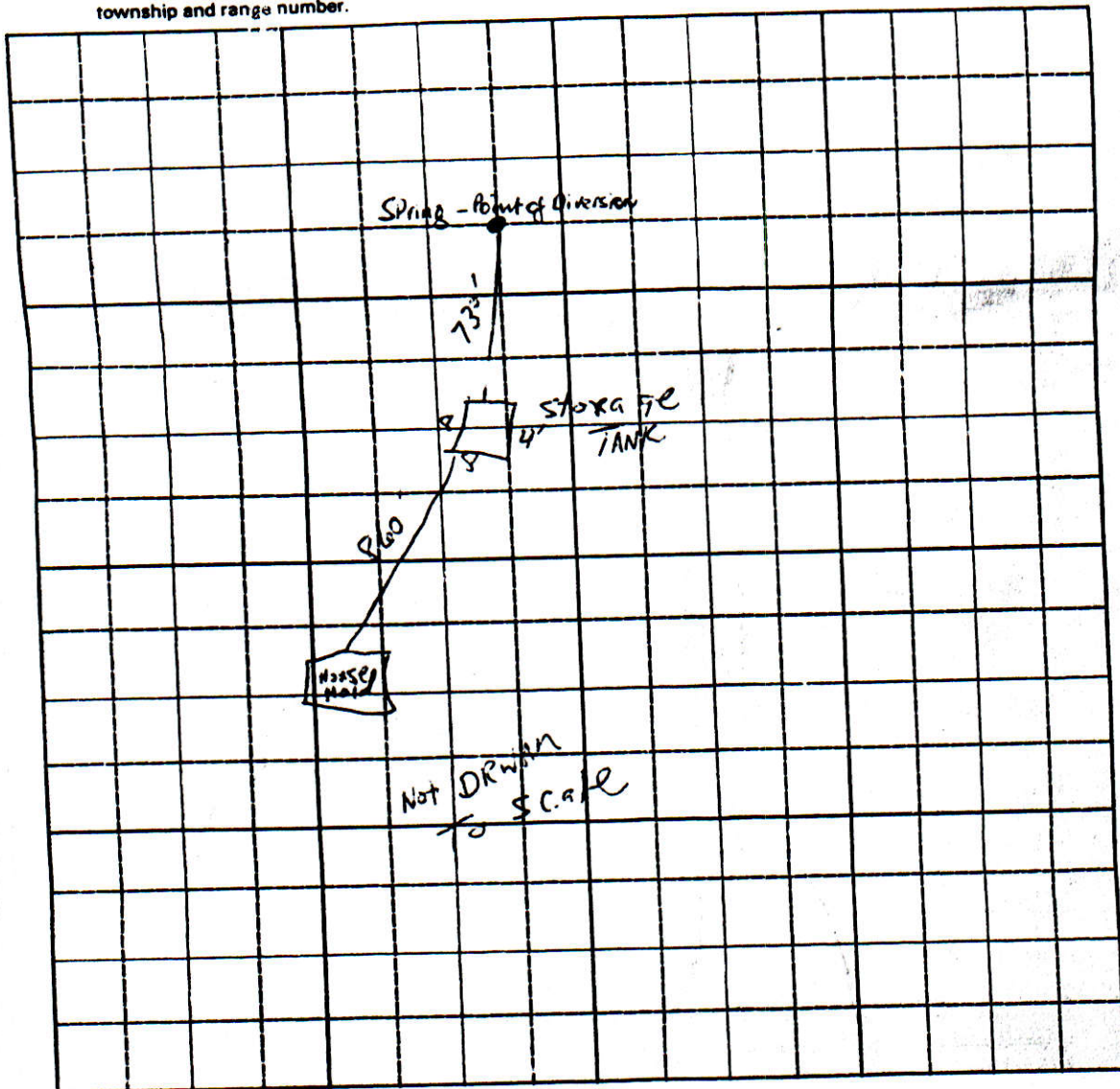


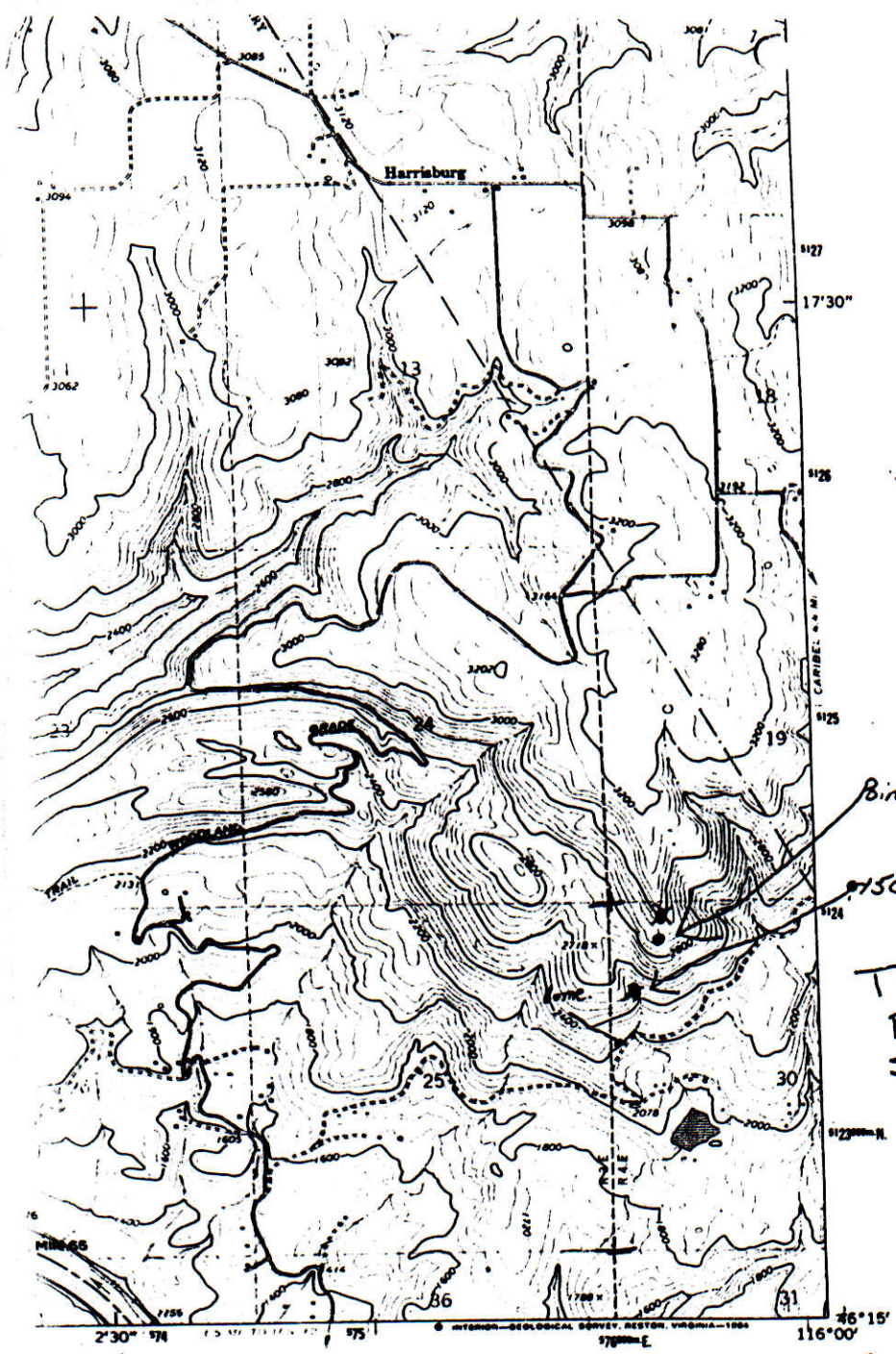
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Kelly M. Lipp
(Applicant)

