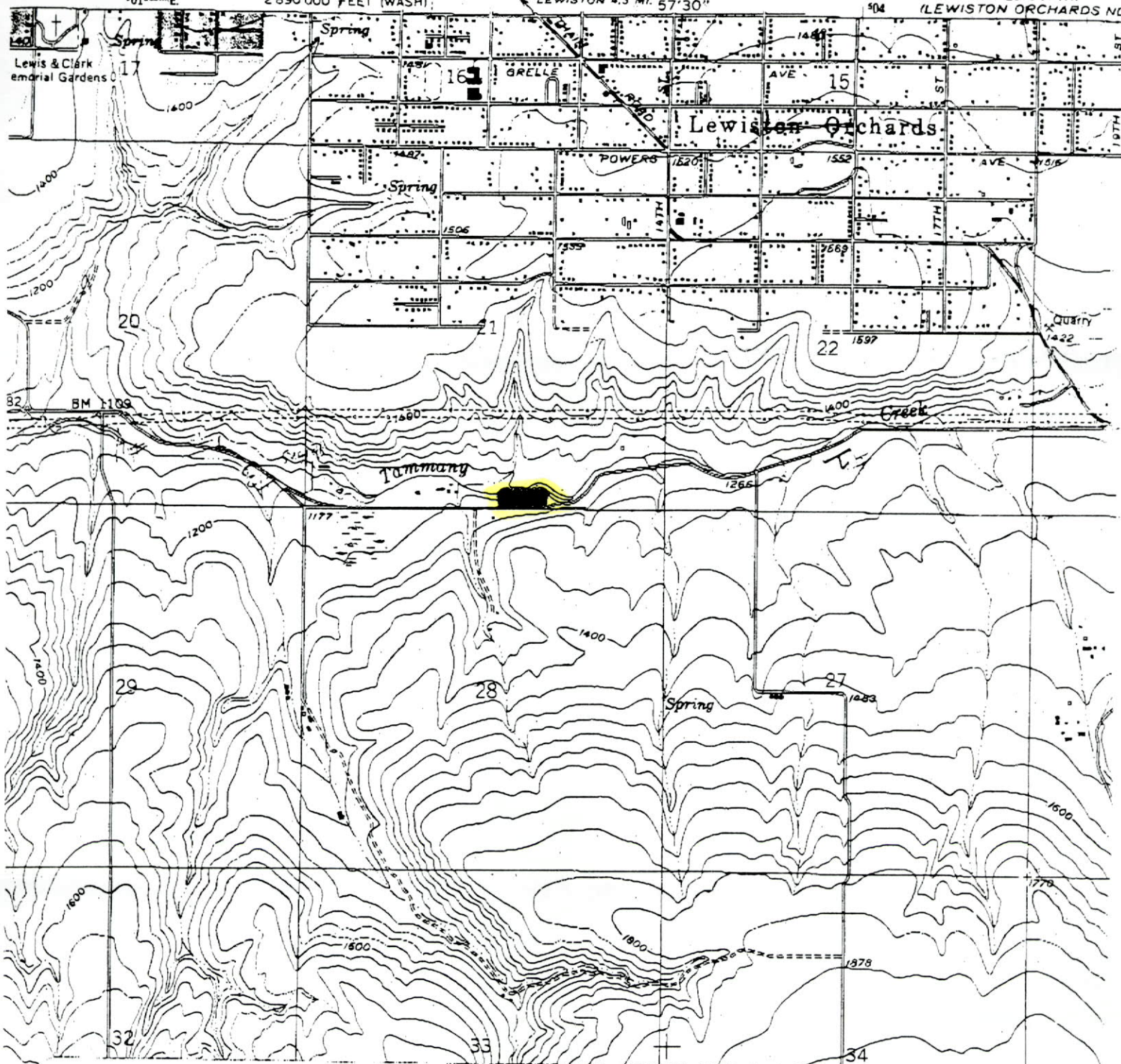


UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

30' 1000m E. 2890 000 FEET (WASH)

4.5 MI. TO U.S. 95
LEWISTON 4.3 MI. 57'30"2876 IV NW
(LEWISTON ORCHARDS NC

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Topographical Map
CONSERVATION PLAN MAP

MICROFILMED
2-81
JAN 16 2001

Owner Betty Bergquist Operator Betty Bergquist
County Nez Perce State IDAHO Date 8/99
Approximate acres 5.0 Approximate scale 1:24000
Cooperating with Nez Perce Soil & Water Conservation District
Plan identification Tammany PL-566 Photo number Lewiston Orchards South
Assisted by Lewiston USDA Soil Conservation Service

TRIBUNE PUBLISHING COMPANY, INC.

