

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *Township 36N Range 2 Section 9 SE 1/4 NW 1/4*

Scale: $\frac{1}{4}$ 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.

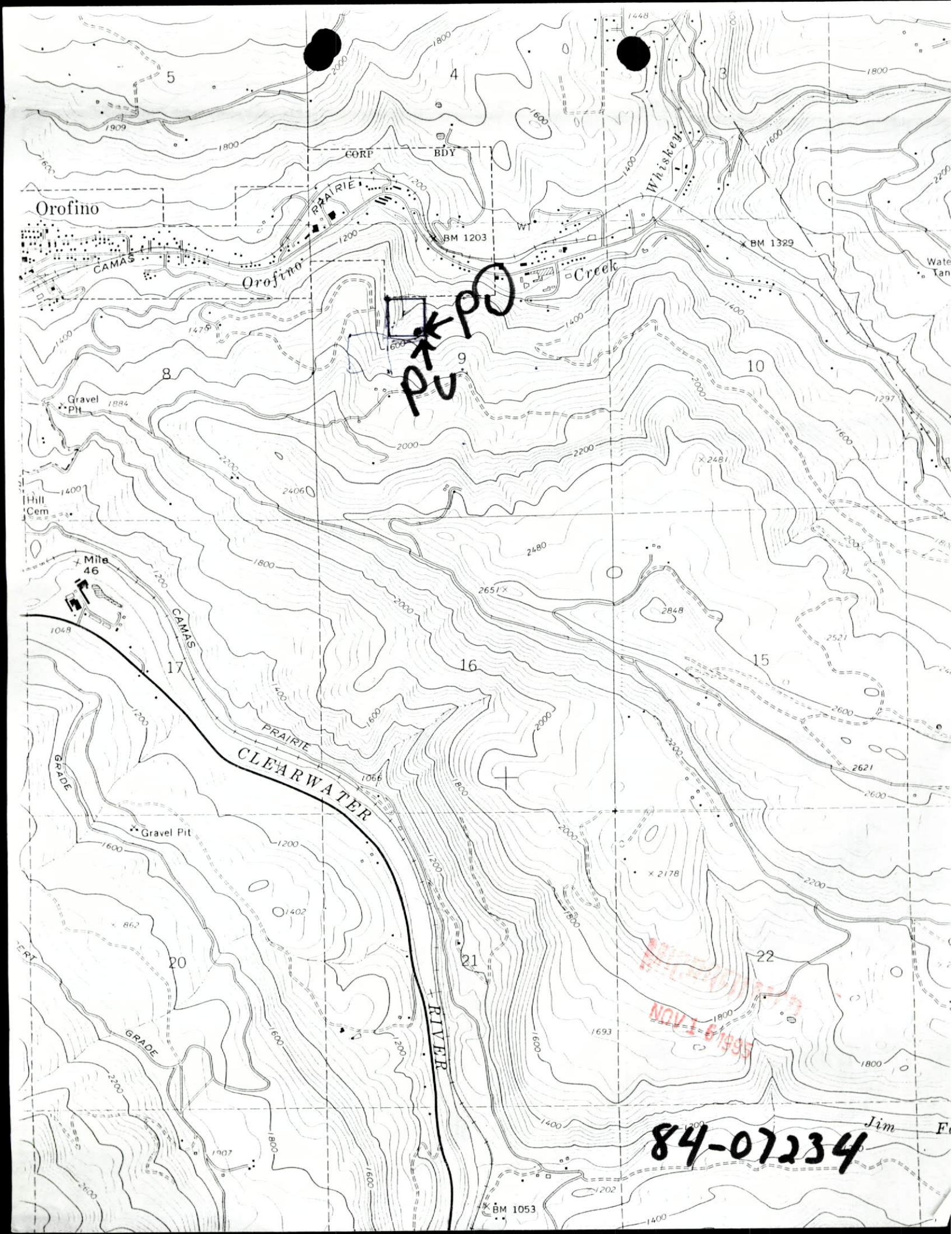
Jim Franklin
(Applicant)

-62

5146

27' 30"

