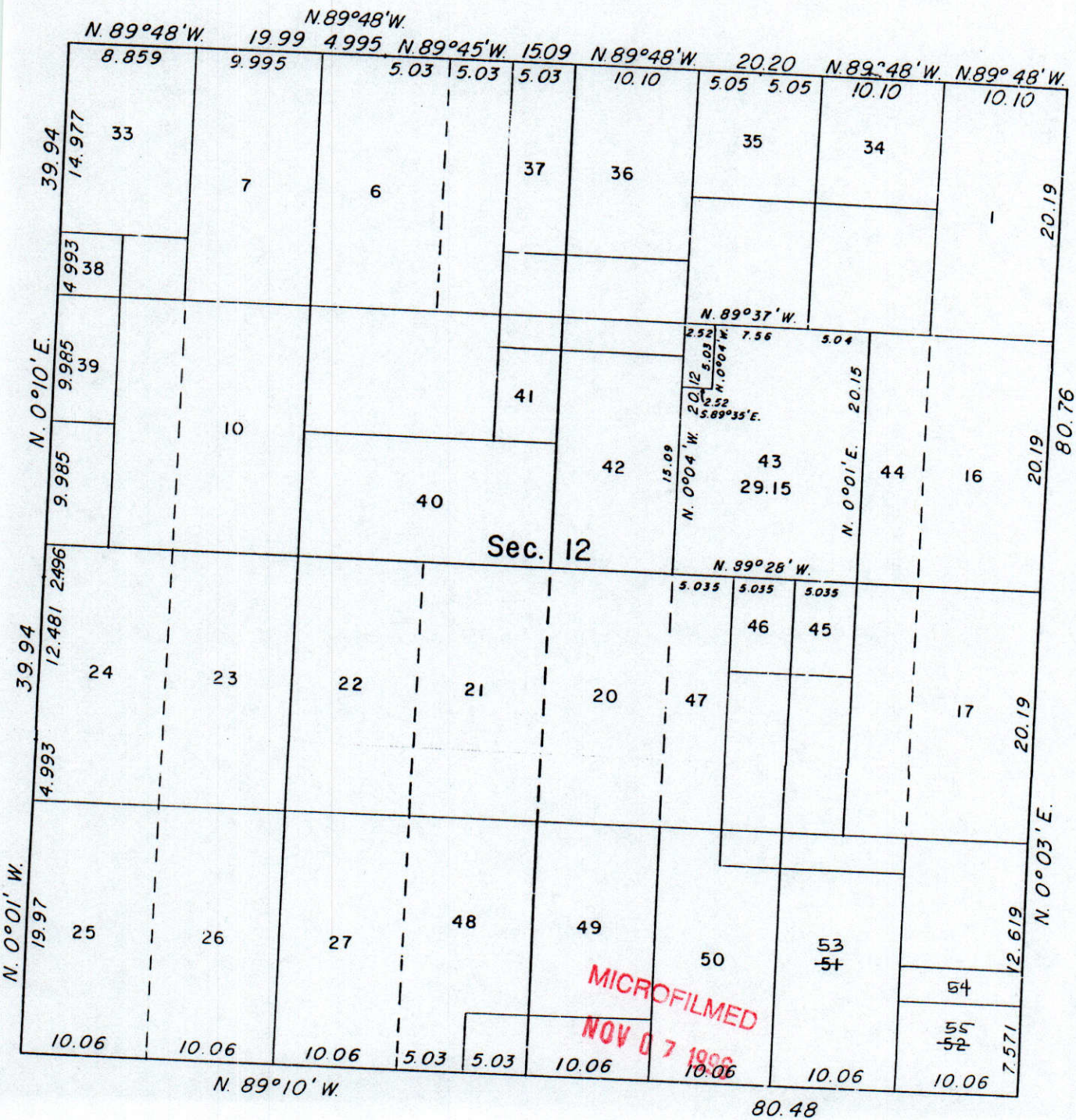
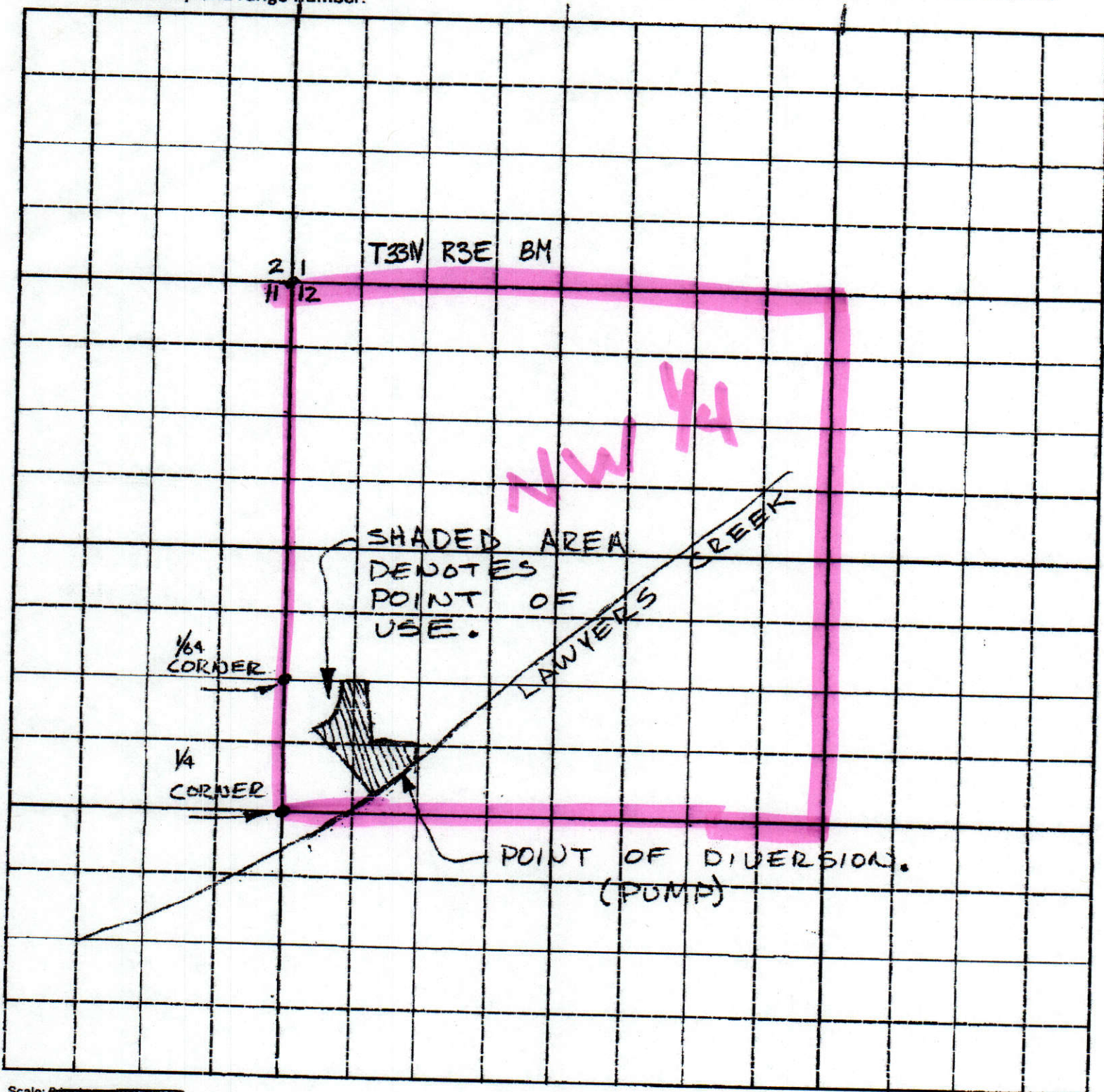


T33N R3E



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



Scale: 2 inches equal 1 mile.

