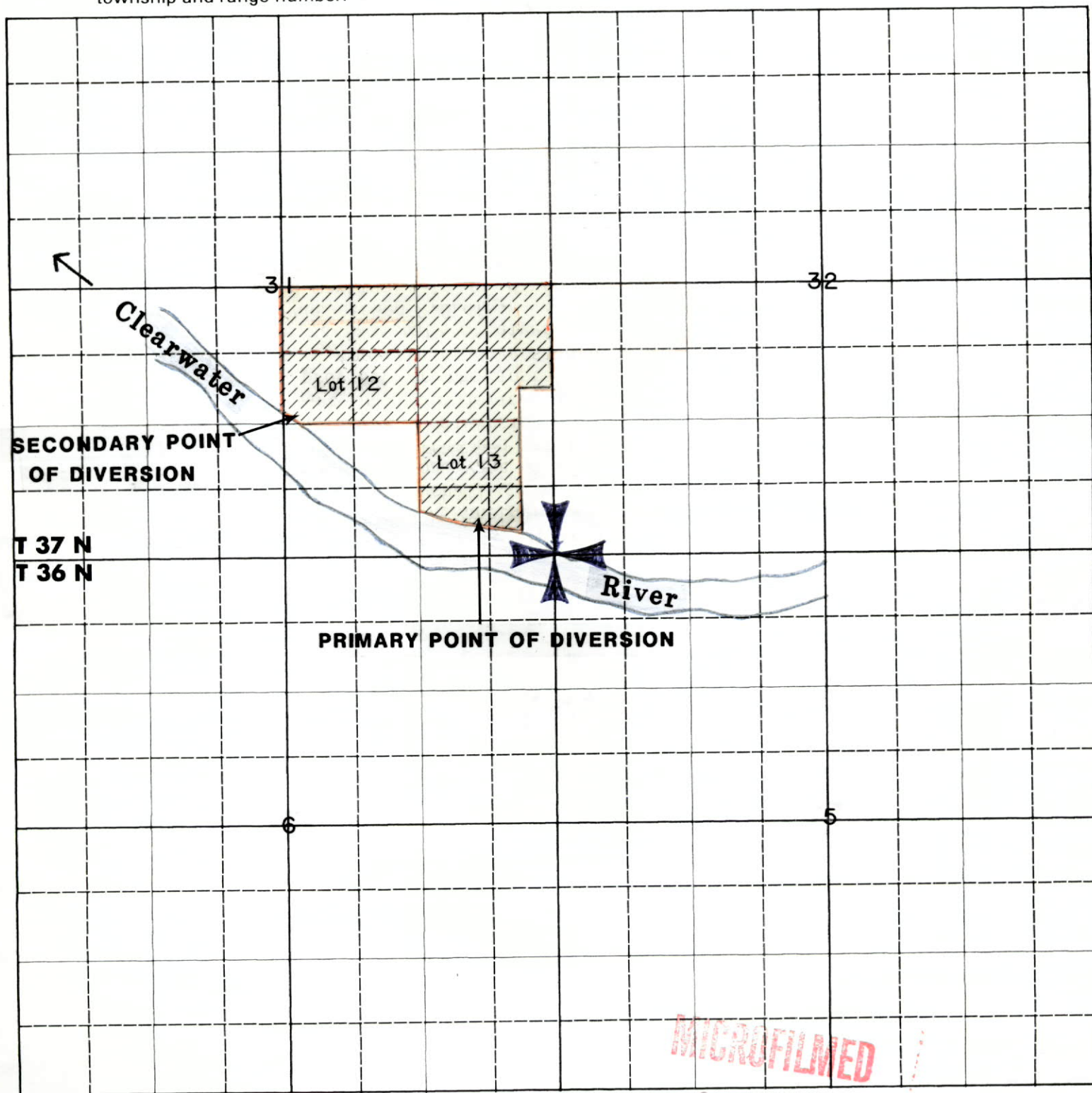


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

R 1 W

SEP 25 1989

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.

John D. Jones
(Applicant)
for Regional Forester

TRIBUNE PUBLISHING COMPANY, INC.

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

Date 122288 INVOICE No. L00152553

Account No. 96475 WATER RIGHT

Description 52553NOTIC

Times 2 Lines 40

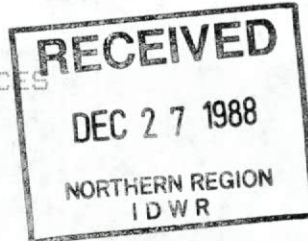
Tab Lines

LEGAL ADVERTISING INVOICE

\$ 40.00

SOLD TO:

STATE OF IDAHO
DEPT. OF WATER RESOURCES
4055 GOVERNMENT WAY
COEURDALENE
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

Lori Andersen, 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 FOR

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 121588

WEEK for 2 consecutive WEEKS, or once a
publication thereof being on the 121588, and the last pub-
lication thereof being on the 122288, and said

NOTICE OF APPLICATION FOR

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.

Lori Andersen

SUBSCRIBED AND SWORN BEFORE ME THIS THE 23

day of December 1988

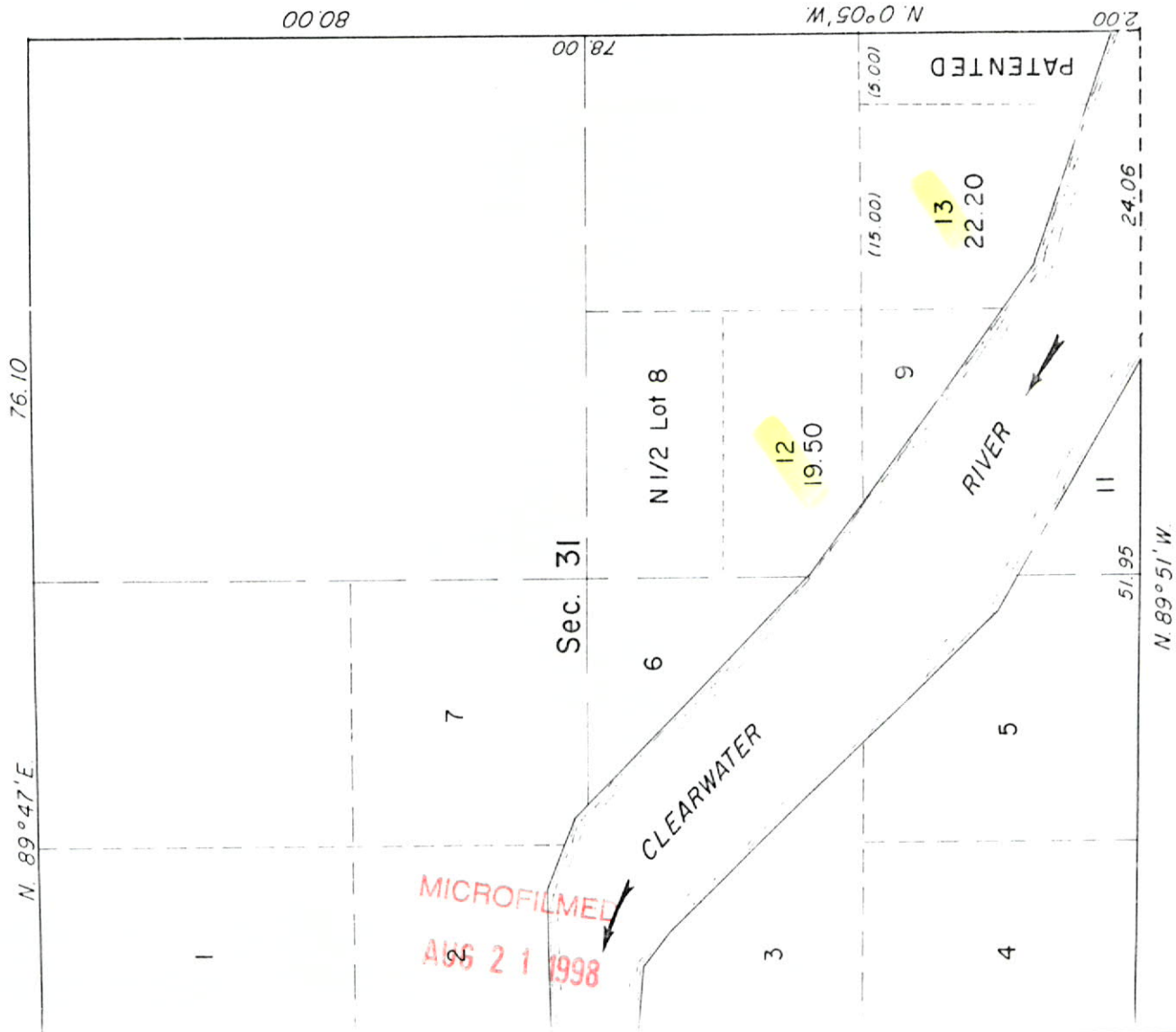
Ray Raul

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

52553
NOTICE OF APPLICATION FOR
WATER RIGHT
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
86-07248
U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25th ST.
OGDEN, UT 84401
Source: CLEARWATER RIVER
Tributary: SNAKE RIVER
Diversion Pt: LOT 12
(NWSW) -
Sec 31 T
37N R 01W
LOT 13 (SE-
SE) Sec
31 T 37N R
01W
Use: IRRIGATION (3.100
CFS)
I R R I G A
TION (5.400 CFS)
DOMESTIC (.040
CFS)
Date Filed: 9/21/1988
In: T37N R01W S31 NESE NESE
NWSE SESE
99.2 ACRES TOTAL
The permit(s) will be subject to all
prior water rights. Protests must be
filled with the Director, Dept. of Wa-
ter Resources, Northern Region,
4055 Government Way Suite 9, Coeur
D' Alene, Idaho 83814 on or before
JANUARY 3, 1989.
R. KEITH HIGGINSON, Director

