5500
Post office address Bldg. 602, City-County Airport, Walla Walla, WA 99362
2. Source of water supply Reservoir behind dam which is a tributary of North Fork Clearwater River
3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36 Township 38 N
Range 1E B.M. Clearwater County, additional points of diversion if any: It lays
N43° -12' -06.4" W, a distance of 159.72 feet from the south $\frac{1}{4}$ corner of said
section 36, Mercator, Idaho West Zone coordinates are N 1,793,445.36 E 367,371.83
4. Water will be used for the following purposes:
Amount 0.1 for Domestic purposes from 1 Jan to 31 Dec (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:
a. 0.1 cubic feet per second and/or b. 4.0 acre-feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Water to be pumped from the intake,
filtered and chlorinated before discharged into a 30,000 gal. steel tank. The
water shall be distributed from the tank by gravity to the points of use.
b. Height of storage dam N/A feet, active reservoir capacity N/A acre-feet; total reservoir
capacity N/A acre-feet, materials used in storage dam: N/A
Period of year when water will be diverted to storage N/A to N/A inclusive.
(Month/Day) (Month/Day)
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 2.5 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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. See #11 -VR
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered N/A

(4) Name of municipality to be served Freeman Creek State Park, or number of families to be
supplied with domestic water See remarks.
(5) If water is to be used for other purposes describe: First aid, Fire protection.

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

[illegible]

Total number of acres to be irrigated 0

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 Federal Government

b. Who owns the land to be irrigated or place of use Federal Government

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

10. Remarks Freeman Creek State Park Intake Structure, Dworshak Dam and Reservoir.

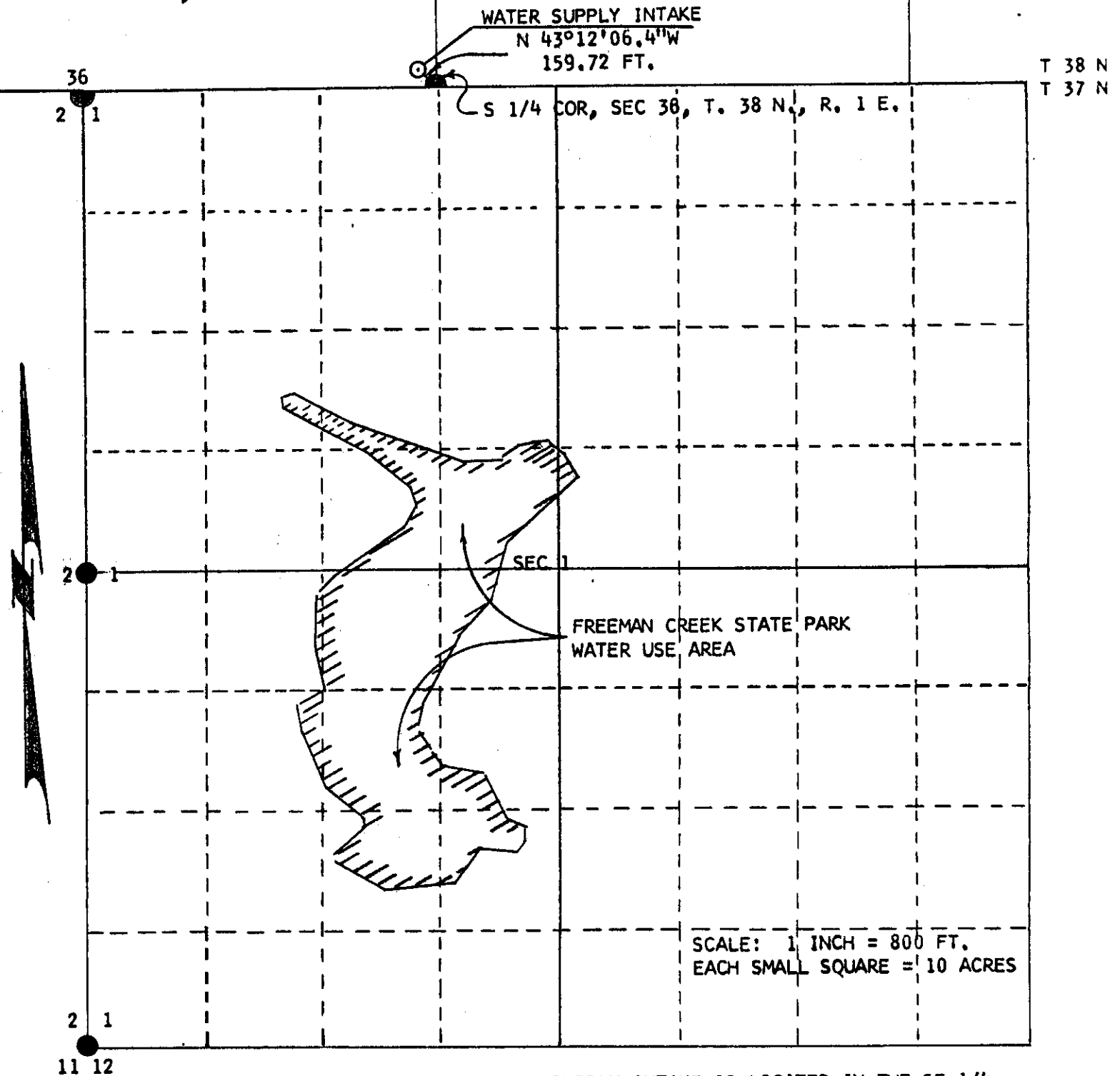
RE: 8(4) The water supply to serve one caretaker family, 73 trailer camp sites and 34 tent camp sites.

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

SEC'S, 36 AND 1. TWP'S, 38 AND 37 N. R. 1 EAST, BOISE MERIDIAN

SEC 36

THE MERCATOR, IDAHO WEST ZONE COORDINATES FOR THE FREEMAN CREEK WATER SUPPLY INTAKE
ARE: N 1,793,445.36
E 367,371.83



THE FREEMAN CREEK STATE PARK WATER SUPPLY INTAKE IS LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 36, TWP 38 NORTH, RANGE 1 EAST OF THE BOISE MERIDIAN. IT LAYS N 43°12'06.4"W, A DISTANCE OF 159.72 FT. FROM THE SOUTH 1/4 CORNER OF SAID SEC 36.