8" = 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.

1" = 660'

MICROFILMED

NOV 07 1996

(Applicant)

85 84

KAMIAH QUADRANG
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

2876 IV SW
(WEIPPE SOUTH)

FINO 24 MI.
TO 111 13 MI.

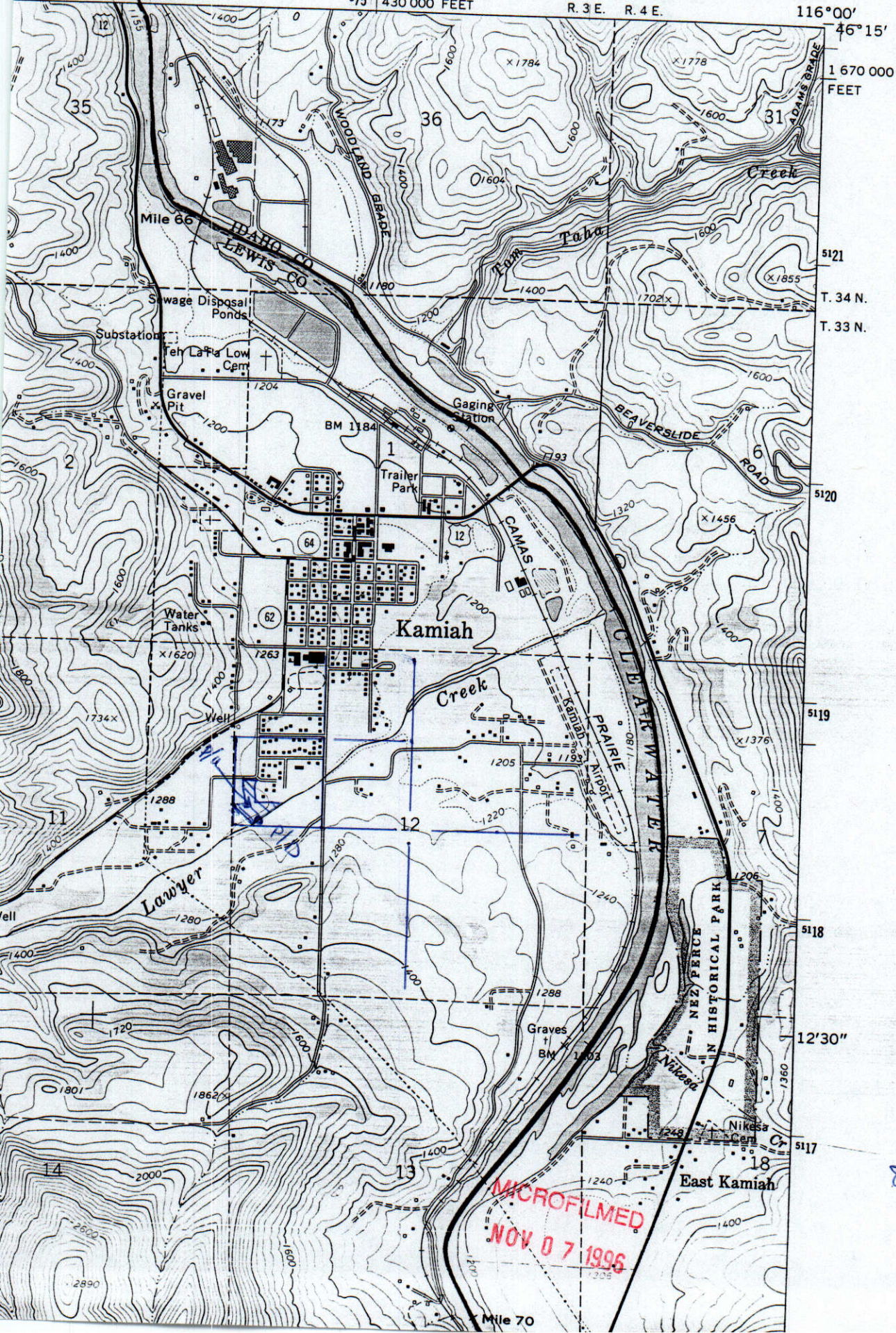
575 | 430 000 FEET

R. 3 E. R. 4 E.

116°00'

46°15'

1 670 000
FEET



Mile 70

FOR OFFICE USE ONLY
Amt. of Fee \$: 100-
Receipt No. 045192
Receipt By: H.W. O'comb
Date Received: 6-18-99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 18 1999

PROOF OF BENEFICIAL USE

Department of Water Resources

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

1. Permit No. 85-07633 Telephone No. 208-935-2807

2. Name(s) of Permit Holder(s): JOHN R. HAGEN, POLLY S. HAGEN

3. Mailing Address: RT 1, BOX 763; KAMIAH, ID 83536 (NEW MAIL ADDRESS)

4. Source of Water: LAWYER CREEK If GROUNDWATER (well), Date Drilled: mo. ____ / yr. ____

a. Well Driller: _____ Drilling Permit Number: _____

b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 3 Other: FROST CONTROL

6. Total rate of diversion and/or volume for which proof is submitted: 0.45 cfs OR 9 acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device:	Is a measuring device required?	Yes _____	or No <u>X</u>
	Has the measuring device been installed?	Yes _____	or No <u>X</u>
Flow Measurement Port:	Is a flow measurement port required?	Yes _____	or No <u>X</u>
	Has the measurement port been installed?	Yes _____	or No <u>X</u>

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: JOHN R. HAGEN Telephone Number: 208-935-2807

Address: RT 1, BOX 763; KAMIAH, ID 83536

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: John R. Hagen, Owner

(include your title, if on behalf of company or organization)

Date: June 15, 1999

State of Idaho
Department of Water Resources
Permit To Appropriate Water
NO. 85-07633

Proposed Priority: April 25, 1996

Maximum Diversion Rate:

0.45 CFS

This is to certify, that **JOHN R HAGEN**
POLLY S HAGEN
RT 2 BOX 463
KAMIAH ID 83536

has applied for a permit to appropriate water from:

LAWYER CREEK

tributary of **CLEARWATER RIVER**

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	03/15 to 11/30	0.04 CFS
COMMERCIAL	03/15 to 05/31	0.45 CFS
	Totals	0.45 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 10(SWNW), Sec. 12, Township 33N, Range 03E
LEWIS County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
33N 03E 12	Lot 10(SWNW)	3.0		3.0

Total number of acres irrigated:

3.0

PLACE OF USE: COMMERCIAL, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1999.
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. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
6. Commercial use is for frost protection.