MICROFILMED

SEP 25 1989



This plat showing amended lottings is based upon the plat approved July 22, 1893.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D.C. March 8, 1977

This plat, showing amended lottings, is based upon the official records and, having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

For the Director

Edward W. Hays
Chief, Division of Cadastral Survey

25 30 15.4 6.3
36 31 2.8

2402
Prairie
Land & Timber
Co

0752 0750
Stephen
Palfy

0600
Bennett
Lecda

Ken
Boyer
Robbins 25-A

Loyd
Butler

20-11
4.1
Gross
2438

2440

0850

0905

3125

Exempt

78.6
1850
Phillips
Donner

U.S.D.A.
86-07248

T. 37N, R. 01W, Sec 31

11.8

Exempt

Opal
Byrd
4800
12.1
11-11

42.6 42.6 12-11
39
19.1
11-14

34

5540
5539
15.0

5538
meadow

12-6

4.1
4.1
12-6

14.2

12-6

5543

5541
3.2
12-6

8840
Redhead
2.2 12-6

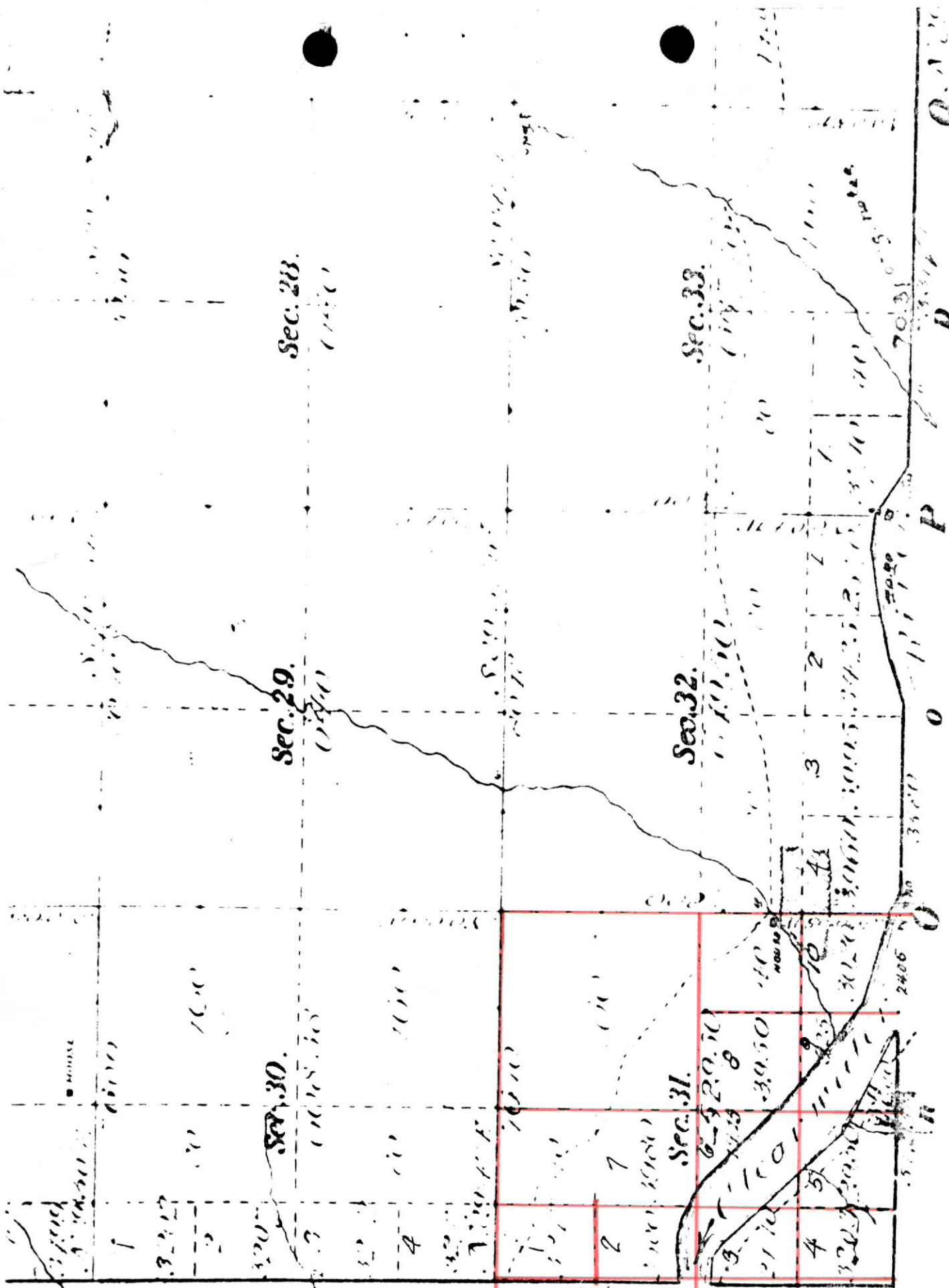
4800
4.6
12-6

4800
4.6
12-6

7790
4.3
Byrd

37N1W (9)
1-14-10

T37N R1W



MICROFILMED

AUG 21 1998

Q. 120

Total number of acres

Revised

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



13D



Pump



PV

TOFILMED
16 2 1 1998

PERMIT #

86-07248

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT



Pu
rk
F



Pu
Domestic



Pu
Domestic

MICROFILMED
AUG 21 1998

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 86-07248

Priority: September 21, 1988 **Maximum Diversion Rate:** 1.01 CFS
Maximum Diversion Volume: 276.5 AF

This is to certify, that US DEPT OF AGRICULTURE
CLEARWATER NATIONAL FOREST
12730 HIGHWAY 12
OROFINO ID 83544

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 21, 1988; and
has submitted Proof of Beneficial Use on November 12, 1996. An examination indicates
that the works have a diversion capacity of 1.010 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	1.01 CFS	276.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 13(SESE), Sec. 31, Township 37N, Range 01W
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>
37N	01W	31	NESE 34	Lot 12(NWSE) 39	Lot 13(SESE) 6	79

Total number of acres irrigated: 79

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 shall 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 more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.

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AUG 21 1998

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 86-07248

CONDITIONS OF APPROVAL AND REMARKS

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 22ND
day of JUNE, 1998.

Acting for

KARL J. DREHER, Director



MICROFILMED

AUG 21 1998

NOV 12 1996

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. 86-07248 Telephone No. (208) 476-4541
2. Name(s) of Permit Holder(s): United States of America - USDA Forest Service
3. Mailing Address: Clearwater NF, 12730 Hwy 12, Orofino, ID 83544
4. Source of Water: Clearwater River 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): _____ Stockwater (No. and type of stock): _____
Irrigation (No. of acres): 99.2 Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: 2.0 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 x or No _____
Has the measuring device been installed? Yes x or No _____
- Flow Measurement Port: Is a flow measurement port required? Yes x or No _____
Has the measurement port been installed? Yes x or No _____
8. Fee Enclosed: \$ 125.00 (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: Robert Grubb Telephone Number: (208) 476-4541
Address: Clearwater NF, 12730 Hwy 12, Orofino, ID 83544
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: Forest Supervisor
(include your title, if on behalf of company or organization)

Date: 11/7/96

MICROFILMED

MAR 11 1997

RECEIVED

APR 12 1993

For Office Use Only
\$15 Fee Received by CA
Date 4-12-93
Receipt No. 027183

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

**TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 86-07248

Name(s) of Permit Holder: USFS Clearwater National Forest

Mailing Address: 12730 Highway 12 Orofino, ID 83544

Date Proof is Due August 1, 1993

Telephone No. (208) 476-4541

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Designs and specifications for the intake system, transmission and distribution

lines have been completed. On-the-ground surveys for the system have been completed.

Cultural surveys have been completed for the site.

Costing \$35,000⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Considerable re-design of the intake system was required to comply with NMFS

requirements and cultural resource needs. Subsequently, allocations for contracts

and construction of the system have been reduced due to budgetary constraints.

Permit holder(s) request an extension to August 1, 19 97.

FEE: \$15.00

Burt Kulczak
(Signature)*

Orville L. Daniels

Acting Forest Supervisor

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

RECEIVED

IT IS HEREBY ORDERED that the above request for extension of time be **APPROVED**
and the time within which to submit proof of beneficial use is
extended to August 1, 1997.