DEC 21



Orofino

CORP

BDY

PRAIRIE

Whiskey Creek

BM 1203

BM 1329

Water Tan

PO
PU

Gravel Pit

1884

Hill Cem

Mile 46

17

16

15

CLEARWATER RIVER

Gravel Pit

20

21

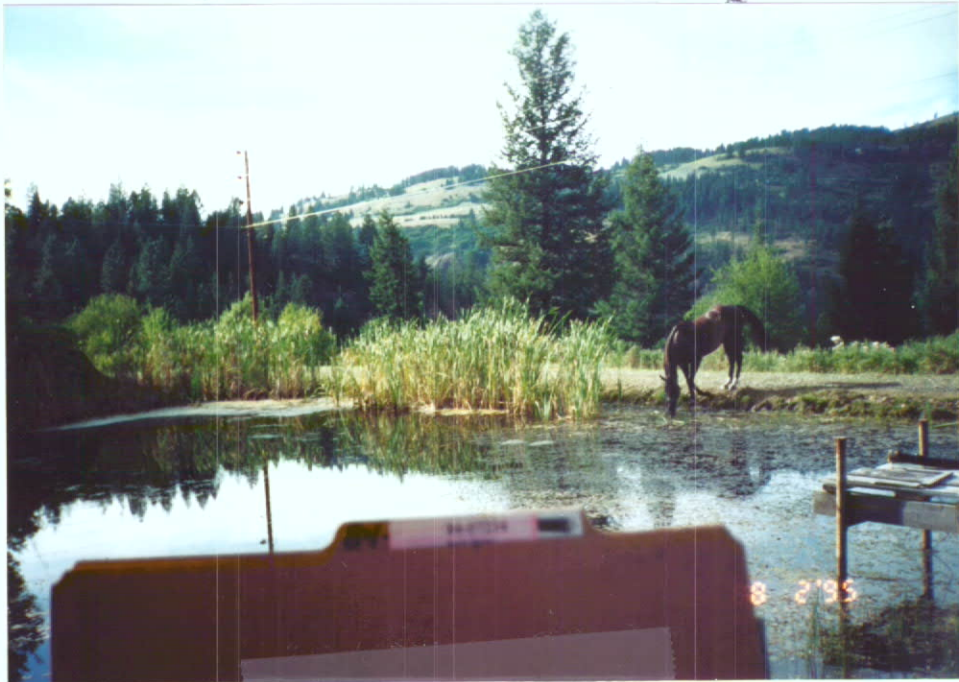
22

NOV 16 1995

84-07234

Jim

BM 1053



PD
+
PC



PD
+
PC

UNRECORDED
NOV 16 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 84-07234

Priority: September 28, 1988

Maximum Storage Volume:

0.1 AF

This is to certify, that JIM FRANKLIN
PO BOX 483

OROFINO ID 83544-0483 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 28, 1988; and has submitted Proof of Beneficial Use on October 12, 1989. An examination indicates that the works have a storage capacity of 0.400 af of water from:

SPRING

tributary to OROFINO CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		0.1 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSEW, Sec. 9, Township 36N, Range 02E
CLEARWATER County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

36N 02E 9

SEW

CONDITIONS OF APPROVAL AND REMARKS

1. This water right is appurtenant to the described place of use.
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. Stockwater storage use is for 6 head of livestock.

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 28th day of SEPTEMBER, 1988.

Acting for

KARL J. DREHER, Director

RECORDED

NOV 16 1995

RECEIVED

OCT 12 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

no fee encl.
Department of Water Resources

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by *AS-1-5-90*

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 84-7234 Telephone No. 476-5255

Name(s) of Permit Holder(s): Jim Franklin

Post Office Address: Box 483 Oropuna, Id. 83544

Source of Water: ground and surface water into pond

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic _____ (No. of households) Irrigation _____ (No. of acres)
Stockwater 6 cattle (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted _____ cfs .4 acre/feet

Show date water was first diverted and beneficially used under this permit: 10-10-89

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

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

Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

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

Jim Franklin 476-5255
Name Telephone No.