THE WATER USE AREA IS ALL THAT PART OF FREEMAN CREEK STATE PARK LOCATED WITHIN THE N 1/2 OF THE SE 1/4 OF THE SW 1/4, THE NE 1/4 OF THE SW 1/4, THE SE 1/4 OF THE NW 1/4, THE NE 1/4 OF THE SW 1/4, OF THE NW 1/4, AND THE SW 1/4 OF THE SW 1/4 OF THE NE 1/4, ALL IN SECTION 1, TOWNSHIP 37 NORTH, RANGE 1 EAST OF THE BOISE MERIDIAN, CLEARWATER COUNTY, IDAHO. BASED ON SCALED COORDINATES AND DISTANCES, THE WATER USE AREA IS COMPUTED TO CONTAIN 49.5 ACRES MORE OR LESS. THE NW 1/4, SEC. 1, T37N., R.1 E.-----TKR from map.

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.

Harold Buerstatte
(Applicant)
HAROLD BUERSTATTE
Chief, Real Estate Division
Walla Walla District, Corps of Engineers

Proposed Priority 3-13-79

Received by pm Date 3/13/79 Time 12:00pm
Preliminary check by [Signature] Fee \$ 20.00
Receipted by pm Date 3/19/79 (13459)
Publication prepared by pm Date 3/22/79
Published in Clearwater Tribune
Publication dates 3/29/79 & 4/5/79
Publication approved pm Date 4/20/79
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by MSH SS

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. 83-7029 , 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 December 1 , 19 81 .
- 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 7th day of May , 19 79 .

[Signature]
Chief, Operations Bureau

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

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

Notice of Application for
Water Rights

That said Notice

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 full period of two consecutive issues commencing on the 29th day of March, 19 79, and ending on the 5th day of April, 19 79

Nancy Noble

Subscribed and sworn to before me this 11th day of April, 19 79

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

NOTICE OF APPLICATION FOR WATER RIGHTS

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

83-7029

United States of America
Army Corps of Engineers,
Bldg 602, City-County Airport,
Walla Walla, Wa 99362.

Source: North Fork Clearwater River tributary to Clearwater River.

Date Filed: 03/13/1979

Amount: 0.10 CFS

Diversion Point: SESW Sec 36

T 38N R 01E, Clearwater Co.

Use: Domestic (0.10 CFS)

from 01/01 to 12/31

Place of Use: SESW, NE-SW, SENW, SWNW, SWNE, NWSW, Sec 01 T 37N R 01E.
Diversion Means: Intake, Filter, Chlorinator, and Tank

83-7028

United States of America
Army Corps of Engineers,
Bldg. 602 City-County Airport,
Walla Walla, Wa 99362.

Source: North Fork Clearwater River tributary to Clearwater River.

Date Filed: 03/16/1979

Amount: 0.10 CFS

Diversion Point: SWNE Sec 26

T 38N R 01E, Clearwater Co.

Use: Domestic (0.10 CFS)

from 01/01 to 12/31.

Place of Use: NESW, NWSE,

Sec 26 T 38N R 01E

Diversion Means: Intake, Chlorinator and Tank.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4055 Gov't Way, Coeur d'Alene, Id. 83814 on or before April 16, 1979.

C. Stephen Allred, Director
3-29;4-5c

RECEIVED

APR 20 1979

Department of
Northwest

MICROFILMED

U.S. DEPT. OF DEFENSE
DEPT. OF ARMY
CORPS OF ENGINEERS
BLDG. 602, CITY-COUNTY AIRPORT
WALLA WALLA, WA 99362

May 21, 1987

RE: Permit No. 83-7029

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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JUL 10 1987



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
BUILDING 602, CITY-COUNTY AIRPORT
WALLA WALLA, WASHINGTON 99362-9265

April 13, 1987

RECEIVED

APR 20 1987

Real Estate Division

Department of Water Resources

Mr. Jim Johnson
Water Rights Supervisor
State of Idaho
Department of Water Resources
450 W. State Street
Boise, Idaho 83720

Dear Mr. Johnson:

Reference is made to your letter dated March 25, 1987, re Permit No. 83-7029 Freeman Creek State Park Intake Structure, Dworshak Dam and Reservoir Project.

The proposed license has been reviewed and we concur with the information.

Sincerely,

Richard Carlton

Richard Carlton
Chief, Real Estate Division

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JUL 10 1987

CONVERSATION MEMORANDUM

DATE 4-6-87

FILE 83-7029

NAME OF PARTY Darlene Hill - Corps of Engineers

EMPLOYEE K. Walker

RE: Proposed license

The Corps. of Engineers
would like 10 additional
days to review the
proposed license. I
told Ms. Hill that it
would be ok -

Call up on 4-20-87 for
licensing - kw

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JUL 10 1987

U.S. DEPT. OF DEFENSE
DEPT. OF ARMY
CORPS OF ENGINEERS
BLDG. 602, CITY-COUNTY AIRPORT
WALLA WALLA, WA 99362

March 25, 1987

RE: Permit No. 83-7029

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

Also enclosed is an order advancing the date of priority of this right due to late submittal of the examination fee.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

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JUL 10 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

c) Volume Calculations for Other Uses:

2. Overlap Review

a) Other water rights with same place of use: _____

b) Other water rights with same point of diversion: _____

c) Analysis:

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JUL 10 1987

~~License~~
10 day - needs order

- Allowable Maximums: 0.10 cfu 4.0 AF

9. Recommended Conditions/Remarks: ① Domestic use is for Freeman Creek State Park. ② Source is also known as Dworshak Reservoir.

Order advancing priority date is needed -
late exam fee. **MICROFILMED**

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

JUL 10 1987

- Approved in State Office by

Date _____

11/20/86

RECEIVED
SEP 22 1986

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: US Army Corps of Engineers Permit No. 83-7029
Current Address: Bldg. 602, City-County Airport, Walla Walla, Wa. 99362 Phone No. 509-522-6794
2. Accompanied by: _____ EXAM. DATE: 8/12/86
Address: _____ Phone No. _____
Relationship to Permit Holder: _____
3. Source: Dwarshak Resv. tributary to North Fork Clearwater River

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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JUL 10 1987

Scale: 1" = _____

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
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.
(required for irrigation of 10 acres or more)

System Description (continued)

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

From Submersible pump through 3" galv. steel to 4" PVC treatment building through 4" PVC to 30,000 gal steel tank then the water is distributed by gravity to points of use.

☐ See Remarks on page 4 for continuation

4. Press $\approx$ 36 at meter

Well or Diversion Identification No.*	Motor Make	Hp	Motor ^{Model} Serial No.	Pump Make	Pump Serial No. or Discharge Size
Submersible	Franklin Electric	5	23Y1272003	Deming	3"

*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
			SE	SW	36	38	1E	Clearwater	Map - Appt.