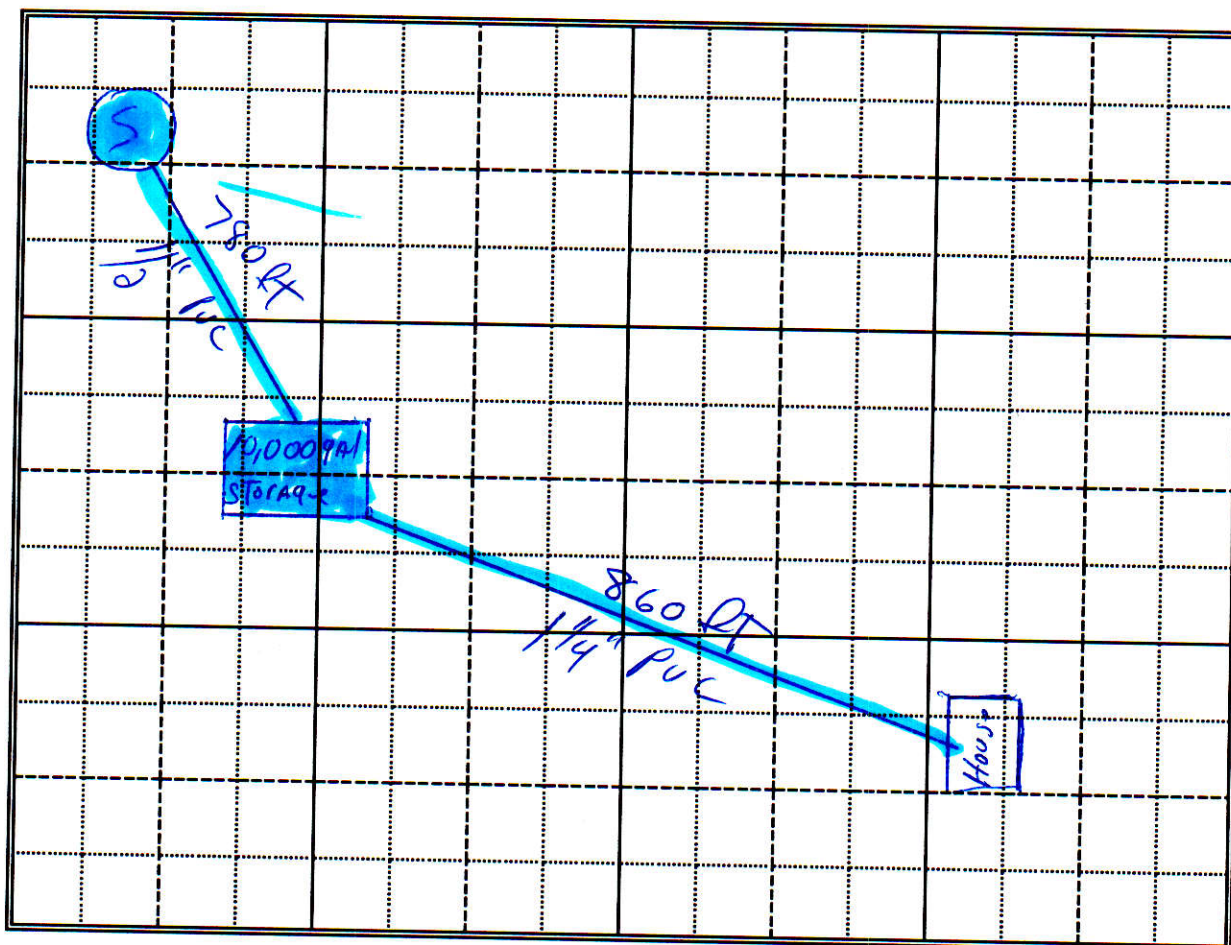


Point of Diversion
91500 + Cement Storage
TANK.
T34N
R4E
Sec 30

ROAD CLASSIFICATION
Heavy-duty ——— Light-duty ———
Unimproved dirt

PROCESSED
BY 10/11/11

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

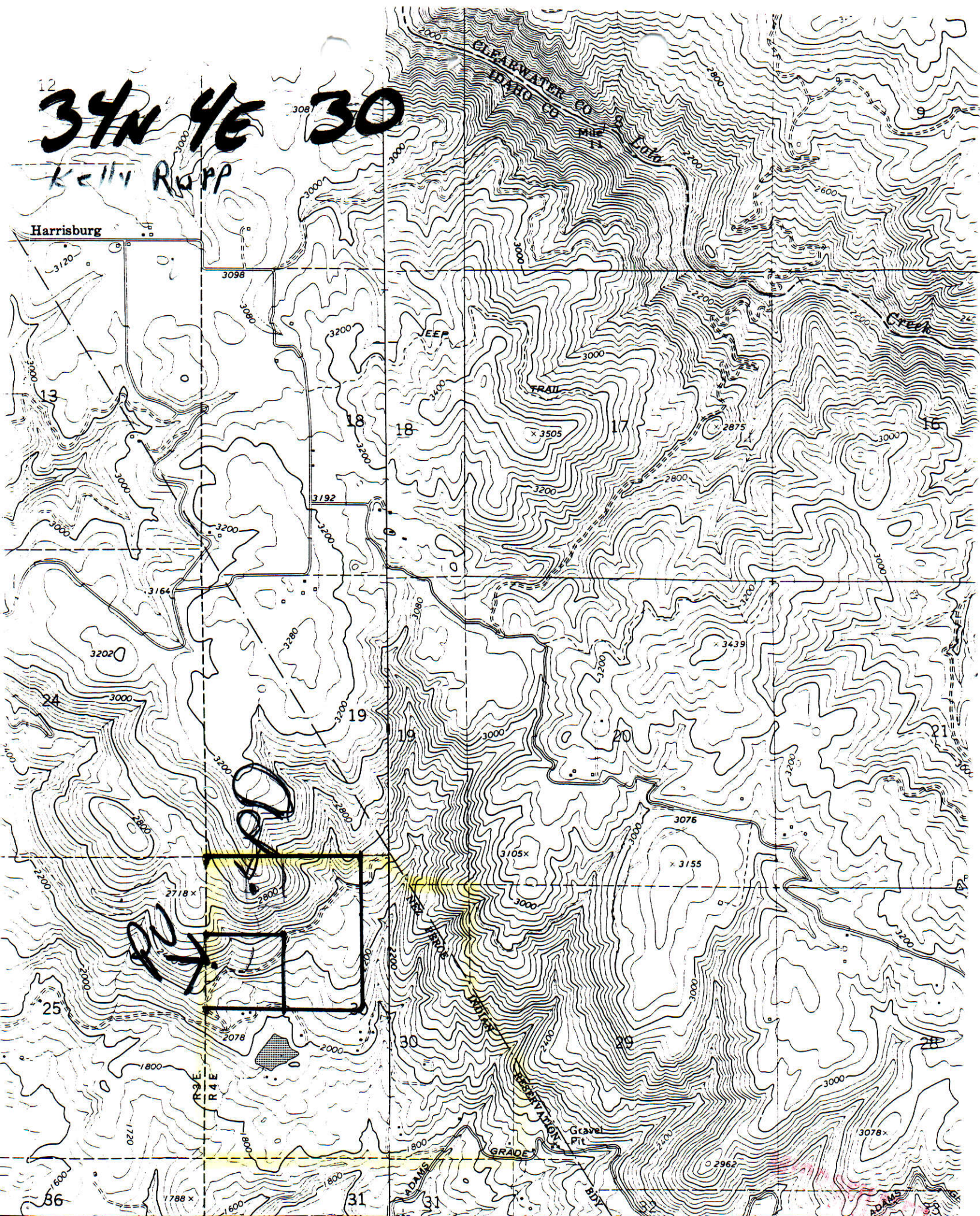
2. Measurements: _____

MICROFILMED

OCT 11 1996

12
34N 4E 30
Kelly Rupp

Harrisburg





Domestic PC Rupp
For some reason pictures of spring
and storage facility did not come out

W.B.

RECEIVED
OCT 11 1996

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Marietta Hanson, being
first duly sworn, says she is the Bookkeeper
of the IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho, and is
of general circulation in said county and state, that the said notice, of
which the one hereto attached is a true copy, was published in said
paper for two weeks, being published two
times, the first publication being on the 19th day of
August, 19 93, and the last
publication on the 26th day of August, 19 93;
and that the said notice was published in the newspaper proper and not
a supplement; that said newspaper has been continuously and uninter-
ruptedly published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or advertise-
ment.

Marietta Hanson

STATE OF IDAHO }
COUNTY OF }

On this 26th day of August in the year of 1993.
Before me, a Notary Public, personally appeared
Marietta Hanson, 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.

[Signature]
Notary Public for Idaho
Residing at Grangeville, ID
My commission expires 6-4-98



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 84-07269

