

TRIBUNE PUBLISHING COMPANY, INC.

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

Date 081585 INVOICE No. 100052899

Account No. 96475

Description NOTICE OF AP

Times 2 Lines 20

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
4005 GOVERNMENT WAY
COEUR D'ALEN
ID 83814

\$ 17.50

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

52899
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
BATEMAN, EMERY. 1 Box 99,
Lenore, ID 83541
Source: Spring trib. to Sinks.
Date Filed: 08/01/1985
Diversion Pt: NENW Sec 34 T 37N
R 02W
Use: Stockwater (0.02 CFS)
In: NWNW Sec 34 T 37N R 02W
The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, 4055 Gov't. Way,
Coeur d'Alene, Id. 83814 on or before
AUGUST 26, 1985. KEN DUNN, Dir.

[Signature]
RECEIVED
AUG 23 1985
Department of Water Resources
Northern District Office

T. L. Dickson, 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 WATER RIGHT The following
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 080885, or once a
week for two consecutive weeks, the first
publication thereof being on the 080885, and the last pub-
lication thereof being on the 081585, and said

NOTICE OF APPLICATION FOR WATER RIGHT The following
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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE 27
day of August 1985

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

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT SUPPLEMENT
C O N T E N T S

☒ B/U Acknowledgment Letter Sent

This Examination Report Contains the Following Documents.

☒ Field Report ☒ Quad Sheet ☒ Gov. Lot Plat ☒ Rules Check list
☐ Aerial Photo ☐ Photo PD/PU ☐ Well Log

Number of Diagrams Attached _____ Number of Calculation Sheets Attached _____

☐ Correspondence (Date) _____

☐ Other (List) _____

Contacts:

Remarks:

The watering
trough and spring
is at end of
pine.



Exam Completed By *Jim Sutton*

Date 6/26/89

Sr. Agent Review _____

Date _____

Regional Manager Review *RMA*

Date 5/8/90 JAN 1 1991

PERMIT NUMBER

86-07220

Sec 27.

(640)

Sec 28.

(640)

Indian Trail

509' 34" 11'

80' 50"

12' 50"

20' 20"

39' 21"

37' 70"

40'

23' 75"

17' 00"

39' 90"

40' 00"

44' 75"

Sec 34.

Sec 35.

39' 40"

41'

55' 75"

40' 00"

79' 75"

None Indication

SCALE 1:24000

NAME: EMERY BATEMAN
POINT OF DIVERSION: T37N,R2W,SEC.34, NENW
PLACE OF USE: T37N,R2W,SEC.34, NWNW
SOURCE: SPRING

PERMIT NUMBER: 86-07220

TRIBUTARY TO: SINKS

MAP # 9
QUAD: K-56

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

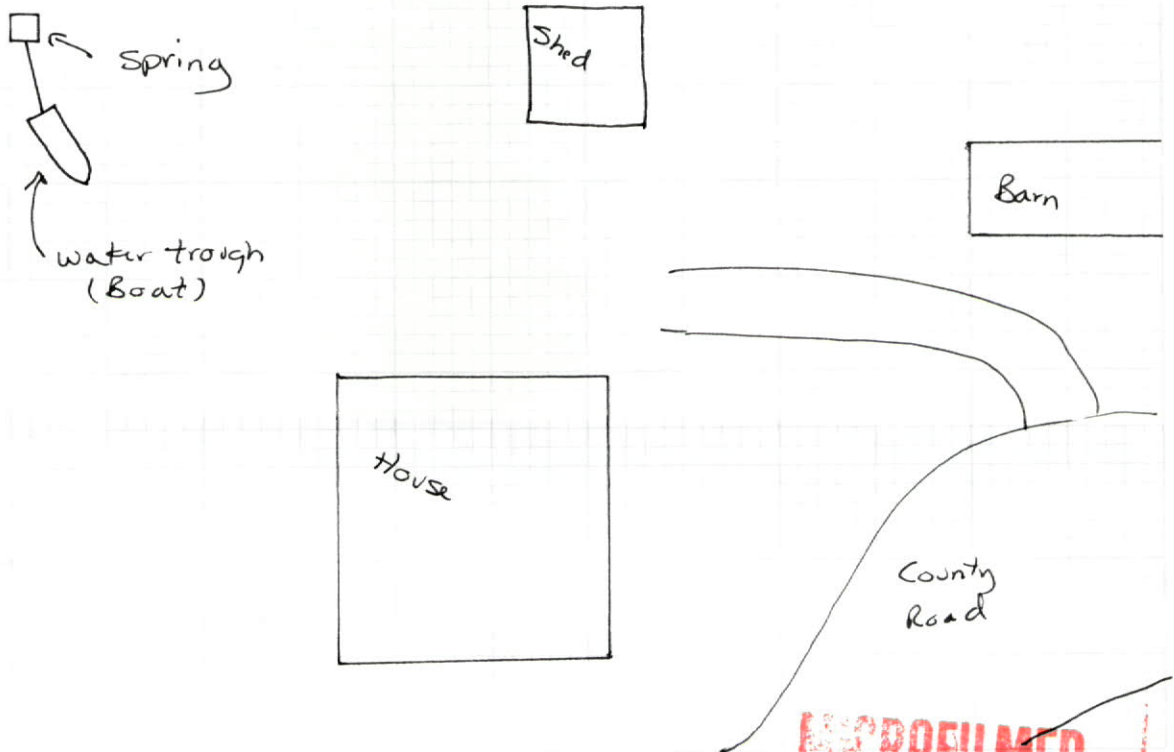
Permit No. 86-07220
Phone No. 836-5526
1. Owner: Emery Bateman
Current Address: Rt 1 Box 99 Lenore Id 83541
2. Accompanied by: Same EXAM. DATE: 6/21/89
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with same place of use: 86-04016 ☐ Copies Attached
2. Other water rights with same point of diversion: 86-07081 ☐ Copies Attached ☐ Copies of Field Exam's Attached

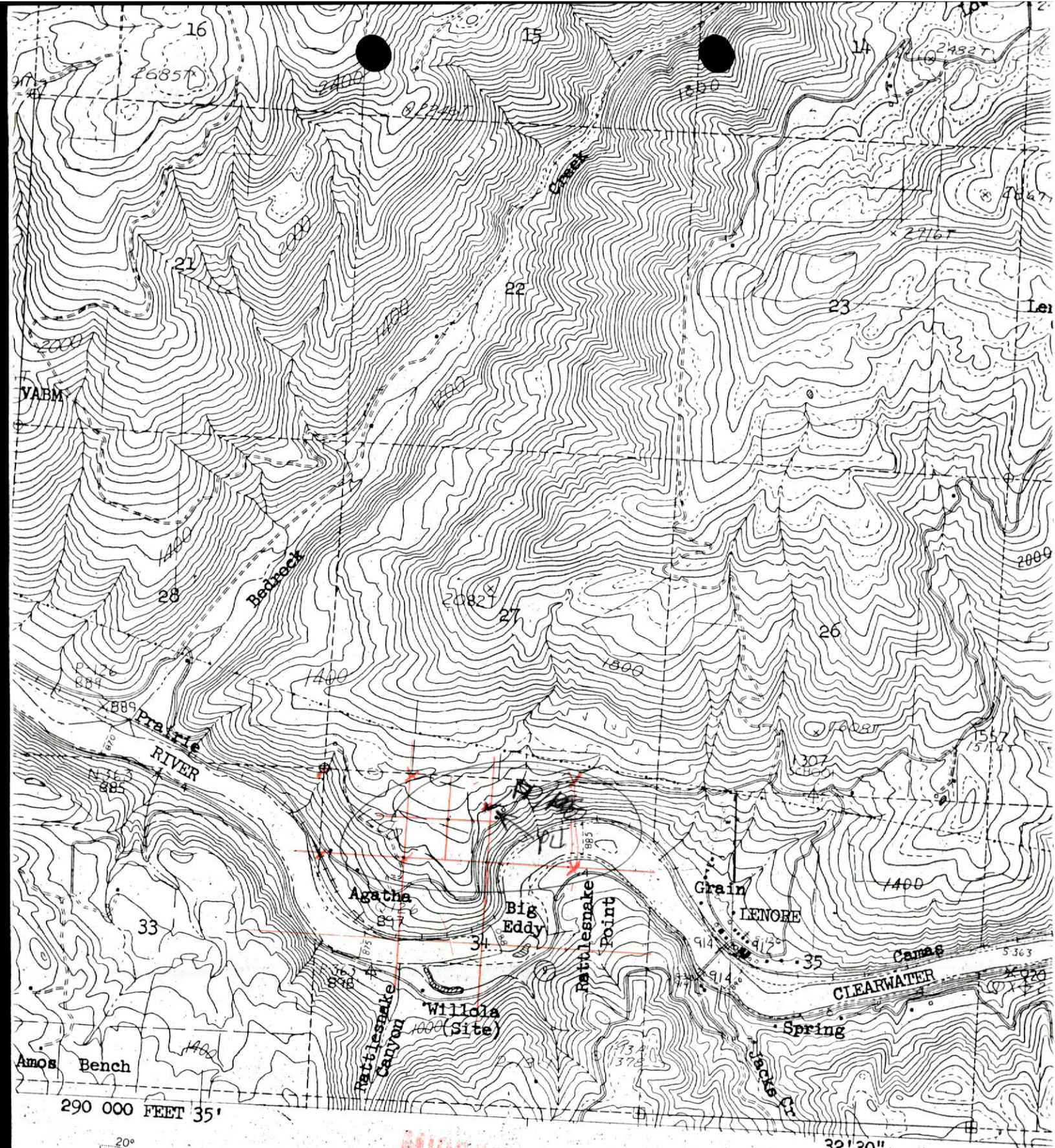
C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NTS

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).



290 000 FEET 35'

32'30"

20°
TRUE NORTH
MAGNETIC NORTH
APPROXIMATE MEAN
DECLINATION, 1961

SCALE 1:24000

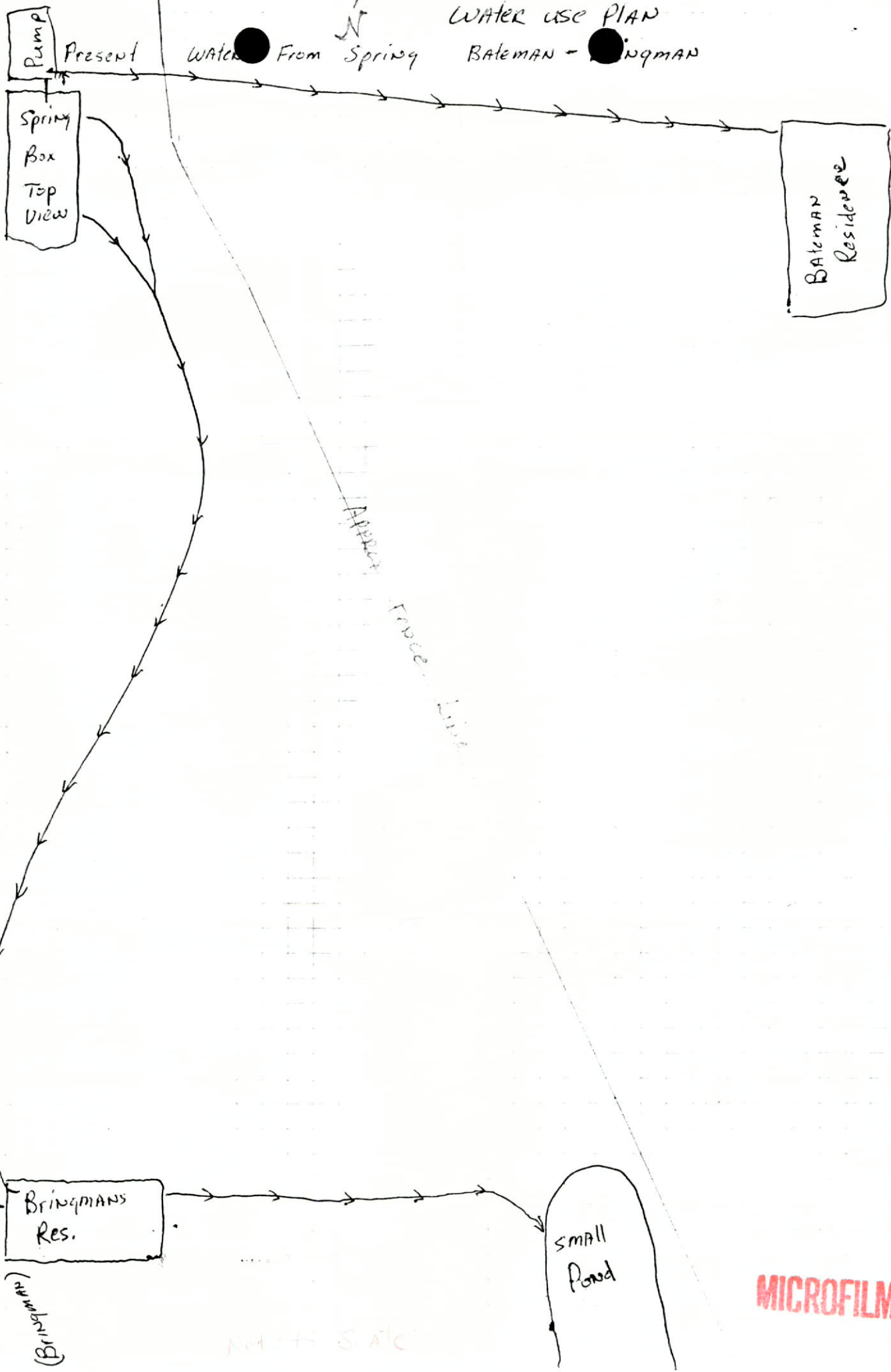
NAME: EMERY BATEMAN
POINT OF DIVERSION: T37N, R2W, SEC. 34, NENW
PLACE OF USE: T37N, R2W, SEC. 34, NWNW
SOURCE: SPRING