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

**LEGAL ADVERTISING
INVOICE**

RECEIVED
FEB 14 2000
IDWR/North

Date 02/10/2000INVOICE NO. 220566Account No. 964750Description 220566NOTICE OF APPLICTimes 2Lines 53

Tab. Lines _____

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'ALENE ID 83814

\$ 79.50

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

220566
NOTICE OF APPLICATION
FOR WATER RIGHT
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

85-07665
BERQUIST, BETTY
4631 LOWER TAMMANY CREEK
ROAD
LEWISTON, ID 83501
Source: GROUNDWATER
Diversion Pt: SWSE Sec 21 T 35N R
05W in NEZ PERCE
County.

Use: IRRIGATION (0.100 CFS)
STOCKWATER (0.040 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.100 CFS)

Date Filed: 9/22/1999
In: NEZ PERCE County
T35N R05W S21 SWSE
5.0 ACRES TOTAL
85-07666

BERQUIST, BETTY
4631 LOWER TAMMANY CREEK
ROAD
LEWISTON, ID 83501
Source: TAMMANY CREEK
Tributary: SNAKE RIVER
Diversion Pt: SWSE Sec 21 T 35N R
05W in NEZ PERCE
County.

Use: IRRIGATION (0.100 CFS)
Total Diversion: (0.100 CFS)

Date Filed: 9/22/1999
In: NEZ PERCE County
T35N R05W S21 SWSE
5.0 ACRES TOTAL

For additional information concern-
ing the property location, call the
Northern Regional Office at
(208)769-1450.

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene, Idaho
83501, together with a protest fee of
\$25.00 on or before FEBRUARY 21,
2000.

KARL J. DREHER, Director
Published: 2/3/2000 & 2/10/2000

Karen Lewis, 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 news-
paper of general circulation published at Lewiston, Nez Perce
County, Idaho; That the said Lewiston Morning Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 21
consecutive years next immediately preceding the first
publication of this notice, and has been so published
uninterrupted for said period; that the 220566NOTICE OF
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on
02/03, or once a WEEK
for 2 consecutive WEEK,
the first publication thereof being on the 02/03/2000,
and the last publication thereof being on the 02/10/2000
and said 220566NOTICE OF was so published in the
regular and entire issue of said newspaper and was 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.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of February 2000

MICROFILMED

JAN 16 2001

Notary Public in and for the State of Id
residing at Lewiston, therein
Commission Expires June 4, 03

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 85-07665

Priority: September 22, 1999

Maximum Diversion Rate:

0.10 CFS

This is to certify, that **BETTY BERQUIST**

4631 LOWER TAMMANY CREEK RD

LEWISTON ID 83501

has applied for a permit to appropriate water from: **GROUNDWATER**

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	02/15 to 11/30	0.10 CFS
STOCKWATER	01/01 to 12/31	0.04 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.10 CFS

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 21, Township 35N, Range 05W
NEZ PERCE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
35N	05W	21	SWSE	5.0		5.0

Total number of acres irrigated: 5.0

PLACE OF USE: STOCKWATER, same as IRRIGATION use

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before **March 1, 2005**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
7. Stockwater use is for 15-20 head of horses and cattle.

MICROFILMED

JAN 16 2001

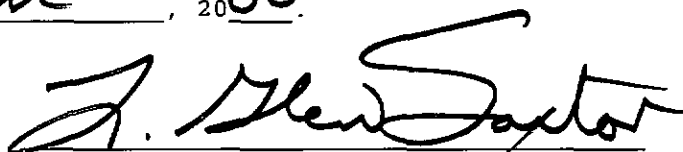
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 85-07665

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

10th day of March, 2000.