Priority: July 21, 1995

Maximum Diversion Rate:
Maximum Diversion Volume:

0.02 CFS
1.2 AF

This is to certify, that KELLY JAY RUPP

HCR 11 BOX 12

KAMIAH ID 83536

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 10, 1993; and has submitted Proof of Beneficial Use on July 21, 1995. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

SPRING

tributary to **SINKS**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: NENWNW, Sec. 30, Township 34N, Range 04E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

34N 04E 30

SWNW

CONDITIONS OF APPROVAL AND REMARKS

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

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 31st day of July, 1996.

OCT 11 1996

Acting for KARL J. DREHER, Director

IN THE MATTER OF PERMIT NO. 84-07269)
)
IN THE NAME OF KELLY JAY RUPP) **ORDER OF**
) **REINSTATEMENT**
)

FINDINGS OF FACT

- AUG 28 1965

CONCLUSIONS OF LAW

1. The permit holder has submitted proof of beneficial use along with supporting evidence which establishes that water was in fact beneficially used within the authorized development period.

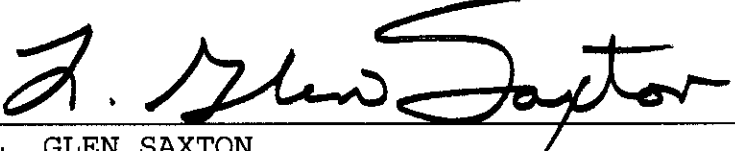
2. The permit holder has shown sufficient cause why the proof of beneficial use was not submitted in a timely manner.

3. The department should reinstate the permit with the date of priority advanced to the date proof of beneficial use and supporting information was received by the Department.

ORDER

IT IS HEREBY ORDERED that Permit No. 84-07269 is **REINSTATED** and the priority is advanced to July 21, 1995.

Dated this 11th day of August, 1995.