PERMIT NUMBER: 86-07220 MILE
MAP # 9
QUAD: K-56

TRIBUTARY TO: SINKS

86-04016
67081 BANGOR
07052 PAYTON

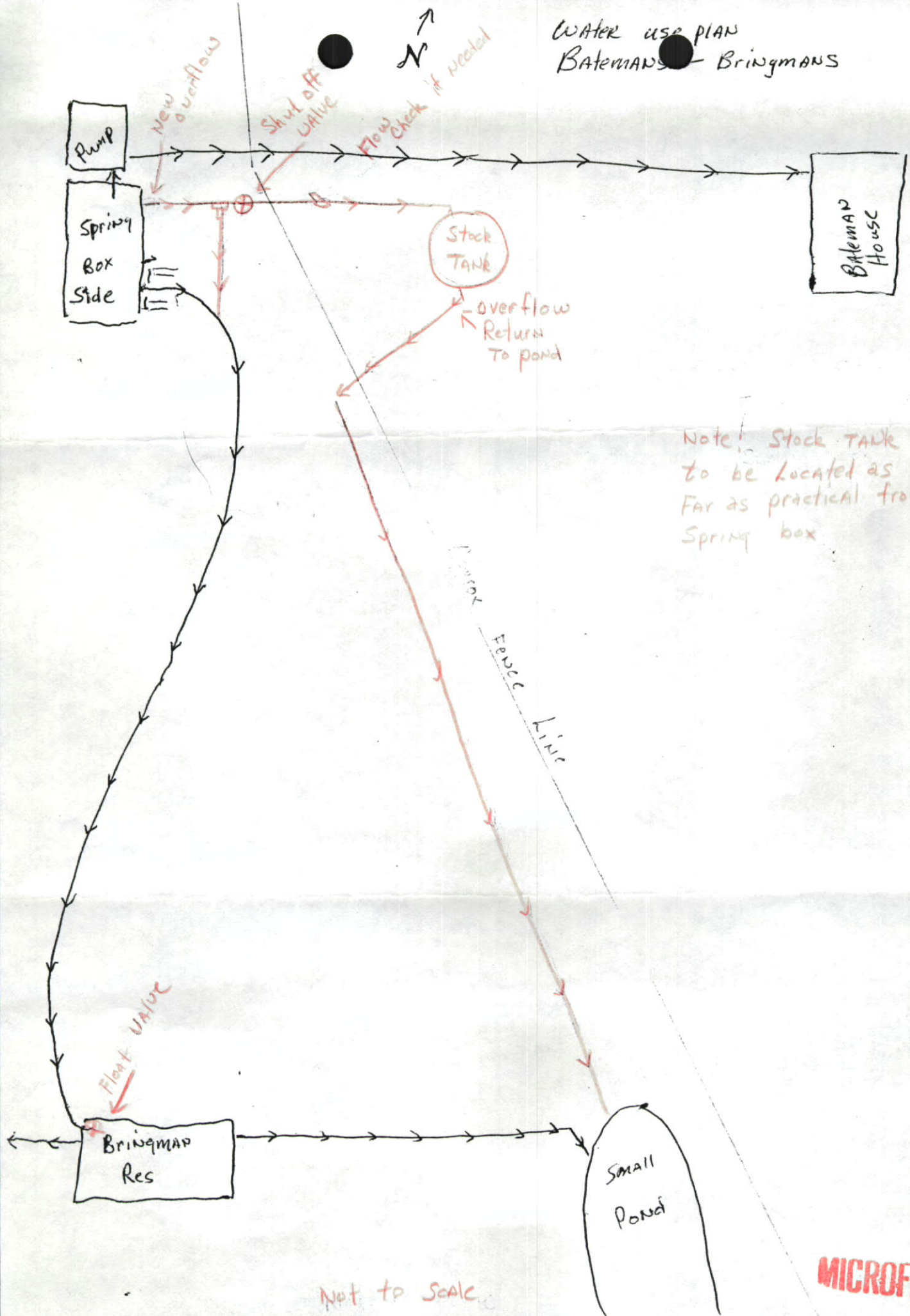
WATER USE PLAN



MICROFILMED

WATER USE PLAN
BATEMAN'S - BRINGMANS

#2



Note: Stock TANK
to be located as
Far as practical from
Spring box

Track
SS
from

Not to Scale

MICROFILMED

Spring Box
Side View

overflow

ice
40 ft
back

To Batemans
Stock Tank

Smaller orifice
& screen at
Bringmans present
water right source

present pipe 2"

Pond

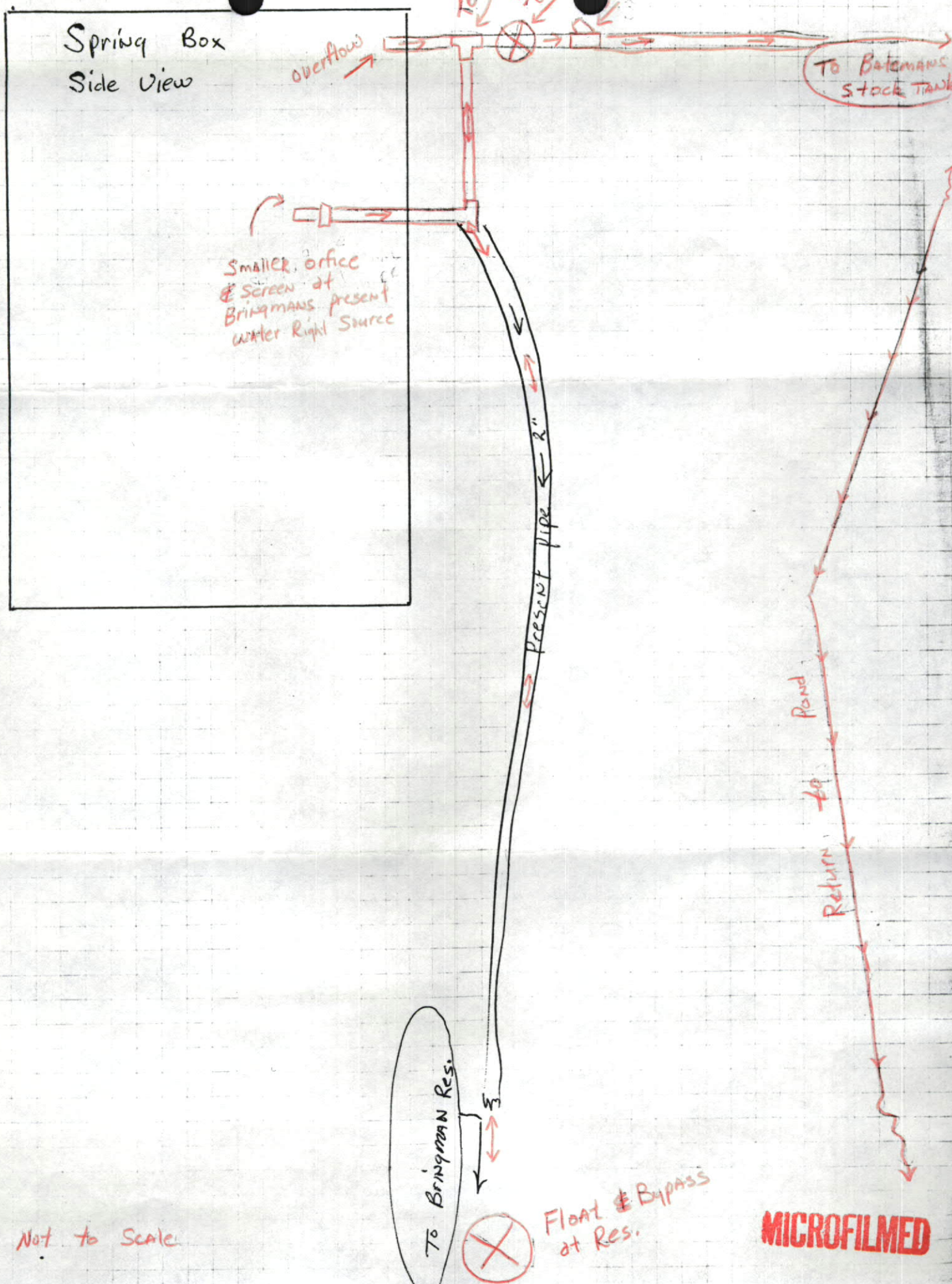
Return to

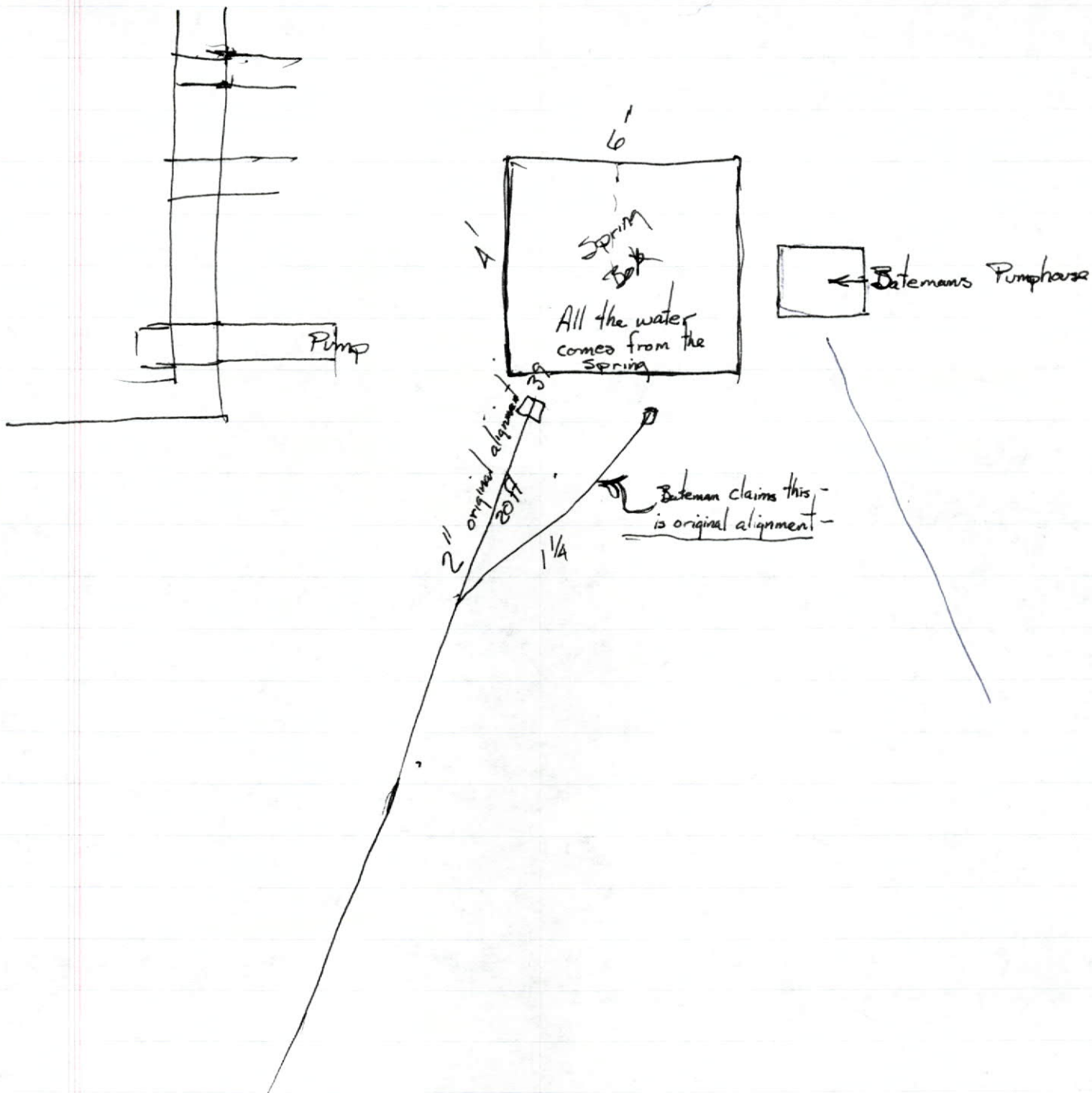
To Bringman Res.

Float & Bypass
at Res.

Not to Scale

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24
 155
 12
 29

36 d
 7.5

30
 240 gallons

9 gpm = 13,000 = est

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(8) Remarks The spring is located in the NE corner of the NE 1/4 of the NW 1/4 and is used for livestock and for domestic purposes for a household located in the NW 1/4 of the NE 1/4 of Section 34. The spring located South of the county road in the N 1/2 of the NW 1/4 of the NE 1/4 of Section 34 is not developed.