MAY 21 1993

Signed this 14th day April, 19 93

J. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 86-7248

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America - USDA Forest Service Phone 476-4541
Clearwater National Forest
Post office address Highway 12, Orofino, ID 83544

2. Source of water supply Clearwater River which is a tributary of Snake River

3. Location of point of diversion is _____ 1/4 of _____ 1/4 of (SE SE) 1/4, Govt. Lot 13

Sec. 31 Township 37N. Range 1W. B.M. Nez Perce County; additional
(NWSA)

points of diversion if any: Govt. Lot 12, Sec. 31, T. 37N., R. 1W., B.M., Nez Perce County
JK - FM MAP 4/22/88

4. Water will be used for the following purposes:

*Allow 2.0 cfs per correspondence of 6/29/1989 - kw
Amount -5.1--* for irrigation (early) purposes from 1 April to 30 June (both dates inclusive)
(cfs or acre-feet per annum)

*Allow 2.0 cfs per correspondence of 6/29/89 - kw
Amount -5.4--* for irrigation (or- select) purposes from 1 July to 30 Sept. (both dates inclusive)
(cfs or acre-feet per annum) chard

Amount 0.1-04 for domestic purposes from 1 Jan. to 31 Dec. (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum) Allow 2.0 cfs*

5. Total quantity to be appropriated is (a) -5.5--* and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

Water will be pumped from one or two sites on the river and piped under the
railroad tracks.

b. Height of storage dam NA 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
4 years (minimum 1 year).

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SEP 25 1989

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. There will be a storage + maintenance building on the property that will have domestic water needs.

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
37N	1W	31													37.5	39.5		222	99.2
															D				

Total number of acres to be irrigated ~~100~~ 99.2 ^{kw} _{2/28}

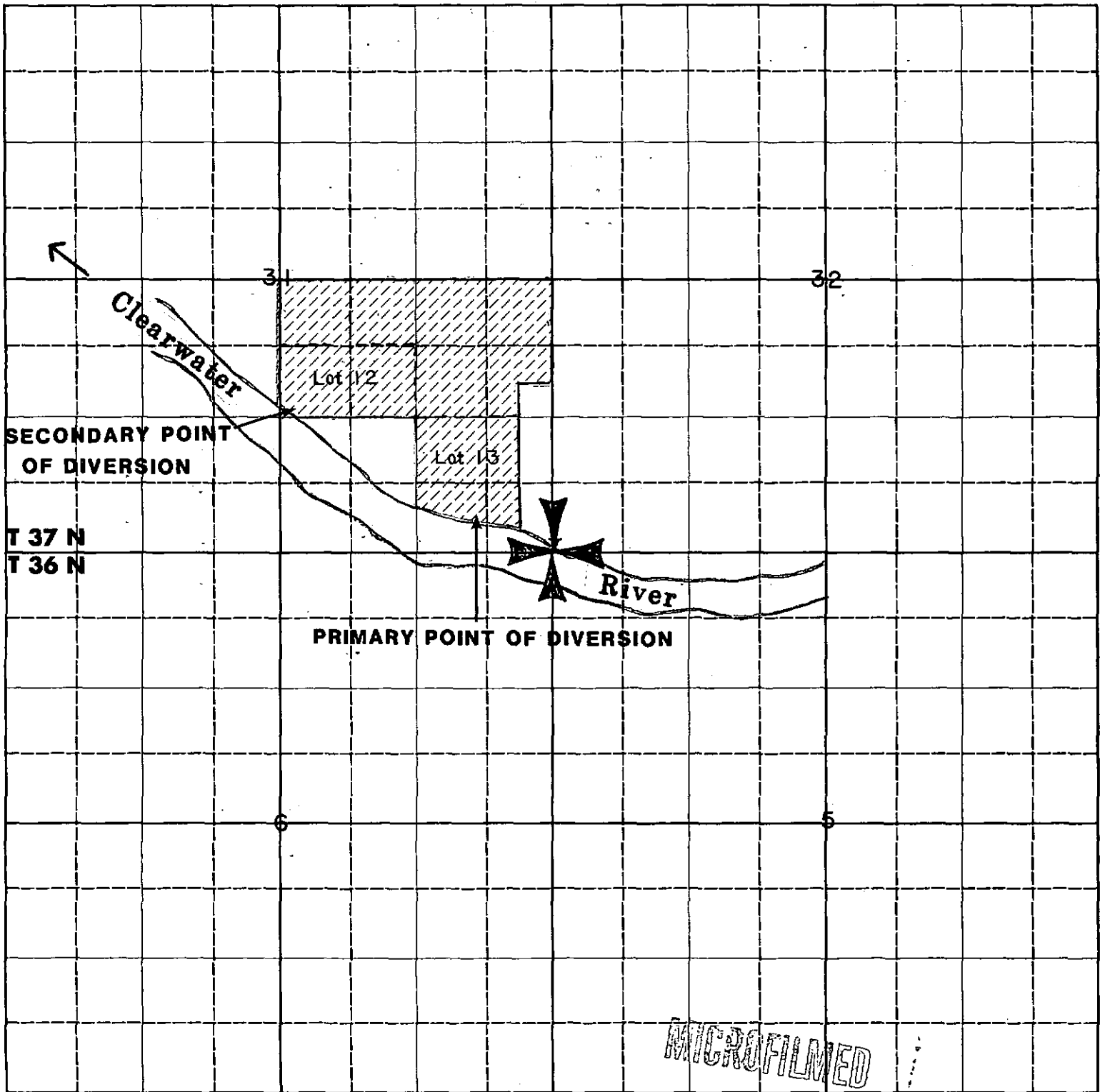
10. Describe any other water rights used for the same purposes as described above. none

- Who owns the property at the point of diversion? U.S. Government (see C.)
 - Who owns the land to be irrigated or place of use? U.S. Government
 - If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. U.S. Government is in the process of purchasing the above described property from Clearwater Investments via Norcen Burch and C.W. Hodgson
12. Remarks: Diversion rates are based on tree orchard irrigation. 1) maintaining 50 acres of early selection trails near field capacity and for frost control from April thru June. 2) maintaining 100 acres of tree orchard above 50% field capacity from July thru September.

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SEP 20 1989

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.

R 1 W

SEP 25 1989

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.

John D. Hughes
(Applicant)
for Regional Forester

Proposed Priority 9/21/88

Received by [Signature] Date 9/21/88 Time 1:40 PM Preliminary check by TK

Fee \$ 145.00 Received by TK # NT336 Date 9/22/88

Publication prepared by [Signature] Date 12/7/88 Published in 12/15/88 12/22/88

Publication approved [Signature] Date 12/28/88

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. 86-7248, 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 August 1, 19 93.

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: The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

The maximum rate of diversion for irrigation purposes under this permit shall not exceed 2.0 cfs.

The maximum rate of diversion for domestic purposes under this permit shall not exceed 0.04 cfs.

Witness my hand this 19th day of July, 1989.

[Signature]

MICROFILMED

SEP 23 1989

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

Date 122288 INVOICE No. L00152553

Account No. 96475 WATER RIGHT

Description 52553NOTIC

Times 2 Lines 40

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

STATE OF IDAHO
DEPT. OF WATER RESOURCES
4055 GOVERNMENT WAY
COEURDALENE
ID 83814

RECEIVED

DEC 27 1988

NORTHERN REGION
IDWR

\$ 40.00

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

Lori Andersen, 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 FOR

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 121588 WEEK for 2 consecutive WEEKS, or once a
publication thereof being on the 121588, and the last pub-
lication thereof being on the 122288, and said

NOTICE OF APPLICATION FOR

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.

Lori Andersen

SUBSCRIBED AND SWORN BEFORE ME THIS THE 23

day of December 1988

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

NOTICE OF APPLICATION FOR
WATER RIGHT

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

86-07248
U.S. DEPT. OF AGRI.
FOREST SERVICE

FEDERAL BLDG.
324 25th ST.
OGDEN, UT 84401

Source: CLEARWATER RIVER
Tributary: SNAKE RIVER
Diversion Pt: LOT 12

(NWSW)
Sec 31 T
37N R 01W
LOT 13 (SE-
SE) Sec
31 T 37N R
01W

Use: IRRIGATION (3.100
CFS)
IRRIGA
TION (5.400-CFS)
DOMESTIC (.040
CFS)

Date Filed: 9/21/1988

In: T37N R01W S31 NESE NESE
NWSE SESE

99.2 ACRES TOTAL

The permit(s) will be subject to all
prior water rights. Protests must be
filled with the Director, Dept. of Wa-
ter Resources, Northern Region,
4055 Government Way Suite 9, Coeur
D' Alene, Idaho 83814 on or before
JANUARY 3, 1989.

R. KEITH HIGGINSON, Director

MICROFILMED

SEP 25 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098--
Phone: (208) 327-7900 FAX: (208) 327-7866

June 23, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

US DEPT OF AGRICULTURE
CLEARWATER NATIONAL FOREST
12730 HIGHWAY 12
OROFINO ID 83544

RE: WATER RIGHT NO. 86-07248

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of this order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

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AUG 21 1998

ORAL ARGUMENT

If the Department grants a petition to review the preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The Department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

MICROFILMED

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name and title.

