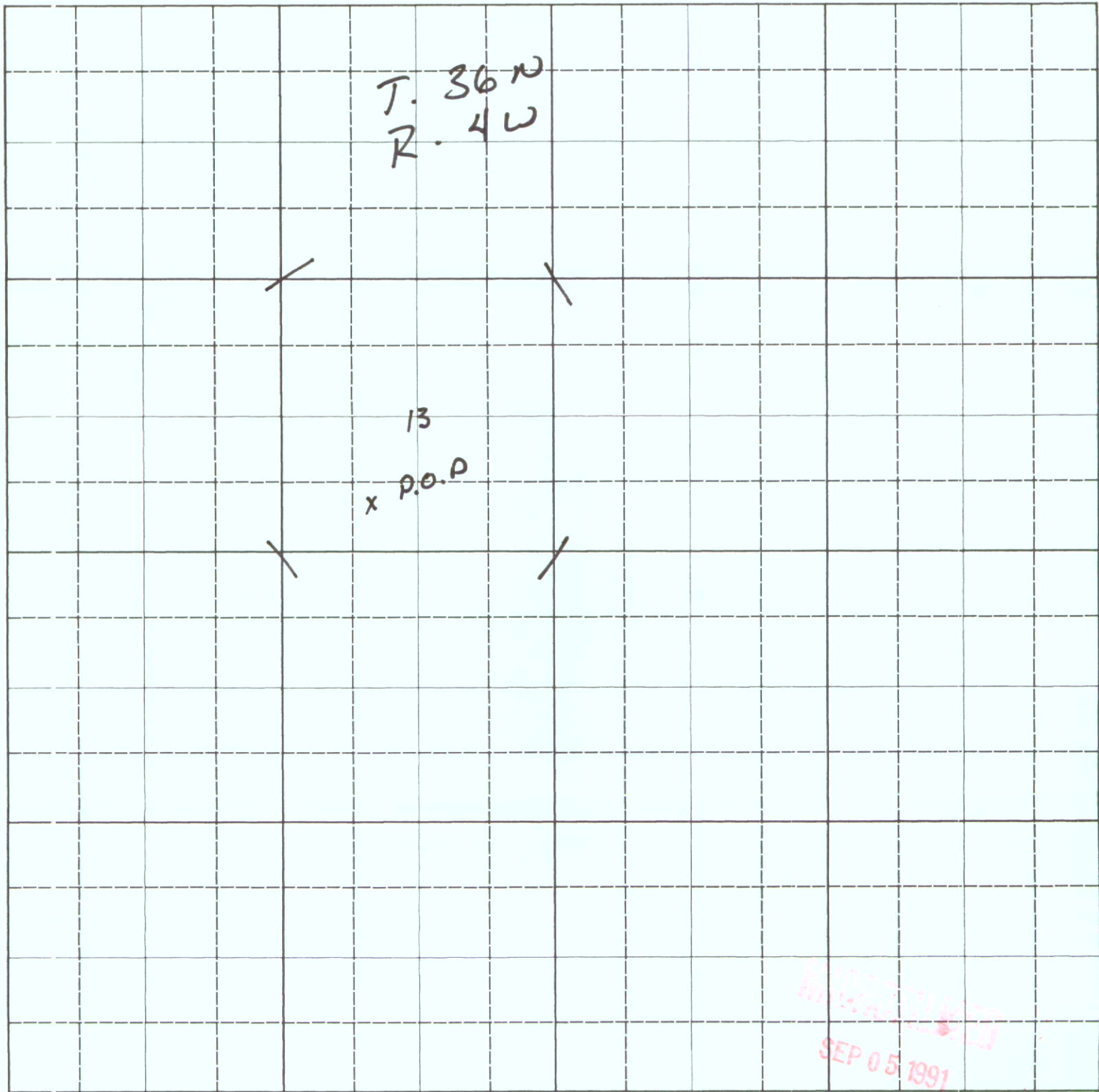


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

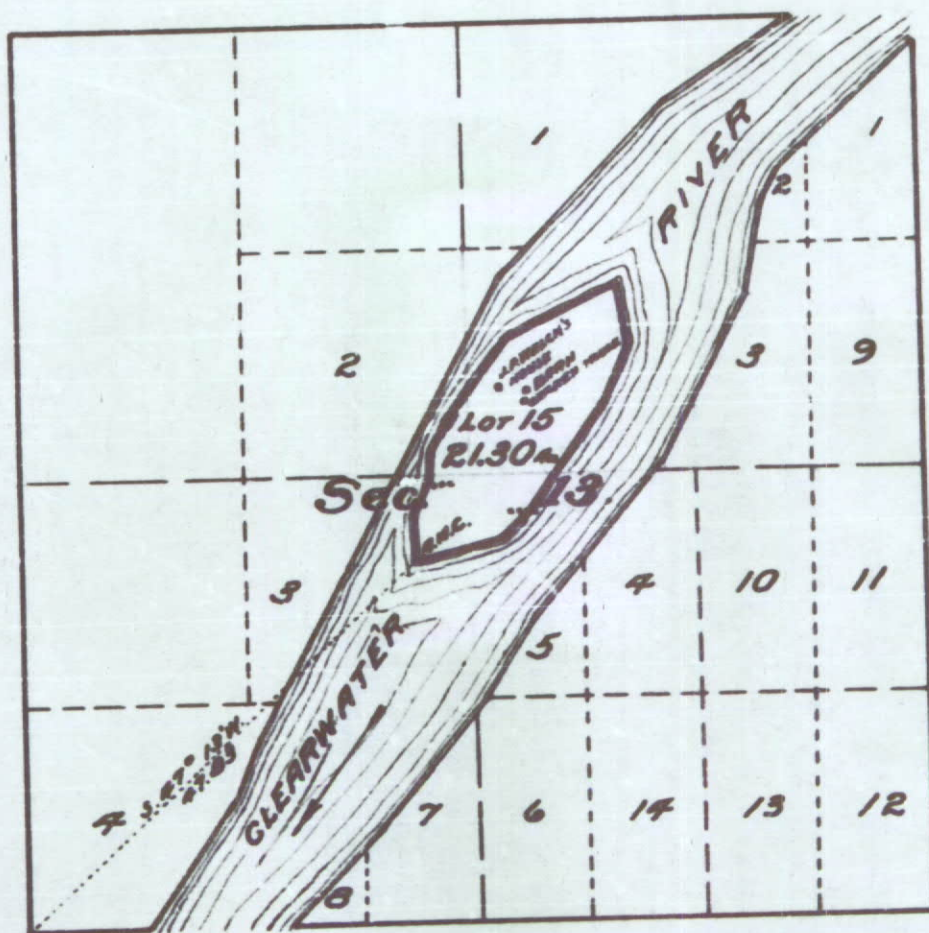
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Delta Heath Simpson
(Applicant)
Delta Heath Simpson



Meanders of

[illegible]