6. Place(s) of Use:

Indicate Method of Determination Map

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	
38	1E	36																	
38	1E	1			D				D	D	D	D	D						
37N																			

Freeman Creek State Park

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
Rockwell Int.			29717538			

2. Measurements:

Not accurate estimate $\approx 15,100 \text{ gal in 11 hr} \rightarrow 1,372.72 \text{ gal/hr} = 22.88 \text{ gpm} = .05 \text{ cfs}$

gal = 68 to 96, 96 to 125, 25 to 53, 53 to 83, 83 to 111, 111 to 140
Time = 30 sec, 30 sec, 30 sec, 30 sec, 40 to 69

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

$Q_{\text{meter}} = .13 \text{ cfs}$

2. Alternate Method for Checking Purposes:

$Q = .1 \text{ cfs via permit}$

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) $\div$ 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:

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

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ 94.0 AF

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

2. Volume Calculations for Other Uses:

$V_{\text{Dom+}} = 4 \text{ AF via permit}$
73 Trailer Sites,
34 Tent Sites

34 TENT SITES = (359/D)(34) = 11909/D
73 MOBILE HOME SITES (509/D)(73) = 36509/D
48409 PD(365) = 5.42 AF
1766,600 9/A
325,728.8

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Dam includes: 73	1/1	12/31	.1 cfs	4AF
Trailer sites, 34 Tent sites)				
Totals:			.1 cfs	4AF

☐ Change P.D. as reflected above

☐ Change P.U. as reflected above

- ☐ Add P.D. as reflected above
- ☐ Add P.U. as reflected above

☒ None
☐ Other

Field Examiner's Name

Signature

Certification Date

Field Report Preparation Date

CONSULTANT SEAL

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

UNFILMED

JUL 10 1984

CALCULATION OF NEW PRIORITY DATES
LATE EXAM FEES

FOR PERMIT NO. 83-7029

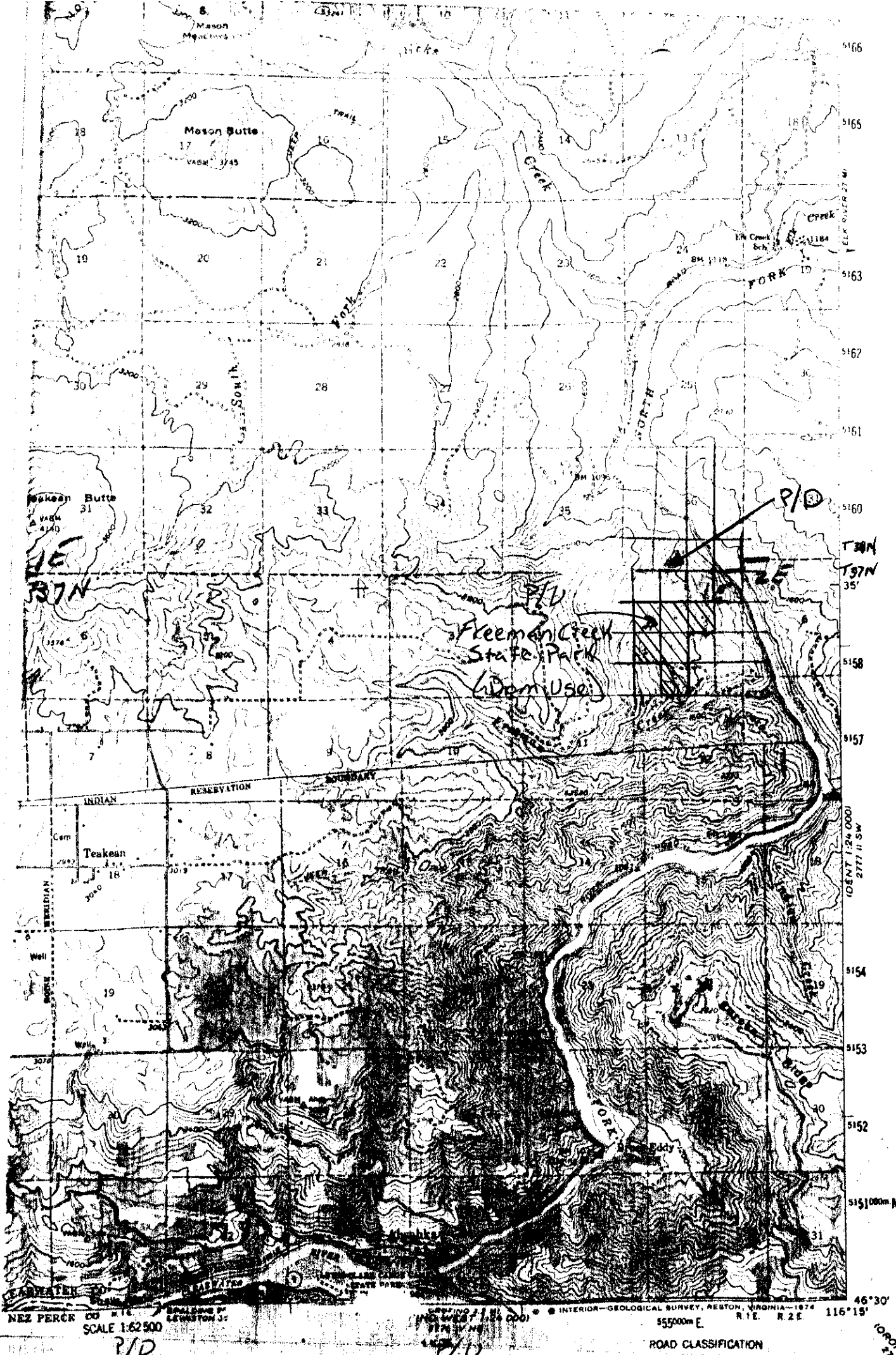
BY: Kay Walker

	<u>DATE</u>	<u>NUMBER OF DAYS</u> (From Table of Days Between Two Dates)
A. EXAMINATION FEE NOTICE SENT	4-30-86	120
B. DATE FEE DUE (60 days)	6-29-86	180
C. DATE FEE RECEIVED	7-16-86	197
D. NUMBER OF DAYS LATE (C - B)		17
E. ORIGINAL PRIORITY DATE	3-26-79	85
F. NEW PRIORITY DATE (D + E)	4-12-79	102

REMARKS:

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JUL 10 1987



T 38N R 1E & T 37N R 1E
 Sec 36 Sec 1

83-7029

Exam Date: 8/12/86

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JUL 10 1987

270.