P.O. Box 483 126 C St.
Address

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

RECORDED

MAR 19 1990

10-10-89
Date

Jim Franklin
Signature (and title if on behalf of a company or organization)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 84-7234

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Jim Franklin Phone 476-5255
Post office address Box 483 Orofino, ID. 83544
2. Source of water supply spring which is a tributary of Orofino Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Govt. Lot 9
Sec. 9 Township 36 N Range 2 E B.M. Clearwater County; additional
points of diversion if any: none
4. Water will be used for the following purposes:
Amount .4 ac. ft. for STORAGE FOR stockwater purposes from Jan 1 to Dec. 31 (both dates inclusive)
(~~acres~~ acre-feet per annum) STOCKWATER
Amount .4 ac. ft. for FROM STORAGE purposes from 1-1 to 12-31 (both dates inclusive)
(~~acres~~ acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) .4
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Pond will be filled by
spring underground spring and by surface runoff down
a road ditch
 - b. Height of storage dam 6 feet; active reservoir capacity .4 acre-feet; total
reservoir capacity .4 acre-feet; period of year when water will be diverted to storage:
Jan 1 to Dec 31 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
1 years (minimum 1 year).

DEC 21 1988

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. app. 6 head cattle
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- e. Other; describe fully. _____

9. Description of place of use:

- 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.

TWP	RANGE	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	
36N	2E	9								S									

Total number of acres to be irrigated _____

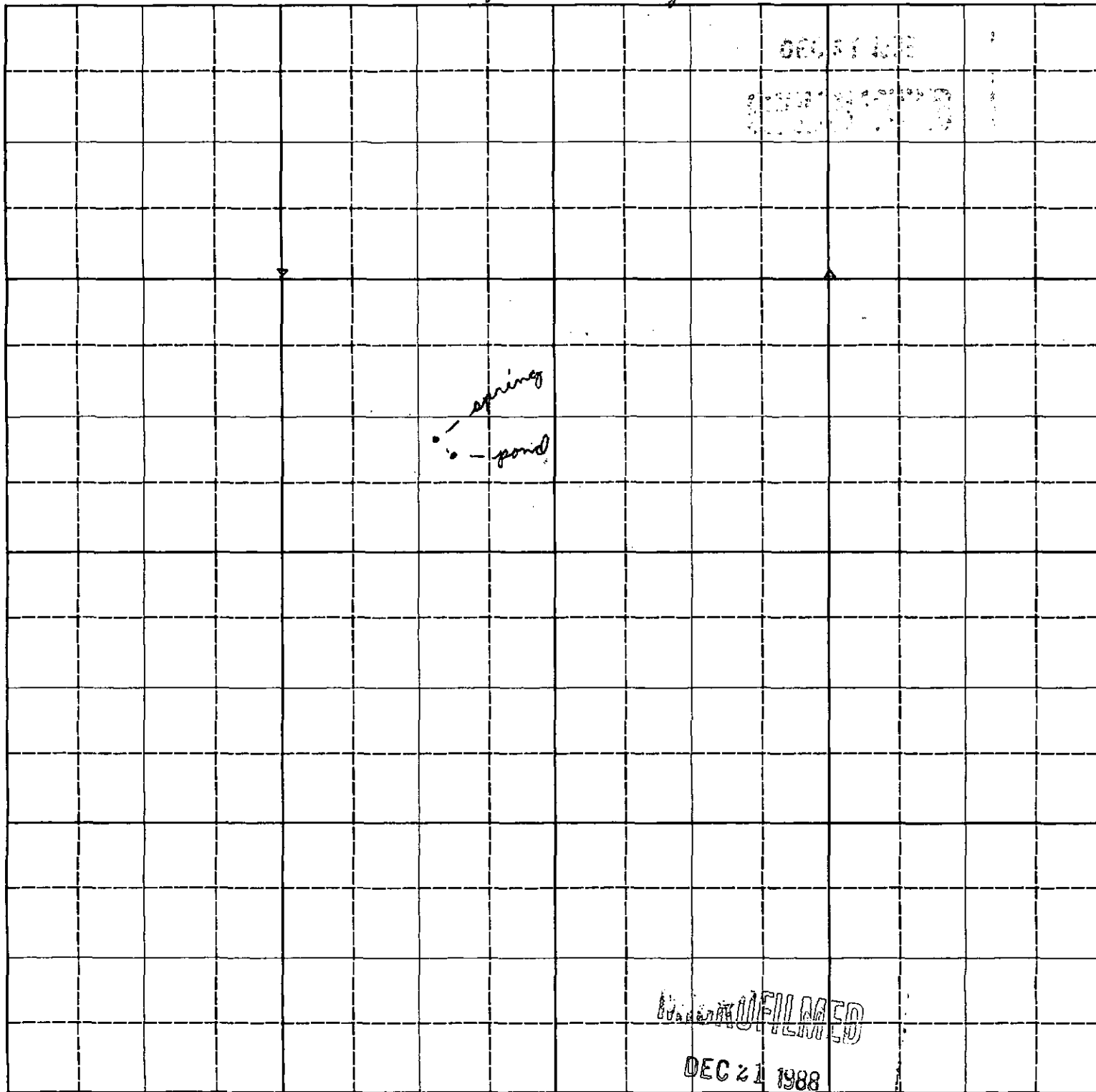
10. Describe any other water rights used for the same purposes as described above. developed spring for stockwater for same stock priority date 1970
11. a. Who owns the property at the point of diversion? Jim Franklin (applicant)
- b. Who owns the land to be irrigated or place of use? Jim Franklin (applicant)
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECORDED

DEC 21 1988

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number. *Township 36 N Range 2 Section 9 SE 1/4 NW 1/4*



Scale: $\frac{1}{4}$ 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.

Jim Franklin
(Applicant)

Proposed Priority 9/28/88

Received by ABH Date 9/28/88 Time 200 PM Preliminary check by JK
Fee \$ AB \$30.00 Received by AB # 0-1638 Date 9/28/88
Publication prepared by pm Date 10/11/88 Published in Clearwater Trib.
Publication approved pm Date 11/14/88

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. 84-7234, 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 89.

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:

Witness my hand this 30th day of November, 1988.

A. Glen Saylor

MICROFILMED

DEC 21 1988

48° 30'

559

560

12° 30' 191

562

549000-N

548

547

546

27° 30"



DEC 21 1968

R. KEITH HIGGINSON,
Director
10-20,27c



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

September 28, 1995

JIM FRANKLIN
PO BOX 483
OROFINO ID 835440483

RE: WATER RIGHT NO. 84-07234

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,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

NOV 16 1995

LICENSE REVIEW
Cindy Zimmerman

Permit #: 84-7234 Name: Franklin Date: 9/13/95
App Rcd 9/28/88 Priority 9/28/88 Examined 8/2/95 ✓ Lots ✓

NAME Chng OK Or Address Change? Box 267
SOURCE — ✓ Clarify source —
Prelim. Order to Void - Source change.
P/D — ✓ Amendment Needed? (1/4 not identified on exam) -P39, P38
Overlap(s) —
P/U — ✓ Amendment Needed? — -P41, P38
Overlap(s) —
*P/D & P/U Amend? P37, P38
(See paragraph list for governmental agencies.)

RATE — — Permit/fee limits —
Measured Q= — cfs Theoretical Q= — cfs
Recommended capacity 0.4 AF ~~cfs~~
Recommended rate — cfs

VOLUME ✓ — Season of Use: (—) 1/1 - 12/31 = 365 days
Calculations: stockwater (6'hd x 12gpd x 365d/y) ÷ 325,850 = 0.08 ≈ 0.1 AF
storage capacity = ((60' x 120' x 6') ÷ 43560) x 0.4 = 0.4 AF
Flow limit: — x — x 1.9835 = — AF
Recommended volume 0.1 AF

USES — ✓ Same Nature of Use? delete stockwater from storage -P46
Amendment Needed? —

REMARKS — ✓ Multiple p/d's in 1/4? —
① woz 1/6 head

CONDITIONS — — Measuring (R01)/Locking (R02) Devices —
Watermaster Control (R04) - WD # —
Irrigation rate/volume overlap —
Irrigation water overlap (065) (If gw use sw) —
Water Quality —
Other —

PRIORITY Due — Rc'd 10/22/89 Receipt# None Fee OK? (Yes) No
Order to Reinstate Needed? Yes (NO) Done? —
If Yes, Advanced? Yes/No to: —

COMMENTS: reduce volume.