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APR 30 1996

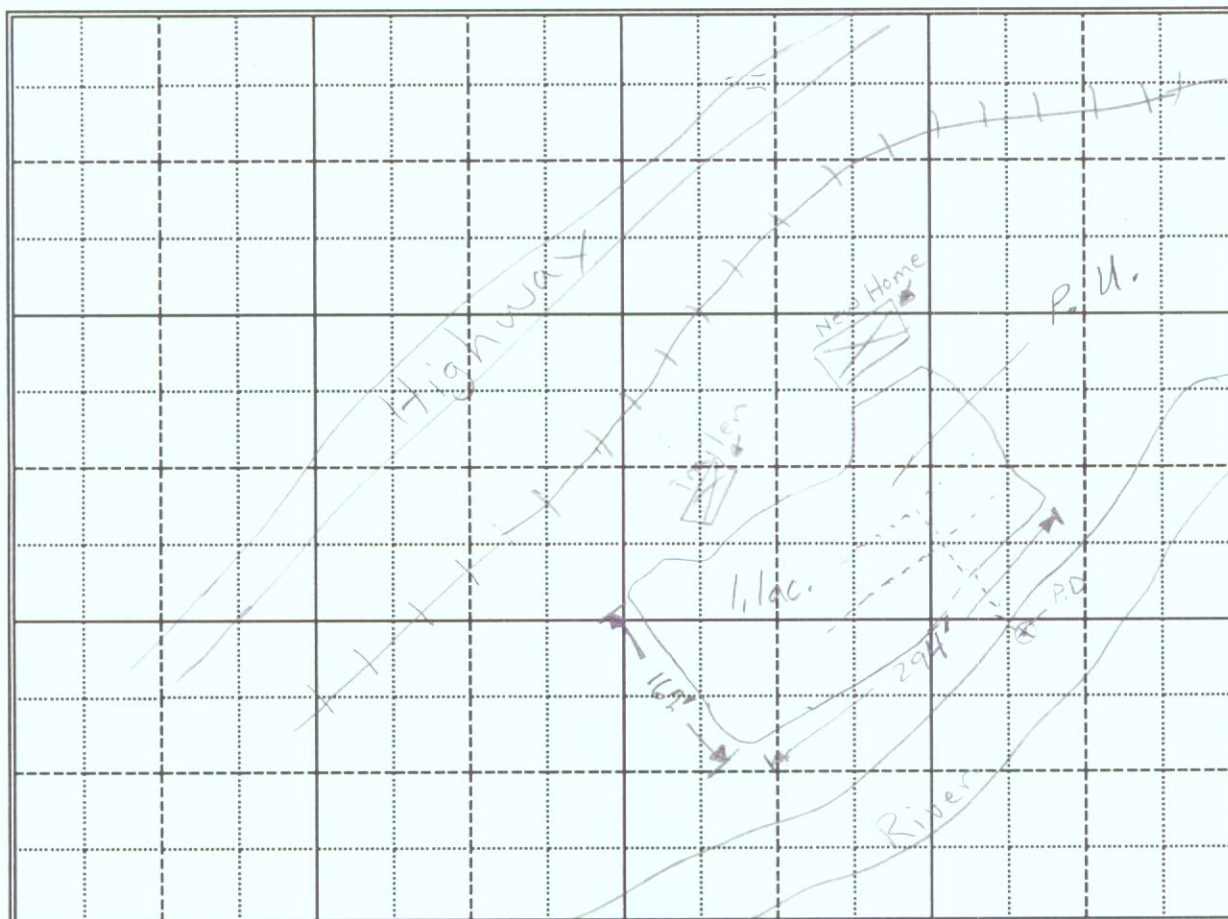
BC

SESW / SWSW

36N 4W

86-07298

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	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Marathon Elec	2 hp	XVH56 B34D5321A	Pacer Pumps	2"

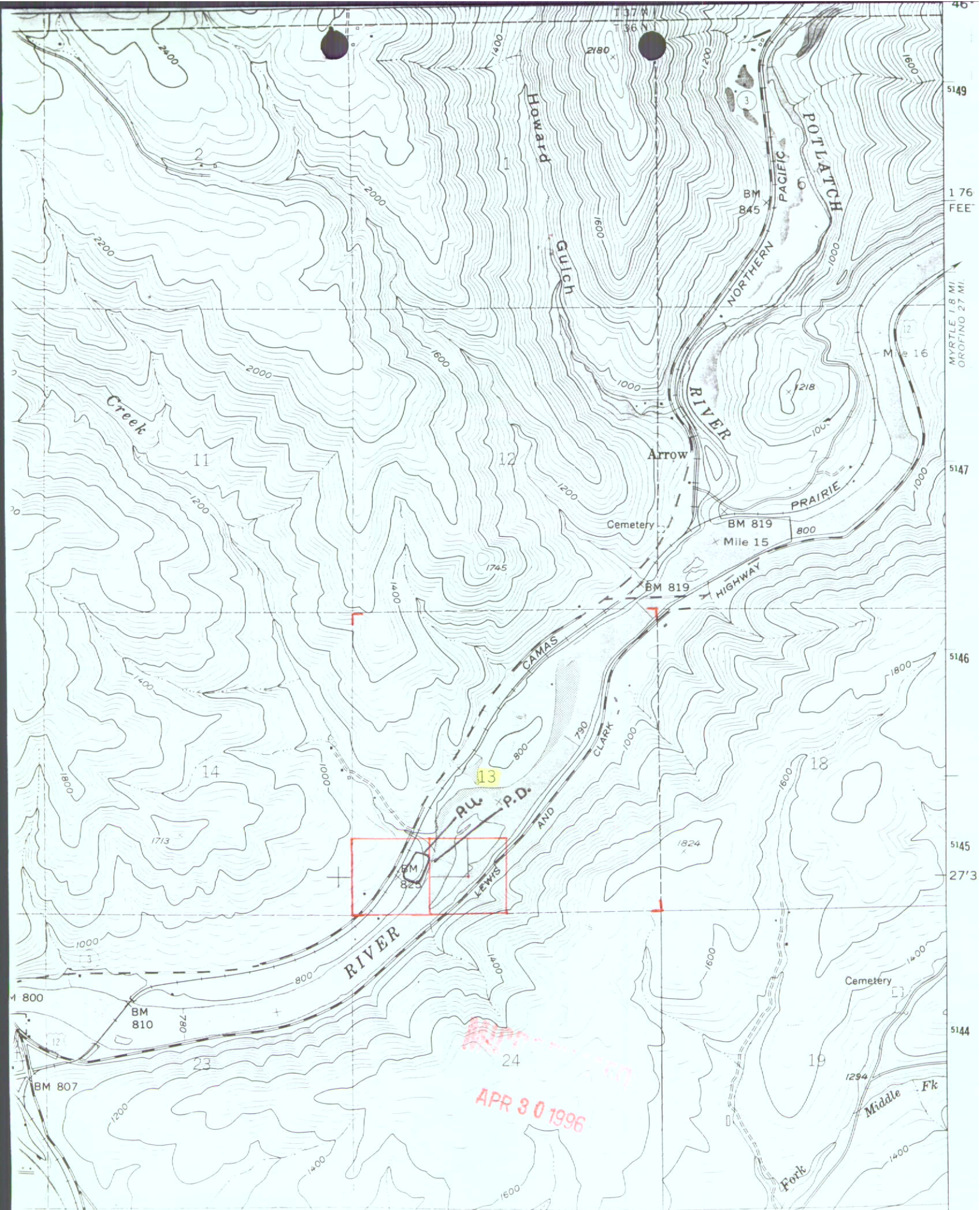
*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