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
AUG 28 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

PROOF OF BENEFICIAL USE

JUN 02 1995

Department of Water Resources

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. 84-07269 Telephone No. 935-2959

2. Name(s) of Permit Holder(s): Kelly Jay Rupp

3. Mailing Address: HCR 11 Box 12 Kamiah Idaho, 83536

4. Source of Water: Spring If 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): 1 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): _____ Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: Max 0.04 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 _____ or No ☒
Has the measuring device been installed? Yes _____ 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: \$ 50.00 (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: Kelly Rupp Telephone Number: 935-2959

Address: HCR 11 Box 12 Kamiah Idaho

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: Kelly Jay Rupp
(Include your title, if on behalf of company or organization)

Date: 5/29/95

RECORDED

AUG 28 1995

NOTICE

This file has been REPRODUCED
from MICROFICHE 


Person Recreating File


Date

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 84-07269

Proposed Priority: August 10, 1993 Maximum Diversion Rate: 0.04 CFS
This is to certify, that KELLY JAY HUFF
HCR 11 BOX 12
KAMIAH ID 83536

has applied for a permit to appropriate water from:

SPRING tributary of SINKS

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>
DOMESTIC	01/01 to 12/31	0.04 CFS

LOCATION OF POINT(S) OF DIVERSION: NENAW, Sec. 30, Township 34N, Range 04E
IDAHO County

PLACE OF USE: DOMESTIC
TWN RGE SEC

34N 04E 30 SWW

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. The issuance of this right in no way grants any right-of-way or easement across the land of another.
4. Domestic use is for 1 home.

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

24th day of September 1993

R. Keith Higginson
for R. Keith Higginson, Director

RECEIVED
SEP 10 1993

Form 202
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 84-1269

To appropriate the public waters of the State of Idaho

1. Name of applicant Kelly Jay Rupp Phone (208) 935 2959
Post office address HCR #1 Box 12 Kamiah Idaho 83536
2. Source of water supply ground water SPRING which is a tributary of ALLA SLICKS
3. Location of point of diversion is 1/4 NE 1/4 NW 1/4 NW 1/4 Gov. Lot _____
Sec. 30 Township 34 North Range 4 East B.M. Idaho County; additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.04 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.04 and/or (b) _____
(acre-feet per annum) (acre-feet per annum)
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Developed spring - 1 1/4 gallons/minute. 730 feet 1/2" pipe from spring to 8'x8'x4' concrete storage tank. - Then 800 feet 1" pipe from tank to household.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ 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 _____ years (minimum 1 year).

- a. Hydropower; show total feet of head and proposed capacity in KW _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. Five
- e. Other; describe fully. _____

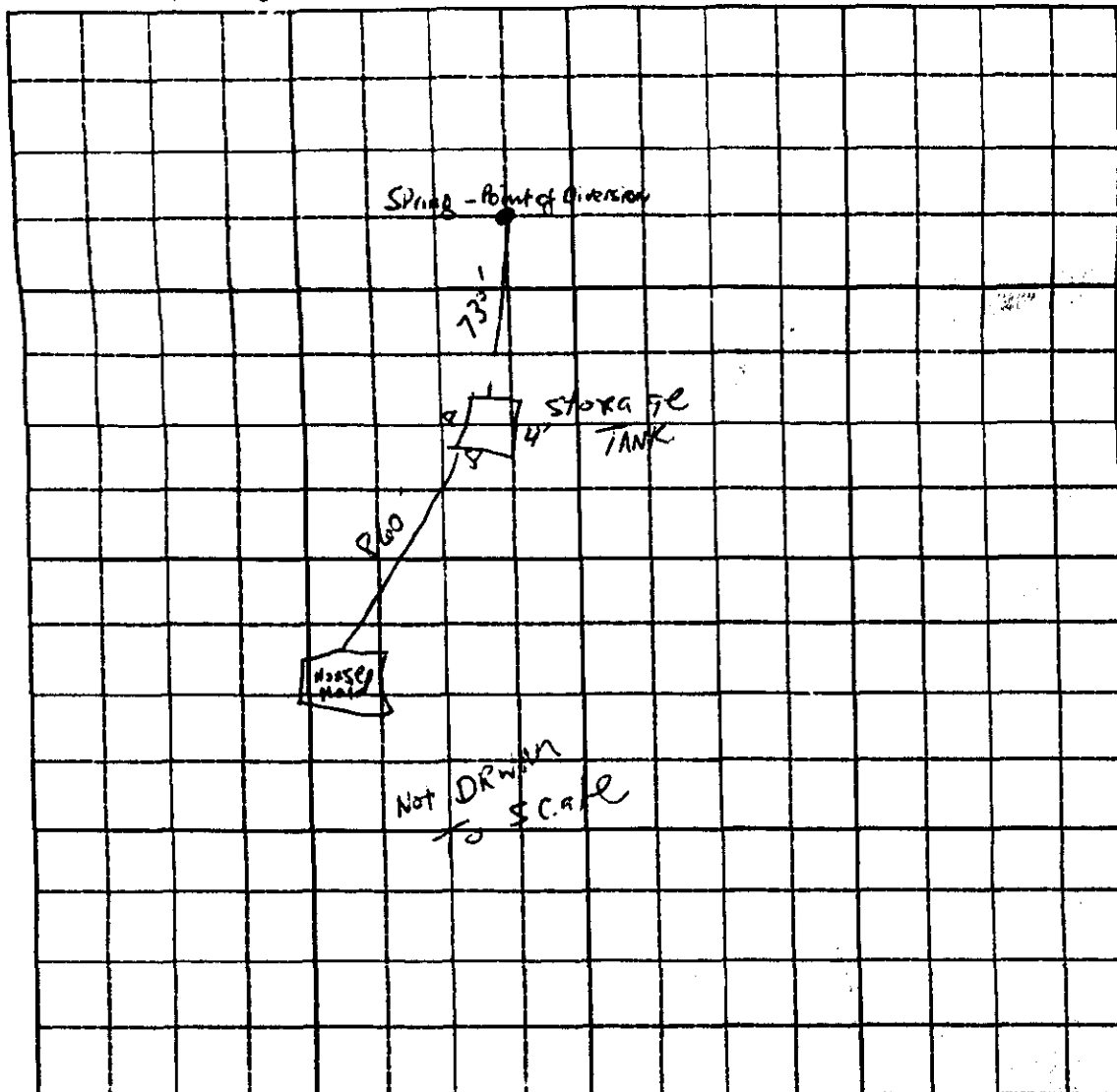
- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. if water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

[illegible]

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? Dale Rupp
b. Who owns the land to be irrigated or place of use? Kelly Rupp
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Property owned by father-Dale Rupp. I have been using the spring water for 3 years, and have been given permission to
12. Remarks: make this filing.

