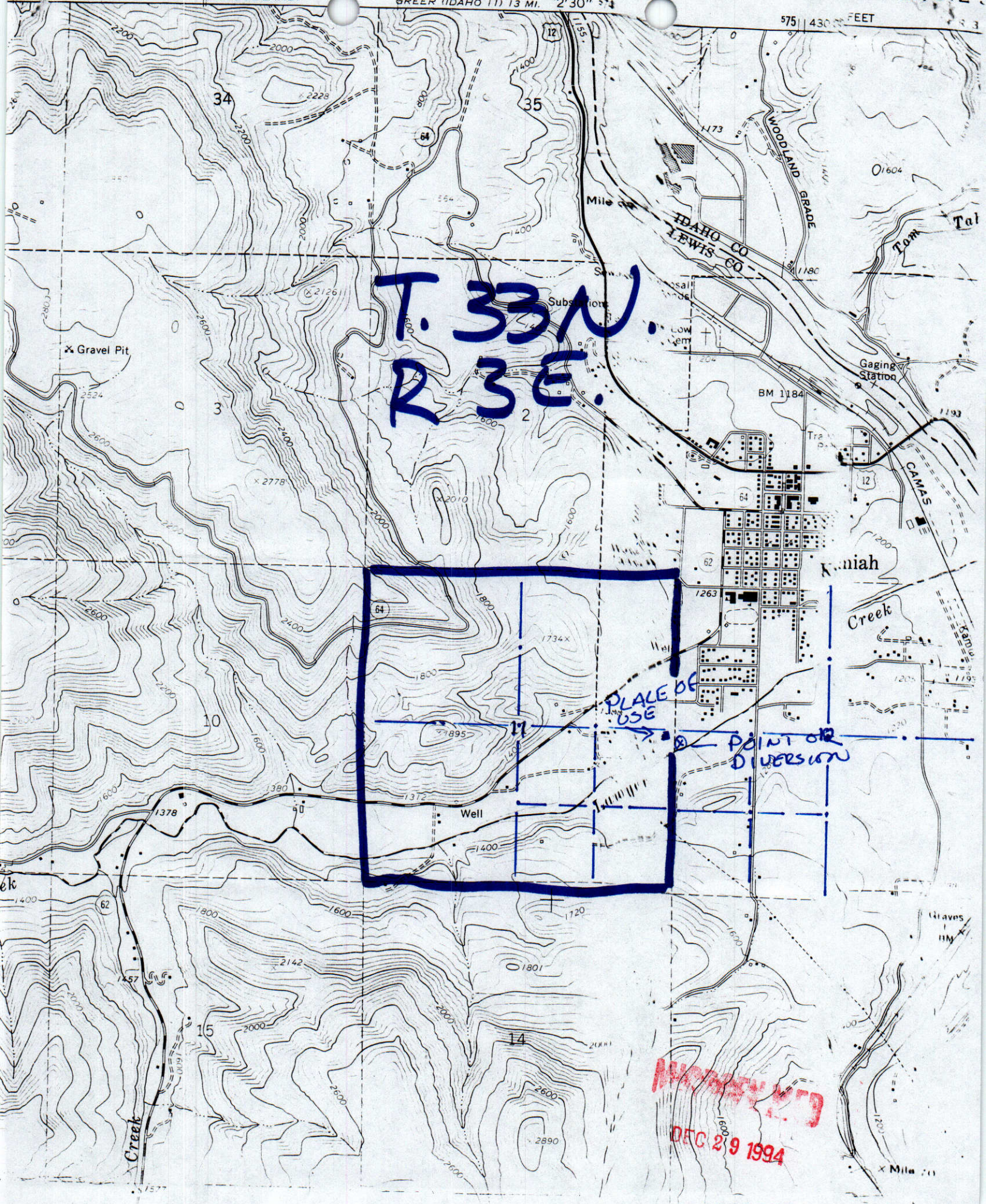




T. 33N.
R. 3E.

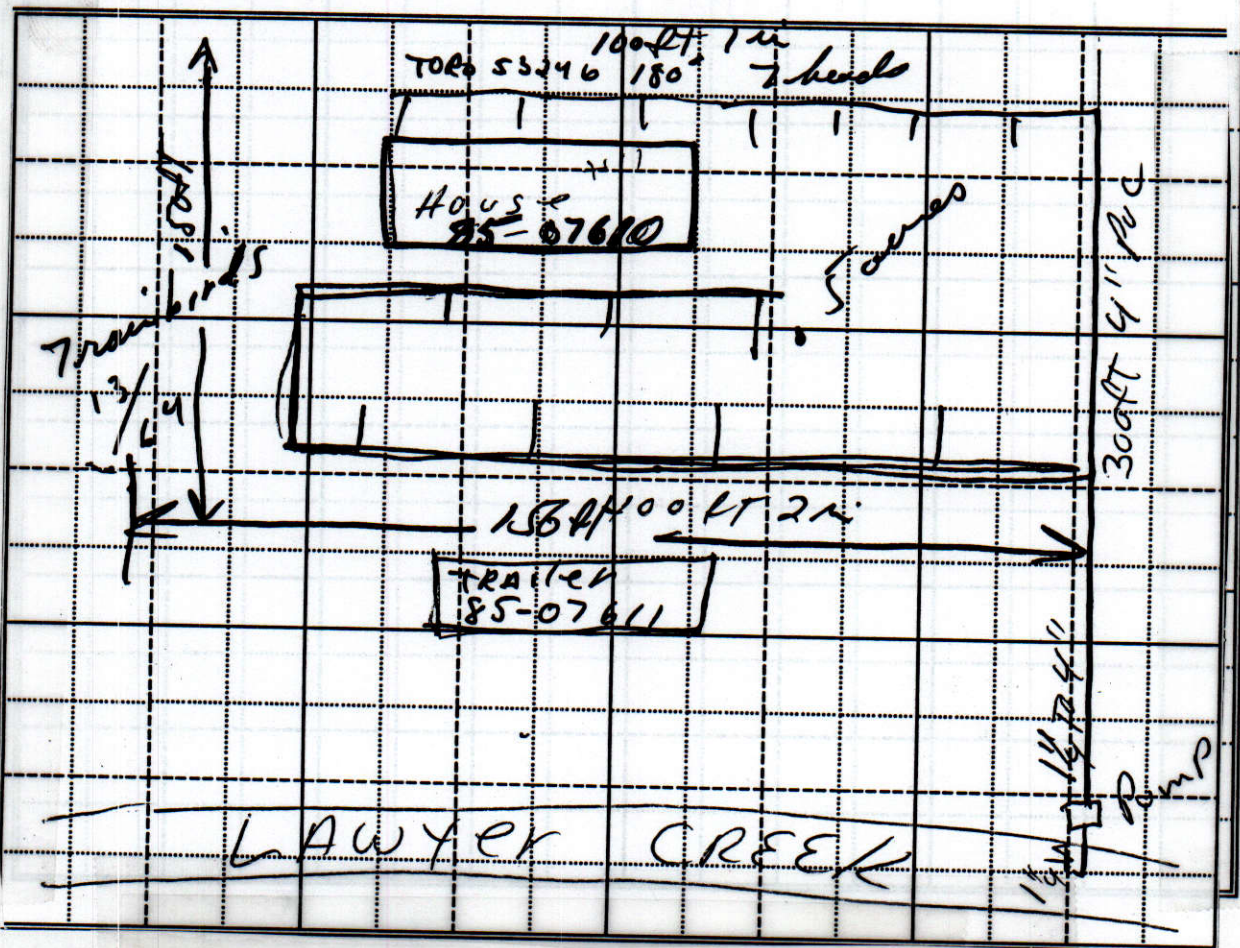
PLACE OF
USE
POINT OF
DIVERSION

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3. [

ite weir

Delivery System Diagram: Indicate all major components and distances between components. Indicate pipe/ditch size/pipe I.D. as applicable.



Scale: 1" =

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Balch	5	JWL1409T	JACO 221	93127931R083

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

D. FLOW MEASUREMENTS

1.

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

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KAMIAH QUADRANGLE
IDAHO
7.5 MINUTE SERIES (TOPOGRAPHIC)

2876 IV SW
(WEIPPE SOUTH)

OROFINO 24 MI.
GREER (IDAHO 11) 13 MI.

575 430 000 FEET

R.3 E. R.4 E.

116°00' 46°15'