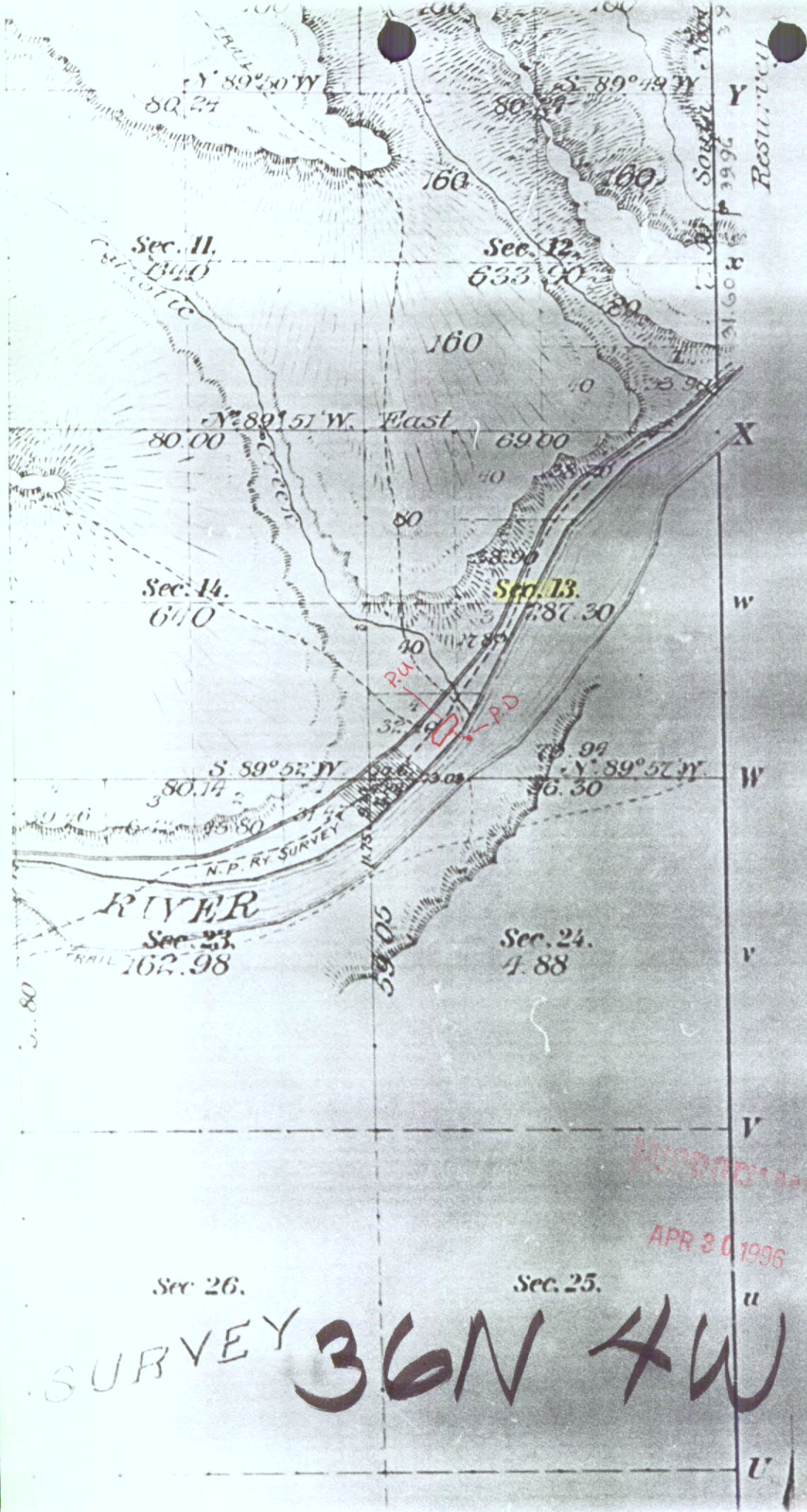
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
None						

2. **Measurements:** I used a hand level to get the dynamic lift for the theoretical pump efficiency calculation. The lift was 15.5 feet



36N, 4W, 13

86-07298



#86-07298



P. D.



P. U.



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APR 8 0 1986

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 080891

INVOICE No. L00303416

Account No. 964750

CORRECTION

Description 00752NOTIC

Times 2

Lines 23

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

86-7298

DEPT. OF WATER RESOURCES

1910 NW BLVD 210

COEURDALEN

ID

83814

RECEIVED

AUG 13 1991

\$ N/C

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Sue Baumeister

, being duly sworn,

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

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 080191

WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 080191, and the last pub-
lication thereof being on the 080891, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

Sue Baumeister

SUBSCRIBED AND SWORN BEFORE ME THIS THE 9

day of August 1991

Sheral M. Lentz

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

03416

NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT
APPLICATION FOR PERMIT NO.
86-7298 in the name of Don &/or Delta
Health-Simpson was advertised in-
correctly on 7/4 & 7/11/91.

The amount of water for Irrigation
use was incorrectly described as 020
CFS and the total diversion amount
was incorrectly described as 020.
CFS; whereas, correctly they should
both be 0.02 CFS.

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

Protests to the above-referenced
correction must be filed with the Di-
rector, Dept. of Water Resources,
1910 Northwest Blvd., Suite 210, Co-
eur d'Alene, Id. 83814 on or before
August 19, 1991.

R. KETIH HIGGINSON, Dir.

R

pm 8/15/91

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SEP 05 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 86-07298

Priority: June 24, 1991

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

4.0 AF

This is to certify, that DON HEATH-SIMPSON
DELTA HEATH-SIMPSON

RT 1 BOX 61A

JULIETTA ID 83535

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 24, 1991; and has submitted Proof of Beneficial Use on July 23, 1992. An examination indicates that the works have a diversion capacity of 0.080 cfs of water from:

CLEARWATER RIVER

tributary to SNAKE RIVER

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>
IRRIGATION	03/01 to 11/30	0.02 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4 (SESW), Sec. 13, Township 36N, Range 04W
NEZ PERCE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
36N	04W	13	Lot 4(SWSW)	1		1

Total number of acres irrigated: 1

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 that 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

APR 30 1996

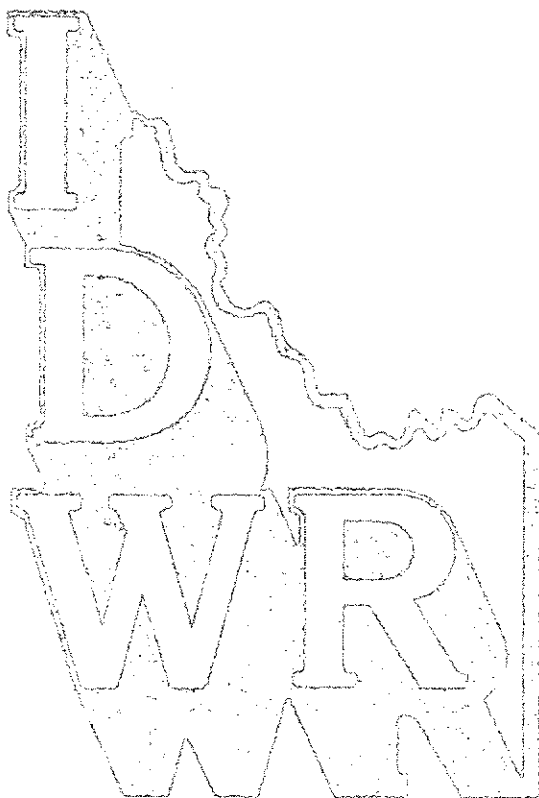
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 86-07298

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 2nd
day of April, 1996.


Acting for KARL J. DREHER, Director



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APR 30 1996

State of Idaho
Department of Water Resources

RECEIVED

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 86-07298

MAR 22 1996

Department of Water Resources

Date of Priority: June 24, 1991

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 4.0 AF

Comes now

DON HEATH-SIMPSON

DELTA HEATH-SIMPSON

RT 1 BOX 61A

JULIAETTA ID 83535

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 86-07298, and requests that the permit be changed as follows:

Source: CLEARWATER RIVER

tributary to SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	03/01 to 11/30	0.02 CFS	4.0 AF
------------	----------------	----------	--------

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SESW), Sec. 13, Township 36N, Range 04W
NEZ PERCE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
36N	04W	13	Lot 4(SWSW)	1		1

Total number of acres irrigated: 1

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this 18 day of March, 1996.

Delta Heath Simpson
(Signature)

APR 30 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 86-07298

FOR DEPARTMENT USE ONLY

Preliminary check by ____ Fee = 50.00 Received by DRE # C035142 Date 3/25/96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 86-07298 with the following;

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 that 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. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Witness my hand this 2ND day of April, 1996.

