

Affidavit of Publication

RECEIVED

SEP 17 1970

Department of Water Administration

STATE OF IDAHO
County of Latah

ss.

A. J. Mainear

being first duly sworn, on oath,
deposes and says:

That he is the printer of The DAILY IDAHONIAN, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following

dates:

Sept. 3, 10,
1970

the same being the dates designated for the publication of said legal notice.

[Signature]
Subscribed and sworn to before

me this

10th

day of

Sept.

19 *70*

A. B. Robinson

Notary Public,

residing at Moscow, Idaho

Residing at Moscow, Idaho

County of Latah

My Commission Expires Feb. 26, 1974

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the City of Deary, Box 236, Deary, Idaho has received an approved Permit No. G-32555/86-2033 issued by the Idaho Department of Water Administration authorizing the diversion of 0.6 cubic feet per second of water from a ground water source. The priority to be established under this permit is October 11, 1965 and the permit was approved October 14, 1965.

Water is to be diverted by drilled well, cased, electric motor driven pump from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 40 N. R. 2 W. B. M., Latah County to be used for municipal use in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 23, T. 40 N. R. 2 W. B. M., City of Deary & vicinity.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 14, 1970. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

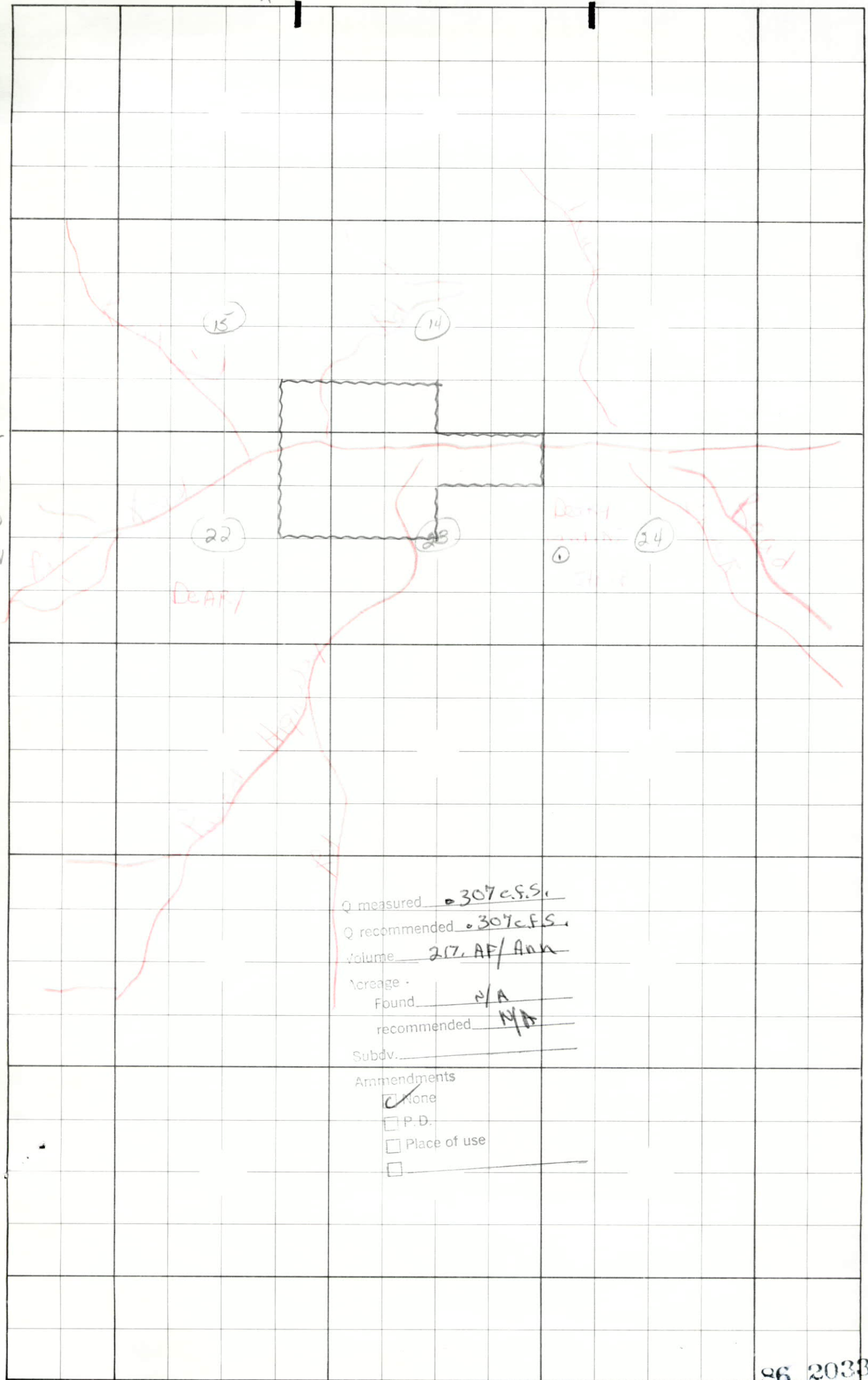
R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
Published in the Daily Idahonian,
Moscow, Idaho on September 3 and
September 10, 1970.