Karl J. Dreher, Director
for



MICROFILMED
JAN 16 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 09 2000

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant BETTY BERQUIST Phone H-(208) 746-1228
Mailing address 4631 LOWER TAMMANY CREEK ROAD, LEWISTON, ID 83501 W-(509) 758-5561
2. Source of water supply GROUND WATER which is a tributary of N/A
3. Location of point of diversion is Township 35N Range 5W Sec. 21 in the SE 1/4, SW 1/4, SE 1/4, Govt. Lot NEZ PERCE B.M., NEZ PERCE County;
additional points of diversion if any: N/A
4. Water will be used for the following purposes:

Amount <u>0.1 CFS</u> for <u>IRRIGATION</u>	purposes from <u>MAR 15</u> to <u>NOV 15</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>0.04</u> for <u>LIVESTOCK STOCKWATER</u>	purposes from <u>JAN 01</u> to <u>DEC 31</u>	(both dates inclusive)
(cfs or acre-feet per annum)		
Amount <u>0.04</u> for <u>DOMESTIC</u>	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)		
Amount _____ for _____	purposes from _____ to _____	(both dates inclusive)
(cfs or acre-feet per annum)		
5. Total quantity to be appropriated is (a) 0.1 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source WELL, PUMP, PIPING + IRRIGATION SYSTEM.
 - b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total reservoir capacity N/A acre-feet
 - c. Proposed well diameter is 8" inches; proposed depth of well is APPROX. 200' feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? _____; Drilling firm (NOT YET DRILLED)
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
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. 15 - 20 HD. HORSES & CATTLE
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. ONE
 - e. Other; describe fully. _____

MICROFILMED

JAN 16 2001

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	RGE	SEC	N E				N W				S W				S E				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35N	5W	21															5.0		5.0
35N	5W	21															D		
																	S		