Acting for Karl J. Dreher
KARL J. DREHER, Director

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APR 30 1996

RECEIVED
JUL 6 1992RECEIVED
JUL 23 1992

OFFICE USE ONLY

Amt. of Fee \$ 50.00Date 7-23-92Receipt No. C025013Receipt by SJ

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 86-07298 Telephone No. 208-843-7702
2. Name(s) of Permit Holder(s): Delta and Don Heath-Simpson
3. Mailing Address: Rt. 1 Box 61A Juliaetta, ID 83535
4. Source of Water: Clearwater River tributary of Snake River
- If GROUNDWATER, Well Driller's Name: N/A Date Drilled: N/A

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic N/A (No. of households) Stockwater N/A (No. and type of stock)Irrigation 1 (No. of acres) Other N/A6. Total rate and/or volume for which proof is submitted 0.02 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ✓ No _____ Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes ✓ No _____ Installed? _____ Yes _____ No8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name Don or Delta Heath-Simpson Telephone No. 208-843-7702Address Rt. 1 Box 61A Juliaetta, ID 83535

10. The above information 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.

SEP 17 1992

7/2/92
DateDelta Heath Simpson
Signature (and title, if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 86-07298

Proposed Priority: June 24, 1991 Maximum Diversion Rate: 0.02 CFS

This is to certify, that DELTA HEATH-SIMPSON
DON HEATH-SIMPSON
RT. 1 BOX 61A
JULIAETTA ID 83535

has applied for a permit to appropriate water from:

CLEARWATER RIVER

tributary of SNAKE RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/01 to 12/01	0.02 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NWSESW Sec. 13, Township 36N, Range 04W
NEZ PERCE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
36N 04W 13	SESW 1			1

Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1992.
2. Subject to all prior water rights.

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

29th day of August, 1991.

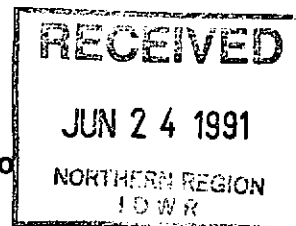
R. Keith Higginson
for R. Keith Higginson, Director

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 8-7298



To appropriate the public waters of the State of Idaho

1. Name of applicant DON & DELTA HEATH-SIMPSON Phone 843-7702
Post office address Route 1 Box 61A Juliaetta, Idaho 83535
2. Source of water supply CLEARWATER RIVER which is a tributary of SNAKE RIVER
3. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 13 Township 36N Range 4W B.M. NEZ PERCE County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 for IRRIGATION purposes from 3/1 5/15 to 12/1 per standard season (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.02 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 2 H.P. PUMP & 2" ALUM. PIPE TO GARDEN
 - 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? _____
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).

SEP 05 1991

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

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

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36N	4W	13												1					1

Total number of acres to be irrigated 1

10. Describe any other water rights used for the same purposes as described above. NONE

11. a. Who owns the property at the point of diversion? APPLICANT

b. Who owns the land to be irrigated or place of use? APPLICANT

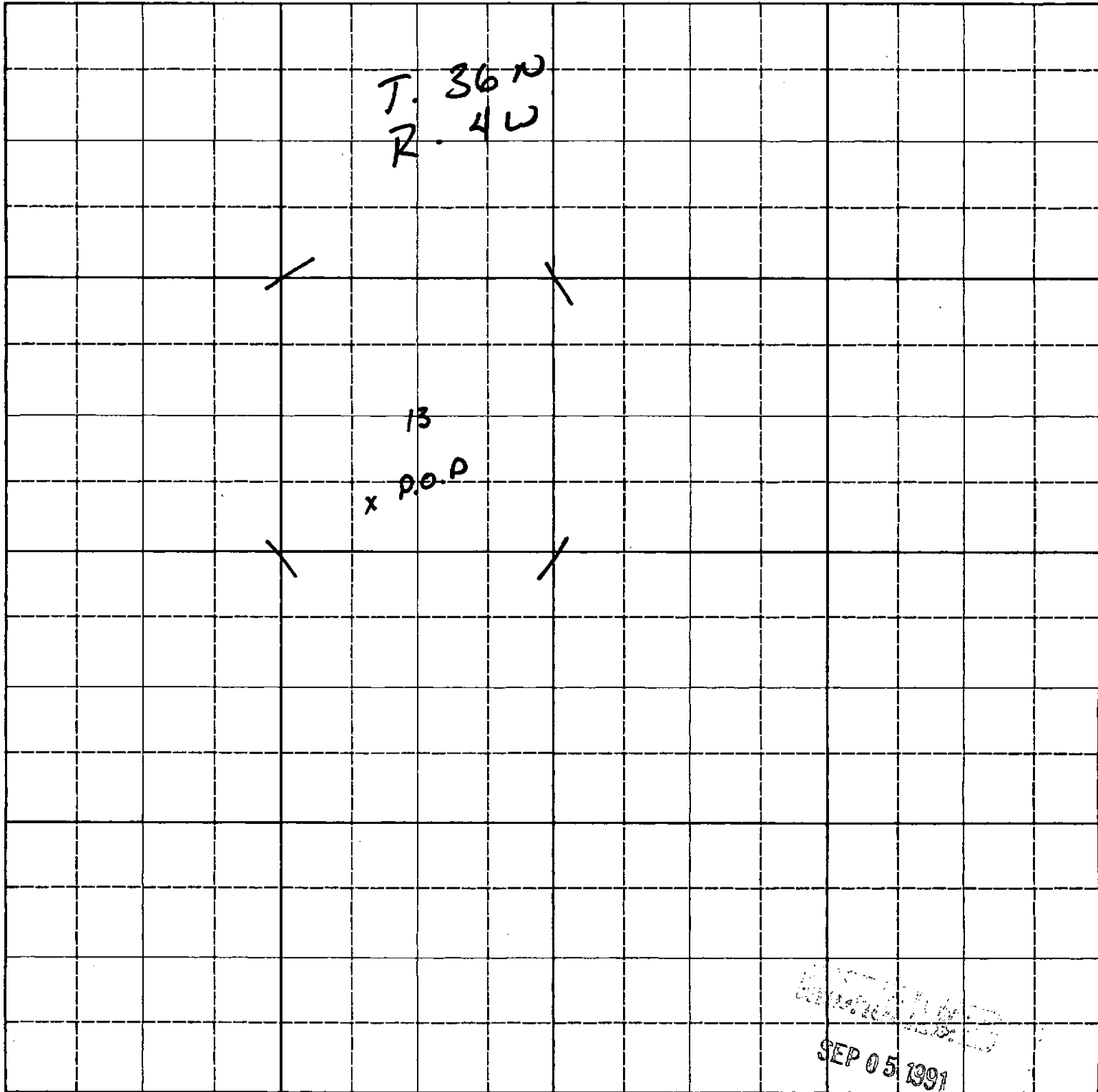
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

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SEP 05 1991

SEP 05 1991

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.

Delta Heath Simpson
(Applicant)
Delta Heath Simpson

Received by TOK Date 6-24-91 Time 3:40 P Preliminary check by TOK
Fee \$ 30.00 Receipted by [Signature] # 10004603 Date June 21, 1991
Publication prepared by [Signature] Date 6/26/91 Published in 2/4-11/91
Publication approved [Signature] Date 8/15/91

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:

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SEP 05 1991



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

April 2, 1996

DON HEATH-SIMPSON
DELTA HEATH-SIMPSON
RT 1 BOX 61A
JULIAETTA ID 83535

RE: WATER RIGHT NO. 86-07298

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

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

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

APR 30 1996



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

March 11, 1996

DON HEATH-SIMPSON
DELTA HEATH-SIMPSON
RT 1 BOX 61A
JULIAETTA ID 83535

RE: WATER RIGHT NO. 86-07298

Dear Water Right Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water right as it has been actually developed.