P/O
includes
Gov. lot
9

Sec 1

7

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JUL 10 1980

23.01 DOMESTIC WATER SYSTEM

a. General. The system consists of a pumping plant installed with pump intake in the Dworshak Reservoir, water treatment equipment, steel storage tank, and distribution piping all as shown on Plate 23.01-1.

(1) The water is pumped through the water treatment facilities before entering storage. The distribution system supplies treated water to all points of demand. See Plate 23.01-1.

(2) Potability Test. Water potability tests required by state and county regulations for waters consumed by the public shall be the responsibility of the Park or Resources Manager. A copy of all potable water tests shall be forwarded to the Corps of Engineers, Resources Manager's Office, Dworshak project.

b. Pumping Plant. The plant consists of a pit, installation of a submersible pump, and appurtenances as shown on Plate 23.01-2.

(1) Pump Setting. The upper pump bowl is set at El 1485.0. See Plate 23.01-2.1.

— (a) Pump. The pump is a submersible Pioneer Model JB40, 5-hp, 3,500 rpm, 480-volt, 3-phase. Capacity rating of 45 gpm at 280 feet total head and 30 gpm at 380 feet total head.

(2) Pump Control. The pump is controlled by water level controls installed in the water storage tank which activate the pump control system located in the water treatment building. For installation and electrical diagrams, see Plate 23.01-2.2.

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Meter	gal	Flow Cal Time
	28	30 sec
	29	30 sec
	28	
	30	
	28	
	29	
	29	30 sec
	Avg = 28.7 gal	30 sec

$$\frac{28.7 \text{ gal}}{30 \text{ sec}} \times \frac{60 \text{ sec}}{1 \text{ min}} = 57.4 \text{ gpm} \times \frac{2.23 \text{ cfs}}{1000 \text{ gpm}} = \boxed{.13 \text{ cfs}}$$

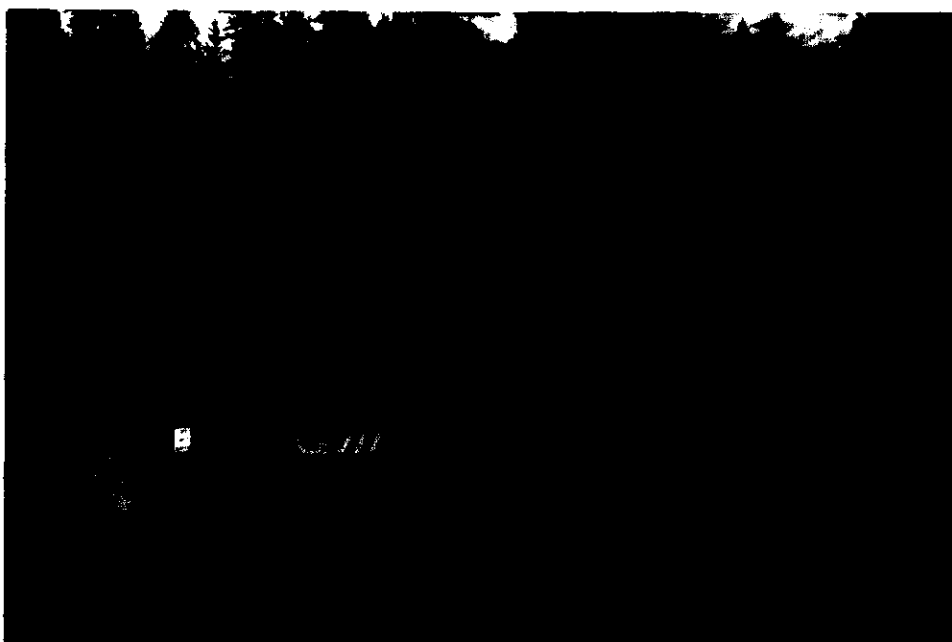
$$Q = \frac{8.8(.7)5}{2.3(36) + 175} = \boxed{.12 \text{ cfs}}$$

$$\frac{1775}{1600} \} \text{ Elev. Diff}$$

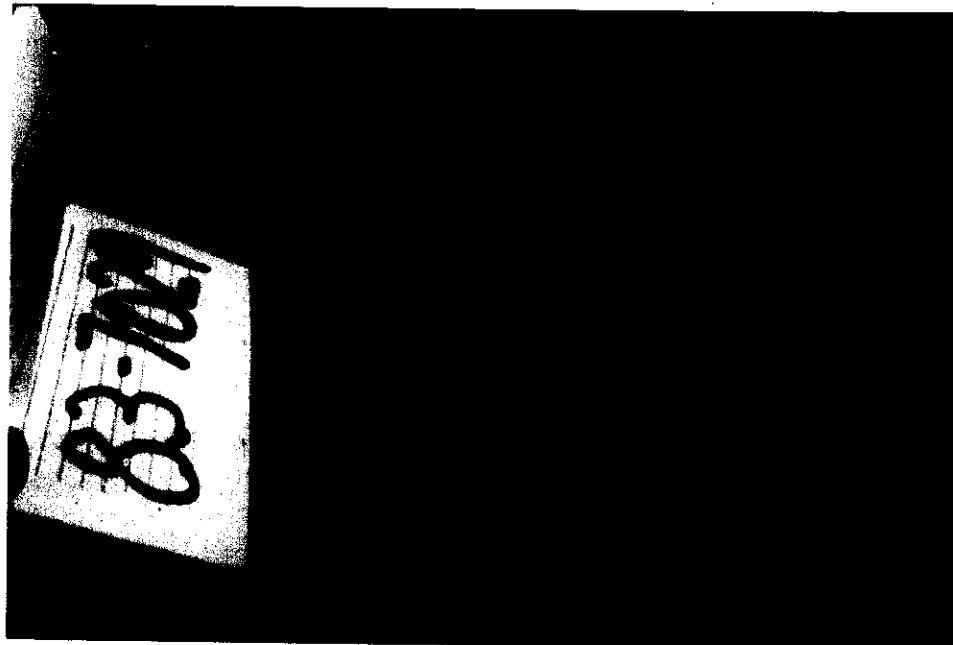
h_{static} & Elev.
inaccuracy makes
Flow cal. inaccurate

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JUL 10 1987



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JUL 10 1981



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REMARKS
ATTACHMENT TO 219A

PERMIT # 83-7029
INITIALS

DATE

8/8/86 Appt. 7:00 8/12/86

→ Across Dam - pass visitors
center

J.A.

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JUL 10 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

83-7029
Permit No.
RECEIVED
SEP 22 1986

Department of Water Resources

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 at P/U Gov. lots
- Check of P/D index J.A. 8/18/86 (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. 8/18/86 (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.

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JUL 10 1987

C. Review and Processing:

Exam Completed Jennifer Prosser 8/18/86 (Signature of examiner and date)
Exam Reviewed by Senior Water Resource Agent ke 8/18/86 (Initial and date)
Exam Reviewed by Manager of Regional Office BM 9/15/86 (Initial and date)
Exam Date Entered in Computer _____ (Initial and date)
Exam sent to State Office _____ (Initial and date)
Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

4/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$50.00
Date 7/16/86
Receipt # 38039
Receipt by [Signature]
Sent to S.O. 7/17/86

RECEIVED

JUL 21 1986

1. Permit No. 83-7029

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: Department of Water Resources

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: US ARMY CORPS OF ENGINEERS

3. Post Office Address: BLDG. 602, CITY-COUNTY AIRPORT, WALLA WALLA WA. 99362

Telephone No. 509-522-6794

4. Source of Water: DWORSHAK RESERVOIR

5. Extent of Use:

Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)

Irrigation _____ (acres) Other/Remark 1 CARETAKER FAMILY

73 TRAILER SITES, 34 TENT SITES, FIRST AID, FIRE PROTECTION

6. Total rate &/or volume for which proof is submitted 0.1 cfs 4.0 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

1 JUNE 1985

8. Person to contact to accompany the department representative examination:

RODGER COLGAN-PROJECT ENGINEER, DWORSHAK DAM
(Name)

OROFINO, IDAHO
(Address)

208-476-3294
(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date 15 Jul 86

Richard Carlton
Signature of Permit Holder (and title, if appropriate)
RICHARD CARLTON
Chief, Real Estate Division
Walla Walla District, Corps of Engineers



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

83-7029
U.S. DEPT. OF DEFENSE
DEPT. OF ARMY
CORPS OF ENGINEERS
BLDG. 602, CITY-COUNTY AIRPORT
WALLA WALLA, WA 99362

138094

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot submit your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

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JUL 10 1987

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

JUL 10 1987

February 26, 1986

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

Gentlemen:

Re: Permit No. 83-7029

Returned is the proof of beneficial use postcard submitted to this office on January 27, 1986. Please be advised that proof was previously submitted on July 16, 1982 and that it is not necessary to submit more than one time.

If you have any questions concerning this water right, please feel free to contact this office or our Northern Regional office in Coeur d'Alene.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

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JUL 10 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

October 8, 1982

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

RE: 83-7029

Gentlemen:

We acknowledge receipt of your statement of completion of water development and 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 do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Asst

TDK/pms

cc: IDWR - State Office

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JUL 10 1987



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
WALLA WALLA DISTRICT, CORPS OF ENGINEERS
BUILDING 602, CITY-COUNTY AIRPORT
WALLA WALLA, WASHINGTON 99362

RECEIVED

JUL 16 1982

Department of Water Resources

NPWRE
Water Permit 83-7029
Freeman Creek State Park
Dworshak Dam & Reservoir

14 July 1982

State of Idaho
Department of Water Resources
Statehouse
Boise, ID 83720

Gentlemen:

Inclosed is the Proof of Appropriation card for the Freeman Creek State
Park Intake Structure, Permit No. 83-7029.

Sincerely,

Allen L. Baim

ALLEN L. BAIM
Chief, Real Estate Division

Incl
As stated

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JUL 10 1987

PLACE
TEN CENT
STAMP
HERE

MICROFILMED

JUL 10 1981



Department of Water Resources

JUL 16 1982

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 83-7029

Name(s) of Permit Holder: U.S. ARMY CORPS OF ENGINEERS

Post Office Address: Bldg. 602, City-County Airport

Walla Walla WA 99362

Tel. No. (509) 525-5500

Source of Water: Worshak Reservoir

Extent of Use:

☐ Domestic

1

(number of households)

☐ Stockwater

(number and type of stock)

☐ Irrigation

(acres)

73 Trailer Camp Sites and

34 Tent Camp Sites

Measuring Device: Required? ☐ Yes ☒ No

Installed? ☐ Yes ☒ No

Access Port: Required? ☐ Yes ☒ No

Installed? ☐ Yes ☒ No

The above information is a true statement of the extent to which the above numbered permit has been developed. ALLEN L. BAIM

7-82 Chief, Real Estate Division

Date Walla Walla District, Corps of Engineers

Allen L. Baim
Signature of Permit Holder

Walla Walla District, Corps of Engineers

January 14

January 14, 1982

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

Re: Permit Nos. 83-7029, 83-7028
Receipt No. 21666

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is as stated on enclosures.

Please note that the permits have been reinstated with an advance in priority since the extension of time request was submitted after the proof due date.

If I can be of further assistance, please feel free to contact me.