Total number of acres to be irrigated 5.0

10. Describe any other water rights used for the same purposes as described above. _____

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

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

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

12. Remarks: _____

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

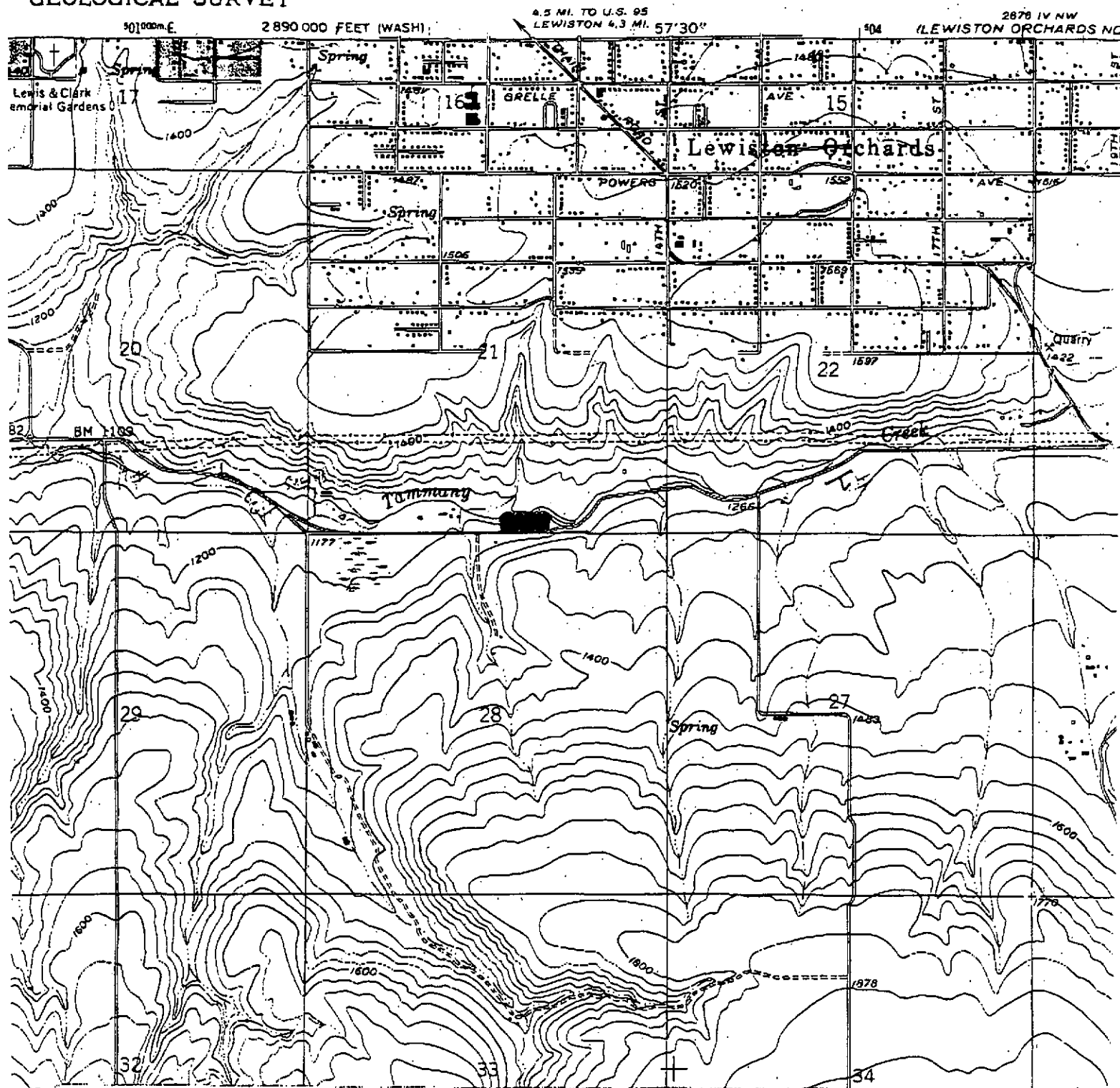
MICROFILMED

JAN 16 2001

Betty Berquist
Signature of Applicant (and title, if applicable)

Received by db Date 9/22/99 Time 1155a Preliminary check by db
Fee \$ 50.00 Receipted by db # N 013252 Date 9/22/99
Publication prepared by db Date 1/26/00 Published in Lewiston Tribune 2/3/00
Publication approved db Date 2/14/00

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Topographical Map
CONSERVATION PLAN MAP

REPRODUCED

2-81

JAN 16 2001

Owner Betty Berquist Operator Betty Berquist
County Nez Perce State IDAHO Date 8/99
Approximate acres 5.0 Approximate scale 1:24000
Cooperating with Nez Perce Soil & Water Conservation District
Plan identification Tammany PL-566 Photo number Lewiston Orchards South
Assisted by Lewiston USDA Soil Conservation Service



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 10, 2000

BETTY BERQUIST
4631 LOWER TAMMANY CREEK RD
LEWISTON ID 83501

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07665

Dear Permit Holder:

The Department of Water Resources (IDWR) has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a preliminary order issued by IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief as described in the enclosed information sheet.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

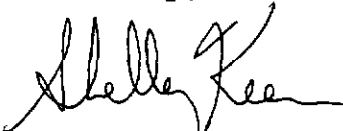
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

Also, please note that water right owners are required to report any change of water right ownership and/or change of mailing address to the department within 120 days of the change. Failure to do so may result in the revocation of the permit.

to report these changes could result in a \$100 late filing fee.
Contact any office of the department or visit the department's
homepage on the Internet to obtain the proper reporting form.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SK:klt

Enclosures

MICROFILMED

JAN 16 2001

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of **March, 2000**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Approved Permit)** to the person(s) listed below:

Water Right No. 85-07665

BETTY BERQUIST
4631 LOWER TAMMANY CREEK RD
LEWISTON ID 83501


Kari Lynn Townsend
Secretary

MICROFILMED

JAN 16 2001

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

JAN 16 2001

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 3/9/00

No. 85-07665 Name: Bergquist Corp. Officers N/A Ad ok _____ Govt Lots _____

AREA OF CONCERN: No/Yes S/C Moratorium _____ GWMA _____ TRUST/NON-TRUST _____
gw ok

GROUNDWATER: (✓Flow Chart)

