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*
Nez Perce County *
1/4 sec. ft. *
Spring *
Irrigation & Domestic *
Priority 4-21-06. *

S T A T E O F I D A H O

- Water License No. 1960 -

WHEREAS, On the twenty-first day of April, A. D. 1906 John L. Fenton and Richard R. Lowe, of Lewiston, County of Nez Perce, and State of Idaho duly made application (No. 2729) to me for a permit to use $\frac{1}{4}$ cubic feet per second of the waters of a spring in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 21, T. 36 N., R. 5 W., County of Nez Perce, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the twenty-eighth day of April, A. D. 1906, Permit No. 1960 was issued to said applicants for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the twenty-eighth day of October, A. D. 1906, and for the application to beneficial use of said water on or before the twenty-eighth day of October, A. D. 1907, and,

WHEREAS, On the twenty-eighth day of July, A. D. 1906 the holders of said permit duly made proof of the completion of adequate works for the diversion of $\frac{1}{4}$ cubic feet per second of said waters, as evidenced by my Certificate No. 1960, dated August 3, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use $\frac{1}{4}$ cubic feet per second of water, with date of priority of April 21, 1906, and,

WHEREAS, On the twenty-eighth day of July, A. D. 1906 proof was duly made of the application to beneficial use of $\frac{1}{4}$ cubic feet per second of said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to JOHN L. FENTON AND RICHARD R. LOWE of Lewiston, Idaho, the holders and owners of said Permit No. 1960 a perpetual right, dating from April 21, 1906, to the use of $\frac{1}{4}$ cubic feet per second of the waters of a spring in the county of Nez Perce, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 21, Tp. 36 N., R. 5 W. B. M., and conducted to and upon Lot 3, section 28, Tp. 36 N., R. 5 W. B. M., for the purpose of irrigation and domestic use, subject, however, to the laws of the state of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this third day of August, A. D. Nineteen Hundred and six.

Jas. Stephenson, Jr.,

(Seal)

State Engineer.

Recorded August 3, 1906.

86 2001

No. 2729

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

To appropriate the Public waters of the state of Idaho.

1. Name of applicants - JOHN L. FENTON AND RICHARD R. LOWE
Postoffice address: P. O. - Lewiston, Idaho.
County - Nez Perces.
2. The quantity of water claimed is $\frac{1}{4}$ cubic foot per second.
3. Source of water supply - Spring developed by applicants.
County of Nez Perces.
4. Location of point of diversion - NW4 of SW4 sec. 21, Tp. 36 N., R. 5 W.
5. To be used for:
 - I. Irrigation and domestic use:
 - (a) Number of acres to be irrigated twenty five acres.
 - (b) In the following legal subdivisions - Beginning S. W. cor. Lot 3 sec. 28 - 36 - 5 W., running thence east on south line lot 3 and on the east & west center line said sec. 28-50 rods, thence north 80 rods to north line said lot 3, thence west 50 rods to the N. W. Cor. said lot 3, thence south 80 rods to point of beginning.
6. Estimated cost of works - four hundred (400.00)
7. Description of Works for Diversion:
 - I. Kinds of works - 3/4 inch galvanized pipe.
 - II. Dimensions of Works:
 - (d) Length of pipe about 4000 feet, and it crosses the following quarter sections - SW4 SW4 sec. 21, NW4 NW4 Sec. 28, Tp. 36 N., R. 5 W. B. M., to N. W. Cor. Lot 3 sec. 28, T. 36 N., R. 5 W., which is the point of intended use.
8. Time required for the completion of the construction of such work is - Developing water & laying pipe 2 weeks.
9. Time required for the complete application of the water to the proposed use is..... additional years.

Remarks:

This small stream is developed water, and has no natural course other than a draw, in fact has no volume sufficiently large to pass any great distance over the surface. We have the pipe on the ground and will at once use the water if permit is granted by the state Engineer.

Approval of state engineer.

The number of this permit is 1960

Date of first receipt of application 9 a. m. April 21, 1906.

Recorded in Book 6, page 1960. Approved April 28, 1906.

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before June 27, 1906, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 28, 1906.

The whole of said work to be completed on or before October 28, 1906.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to October 28, 1907.

Witness my hand this 28 day of April, 1906.

Jas. Stephenson, Jr.

State Engineer.

Blank Notice of Proof of Completion of Works and blank Notice of Proof of Application of Water to Beneficial Use mailed John L. Fenton, Lewiston, Idaho, May 11, 1906.

Notice of Proof of completion of Works and Notice of proof of Application of Water to Beneficial Use received May 23, 1906.

Notice for publication mailed The Tribune, Lewiston, Idaho, June 21, 1906. Deposition blanks mailed applicant same date.

Mr. D. C. Wrighter, Lewiston, Idaho, authorized July 9, 1906 to make examination of works.

Report of D. C. Wrighter received July 16, 1906.

Fee of \$5.00 for proof of completion of Works and \$2.00 for proof of application of water received July 16, 1906.

Affidavit of publication of notice and depositions received August 1, 1906.

Depositions and report show that works have been constructed of a capacity to divert and convey to the place of use the amount of water for which application was made, and that the same amount had been applied to beneficial use.

Certificate of Completion of Works and License issued August 3, 1906.

Permit No. 1960.

C E R T I F I C A T E O F C O M P L E T I O N O F W O R K S

To All Whom It May Concern:

This is to certify that JOHN L. FENTON and RICHARD R. LOWE of Lewiston, County of Nez Perce, and State of Idaho, the holder of Permit No. 1960, issued upon Application No. 2729, bearing date of priority of April 21, 1906, ~~issued upon Application No. 2729, bearing date of priority of April 21, 1906,~~ authorizing the diversion of one-fourth of one second-foot of the waters of a spring, County of Nez Perce, State of Idaho, at NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 21, Tp. 36 N., R. 5 W. B. M., for irrigation and domestic purposes, have fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one-fourth of one second-foot of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lot 3, section 28, Tp. 36 N., R. 5 W. B. M.

Witness my hand this third day of August, A. D. 1906.

License issued for 25/100 second feet

Jas. Stephenson, Jr.

State Engineer of the State of Idaho.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 11, 1980

Mr. Walt Klappenbach
1912 14th
Lewiston, Idaho 83501

Re: License 86-2001

Dear Mr. Klappenbach:

I have enclosed an abstract of License Nos. 86-2001 and 86-2043.

License No. 86-2001 is the license with which you were concerned.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Abstract

cc: IDWR - State Office

please file