X X
H/D H/U

34

Received by RSB Date 3/19/85 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____ claimant by: _____
~~\$\$\$ fee received by~~ _____ Date _____
Published in _____
Dates _____

173-54000
5A-3574 43

PLAT of WATER SOURCE

TWP 31N 2W

ENERGY EASTERN
4-10-72

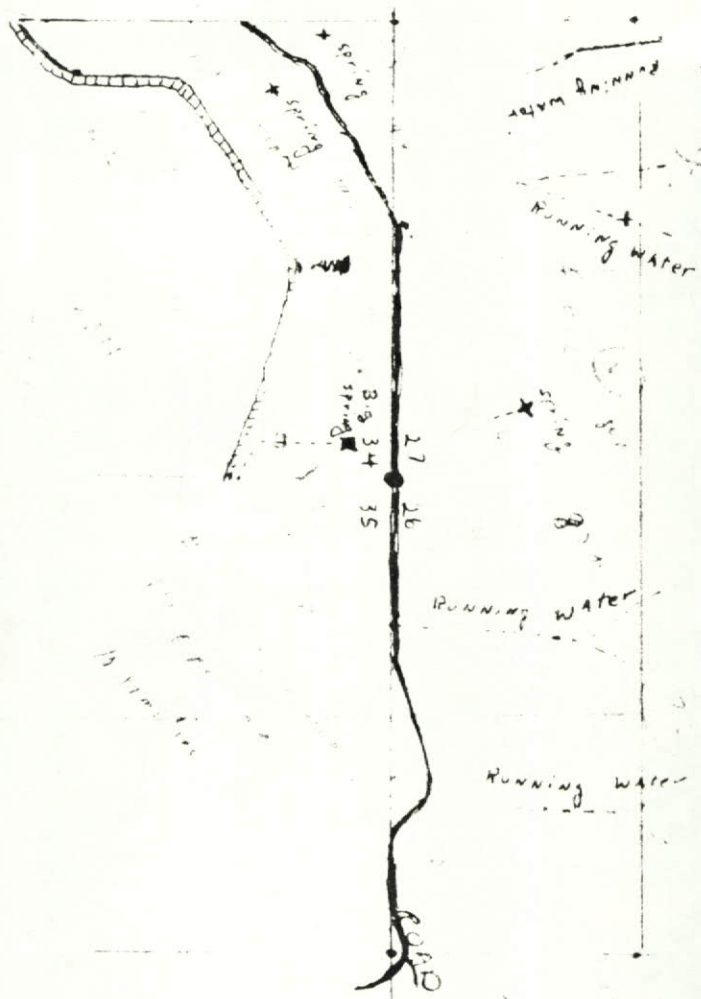
28 27

27 26

26 25

28 27
33 34

26 25
35 36



POOR QUALITY ORIGINAL

MICROFILMED

Lenore, Idaho

July 30, 1985

State of Idaho

Department of Water Resources

Northern Region office

4055 Government Way- Suit 9 Coeur d'Alene, Idaho

83814

Re- Claim 86-4015

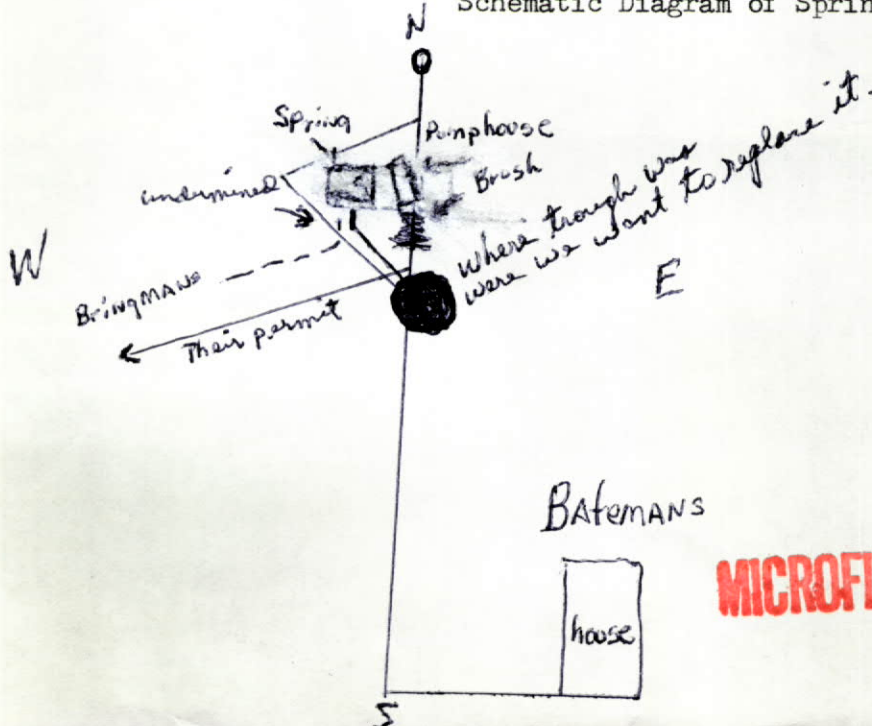
Amended 86-4016

Dear Sir,

I am requesting a permit to replace the watering trough on our property here at Lenore, Idaho. This watering trough was an adjoining trough for our property and the property joining us to the west of our property. The trough was filled by the overflow from the Spring. The trough was removed by George Payton, sometime in 1969., while we were working on Railroad Relocation, and living at Colfax, Washington. The trough was shared by both properties for many years. George Payton and his wife deeded this property to Clyd Bringman and his wife. The Bringmans have been issued a permit by your Department to catch seepage water from the spring, five feet South of the Spring. At this time The Bringmans are catching water West of where they filed for their permit. The water that they are catching in a two inch pipe, is coming from our Spring box West of the overflow pipe, they or some of their party have undermined the spring box. Causing the water to be approximately eighteen inches lower then the overflow pipe. I am requesting, that I be allowed to clean the Spring, repair the wall inside so the water can again run from the overflow pipe. Replace an adjoining watering trough, the size beeing between 300 Gallon to 500 Gallon. as in the past years this watering trough was used for emergency fire fighting water. I will plan on installing a check valve on the overflow line to the trough. The overflow pipe will be 3/4 inch pipe. Also I will instal a T in the overflow pipe five feet out from the spring Box. When the watering trough is full, the float valve will close, allowing the water to flow out to where the Bringmans are catching it.

As you are aware, The Paytons and us entered into an agreement on the Spring and the water, also the boundarys. Our agreement signed By the Paytons the 31st day of July 1980. Specifies in Paragraph 6. In reference to the Spring, what both parties agreed to. As we have moved back to our home here at Lenore, we want to comply with the agreement. We also need the watering trough for livestock.. and for emergency water in case of fire.

Schematic Diagram of Spring and proposed Trough



RECEIVED
AUG 1 1985
Department of Water Resources
Northern District Office

Thank you,

Emery Bateman

Emery Bateman

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 86-07220

Priority: August 1, 1985

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.02 CFS
0.7 AF

This is to certify, that EMERY BATEMAN

RT. 1 BOX 99

LENORE, ID 83541

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 1, 1985; and has submitted Proof of Beneficial Use on August 25, 1988. An examination indicates that the works have a diversion capacity of .020 cfs of water from:

SPRING

tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NENENW , Sec. 34, Township 37N, Range 02W
NEZ PERCE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

37N 02W 34

NWNE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Stockwater use is for 35 head.

MICROFILMED

JAN 17 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 86-07220

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 20th
day of December, 1990.

Acting for


R. Keith Higginson, Director

MICROFILMED

JAN 17 1991

State of Idaho
Department of Water Resources

RECEIVED
DEC 06 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 86-07220

Department of Water Resources

APPROVED

Date of Priority: August 1, 1985

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:¹

0.7 AF

Comes now
RT. 1 BOX 99
LENORE, ID 83541

EMERY BATEMAN

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. 86-07220, and requests that the permit be changed as follows:

Source: SPRING

tributary to SINKS

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

ANNUAL VOLUME

STOCKWATER

01/01 to 12/31

0.02 CFS

0.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NENENW , Sec. 34, Township 37N, Range 02W
NEZ PERCE County

PLACE OF USE: STOCKWATER

TWN RGE SEC

37N 02W 34

NWNE

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 LENORE, Idaho, this 4th day of December, 1990.

Emory Bateman

(Signature)

MICROFILMED

JAN 17 1991

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 86-07220

FOR DEPARTMENT USE ONLY

#C019075

Preliminary check by SL Fee = \$20.00

Received by Jy Date 12-6-90

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 86-07220 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Stockwater use is for 35 head.

Witness my hand this 20th day of

December, 19 90

Acting for

R. Keith Higginson
R. Keith Higginson, Director

MICROFILMED

JAN 17 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 86-1220

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Emery Boleman Phone 836-5526
Post office address Box 99, Lenore Id 83541
2. Source of water supply Spring which is a tributary of Sinks
3. Location of point of diversion is _____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____
Sec. 34 Township 37N Range 2W B.M. NE2 PERCE County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.02 for STOCK WATER purposes from 1-1 to 12-31 (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 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. DEVELOPED SPRING,
GRAVITY FLOW TO STOCK TROUGH
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
5 years (minimum 1 year).

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8. Description of proposed uses (if irrigation only, go to item 9):
- a. Hydropower; show total feet of head and proposed capacity in KW. _____
 - b. Stockwatering; list number and kind of livestock. 35 Hd - JK
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
37N	2W	34					5X												

Total number of acres to be irrigated _____

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? Clyde Bringman
- 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. WRITTEN AGREEMENT WITH PREDECESSOR OF CLYDE BRINGMAN - GEORGE PATTON
12. Remarks: SEE ATTACHED

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

A large grid map for project mapping. The grid is 16 squares wide and 16 squares high. A handwritten mark "X 88 1/4" is located in the 5th row from the top and 5th column from the left.

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.

X Emery Bateman
(Applicant)

MICROFILMED

Proposed Priority 8/1/85

MICROFILMED

Received by JE Date 8/1/85 Time 8:45 AM Preliminary check by RSB

Fee \$ 30.00 Received by JE # 31841 Date 8/1/85

Publication prepared by OM Date 8/1/85 Published in Lewiston Tribune 8/21/85

Publication approved OM Date 8/28/85

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. 86-7220, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 90.
- 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: 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.
The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 27th day of December, 1985.

J. Glen Saylor
Chief, Operations Bureau

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

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Account No. 96475
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SOLD TO:

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COEUR D'ALEN
ID 83814

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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

52899
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Source: Spring trib. to Sinks.
Date Filed: 08/01/1985
Diversion Pt: NENW Sec 34 T 37N
R 02W
Use: Stockwater (0.02 CFS)
In: NWNW Sec 34 T 37N R 02W
The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, 4055 Gov't. Way,
Coeur d'Alene, Id. 83814 on or before
AUGUST 26, 1985.
KEN DUNN, Dir.

T. L. Dickson, 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 WATER RIGHT The following
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 080885, or once a
week for two consecutive weeks, the first
publication thereof being on the 080885, and the last pub-
lication thereof being on the 081585, and said

NOTICE OF APPLICATION FOR WATER RIGHT The following
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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE 27
day of August 1985

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

RECEIVED
AUG 28 1985

Department of Water Resources
Northern District Office

MICROFILMED

Lenore, Idaho

12-19-88

Re: Permit 86-7220

RECEIVED

DEC 20 1988

NORTHERN REGION
IDWR

Stat Of Idaho
Dept. Of Water Resources
Dear Sir.

Last week I checked in with the office in the State building at Lewiston, Id. in regards to our water permits. The man there was unable to find this permit located on the computer. He advised me to write you in regards to the permit. I have your letter dated October 17, 1988, in reference to the field examination which hasn't been made yet. We want to be sure that no one else files on this permit. We would appreciate you checking in to this.

Thank You,
Emery Bateman
EMERY BATEMAN

Bu FILED 8-24-88

December 24, 1990

EMERY BATEMAN
RT. 1 BOX 99
LENORE, ID 83541

RE: WATER RIGHT NO. 86-07220

Dear Water Right Holder(s):

Enclosed herewith 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 feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

JAN 17 1991

November 19, 1990

EMERY BATEMAN
RT. 1 BOX 99
LENORE, ID 83541

RE: WATER RIGHT NO. 86-07220

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 correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

RECORDED

JAN 17 1991

SENIOR AGENT REVIEW

Check List
for
Beneficial Use Field Report

RECEIVED
MAY 14 1990

Department of Water Resources

Permit 86-67220-

A. GENERAL INFORMATION

- ✓ 1. Name and address are most current available. (Check BU statement)
✓ 2. Exam Date
✓ 3. Source (Check Permit)

B. OVERLAP REVIEW

- ✓ 1. & 2. (Rule 5,1,4)

C. SYSTEM DESCRIPTION

- ✓ 1. Diversion System Diagram (Rule 5,1,3 / 5,1,4)
✓ 2. USGS (Rule 5,1,7 / 5,1,9) Aerial (Rule 5,1,17)
✓ 3. Word Picture (Rule 5,1,3 / 5,1,4)
✓ 4. Diversion (Rule 5,1,3)
✓ 5. Compare with USGS Map, Land Survey Maps, Aerial Photos and Permit.
✓ 6. Irrigation (Rule 5,1,8)

D. FLOW MEASUREMENTS Check math (Rule 5,1,13 / 5,1,14)

E. FLOW CALCULATIONS Check math (Rule 5,1,13 / 5,1,14)

F. OPTIONAL

G. VOLUME CALCULATIONS

- ✓ Three significant figures and no more than 1/10's (Rule 6,1,2)
Fish (Rule 5,1,11) number stock, homes, etc... (Rule 5,1,12)

H. REMARKS AND OVERLAP ANALYSES

- ✓ All actual uses listed; all permitted uses not used, also listed; (Rule 5,1,2):
✓ Overlaps (Rule 5,1,4):
✓ Return flows (Rule 5,1,5):
✓ Conditions (Rule 5,1,6).

I. RECOMMENDATIONS

- ✓ 1. Municipal (Rule 5,1,10): Compare with items E & G, permit, fee, capacity
✓ (Rule 5,1,15): Measured flows for each use listed separately (Rule 5,1,14).
✓ Period of year (Rule 5,1,13)
2. Compare permit to exam for amendments (Rule 5,1,16)

J. AUTHENTICATION

- ✓ Name, Signature, Certification Date, Exam Date.

WELL INSPECTION REPORT

- ✓ Check with permit and well log for discrepancies

Signature J. Ky Date 8/24/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT SUPPLEMENT
C O N T E N T S

☒ B/U Acknowledgment Letter Sent

This Examination Report Contains the Following Documents.

☒ Field Report ☒ Quad Sheet ☒ Gov. Lot Plat ☒ Rules Check list
☐ Aerial Photo ☐ Photo PD/PU ☐ Well Log

Number of Diagrams Attached _____ Number of Calculation Sheets Attached _____

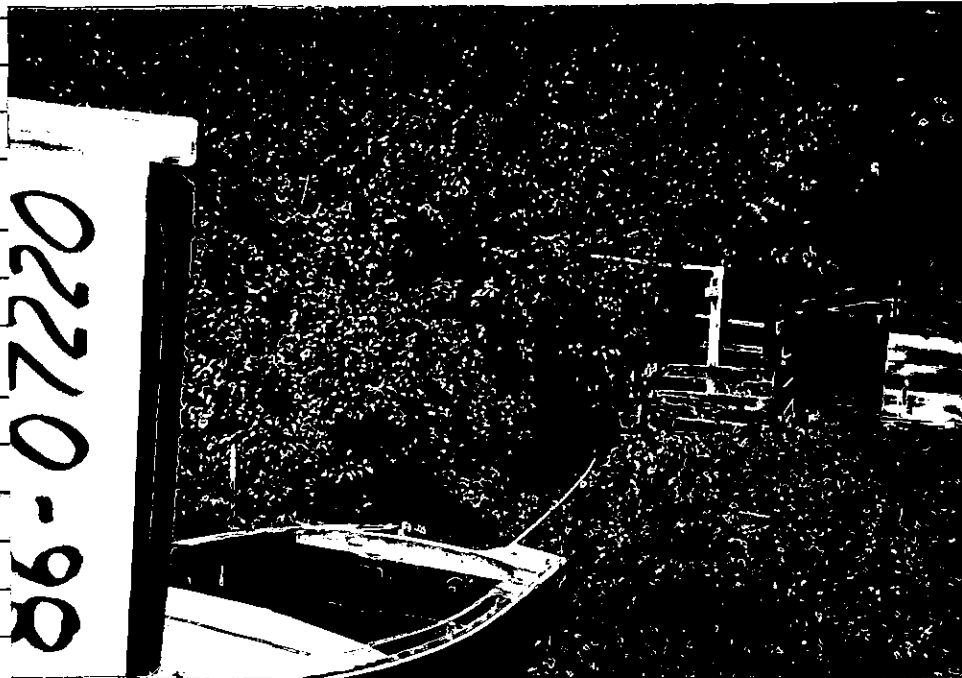
☐ Correspondence (Date) _____

☐ Other (List) _____

Contacts:

Remarks:

The watering
trough and spring
is at end of
Pine.



Exam Completed By Zain Subhan

Date 4/26/89 **RECEIVED**

Sr. Agent Review _____

Date _____

Regional Manager Review RM

Date 5/8/90 **JAN 17 1991**

PERMIT NUMBER

86-07220

Sec 27.
6940

Sec 28.
6941

Trans. Trail

509' 34" 11'

80' 50" 12' 50"

20' 30"

39' 21"

37' 70"

40'

23' 75"

17' 05"

39' 90"

40' 00"

44' 75"

Sec. 34

Sec. 35

55' 75"

40' 50"

40'

40'

Q. 101-75-17

112' 35" 5'

Area Indication

SCALE 1:24000

NAME: EMERY BATEMAN
POINT OF DIVERSION: T37N, R2W, SEC. 34, NENW
PLACE OF USE: T37N, R2W, SEC. 34, NWNW
SOURCE: SPRING

PERMIT NUMBER: 86-07220
MAP # 9
QUAD: K-56

TRIBUTARY TO: SINKS

MIL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

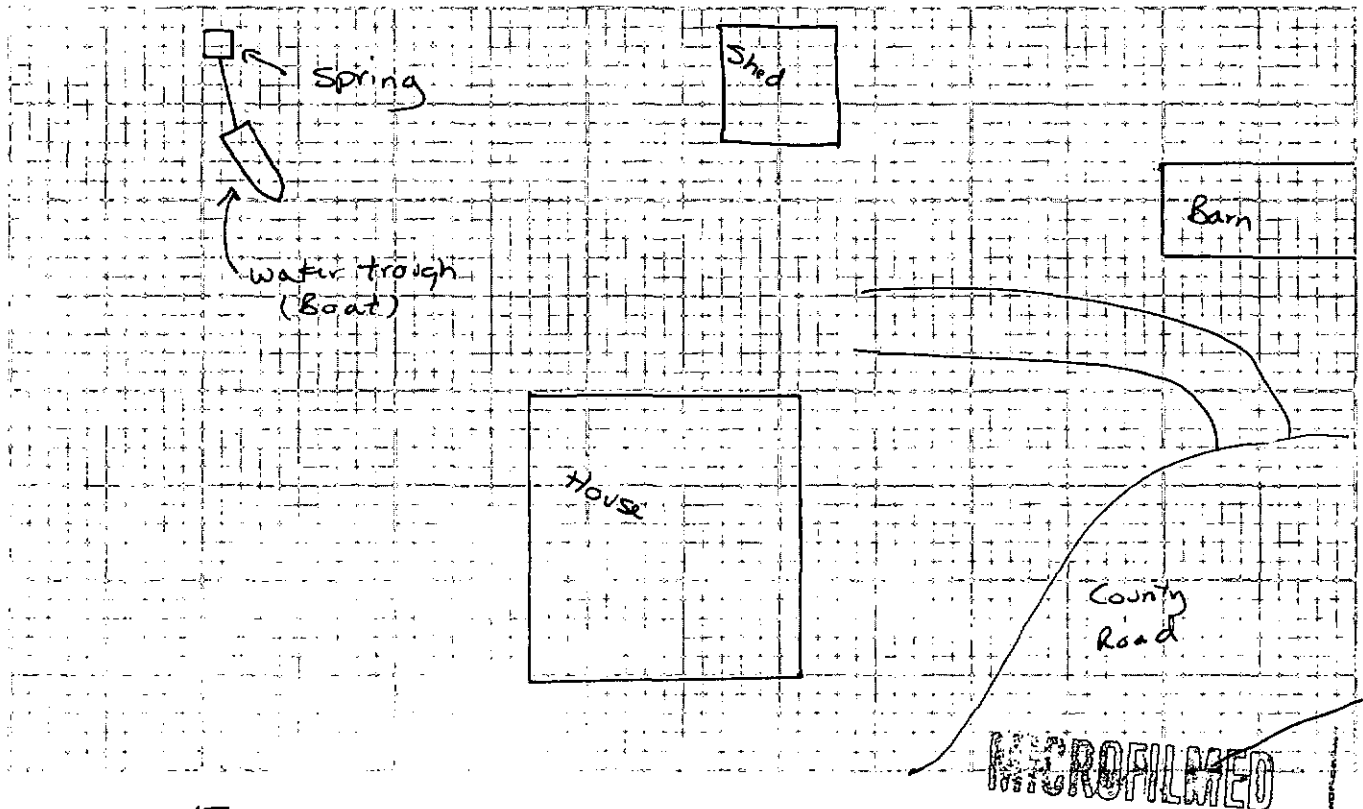
Permit No. 86-07220
1. Owner: Emery Bateman Phone No. 836-5526
Current Address: Rt 1 Box 99 Lenore Id 83541
2. Accompanied by: Same EXAM. DATE: 6/21/89
Address: Same Phone No. Same
Relationship to Permit Holder: Same
3. Source: Spring tributary to Sinks

B. OVERLAP REVIEW

1. Other water rights with same place of use: 86-04016 ☐ Copies Attached
2. Other water rights with same point of diversion: 86-07081 ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = NTS

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached JAN 17 1991
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

System Description (continued)

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

Spring gravity feeds to (boat) water trough. by way of 1/2 inch line (surface)

☐ See Remarks on page 4 for continuation

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

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	NW	34	37N	2W	NEZ PERCE	MAP

6. Place(s) of Use:

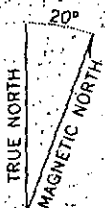
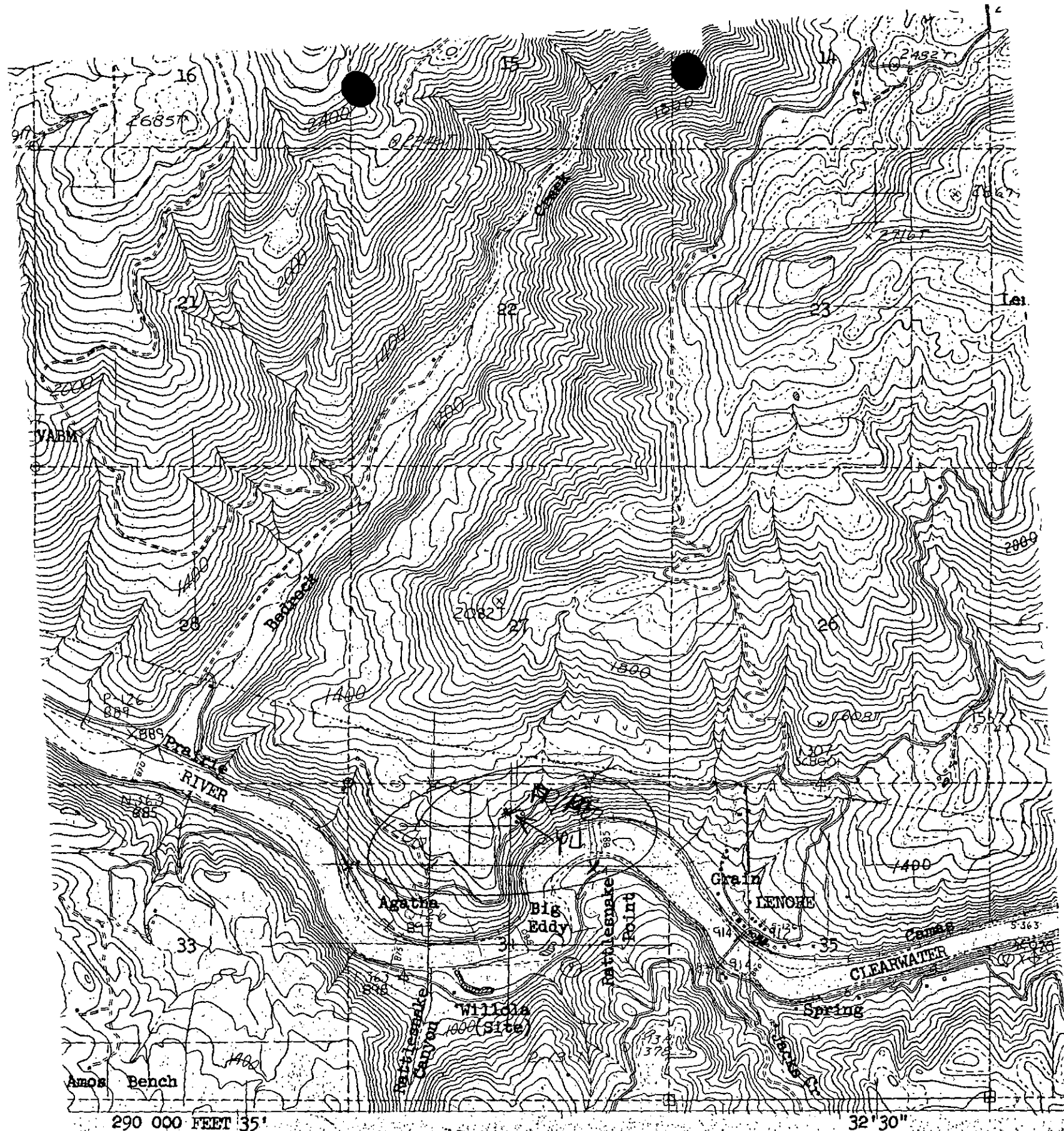
Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
37N	2W	34		S															

MICROFILMED

JAN 17 1991

Do not use this space



APPROXIMATE MEAN
DECLINATION, 1961

SCALE 1:24000

NAME: EMERY BATHMAN
POINT OF DIVERSION: T37N, R2W, SEC. 34, NENW 1
PLACE OF USE: T37N, R2W, SEC. 34, NNNW
SOURCE: SPRING

PERMIT NUMBER: 86-07220
MAP # 9
QUAD: R-56

MILE

TRIBUTARY TO: SINKS

86-04016
67084 BRNGMA
07052 PAYTON

Do not use this space

D. FLOW MEASUREMENTS

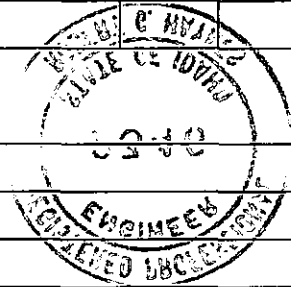
NONE

☐ Additional Data Sheets Attached

1.

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

2. Measurements:



E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

$Q = .02$

.7 afa

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

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

2. Volume Calculations for Other Uses:

35 med stock

.7 afa

MICROFILMED

JAN 17 1991

H. REMARKS AND OVERLAP REVIEW ANALYSIS

OVERLAP - 86-04016, 86-07081, 86-07220 ARE ALL ON SAME
SPRING SERVING HOME & TWO STOCK TANKS. -JK 1-9-89

~~Has already amended for~~ I & amended Claim
not this Permit

~~Found Spring to be in~~
Found P.V. to be in NW NE instead of the NW NW
recommend amendment to NWNW Sec 34, T32N 2W

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
STOCK	1/1	12/31	0.02 cfs	0.7 afa
Totals:			0.02 cfs	0.7 afa

2. Recommended Amendments

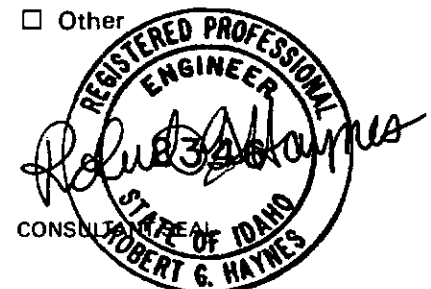
- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

☐ Other

J. AUTHENTICATION

Field Examiner's Name Louis Sukoraty
Signature [Signature]
Certification Date 2/17/89
Field Report Preparation Date 6/21/89



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

SC 8/21/90

MICROFILMED

JAN 17 1991



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 17, 1988

RECEIVED
OCT 20 1988

Mr. Emery Bateman
Rt. 1 Box 99
Leore, Id. 83541

Department of Water Resources

Re: 86-7220

Dear Permitholder:

We acknowledge receipt of your statement of completion of water development use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

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

Sincerely,

/s/
TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED
JAN 17 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 86-7220
Name(s) of Permit Holder(s): Emery Bateman
Post Office Address: Pt-1 Box 99
Lewiston, Idaho 83541 Tel. No. 836-5526

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on May 1986 (date) and 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*:

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

7-19-86
Date

Emery Bateman
Signature of Permit Holder

EMERY BATEMAN
RT. 1 BOX 99
LENORE, ID. 83541



SEP
22
PM
1986



RECEIVED



REGISTERED MAIL

JAN 17 1991

SEP 22 1986

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE

BOISE, IDAHO 83720
Department of Water Resources

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 86-7220

Date: 9/7/88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely
_____ Reinstated

Source of Water:

Y Surface water
_____ Groundwater
_____ 1. well log in file
_____ 2. drilling permit
_____ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

N/A Is a measuring device or access port required?
N/A Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A

Priority Calculation:

Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED

STATE OF IDAHO

RECEIVED

AUG 29 1988

DEPARTMENT OF WATER RESOURCES

AUG 28 1988

For Office Use Only
Fee Received N/A
Date _____
Receipt # _____
Receipt by _____
Reviewed by JS
Sent to region _____

PROOF OF BENEFICIAL USE
Department of Water Resources

Department of Water Resources
Northern District Office

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

Permit No. 86-7220

Name(s) of Permit Holder: Emery Bateman

Post Office Address: RT-1 Box 99 Lenore, Idaho 83541

Telephone No. 836-5526

Source of Water: Spring

Extent of Use:

Domestic 1 (number of households) Stockwater 35 Range (number and type of stock)

Irrigation _____ (acres) Other/Remark there is two overflow pipes

1/2 inch one to Bringmans + the other to our trough which has shut off float
They are on some level from storage reservoir

Total rate and/or volume for which proof is submitted: 0.02 cfs _____ acre-feet

Show the date water was first diverted and beneficially used under this permit: 1914

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

Fee enclosed \$ _____
(See License Examination Fee Schedule)

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

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

Emery Bateman 836-5526
(Name) (Telephone Number)

RT-1 Box 99 Lenore, Idaho 83541
(Address)

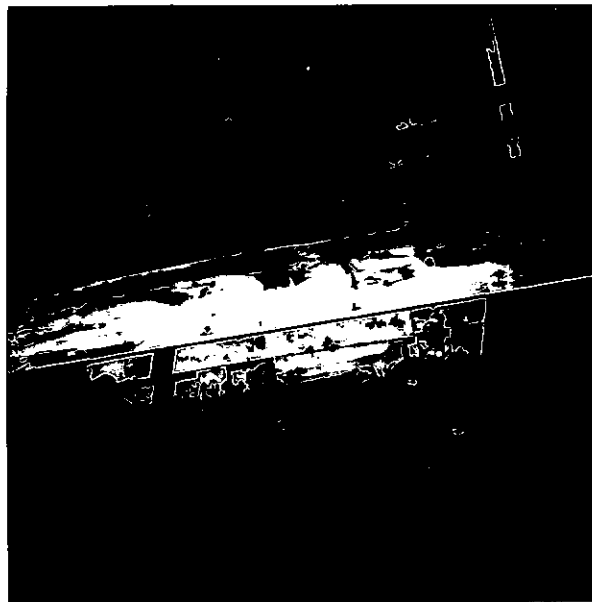
The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECEIVED

8-24-88
Date

Emery Bateman
Signature of Permit Holder (and title, if appropriate)

OCT 13 1988



↑
FLOAT VALVE
BATEMAN TROUGH

64646062050

101AR01002

8-24-88 To put in permit
file if needed
86-7220



↑
Bringman

Bateman

04044082050

031AR01002

To be put in permit
8-24-88 file if Needed
86-7220



A
To BATMAN
water trough

B
To BRINGMAN



04044062050

POLAROIDP2

8-24-88 To put in permit
File if needed
86-7220

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
JANUARY 04, 1986

BATEMAN, EMERY
RT. 1 BOX 99
LENORE, ID 83541

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 86-7220

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

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 BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: RAH

APPLICATION NUMBER: 86-7220

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☐ No* In form to receipt.

Field check by: _____
Date: _____
Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____
☒ Yes ☐ No* In form for advertising. _____
Final date for protests: 8/26/85
☒ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/28/85
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
6/1/85 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

withdrawn

file copy
destroyed
kw

By: RAH Date: 12/10/85

STATE OFFICE REVIEW:

217 26 04

- ☐ See attached sheet for more information.

By: kw Date: 12/18/85

MICROFILMED
RECEIVED
DEC 17 1985

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

IDENT. NO. 86-7220

WATER RIGHT
DATA ENTRY LOG

[illegible]



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

November 27, 1985

Mr. Clyde Bringman
Rt. 1 Box 99C
Lenore, Id. 83541

Re: 86-7220

Dear Mr. Bringman:

This is to acknowledge receipt of your withdrawal of protest against the issuance of the above-referenced water right application filed in the name of Emery Bateman.

The application is now ready to be sent to our State Office in Boise for further processing.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms
cc: Mr. Emery Bateman

MICROFILMED

Lewore Id.

Nov. 23, 1985

Director of Regl. Supervisor
State of Idaho
Dept of Water Resources,
Sir;

RECEIVED

NOV 27 1985

Department of Water Resources
Northern District Office

Inclosed is a copy of water agreement
between Clyde Bringman & Emery Bateman
Concerning the water from Spring Located on
NE 1/4 of N.W. 1/4 of section 34 Township 37N
Range 02W.

This agreement Steming from a protest hearing
Sept. 17, 1985 in Lewiston, Id.

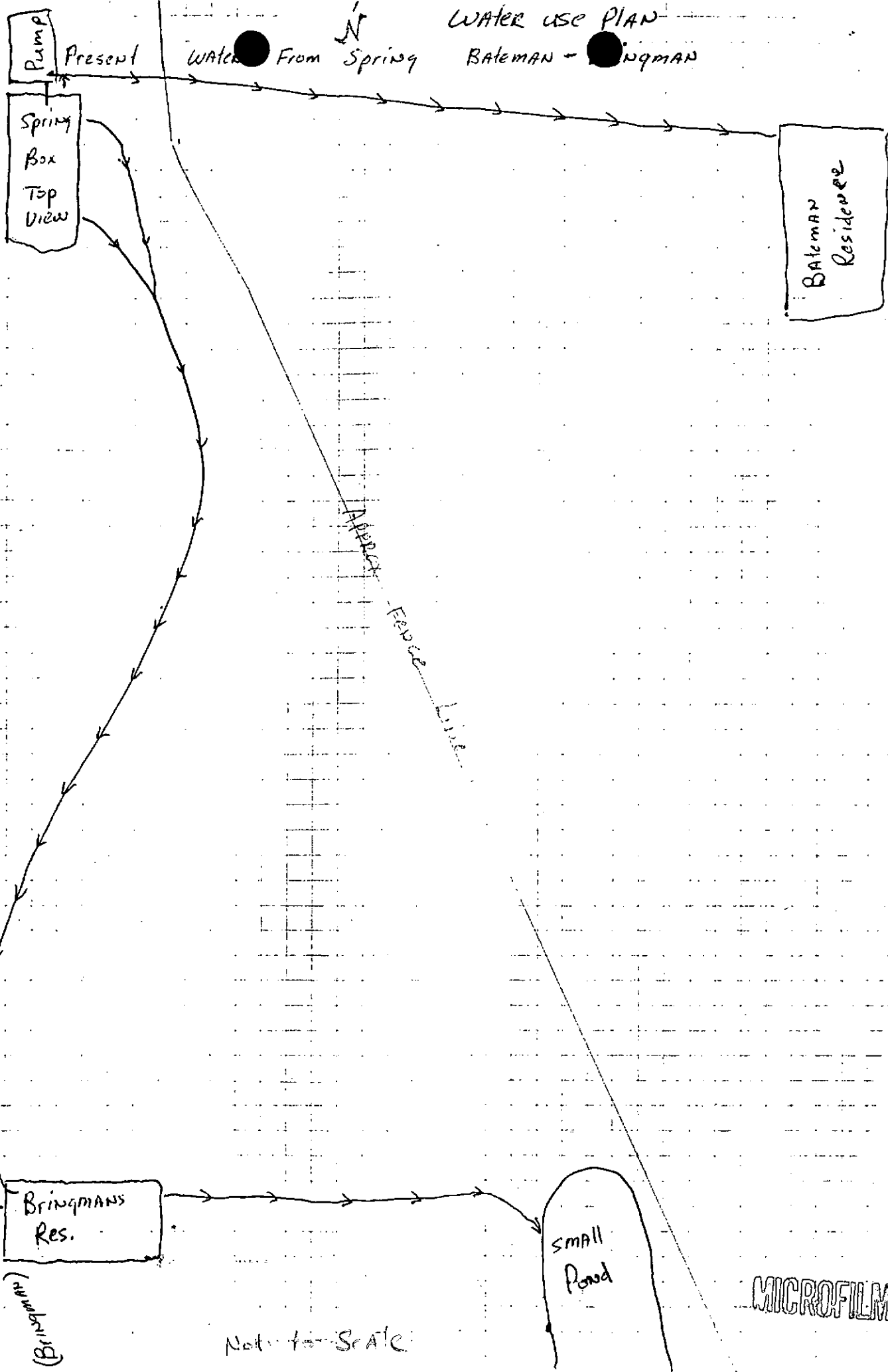
Please be advised of withdrawel of protest By
Clyde Bringman, we wish to work with the Batemans
on this matter, for the benefit of all concerned, further
the Batemans have agreed to work withers on this also,
It is the intent of both parties to Cooperate in the
use of the Spring and make repairs as needed in a
Joint effort to keep And maintain the waters of the
Spring.