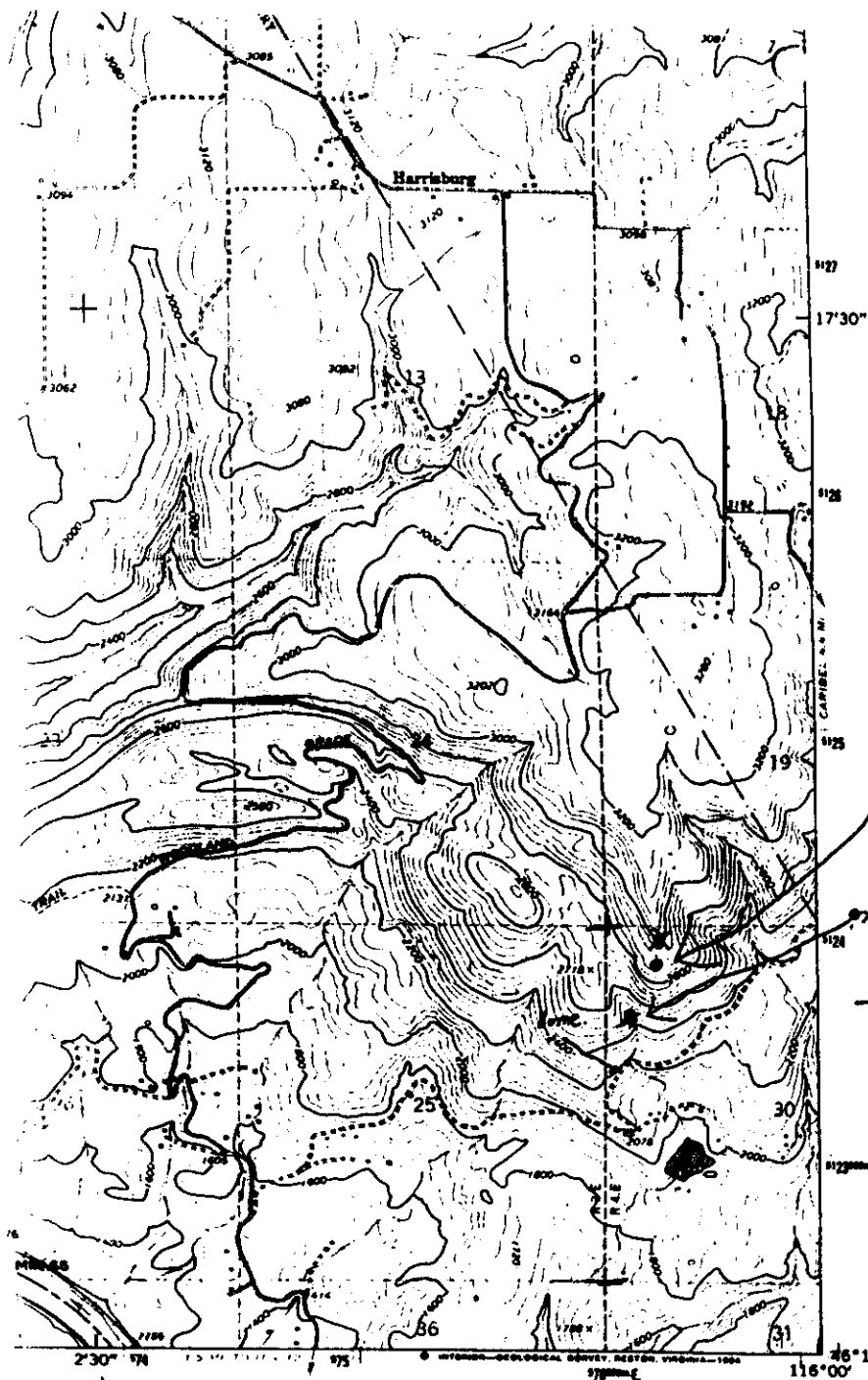
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Kelly L. Lopez
(Applicant)



Point of Diversion

24 91500 ^{gross} v. ^{net} cost Storage TANK.

T34N
R4E
Sec 30

ROAD CLASSIFICATION

Heavy-duty _____ Light-duty _____

Unimproved dirt _____

1005K11
DATE 11/1/88

Received by [Signature] Date 7/10/93 Time 1:30 PM Preliminary check by _____
Fee \$ 30.00 Received by [Signature] # N6155 Date 11/12/92
Publication prepared by [Signature] Date 8/11/93 Published in 5/19-26/93
Publication approved [Signature] Date 7/1/93

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:



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 31, 1996

KELLY JAY RUPP
HCR 11 BOX 12
KAMIAH ID 83536

RE: WATER RIGHT NO. 84-07269

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads 'Shelley W. Keen'.

Shelley W. Keen
Water Rights Supervisor

SWK:ph

Enclosure

A faint, circular official stamp, likely from the Idaho Department of Water Resources, located in the bottom right corner of the page.

OCT 11 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 84-07269 DATE 7/29/96 REVIEWER: S H A R L A

NAME	Change <u>—</u>	OK <u>✓</u>	Address Change <u>NO</u>
SOURCE	Change <u>—</u>	OK <u>✓</u>	Is change clarification of originally intended source? <u>—</u> If not, prepare Notice of Intent to Void <u>—</u>
POINT OF DIV	Change <u>—</u>	OK <u>✓</u>	Amendment required <u>NO</u>
PLACE OF USE	Change <u>—</u>	OK <u>✓</u>	Amendment required <u>NO</u>

Does map agree with written description? ✓ yes — no

OVERLAPS — P/D — P/U

RATE OF DIV

Permitted Rate	<u>.04</u>	cfs	
Fee limit	<u>.20</u>	cfs	<u>\$50⁰⁰</u>
Measured	<u>.02</u>	cfs	<u>8.3 gpm 5 gal bucket / 36 sec</u>
Theoretical	<u>—</u>	cfs	