MICROFILMED
NOV 07 1996

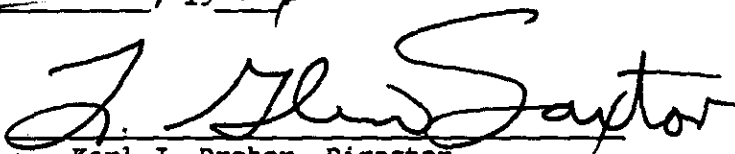
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 85-07633

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

1st day of July, 1996


Karl J. Dreher, Director
for

MICROFILMED

NOV 07 1996

RECEIVED
JUN 24 1996

Ident. No. 85-07633

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: JOHN R HAGEN
Address: RT 2 BOX 463
KAMIAH ID 83536

208-935-2807 ⁰⁶⁰³ ✓

AND/OR

Name: POLLY S HAGEN
Address: RT 2 BOX 463
KAMIAH ID 83536

208-935-2807 ⁰⁶⁰³ ✓

2. Source: LAWYER CREEK

Trib. to: CLEARWATER RIVER

3. Location of Point of Diversion: LT 10 (SWNW) Sec. 12, Township 33N, Range 03E
LEWIS County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	30	0.150	.04 CFS
* IRRIGATION	03/15	05/31	.45	CFS	

5. Total quantity to be appropriated is:
0.150 CFS/acre and/or .45 CFS and AF
~~.04 CFS~~

6. Proposed diverting works:

- Description of ditches, flumes, pumps, headgates, etc.
PUMP, PIPE AND SPRINKLERS
- 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.
- Proposed well diameter is inches; proposed depth of well is
feet.
- Is groundwater with a temperature greater than 85F being sought? NO
- If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 13 year(s). Please let us have 3 yrs.

MICROFILMED
NOV 07 1996

8. Place of Use: IRRIGATION

TWN	RGE	SEC	ACRES	ACRES	ACRES	TOTAL
33N	03E	12	LT 10 (SWNW) 03			3

Total number of acres irrigated: 3

9. 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.

10. Remarks:

This application is being filed to increase the rate of diversion to the capacity of the diversion system designed for the irrigation of the three acres of fruit trees and garden identified under this right. This high rate of diversion is often required for immediate and intense application to the trees for frost protection.

11. Map of proposed point of diversion and place of use attached? [-1]

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.

Polly Hagen
Applicant

Received by dp Date 4/25/96 Time 4:50 Preliminary check by AS

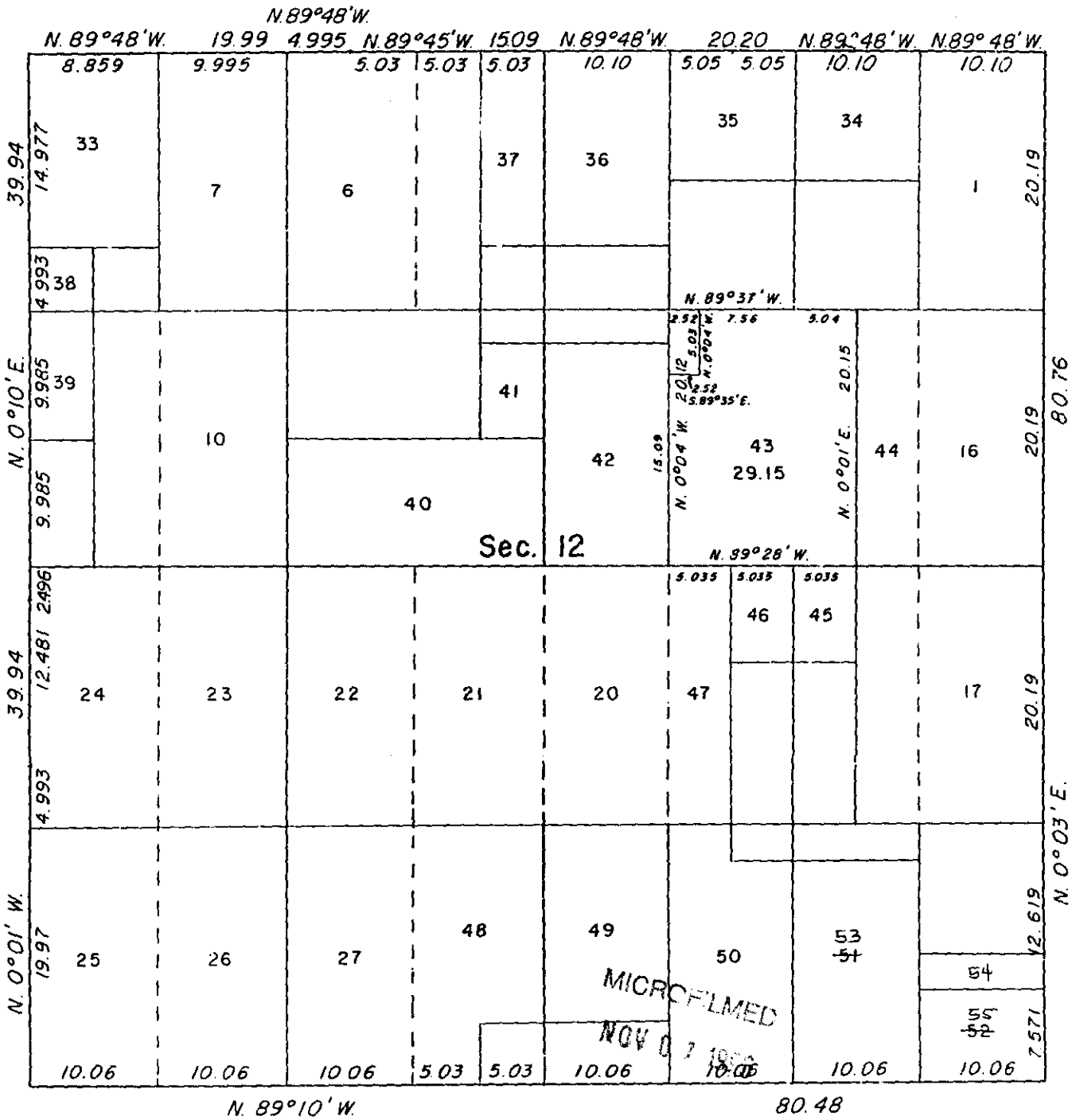
Fee \$ 50.00 Receipted by dp # N010114 Date 4/25/96

Publication prepared by dp Date 5/8 Published in Cleanwater Project 5/15+22/96

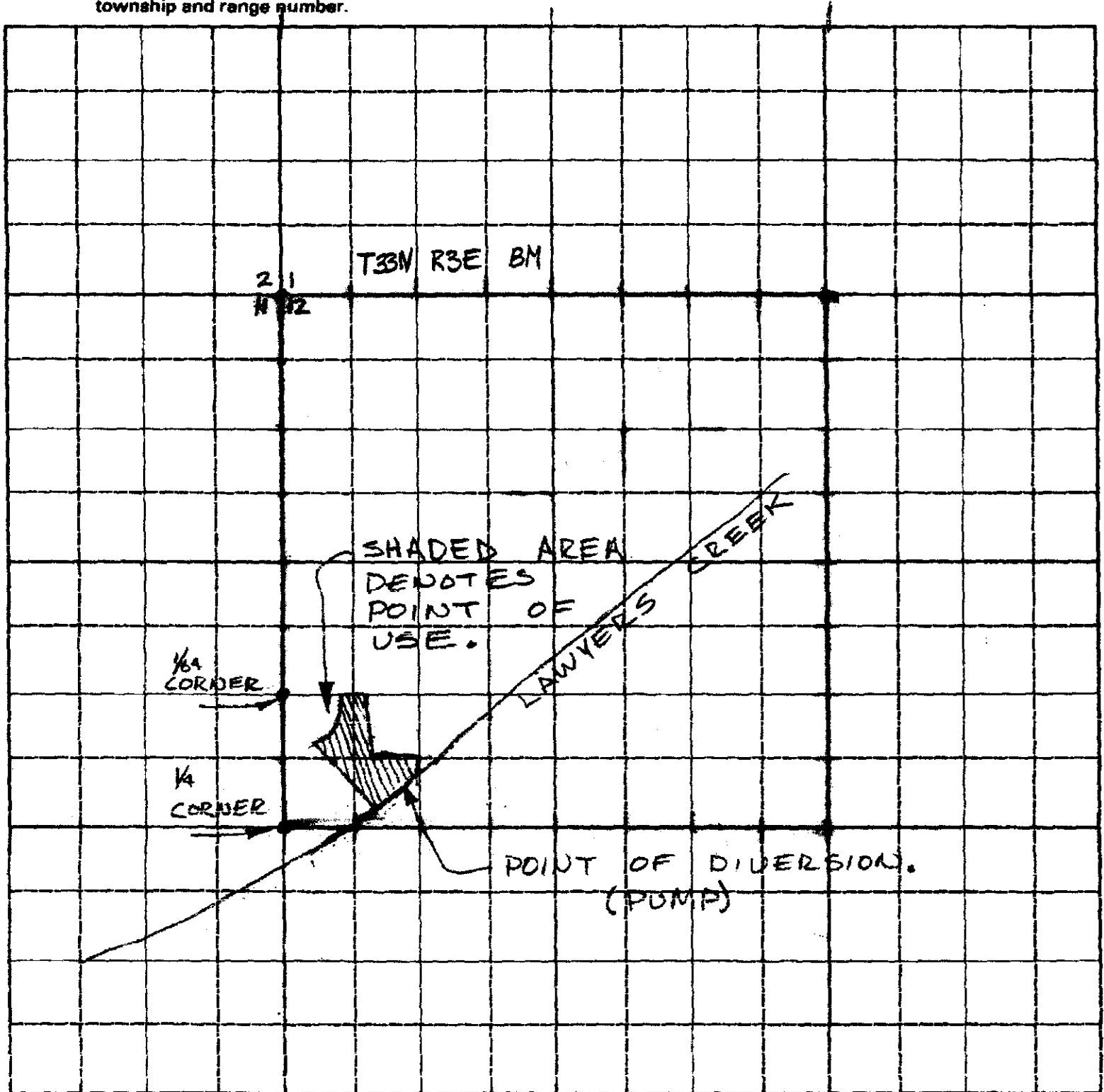
Publication approved _____ Date _____

MICROFILMED
NOV 07 1996

T33N R3E



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



Scale: 2 inches equal 1 mile.

8" = 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.

1" = 660'

NOV 07 1956

(Applicant)

~~File 70~~

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 85-01433 Reviewed by [Signature] Date 8-23-99

GENERAL CONSIDERATIONS

yes Name same as permit?
no Address same as permit?
yes Proof timely received?
If not, complete calculation below.

TYPES OF USE

Jrr.

Correct Uses? yes

SOURCE OF WATER

☒ Surface water source

☐ Ground water source

☐	Drilling permit required?
☐	Copy in the file?
☐	Amount paid for permit
☐	Well log in the file?

Drilling Permit No. _____
_____ Correct?

LICENSE EXAMINATION FEE

yes Required?
100- Amount Submitted
yes Correct?

MEASURING DEVICE

no Required?
☐ Installed?
☐ Waiver requested?

PRIORITY CALCULATION

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

DEFICIENCIES OR ACTION ITEMS

Proof Acceptable

DATA ENTRY

New Address Pl. Box 763 Proof Made 6-18-99



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

August 27, 1999

KARL J. DREHER
DIRECTOR

John and Polly Hagen
Rt 1 Box 763
Kamiah ID 83536

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 85-07633

Dear Permit Holder:

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

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Corue d'Alene at (208)769-1450.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

SEP 30 1999

April 30, 1999

JOHN R HAGEN
POLLY S HAGEN
RT 2 BOX 463
KAMIAH ID 83536

PROOF DUE NOTICE

RE: PERMIT NO. 85-07633

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1999.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

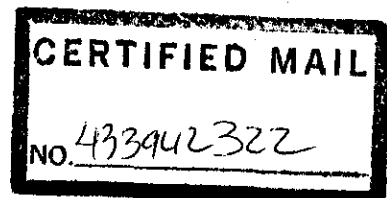
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

MICROFILMED
SEP 3 11 1999





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 2, 1996

JOHN R HAGEN
POLLY S HAGEN
RT 2 BOX 463
KAMIAH ID 83536

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07633

Dear Permit Holder:

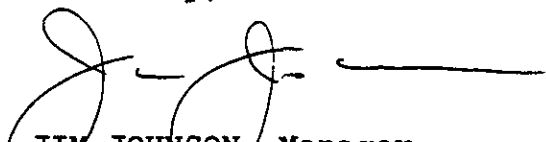
Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "Conditions of Approval and Remarks" listing on the permit.

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.

Please note that a separate stream channel alteration permit must be obtained from the IDWR prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed at least sixty days prior to the commencement of work in the stream.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

MICROFILMED
NOV 07 1996

WR0749NP
No. P85-07633

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/28/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN R HAGEN	04/25/1996	IRRIGATION	03/15 11/30	0.040 CFS	
C	POLLY S HAGEN RT 2 BOX 463 KAMIAH ID 83536 (208) 935-0603		COMMERCIAL	03/15 05/31	0.450 CFS	
TOTAL DIVERSION:					0.450 CFS	

Water Source: LAWYER CREEK

Tributary to: CLEARWATER RIVER

Stage: PERMIT

Point(s) of Diversion: T33N R03E S12 Lot 10(SWNW)

LEWIS 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	Lt	Ac	Lt	Ac	:	---
33N	03E	12	:					:					:					:							:	3.0
TOTAL ACRES																							3.0			

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

Pou County: LEWIS

Other Water Rights with Same Point(s) of Diversion and Source:

85-02125 85-07178 85-07468 85-07548 85-07633

Other Water Rights Listing Overlapping Place(s) of use:

85-07178 85-07468 P85-07629

Conditions of Approval:

- 26A - 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.
- 01M - After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- 057 - The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
- R19 - A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks: Commercial use is for frost protection.

WR0749NP
No. P85-07633

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/28/96
PAGE: 2

=====

Dates:	App. Received: 04/25/1996	Priority Date: 04/25/1996
	Proof Due Date: 07/01/1996	Proof Made Date:
	Exam Made Date:	Exam Sent to S.O.:
	Licensed Date:	

Misc: Water District Number: Field Exam Fee:

Comments: Date: 02/21/1996 User-ID: SCURTIS Subject: APPLICATION FILING

The Hagen's recently received a water right license for their original permit, No. 85-07548. Mrs. Hagen contacted the dept. after receiving the license, inquiring as to why the rate of diversion was only 0.02 cfs. I explained to her that it was limited due to the fact that 0.02 cfs was the maximum amount requested on the application for permit. After talking with her I determined that there had been some confusion on the applicants' parts when they filed the application; they were told by regional personnel that the maximum rate they could apply for was 0.02 cfs ("per acre" was probably stated, but was misinterpreted as a total). As indicated in the exam for 85-07548, the diversion system actually pumps 0.17 cfs. This application is being filed to pick up the additional rate being diverted, even though the license when issued will be limited to an annual volume of 9.0 af in combination with the first right.

Date: 04/30/1996 User-ID: DBALL Subject: DIVERSION DESCRIPTION
Pump, pipe and sprinklers.

Audit: 06/26/96 CZIMMERM 06/28/96 CZIMMERM

WR0749NP
No. 85-07548

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/28/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN R HAGEN	03/26/1990	IRRIGATION	03/15 11/15	0.020 CFS	9.00 AFA
C	POLLY S HAGEN					
TOTAL DIVERSION:					0.020 CFS	9.00 AFA

Water Source: LAWYER CREEK

Tributary to: CLEARWATER RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.170 CFS

Point(s) of Diversion: T33N R03E S12 SWNW LEWIS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
33N	03E	12	:					03										:	3.0
TOTAL ACRES																			3.0

Pou County: LEWIS

Conditions of Approval:

R29 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 3.0 afa per acre for the
- lands above.

Same P/D & P/U

Dates: App. Received: 03/26/1990 Priority Date: 03/26/1990
Proof Due Date: 06/01/1994 Proof Made Date: 05/24/1994
Exam Made Date: 06/26/1995 Exam Sent to S.O.: 01/25/1996
Licensed Date: 02/14/1996

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 05/22/1992 User-ID: VAULT Subject: Extension of Time Received
Extension of Time Received

Date: 06/07/1994 User-ID: VAULT Subject: Proof of Beneficial Use Rcvd
Proof of Beneficial Use Rcvd

Audit: 03/28/90 STYPA 05/15/90 CURTIS 05/18/90 CURTIS 05/22/92 COMMENTS
05/27/92 GUSTAFSO 06/07/94 JYARBROU 06/07/94 COMMENTS 01/24/96 ABEARDSL
02/09/96 BCHAPMAN

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
		Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
P8507633	T33N R03E S12 LAWYER CREEK							10-03										3
8502035	SPRING					I	I											
8502043	UNNAMED ST					02												2
8502125	LAWYER CRE							01										1
8502145	LAWYER CRE										09							9
A8502145	LAWYER CRE										09							9
8504005	GROUNDWATE				07													7
8504008	LAWYER CRE			02														2
8504099	LAWYER CRE							01										1
A8504099	LAWYER CRE							01										1
8507156	GROUNDWATE															01		1
A8507156	GROUNDWATE															01		1
R8507156	GROUNDWATE															01		1
8507178	LAWYER CRE							10-01										1
A8507178	LAWYER CRE							10-01										1
R8507178	LAWYER CRE							10-01										1
8507270	SPRING					06-04												4
A8507270	SPRING					06-08		11-04										12
R8507270	SPRING					06-04												4
8507331	GROUNDWATE	01																1
8507333	GROUNDWATE				02													2
8507465	GROUNDWATE				02													2
8507468	LAWYER CRE							10-0										
8507548	LAWYER CRE							03										3
8507629	CLEARWATER	04	06	04	08			01	02	01	04	04						34
P8507629	CLEARWATER	34???	36???	43???	44???			39???	41???	22???	24???	26???						13
8507633	LAWYER CRE							03										3
A8510407	LAWYER CRE							01										1
A8510514	LAWYER CRE							02										2
R8510514	LAWYER CRE							10-01										1
PLSS DATA	LEGAL LOOK	01			16	06	07	10		21				17	20			
PLSS DATA	LEGAL LOOK									22	23							
PLSS DATA	LEGAL LOOK										23							
PLSS DATA	LEGAL LOOK										24	25						
PLSS DATA	LEGAL LOOK											25						
PLSS DATA	LEGAL LOOK											26	27					
PLSS DATA	LEGAL LOOK						33						27					
PLSS DATA	LEGAL LOOK	34					33											
PLSS DATA	LEGAL LOOK	34	35															
PLSS DATA	LEGAL LOOK		35	42	43	37	38	39	40			48	45	46	49	51		

**APPLICATION FOR PERMIT
STATE OFFICE REVIEW**
by Cindy Zimmerman

No.: 85-7633 Name: Hagen Date: 6/25/96 Ad OK? ✓
Correct Fee? ✓ Receipt #: N010114 Priority: 4/25/96 ✓ Gvmt Lts: ✓

AREA OF CONCERN? not in habitat stream No/Yes S/C Mor GWMA Trust/Non-trust
PROTESTED: - 020(Protest Agr) or W19(See Final/Prelim Order)

SYSTEM COMPLETED:

Yes/proof filed - NA
1 year/no proof - P16
+1 year - 26A(P17)

GROUNDWATER: <✓ FLO-CH>

+ 0.2 cfs - 01M
=/- 0.2 cfs - No MD
=/+ 5 a. - 01M, 065(if GW use SW 1st)

Drilling Permit:

Existing well - NA (pre 7/1/87)
Included w/permit - Permit No. , P99
No WD permit? - 046-46B-P23 (post 7/1/87)
irr. in WD - P05 (new well)

SURFACE WATER <✓ FLO-CH>(Surface water that doesn't sink is regulated):

Water District(~~dem~~) - 005 (req) WD # <SEE MAP & LISTING>
+ 0.2 cfs - 01J(meas dev)-P08
=/- 0.2 cfs - 01H(lock dev)-P01 or No MD
~~In WD + 0.2 cfs~~ - 01M or No MD (in-stream)
~~- 0.2 cfs~~ - ~~No MD~~
=/+ 5 a. irr. - 01M

RIVER BASINS (*Surface water):

Snake R (01) - 11A-P04, NA
(02/03-irr) - 007-P07 (w/remark WB9-† Weiser), NA
Boise R (63) - 05A (if WD), 11E (not 42-111 use), NA
Payette R (65) - 064(regulated uses), 047-P04(Payette Lake), NA

USE:

Domestic (surface) - 021(Boise R † Star Bridge); 27A(Payette R); NA
Fish Propagation - 07A-042(rq)-010/06A/09E(WQ)-P10; 044(N 1000 Spr)
Irr <POU> =/- 5 a - 057 (0.03 cfs/A)
+ 5 a - 03A (0.02 cfs/A)
Mining - 054 (req) & 06A/010/09E-P10
Power - 08A-17K-025-027-01M-01F(P19)-09E(P10);
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

LOCATION:

Boise Front LoGeo - 058 (-85° GW temp only)
In-stream dev. - (P52)(stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Swan Falls Flag - <SEE CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non-Trust <1> - 048-049 (Consumptive Uses), NA

OWNERSHIP: Non-land owner

OTHER CONDITIONS:

STANDARD REMARKS:

R19
Commercial use / frost protection

BENEFICIAL USE DUE:

COMMENTS:

7-1- P99

No. a
4/87-06/92n

DEPARTMENT OF WATER RESOURCE
APPLICATION ANALYSIS SHEET

WR
WRA
BC

APPLICATION # 85-7633

***** INITIAL REVIEW *****

APPLICANT: POLLY HAGIN BY: AS DATE: 4/25/96

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
13. (X) Map
(X) Signature
(X) Fee (Amt, recpt, acknowledgment)

*** 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 # _____

***** GROUNDWATER SECTION *****

(Yes) (No)

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

Checked by: _____ Date: ____/____/____

Remarks: _____

***** 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 AS
Protests received. Final protest date: 6/08/96
Measuring device required totalizing meter
Measuring port required _____
Special conditions: _____
Special conditions of approval supplement attached: _____

Approval Recommended by: AS

RECEIVED
JUN 24 1996

Date: 6/4/96

Department of Water Resources

NOTICE OF APPLICATION
FOR WATER RIGHT

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

84-07293

STEPHENS, ROBERT
WILFONG, JERRY
WILFONG, CORA
1409 LINDEN AVENUE
LEWISTON, ID 83501

Source: SPRING

Tributary: WINTERS CREEK
Diversion Pt: NWSESE Sec 22 T
36N R 04E in CLEARWATER
County.

Use: STOCKWATER (0.010 CFS)
DOMESTIC (0.040 CFS)
Total Diversion: (0.050 CFS)

Date Filed: 4/30/1996

In: CLEARWATER County
T36N R04E S22 SESE

85-07633

HAGEN, JOHN R
HAGEN, POLLY S
RT 2 BOX 463
KAMIAH, ID 83536

Source: LAWYER CREEK
Tributary: CLEARWATER RIVER
Diversion Pt: SWNW Sec 12 T
33N R 03E in LEWIS County.

Use: IRRIGATION (0.040 CFS)
IRRIGATION (0.450 CFS)
Total Diversion: (0.450 CFS)

Date Filed: 4/25/1996

In: LEWIS County
T33N R03E S12 SWNW
3.0 ACRES TOTAL

For additional information
concerning 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
83814, together with a protest fee of
\$25.00 on or before JUNE 3, 1996.

KARL J. DREHER, Director
Published: 5/15/1996 & 5/22/1996

2TC 5-15,22

AFFIDAVIT OF PUBLICATION

Sandra Daeges being first duly sworn, says he/she
is the Secretary of the CLEARWATER
PROGRESS, a weekly newspaper which is published and issued
weekly at Kamiah, Lewis County, State of Idaho, and which is of
general circulation in said county and state; that the said
notice, of which the one hereto attached is a true copy, was
published in said paper for Two weeks, being published 2 times,
the first publication being on the 15th day of May
19 96; and the last publication on the 22nd day of May
19 96; and that the said notice was published in the newspaper
proper and not in a supplement; that said newspaper has been
continuously and uninterruptedly published in said county
during a period of more than seventy-eight consecutive weeks prior
to the first publication of said notice or advertisement.

Sandra Daeges

Subscribed and sworn to before me this 24th day of May
19 96.

Mary Brader
Notary Public, for the State of Idaho,
residing at Kamiah, Idaho.

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MAY 30 1996

NOTARY
IDWA

85-07633

HAGEN, JOHN R
HAGEN, POLLY S
RT 2 BOX 463
KAMIAH, ID 83536

Source: LAWYER CREEK

Tributary: CLEARWATER RIVER

Diversion Pt: SWNW Sec 12 T 33N R 03E in LEWIS County.

Use: IRRIGATION	(	0.040 CFS)
IRRIGATION	(	0.450 CFS)
Total Diversion:	(	0.450 CFS)

Date Filed: 4/25/1996

In: LEWIS County
T33N R03E S12 SWNW

3.0 ACRES TOTAL

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NOV 07 1996

May 8, 1996

John R & Polly S Hagen
Route 2 Box 463
Kamiah ID 83536

Re: Water Appropriation Application No. 85-07633

Dear Mr. and Mrs. Hagen:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit 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 number in all future matters concerning this water right application.

Your appropriation application is 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 \$35.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. It is possible to upgrade a Domestic Drilling Permit by submitting an additional \$165.00. These Permits can be obtained by your driller, also.

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

Sincerely,

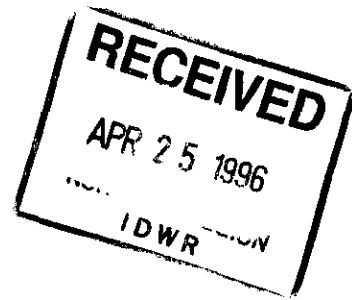
ALLEN BEARDSLEE
Senior Water Resources Agent

AB:db

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NOV 07 1996

Rt. 2 Box 463
Kamiah, ID 83536
April 24, 1996



Mr. Al Beardslee
Idaho Department of Water Resources
1910 NW Boulevard, Suite 210
Coeur d'Alene, ID 83814

Dear Al:

Enclosed is my husband's and my Application for Permit for a Water Right License, a map of our proposed point of diversion and place of use, a check for the amount of \$50.00, and supporting documents to justify an increased pumping rate of 0.45 CFS from March 15 through May 31 provided to us by the Lewis County Extension Office. Also enclosed are copies of letters from us to the Idaho Fish and Game seeking special consideration for both the increased pumping rate of .45 CFS from March 15 through May 31 and .04 CFS from March 15 through November 30, and their reply.