Sincerely,

Rita I. Fleck
Sr. Secretary

ccp

Enclosure

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☒ CHECKED BOX APPLIES		☐ ORDER FOR SUPPLIES OR SERVICES		☐ REQUEST FOR QUOTATIONS NO.		RETURN COPY(IES) OF THIS QUOTE BY (THIS IS NOT AN ORDER. See DD Form 1155r)		PAGE 1 OF 1	
1. CONTRACT/PURCH ORDER NO. DACW68-82-M-4036		2. DELIVERY ORDER NO.		3. DATE OF ORDER 81 NOV 09		4. REQUISITION/PURCH REQUEST NO. BQ-82-0005		5. CERTIFIED FOR NATIONAL DEFENSE UNDER DMS REG 1 DO N/A	
6. ISSUED BY: Walla Walla District Corps of Engineers Bldg. 602, City-County Airport Walla Walla, WA 99362		7. ADMINISTERED BY: (If other than 6) Idaho Dept. of Water Resources Northern District Office 4055 Government Way, Suite #1 Coeur D'Alene ID 83814		8. DELIVERY FOB ☐ BEST ☐ OTHER (See Schedule if other)		9. CONTRACTOR/QUOTER Idaho Dept. of Water Resources Northern District Office 4055 Government Way, Suite #1 Coeur D'Alene ID 83814		10. DELIVER TO FOB POINT BY: 81 NOV 06	
11. CHECK IF ☐ SMALL BUSINESS ☐ MINORITY BUSINESS		12. DISCOUNT TERMS Net		13. MAIL INVOICES TO: ISSUING OFFICE		14. SHIP TO: CORPS OF ENGINEERS Bldg. 602, City-County Airport Walla Walla, WA 99362		15. PAYMENT WILL BE MADE BY: ISSUING OFFICE	
16. TYPE OF ORDER DELIVERY PURCHASE ☒ DELIVERY ☐ PURCHASE		17. This delivery order is subject to instructions contained on this side of form only and is issued on another Government agency or in accordance with and subject to terms and conditions of above numbered contract.		18. Reference your ☒ General Provisions of Purchase Order on DD Form 1155r (EXCEPT CLAUSE NO. 13 APPLIES ONLY IF THIS BOX ☐ IS CHECKED, AND NO. 15 IF THIS BOX ☐ IS CHECKED); special provisions 19. USC 2304(a)(3) or as specified in the schedule if within the U. S., its possessions or Puerto Rico; if otherwise, under 2304(a)(6). ☐ If checked, Additional General Provisions apply; Supplier shall sign "Acceptance" on DD Form 1155r and return		20. ACCOUNTING AND APPROPRIATION DATA/LOCAL USE BQ BFDWA304P200000		21. MATR. ALL PACKAGES AND PAPERS WITH CONTRACTOR ORDER NUMBER	
18. ITEM NO.		19. SCHEDULE OF SUPPLIES/SERVICES		20. QUANTITY ORDERED/ACCEPTED		21. UNIT		22. UNIT PRICE	
1.		FOREIGN MANUFACTURED ITEMS NOT ACCEPTABLE Statutory filing and recording fees, as follows: Permit 83-7028, Three Meadows Group Camp Intake Structure, Dworshak Dam and Reservoir, extension of time.		1		ea		15.00	
2.		Permit 83-7029, Freeman Creek State Park Intake Structure. Dworshak Dam and Reservoir, extension of time.		1		ea		15.00	
		PAY IN ADVANCE							
23. TOTAL 30.00		24. UNITED STATES OF AMERICA Donald H. Stiller BY: DONALD H. STILLER CONTRACTING/ORDERING OFFICER		25. TOTAL 30.00		26. DIFFERENCES		27. INITIALS	
28. QUANTITY IN COLUMN 20 HAS BEEN: ☐ INSPECTED ☐ RECEIVED ☐ ACCEPTED, AND CONFORMS TO THE CONTRACT EXCEPT AS NOTED		29. DATE LMW/plw		30. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE		31. DATE LMW/plw		32. SIGNATURE AND TITLE OF CERTIFYING OFFICER	
33. RECEIVED AT		34. RECEIVED BY		35. DATE RECEIVED		36. TOTAL CONTAINERS		37. S/R ACCOUNT NUMBER	
38. RECEIVED AT		39. RECEIVED BY		40. DATE RECEIVED		41. TOTAL CONTAINERS		42. S/R VOUCHER NO.	

THIS PARAGRAPH APPLIES ONLY TO QUOTATIONS SUBMITTED BY SUPPLIERS OF DOMESTIC ORIGIN UNLESS OTHERWISE INDICATED BY QUOTE

Supplies are of domestic origin unless otherwise indicated by quote. Government reserves the right to consider quotations or modifications thereof received after the date indicated on this action to the interest of the Government. This is a request for information and quotations furnished are not offers. When quotations are received, the Government will advise the contractor of the results of its consideration. The Government will pay any cost incurred in preparation of the quotation or in the procurement of contract for supplies or services.

GENERAL PROVISIONS

1. **INSPECTION AND ACCEPTANCE**—Inspection and acceptance will be as designated, unless otherwise provided. Until delivery and acceptance, and after any rejections, risk of loss will be on the Contractor unless results from negligence of the United States Government. Notwithstanding the requirements for any Government inspection and test contained in specification applicable to this contract, except where specialized inspections or tests are specified for performance solely by the Government, the Contractor shall perform or have performed the inspections and tests required to substantiate that the supplies and services provided under the contract conform to the drawings, specifications and contract requirements listed herein, including if applicable the technical requirements for the manufacturers' part numbers specified herein.

2. **VARIATION IN QUANTITY**—No variation in the quantity of any item called for by this contract will be accepted unless such variation has been caused by conditions of loading, shipping, or packing, or allowances in manufacturing processes, and then only to the extent, if any, specified elsewhere in this contract.

3. **PAYMENTS**—Invoices shall be submitted in quadruplicate (one copy shall be marked "Original") unless otherwise specified, and shall contain the following information: Contract or Order number, item number, contract description of supplies or services, sizes, quantities, unit prices and extended totals. Bill of lading number and weight of shipment will be shown for shipments on Government Bills of Lading. Unless otherwise specified, payment will be made on partial deliveries accepted by the Government when the amount due on such deliveries warrants.

4. **DISCOUNTS**—In connection with any discount offered, time will be computed from date of delivery of the supplies to carrier when acceptance is at the point of origin, or from date of delivery at destination, or from date of receipt in the office specified by the Government, if the latter is later than date of delivery. Payment is deemed to be made for the purpose of earning the discount on the date of mailing of the Government check.

5. **DISPUTES**—(a) Except as otherwise provided in this contract, any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Contracting Officer, who shall mail or otherwise furnish a copy thereof to the Contractor. This decision shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the Contracting Officer a written appeal addressed to the Secretary. The decision of the Secretary or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, or capricious, or arbitrary, or so grossly erroneous as to imply bad faith, or not supported by substantial evidence. The Contractor shall be afforded an opportunity to be heard and to offer evidence in support of his appeal. Pending final decision of a dispute hereunder, the Contractor shall proceed diligently with the performance of the contract and in accordance with the Contracting Officer's decision. (b) This "Disputes" clause does not preclude consideration of law questions in connection with decisions provided for in (a) above, provided, that nothing in this contract shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

6. **FOREIGN SUPPLIES**—This contract is subject to the Buy American Act (41 U.S.C. 101-105) as implemented by Executive Order 10882 of December 17, 1954, and any restrictions in appropriation acts on the procurement of foreign supplies.

7. **CONVICT LABOR**—In connection with the performance of work under this contract, the Contractor agrees not to employ any person undergoing sentence of imprisonment except as provided by Public Law 89-176, September 19, 1965 (18 U.S.C. 4082(c)(2)) and Executive Order 11755, December 29, 1973.