USE	CFS	DIV VOL	Adjustment Memo
<u>Stock Stor</u>	<u>—</u>	<u>0.1</u>	<u>✓</u>
<u>—</u>	<u>—</u>	<u>—</u>	LICENSE: <u>P49</u>
<u>—</u>	<u>—</u>	<u>—</u>	#1 AMEND LTR: <u>P46</u> or
<u>—</u>	<u>—</u>	<u>—</u>	<u>P39/P41/P37 & P38</u>
<u>TOTAL</u>	<u>—</u>	<u>0.1</u>	#2 AMEND LTR: <u>P42/P47</u>

MEMORANDUM

DATE: September 13, 1995
TO: File No. 84-07234
FROM: Cindy Zimmerman *Sy*
SUBJECT: Review of Beneficial Use Field Report

=====

The following adjustments were made on the field report:

1. Point of diversion is located within the **NWSENW**, S09, T36N, R02E.
2. Watering of stock is occurring at the pond, therefore, stockwater from storage use was deleted.
3. Volume.
 - a. Capacity = $[(60' \times 120' \times 6') \div 43,560] \times 0.4$
= $[43,200 \div 43,560] \times 0.4$
= 1×0.4
= 0.4 AF.
 - b. Stockwater storage = $(6 \text{ hd} \times 12 \text{ g/d} \times 365 \text{ d/y}) \div 325,850$
= $26,280 \div 325,850$
= $0.08 \approx 0.1 \text{ AF.}$

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NOV 16 1995

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
36N	02E	09								5									

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

*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: _____

NOV 16 1995

NOV 16 1995

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.

UNCLASSIFIED

16 1995

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

2. Volume Calculations for Other Uses:

$$\frac{60' \times 120' \times 6'}{43560} = .99 \times .4 = .4 \text{ AFA}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Stock Water Storage	01-01	12-31		0.40 *
Stock Water From Storage	01-01	12-31		0.40 *
Totals:				0.40 *

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

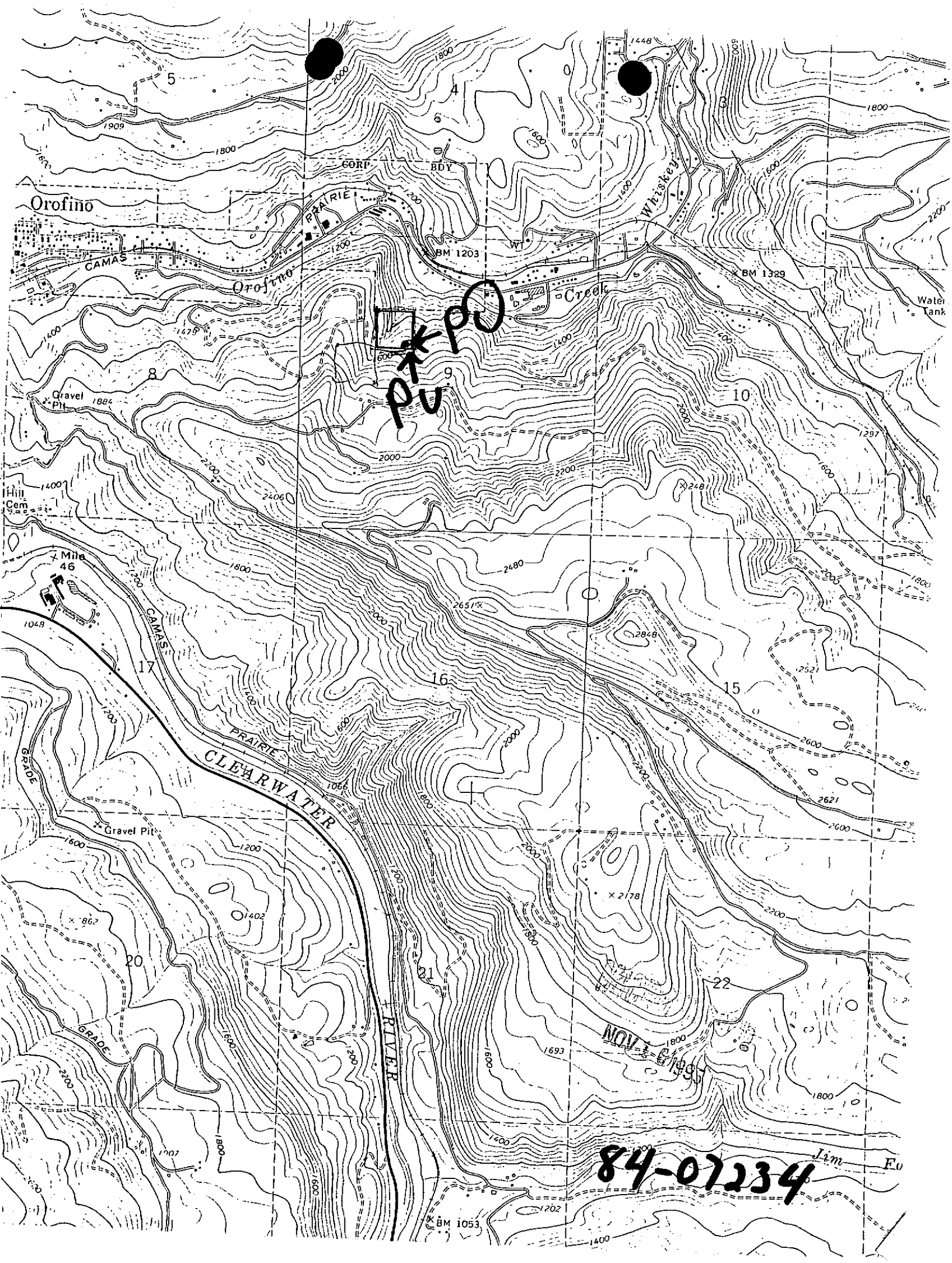
I. AUTHENTICATIONField Examiner's Name Wayne Baldern Date 8/23/95