DRILLING PERMIT

All wells - 046(P23)
Basin 34 - 085
Irr. w/in WD - P05
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 067

WMD

Supp irr (irr = only use) - 065-104
Supp irr (+ other uses) - 100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M

LOCATION:

Boise Front LoGeo - 058 (<85 GW)
Mitigation - 121
42-248 Area - P84 (20s-70s, 81-86)
Swan Falls Flag -
Trust - 051(P74) (consumptive uses)
Non-Trust - 048-049 (consumptive uses or non-cons. > 1.0 cfs)

USES:

~~STORAGE~~ - 18A-01H(P01), 01P-18B(P09)-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
- > 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (BLM/USFS)
MINING - 054-081(P10)
FISH PROP - 029(70'S only)-007-042-081(P10)
HEAT/COOL - R07(injection well)
FIRE PROT. - 077

BENEFICIAL USE DUE: 3 / 01 / 2005

MISC CONDITIONS/REMARKS:

Protested - 020-W19
Development Period
- ≤ 1 yr - P16
- > 1 yr - 26A(P17)
Ownership - 004
Non-consumptive - 027
Water Quality - 081-R07

SURFACE WATER: (✓Flow Chart)

F&G contacted - Yes/No Response _____
In/Above MSF - WB9
PLANNING SECTION REVIEW/RESPONSE _____
In-stream development - P52
WD - R04 (WD# _____)
≤ 0.20 cfs/others - 01H(P01), 01P or No MD
> 0.20 cfs - 01J(P08)

SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres - 01M or No MD

RIVER BASINS: (SW special considerations)

Snake R (01) - W22(P04), N/A
(02,03) - 007 (w/ remark WB9 if above Weiser)
Payette R (65) - 047(P04) (Payette Lake)
Salmon R (70's) - 029 (fish screens)
Weiser R (67) - 086-087

USES:

POWER - 17H-17K (+uses)-08A-025(P18)-01N-081(P10)
MUNICIPAL
Restricted area - 022,075
Irr. GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
- in restricted area - 070-071-075 (no parks/common areas, etc)
- Irr use listed separate - WB5 (1)
Moratorium-approvable - W03 (2500 gpd - meets domestic definition
i.e. D/convenience store)

Multiple pd's per ¼¼ - W32
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Pre-1987 development - 068-074 (allow 120 days for proof due)
Single p/d intended - 076

IRRIGATION SEASON 2/15 - 11/30 (Per updated map)

OTHER CONDITIONS/REMARKS _____

COMMENTS _____

RECEIVED

MAR 09 2000

ID DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEETWEI
OCA
WRA

Department of Water Resources

APPLICATION # 85-07605

INITIAL REVIEW

APPLICANT:

BERQUIST

BY:

AB

DATE:

11/15/99

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
 - (X) Nature of Proposed Use
 - (X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other water Rights
11. (X) Ownership
12. (X) Map
 - (X) Signature
 - (X) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes) (No)

- Field check: by
- Field report attached
- Analysis Supp. attached (>5cfs/500af)
- Water delivered by water master?
- Water District #

PROCESSING

(Yes) (No)

PRIORITY DATE: 9/22/99X (Include Moratorium Remark)X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).LT/John/ok

ADVERTISE IN:

NEZ PERCE

County

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: NA

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: NA

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()
_____	Dom. Non-Dom.	Paid \$ _____	_____	Y () N ()

- Groundwater management area
- Critical ground water area
- Well Drilling Permit required
- Well Drilling Application and Fees received
- Well Drilling Application approved?

Remarks: WELL NOT DRILLED
AS OF 8/1/99

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

Notice of pending void order issued. Final order response date: Further information required from applicant Affidavit of publication received Application published correctly. If not, record action taken: Publication dates and paper recorded on application | Sr. Agent initial ABProtests received, Final protest date: 2/21/00Measuring device required Measuring port required Special conditions: Special conditions of approval supplement and/or cover letter attached: Approval Recommended by: ABDate: 3/6/00

TRIBUNE PUBLISHING COMPANY, INC.