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosure

MICROFILMED

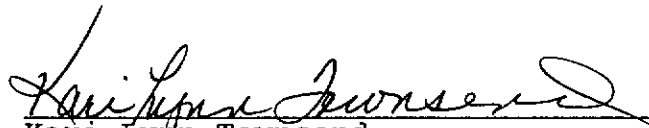
3 AUG 21 1998

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of June, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

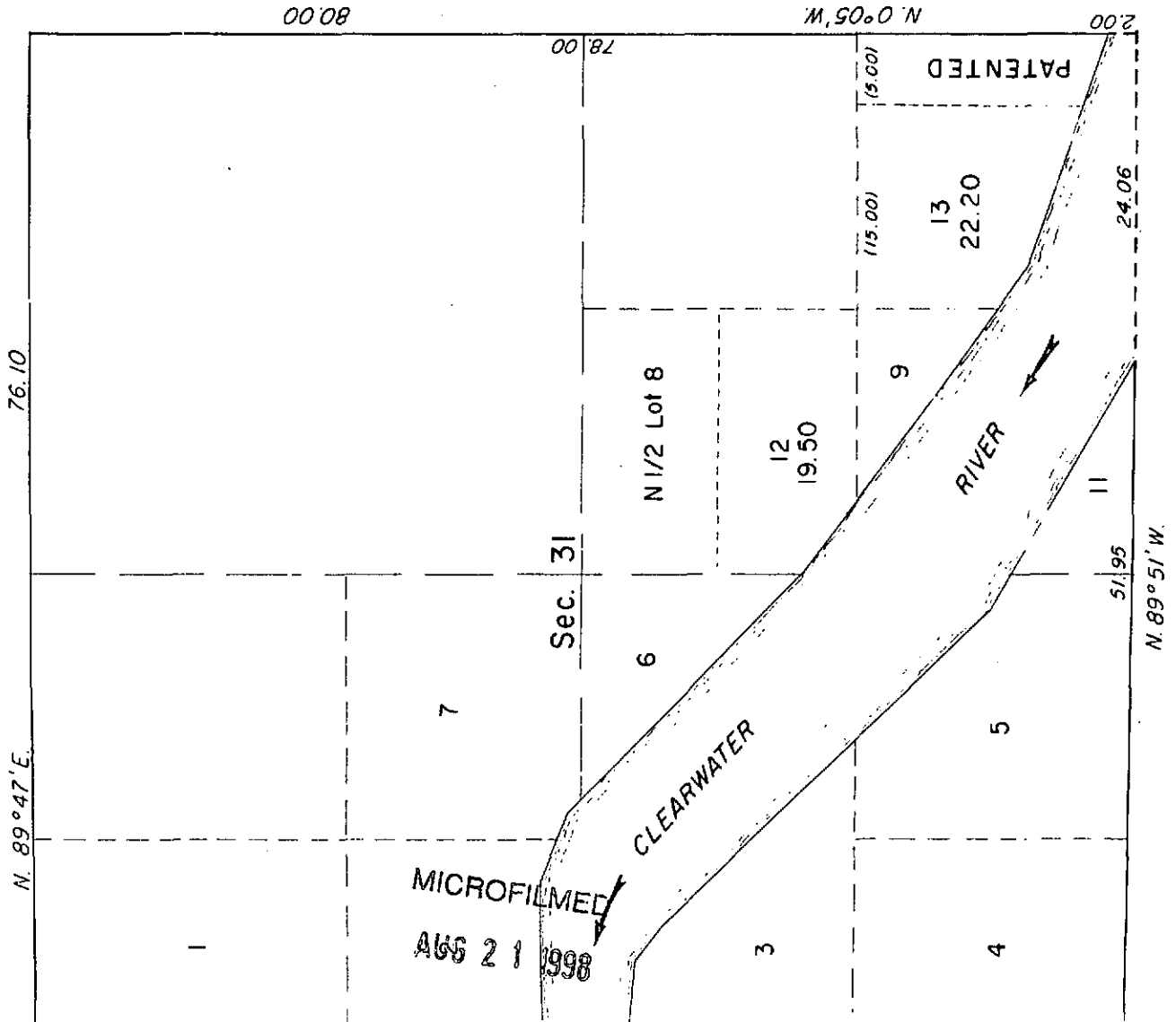
Water Right No. 86-07248

US DEPT OF AGRICULTURE
CLEARWATER NATIONAL FOREST
12730 HIGHWAY 12
OROFINO ID 83544


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 21 1998



This plat showing amended lottings is based upon the plat approved July 22, 1893.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D.C. March 8, 1977

This plat, showing amended lottings, is based upon the official records and, having been correctly prepared in accordance with the regulations of this Bureau, is hereby accepted.

For the Director

Bernard W. Foster
Chief, Division of Cadastral Survey

MEMORANDUM

TO: File 86-07248

FROM: Sharla

DATE: June 12, 1998

RE: Recommendation Adjustment(s)

The adjustments to licensing recommendations for Permit No. 86-07248 are as follows:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of use

T37N, R1W, S31 - NESE (34 acres), NWSE (39 acres), SESE (6 acres)

H. RECOMMENDATIONS

Irrigation	3/1 - 11/30	1.01 cfs	276.5 afa
------------	-------------	----------	-----------

The standard volume for this area is 3.5 af/acre; the standard season for this area is 3/1 - 11/30.

For rights of 5 acres or more, the number of acres per $\frac{1}{4}$ are rounded to the nearest whole number.

Examiner: Wayne Baldwin
Exam Date: August 12, 1997

MICROFILMED
AUG 21 1998

LICENSE REVIEW CHECKLIST

PERMIT NO. 86-07248 DATE 6/11/98 REVIEWER: SHARLA

NAME OK Change/OK
 Address OK
 SOURCE OK Does change clarify orig. intended source? If no, Void permit
 POINT OF DIV OK ☐ Change (P39 /P47) ☐ Add (P45/P42) Feds - P40
 W32 (multiple in 1/4)
 W36 (overlap)
 W59 (subd. desc)

Overlaps: Right(s): _____
 File reviewed ☐ Profile reports printed ☐

PLACE OF USE OK ☐ Change (P41/P47) ☐ Add (P41/P42) Feds - P43
 W60 (subd. desc)
 W27 (ppu acre limit)

Overlaps: Right(s): _____
 File reviewed ☐ Profile reports printed ☐

PD & PU amend (P37) Feds - P48

RATE OF DIV
 Permitted Rate 2.00 cfs
 Fee limit 2.00 cfs \$125⁰⁰
 Measured 1.01 cfs
 Theoretical 1.60 cfs @ 60' in and 150' lift (estimate)
 Recommended Total Div Rate _____ cfs
 (1689 heads)

WATER USES	<u>OK</u>	Change (P46)	
	<u>1.01</u> cfs	<u>79x3.5</u> af	Irrig -
	_____ cfs	_____ af	overlap (R58-R61, R62-R65, R66-R69)
	_____ cfs	_____ af	supp. gw (WB7/065/079)
	_____ cfs	_____ af	overlap spec. combined rts (W35)
TOTALS	<u>1.01</u> cfs	<u>276.5</u> af	Domestic (W01/WB5/070/071/075)

3/15-11/15 pta. season 3/1-11/30

Power (W42 or W43/025/027/R22 or R23)
 Fish (042) Fire (077) Wtr Quality (081/R07)

Flow rate 1.01 cfs X 246 days X 1.98 = 492.0 af

REMARKS _____

ADD'L CONDITIONS ☐ Watermaster Control WD# _____
☐ GW Measurement/Measuring Device
☐ Others Trust (052/R55 - remove 051) Non-trust (048/049)

Advance Priority ☐ yes ☒ no

SRBA Claim N/A

Adjust Memo _____
 Amend letters _____

volume = 3.5 af/ac
 Season rounded acres

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 11 1998

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 86-07248

1. Owner: U.S. Dept. of Agriculture Phone No. (208) 476-4541

Current Address: Clearwater National Forest 12730 Hwy 12 Orofino Id. 83544

2. Accompanied by: Robert Trubb EXAM DATE: 8-12-97

Address: Same as above Phone No. _____

Relationship to Permit Holder: Employee

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
	12+13		SE	SE	31	37N	01W	NE2BEC	U.S.G.S. 7.5 min Quad
(well)			NE	NE	31	37N	01W	"	U.S.G.S. 7.5 min Quad