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9-21-70*

*86-2033
32555*

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State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 32555/86-2033 Priority Oct. 11, 1965 Amount 0.31 cfs

THIS IS TO CERTIFY, that the Village of Deary
of Deary, Idaho, has complied with the terms and conditions of Permit
No. 32555/86-2033 issued pursuant to Application for Permit dated October 11, 1965,
and has submitted proof to the Department of Water Administration on September 28, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.31 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.31 cfs for Municipal from Jan. 1 to Dec. 31 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.31 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, Twp. 40 N, Rge. 2 W, B.M.

in the county of Latah; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used ~~and shall not exceed~~ ~~one foot per year~~

~~one foot per year~~

Description and location of place of use: Village of Deary & Vicinity.

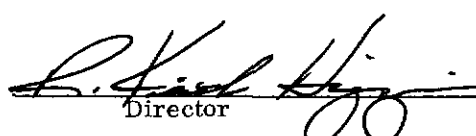
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
40 N	2 W	14										X	X						
		15															X		
		22	X			X													
		23	X	X			X	X	X	X									

Total number of acres irrigated _____

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 21ST day of

May, 19 73.


Director

86 2033

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32555/86-2033)

in the name of Village of Deary)

Deary, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

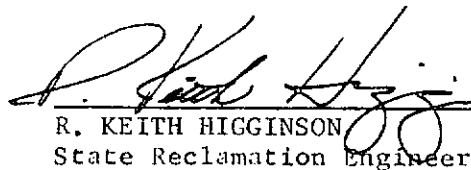
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 86-2033 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 22nd day of April, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

RKH/DG

RECEIVED
APR 23 1970
STATE RECLAMATION ENGINEER
IDAHO

86-2033
32555

Chairman of the Board
of Trustees,
Deary, Idaho

86-2033

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40714
Permit No. G- 32555
District No.

1. Name of Applicant: Village of Deary
Postoffice address: Deary County: Latah State: Idaho
2. Quantity of water claimed: 0.4 cubic feet per second for domestic and 0.2 cubic feet per second for irrigation
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW 1/4 of the SW 1/4 of Section 24
Twp. 40 N , Rge. 2 W , B.M., County of Latah
5. Water is to be used for: Municipal use
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the Village of Deary and vicinity 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to existing sanitary sewer
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, cased, electric motor driven pump
8. Estimated cost of works: \$43,000.00
9. (a) Is reservoir to be used? yes
(b) Capacity of reservoir: 45,000 gallons
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
(a) 0.6 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) (cubic feet per second, inches or gallons per minute) is for new lands.

RECEIVED
JAN 10 1987

Remarks:

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.

s/ Village of Deary Applicant.

By Thomas Femierte Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. October 11, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32555

Recorded in Book 114 Page 32555 Approved October 14, 1965

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 14, 1968

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before October 14, 1970

Witness my hand this 14th day of October, 1965 s/ RALPH W. THOMAS, Deputy
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE Governor of the State of Idaho,
and ARNOLD WILLIAMS Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 14th day of October 1965

Countersigned: STATE OF IDAHO

(SEAL) By s/ ROBERT E. SMYLIE

By s/ ARNOLD WILLIAMS Governor
Secretary of State.

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
40 N	2 W	15																	40
		14																	80
		22	40			40					40	40							80
		23	40	40			40	40	40	40									240
																		TOTAL	440

LICENSE ISSUED FOR 6.31 FC. FT.
LICENSE PAGE NO.