Thank you

Clyde E. Bringman

MICROFILMED

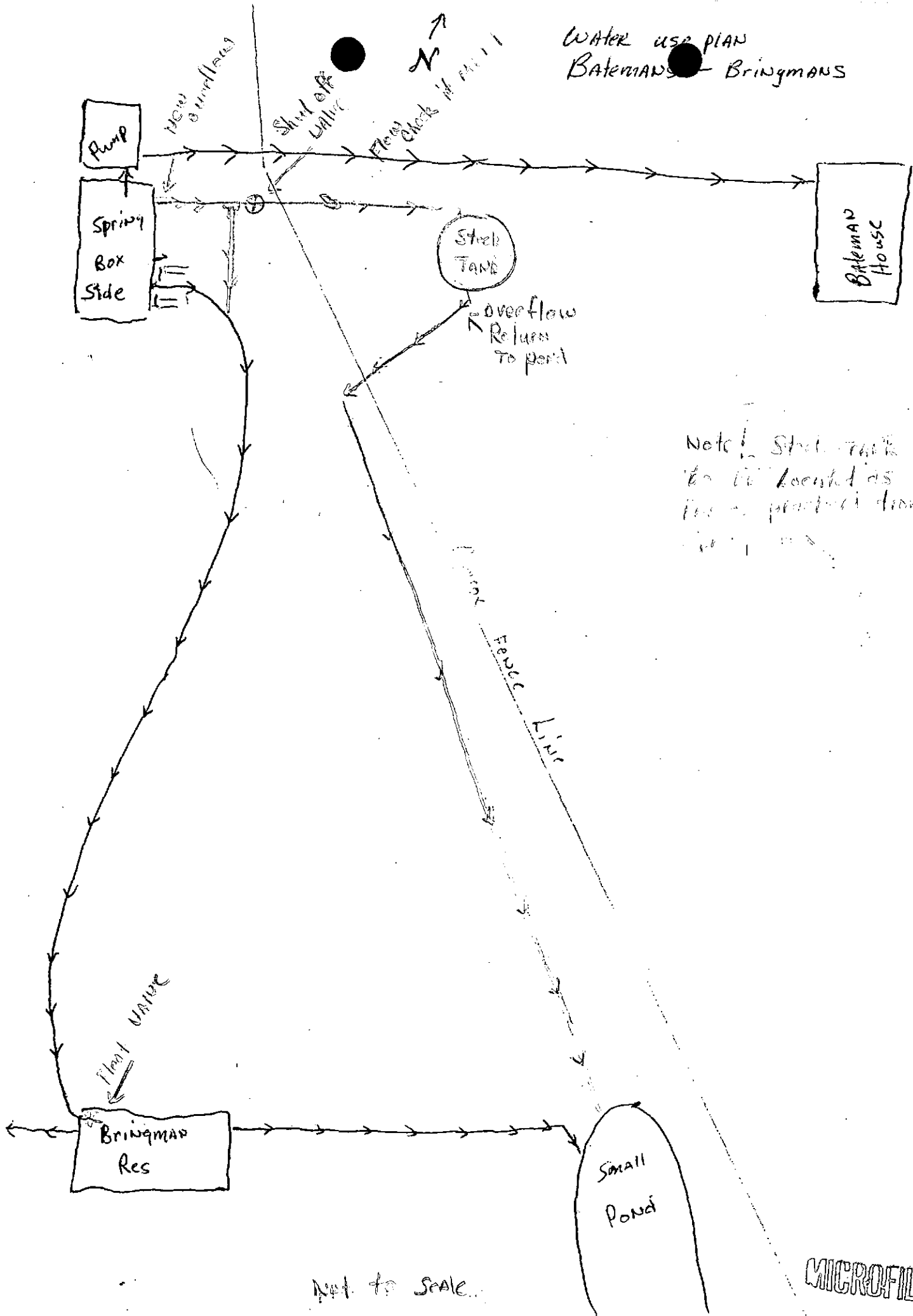
WATER USE PLAN



MICROFILMED

WATER USE PLAN
BATEMAN'S - BRINGMANS

#2



Note: Steel Tank
to be located as
per attached drawing

Total
13
11 feet

Not to Scale

MICROFILMED

Water use plan

Batemans - Bringmans

#3

Spring Box
Side View

overflow

tee

90°

90°

To Batemans
Stack Trail

Smaller orifice
at screen at
Bringmans present
water Right Source

Present pipe ← 2" 4"

Pond

Return

To Bringman Res.

Float & Bypass
at Res.

Not to Scale

MICROFILMED

WATER USE PLAN -- Batemans & Bringmans

Bringmans will provide fittings for orifice, to reduce flow and raise the static level of the spring box. Installing the orifice within the spring box itself, at the present elevation of Bringmans water rights. These fittings will be teed into present pipe on S.E. side of Springbox. The 1" pipe in the washed out N.E. side of Springbox can then be removed and washed out area can then be sealed, and area around 2" pipe can be sealed, as a smaller pipe will be installed. A overflow will be established, and from this overflow a Tee will be installed in the downward position which will be connected by another Tee to Bringmans 2" pipe creating two flows into the Bringman 2" pipe (one from the orificed pipe & one from the overflow) Bringmans will install a Float Valve shut off in their Reservoir so when Res. is full the water will back up to the Tee in the overflow pipe, thence into Batemans Stock Tank. This line will be provided with a Valve to control flow in cold weather so the lines don't freeze to Batemans or Bringmans. Bateman will supply an overflow on the Stock Tank that will return overflow water from the Stock Tank and return it to the pond on Bringman Property. Bringmans will provide pipe from Stock Tank overflow to small pond. Batemans will provide pipe & fittings from Spring box overflow to Stock Tank. Batemans will install fence in front of Spring area as per agreement with Paytons to serve as boundary fence and keep livestock ect. out of area. The Bringmans will Bypass the Float Valve in their Res. during Cold weather to prevent freeze up, a Control Valve will be installed by Bringmans in their Reservoir to allow water to flow into their Res. and also into Batemans Stock Tank. This Bypass will be made during Cold weather when water use is lower.

Fall, Bypass will be made — Date — Each year } on or about these
 Spring, Float Valve will be hooked up — Date — Each year } dates as needed

Bringmans reserve the right to install and maintain additional water storage on their property to insure adequate water, as per water rights.

In the matter of application for)
Permit No. ~~86-7220~~ 86-7220) Agreement.
in the name of Emery Bateman)

We hereby agree to allow the Department of Water Resources to reach a decision in this matter based upon the information obtained during the conference held in Lewiston, Idaho on September 17, 1985. The decision will be based upon the information contained in the official records of the department.

The decision ~~will~~ ^{will} however be delayed for sixty (60) days to allow an ~~the~~ agreement to be reached on the way the water systems of the applicant and protestant will be constructed and where the ~~watering trough~~ ^{watering trough} will be located.

Signed at Lewiston on Sept. 17, 1985

Emery Bateman & Myrtle L. Bateman

Clyde E. Bringman & Sylvia Bringman

CHUCKUT LANE

86-7220

9-17-85

Emery Bateman

Protestant

Clyde Bringman

Trough filled by the overflow -
300 to 500 gallon capacity -
Float valve -

Agreement - July 31, 1980

16 cattle of Bringmans - water at Bringmans house from same spring -

Bringmans ~~there~~ put line in 1982

Sockwatering tank - 10 head plus fire fighting -

Impact

From late May to Sept. there is not sufficient -

Bringman get 1700 gpd

Batemans use - domestic -

Only enough water for one household - according to Mr. Bateman -

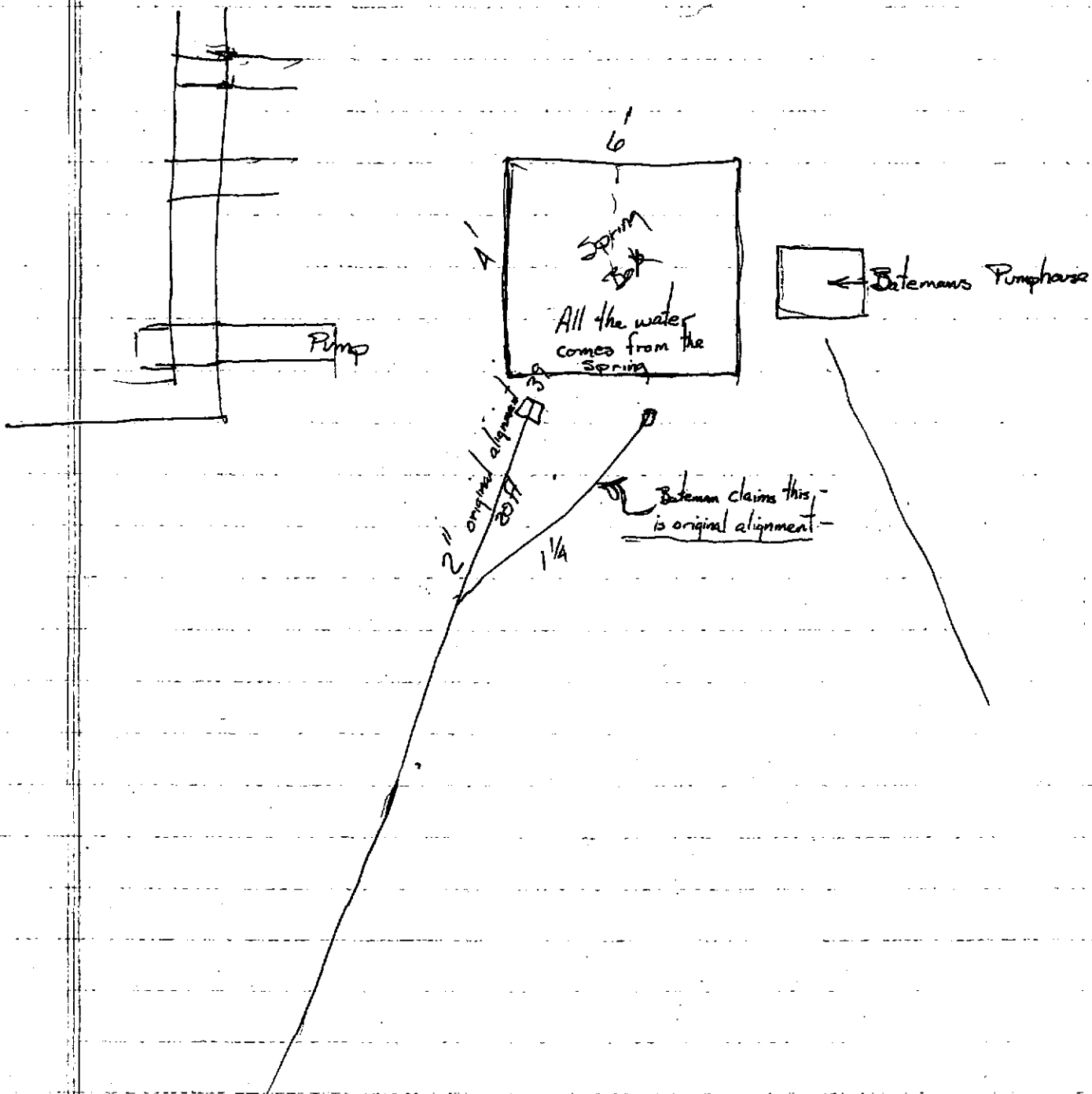
Q springs 1 rainbird at 60 psi -

MICROFILMED

Water doesn't flow into Bringmans when Batemans are pumping -

There is not sufficient water for two households note - Spring has reduced -

- Bringman - has a well that is used for household use when spring is dry -



24
 155
 12
 29

36 d
 7.5

30
 240 gallons

9 gpm = 13,000 = est

MICROFILMED

Protest against watering trough

By Clyde Bringman

State of Idaho

Department of Water Resources

Mr. Director. I will have to differ with Mr. Bringman's protest, against us replacing the adjoining watering trough. In his protest he states that he has water rights on our Spring, and under his water rights the water is gravity flow to a concrete block holding tank. His water right Permit No. 86-7081, States in the remarks section, That the point of diversion is located five feet South of developed Spring described in No, 86-4015, and marked Bateman's in schematics Diagram. It consists of a PVC pipe lying in the swampy area created by the Spring. And it also states at the bottom of remarks, NO overlapping water rights.

His point of diversion is from under a Thornbush, Southeast of Spring Box and close to pump house. He now has a two inch PVC pipe in an undermined area West of the overflow pipe from Spring box. His protest statements are misleading, when he states that he has rights to this Spring. We have had constant use of this Spring for household and livestock watering, since 1914, when Earl Cate purchased this property.

None of the adjoining owners prior to Mr. Bringman acquiring this property, ever questioned Mr. Cates use of the Spring, or tried to take it away from him. Likewise with us.

In 1969, without any warning, George Payton Trespassed on to our property claiming some of it. Out of this dispute, the agreement was arrived at.

I will have to say that, in our opinion, Mr. Bringman has encroched on our water rights to this Spring.

He has tried to misslead the Water Resource Board in stating, that he owns the Spring. He is trying to take the Spring and the control of it. He is after something that he never did have.

Also; if he had went ahead and developed his orignal permit, he would have had sufficient water, as there is water going to waste,

We have on record affidavits, to the effect of our usage of this Spring, and it dates back many years.

As he stated in the last paragraph of his protest letter, he didn't feel like this Spring would support any additional water use.

We feel the same, it will only support one household, as it has in the past.

We are requesting that he be allowed water from his permit, and that he be directed to cease the Encroachment, and threats on our water rights to this Spring.

Emery Bateman
Myrtle L. Bateman

MICROFILMED

Aug. 19, 1985

RECEIVED

AUG 22 1985

Director
State of Idaho
Dept. of Water Resources

Department of Water Resources
Northern District Office

Protest to Emery Bateman Application for Water Right
filed Aug. 1, 1985; Diversion point NENW Sec. 34 T37N R02W.

Mr. Director, I ask that this application made by Mr. Emery Bateman be denied, as this spring lies on property owned by me. As you know, Mr. Bateman has earlier filed an ammended water right on this spring, further, I have a water right on this spring dated after Mr. Batemans. Under my water right the water is gravity flow to a concrete block holding tank. Mr. Bateman's present water system has it's suction line much lower than my water source, thereby, whenever he uses his pump, the water drawdown is lower than my gravity flow source; at this time all water flow to holding tank stops and does not resume until some time after Mr. Bateman's pump is turned off. Most days, I run out of water in my holding tank, and sometimes burn the seal out of my pump. The water table of the spring has been very low for about six years and seems to be reduced each year. I don't feel that this spring will support any additional water use.

Thank you,

Clyde Bringman
Rt. 1 Box 99 C
Lenore, Idaho
83541

Clyde Bringman

E. L. Reno
Notary Public, Nez Perce County, Idaho

E. L. Reno
My Commission Expires 05-10-91

MICROFILMED



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

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

August 29, 1985

Mr. Emery Bateman
Rt. 1 Box 99
Lenore, Id. 83541

Re: 86-7220

Dear Mr. Bateman:

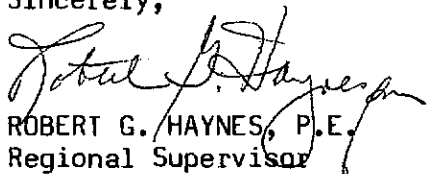
Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

- No 1. Will the proposed use reduce the quantity of water under existing water rights?
- No 2. Is the proposed water supply insufficient for the purposes intended?
- 3. Is the application made in good faith or for delay or speculative purposes?
- yes 4. Has the applicant sufficient financial resources with which to complete the project?
- No 5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,


ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

MICROFILMED

Bateman - Bringman
Protest Hearing

Answers to the questions to be considered in regards to issuance of a permit, for watering trough.

1. No the proposed use will not reduce the quantity of water under existing water rights. (The spring box has to be repaired so as the water will run out of the existing overflow pipe.) The dirt and rocks that contained our Spring has been disturbed, to the extent of causing the spring to leak approximately eighteen inches below the overflow pipe. This spring had furnished our household and filled the adjoining watering trough for many years, since 1914, There was always an overflow after the trough was filled.

2.No, The proposed water supply is not insufficient for the purpose intended.

When the repair has been made on the Spring box, and the overflow pipe to the watering trough has been constructed with a float valve, there will still be an overflow when our pump is not in use.

3. Yes, the application is made in good faith. (We will also be complying with an agreement by George and Alice Payton, and Emery and Myrtea Bateman, dated July 31, 1980.

Wherein., on page 4, Paragraph 6, which refers to the Spring, It states, that Batemans have all the rights to all of the water of this Spring, Except one half of the overflow thereof, for one family domestic and livestock watering purposes, and that the Paytons have the right to use one half of the overflow thereof, which flows beyond the joint watering trough, which shall be replaced by the parties through the line fence so that livestock on either side may water at said trough. These respective rights have been in existence, and exercised by the parties for many years., and the parties shall continue to allow the overflow from the Spring to flow in its accustomed channel.

4. Yes, we will have the funds to complete the project.

5. This project will not conflict with the local Public.

Emery Bateman
Myrtea L. Bateman

MICROFILMED



STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 8, 1985

Mr. James W. Grow
1301 G Street
Lewiston, Id. 83501

Re: 86-4016 Amended Claim

Dear Mr. Grow:

I am uncertain of Mr. Bateman's current address so I am enclosing the Amended Claim of his.

Please have Mr. Bateman correct the address, if necessary, and then sign the Amended Claim before a notary public and return it to this office for processing.

If I can be of any assistance, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms
cc: IDWR - State Office - w/enc.
Enc. - Amended Claim

MICROFILMED

JAMES W. GROW

AND ASSOCIATES . . . LAND SURVEYORS

ENGINEERING

LAND SURVEYING

MAPPING

March 6, 1985

State of Idaho
Department of Water Resources
4055 Government Way
Coeur d'Alene, Idaho 83814

Gentlemen:

Re: Claim No. 86-4016
Emery Bateman

In examining the above claim for water right, I find that the point of diversion was somehow incorrectly written into the claim. This was a scrivener's error, and we request an amendment to correct this error.

The point of diversion described in paragraph 2 of the claim should actually be: The NE 1/4 of the NW 1/4, Section 34, etc., and not the NW 1/4 of the NE 1/4 as it is now written.

Paragraph 9 of the claim should read as follows: "The spring is located in the NE corner of the NE 1/4 of the NW 1/4 and is used for livestock and for domestic purposes for a household located in the NW 1/4 of the NE 1/4 of Section 34. The spring located South of the county road in the N 1/2 of the NW 1/4 of the NE 1/4 of Section 34 is not developed."

Thank you for your consideration of this request.

Very truly yours,

RECEIVED

MAR 7 1985

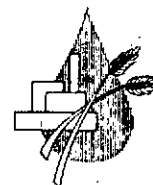
James W. Grow
James W. Grow

sm

Department of Water Resources
Northern District Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
AMENDED
CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Emery Bateman

(Name of Claimant)

Rt. 1 Box 99

Lenore, Id. 83541

(Mailing Address)

(Zip Code)

Telephone No. _____

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1914

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring

tributary to

Sinks

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.032</u>	Use <u>Stock</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity <u>0.032</u>	Use <u>Domestic</u>	Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 0.032 TOTAL QUANTITY USED.

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 NW 1/4, Sec. 34 Twp. 37N Rge. 2W B.M., County of Nez Perce

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Springbox and pipeline.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
37N	2W	34		X															

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Domestic - 1 Home.

Stock - 35 Range Cattle.

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

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(8) Remarks The spring is located in the NE corner of the NE 1/4 of the NW 1/4 and is used for livestock and for domestic purposes for a household located in the NW 1/4 of the NE 1/4 of Section 34. The spring located South of the county road in the N 1/2 of the NW 1/4 of the NE 1/4 of Section 34 is not developed.

[illegible]

State of Idaho)
County of Nevada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15th day of March, 1985.

Emery Bateman
(Claimant)
19 85
William H. Stearns
Notary Public
Residing at Lewiston

My commission expires 12/19/86

FOR DEPARTMENT USE ONLY

Received by Ryft Date 3/19/85 Exception filed by: _____ Forwarded to _____ Date _____

Prelim. check by _____ Date _____ claimant by: _____

~~\$\$\$~~ Fee received by _____ Date _____

Published in _____

Dates _____

The following have filed an exception to Claim No. 86-4016:

Nez Perce Indian Tribe

Clyde Brinson

MICROFILMED

Identification No. _____

Claim No. 86 4016 P

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant EMERY BATTMAN
post office address 429 Bryden Drive Lewiston, Idaho 83501

2. The point of diversion is in NW ¼ of NE ¼ Section 34 Township 37 North
Range 2 West B.M. located on no name
tributary to Clearwater River (name of source) Nez Perce County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the date of diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

2 springs 1914 amount: .032 c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Domestic period of use from 1 Jan to 31 Dec (both dates inclusive)
use Livestock period of use from 1 Jan to 31 Dec (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

a. Surface diversion dam and/or headgate: material is composed of Spring Box
(Rock); length is 4 feet; height is 5 feet;
width at bottom is 4 feet; width at top is 4 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known none

b. Underflowing diverting works: is well flowing or pumped _____; depth of well is _____
diameter of well is _____ inches; type of pump is _____
pump is _____ g.p.m.; name and address of well driller is _____

Conveying works: length of ditch to place of use is _____ feet; width of ditch at top is _____ feet; width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is _____; maximum length of pipe line to first place of use is 170 feet; diameter of pipe line is 2 inches; type of pipe galvanized; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible none

if feeder canal is used give maximum carrying capacity. _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions. _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

707-6400
54-3574 40

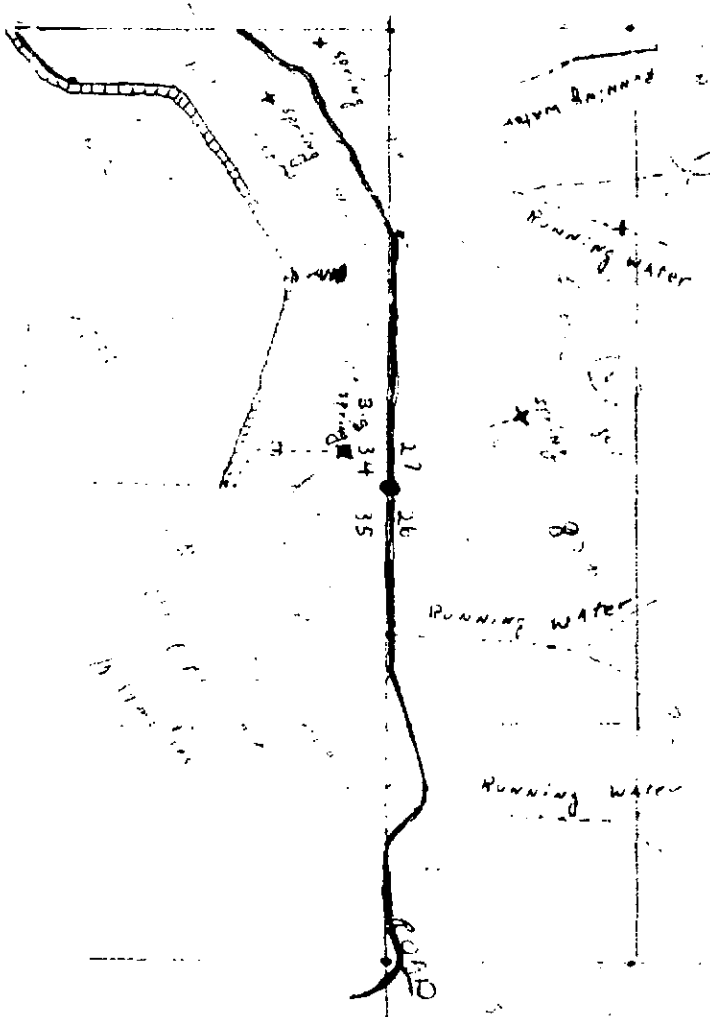
PLAT of WATER SOURCE

FOR 3711-200

FRANKLY EARTHWORK
4-10-72

28 27 26 25

33 34 27 26 35 36



POOR QUALITY ORIGINAL

UNRECORDED

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____
The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered 35 head
range Cattle

7. Where water is used for domestic or municipal purposes, give number of families served 1 family
name of town supplied none

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The spring is located in the NW corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 34 and is
used for domestic use. The spring located South of the county road in
the NW of the NW NE Section 34 is not developed.

State of Idaho

County of _____

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

Sworn to before me this 3rd

day of

Emery Bateman
Claimant

May

1972

William H. Bellman
Notary Public

Residing at

Lewiston

My Commission expires

12/19/72

File # 8391

For Department Use Only

Received by ED Date 5-5-72

Exception filed by:

Forwarded to
claimant by

Date

Prelim. check by ED Date 5-5-72

Fee received by ED Date 5-8-72 Fee \$10.00

Approved for publication by

Published by LEWISTON MORNING Dates 5-18 & 5-25-72

TRIBUNE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 86-7081 Priority March 16, 1978 Amount .01 cfs

RECEIVE

NOV 20 1981

THIS IS TO CERTIFY, that Clyde E. Bringman of Lenore, ID, has complied with the terms and conditions of Permit No. 86-7081 issued pursuant to Application for Permit dated March 16, 1978 and has submitted proof to the Department of Water Resources on July 25, 1979, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of .02 cfs of water from unnamed spring tributary to Clearwater River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>4/1</u> to <u>10/15</u>	at <u>.01</u> cfs and	<u>3.5</u> acre feet
Stockwater	from <u>1/1</u> to <u>12/31</u>	at <u>.01</u> cfs and	<u>1.4</u> acre feet
Domestic (1 Unit)	from <u>1/1</u> to <u>12/31</u>	at <u>.01</u> cfs and	<u>1.2</u> acre feet

(both dates inclusive)

Subject, however, to the condition that no more than .01 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 6.1 acre feet per year, said waters to be diverted within the NENW Sec. 34 T37N R2W in the County of Nez Perce

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
37N	2W	34					1												1

Total number of acres irrigated 1

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NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31st day of October, 19 81.

Acting for the Director

Norma C. Young

Name: Emery Bateman
 File: 86-7220
 Place: Cty. Commissioners Office, Brammer Bldg., Lewiston, Id.
 Date: Tuesday, September 17, 1985 at 10:00 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Emery Bateman	Rt-1 Box 99	Lemore, Idaho 83541
Myrtle L. Bateman	Rt-1 Box 99	Lemore, Idaho 83541
Sylvia Brungman	Rt 1 Box 99C	Lemore, Ida. 83541
Clyde E. Brungman	Rt. 1 Box 99C	Lemore, Id. 83541
Victor Haag	3914 HATWAI ROAD	Lewiston, Id.
Alice M Payton	RT 1 BOX 103	Lemore Ida
George Payton	RT 1 BOX 103	Lemore Ida
William Brungman	~~Rt 1 Box 103~~	
	Rt. 1 Box 99C	Lemore, Idaho

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

Suite No. 9
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

August 30, 1985

Ms. Barb Snyder
County Commissioners Office
Brammer Building
1225 Idaho Street
Lewiston, Id. 83501

Dear Ms. Snyder:

This to confirm reservations for a hearing to be held by this Department in the County Commissioners Office on Tuesday, September 17, 1985, beginning at 10:00 a.m. and lasting all day.

If you have any discrepancy with this, please contact this office immediately.

Thank you for your cooperation.

Sincerely,

Patricia M. Stypa
Secretary - O/C

UNCLASSIFIED

PS Form 3811, July 1982

- **SENDER:** Complete Items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered **\$**☐ Show to whom, date, and address of delivery .. **\$**

- 2.
- ☐
- RESTRICTED DELIVERY**
-
- \$**

*(The restricted delivery fee is charged in addition
to the return receipt fee.)***TOTAL \$** _____

- 3.
- ARTICLE ADDRESSED TO:**

Mr. Emery Bateman

Rt. 1 Box 99, Lenore, Id. 83854

- 4.
- TYPE OF SERVICE:**

☐ **REGISTERED**☐ **INSURED**☒ **CERTIFIED**☐ **COD**☐ **EXPRESS MAIL****ARTICLE NUMBER**

13881

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent*Emery Bateman*

- 5.
- DATE OF DELIVERY**

8-31-85

POSTMARK:
(may be on reverse side)

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)

- 7.
- UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S
INITIALS**

RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.



PENALTY FOR PRIVATE
USE, \$300

**RETURN
TO**



IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE

RECEIVED
SEP 4 1986

4055 GOVERNOR (Name of Sender) J. L. #9

COLORADO SPRINGS, CO 80904

(Street or P.O. Box)

Department of Water Resources
Northern District Office

(City, State, and ZIP Code)

PS Form 3811, July 1982

RETURN RECEIPT

1388 8607220

- **SENDER:** Complete Items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered \$☐ Show to whom, date, and address of delivery .. \$

- 2.
- ☐
- RESTRICTED DELIVERY**
- \$

*(The restricted delivery fee is charged in addition
to the return receipt fee.)***TOTAL \$**

- 3.
- ARTICLE ADDRESSED TO:**

Mr. Clyde Bringman

Rt. 1 Box 99C

Lenore, Id. 83854

- 4.
- TYPE OF SERVICE:**

☐ REGISTERED☐ INSURED☒ CERTIFIED☐ COD☐ EXPRESS MAIL**ARTICLE NUMBER**

13880

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE☐ Addressee☐ Authorized agent*Clyde E. Bringman*

- 5.
- DATE OF DELIVERY**

9/3/85

POSTMARK*(may be on reverse side)*

- 6.
- ADDRESSEE'S ADDRESS**
- (Only if requested)*

- 7.
- UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S
INITIALS***ME*

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.



**PENALTY FOR PRIVATE
USE, \$300**

**RETURN
TO**



IDAHO DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE

R E C E I V E D

4055 GOVERNMENT WAY, SUITE #9
COEUR D'ALENE, ID 83201

(Street or P.O. Box)

Department of Water Resources
Northern District Office

(City, State, and ZIP Code)

Contents
MICROFILMED

U.S. DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT OFFICE
4055 GOVERNMENT WAY, SUITE #9

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☒ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

NAME AND ADDRESS OF SENDER	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S.H. FEE	REST. DEL. FEE	REMARKS
1 13880	Mr. Clyde Bringman Rt. 1 Box 99C, Lenore, Id. 83541	22c	75c				70c				86-7220 8/11/80
2 13881	Mr. Emery Bateman Rt. 1 Box 99, Lenore, Id. 83541	"	"				"				
3 13882	U.S.F.S. Sandpoint Ranger Dist. 1500 Hwy 2, Sandpoint, Id. 83864	"	"				"				96-8388
4 13883	Mr. Randall D. Buck, N.W. Env. Services P.O. Box 492, Sandpoint, Id. 83864	"	"				"				
5 13884	Mr. and Mrs. B. R. Bethel P.O. Box 381, Hope, Id. 83836	"	"				"				
6 13885	Id. Dept. of Fish & Game 2320 Government Way, CDA, Id. 83814	"	"				"				
7 13886	Mr. Dale VanStone P.O. Box 305, Hope, Id. 83836	"	"				"				
8 13887	Mr. and Mrs. R.W. Sherwood 7410 Hwy 95S, Sandpoint, Id. 83864	"	"				"				96-8435
9 13888	Mr. and Mrs. R. L. Riffle 7550 Pine St. Loop, Sandpoint, Id. 83864	"	"				"				
10 13889	Mr. and Mrs. Bob Becker 7355 Pine St. Loop, Sandpoint, Id. 83864	"	"				"				
11 13890	Mr. Darrell A. Rosholt 6385 Hwy. 2, Sandpoint, Id. 83864	"	"				"				
12 13891	Mr. Doug L. Sherwood 8404 N.E. 170th, Bothell, Wa. 98011	"	"				"				
13 13892	Mr. and Mrs. Paul W. Curless 4955 Hwy. 2, Sandpoint, Id. 83864	"	"				"				
14 13893	Mr. and Mrs. W. N. Sherwood 4855 Hwy 2, Sandpoint, Id. 83864	"	"				"				
15 13894	Mr. and Mrs. Alan Andrews 5325 Baldy Mtn. Rd., Sandpoint, Id. 83864	"	"				"				
TOTAL NUMBER OF PIECES LISTED BY SENDER	TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE	POSTMASTER, PER (Name of receiving employee)									

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

* U.S. GOVERNMENT PRINTING OFFICE: 1978-270-037



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

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

August 29, 1985

Mr. Emery Bateman
Rt. 1 Box 99
Lenore, Id. 83541

Re: 86-7220

Dear Mr. Bateman:

Enclosed is a copy of a protest filed against the approval of a permit pursuant to the above-referenced application. The Department suggests you contact the protestants directly in an effort to determine the nature of the protest and attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?
5. Will the proposed use conflict with the local public interest?

You will be notified at a later date of the time and place of the conference and/or hearing. If we can be of any assistance, please contact us.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

A. Kenneth Dunn
Director

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

August 29, 1985

Mr. Clyde Bringman
Rt. 1 Box 99C
Lenore, Id. 83541

Re: 86-7220

Dear Mr. Bringman:

Your protest against the approval of the above-referenced application has been received and a copy has been sent to the applicant. The Department suggests that you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If you do not advise us within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

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ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

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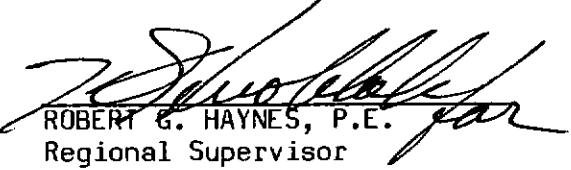
BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTESTS AGAINST APPROVAL OF)
APPLICATION FOR PERMIT NO. 86-7220 IN THE) NOTICE OF HEARING
NAME OF EMERY BATEMAN.) AND/OR CONFERENCE

On August 1, 1985, Emery Bateman of Lenore, Idaho, filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On August 22, 1985, the Department received a protest against approval of said application from Clyde Bringman.

The Department has set the matter of protest for hearing for Tuesday, September 17, 1985 , at 10:00 a.m., in the County Commissioners Office of the Brammer Building, 1225 Idaho Street, Lewiston, Idaho 83501. The hearing will be held in accordance with Chapter 2, Title 42 of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Dated this 22nd day of August, 1985.


ROBERT G. HAYNES, P.E.
Regional Supervisor

MICROFILMED

Aug. 19, 1985

RECEIVED

AUG 22 1985

Director
State of Idaho
Dept. of Water Resources

Department of Water Resources
Northern District Office

Protest to Emery Bateman Application for Water Right
filed Aug. 1, 1985; Diversion point NENW Sec. 34 T37N R02W.

Mr. Director, I ask that this application made by Mr. Emery Bateman be denied, as this spring lies on property owned by me. As you know, Mr. Bateman has earlier filed an ammended water right on this spring, further, I have a water right on this spring dated after Mr. Batemans. Under my water right the water is gravity flow to a concrete block holding tank. Mr. Bateman's present water system has it's suction line much lower than my water source, thereby, whenever he uses his pump, the water drawdown is lower than my gravity flow source; at this time all water flow to holding tank stops and does not resume until some time after Mr. Bateman's pump is turned off. Most days, I run out of water in my holding tank, and sometimes burn the seal out of my pump. The water table of the spring has been very low for about six years and seems to be reduced each year. I don't feel that this spring will support any additional water use.

Thank you,

Clyde Bringman
Rt. 1 Box 99 C
Lenore, Idaho
83541

Clyde Bringman

E. L. Reno
Notary Public, Nez Perce County, Idaho

E. L. Reno
My Commission Expires 05-10-91

MICROFILMED

Aug. 19, 1985

RECEIVED

AUG 22 1985

Department of Water Resources
Northern District Office

Director
State of Idaho
Dept. of Water Resources

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filed Aug. 1, 1985; Diversion point NENW Sec. 34 T37N R02W.

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Thank you,

Clyde Bringman
Rt. 1 Box 99 C
Lenore, Idaho
83541

Clyde Bringman

E. L. Reno
Notary Public, Nez Perce County, Idaho

[Signature]
My Commission Expires 05-10-81

*copy of
above - do
letter - do
not file - kay*

86-2220-

BATEMAN, EMERY

RT. 1 BOX 99, LENDRE, ID 83541

Source: SPRING trib. to SINKS

Date Filed: 08/01/1985

Diversion Pt: NENW Sec 34 T 37N R 02W

Use: STOCKWATER (0.02 CFS)

In: N4NW Sec 34 T 37N R 02W

MICROFILMED

Lenore, Idaho
July 30, 1985

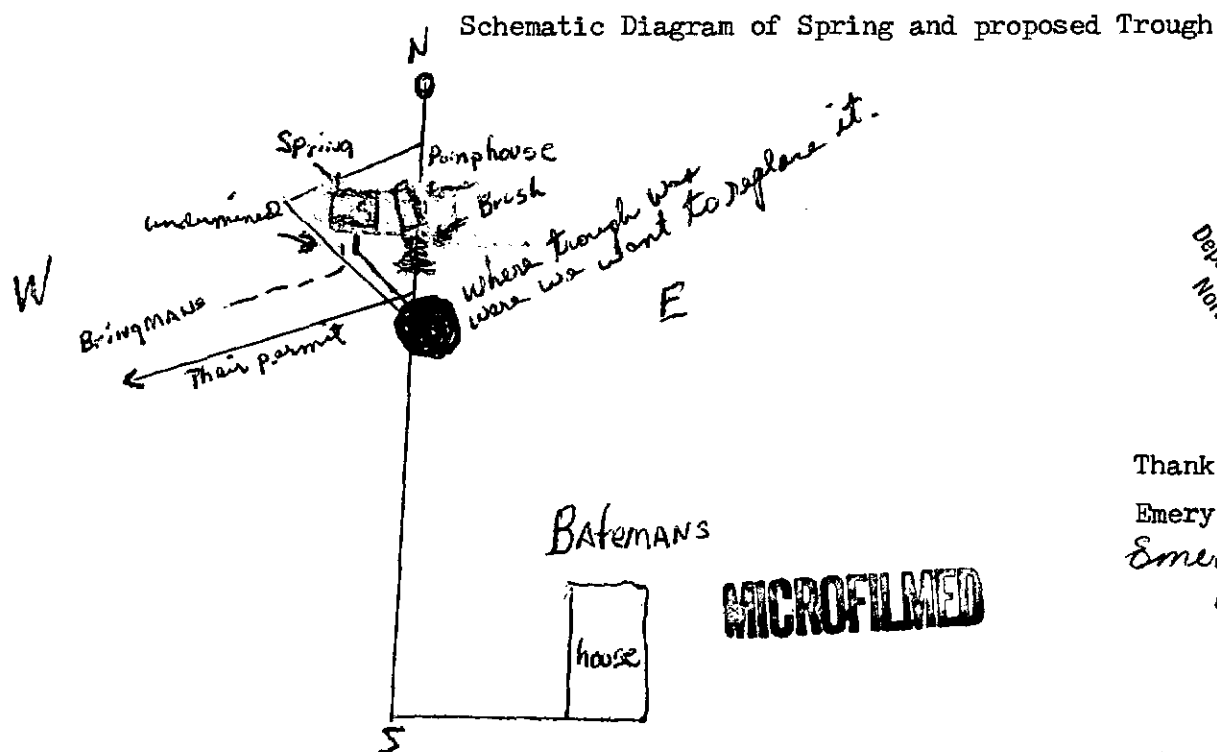
State of Idaho
Department of Water Resources
Northern Region office
4055 Government Way- Suit 9 Coeur d'Alene, Idaho
83814

Re- Claim 86-4015
Amended 86-4016

Dear Sir,

I am requesting a permit to replace the watering trough on our property here at Lenore, Idaho. This watering trough was an adjoining trough for our property and the property joining us to the west of our property. The trough was filled by the overflow from the Spring. The trough was removed by George Payton, sometime in 1969., while we were working on Railroad Relocation, and living at Colfax, Washington. The trough was shared by both properties for many years. George Payton and his wife deeded this property to Clyd Bringman and his wife. The Bringmans have been issued a permit by your Department to catch seepage water from the spring, five feet South of the Spring. At this time The Bringmans are catching water West of where they filed for their permit. The water that they are catching in a two inch pipe, is coming from our Spring box West of the overflow pipe, they or some of their party have undermined the spring box. Causing the water to be approximately eighteen inches lower then the overflow pipe. I am requesting, that I be allowed to clean the Spring, repair the wall inside so the water can again run from the overflow pipe. Replace an adjoining watering trough, the size being between 300 Gallon to 500 Gallon. as in the past years this watering trough was used for emergency fire fighting water. I will plan on installing a check valve on the overflow line to the trough. The overflow pipe will be 3/4 inch pipe. Also I will install a T in the overflow pipe five feet out from the spring Box. When the watering trough is full, the float valve will close, allowing the water to flow out to where the Bringmans are catching it.

As you are aware, The Paytons and us entered into an agreement on the Spring and the water, also the boundaries. Our agreement signed By the Paytons the 31st day of July 1980. Specifies in Paragraph 6. In reference to the Spring, what both parties agreed to. As we have moved back to our home here at Lenore, we want to comply with the agreement. We also need the watering trough for livestock.. and for emergency water in case of fire.



RECEIVED
AUG 1 1985
Department of Water Resources
Northern District Office

Thank you,
Emery Bateman
Emery Bateman

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