1 670 000
FEET

5121
T. 34 N.
T. 33 N.

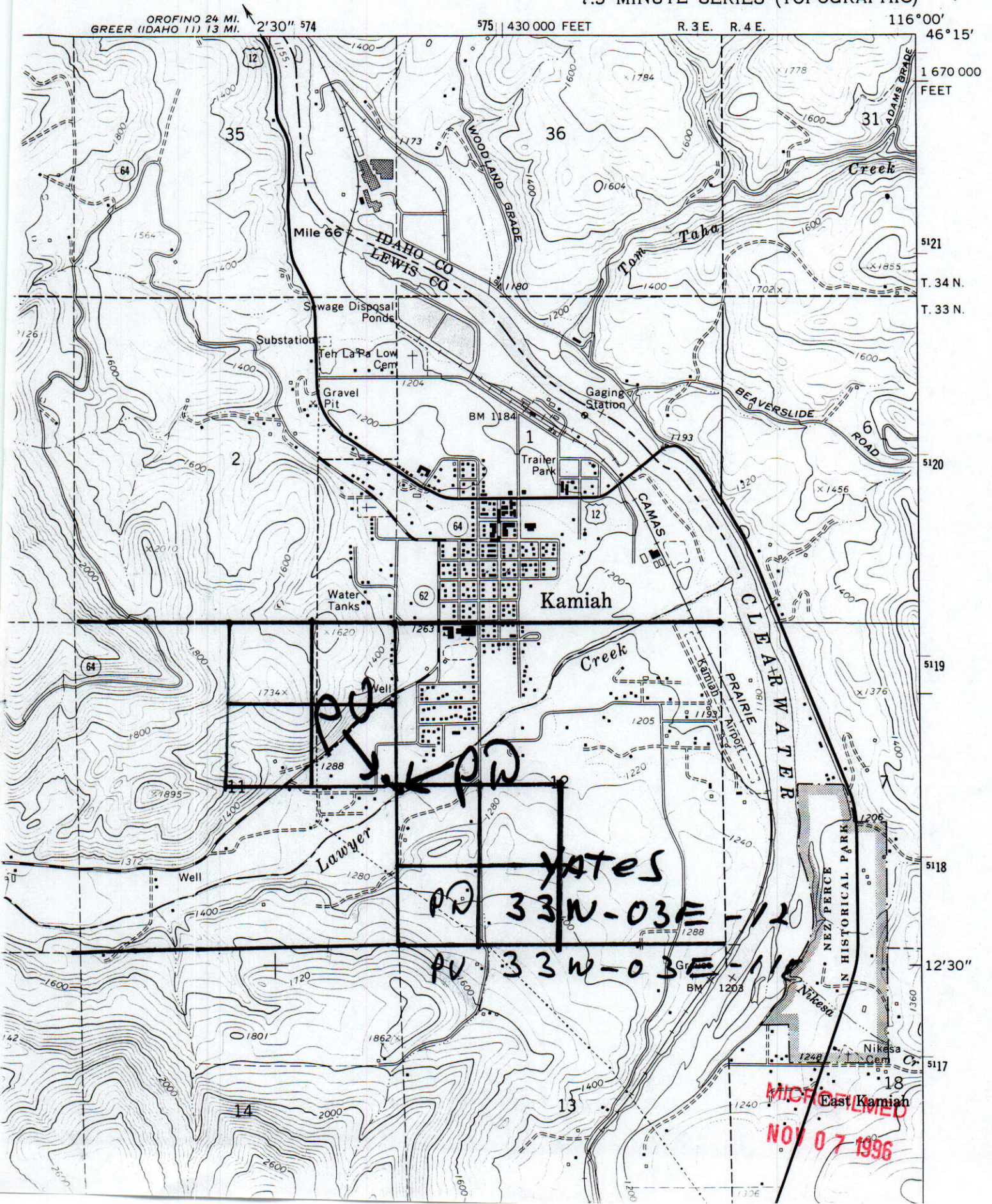
5120

5119

5118

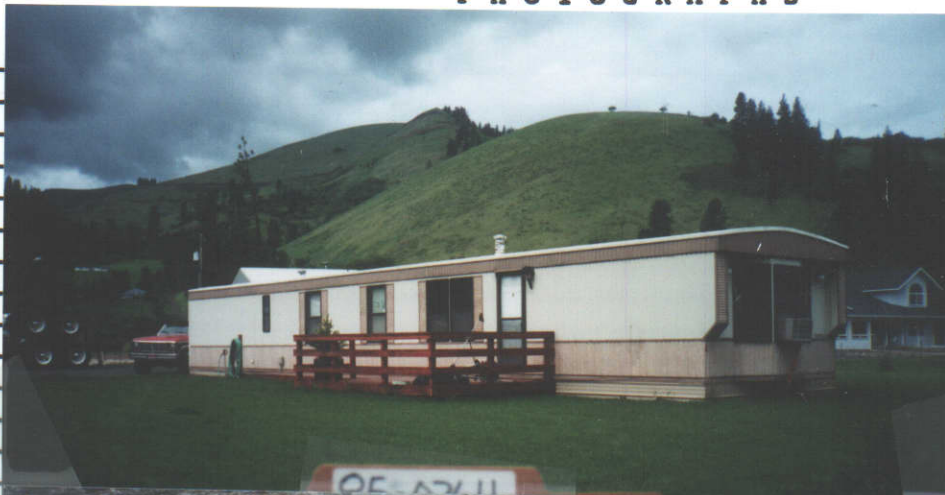
12°30"

5117



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS



PV



PD



PJ
stock

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AFFIDAVIT OF PUBLICATION

Mary Bruder being first duly sworn, says he/she is the Office Manager 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 16th day of November, 19 94; and the last publication on the 23rd day of November, 19 94; 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.

Subscribed and sworn to before me this 25th day of November, 19 94.

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

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER RIGHT

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

85-07610

YATES, DELBERT
YATES, BARBARA
RT 2 BOX 402
KAMIAH, ID 83536

Source: LAWYER CREEK
Tributary: CLEARWATER RIVER

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

Use: STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.060 CFS)

Date Filed: 10/27/1994

In: LEWIS County
T33N R03E S11 SENE

85-07611

YATES, DELBERT
YATES, BARBARA
RT 2 BOX 402
KAMIAH, ID 83536

Source: LAWYER CREEK
Tributary: CLEARWATER RIVER

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

Use: STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.060 CFS)

Date Filed: 10/27/1994

In: LEWIS County
T33N R03E S11 SENE

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 DECEMBER 5, 1994.

R. KEITH HIGGINSON, Director
Published: 11/16/1994 & 11/23/1994
2TC 11-16,23

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DEC 29 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07611

Priority: October 27, 1994

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.0 AF

This is to certify, that BARBARA YATES
DELBERT YATES

RT 2 BOX 402

KAMIAH ID 83536

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 27, 1994; and has submitted Proof of Beneficial Use on October 30, 1995. An examination indicates that the works have a diversion capacity of 0.220 cfs of water from:

LAWYER CREEK

tributary to CLEARWATER RIVER

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.02 CFS	0.4 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.04 CFS	1.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 24(NWSW), Sec. 12, Township 33N, Range 03E
LEWIS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

33N 03E 11 Lot 2(SENE)

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

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

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NOV 3 1995

IDWR

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NOV 02 1995

FOR OFFICE USE ONLY

Amt. of Fee \$: 50.00

Receipt No. N009643

Receipt By: cb

Date Received: 10/30/95

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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. 85-07611 Telephone No. 208/935-2726
2. Name(s) of Permit Holder(s): Delbert Yates + Barbara Yates
3. Mailing Address: Rt. 2 Box 402 - Kamiah, Idaho 83536
4. Source of Water: Lamyer Creek If GROUNDWATER (well), Date Drilled: mo. / yr.
- a. Well Driller: Drilling Permit Number:
- b. **OPTIONAL:** approx.