RECEIVED
SEP 23 1970

Identification No. _____
Permit No. G-32555/86-2033

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE SEP 17 1970

Department of Water Administration

1. a) Name of Permit Holder CITY OF DEARY
b) Post Office Address Box 236 Deary, Idaho 83823
2. Permit Number G-32555/86-2033

3. Date of Priority that you are prepared to establish October 14, 1965

4. a) Source from which water was appropriated Ground water

b) Location of the point of diversion: NW 1/4 SW 1/4, Section 24

Township 40 N., Range 2 W., Boise Meridian, Other points of diversion: _____

Latah County

5. a) The amount of water and use to which the water has been applied:
amount .6 CFS for Municipal purposes from January 1 to December 1 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated .6 cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: applicants estimate

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) drilled well, pump and motor to service that supply water to city

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

c) Give well drillers name and address and date the well was completed _____

Entered Typed
October 2, 1970

86-2033
32555

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use Municipal use serving 163 families to be used in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec 14; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 23, T. 40 N, R. 2 W, B. M. , City of Deary and vicinity.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	

Total number of acres irrigated

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

9-16-70
(Date)

Virginia Couy
(Signature)

State of Idaho ss.
County of Latah

On this 16th day of September, 1970, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Robert J. Slette
Notary Public residing at Deary, Idaho

My commission expires August 4, 1974

Affidavit of Publication

STATE OF IDAHO
County of Latah

ss.

A. J. Mairman
being first duly sworn, on oath,
deposes and says:

That he is the printer of The DAILY IDAHONIAN, a newspaper of general circulation, printed and published daily except Sunday at Moscow, Latah County, Idaho, in compliance with Sections 60-106, 60-107, and 60-108 of the Idaho Code and the amendments thereto; that the notice of which the annexed is a full, true and correct printed copy was published in the regular and entire issues of said newspaper and not in a supplement thereto, upon the following

dates: Sept. 3, 10,
1970

the same being the dates designated for the publication of said legal notice.

[Signature]
Subscribed and sworn to before
me this 10th day of Sept.

19 70

[Signature]

Notary Public,

residing at Moscow, Idaho

Residing at Moscow, Idaho

County of Latah

My Commission Expires Feb. 26, 1974

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the City of Deary, Box 236, Deary, Idaho has received an approved Permit No. G-32555/86-2033 issued by the Idaho Department of Water Administration authorizing the diversion of 0.6 cubic feet per second of water from a ground water source. The priority to be established under this permit is October 11, 1965 and the permit was approved October 14, 1965.

Water is to be diverted by drilled well, cased, electric motor driven pump from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 40 N. R. 2 W. B. M., Latah County to be used for municipal use in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; S $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 23, T. 40 N. R. 2 W. B. M., City of Deary & vicinity.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before October 14, 1970. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
Published in the Daily Idahonian,
Moscow, Idaho on September 3 and
September 10, 1970.

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9-21-70

86-2033
32555



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

May 2, 1983

Ms. Thelma Whitcomb, Clerk
City of Deary
P. O. Box 236
Deary, Idaho 83823

Re: 86-2033

Dear Ms. Whitcomb:

Pursuant to your letter of April 29, 1983, enclosed is a copy of
the above-referenced License.

If we can be of any further assistance, please contact us.

Sincerely,

HS/

Patricia M. Stypa
Secretary

Enc. - License

cc: IDWR - State Office, w/enc.

RECEIVED
MAY 10 1983

CITY OF DEARY

P.O.Box 236
Deary, Idaho 83823
phone 877-1582

RECEIVED

APR 29 1983

April 28, 1983

Department of Water Resources
Northern District Office

Dear Sir:

In regards to the telephone conversation I had with you this week concerning the Citites Water Rights License # 86-2030 or 32555-862033, I cannot locate this in my files. Would you please send me a copy of the license?

Thank you!

Sincerely,

Thelma Whitcomb
Thelma Whitcomb, clerk

COMMUNICATIONS SECTION

May 24, 1973

Re: License No. 32555/86-2033

Village of Deary
Deary, Idaho 83823

Gentlemen:

Enclosed please find a copy of the Water License issued on the above referenced permit.

Sincerely,

Bobby D. Fleenor
Assistant Director

kss

Enclosure

86 2033

May 9, 1973

Village of Deary
Deary,
Idaho 83823

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 32555/86-2033 and has found the following:

Quantity of water diverted: 0.31 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.31 cfs

The maximum quantity diverted shall not exceed (n/a) acre feet per year.

Beneficial use: Municipal purposes for the Village of Deary within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 14; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Sec. 23; Twp. 40N, Rge. 2W, B.M.