Recommended Total Div Rate .02 cfs

ANNUAL VOLUME/ NATURE OF USES	Change <u>—</u>	OK <u>✓</u>	Use <u>Domestic</u>	Volume Calculation <u>1.2 standard</u> af
				af
				af
				af
				af
			SUBTOTAL	<u>1.2</u> af

Flow rate .02 cfs X 365 days X 1.98 ~~af~~ = 14.5 af

Total volume recommended 1.2 af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS DI home

CONDITIONS — Watermaster Control WD# —

— GW Measurement/Measuring Device

— Overlap

— Use-specific conditions

Advancement of Priority Date Required — yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo N/A

1st Amend Letter N/A

2nd Amend Letter N/A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL 22 1996

Department of Water Resources

Permit No. 84-7269 Phone No. (208) 935-2959

A. GENERAL INFORMATION

1. Owner: Kelly Jay Rupp Phone No. (208) 935-2959
Current Address: CHERRY BOX 12 Kamiah Id. 83536
2. Accompanied by: Kelly Rupp EXAM DATE: 5-29-96
Address: Same as above Phone No. _____
Relationship to Permit Holder: _____
3. Source: Spring tributary to sinks

B. OVERLAP REVIEW

- Other water rights with the same place of use: _____
- Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NW	NW	30	34N	04E	Idaho	U.S.G.S. 7.5 min Quad

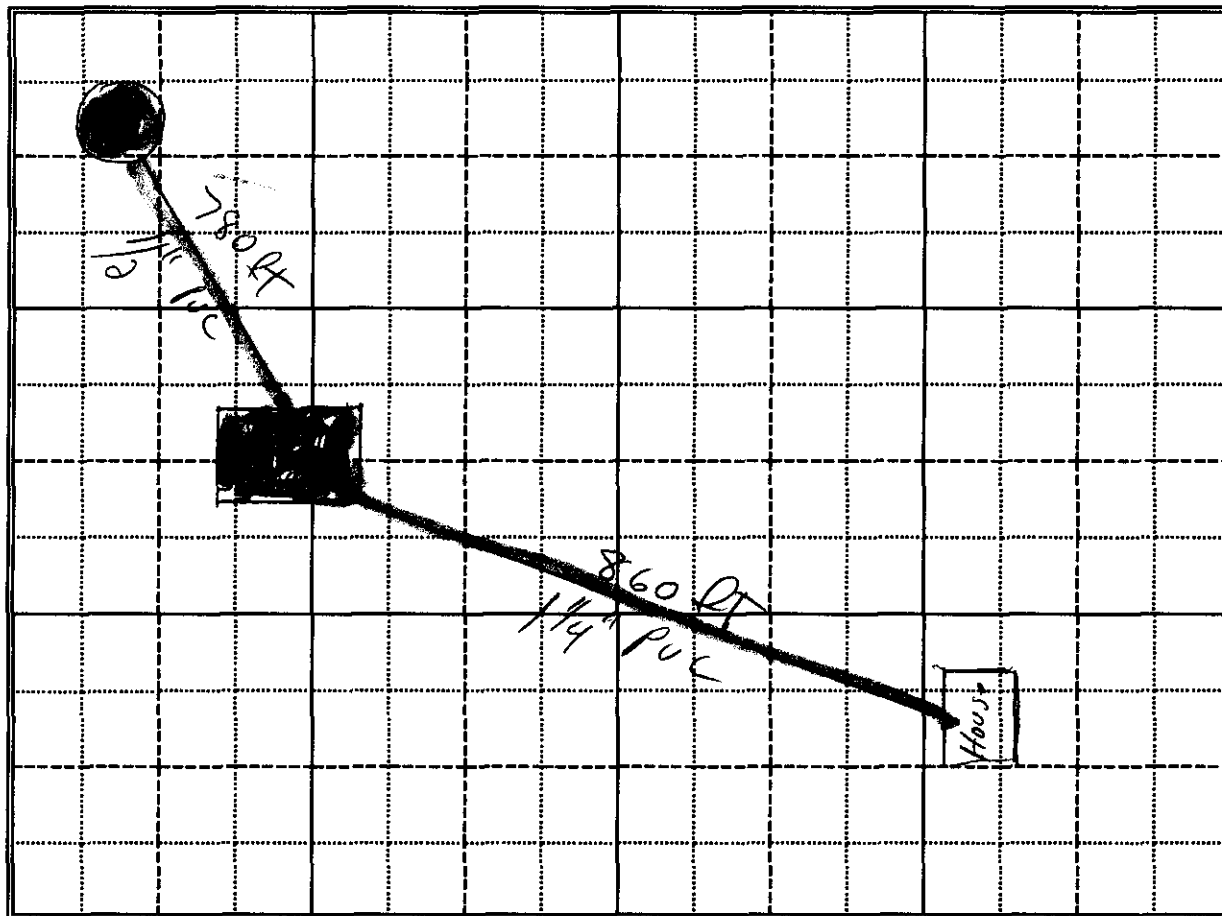
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
34N	04E	30							2										
	</																		

OCT 11 1996

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

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

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

D. FLOW MEASUREMENTS

1.

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

2. Measurements: _____

RECEIVED

OCT 11 1996

E. NARRATIVE/REMARKS/COMMENTS

Gravity flow system, from spring to
10,000 gal storage, to house. Pictures of
spring & storage facility for some reason didn't
turn out

Have conditions of permit approval been met? yes no

MISSOURI DEPT OF REVENUE

OCT 11 1996

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

5 gal bucket 5 gal = 36 = 8.3 gal/min

$$\frac{8.3 \times 1.33681}{60} = .018 = .02$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Domestic	01-01	12-31	.02	1.2
Totals:			.02	1.2