As of this date, I have not received the amendment. If I do not receive it within fourteen (14) days, I will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced. Please note that the filing fee for this amendment is \$50.00.

If you have any questions, please call me at (208) 327-7946

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

APR 30 1996



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

February 14, 1996

DELTA HEATH-SIMPSON
DON HEATH-SIMPSON
RT. 1 BOX 61A
JULIAETTA ID 83535

RE: WATER RIGHT NO. 86-07298

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

APR 30 1996

LICENSE REVIEW CHECKLIST



PERMIT NO. 86-07298 DATE 2-8-96

NAME	<u>Change OK</u>	☒	Or Address Change?	
PRIORITY DATE		☒	Advance? <u> </u> Advanced to: <u> </u>	
			Order to reinstate needed? <u> </u>	
			Incorrect fee for rate recommended? <u> </u>	
SOURCE		☒	Changes or just clarification of originally intended source? <u> </u>	
			Notice of Intent to Void necessary? <u> </u>	
POINT OF DIV		☒	Amendment needed? <u>Add Gov Lot 4</u>	
		☒	Overlaps? <u> </u>	
PLACE OF USE	☒		Amendment needed? <u>Change to SWSW 1/4 1/4 Add Lot 4</u>	
		☒	Overlaps? <u> </u>	
DIV RATE		☒	Permit/fee limits: <u>.02 CFS / IRR OF 1 ACRE</u>	
			Meas Q = <u>0</u> Theo Q = <u>.08</u> Recommend: <u>.02</u>	
Combined rates exceed capacity <u> </u>				
ANNUAL VOLUME	☒		Volume Limit: <u> </u> ^(NEW) Season: <u>E/4.0 (3-1 to 11-30)</u>	
			Calculations: <u>1 x 4 = 4 af</u>	
			Flow limit: <u> </u> cfs x <u> </u> x 1.9835 = <u> </u>	
			Combined volumes exceed capacity/allowable <u> </u>	
USES			Change in Nature of Use or additional uses? <u> </u>	
			Amendment necessary? <u> </u>	
ADDITIONAL INFO		☒	Replaces Surface Water <u>050</u> Supplemental GW <u> </u>	
		☒	Irr/Dom Combination <u>WB5</u> PPU Recommendation <u> </u>	
		☒	Boise River/Wood River Source Aes/Rec Uses <u>W38</u>	
NEW REMARKS		☒	Multiple p/d(s) in 1/4 1/4? <u> </u>	
		☒	Other <u> </u>	
NEW CONDITIONS		☒	WM Control- District <u> </u> Meas/Lock Devices <u> </u>	
	<u>B3/</u>	☒	Irrigation Overlap <u> </u>	
	☒	☒	Other <u> </u>	
	☒	☒	Water Quality <u> </u> Heat/Cool/Fish verified <u> </u>	

COMMENTS:

Amend P/U

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed
<u>Irrigation</u>	<u>.02</u>	<u>4.0</u>	<u>NO</u>	<u>yes</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

LICENSE

1ST AMEND LETTER P41 + P38
 2ND AMEND LETTER P47

MEMORANDUM

TO: File 86-07298 / Don Heath-Simpson
FROM: Brenda Chapman
DATE: February 8, 1996
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 86-07298 are based on the information below:

The Warranty Deed for the Heath-Simpson property lists a total of 5.6 acres. Water right 86-02045 covers 4 of that 5.6 acres. Right 86-02045 (totaling 15 acres) has 3 claims filed on it. The preliminary SRBA workup on the split recommended 4 acres for part B (Heath-Simpson's portion), 3 acres for part C and 8 acres for part D. However, because of the Warranty Deed, the Heath-Simpson's amended their claim to cover the 5.6 acres, thus exceeding Right 86-02045's original acre limit. In conclusion, the one acre recommendation for 86-07298 will cover a portion of that 1.6 extra acres.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-01 to 11-30	.02	4.0

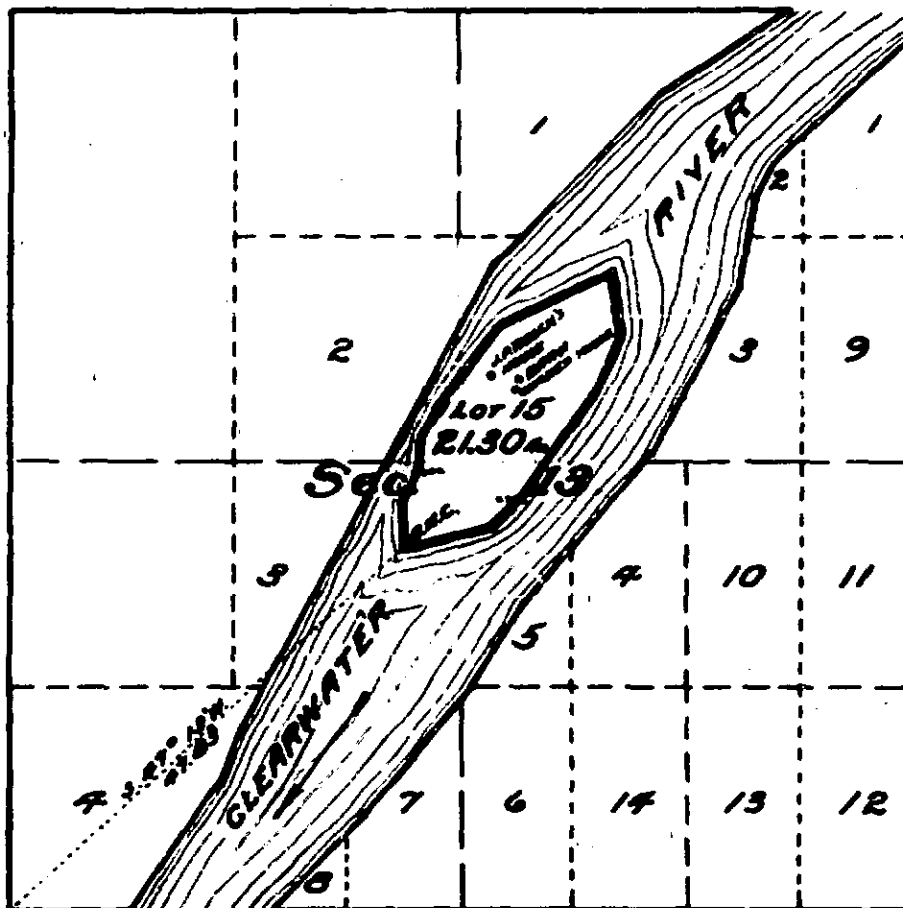
The season of use and volume have been changed to the current recommended guidelines for the per acre field headgate requirement of crops/lawns in that area.
[4.0 afa per acre]

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APR 30 1996

See Attachments
→

APR 30 1996

[illegible]



BC

SESW / SWSW

36N 4W

86-07298

MEMORANDUM

DATE: January 18, 1996

FROM: BEARDSLEE

TO: Keen

RE: 86-07298

From the field examiners notes, it appears the diversion rate that was calculated/verified exceeds the rate listed on the Permit.

We recommend that this Permit be Licensed for 0.02 CFS.

However, considering that this diversion of water is within the Clearwater River and is subject to the Moratorium, can we suggest to Mr. Heath-Simpson that he re-apply for a certain amount of "domestic" diversion?

It appears that this system was oversized for 1.0 acre of irrigation, even if only 2 or 3 of the 9 sprinkler heads are operated. Maybe we should suggest that Mr. Heath-Simpson more efficiently use the 0.02 CFS which was approved on his Water Right Permit.

Please advise Northern Region, if we can be of assistance on this matter.