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, Twp. 40N, Rge. 2W, B.M.

Priority date established: Oct. 11, 1965

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

86 2033

City

~~XXXXXXXXXX~~

OF DEARY

DEARY, IDAHO 83823
OCTOBER 1, 1970

RECEIVED

OCT 2 1970

Department of Water Administration

Ken

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

Dear Mr. McEldowney:

In regards to permit No. G - 32555/86-2033 for the City of Deary, Idaho.

When your representative comes to Deary to examine our water system, he is to contact Dan Lantz. Mr Lantz may be found in Deary any day except Mondays.

Very truly yours,

Virginia Corey

Virginia Corey
City Clerk

3/8/72

86 2033

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit NoG-32555/86-2033

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant: VILLAGE OF DEARY, Box 236, Deary, Idaho 83823

2. Source of water supply: ground water

3. Location of point of diversion: Is in the NW 1/4 of Section 24

T. 40 N R. 2 W County of Latah

4. Describe works as they exist, giving dimensions and capacities of same: 135 gpm = 307 cfs
drilled well, pump and motor to service that supply water to city.

272' deep, 6" discharge automated pumping control
at 135 gpm. use is for year round 1-1/2 3/4
20 HP. Holloshaft Motor Ser # 3538436 w/ 5-5 GPH
BT pump Ser # 65-190008 Type STG pump unit 40000 gpm

5. Water is used for: municipal purposes

6. State whether or not water has been turned into works of diversion: yes system in
operation

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Section 15, T. 40 N, R. 2 W	SE 1/4 SE 1/4	40 acres
Section 14, T. 40 N, R. 2 W	S 1/2 SW 1/4	80
Section 22, T. 40 N, R. 2 W	E 1/2 NE 1/4	80
Section 23, T. 40 N, R. 2 W	N 1/2 NE 1/4, NW 1/4	240
		440 TOTAL

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____ (meters)

Remarks: no measuring device will serve 181 household
in the village of Deary

.307 cfs diversion rate to 40,000 gal per

This examination was made on the 2nd day of August, 1986
2033
(Signed) John E. Ballance Examiner.

DATE EXAMINATION RECORDS

_____ by: _____

_____ by: _____

_____ by: _____

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

86 2033

ASCS: Moscow

SCS: Moscow

Permit No. G-32555/86-2033

Examination for B/U VILLAGE OF DEARY

County Latah

Quantity: Sec. 24 T.40N R. 2W

(permit) 0.6cfs (proof) 0.06cfs

Source:

ground water

P.D.:

NW $\frac{1}{4}$ SW $\frac{1}{4}$

Use:

municiple use

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: October 11, 1965

Proof made: September 17, 1970

Due: October 14, 1970

Priority: October 11, 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

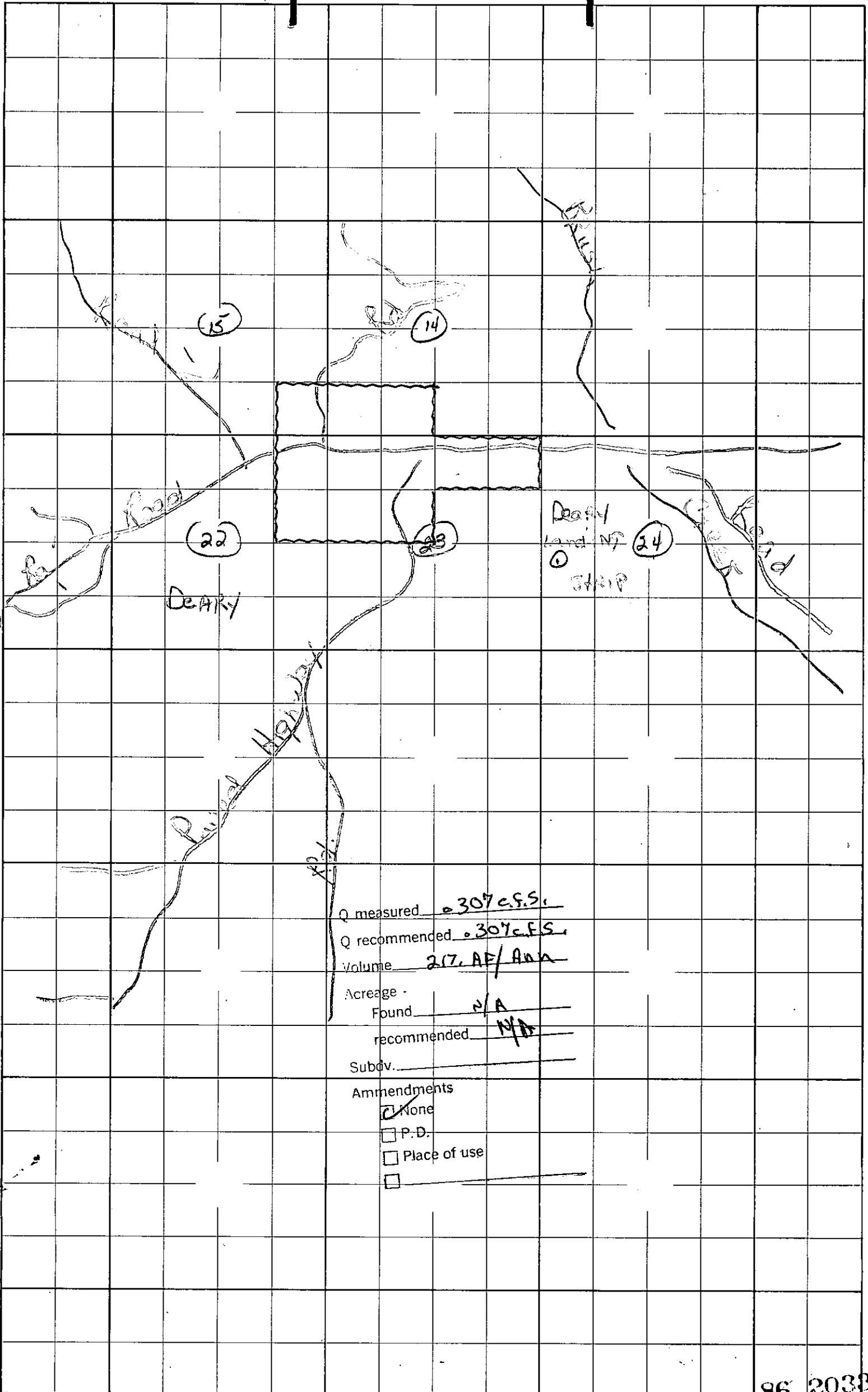
PERMIT NO. G-32555/86-2033

REPORT ON PROOF OF B/U VILLAGE OF DEARY

86 2033

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September 28, 1970

Re: Permit No. G-32555/86-2033

City of Deary
Box 236
Deary, Idaho 83823

Gentlemen:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit G-32555/86-2033.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

86-2033
32555

September 21, 1970

Re: Permit No. G-32555/86-2033

City of Deary
Box 236
Deary, Idaho 83823

Gentlemen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Please be advised that we are returning the affidavit of beneficial use, as it is unacceptable until item 4b is filled in.

After you have made the necessary corrections, please resubmit the affidavit on or before October 14, 1970, and we will continue processing your permit.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: affidavit of beneficial use

32555
86-2033

August 25, 1970

Re: Permit No. G-32555/86-2033

Daily Idahonian
Box 399
Moscow, Idaho 83843

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by the City of Deary, Box 236,
Deary, Idaho ATTN: Ray C. Day, Mayor, to whom you should furnish
an affidavit of publication.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG
Enc: legal notice

32555
86-2033

August 25, 1970

Re: Permit No. G-32555/86-2033

CITY OF DEARY
Box 236
Deary, Idaho 83823

ATTENTION: Ray C. Day, Mayor

Dear Mr. Day:

The legal notice for the above-referenced permit is being published in the
Daily Idahonian, Moscow, Idaho on September 3
and September 10, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG

86-2033
32555

RECEIVED

AUG 24 1970

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that City Box 236, Department of Water Administration
the Village of Deary, Deary, Idaho

has received an approved permit No.