8. **OFFICIALS NOT TO BENEFIT**—No member of or Delegate to Congress or resident commissioner, shall be admitted to any share or part of this contract, or to any benefit that may arise therefrom, but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

9. **COVENANT AGAINST CONTINGENT FEES**—The Contractor warrants that no person or selling agency has been employed or retained to solicit or secure this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by the Contractor for the purpose of conducting business. For breach or violation of this warranty the Government shall have the right to annul this contract without liability or in its discretion to deduct from the contract price or consideration or otherwise recover, the full amount of such commission, percentage, brokerage or contingent fee.

10. **GRATUITIES**—(a) The Government may, by written notice to the Contractor, terminate the right of the Contractor to proceed under this contract if it is found after notice and hearing, by the Secretary or his duly authorized representative, that gratuities (in the form of entertainment, gifts or otherwise) were offered or given by the Contractor, or any agent or representative of the Contractor, to any officer or employee of the Government with a view toward securing a contract or securing favorable treatment with respect to the awarding or amending, or the making of any determinations with respect to the performing of such contract, provided, that the existence of the facts upon which the Secretary or his duly authorized representative make such findings shall be in issue and may be reviewed in any competent court. (b) In the event this contract is terminated as provided in paragraph (a) hereof the Government shall be entitled to pursue the same remedies against the Contractor as it could pursue in the event of a breach of the contract by the Contractor and (c) as a penalty in addition to any other damages to which it may be entitled by law to exemplary damages in an amount (as determined by the Secretary or his duly authorized representative) which shall be not less than three nor more than ten times the costs incurred by the Contractor in providing any such gratuities to any such officer or employee. (c) The rights and remedies of the Government provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this contract.

11. **RENEGOTIATION**—This contract, and any subcontract hereunder, is subject to the Renegotiation Act of 1951, as amended (50 U.S.C. App. 1211 et seq.) and shall be deemed to contain all the provisions required by Section 104 thereof, and is subject to any subsequent act of Congress providing for the renegotiation of contracts.

12. **CONDITION FOR ASSIGNMENT**—This Purchase Order may not be assigned pursuant to the Assignment of Claims Act of 1940, as amended (31 U.S.C. 203, 41 U.S.C. 171, unless or until the supplier has been requested and has accepted this order by executing the Acceptance hereon.

13. **COMMERCIAL WARRANTY**—The Contractor agrees that the supplies or services furnished under this contract shall be covered by the most favorable commercial warranties the Contractor gives to any customer for such supplies or services and that the rights and remedies provided herein are in addition to and do not limit any rights afforded to the Government by any other clause of this contract.

14. PRIORITIES, ALLOCATION AND ALLOTMENTS

—The Contractor shall follow the provisions of DMS Reg. 1 or DPS Reg. 1 and any applicable regulations and orders of the Bureau of Domestic Commerce in obtaining controlled materials and other products and materials needed to fill this order.

15. FAST PAYMENT PROCEDURE

(a) **General**—This is a fast payment order. Invoices will be paid on the basis of the Contractor's delivery to a post office, common carrier, or, in shipment by other means, to the point of first receipt by the Government.

(b) **Responsibility for Supplies**—Title to the supplies shall vest in the Government upon delivery to a post office or common carrier for shipment to the specified destination. If shipment is by means other than post office or common carrier, title to the supplies shall vest in the Government upon delivery to the point of first receipt by the Government. Notwithstanding any other provision of the purchase order, the Contractor shall assume all responsibility and risk of loss for supplies (i) not received at destination, (ii) damaged in transit, or (iii) not conforming to purchase requirements. The Contractor shall either replace, repair, or correct such supplies promptly at his expense, provided instructions to do so are furnished by the Contracting Officer within ninety (90) days from the date title to the supplies vests in the Government.

(c) **Preparation of Invoice**—(1) Upon delivery of supplies to a post office, common carrier, or in shipment by other means, the point of first receipt by the Government, the Contractor shall prepare an invoice in accordance with Clause 3 of the General Provisions of Purchase Order, except that invoices under a blanket purchase agreement shall be prepared in accordance with the provisions of the agreement. In shipments by either post office or common carrier, the Contractor shall either (A) cite on this invoice the date of shipment, name and address of carrier, bill of lading number or other shipment document number, or (B) attach copies of such documents to his invoice as evidence of shipment. In addition the invoice shall be prominently marked "Fast Pay." In case of delivery by other than post office or common carrier, a receipted copy of the Contractor's delivery document shall be attached to the invoice as evidence of delivery.

(2) If the purchase price excludes the cost of transportation, the Contractor shall enter the prepaid shipping cost on the invoice as a separate item. The cost of parcel post insurance will not be paid by the Government. If transportation charges are separately stated on the invoice, the Contractor agrees to retain related paid freight bills or other transportation billings paid separately for a period of three years and to furnish such bills to the Government when requested for audit purposes.

(3) In the event this order requires the preparation of a Marched Inspection and Receiving Report (DD Form 250), the contractor has the option of either preparing the DD Form 250 or including the following information on the invoice: (a) addition to that required in (c) (1) above: (A) a statement in prominent letters "NO DD 250 PREPARED"; (B) shipment number; (C) mode of shipment; and (D) at the item level, (i) National Stock Number and/or Manufacturer's part number, (ii) unit of measure, (iii) Ship-To Point, (iv) Mark For Point if in contract, and (v) MILSTRIP document number if in contract.

(d) **Certification of Invoice**—The Contractor agrees that the submission of an invoice to the Government for payment is a certification that the supplies for which the Government is being billed have been shipped or delivered in accordance with shipping instructions issued by the ordering officer, in the quantities shown on the invoice, and that such supplies are in the quantity and of the quality designated by the cited purchase order.

OUTER SHIPPING CONTAINERS SHALL BE MARKED "FAST PAY"

16. (This clause applies if this contract is for services and is not exempted by applicable regulations of the Department of Labor.)

SERVICE CONTRACT ACT OF 1965—Except to the extent that an exemption, variation or tolerance would apply pursuant to 29 CFR 4.6 if this were a contract in excess of \$2,500, the Contractor and any subcontractor hereunder shall pay all of his employees engaged in performing work on this contract not less than the minimum wage specified under section 6 (a)(1) of the Fair Labor Standards Act of 1938, as amended (current minimum wage). However, in cases where section 6 (c)(2) of the Fair Labor Standards Act of 1938 is applicable, the rates specified therein will apply. All regulations and interpretations of the Service Contract Act of 1965 expressed in 29 CFR Part 4 are hereby incorporated by reference in this contract.