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APR 30 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JAN 25 1996

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 86-07298

1. Owner: Don Heath-Simpson Phone No. (208) 843-7702

Current Address: Rt. 1 Box 61A Juliaetta, ID 83535

2. Accompanied by: Don Simpson EXAM DATE: 6-21-94

Address: Same Phone No. Same

Relationship to Permit Holder: Owner

3. Source: Clearwater River tributary to Snake River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. 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
		NW	SE	SW	13	36N	4W	Nez Perce	U.S.G.S. Topo.

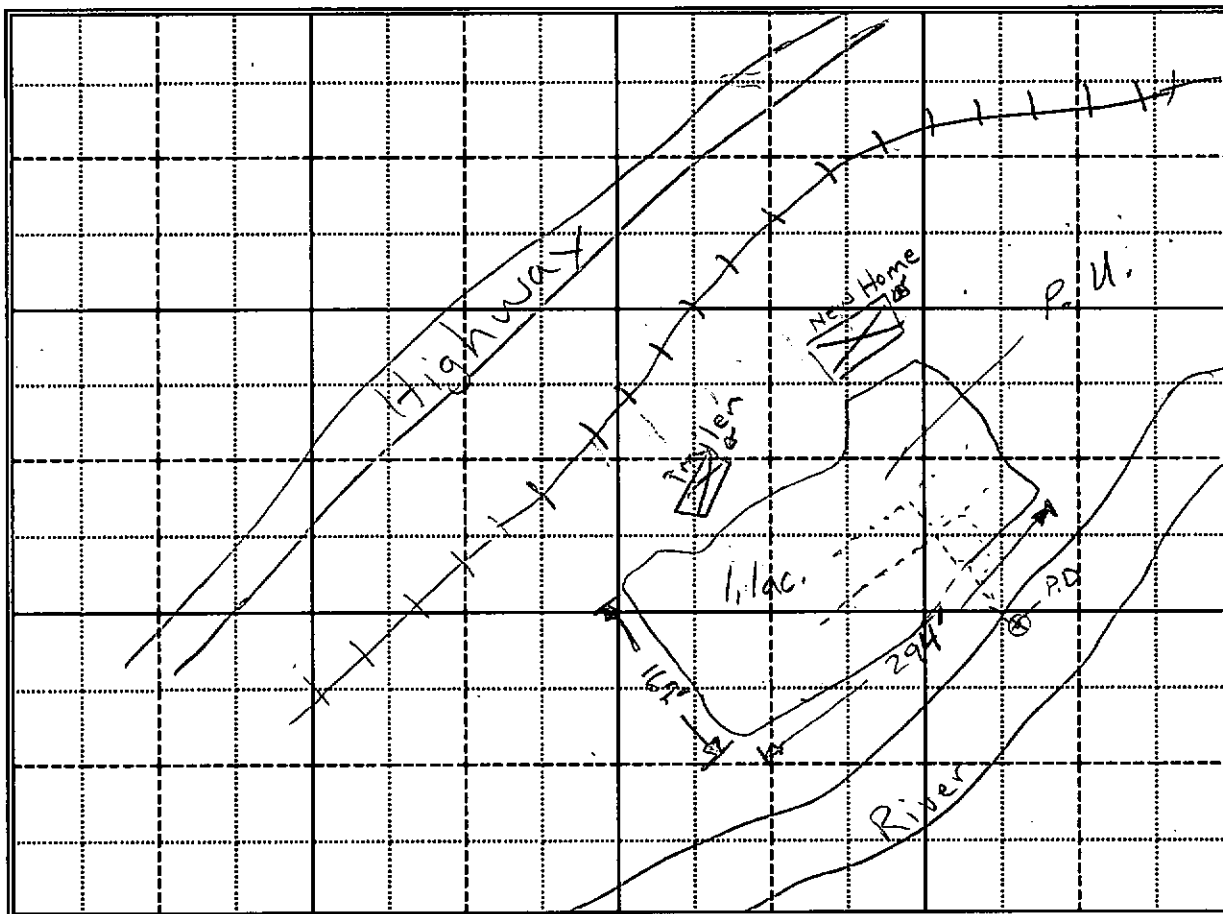
2. Place(s) of Use:

Indicate Method of Determination U.S.G.S. Topo.

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	4W	13											01					1.0	

APR 30 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	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Marathon Etc	2 hp	XVH56 B34D5321A	Pacer Pumps	2"

*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
None						

2. Measurements: I used a hand level to get the dynamic lift for the theoretical pump efficiency calculation. The lift was 15.5 feet

MAR 20 1977

E. NARRATIVE/REMARKS/COMMENTS

The theoretical pump efficiency calculation shows that Mr. Simpson is pumping more than the rate of diversion he has applied for.

U.S.G.S. map shows clearly that the point of use is in the SWSW not SESW.

Mr. Simpson is using 360' of 2" aluminium irrigation pipe with 9 sprinkler heads.

Have conditions of permit approval been met? ☐ yes ☒ no

APPROVED

APR 30 1996

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

None**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{1 \times 4.5 = 4.5}$$

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

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{4.5}$$

2. Volume Calculations for Other Uses:

None**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
* <u>Irrigation</u>	<u>03-01</u>	<u>12-01</u>		<u>4.5</u>
Totals:				<u>4.5</u>

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 Jon M. Kunz Date 6-28-94

Reviewer _____ Date _____

SEAL

* SEE adjustment memo. BC

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MAY 1 1996

APR 30 1996

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 86-07298

DATE: 28-JUN-94

COMPLETE BY: JON M. KUNZ

HORSEPOWER = 2

PUMP EFFICIENCY = 75%

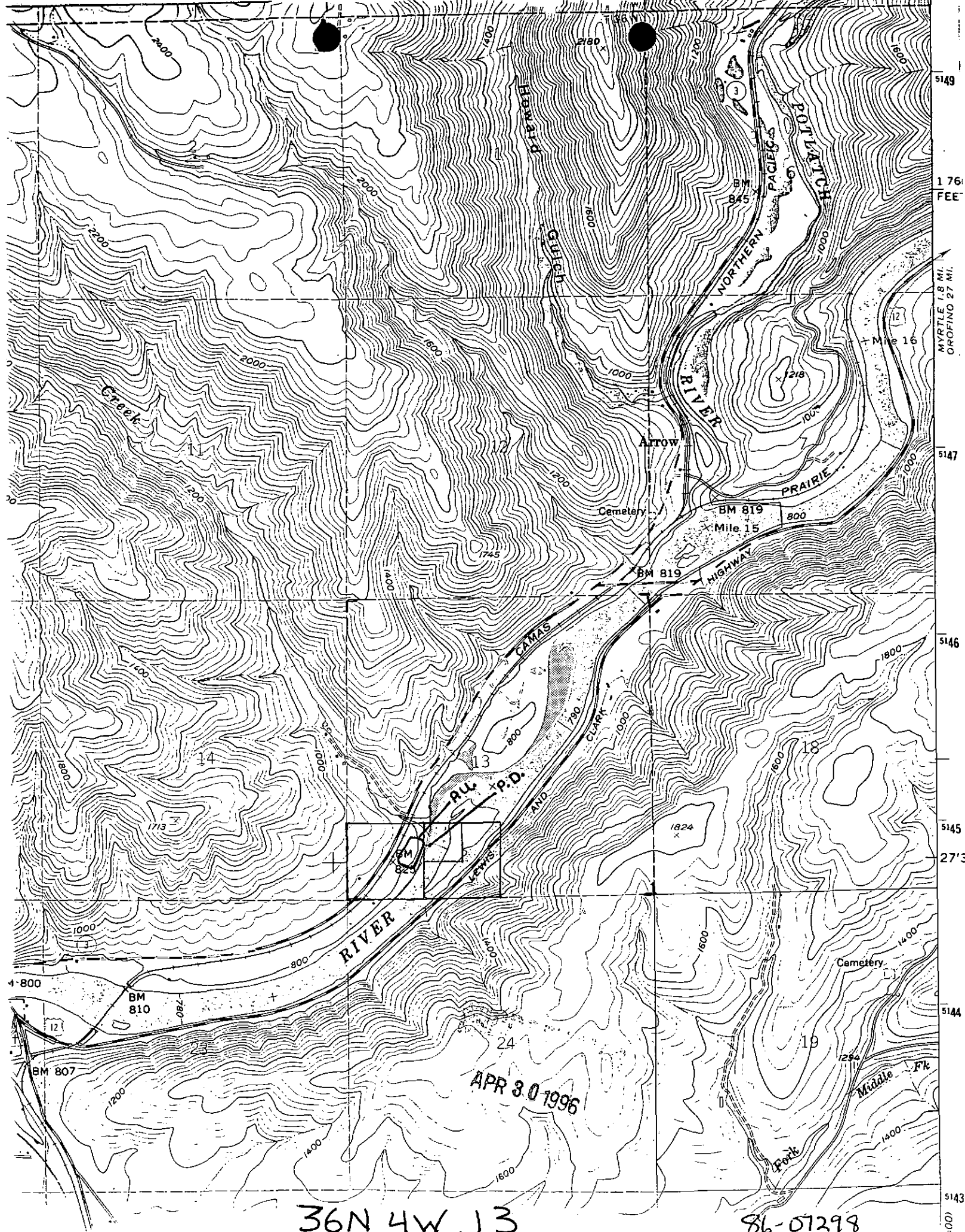
DYNAMIC LIFT = 15.5 FEET

SYSTEM PRESSURE = 60 PSI

QUANTITY = 0.08 CFS

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FBI - NEW YORK

APR 30 1996

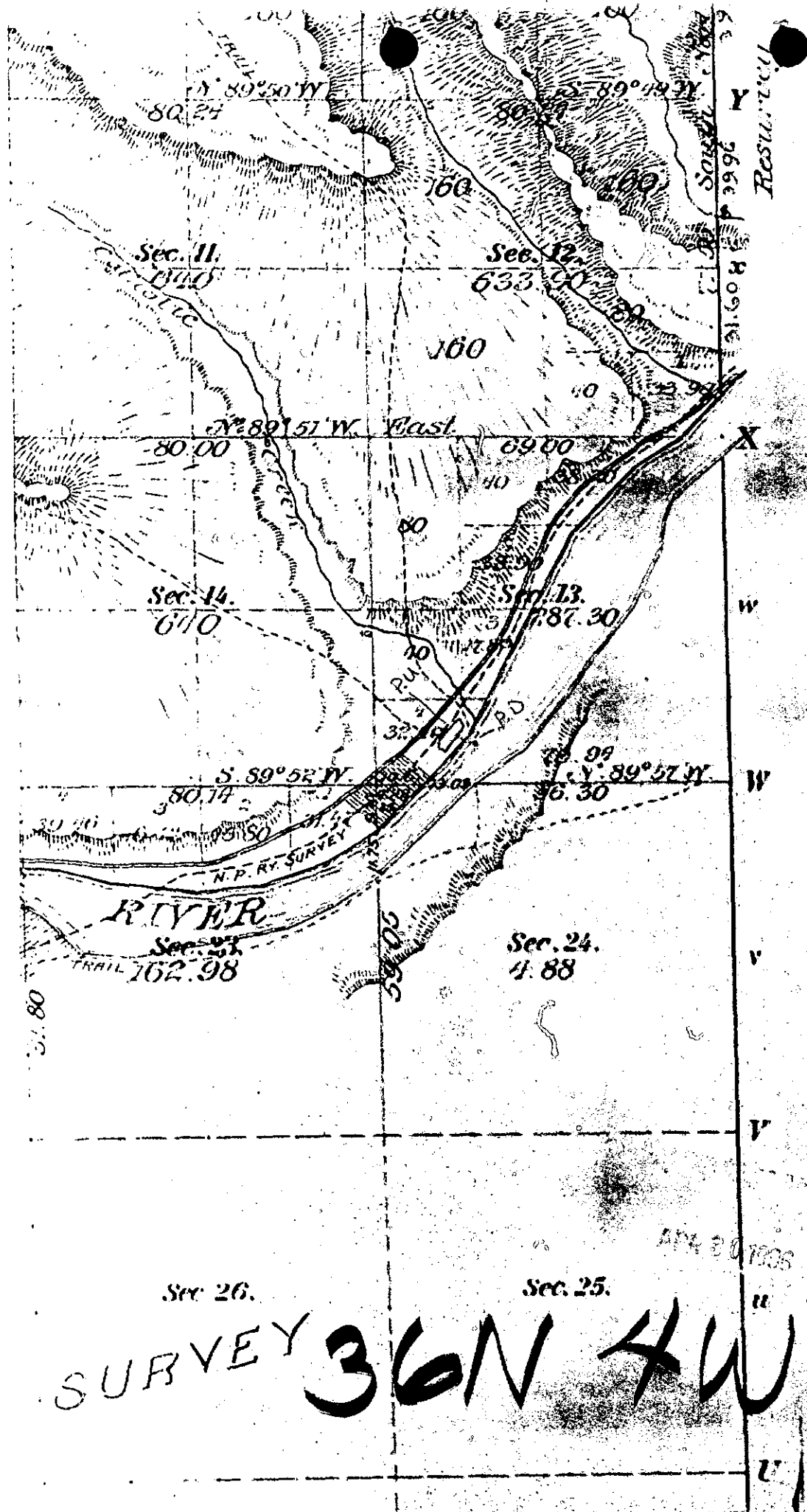


5149
1 76
FEE
MYRTLE 1.8 MI.
OROPINO 27 MI.
5147
5146
5145
27/3
5144
5143

APR 30 1996

36N, 4W, 13

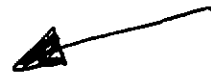
86-07298



#86-07298



P. D.



P. U.



APR 30 1996

July 24, 1992

DELTA HEATH-SIMPSON
DON HEATH-SIMPSON
RT. 1 BOX 61A
JULIAETTA ID 83535

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 86-07298

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,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MAILED
SEP 17 1992



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 8, 1992

Delta and Don Heath-Simpson
Route 1 Box 61A
Juliaetta, ID 83535

Re: Permit No. 86-07298

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permits. Unfortunately, it is unacceptable as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater source.
2. The rate of diversion must be .04 cfs or less.

As you can see, you do not meet requirement #1 since you use the Clearwater River (surface) for your source. Therefore, a license examination fee of \$50 applies to your permit. I have enclosed a copy of the Instructions for the Proof of Beneficial Use for your convenience.

Please return the proof of beneficial use and the \$50 license exam fee as soon as possible. In order to meet the required dates, they must be returned no later than August 1, 1992.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

MICROFILMED

SEP 17 1992

VOCATIONAL EDUCATION A CHOICE WITH A FUTURE

July 2, 1992

Accounts Clerk • Adult Education Classes • Auto Body Repair • Auto Mechanics • Bookkeeping • Clerk

Typist • Distribution/Mid Management • Drafting Technology • Electronics Technology • Executive

Secretary • Industrial Mechanics • Legal Secretary • Major Appliance Repair • Medical Secretary

Nursing • Parts Distribution • Printing Technology • Stenographer • Radio Communications • Welding

Word Processing • Accounts Clerk • Adult Education Classes • Auto Body Repair • Auto Mechanics

Bookkeeping • Clerk Typist • Distribution/Mid Management • Drafting Technology • Electronics

Technology • Executive Secretary • Industrial Mechanics • Legal Secretary • Major Appliance Repair

Medical Secretary • Nursing • Parts Distribution • Printing Technology • Stenographer • Radio

Communications • Welding • Word Processing • Accounts Clerk • Adult Education Classes • Auto Body

Repair • Auto Mechanics • Bookkeeping • Clerk Typist • Distribution/Mid Management • Drafting

Technology • Executive Secretary • Industrial Mechanics • Legal Secretary • Major Appliance Repair

Medical Secretary • Nursing • Parts Distribution • Printing Technology • Stenographer • Radio

Communications • Welding • Word Processing • Accounts Clerk • Adult Education Classes • Auto Body

Dear Ms. Gustafson:

Concerning our water permit,

It is my understanding that

we don't have to pay a fee

because of our usage of

0.02. If I'm in error

please let me know the

fee and I will send it

Thank you,

Delta Heath Simpson

86-07298

MICROFILMED

SEP 17 1992

Rt. 1 Box 61A
Julietta, ID 83535

Lewis Clark State College
School of Vocational/Technical Education
8th Avenue at 6th Street
Lewiston, Idaho 83501-2698



June 30, 1992

DELTA HEATH-SIMPSON
DON HEATH-SIMPSON
RT. 1 BOX 61A
JULIAETTA ID 83535

PROOF DUE NOTICE

RE: PERMIT NO. 86-07298

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 September 1, 1992. (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.

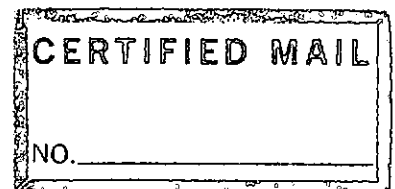
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

Karen L. Gustafson
Secretary/Records Manager

Enclosures



MICROFILMED

SEP 17 1992



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

September 4, 1991

DELTA HEATH-SIMPSON
DON HEATH-SIMPSON
RT. 1 BOX 61A
JULIAETTA ID 83535

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 86-07298

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.

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,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

RECEIVED
SEP 05 1991

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
405 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 080891 INVOICE No. L00303416

Account No. 964750 CORRECTION

Description 00752NOTIC

Times 2 Lines 23

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

86-7298
DEPT. OF WATER RESOURCES
1910 NW BLVD 210
COEURDALEN
ID 83814

\$ N/C

RECEIVED

AUG 13 1991

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

03416
NOTICE OF CORRECTION
NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 86-7298 in the name of Don &/or Delta Health-Simpson was advertised incorrectly on 7/4 & 7/11/91. The amount of water for Irrigation use was incorrectly described as 020 CFS and the total diversion amount was incorrectly described as 020. CFS; whereas, correctly they should both be 0.02 CFS.
(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)
Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before August 19, 1991.

R. KETH HIGGINSON, Dir.

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

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 080191, or once a WEEK for 2 consecutive WEEKS, the first publication thereof being on the 080191, and the last publication thereof being on the 080891, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Sue Baumeister

SUBSCRIBED AND SWORN BEFORE ME THIS THE 9

day of August 1991

Meral M. Lantz

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

OK

8/15/91

SEP 05 1991

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 86-7298 in the name of Don &/or Delta Heath-Simpson was advertised incorrectly on 7/4 & 7/11/91.

The amount of water for Irrigation use was incorrectly described as 020 CFS and the total diversion amount was incorrectly described as 020. CFS; whereas, correctly they should both be 0.02 CFS.

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R. KEITH HIGGINSON, Dir.

Published in the Lewiston Morning Tribune on 8/1 & 8/1991.

RECEIVED
SEP 05 1991

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 071191

INVOICE No. L00300752

Account No. 964750

07297

Description 00752NOTIC

Times 2

Lines 44

Tab Lines

\$ 49.50

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

PATRICIA M. STYPA
DEPT. OF WATER RESOURCES
1910 NW BLVD 210
COEURDALEN
ID 83814

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Sue Baumeister, being duly sworn,

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

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 070491, or once a
WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 070491, and the last pub-
lication thereof being on the 071191, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of said newspaper and
not in a supplement thereof and was so published in every issue and
number of the said paper, during the period and times of publication as
set forth above.

Sue Baumeister

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of July 1991

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

00752
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The Following application(s) have
been filed to appropriate the public
water of the State of Idaho:
86-07297
KOSTENKO, HAROLD L.
29 TREMONT COLLEGE PL.
WALLA WALLA, WA 99324
Source: SPRING
Tributary: CLEARWATER RIVER
Diversion Pt:
NWNWSE Sec 33 T 37N R 01W
Use DOMESTIC (.040 CFS)
Total Diversion:
(.040 CFS)
Date Filed: 6/19/1991
In: T37N R01W S33 NWSE
86-07298
HEATH-SIMPSON, DON
HEATH-SIMPSON, DELTA
RT. 1 BOX 61A
JULIAETTA, ID 83535
Source: CLEARWATER RIVER
Tributary: SNAKE RIVER
Diversion Pt:
NWSSEW Sec 13 T 36N R 04W
Use: IRRIGATION (.020 CFS)
Total Diversion:
(.020 CFS)
Dated Filed: 6/24/1991
In: T36N R04W S13 SESW
1.0 ACRES TOTAL
For additional information concern-
ing the property location, call the
Northern Regional Office at 765-4639.
The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Wa-
ter Resources, Northern Region,
1910 Northwest Blvd., Suite 210, Co-
eur d' Alene, Idaho 83814 on or be-
fore JULY 22, 1991.
R. KEITH HIGGINSON, Director

0.02
CFS

RECEIVED

SEP 05 1991

JUL 15 1991

NORTHERN REGION
IDWR

86-07298

HEATH-SIMPSON, DON
HEATH-SIMPSON, DELTA
RT. 1 BOX 61A
JULIAETTA, ID 83535

Source: CLEARWATER RIVER

Tributary: SNAKE RIVER

Diversion Pt: NWSESW Sec 13 T 36N R 04W

Use: IRRIGATION (.020 CFS)
Total Diversion: (.020 CFS)

Date Filed: 6/24/ 1991

In: T36N R04W S13 SESW

1.0 ACRES TOTAL

SEP 05 1991

RECEIVED

JUL 5 1991

NORTHERN REGION
IDWRSTANLEY F. HAMILTON
DIRECTOR

July 2, 1991

BOARD OF LAND
COMMISSIONERSCECIL D. ANDRUS
GovernorPETE T. CENARRUSA
Secretary of StateLARRY ECHOHAWK
Attorney GeneralJ.D. WILLIAMS
State AuditorJERRY L. EVANS
Sup't of Public
Instruction

Robert G. Haynes
Regional Manager
Department of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615

Re: Application 86-7298

This water intake is in a navigable river. Please include a term in your water permit that says it also constitutes a permit from the Department of Lands.

Sincerely,



Bryce Taylor
Lands Leasing Specialist

c: Clearwater Area

SEP 05 1991

June 27, 1991

Idaho Dept. of Fish & Game
1540 Warner
Lewiston, Id. 83501

Re: 86-7298

Gentlemen:

Enclosed is information which may be of interest to your Agency relating to an application recently filed with the Idaho Department of Water Resources.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enclosure

SEP 05 1991

June 27, 1991

Idaho Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 86-7298

Gentlemen:

Enclosed is information which may be of interest to your Agency relating to an application recently filed with the Idaho Department of Water Resources.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enclosure

RECEIVED
SEP 05 1991

June 24, 1991

Mr. Don Simpson
Rt. 1 Box 61A
Julietta, Id 83535

Re: Water Appropriation Application

#

86-1298

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, as well as the required appropriation filing fee, for which your Receipt is enclosed. 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.

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 the application is not protested it will be forwarded to Boise to be considered for approval by the Director. You will be notified by mail of the Directors decision.

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,

Tom D. King
Sr. Water Resource Agent

Enc: Receipt

RECEIVED

SEP 05 1991