Pump Horsepower: 5 H.p. Pressure (psi): 30 Dynamic pumping level (ft):
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): 25 - Range Cattle and 5 horses
Irrigation (No. of acres): Other:
6. Total rate of diversion and/or volume for which proof is submitted: 0.06 cfs OR 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 <u> </u> | or | No <u>✓</u> |
| | Has the measuring device been installed? | Yes <u> </u> | or | No <u>✓</u> |
| Flow Measurement Port: | Is a flow measurement port required? | Yes <u> </u> | or | No <u>✓</u> |
| | Has the measurement port been installed? | Yes <u> </u> | or | No <u>✓</u> |
8. Fee Enclosed: \$ 50.00 (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: Delbert Yates Telephone Number: 208/935-2726
Address: Rt. 2 Box 402 - 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: Delbert Yates

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

Date: 10-9-95

FEB 26 1996

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 85-07611

Proposed Priority: October 27, 1994

Maximum Diversion Rate:

0.06 CFS

This is to certify, that DELBERT YATES
BARBARA YATES
RT 2 BOX 402
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>
STOCKWATER	01/01 to 12/31	0.02 CFS
DOMESTIC	01/01 to 12/31	0.04 CFS
	Totals	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 12, Township 33N, Range 03E
LEWIS County

PLACE OF USE: STOCKWATER

TWN RGE SEC

33N 03E 11

SENE

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1996.
2. Subject to all prior water rights.
3. A separate stream alteration permit from the IDWR is required for any activity in the stream channel other than construction and/or maintenance of the diversion structure. If the proposed construction or operation involves construction of an outfall or any other work in the stream channel other than a water diversion, the right holder contact the Department and obtain a Stream Channel Alteration permit prior to the start of construction.
4. Stockwater use is for 25 range cattle and 5 horses.
5. Domestic use is for 1 home.

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

27th day of December, 1994.


R. Keith Higginson, Director

DEC 29 1994

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DEC 15 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 85-07611

Department of Water Resources To appropriate the public waters of the State of Idaho

1. Name of applicant Delbert or Barbara Yates Phone (208) 935-2726
Post office address Rt 2 Box 402 Kamiah, ID 83536
2. Source of water supply Lawyer Creek which is a tributary of Clearwater River
3. Location of point of diversion is 1/4 of NW 3E 1/4 of SW 3E 1/4, Govt. Lot _____
Sec. 12 Township 33N Range 3E B.M. Lewis County; additional
points of diversion if any: ~~SW 3E 12-31-36~~, ~~SW 3E 12-31-36~~, ~~SW 3E 12-31-36~~
4. Water will be used for the following purposes:
Amount .04 ⁴³ for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 ⁴⁴ for Stockwater purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.06 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. 5 HP pump in creek with 2.0" intake pipe and 1" outlet pipe to 300 gallon watering trough and sprinklers
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year).