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

**LEGAL ADVERTISING
INVOICE**

RECEIVED
FEB 14 2000
IDWR/North

Date 02/10/2000

INVOICE NO. 220566

Account No. 964750

Description 220566NOTICE OF APPLIC

Times 2

Lines 53

Tab. Lines _____

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'ALENE ID 83814

\$ 79.50

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.

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Date Filed: 9/22/1999
In: NEZ PERCE County
T35N R05W S21 SWSE
5.0 ACRES TOTAL

For additional information concern-
ing the property location, call the
Northern Regional Office at
(208) 769-1450.

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the applicant and with the
Director, Dept. of Water Resources,
Northern Region, 1910 Northwest
Blvd., Suite 210, Coeur d'Alene, Idaho
83501, together with a protest fee of
\$25.00 on or before FEBRUARY 21,
2000.

KARL J. DREHER, Director
Published: 2/3/2000 & 2/10/2000

Karen Lewis, 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 news-
paper of general circulation published at Lewiston, Nez Perce
County, Idaho; That the said Lewiston Morning Tribune is
an established newspaper and has been published regularly
and issued regularly at least once a day for more than 21
consecutive years next immediately preceding the first
publication of this notice, and has been so published
uninterrupted for said period; that the 220566NOTICE OF
attached hereto and which is made a part of this affidavit
was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on
02/03, or once a WEEK
for 2 consecutive WEEK,
the first publication thereof being on the 02/03/2000
and the last publication thereof being on the 02/10/2000
and said 220566NOTICE OF was so published in the
regular and entire issue of said newspaper and was 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.

Karen J Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 11

day of February 2000

MICROFILMED

JAN 16 2001

Notary Public in and for the State of k
residing at Lewiston, therein
Commission Expires June 4, 03

85-07665

BERQUIST, BETTY
4631 LOWER TAMMANY CREEK RD
LEWISTON, ID 83501

Source: GROUNDWATER

Diversion Pt: SWSE Sec 21 T 35N R 05W in NEZ PERCE County.

Use: IRRIGATION	(	0.100 CFS)
STOCKWATER	(	0.040 CFS)
DOMESTIC	(	0.040 CFS)
Total Diversion:	(	0.100 CFS)

Date Filed: 9/22/1999

In: NEZ PERCE County
T35N R05W S21 SWSE

5.0 ACRES TOTAL

MICROFILMED

JAN 16 2001

January 26, 2000

Betty Berquist
4631 Lower Tammany Creek Rd
Lewiston ID 83501

Re: Water Appropriation Application No. 85-07665 (Groundwater)
and 85-07666 (water from Tammany Creek)

Dear Ms. Berquist:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Applications for Permits to appropriate the Public Waters of the State of Idaho. To assist us in providing you with prompt, accurate service, please refer to the above referenced numbers in all future matters concerning these water right applications. Enclosed for your file is Receipt Number NO13252.

Your appropriation applications are currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987. A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. FOR ANY OTHER USE, INCLUDING MULTIPLE HOMES, OR MUNICIPAL, ETC., THE DRILLING PERMIT FEE IS \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

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

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

MICROFILMED

JAN 16 2001

AB:db

WR0749NP
No. 85-07665

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/24/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BETTY BERQUIST 4631 LOWER TAMMANY CREEK RD LEWISTON ID 83501 (208) 746-1228	09/22/1999	IRRIGATION STOCKWATER DOMESTIC	03/15 11/15 01/01 12/31 01/01 12/31	0.100 CFS 0.040 CFS 0.040 CFS	
TOTAL DIVERSION:					0.100 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: APPLICATION

Point(s) of Diversion: T35N R05W S21 SWSE NEZ PERCE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
---	---	---	---	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---	---	---	---	:	---
35N	05W	21	:					:					:					:					:	5.0
TOTAL ACRES																							5.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: NEZ PERCE

Remarks: GEN Stockwater use is for 15-20 head of horses and cattle.
Domestic use is for 1 home.

Dates: App. Received: 09/22/1999 Priority Date: 09/22/1999
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/24/2000 User-ID: DBALL Subject: Examiner's notes.
Well, pump, pipeline and irrigation system.
Home phone: (208) 746-1228; Work phone: (509) 758-5561.
Time required 5 years.

Audit: 01/24/00 DBALL