ADDITIONAL GENERAL PROVISIONS

17. **CHANGES**—The Contracting Officer may at any time, by a written order, and without notice to the sureties, make changes, within the general scope of this contract, in (i) drawings, designs, or specifications, where the supplies to be furnished are to be specially manufactured for the Government in accordance therewith; (ii) method of shipment or packing and (iii) place of delivery. If any such change causes an increase or decrease in the cost of, or the time required for performance of, this contract, whether changed or not changed by any such order, an equitable adjustment shall be made by written modification of this contract. Any claim by the Contractor for adjustment under this clause must be asserted within 30 days from the date of receipt by the Contractor of the notification of change provided that the Contracting Officer, if he decides that the facts justify such action, may receive and accept any such claim if asserted prior to final payment under this contract. Failure to agree to any adjustment shall be a dispute concerning a question of fact within the meaning of the clause of this contract entitled "Disputes." However, nothing in this clause shall excuse the Contractor from proceeding with the contract as changed.

18. **TERMINATION FOR DEFAULT**—The Contracting Officer, by written notice, may terminate this contract, in whole or in part, for failure of the Contractor to perform any of the provisions hereof. In such event the Contractor shall be liable for damages, including the excess cost of procuring similar supplies or services; provided that, if (i) it is determined for any reason that the Contractor was not in default or (ii) the Contractor's failure to perform is without his and his subcontractor's control, fault or negligence, the termination shall be deemed to be a termination for convenience under paragraph 19. As used in this provision the term "subcontractor" and "subcontractors" means subcontractors at any tier.

19. **TERMINATION FOR CONVENIENCE**—The Contracting Officer, by written notice, may terminate this contract, in whole or in part, when it is in the best interest of the Government. If this contract is for supplies and is so terminated, the Contractor shall be compensated in accordance with Section VIII of the Armed Services Procurement Regulation, in effect on this contract's date. To the extent that this contract is for services and is so terminated, the Government shall be liable only for payment in accordance with the payment provisions of this contract for services rendered prior to the effective date of termination.

20. **ASSIGNMENT OF CLAIMS**—Claims for monies due or to become due under this contract shall be assigned only pursuant to the Assignment of Claims Act of 1940, as amended (31 U.S.C. 203, 41 U.S.C. 171). However, payments to an assignee of monies under this contract shall not, to the extent provided in said Act, as amended, be subject to reduction or set-off (See Clause 12).

ACCEPTANCE

The Contractor hereby accepts the offer represented by the numbered purchase order as it may previously have been modified, subject to all of the terms and conditions set forth, and agrees to perform the same.

NAME OF CONTRACTOR	SIGNATURE	TYPED NAME AND TITLE	DATE SIGNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138873

UNITED STATES OF AMERICA
ARMY CORPS OF ENGINEERS
BLDG. 602, CITY-COUNTY AIRPORT
WALLA WALLA, WA 99362

SEPTEMBER 30, 1981

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 83-7029 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY 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. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD 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 WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 8, 1979

Re: Permit No.'s 83-7028 & 83-7029

U. S. Army, Corps of Engineers
Walla Walla District
Bldg. 602, City-County Airport
Walla Walla, Washington 99362

Gentlemen:

Enclosed are copies of your approved Applications for Permit. We direct your attention to the conditions of approval as listed on the fourth pages.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosures

MICROFILMED

83-7029

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. S.W. Source
3. ✓ Point of Diversion
4. 0.1 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 2 1/2 Time req. for Proof of B/U
7. ✓ Place of Use for other than irrig.
8. N/A Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. 20 Fee & Rec't. No.

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>7</u> Idaho Fish & Game Dept.	<u>7</u> Dept. of Lands
<u> </u> Bureau of Land Management	<u> </u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land N/A

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. NO

ID Power Co. Letter - G.W. & Tribs.

Snake River Condition

Payette River Letter

Priority Date 3/13/79

Water Quality #16 NO

Water Quality #10 7

intrastate interstate

Meas. Dev. or Sc. Meas. NO

Totalizing meter

Supplemental

Right-of-Way Cond.

Watermaster Cond.

Wtr. Dist No.

Meas. Dev. Cond. for apps within a Water Dist.

Reviewer
Date 5/7/79

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. Corps 83-7029

☒ 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) SK 2-7-79

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) SK 2-7-79

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) pro 4/20/79

Affidavit of Publication received(date) 4/20/79

(12) pro 4/20/79

Final date for protests April 14, 1979

Protests received: yes _____ no _____

(13) pro 4/20/79

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

(14) _____

Action recommended:

☒ Approve _____ Deny

RECEIVED
MAY 02 1979

Department of Water Resources

3.13.79 Proposed Priority

Reason for Reduction _____

Measuring device required _____

See attached sheet for other conditions of
approval

☒ No special conditions for approval

(15) District Northern

By B. B. Haynes MILWAUKEE 4-26-79

83-Z029_

UNITED STATES OF AMERICA

ARMY CORPS OF ENGINEERS, BLDG 602, CITY-COUNTY AIRPORT, WALLA WALLA, WA 99362

Source: NORTH FORK CLEARWATER RIVER tributary to CLEARWATER RIVER

Date Filed: 03/13/1979

Amount: 0.10 CFS

Diversion Point: SESW Sec 36 T 38N R 01E, CLEARWATER Co.

Use: DOMESTIC

(0.10 CFS) from 01/01 to 12/31

Place of Use: SESW NESW SENW SWNW SWNE NWSW Sec 01 T 37N R 01E

Diversion Means: INTAKE, FILTER, CHLORINATOR, AND TANK

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

March 22, 1979

U. S. Army Corps of Engineers
Bldg. 602, City-county Airport
Walla Walla, Washington 99362

RE: 83-7028 and 83-7029

Gentlemen:

Enclosed is Receipt No. 13459 in the amount of \$40.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patricia M. Stypa

PMS

Enclosure

STATE OF IDAHO		Department of Water Resources		N ^o 13459	
Boise, Idaho,		3/19		1979	
RECEIVED FROM	Army Corps of Engineers		of	Walla Walla, Wa. \$ 40.00	
				DOLLARS	
FOR		2 Appln.		\$ 40.00	
TOTAL . . .		\$ 40.00			
				ck 15-51	
				Patricia M. Stypa	

IDENT. NO. 83-7029

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]