G-32555/86-2033 issued by the Idaho State Reclamation Department authorizing the
diversion ~~storage~~ of .6 cubic feet per second ~~above flood level~~
of water from a groundwater source

subject to all prior rights. The priority to be established under this permit is
October 11, 1965 and the permit was approved October 14, 1965

Water is to be diverted by drilled well, cased, electric motor driven pump
from a point within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 40 N, R. 2 W, B. M., Latah County

to be used for municipal use

in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 14; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 22; N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 23,
T. 40 N, R. 2 W, B. M., Village of Deary & vicinity
City

Proof of the application of the water to beneficial use is to be submitted to the
department on or before October 14, 1970. Any protests against
the issuance of a license for the above referenced permit should be filed with the
Department of Reclamation within ten (10) days of the last date of publication of
this notice or prior to the licensing of the permit. Licensing may commence prior
to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the THE DAILY IDAHOIAN, MOSCOW, IDAHO
Kendrick Gazette, Kendrick, Idaho on
September 3 and September 10, 1970

State Reclamation Engineer:

Permit No. 86-2033

You are hereby authorized to have the attached notice published at my expense in
the DAILY IDAHOIAN of MOSCOW
Kendrick Gazette of Kendrick, Idaho;
published in the county in which the works are situated.

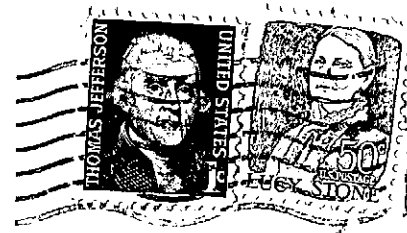
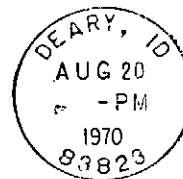
City of Deary
(Signature)
Ray C. Day - Mayor

Box 236 Deary, Idaho 83823
(Address)
7/10/1970
(Date)

32555
86-2033

city

OF DEARY
DEARY, IDAHO 83823



RETURN RECEIPT REQUESTED

R. KEITH HIGGINSON, DIRECTOR
IDAHO DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

CERTIFIED

No 877803

MAIL

86-2033
82555

~~CITY~~
~~DEAR~~ OF DEARY

DEARY, IDAHO 83823

P.O. BOX 236

August 18, 1970

RECEIVED

AUG 24 1970

Department of Water Administration

IDAHO DEPT. OF WATER ADMINISTRATION
STATEHOUSE ANNEX - 2
BOISE, IDAHO

Dear Mr. Higginson:

Will you please note the changes I have made on permit # 86-2033

I was hesitant about sending this water permit back for publication due to the fact we have now become a City and our official newspaper has changed.

I have taken this to a lawyer and he could find no reason why it shouldn't be published in the Kendrick Gazette, but suggested that since the Daily Idahonian is our official paper, we have it published in the Idahonian, at Moscow, Idaho.

Sincerely

Virginia Corey

Virginia Corey
City Clerk

86-2033
32555

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

22061

INSURED NO.

DATE DELIVERED

1

Village of Deary

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Virginia Cowy

3

SHOW WHERE DELIVERED *(only if requested)*

86-2033

POD Form 3811 Apr. 1967 c55-16-71648-10

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

POST OFFICE
DELIVERY OFFICE

AUG
3
P.M.
1970

83823

RETURN
TO

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

NAME OF SENDER

Dept. of Water Administration

STREET AND NO. OR P.O. BOX

Statehouse - Annex 2

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho

83707

July 31, 1970

Re: Permit No. G-32555/86-2033

Village of Deary
Chairman, Board of Trustees
Deary, Idaho 83823

Gentlemen:

One of the conditions of the approval of your Permit No. G-32555/86-2033 was that proof of application of the water to beneficial use be submitted to this office on or before October 14, 1970.

Enclosed is an affidavit form which must be used to submit proof of beneficial use. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended.

Either the proof affidavit or a request for extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. Keith Higginson

Director

Enc: Proof affidavit
RKH:DR

CERTIFIED MAIL

#22061

32555
86-2033

April 23, 1970

Re: Permit No. G-32555/86-2033

Village of Deary
Deary, Idaho

ATTN: Chairman of the Board of Trustees

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: order
advertising package

86-2033
32555

October 22, 1965

Re: Permit No. G-32555

Chairman, Board of Trustees,
Village of Deary,
Deary, Idaho.