2. Recommended Amendments

☐ 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

I. AUTHENTICATION

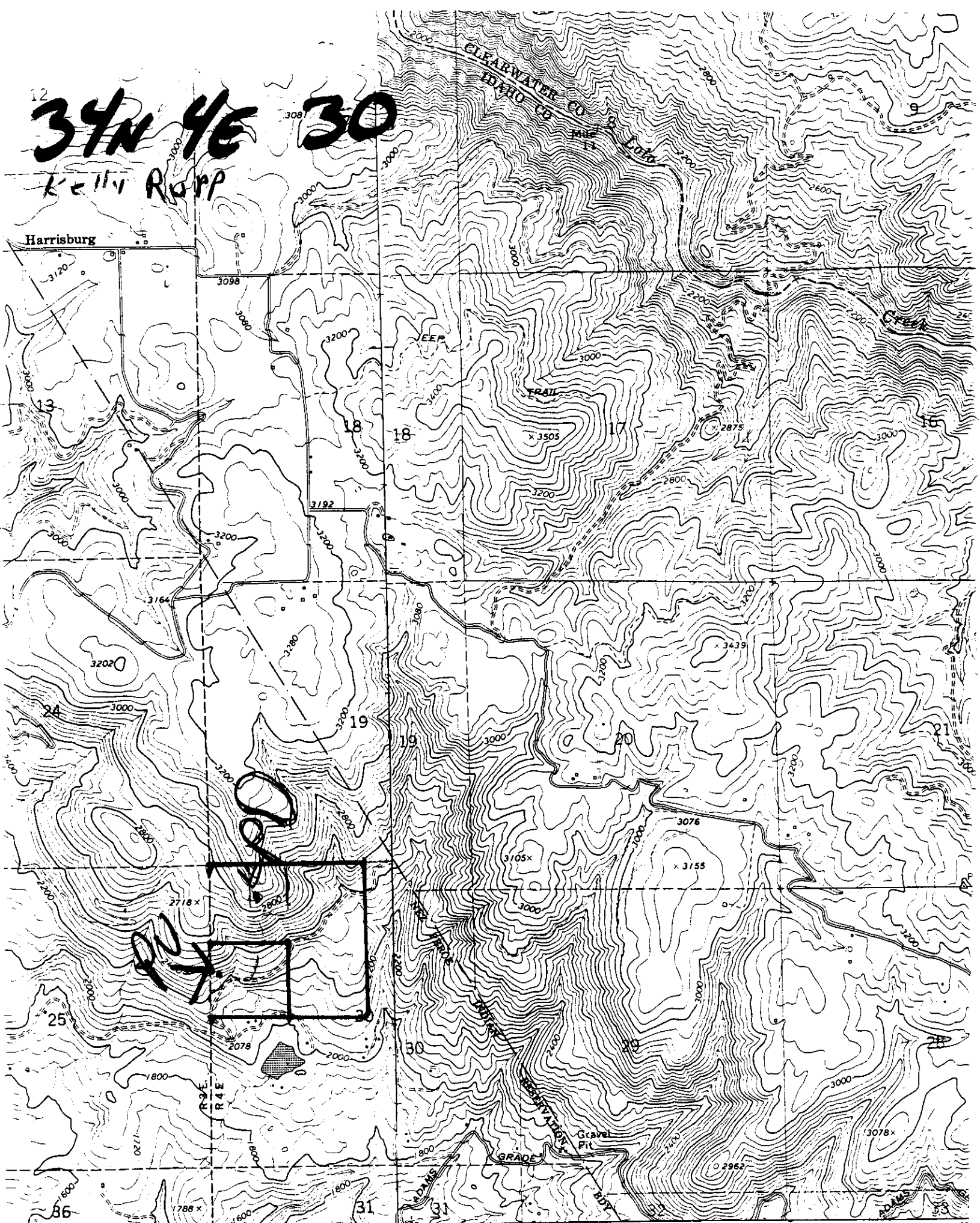
Field Examiner's Name Wayne Caldwell Date 6/5/96

Reviewer _____ Date _____

SEAL
OCT 11 1996

12
34N 4E 30

Kelly Rupp





Domestic Pe Rupp

For some reason pictures of spring
and storage facility did not come out

w.s.

RECEIVED
OCT 11 1996

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 84-07269 Reviewed by [Signature] Date 8-11-95

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
no 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?
50 Amount Submitted
yes Correct?
no Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received 7-21-95
Date proof due 10-1-94 -
No. of days late after 60 =
Priority Date +
New Priority Date

> 7/21/95

DEFICIENCIES OR ACTION ITEMS

*Reinstate & advance priority to July 21, 1995:
Proof acceptable*

DATA ENTRY

New Address X Proof Made 7-21-95



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 11, 1995

KELLY JAY RUPP
HCR 11 BOX 12
KAMIAH ID 83536

PROOF ACKNOWLEDGEMENT LETTER

RE: PERMIT NO. 84-07269

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit.

Enclosed is an order reinstating your permit since proof of beneficial use was received after the proof due date. Please note that the priority date has been advanced to July 21, 1995.

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 the field examination, please feel free to contact the NORTHERN Regional Office in Coeur d'Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

c: IDWR - Region

RECORDED

AUG 28 1995

Dear Sir,

We misplaced our paperwork (for 'Proof of Beneficial Use'), so is the reason we are late sending this in.

Please let us know if there is anything else we need to do, to finalize this.

Thankyou

K. Rupp

RECEIVED

AUG 28 1995

RECEIVED
JUL 17 1995
Department of Water Resources July 1, 1995

Dept. of Water Resources
1301 North Orchard,
Statehouse Mail, Boise 83720

RE: PERMIT NO. 84-07269

We have provided the necessary
signatures beneath to prove that we
have been using the water as approved
on our water right

Kelly Rupp

State of IDAHO
County of TAN

RECORDED
AUG 28 1995



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

June 13, 1995

PHILIP E. BATT
GOVERNOR

Kelly Jay Ruff
HCR 11 Box 12
Kamiah, ID 83536

KARL J. DREHER
DIRECTOR

RE: Lapsed Permit No. 84-07269

Dear Permit Holder:

The Department received your proof of beneficial use statement for the above referenced permit on June 2, 1995.

Because you failed to file the proof of beneficial use in a timely manner, and pursuant to Section 42-218a, Idaho Code, (copy enclosed) the permit can be reinstated only if you submit the following:

- a) Two pieces of evidence to show that beneficial use of the water did commence and to show the extent of the use of water during the authorized permit period from the time the permit was issued until the proof due date, and
- b) Reasonable cause why the proof of beneficial use was filed late.

You have submitted a reasonable explanation as to why the proof was filed late, however, you will need to submit proof that the water was being put to use before the permit lapsed on October 1, 1994. Your proof of beneficial use statement along with any information which may have been submitted with it, will remain on file in this office for **60 days** to allow you the opportunity to submit the additional required information.