Reviewer _____ Date _____

SEAL

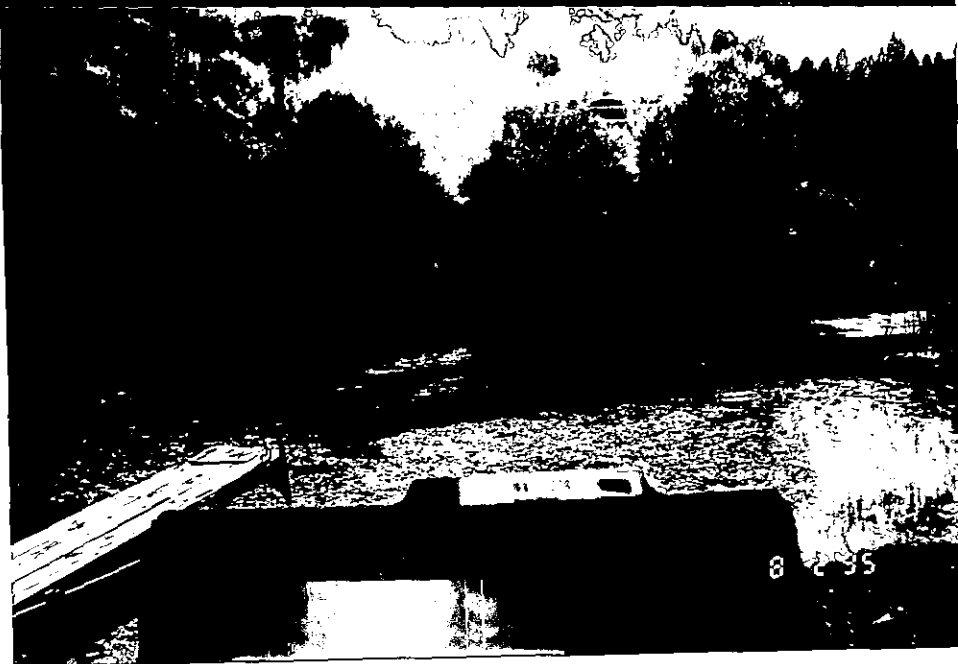
MICROFILMED

NOV 16 1995





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PC



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UNCLASSIFIED

NOV 16 1995

MEMORANDUM

TO: Robert Haynes, Ken Knoblock, Tom King
FROM: Gary Spackman *Gary*
DATE: August 1, 1991

RE: Field Exam for No. 84-7234

Jim Franklin of Orofino, Idaho, owns permit no. 84-7234. Based on a field examination which recommended cancellation because of no beneficial use, we mailed Mr. Franklin a Notice of Pending Order Voiding Permit. Mr. Franklin called me, and stated that the stockwater reservoir was complete, and in operation.

I am returning the field exam to you along with a copy of the correspondence sent by Mr. Franklin. I cannot tell that anyone actually inspected the place of use. It appears that the field examination recommendations were derived from a telephone conversation.