Dear Sir:

We enclose Permit No. G-32555 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-9876 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

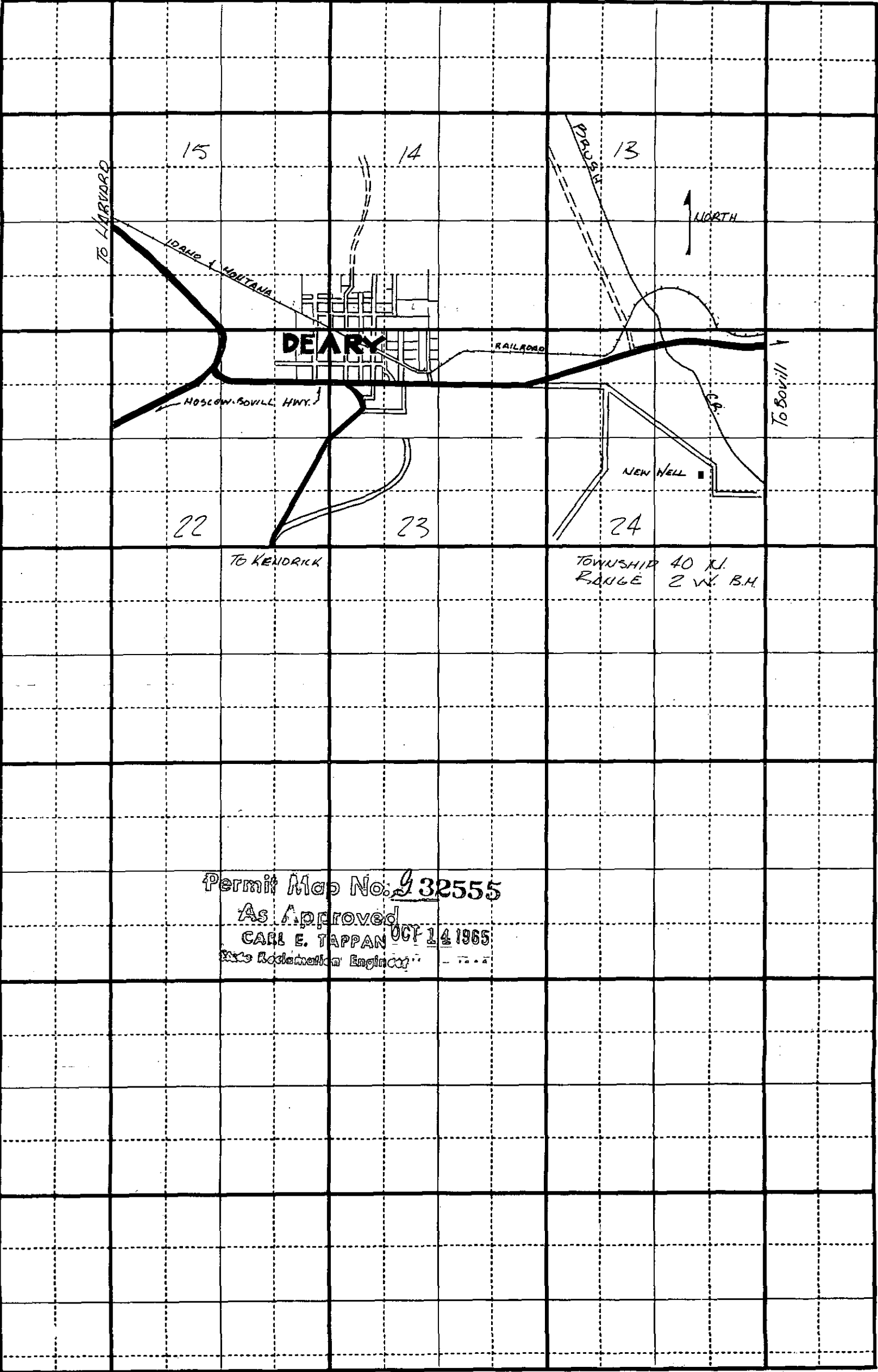
(MRS.) EDNA P. RULE
Chief Clerk

Encl.

EPR:pmk

P.S. You will note, under Question 10, that we have changed the required time for completion of works and complete application of the water to the proposed use to five years. However, you may make the required proofs at any time you are prepared to do so within that time.

32555



Permit Map No. 932555
As Approved
CARL E. TAPPAN OCT 14 1965
State Reclamation Engineer

Sept. 22, 1965

Re: Application for Permit

Chairman of the Board of Trustees
Deary, Idaho

Dear Sir:

Returned herewith is your application for permit which we received without the \$5.00 filing fee for 0.6 c.f.s.

The point of diversion under 4 of the application does not agree with the maps. The answer under 5 could be municipal use which covers all uses of water not covered in your answer.

Complete 6 (a) Village of Deary and vicinity and the answer under 12 can be deleted, provided the only irrigation is for lawns and small gardens usual in communities. That allows expansion of your system in the future.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. application with
attached check

32555