DEC 29 1994

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. 25 cattle 5 horses
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 1 Home
- e. Other; describe fully. _____

9. Description of place of use:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
33N	3E	11				D/s													
		~~11~~																	

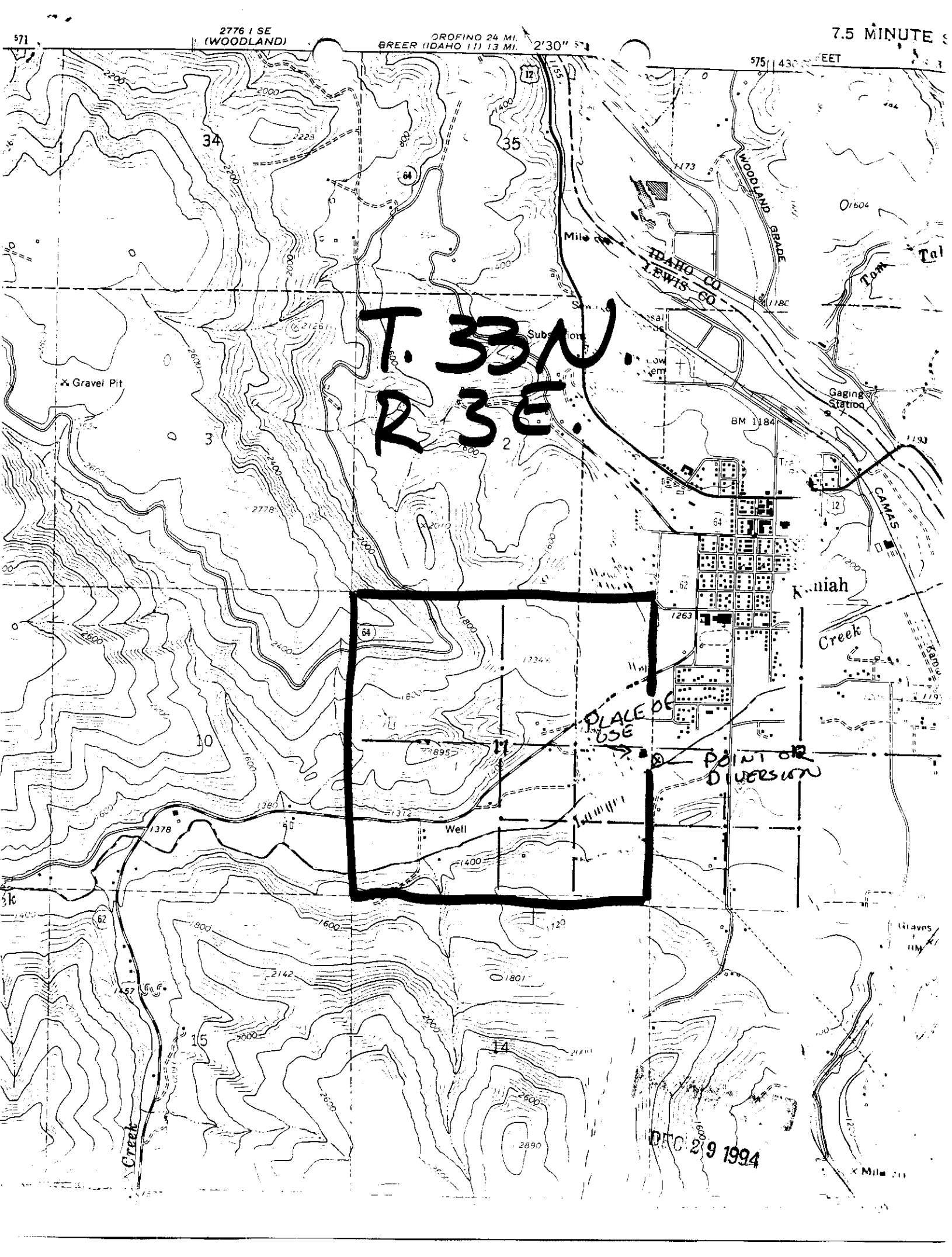
Total number of acres to be irrigated _____

10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? Delbert + Barbara Yates
- b. Who owns the land to be irrigated or place of use? Delbert + Barbara Yates
- 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: _____

DEC 29 1994



T. 33N
R. 3E.

PLACE OF
USE
POINT OF
DIVERSION

DEC 29 1994

This image shows a full page of graph paper with a uniform grid of squares. In the lower right quadrant, there is a dark, rectangular ink stamp. The stamp contains two lines of text: the top line reads "RECEIVED" and the bottom line reads "DEC 29 1994". The rest of the page is empty except for the grid lines.

x Robert Yates
(Applicant)

Received by AS Date 10/27/94 Time 9:45 Preliminary check by AS
Fee \$ \$25.00/1.00 Receipted by AS # CO31365 Date 10/27/94
Publication prepared by db Date 11/9/94 Published in Clearwater Progress 11/16-23/94
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

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DEC 29 1994



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

October 23, 1996

DELBERT YATES
BARBARA YATES
RT 2 BOX 402
KAMIAH ID 83536

RE: WATER RIGHT NOS. 85-07610 AND 85-07611

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits. If you have any questions, please contact me within 10 days of receipt of these licenses.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:ph

Enclosure

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NOV 07 1996

MEMORANDUM

TO: File 85-07611

FROM: Sharla

DATE: October 21, 1996

RE: Recommendation Adjustment(s)

The final license recommendations for Right 85-07611 are based on the following:

C. DIVERSION AND DELIVERY SYSTEM

2. Place(s) of Use:

SENE, S11, T33N, R3E

H. RECOMMENDATIONS

1. Recommended Amounts

Stockwater	1/1 - 12/31	0.02 cfs	0.4 afa
Domestic	1/1 - 12/31	0.02 cfs	0.6 af

The place of use is the same as 85-07610; the map attached to the exam indicates the place of use in the SENE.

The examiner recommends a volume of 0.6 af (outside use only). The rate of diversion for domestic use has been reduced accordingly.

This right and 85-07610 are being licensed at the same time for the same diversion system. Each license is for the irrigation of lawn/garden associated with one home; photos show the two homes involved and their corresponding lawn areas.

Examiner: Wayne Baldwin

Exam date: July 16, 1996

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OCT 27 1996

LICENSE REVIEW CHECKLIST

PERMIT NO. 85-07611

DATE 10/21/96

REVIEWER: S H A R L A

NAME Change OK Address Change NO
 SOURCE Change ✓ Is change clarification of originally intended source? ✓
 If not, prepare Notice of Intent to Void
 POINT OF DIV Change ✓ Amendment required NO
 PLACE OF USE Change ✓ Amendment required NO

Does map agree with written description? yes NO P/U = SENE, NOT SENW

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .06 cfs
 Fee limit .20 cfs \$50.00
 Measured .22 cfs
 Theoretical .22 cfs

Recommended Total Div Rate .04 cfs

ANNUAL VOLUME/ NATURE OF USES

✓ Use
Dom .02 Volume Calculation
Stock .02 .6 af
 .4 af
 af
 af
 SUBTOTAL 1.0 af

Flow rate .04 cfs X 365 days X 1.98 = 29.0 af
 Total volume recommended 1.0 af
 (SUBTOTAL or Flow Rate, whichever is less)

REMARKS

1) lawn & garden watering -
W36(85-07611)

CONDITIONS

Watermaster Control WD#
GW Measurement/Measuring Device
Overlap
Use-specific conditions

Advancement of Priority Date Required yes ✓ no

SRBA Claim Filed N/A
 Adjustment Memo Rate dom.

1st Amend Letter N/A
 2nd Amend Letter

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 15 1996

Department of Water Resources

Permit No. 85-07611

A. GENERAL INFORMATION

1. Owner: Delbert & Barbara Yates Phone No. (208) 935-2726

Current Address: RT 2 Box 402 Laramie Idaho 83536

2. Accompanied by: Delbert Yates EXAM DATE: 07-16-96

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: Lawyer Creek tributary to Clearwater River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	SW	12	33N	03E	LEWIS	U.S. G.S. 7.5 min Quad

2. Place(s) of Use:

Indicate Method of Determination

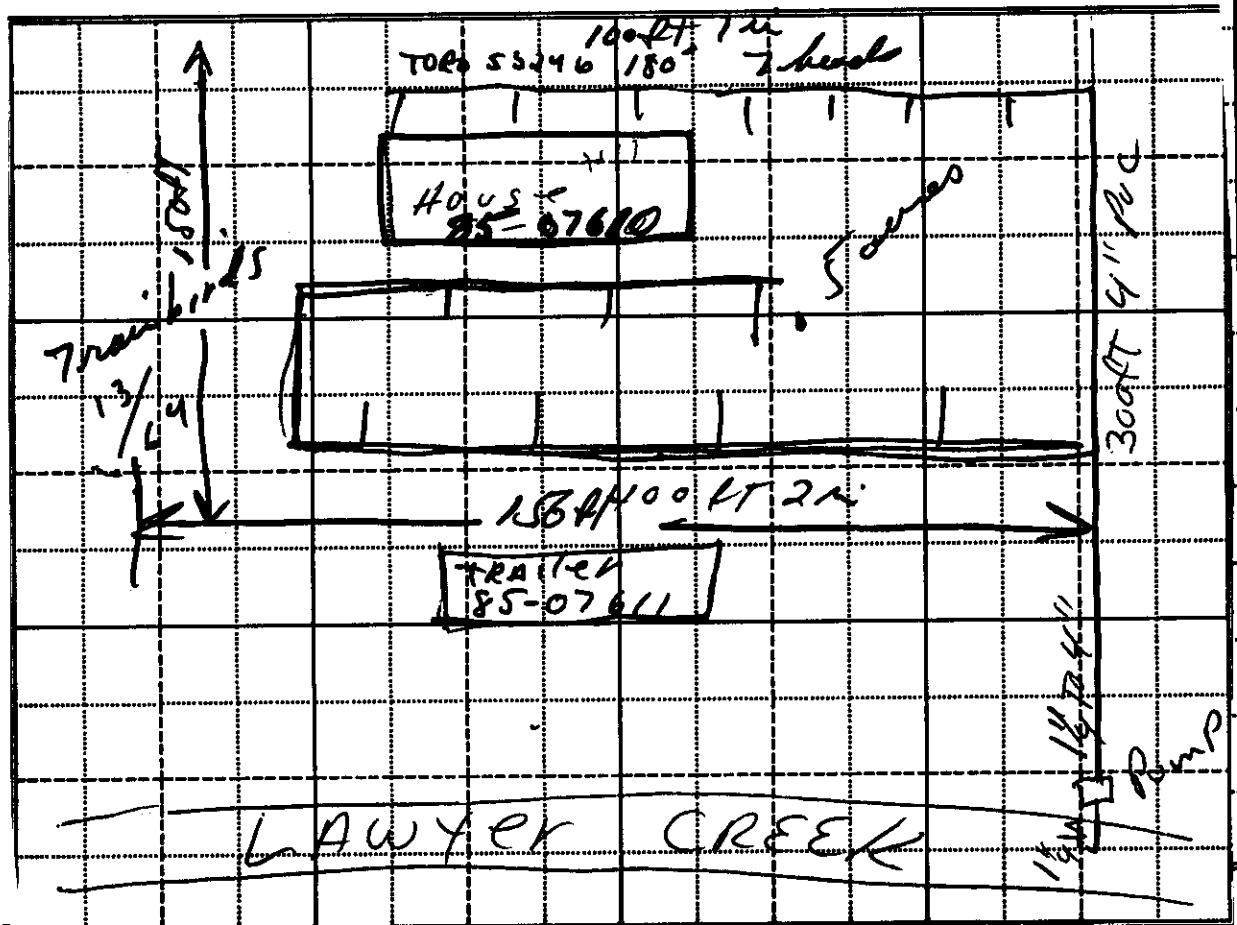
TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
33N	03E	11								D									
										S									

MICROFILMED
NOV 07 1996

3. [

its well

si: **Irrigation System Diagram:** Indicate all major components and distances between components. Indicate pipe/ditch size/pipe I.D. as applicable.



Scale: 1" =

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Balch	5	JWL1409T	JACU221	931279312083

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

D. FLOW MEASUREMENTS

1.

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

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NOV 07 1996

E. NARRATIVE/REMARKS/COMMENTS

The measurement information given in this report is on entire system. It covers 2 permits 85-07610 + 85-07611. Mr. Gates has 2 houses on this system. He lives in one and his son in the other. One pump, one point of diversion, and one irrigation system serves both houses. Simultaneously 1/2 are each.

Difference of picture date and exam date because system wasn't operating at first visit. Revisited to do measurement.

Have conditions of permit approval been met? ☒ yes ☐ no

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NOV 07 1996

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method: *5/8" hose attached at sprinkler head to 5 gal bucket*

No. 1 5 gal in 43 sec 7.9 gpm
No. 2 5 gal in 45 sec 6.7 gpm
No. 3 5 gal in 45 sec 6.7 gpm
No. 4 5 gal in 42 sec 7.1 gpm
No. 5 5 gal in 45 sec 6.7 gpm
No. 6 5 gal in 43 sec 7.9 gpm
No. 7 5 gal in 46 sec 6.5 gpm
also 6 700-53246 mist type spray 100°
• 99 gpm each 539 gpm = 0.12 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

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

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

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Domestic</i>	<i>01-01</i>	<i>12-31</i>	<i>1.04</i>	<i>.6</i>
<i>Stock</i>	<i>01-01</i>	<i>12-31</i>	<i>1.02</i>	<i>.4</i>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<i>1.06</i>	<i>1.0</i>

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name *Wayne Balaluk* Date *7-23-96*

Reviewer _____ Date _____

SEAL

MICROFILMED

NOV 07 1996

KAMIAH QUADRANGLE IDAHO 7.5 MINUTE SERIES (TOPOGRAPHIC)

2876 IV SW
(WEIPPE SOUTH)

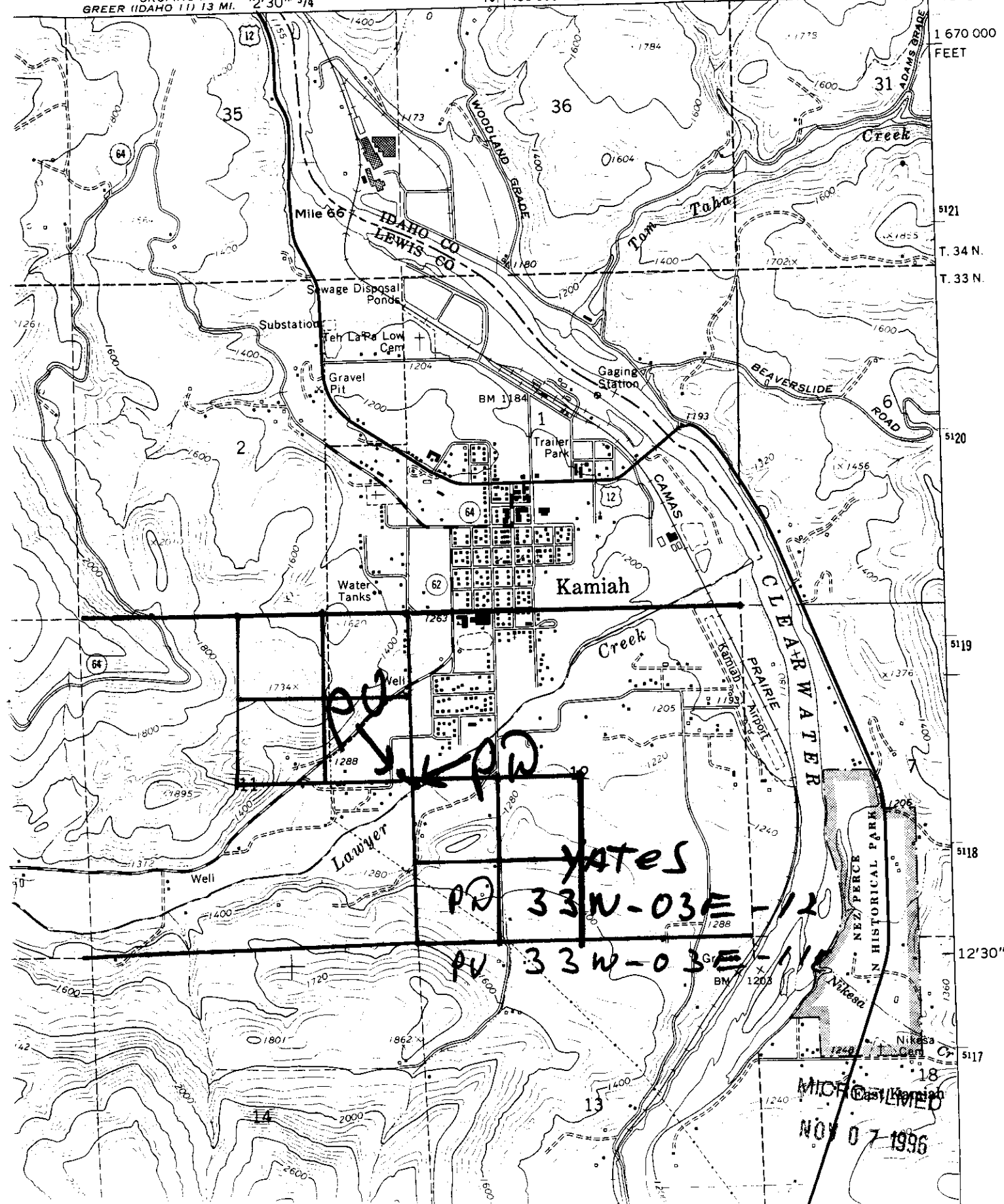
OROFINO 24 MI.
GREER (IDAHO 11) 13 MI.

575 430 000 FEET

R.3 E. R.4 E.

116°00'
46°15'

1 670 000
FEET



PERMIT # _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PHOTOGRAPHS



PJ

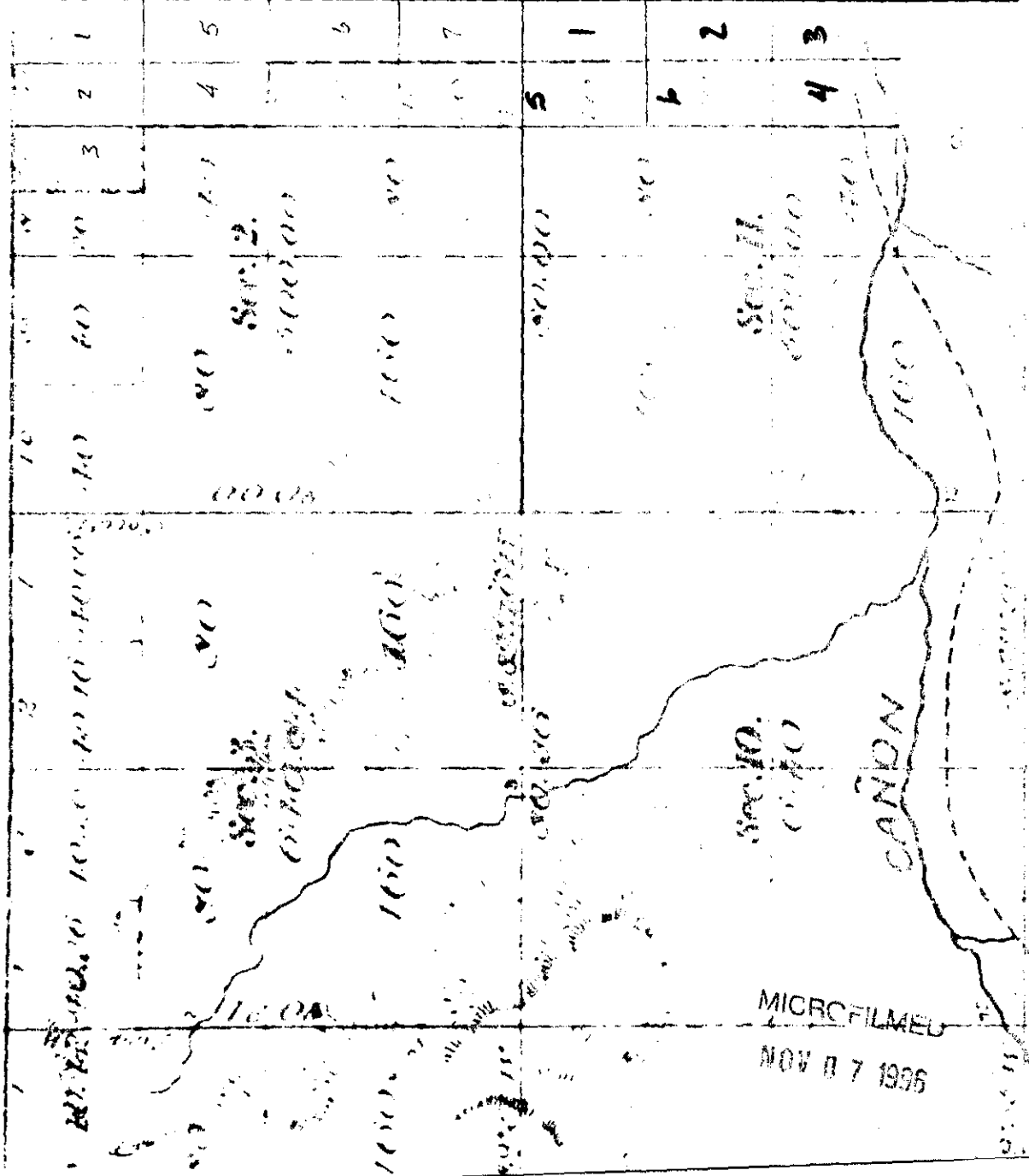
PJ

PJ
stock

MICROFILMED
NOV 07 1996

T344
R3E1

25	26	27
3	2	1
4	5	6
7	8	9
10	11	12
13	14	15
16	17	18
19	20	21
22	23	24
25	26	27



MICROFILMED
NOV 17 1986

**ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE**

Permit No. 85-07611 Reviewed by [Signature] Date 11-16-95

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received? Correct Uses? yes
If not, complete calculation below.

SOURCE OF WATER

/ Surface water source
/ Ground water source
/ Drilling permit required?
/ Copy in the file? Drilling Permit No. _____
/ Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50.00 Amount Submitted
yes Correct?
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 _____ Proof Made NOV 07 1995

MICROFILMED

November 16, 1995

DELBERT YATES
BARBARA YATES
RT 2 BOX 402
KAMIAH ID 83536

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 85-07611

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.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208) 769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

FEB 26 1996

October 31, 1995

DELBERT YATES
BARBARA YATES
RT 2 BOX 402
KAMIAH ID 83536

PROOF DUE NOTICE

RE: PERMIT NO. 85-07611

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 January 1, 1996.

(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.

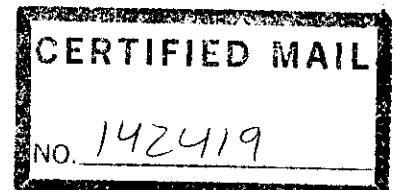
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the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

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

1996





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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 27, 1994

DELBERT YATES
BARBARA YATES
RT 2 BOX 402
KAMIAH ID 83536

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07611

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in black ink, appearing to be 'JJ', followed by a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosures

DEC 29 1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 85-7611 Name: Yates Date: 12/16/94 Correct Fee? ☒

AREA OF CONCERN? - No/Yes S/C Mor _____ GWMA Trust/Non-trust

SYSTEM COMPLETED:

No - ~~26A-P17~~
Complete in 1 year - P16

Yes

Proof not submitted - P16
Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <FLO-CH> - 01G (new), 01K (existing), No MD
- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - Permit No. _____, P99
Existing well - NA (pre 7/1/87)
No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(~~dem~~) - WD No. _____
*Surface water - 005 (req) 01J-P08 <FLOW CHART>
(doesn't sink) or 01H-P01 <FLOW CHART>; No MD
Groundwater - P05 (new irrigation well)
In stream channel - 030 (stream channel alteration)
Irr Dist/Canal Co. - 023 (Twin Falls area)
Drainage Districts - 024
Flood Control Dist. - 063
Boise Front (63) - 058 (-85° GW temp only)
Swan Falls Flag - ~~TS~~ <SEE CONDITION CODE CHART>
Trust - 051-052-053-P74 (Consumptive Uses), NA
Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA
Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA
Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10
044 (N 1000 Spr)
Irrigation - 03A/057, 803(if GW use SW 1st)(+5A PU comp), NA
Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;
+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09
Mining - 054 (req) & 06A/010/09E-P10
Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA
Domestic (surface) - 021(Boise R ↑ L Peak), 064(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU)