2. Place(s) of Use:

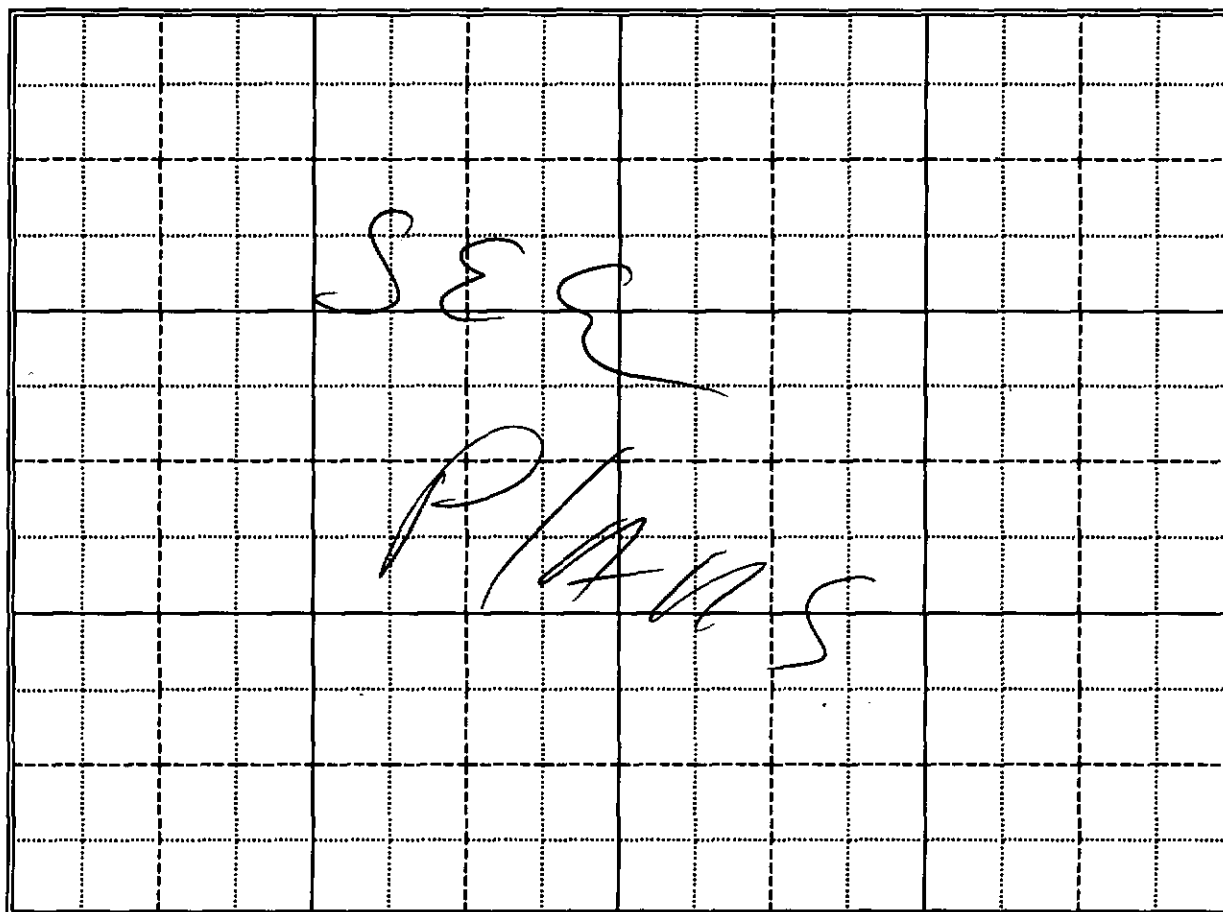
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
37N	01W	31													34	39		56	7806

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AUG 21 1998

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
	US Electric	75	4007X07X112R444m	Orosser	D102

*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: _____

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AUG 21 1998

E. NARRATIVE/REMARKS/COMMENTS

This system is limited by screen size on intake to a max discharge of 456 gpm. 1.0 cfs.

Domestic use is for shop building, but its groundwater source is not listed on permit. However any domestic irrigation around building is covered under total irrigation figures.

Mr. Grubb told me the entire system is never up. They run portions of it at different areas.

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

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AUG 21 1998

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

$$\begin{aligned} &\text{Flow meter in system} \\ &100 \text{ gal in } 13.2 \text{ sec} = 454.5 \text{ gpm} \\ &\frac{454.5 \times 1.33681}{60} = 1.01 \text{ cfs} \end{aligned}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 78.6 \times 3 = 235.8 \\ V_{D.R} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.01 \times 192 \times 1.9835 = 384.6 \\ V &= \text{Smaller of } V_{I.R} \text{ and } V_{D.R} = 235.8 \end{aligned}$$

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		
Irrigation	04-01	09-30	1.01	235.8
Totals:			1.01	235.8

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

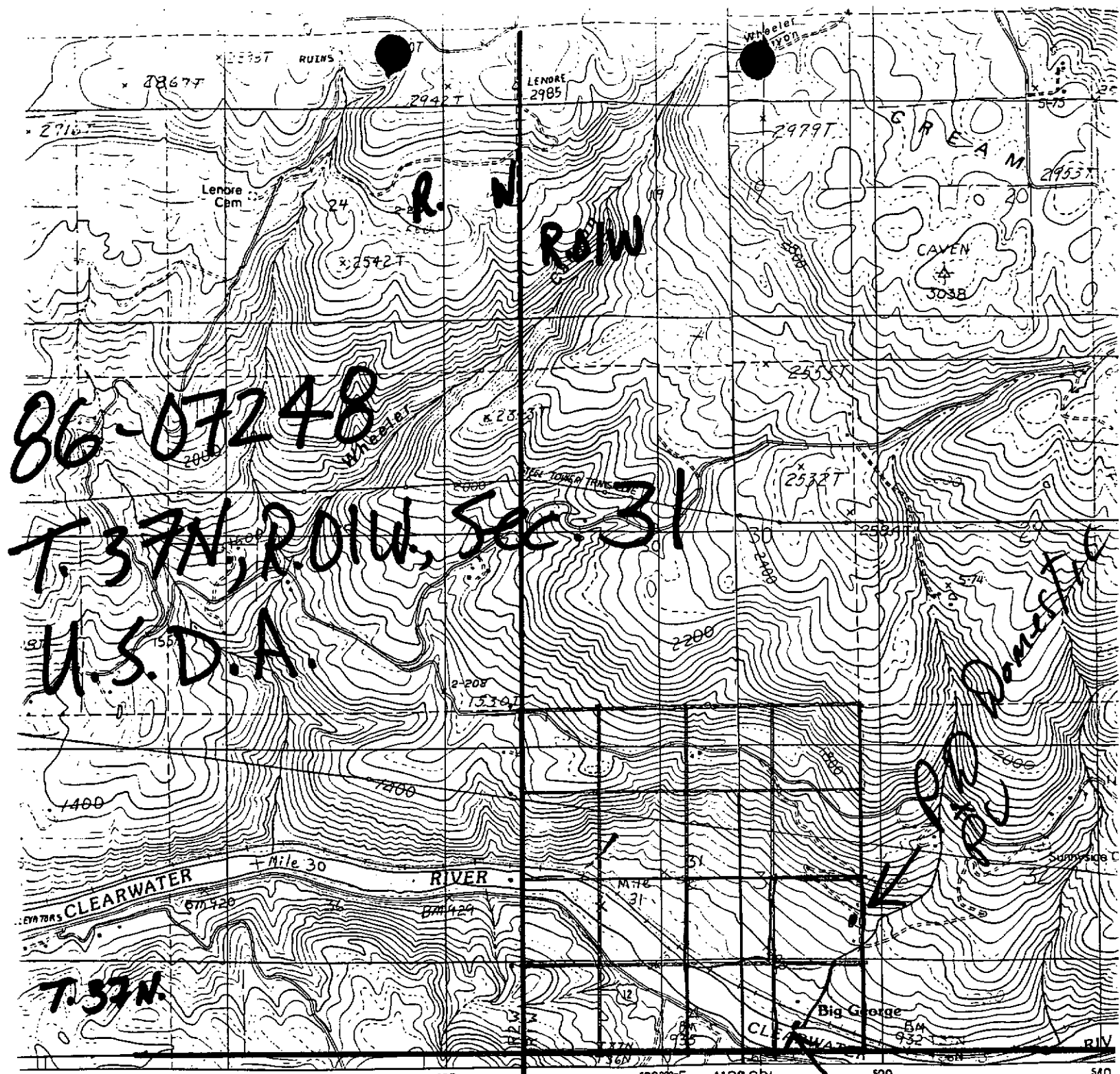
I. AUTHENTICATION

Field Examiner's Name Wayne Bald Date 9-11-97

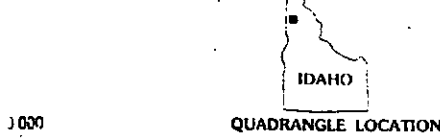
Reviewer _____ Date _____

SEAL

MICROFILMED
AUG 21 1998



T. 36 N.



ROAD LEGEND

Improved Road
 Unimproved Road
 Trail

○ Interstate Route ◻ U. S. Route ○

1	2	3	1 Little Bear Ridge
			2 Texas Ridge
			3 Park
4		5	4 Juliaetta
			5 Southwick
			6 Culesac North
6	7	8	7 Gifford
			8 Peck

ADJOINING 7.5' QUADRANGLE NAMES

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AUG 21 1998

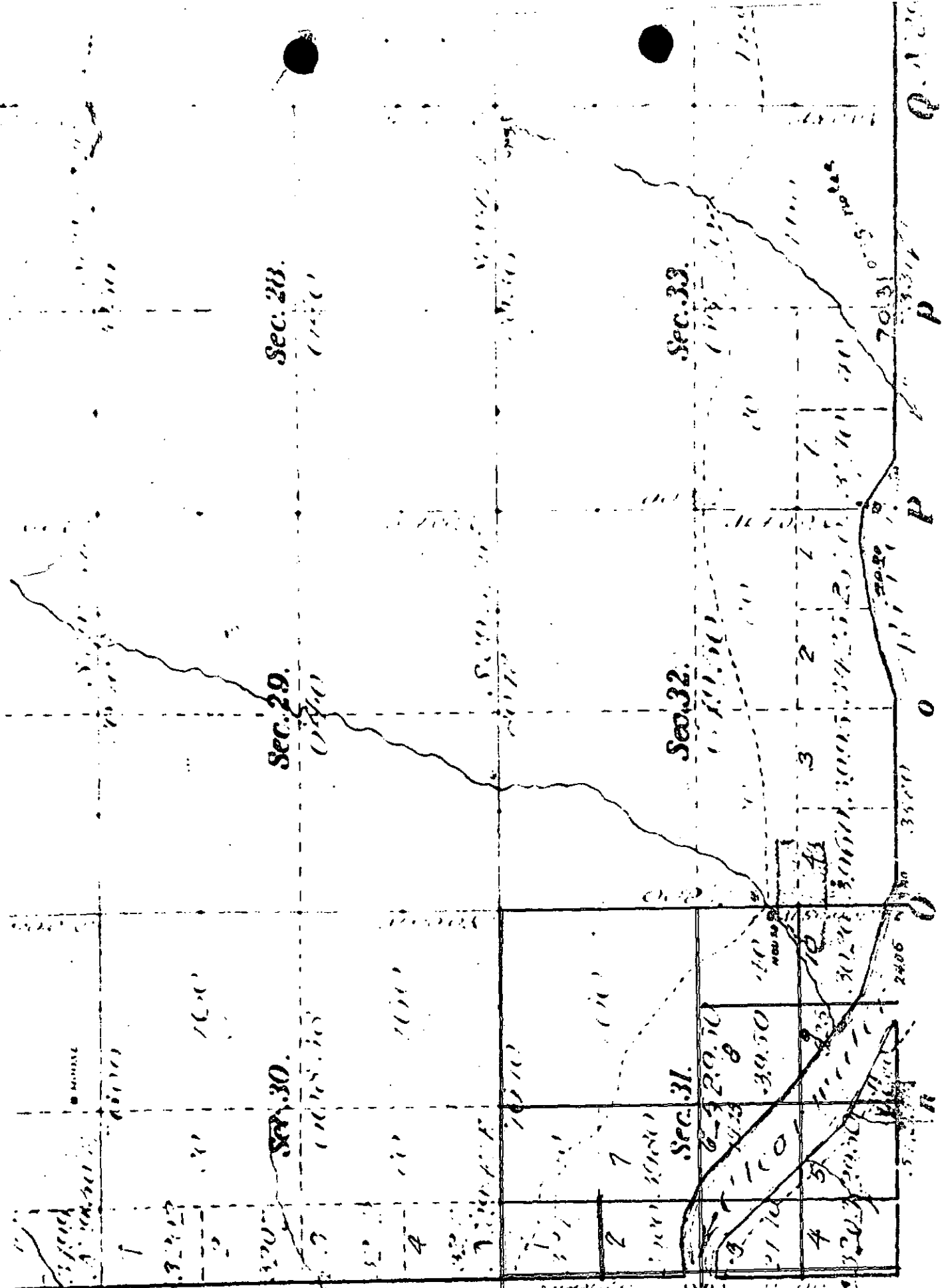
LENORE, ID

PROVISIONAL EDITION

46116-E5-TF

BY THE UNITED STATES GEOLOGICAL SURVEY
 USGS AND NOS/NOAA
 AERIAL PHOTOGRAPHS TAKEN.....1957
 AERIAL PHOTOGRAPH TAKEN.....1981
 ED.....1981 MAP EDITED.....1990
 TRANSVERSE MERCATOR
 ETER UNIVERSAL TRANSVERSE MERCATOR.....ZONE 1
 FOOT STATE GRID TICKS.....IDAHO, WEST ZONE
 ECLINATION.....0°25' EAST
 IC NORTH DECLINATION.....18°00' EAST
 U.M.....NATIONAL GEODETIC VERTICAL DATUM OF 1929
 DATUM.....1927 NORTH AMERICAN DATUM
 the predicted North American Datum of 1983
 projection lines as shown by dashed corner tick
 north and 77 meters east)
 be private inholdings within the boundaries of an
 state reservations shown on this map
 on made between houses, barns, and other buildings

1



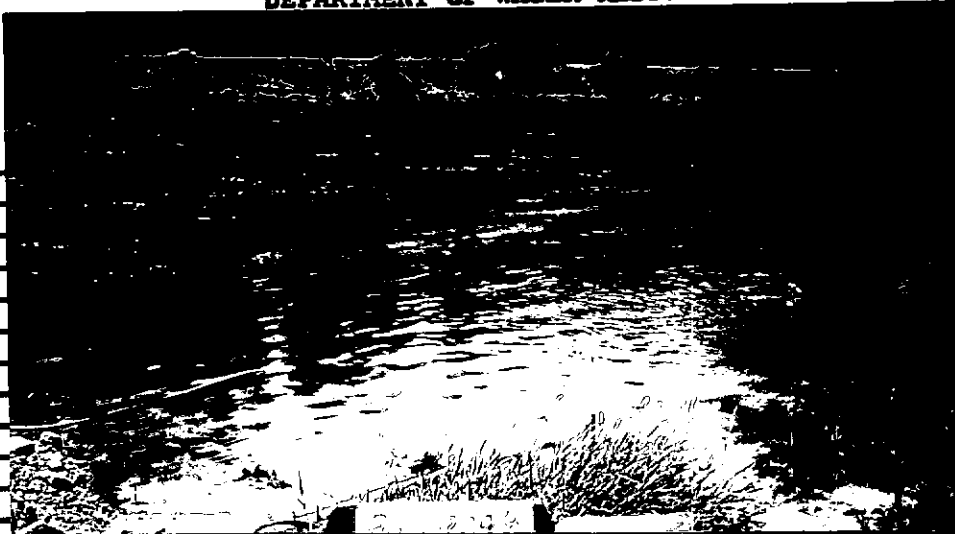
Total number of letters

MICROFILMED

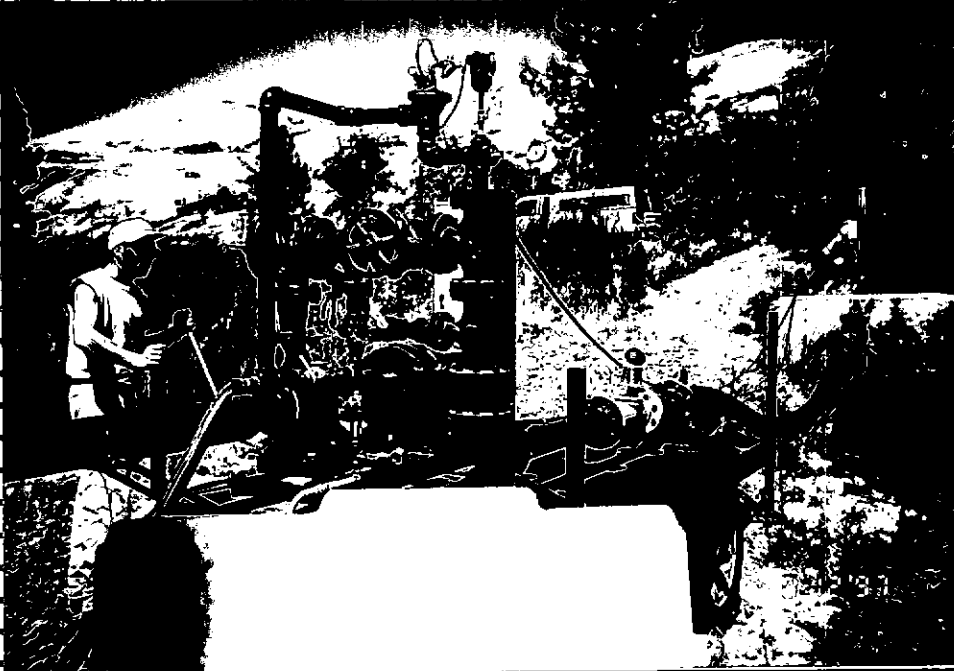
AUG 21 1998

PERMIT # 86-07248

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



13D



Pump



PV

8 12 '97

TOFILMED

16 2 1 1998

PERMIT # 86-0724

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT



Pu
RR
E

Pu
Domestic



Pu
Domestic

8 12 '97

MICROFILMED
AUG 21 1998

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 86-07248 Reviewed by [Signature] Date 11-14-96

GENERAL CONSIDERATIONS

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

TYPES OF USE

irr.

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐ Drilling permit required?

☐ Copy in the file? Drilling Permit No. _____

☐ Amount paid for permit

☐ Well log in the file?

_____ Correct?

LICENSE EXAMINATION FEE

yes Required?
125- Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
_____ Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

DATA ENTRY

New Address _____ Proof Made 11.12.96

November 15, 1996

US DEPT OF AGRICULTURE
CLEARWATER NATIONAL FOREST
12730 HIGHWAY 12
OROFINO ID 83544

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 86-07248

Dear Permit Holder:

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

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

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

MICROFILMED
MAR 11 1997



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

April 13, 1993

USFS Clearwater National Forest
12730 Highway 12
Orofino, ID 83544

Re: Permit No. 86-07248

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to August 1, 1997. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

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

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECORDED

MAY 21 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 86-07248 Reviewed by Klg Date 4/13/93

BASIC INFORMATION

4/12/93 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

yes Has adequate work been completed to demonstrate due diligence?
Has the permit been involved in litigation?
Is supporting documentation needed to complete the file? Requested?
Is delay by a government agency?
Is supporting documentation needed to complete the file? Requested?
Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

*Recommend for approval Based on due diligence
Extend to 8/1/97*

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address See extension request 4/14/92 Klg
Change Proof Due Date 4/14/92 Klg
Change Priority Date _____



United States
Department of
Agriculture

RECEIVED
MAR 22 1993
Forest Service
Department of Water Resources
Clearwater National Forest

12730 Highway 12
Orofino, ID 83544
(208) 476-4541

Reply to: 2500/2470

Date: March 17, 1993

Gary Spackman
State of Idaho
Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720

Dear Mr. Spackman:

Enclosed is an application for the extension of the water use permit which was previously approved for the Lenore Tree Improvement Area. As explained in the application, budget constraints imposed on the Region One Tree Improvement Program have resulted in the need to delay construction of the system. It is expected that the required funding will become available within the next two to three years. Approval of the request for extension will allow us to complete the irrigation system phase of the project at that time and to meet the tree improvement objectives which have been established for the Lenore site. Thank you for your consideration in this matter.

Sincerely,

Orville L. Daniels
Acting Forest Supervisor

Enclosure

MICROFILMED
MAY 21 1993



United States
Department of
Agriculture
Reply To: 6310

Forest
Service

Clearwater
National
Forest

12730 Highway 12
Orofino, ID 83544
(208) 476-4541

Date: April 9, 1993

Subject: Third Party Drafts

To: State of Idaho
Dept. of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720-9000

Enclosed is third party draft #0184090 in the amount of \$15.00. This is for an extension of time for a "Water Right Permit".

The third party draft has to be deposited into your bank account before you are able to draw funds against it. It is only good for 30 days from the issue date.

If you have any problems or questions, please contact me at 208-476-8211.


GAYLE LASHLY
Purchasing Agent

Enclosure

RECEIVED
MAY 21 1993



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

March 26, 1993

USFS Clearwater National Forest
12730 Highway 12
Orofino, ID 83544

Re: Permit No. 86-07248

Dear Permit Holder:

Returned is the ^{Extension Request} ~~proof of beneficial use~~ submitted in connection with the above referenced permit. Unfortunately, it is unacceptable as filed because you failed to submit the \$15 processing fee.

Please return the original extension request and \$15 processing fee at your earliest convenience.

In the mean time, if you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

MICROFILMED

MAY 21 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME *copy*

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 86-07248

Name(s) of Permit Holder: USFS Clearwater National Forest

Mailing Address: 12730 Highway 12 Orofino, ID 83544

Date Proof is Due August 1, 1993 Telephone No. (208) 476-4541

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Designs and specifications for the intake system, transmission and distribution

lines have been completed. On-the-ground surveys for the system have been completed.

Cultural surveys have been completed for the site.

Costing \$35,000⁰⁰

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Considerable re-design of the intake system was required to comply with NMFS

requirements and cultural resource needs. Subsequently, allocations for contracts

and construction of the system have been reduced due to budgetary constraints.

Permit holder(s) request an extension to August 1, 19 97.

FEE: \$15.00

Orville L. Daniels
(Signature)*

Orville L. Daniels

Acting Forest Supervisor

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

IT IS HEREBY ORDERED that the above request for extension of time be

MAY 21 1993

Signed this _____ day _____, 19 _____



United States
Department of
Agriculture

RECEIVED
MAR 22 1993
Forest Service
Department of Water Resources
Clearwater National Forest

12730 Highway 12
Orofino, ID 83544
(208) 476-4541

Reply to: 2500/2470

Date: March 17, 1993

Gary Spackman
State of Idaho
Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, ID 83720

Dear Mr. Spackman:

Enclosed is an application for the extension of the water use permit which was previously approved for the Lenore Tree Improvement Area. As explained in the application, budget constraints imposed on the Region One Tree Improvement Program have resulted in the need to delay construction of the system. It is expected that the required funding will become available within the next two to three years. Approval of the request for extension will allow us to complete the irrigation system phase of the project at that time and to meet the tree improvement objectives which have been established for the Lenore site. Thank you for your consideration in this matter.

Sincerely,

Orville L. Daniels
Acting Forest Supervisor

Enclosure

MICROFILMED

MAY 21 1993



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 86-07248

Name(s) of Permit Holder(s): United States of America - USDA Forest Service

Post Office Address: Clearwater National Forest, 12730 Hwy 12,
Orofino, ID 83544 Tel. No. 208-476-4541

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____ (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:
Irrigation System need is complex, design is currently
under contract, but not yet complete.

*Note: A financing difficulty is
not an acceptable reason.

7/9/90
Date

Robert E. [Signature]
Signature of Permit Holder

Clearwater National Forest
12730 Highway 12
Orofino, ID 83544



U.S. OFFICIAL MAIL

PENALTY
FOR
PRIVATE
USE \$300

POSTAGE

0.15

RECEIVED
JUL 12 1990



RECEIVED

MAY 21 1993

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES

STATEHOUSE

BOISE, IDAHO 83720



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

Statehouse
Boise, Idaho 83720
(208) 334-7900
July 19, 1989

U.S. DEPT. OF AGRICULTURE
FOREST SERVICE
FEDERAL BLDG.
P.O. BOX 7669
MISSOULA, MT 59807

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 86-07248

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.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of

MICROFILMED

SEP 25 1989



Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MILWAUKEE

SEP 25 1989

Form No. 202a.
4/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: YK DATE: 9/22/88 APPLICATION: 86-7248

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names must be provided for the director, officers, and other partners.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map:
- ☒ Signature: (If applicant is corp., partnership, or municipality title of signator is required)
- ☒ Fee:
- ☒ yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

YES NO

- ☒ Overlapping place of use: (Describe source & relationship to present application on the back.)
- ☒ Overlapping point of diversion:
- ☒ Field check required: Field check by: _____
- ☒ Field report attached:
- ☒ Critical groundwater area:
- ☒ Groundwater management area:
- ☒ Send dam safety information:
- ☒ Send power requirement letter:
- ☒ Send fish farm requirement letter:
- ☒ Power residency affidavit:
- ☒ Power efficiency form:
- ☒ Within trust water boundry: (If yes, attach Trust Water Supplementary Analysis Sheet.)
- ☒ Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

EXCESS FLOWS

DATE REQUESTED: 9/22/88
Additional information on reverse side: JAN 26 1989

Department of Water Resources

PROCESSING

YES NO

- ☒ In form for advertising:
☒ Statewide advertising:
☒ Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

- ☐ I.D. Health and Welfare
☐ I.D. Fish and Game
☐ I.D. Lands
☐ Adjudication Bureau

YES NO

- ☐ U.S. BLM
☐ U.S. Forest Svc.
☐ Water District # _____
☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

YES NO

- ☒ Affidavit of publication received:
☒ Application published correctly: If not, record action taken.

- ☒ Publication dates and paper recorded on application:
☒ Protests received, Final date for protest 1/3/89
☒ Protests, dates, resolution of protest recorded on application:
☒ Recommendations attached:
☒ Measuring device required:
☒ Measuring port required:
☒ Water delivered by water master? District # _____
☒ Special conditions of approval or cover letter: (see additional info. below)
☒ See Below For Additional Information
Recommended Date of Priority 9/21/80
Recommended by: [Signature]

STATE OFFICE REVIEW

P03 P17 04 26 016 28 (irrig. 2.0 cfs) 28 (domestic, 0.04 cfs)

See below for additional information. By kw Date 6/6/89
kw 7/17/89

ADDITIONAL INFORMATION

OK to allow 4 yrs. for this development



United States
Department of
Agriculture

Forest
Service

Clearwater
National
Forest

12730 Highway 12
Orofino, ID 83544
(208) 476-4541

Reply to: 2540

Date: June 29, 1989

Gary Spackman
State of Idaho, Department of Water Resources
State House
Boise, ID 83720

Dear Mr. Spackman:

The Department of Water Resources is currently considering a permit application to appropriate water from the Clearwater River by the United States of America - USDA, Forest Service, Clearwater National Forest. Your case number for the application is No. 86-07248.

After receipt of your June 22, 1989 letter we re-analyzed our needs and the capacity of the irrigation system proposed. We believe an error occurred in the calculation leading to the amount of appropriation listed in the original application. By this letter I am requesting that the total quantity to be appropriated be reduced to 2.0 cfs.

If you have any questions or need additional information please contact Tom Suk of our Lands Staff. He can be reached by telephone at (208)476-4541, extension 245. Thank you for your assistance.

Sincerely,

ROBERT E. LITTLEJOHN
Forest Engineer/Lands Staff

cc:
North Fork RD
B. Wulf
T. Keyes
D. Jones

RECEIVED
JUL 03 1989

Department of Water Resources

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SEP 25 1989





United States
Department of
Agriculture

Forest
Service

Clearwater
National
Forest

12730 Highway 12
Orofino, ID 83544
(208) 476-4541

Reply to: 2540

Date: June 21, 1989

Gary Spackman
State of Idaho, Department of Water Resources
State House
Boise, ID 83720

Dear Mr. Spackman:

The Department of Water Resources is currently considering a permit application to appropriate water from the Clearwater River by the United States of America - USDA, Forest Service, Clearwater National Forest. Your case number for the application is No. 86-07248.