If you have any questions or need additional information, please let me know. Thank you again for your help with this matter.

Sincerely,


Polly Hagen

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MEMORANDUM

DATE: April 26, 1996

FROM: Allen Beardslee

TO: 85-07633

RE: Conditions of Approval

~~~~~

This filing when combined with License Number 85-07548 should not exceed a total of 0.06 CFS, except for emergency frost conditions, where a total of 0.45 CFS may be diverted from 3/15 - 5/31. The total diversion of both of these rights should have a total annual volume of 9.0 AF. Also, a totalizing meter should be installed on the diverting works.

See letter dated 4/19/96, granting special consideration from Idaho State Fish and Game to approve this filing prior to the lifting of the Moratorium on the Clearwater River and it's tributaries.

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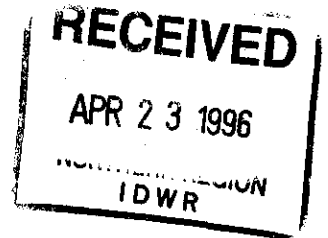


**IDAHO FISH & GAME**

CLEARWATER REGION  
1540 Warner Avenue  
Lewiston, Idaho 83501-5699

Philip E. Batt / Governor  
Jerry M. Conley / Director

April 19, 1996



Al Beardsley  
Idaho Department of Water Resources  
1910 NW Boulevard Suite 210  
Coeur d'Alene ID 83814

Dear Al:

We have reviewed Ms Polly Hagen's request for water right filing on Lawyers Creek. We do not foresee an environmental problem with granting a diversion rate of .02 cfs per acre (.06 cfs) during the period of time March 15 through November 30 as long as the volume used does not exceed 9-acre feet annually.

Additionally, we foresee no problem with the permittee's request to increase the diversion rate to .15 cfs/acre (.45 cfs) for frost control during the period March 15-May 31. The consumptive value of 9-acre feet must not be exceeded. We recommend the permittee install a totalizing meter in the irrigation system to aid in monitoring the annual consumptive amount.

Thank you for the opportunity to comment.

Sincerely,

Herbert A. Pollard II  
Regional Supervisor

GAP/ES/GS/cae  
c: NRPB, Polly Hagen, Rt. 2 Box 463, Kamiah, ID 83536

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NOV 07 1996

Rt. 2 Box 463  
Kamiah, ID 83536  
March 29, 1996

Mr. Ed Schriever  
Idaho Dept. of Fish & Game  
1540 Warner  
Lewiston, ID 83501

*Copy*

Dear Mr. Schriever:

My husband and I filed for and received a Water Right License, Number 85-07548, from IDWR to irrigate our 3 acre orchard with a total diversion rate of 0.02 CFS. An error was made due to our misunderstanding of the unit (Cubic Feet Per Second), subsequently, we under filed for the amount of water we actually need. The rate should have included 0.02 CFS per acre, for a total of 0.06 CFS. We wish to refile for the additional 0.04 CFS to cover our irrigation requirements from March 15 to November 30, annually. We are not seeking an additional volume of water.

In addition, we wish to include on this new filing, a rate of 0.15 CFS per acre (total 0.45 CFS) for frost control. This rate is needed to prevent frost damage to our trees during the spring and would only occur from March 15 through May 31, as needed. We can provide additional information to you as to why this higher rate is needed, if necessary.

Because this new filing will be subject to the Clearwater River Moratorium, we seek special consideration from the Idaho Fish and Game Department to allow this filing to be processed based on the following:

- other than the frost control diversion rate, we are not requesting an additional increase in annual volume.
- the frost control will occur in what is normally high flow months for Lawyer Creek.
- the use of water from Lawyer Creek is necessary to operate our family orchard and garden.

Thank you for your help in this matter. I'm looking forward to hearing from you.

Sincerely,

*Polly Hagen*  
Polly Hagen,  
(208) 935-0603

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NOV 8 7 1996

is rated at the propeller. It is generally required that 10 horsepower be supplied per acre (0.4 hectare) covered for single-motored models.

Grower testimony has revealed that they prefer the motor on the ground for easy access to service.

The standard overtree wind machines found in the western states have an effective radius of approximately 300 to 400 feet (91 to 122

meters)—depending on the machine's horsepower. The natural air drift over the orchard will shorten the up-wind side and lengthen the down-wind reach. Effective turbulence with wind machines rarely extends beyond 500 feet (152 meters). Overtree wind machines should not be designed to blow heat from the fan. Warm air is buoyant and results in shortening the radius reach of the fan.

## SPRINKLING FOR CONTROL OF FROST

Sprinkling for protection against frost involves three different concepts: (1) Overtree sprinkling for bloom delay up to a certain stage of development and then changing over to (2) overtree sprinkling during the frost to prevent injury or (3) using undertree sprinkling during the frost to prevent injury. Most growers using sprinklers for frost protection are relying only upon the application of water during the critical hours of frost.

Each of these techniques requires exacting details in the design and operation of the systems.

The bloom delay technique is simply one of cooling the trees with overtree sprinkling in the late winter and early spring. This technique, still in research-development stages, has several problems and, for many fruit growers, may not be an acceptable method.

For complete description of the bloom delay technique, see EM 4113, "Temperature Modification by Irrigation."

Many growers are using overtree sprinkling for irrigation, heat suppression, insect and mite suppression, and application of chemicals. As the energy crisis challenges the fuel-burning heating systems, we find growers adopting the overtree sprinkling method for frost control.

The problem with high salts in irrigation water and the fear of potential sprinkler-oriented diseases (Fire Blight, Coryneum Blight, and Scab) have increased interest in undertree sprinkling and the consideration of its use in frost control.

The physical concept of overtree and undertree sprinkling is different, and will be discussed separately.

### OVERTREE SPRINKLING

The technique of fighting frost with overtree sprinkling has been tested in nearly every major fruit district in the world. This experience has proven it to be very exacting but practical. There are complications in this technique which account for a greater risk compared to heat application methods. On the other hand, overtree sprinkling has some distinct advantages.

Enthusiastic supporters for this method agree that the operational costs are lower than with other methods of fruit protection. In addition, it is convenient and clean.

The sprinkling approach to frost protection makes use of a very important physical property of water. When water cools, it gives up a fixed amount of heat for each degree of temperature loss.

One BTU of heat is removed from each pound of water as it cools for each degree of Fahrenheit reduction. (One kilo calorie of heat is removed from each kilogram of water as it cools for each degree of Celsius reduction.)

This heat is given up until the temperature of the water reaches 32°F. (0°C.). It then gives off 144 BTU's of heat per pound (79 kilo calories per kilogram) of water as it turns to ice. This heat energy, called "latent heat of fusion," is available to prevent the plant tissue from going below 31.5°F. (-0.5° C.).

As long as the film of water is maintained by continuous application, the temperature of the plant tissue will remain at or above 31.5°F. (-0.5°C.), even though a layer of ice is steadily being formed. If the water source fails, the ice and plant parts can become colder than the surrounding air because of evaporative cooling. The ice is a very poor insulator.

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Two very important aspects of this method of preventing freeze injury need emphasis. First, the water film must be maintained **continuously** as long as the temperatures are low enough to freeze ice or until the ice starts to melt rapidly. Secondly, inadequate application rates or poor distribution can result in a build up of ice. Under long periods of freezing, this can result in excessive weight which must be supported by the tree.

This method only prevents the temperature of the protected flowers and fruit from falling below 31.5°F. (-0.5°C.), which is above the critical temperature of most plant tissues. It does not warm the plant parts, nor does it appreciably raise the air temperature. Therefore, its efficiency cannot be measured by air temperature.

#### **Water Supply**

Since it is not economically feasible to engineer a flexible-rate sprinkling system, the minimum application rate for protection down to 20°F. (-6.6°C.) is **0.15 to 0.20 inches (0.37 to 0.5 centimeters) per hour**, depending on the average dewpoint and wind speed.

Growers experimenting with this technique have shown that an application rate of 0.15 inches (0.37 centimeters) per hour will protect deciduous fruit tree blossoms to 20°F. (-6.6°C.) with a low dewpoint.

This is one of the most important limiting factors of overtree sprinkling as a frost-prevention technique. It should be pointed out that all economically justified heating systems begin to fail at temperatures below 20°F. (-6.6°C.) when accompanied by low dewpoints and wind.

The likelihood of overweighting the trees with ice under these severe conditions is such as to do serious permanent damage to the trees. Weather records, however, show that such severe conditions occur only about once every 10 years during the pre-bloom and bloom season in central Washington.

The higher suggested rate of 0.20 inches (0.5 centimeters) per hour may be used for the upwind side of the orchard where more evaporative cooling occurs.

The application rate of **0.15 inches (0.37 centimeters) per hour** requires **67.3 gallons per acre (630 1/2 hectare) per minute** or **4,038 gallons per acre (37,751 1/2 hectare) per hour**. It accumu-

lates 1.5 inches (3.75 centimeters) of water during a 10-hour run.

The supply of water should be adequate to permit continuous operation for several successive nights, each as long as 10 hours in duration. Arctic cold air masses have been known to give Washington growers three successive long nights of orchard heating.

Where irrigation water has not been turned into canals when needed for frost protection, special wells and perhaps holding ponds may be required.

#### **Equipment**

The installation of an overhead sprinkling system for frost prevention should be carefully engineered to give an **even** distribution of water over the trees.

A system may be engineered for overtree irrigation and be totally inadequate for adaptation to frost-injury prevention. Turning the entire system on at one time for frost control requires a larger mainline pipe, pump, and motor capacity than turning on a smaller section used in the irrigation rotation.

Growers contemplating installation of overtree sprinkling should contact reliable dealers or consultants with ability to assist in the engineering layout.

The sprinkler heads should rotate at least one revolution per minute to assure a water film over plant tissue (and ice) at all times. Slower rotation may permit all the water film to freeze. Once the surface of the ice becomes dry, the plant tissue inside may freeze to temperatures **below** the dry bulb air temperature.

The sprinkler heads should be constructed in a manner that prevents ice build-up around the activator spring. Some growers have experienced ice build-up to the point where the lever action of the head is retarded. This can result in complete stoppage of the revolving head. Some manufacturers have constructed special sprinkler heads for frost prevention.

The pumps must be capable of operating continuously and satisfactorily at temperatures far below freezing. A breakdown could cause the loss of the entire crop of fruit.

#### **Sprinkler Spacing**

The site to be protected will dictate the spacing according to the wind velocity and di-

EXTENSION AGRICULTURAL AG.

LEWIS COUNTY

NEZPERCE, IDAHO 83543

EXTENSION AGRICULTURAL AGENT

LEWIS COUNTY

NEZPERCE, IDAHO 83543

LEWIS COUNTY CLIMATE

The climate of Lewis County is mostly decided by a west to east zonal flow. Moisture laden air from the Pacific Ocean rises as it moves over the mountains. Precipitation and temperature patterns in the county correspond closely with elevation changes as clouds ascend and descend across the topography. Highest mean annual temperatures occur along the river valleys. Kamiah has a mean average temperature of 52 degrees F. Mean average temperatures on the prairie are about 46 degrees F. Mean minimum temperature on the prairie is about 16 degrees F. Mean maximum temperatures range from about 90 degrees F. in the valleys to 80 degrees F. in the highest locations. Mean maximum temperature for July at Nezperce is about 83 degrees F.

Average number of days without frost follows in Table 1, showing freeze dates for various freezing temperatures.

Table 1 - Freeze Data, Nezperce

| Freezing Temperature | Approximate Date | Approximate Date | Approximate Number of Days |
|----------------------|------------------|------------------|----------------------------|
| 32                   | May 29           | September 19     | 183                        |
| 24                   | April 15         | November 1       | 218                        |
| 16                   | March 7          | November 25      | 262                        |

Longer growing seasons, up to 180 days without a killing frost, are found in canyon locations such as Kamiah.

| Freezing Temperature | Approximate Date | Approximate Date | Approximate Number of Days |
|----------------------|------------------|------------------|----------------------------|
| 32                   | May 2            | October 8        | 159                        |
| 24                   | Mar 16           | November 13      | 247                        |
| 16                   | February 9       | December 10      | 302                        |

Precipitation patterns across Lewis County are not as closely correlated with elevation as are temperatures. Most of the prairie locations average about 20 to 22 inches of

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precipitation annually. Precipitation at valley locations may be slightly less than prairie amounts.

Precipitation is heaviest in winter and spring with about two to four inches recieved each month. While October and November can have significant amounts of participation, the growing season is usually quite dry. Precipitation that does fall during the growing season is recieved in the form of thunderstorms. Thunderstorms are often destructive, with hail and lightning fires serious risks. Rain events during thunderstorms often deliver large amounts of rain in a very short time. This can result in soil erosion and run-off of needed moisture.

Winter precipitation is frequently in the form of snow. Across the Camas Prairie, small to moderate amounts of snow cover the ground for most of the winter. This is important to protect the winter wheat crop from very cold temperatures in January and February. Snow also falls in the river valleys, but will usually melt off in a short period of time.

EXTENSION AGRICULTURAL AGENT  
LEWIS COUNTY  
NEZPERCE, IDAHO 83543

EXTENSION AGRICULTURAL AGENT  
LEWIS COUNTY  
NEZPERCE, IDAHO 83543

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