PROTESTED:

- 020(Prehearing agreement)/W19(See Order)

OTHER CONDITIONS:

REMARKS:

- ① W01/1 ② W02/25RC & 5H

BENEFICIAL USE DUE:

- 1 -1-1996

COMMENTS:

WR0749NP
No. 85-07611

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/16/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DELBERT YATES	10/27/1994	STOCKWATER	01-01 12-31	0.02 CFS	
C	BARBARA YATES RT 2 BOX 402 KAMIAH ID 83536 (208) 935-2726		DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.06 CFS	

Water Source: LAWYER CREEK

Tributary to: CLEARWATER RIVER

Stage: PERMIT

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

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
33N	03E	11	:												
			:												

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

Pou County: LEWIS

Conditions of Approval:

- 030 - A separate stream alteration permit from the IDWR is required
- for any activity in the stream channel other than construction
- and/or maintenance of the diversion structure. If the proposed
- construction or operation involves construction of an outfall or
- any other work in the stream channel other than a water
- diversion, the right holder contact the Department and obtain a
- Stream Channel Alteration permit prior to the start of
- construction.

Remarks: Stockwater use is for 25 range cattle and 5 horses.
Domestic use is for 1 home.

Dates: App. Received: 10/27/1994 Priority Date: 10/27/1994
Proof Due Date: 01/01/1996 Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 10/31/1994 User-ID: DBALL Subject: DIVERSION DESCRIPTION
5 hp pump in creek with 2.0" intake pipe and 1" outlet pipe to
300 gallon watering trough and sprinklers.

Audit: 12/16/94 CZIMMERM

No. a
4/87-06/92n

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

APPLICATION # 85-07611

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

APPLICANT: YATES

BY: BS

DATE: 10/27/94

ITEM REQUIRED INFORMATION

1. ☒ Name and Address
2. ☒ Source
3. ☒ Point of Diversion & County
4. ☒ Quantity
☒ Nature of Proposed Use
☒ Period of Use
5. ☒ Total Quantity
6. ☒ Description of diverting works
7. ☒ Time required for b/u
8. ☒ Proposed use
9. ☒ Place of use or acres irrigated
10. ☒ Other Water Rights
11. ☒ Ownership
13. ☒ Map
☒ Signature
☒ 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 # _____

PROCESSING

Yes No

PRIORITY DATE: 10/27/94

☒ (Include Moratorium Remark)

☒ Statewide Avertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: LEWIS County.

LETTERS SENT REQUESTING:

() Dam Information () Fish Information

() Power Information () Other: N/A

INFORMATION RECEIVED:

() Dam Information () Fish Information

() Power Information () Other: N/A

***** 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
☒ Protests received. Final protest date: 12/5/94
☒ Measuring device required
☒ Measuring port required
☒ Special conditions: _____
☒ Special conditions of approval _____ letter attached:

Sr. Agent initial BS

Approval Recommended by: BS

DEC 15 1994

Date: 12/6/94

Department of Water Resources

RECEIVED
DEC 05 1994
MONTICELLO REGION
IDWR

AFFIDAVIT OF PUBLICATION

Mary Bruder being first duly sworn, says he/she is the Office Manager 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 16th day of November 19 94; and the last publication on the 23rd day of November 19 94; 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.

Mary Bruder

Subscribed and sworn to before me this 25th day of November 19 94.

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

RECEIVED
NOTICE OF APPLICATION
FOR WATER RIGHT

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

15-07610

YATES, DREWET
YATES, BARBARA
RT 2 BOX 402
KAMIAH, ID 83836

Source: LAWYER CREEK
Tributary: CLEARWATER RIVER

Division: Ft. NWSE Sec 12 T 33N R 30E
Range: 30E

Use: STOCKWATER (0.00 CFS)
Domestic (0.00 CFS)
Total Diversion (0.00 CFS)

Date Filed: 10/27/1994

In: LEWIS County
Page: 211

15-07611

YATES, DREWET
YATES, BARBARA
RT 2 BOX 402
KAMIAH, ID 83836

Source: LAWYER CREEK
Tributary: CLEARWATER RIVER

Division: Ft. NWSE Sec 12 T 33N R 30E
Range: 30E

Use: STOCKWATER (0.00 CFS)
Domestic (0.00 CFS)
Total Diversion (0.00 CFS)

Date Filed: 10/27/1994

In: LEWIS County
Page: 211

For additional information concerning the property location, call the Regional Office at 208-755-1234.

The following information is to be provided to all interested parties by the applicant:

1. A map showing the location of the proposed water right, the source of the water, and the proposed diversion point.

2. A description of the proposed water right, including the purpose of the diversion, the amount of water to be diverted, and the time of year when the water will be diverted.

3. A statement of the applicant's intent to use the water, including the proposed use of the water and the proposed location of the diversion point.

4. A statement of the applicant's intent to provide a public use of the water, including the proposed use of the water and the proposed location of the diversion point.

5. A statement of the applicant's intent to provide a public use of the water, including the proposed use of the water and the proposed location of the diversion point.

KEITH HIGGINSON, Director
WATER DIVISION
DATE: 11/1/94

DEC 29 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

Fax (208) 769-1454

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 9, 1994

Delbert and Barbara Yates
Rt 2 Box 402
Kamiah, ID 83536

Re: Water Appropriation Application No. 85-07610 and 85-07611

Dear Mr. and Mrs. Yates:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Applications 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 numbers in all future matters concerning these water right applications.

Your appropriation application is currently being prepared for advertising in the 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. 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. However 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.

If your application is for groundwater and unless you are using a well that was constructed prior to July 1, 1987, it will be necessary for you to apply for a well drilling permit upon approval of the appropriation application. Well drilling permits can be issued by this office only to holders of approved appropriation permits.

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

DEC 29 1994

85-07611

YATES, DELBERT
YATES, BARBARA
RT 2 BOX 402
KAMIAH, ID 83536

Source: LAWYER CREEK

Tributary: CLEARWATER RIVER

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

Use: STOCKWATER (.020 CFS)
DOMESTIC (.040 CFS)
Total Diversion: (.060 CFS)

Date Filed: 10/27/1994

In: LEWIS County
T33N R03E S11 SENE

DEC 28 1994