The application requested a total quantity to be appropriated of 5.9 cubic feet per second. Upon further analysis of our needs and the capacity of the irrigation system proposed, we have determined that 5.9 cfs is in excess of our needs. By this letter I am requesting that the total quantity to be appropriated be reduced to 4.9 cfs.

If you have any questions or need additional information please contact Tom Suk of our Lands Staff. He can be reached by telephone at (208)476-4541, extension 245. Thank you for your assistance.

Sincerely,

for *Raymond N. Flowers*
ROBERT E. LITTLEJOHN
Forest Engineer/Lands Staff

cc:
North Fork RD
B. Wulf
T. Keyes
D. Jones

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JUN 27 1989

Department of Water Resources

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SEP 20 1989





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 22, 1989

United States of America
USDA Forest Service
Clearwater National Forest Highway 12
Orofino, Idaho 83544

RE: Application for permit #86-7248

Dear Sirs:

The department has reviewed application to appropriate water #86-7248 filed by the Forest Service.

Idaho Code §42-202 states:

. . .no one shall be authorized to divert for irrigation purposes more than one cubic foot of water per second of the normal flow for each fifty (50) acres of land to be so irrigated. . . unless it can be shown to the satisfaction of the department of water resources that a greater amount is necessary.

Application #86-7248 requests approval of a flow rate of 5.5 cfs for the irrigation of just less than 100 acres. The flow rate sought is more than double the flow rate allowed by statute.

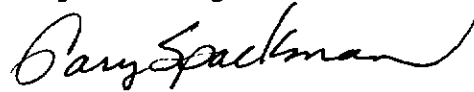
The statute allows an excessive diversion rate if "it can be shown to the satisfaction of the Department of Water Resources that a greater amount is necessary." A soil profile description has been sent to the Department. In addition, some short statements of need for excessive water have also been sent. While the supporting data is helpful, it does not establish, by technical proof, the need for more than twice the allowable amount of water. The two statements merely state that extra water is needed for the growing of conifers in a nursery, and that it also is needed for frost protection.

While I am not an expert in growth of conifers in a nursery, I question the need for the unusually large flow rate listed on the application. This letter is a request for scientific justification of the additional flow rate. I request that you submit calculations of why the flow rate was estimated, and justification based on soil type and plant water demand.

SEP 25 1989

If you continue seeking a flow rate in excess of five cfs, you will also be required to submit information contained in rule 4,5,3. of the water appropriations rules and regulations. I have enclosed a copy of the pertinent sections for your review. The information required must be submitted prior to approval of your application.

Respectfully,



GARY SPACKMAN, Manager
Water Right Permits Section

GS:js

Enclosure

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SEP 25 1989



Reply to: 2540

Date: December 9, 1988

Tom D. King, Senior Water Resource Agent
Idaho Department of Water Resources
4055 Government Way, Suite 9
Coeur d'Alene, Idaho 83814

RECEIVED

DEC 14 1988

**NORTHERN REGION
IDWR**

Dear Mr. King:

Enclosed is the additional information that you requested concerning the Clearwater National Forest's application for a permit for water appropriation from the Clearwater River near Lenore (86-07248).

SOIL TYPE:

Uhlig Series - coarse-loamy, mixed mesic Pachic Haploxeroll.

SOIL PROFILE:

A11 0-2"	Very dark brown (10 yr 2/2) moist silt loam, very fine granular structure, very friable; slightly sticky, abundant fine roots, many fine pores, clear boundary.
A12 2-10"	Black (10 yr 2/1) silt loam, moderate fine angular blocky, friable, slightly sticky, plentiful fine roots, common small open gradual boundary.
A13 10-21"	Dark brown (10 yr 3/2) loam moderate medium subangular blocky, friable plentiful fine roots, common small pores, gradual boundary.
B2 21-36"	Dark brown (10 yr 3/3) loam, moderate coarse subangular blocky, friable, few roots, few pores, gradual boundary.
C 36-50+"	Dark brown, silt loam, massive, friable.

SOIL WATER HOLDING CAPACITY: (Available water at 1/3 bar)

0-10"	= 0.18 - 0.22 inches/inch
10-21"	= 0.17 - 0.20 inches/inch
21-50"	= 0.16 - 0.18 inches/inch
50+"	= 0.13 - 0.17 inches/inch

FIELD SLOPE:

50% is less than 20%
50% is 20% to 50%

ANTICIPATED CROPS: Tree seedlings.

METHOD OF IRRIGATION: Sprinkler

OTHER INFORMATION: Diversion rates are based on tree orchard irrigation:
1.) Maintenance of approximately 50 acres near field capacity from April through June.
2.) For occasional early-spring frost control.
3.) Maintenance of approximately 100 acres at 50% field capacity from July through September.

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SEP 25 1989





4.) Incidental domestic use for a caretaker and outbuildings.

You can contact Dale Wilson, Soil Scientist, at this office for any specific questions you may have concerning the soils. Feel free to contact me if you have any other questions.

Sincerely;

Rick Patten

RICK PATTEN
Forest Hydrologist

cc:
Dale Wilson
Tom Suk, Lands

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SEP 25 1989





State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Dear Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit.

This office is currently in the process of advertising the application in the local county newspaper. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

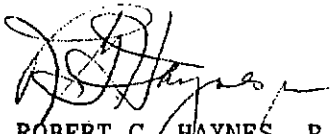
If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to the final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your receipt for the fee involved in filing this application.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,


ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enc. - Receipt

12/9/88

RICK PATTEN
CALLED SEZ
HE WILL SEND
SOIL PROFILE,
ASAP JK

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SEP 25 1989


Celebrate
IDAHO
1890-CENTENNIAL-1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

October 13, 1988

Mr. Rick Patten
U. S. Forest Service
Clearwater National Forest
12730 Hwy. 12
Orofino, Id. 83544

Dear Mr. Patten:

Pursuant to our letter of September 22, 1988, we are enclosing a fact sheet for excessive irrigation flows for your use in explaining why you will be using an excessive amount of water for irrigation and domestic uses.

If you have any questions, please contact this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Fact Sheet

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SEP 23 1989

September 22, 1988

USDA Forest Svc.
Clearwater Nat'l Forest
Mr. Rick Patten
12730 Hwy 12
Orofino, Id. 83544

RE: Appropriation Application

Dear Mr. Patten:

This office is in receipt of your application to develop a water right by appropriation of water from a the Clearwater River tributary to the Snake River, however the application can not be processed since you have applied for a diversion rate in excess of .02 cfs/acre.

To seek approval for the excess flow for irrigation and domestic purposes, you must complete the enclosed fact sheet for excessive irrigation flows and explain why a storage/maintenance shop requires more than 0.04 cfs for domestic purposes. This information must be received by this office, with any other information you deem necessary prior to October 25, 1988.

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

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SEP 25 1989



United States
Department of
Agriculture

Forest
Service

Clearwater
National
Forest

12730 Highway 12
Orofino, ID 83544
(208) 476-4541

Reply to: 2540

Date: September 19, 1988

Idaho Department of Water Resources
4055 Government Way #9
Coeur d'Alene, ID 83814

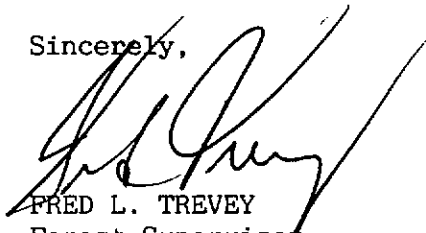
Dear Sir or Madam:

Enclosed is an application for permit to divert water from the mainstream Clearwater River and to put it to a beneficial use. That use is maintenance of a seed orchard for testing and production of conifer seedlings that will be replanted in the Clearwater National Forest's reforestation program.

This use requires more water per acre than most cropland irrigation operations due to the necessity of maintaining seasonally high soil moisture levels for field trials and for occasional frost protection.

Please contact Rick Patten, Forest Hydrologist at this office (476-4541), if you have technical questions about this application.

Sincerely,


FRED L. TREVEY
Forest Supervisor

Enclosure

cc:
R.Patten
B.Wulf

RECEIVED
SEP 21 1988

Department of Water Resources
Department of Water Resources
Northern District Office

MicroFILMED

SEP 23 1989



86-07248

U.S. DEPT. OF AGRI.
FOREST SERVICE
FEDERAL BLDG.
324 25TH ST.
OGDEN, UT 84401

Source: CLEARWATER RIVER

Tributary: SNAKE RIVER

Diversion Pt: LOT 12 (NWSW) Sec 31 T 37N R 01W
LOT 13 (SESE) Sec 31 T 37N R 01W

Use: IRRIGATION (3.100 CFS)
IRRIGATION (5.400 CFS)
DOMESTIC (.040 CFS)

Date Filed: 9/21/1988

In: T37N R01W S31 NESE NESE NWSE SESE

99.2 ACRES TOTAL

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SEP 25 1989