Please contact Mr. Franklin for an appropriate time to finish the exam.

Enclosure

cc: Jim Franklin

RECEIVED

NOV 16 1995

RECEIVED

JUL 29 1991

Department of Water Resources

7-23-91

Jim Franklin

Box 483 126 C St

Orofino Id 83544

476-5255

Mr. Gary Spackman

In response to your letter and our phone conversation regarding relinquishment of water use permit no. 84-07234, the stockwater storage pond is completed and has been since before permit was applied for. I do not wish to relinquish my permit for use of this water. My mother, Vella Franklin, did talk to an inspector over the phone who ask her how to get to the property. I was never contacted by anyone regarding this permit. If reinspection of this pond is made, I request that the inspector contact me before the inspection to answer any questions he may have.

RECEIVED

NOV 16 1995

Thank You

Jim Franklin

Tim called
& said that he
does not want his
permit voided -
Project is complete -
he is requesting
examination -

NOV 16 1995

NOV 16 1995

Date

Gary

~~THU~~ *Thurs*

Time *2:10*

A.M.
P.M.

WHILE YOU WERE OUT

Jim - Franklin

of

Owens

Phone

W - 937-2411

AREA CODE

NUMBER

EXTENSION

Telephoned	☒	Please call	☒
Called to see you	☐	Will call again	☐
Wants to see you	☐	Returned your call	☐

Message

RE: 84-07234

NOTICE OF PENDING ORDER

Question

NOV 16 1995

Signed

Brenda



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 10, 1991

Jim Franklin
Box 483
Orofino, ID 83544

RE: Permit to Appropriate Water No. 84-07234

NOTICE OF PENDING ORDER VOIDING PERMIT

Dear Permit Holders:

On November 30, 1988 the Department of Water Resources approved Application for Permit No. 84-07234, which authorized diversion of a spring for stockwater and stockwater storage purposes in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S9, T36N, R2E, B.M., Clearwater County.

A field inspection conducted by a representative of our Department revealed that you have not developed the system described by your permit.

The purpose of this letter is to request that you relinquish your permit or explain why the Department should not void the permit. Enclosed is a relinquishment form that should be signed and returned to this office, unless you have some explanation that would prevent the Department from voiding your permit.

If you fail to respond to this notice within thirty (30) days of the date of mailing of this letter, the Department will act to void your permit. The permit will be voided on the grounds that you failed to divert and beneficially use the water that you were permitted to develop.

If you have any questions in regard to this matter, please feel free to contact our office.

Respectfully,

GARY SPACKMAN, Manager
Water Right Permits Section

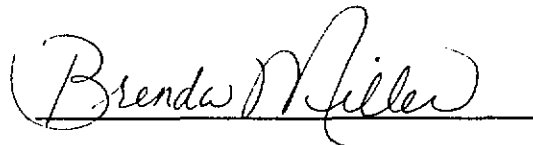
GS:blm

RECEIVED

NOV 16 1993

cc: Northern Region

I hereby certify that on this 15th day of July, 1991,
I sent the original copy of this letter, postage prepaid, to the
person and address listed above.



Brenda Miller
Clerical Specialist

RECORDED

NOV 16 1993

January 24, 1990

JIM FRANKLIN
P.O. BOX 483
OROFINO, ID 83544

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 84-07234

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED
MAR 19 1990

JIM FRANKLIN
P.O. BOX 483
OROFINO, ID 83544

September 30, 1989

138718

PROOF DUE NOTICE

RE: PERMIT NO. 84-07234

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 December 1, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 19 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
December 5, 1988

JIM FRANKLIN
P.O. BOX 483
OROFINO, ID 83544

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 84-07234

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed 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 for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS: SC
Enclosures

MICROFILMED
DEC 21 1988

84-07234

FRANKLIN, JIM
P.O. BOX 483
OROFINO, ID 83544

Source: SPRING

Tributary: OROFINO CREEK

Diversion Pt: NWSNW Sec 9 T 36N R 02E

Use: STOCKWATER STORAGE	(.40 AF)
STOCKWATER FROM STORAGE	(.40 AF)

Date Filed: 9/28/1988

In: T36N R02E S09 SENW

MicroFILMED

DEC 21 1988