You should also be aware, that since the proof was filed late, your priority date has been penalized. Provided you supply the requested information, your priority date of August 10, 1993, will be advanced to June 2, 1995.

If you have any questions or if I can be of any assistance, please feel free to contact me at (208)327-7900.

Sincerely,

Julie L. Yarbrough
JULIE L. YARBROUGH

Senior Secretary

NOT RECORDED

Enclosure

AUG 28 1995

NOTICE

This file has been REPRODUCED
from MICROFICHE [REDACTED]

Doris J. Block

Recreating File

6-9-95

Date

I certify that file No. 84-07269

has been reviewed and is ready to be

MICROFILMED and DESTROYED.

The attached proof report is the water right as it appeared in the database prior to final status entry and deletion from the database.

S. Custer
Reviewer

12/14/94
Date

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/14/94 08:54:19
Page 1

Water Right Number - 84-07269

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - + First Name - - - - + Address - - - - +

*** C - CURRENT OWNER ***
RUPP

KELLY JAY

1 - WGR 11 BOX 12
2 -
3 -
City - EMERSON
Phone - 208-935-2959

State - ID Zip - 83536

+ - - Priority Date - - - + - - - Region - - - + - - - State - - - + - - - Status - - - +
08/10/1993 18 NORTHERN P - PERMIT

+ - - - - Source - - - - + - - - - Tributary - - - - +
SPRING SIMES

+ - - - - Point of Diversion - - - - +
Turn Rng Sec Tract Lot Rng County Diversion Name Diversion Rate Diversion No.
34N 04E 30 NE NW NW (49) IDAHO

+ - - - - Water Use - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040

+ - - Total Div. Rate - - - + - - - Total Div. Volume - - - + - - - Total Div. Capacity - - - +
0.040

+ - - - - Place of Use - - - - +
Turn Rng Sec Tract Lot Acres Code Description County
34N 04E 30 SW NW 43 DOMESTIC (49) IDAHO

+ - - Diversion Means

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - +
Domestic use is for 1 home.

+ - - - - Old Water Right Numbers - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - +
DWA - The issuance of this right in no way grants any right-of-way
or easement across the land of another.

+ - - Decree Plaintiff - - - + - - - Decree Defendant - - - +

+ - - Decree Date - - - +
00/00/0000

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

12/14/94 08:54:19
Page 2

Water right number - 84-07269

Prefix translation: WATER RIGHT

+ Comments +
Date: 08/11/1993 User Id: STYPA Subject: DIVERSION DESCRIPTION
Developed spring, .5" pipeline to 8' x 8' x 6' concrete storage tank, then 1" pipe to house.
Spring yields 1.25 gpm.
Date: 09/17/1993 User Id: ZIMMERMAN Subject: MORATORIUM EXEMPTION
This permit is located within the Salmon/Clearwater Rivers Moratorium boundary; however, its domestic use is within the
acceptable parameters of the Moratorium guidelines.
Date: 09/17/1993 User Id: ZIMMERMAN Subject: P/O OWNERSHIP
The point of diversion is owned by the applicant's father, Dale Rupp. Applicant has been using the spring water for 8 years, and
have been given right of way.
Date: 10/12/1994 User Id: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

+ Audit Fields - 08/11/93 STYPA 09/17/93 ZIMMERMAN 10/12/94 COMMENTS

+ Water Rights Dates and Flags Area +

Proof Due Date	- 10/01/1994	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 09/24/1993	Protested Date	- 00/00/0000	Sven Falls	- B
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 00/00/0000	DLE/Carry Act	-
Order Show Cause	- 00/00/0000	Receipt Number	- N006135	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 08/10/1993	Transfer/Amended	-
Decree Date	- 00/00/0000	Name Connector	-	POU Ownership Flag	- Y
Presumption Flag	-				

October 11, 1994

KELLY JAY RUPP
HCR 11 BOX 12
KAMIAH ID 83536

LAPSE NOTICE

RE: PERMIT NO. 84-07269

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated July 31, 1994. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifty dollar (\$50.00) fee.

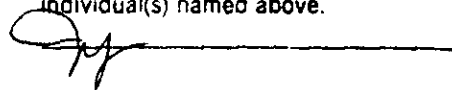
Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 10/11/94
a copy of an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



July 31, 1994

KELLY JAY RUPP
HCR 11 BOX 12
KAMIAH ID 83536

PROOF DUE NOTICE

RE: PERMIT NO. 84-07269

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.

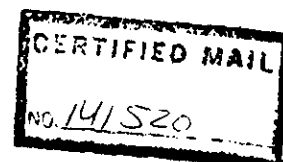
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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





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
COMMISSIONER
R. KEITH HIGGINSON
DIRECTOR

September 24, 1993

KELLY JAY RUPP
HCR 11 BOX 12
KAMIAH ID 83536

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 84-07269

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.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

84-07269

RUPP, KELLY JAY
HCR 11 BOX 12
KAMIAH, ID 83536

Source: SPRING

Tributary: SINKS

Diversion Pt:

NENWNW Sec 30 T 34N R 04E in IDAHO County.

Use: DOMESTIC

Total Diversion: (.040 CFS)
(.040 CFS)

Date Filed: 8/10/1993

In: IDAHO County
T34N R04E S30

SNNW

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Idaho - ss.

Marietta Hanson being first duly sworn, says she is the Bookkeeper of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 19th day of August, 19 93, and the last publication on the 26th day of August, 19 93; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

OK
19/1/93

Marietta Hanson

STATE OF IDAHO }
COUNTY OF }

On this 26th day of August in the year of 1993,
Before me, a Notary Public, personally appeared
Marietta Hanson, 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.



[Signature]
Notary Public for Idaho
Residing at Grangeville, ID
My commission expires 6-4-98



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2613

(208) 769-1450

~~(208) 769-1450~~ ~~(208) 769-1450~~

Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 12, 1993

Mr. Kelly Jay Rupp
HCR 11 Box 12
Kamiah, Id. 83536

Re: Water Appropriation Application No. 84-7269.

Dear Mr. Rupp:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application.

Your appropriation application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. However, if the application is protested during this waiting period, 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 approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms