

PECK QUADRA
IDAHO
7.5 MINUTE SERIES (TO

2777 III
(AHSARKA 1:62 500)

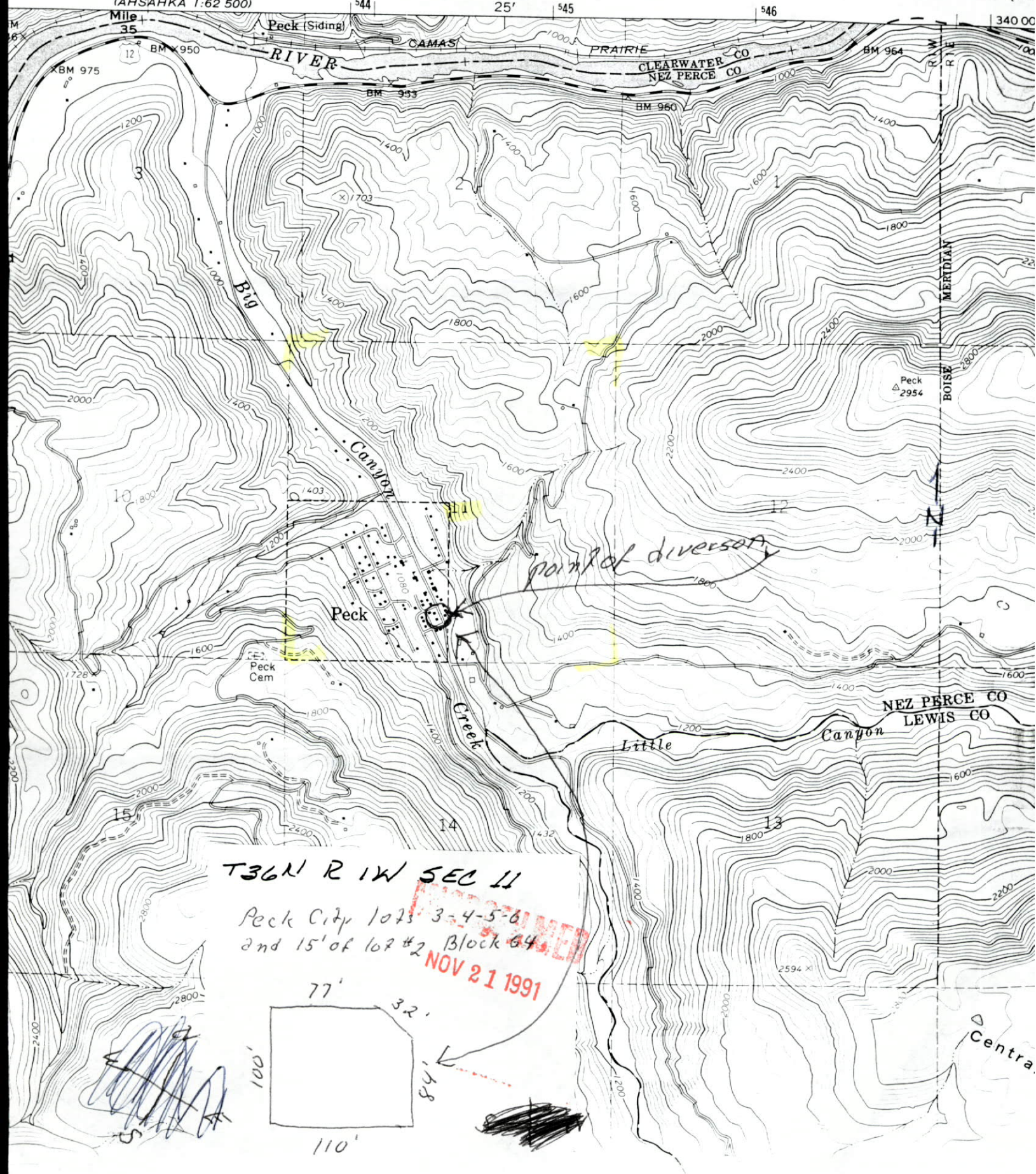
544

25'

545

546

340 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**

Date 092691 INVOICE No. L00308354
Account No. 964750 85-07563
Description 08354NOTIC
Times 2 Lines 30
Tab Lines _____

SOLD TO:

\$ 33.75

DEPT OF WATER RESOURCES
1910 NW BLVD STE 210
COEURDALENE
ID 83814

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

08354
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
85-07563
ERNO, HARRY C
PO BOX 128
PECK, ID 83545
Source: BIG CANYON CREEK
Tributary: CLEARWATER RIVER
Diversion Pt: SESW Sec 11 T
36N R 01W
Use: IRRIGATION (.020 CFS)
Total Diversion (.020 CFS)
Date Filed: 9/6/1991
In: T36N R01W S11 SESW
0.5 ACRES TOTAL
For additional information con-
cerning the property location, call
the Northern Regional office at 765-
4639.
The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of Wa-
ter Resources, Northern Region,
1910 Northwest Blvd. Suite 210, Co-
eur d' Alene, Idaho 83814 on or be-
fore OCTOBER 7, 1991.
R. KEITH HIGGINSON, Director

Sue Baumeister, 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 newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly 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

NOTICE OF APPLICATION
attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 091991, or once a
WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 091991, and the last pub-
lication thereof being on the 092691, and said

NOTICE OF APPLICATION
was so published in the regular and entire issue of said newspaper and
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.

Sue Baumeister
SUBSCRIBED AND SWORN BEFORE ME THIS THE 30
day of September 1991

Sheryl D. Lentz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

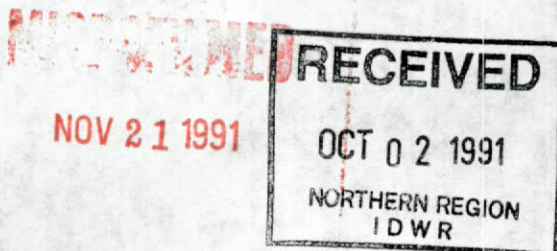


Photo of Diversion and System Attached

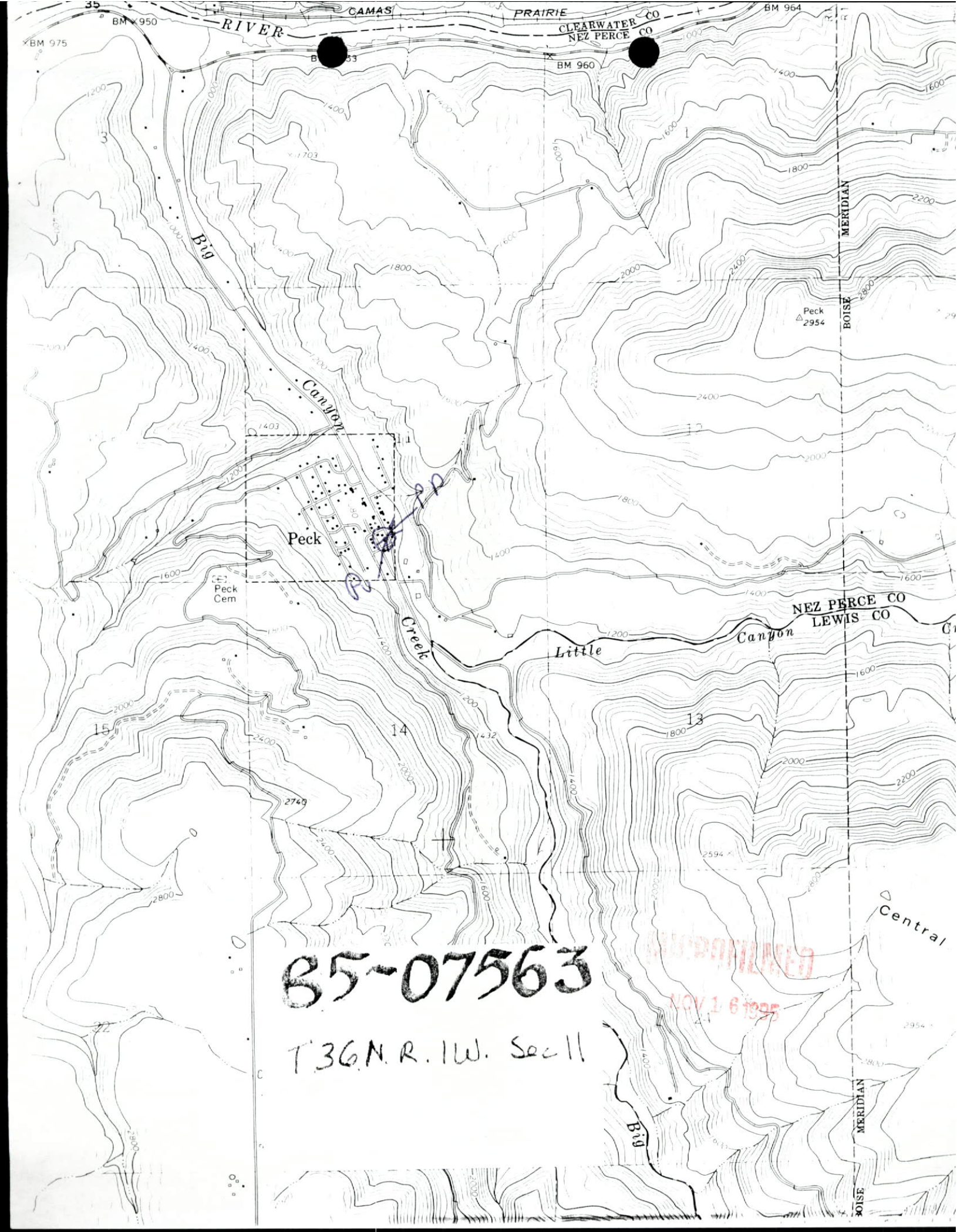
Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	SEARS	.5	E46412	SEARS	1"

1.

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

2. Measurements:

NOV 16 1995



85-07563

T. 36 N. R. 1 W. Sec 11

NOV 16 1995



PO



PO



PO



PO
MAINTENANCE
NOV 16 1995

85-07563

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07563

Priority: September 6, 1991

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

1.8 AF

This is to certify, that HARRY C ERNO

PO BOX 128

PECK ID 83545-0128

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 6, 1991; and has submitted Proof of Beneficial Use on February 10, 1992. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

BIG CANYON 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>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	03/01 to 11/30	0.02 CFS	1.8 AF
------------	----------------	----------	--------

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 11, Township 36N, Range 01W
NEZ PERCE County

PLACE OF USE: IRRIGATION

TWN RGE SEC

36N 01W 11

ACRES

SESW 0.5

ACRES

ACRES

TOTAL

0.5

Total number of acres irrigated:

0.5

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.
5. This right when combined with all other rights shall provide no more than 0.02 cfs nor more than 1.8 afa for the land described above.

NOV 16 1995

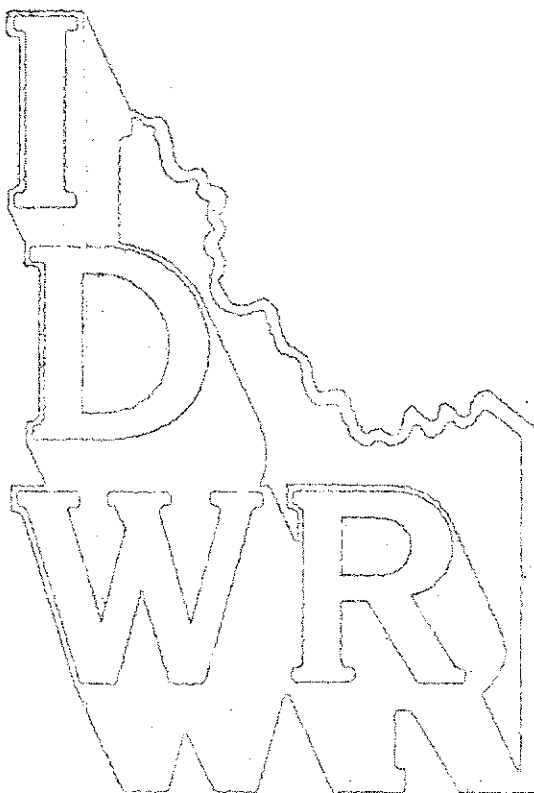
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07563

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 5th
day of OCTOBER, 1995.


Acting for KARL J. DREHER, Director



NOV 16 1995

NOV 16 1995

RECEIVED
FEB 10 1992

STATE OF IDAHO

For Office Use Only
Amt. of Fee \$ _____
Date _____
Receipt No. _____
Received by _____

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No: 85-07563 Telephone No. 486-6633

2. Name(s) of Permit Holder(s): Harry C. ERNO

3. Post Office Address: P.O. Box 128 Peck, Id. 83545

4. Source of Water: Big Canyon Creek tributary of Clearwater River

a. If ground water, well driller's name: NA Date drilled: NA

b. Pump horsepower: NA Pressure (psi): NA Dynamic pumping level (ft.): NA

5. Extent of Use:

Domestic _____ (No. of households) Irrigation 0.5 (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

6. Total rate and/or volume for which proof is submitted 0.02 cfs 0.05 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

8. Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

Harry Erno
Name

486-6633
Telephone No.

135 So. Main St. Peck, Idaho
Address

10. The above information 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.

Feb 3 1992
Date

Harry C. Erno
Signature (and title if on behalf of a company or organization)

RECEIVED
MAR 06 1992

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 85-07563

Proposed Priority: September 6, 1991 Maximum Diversion Rate: 0.02 CFS
This is to certify, that **HARRY C ERNO**

PO BOX 128
PECK ID 83545

has applied for a permit to appropriate water from:

BIG CANYON 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	04/01 to 11/30	0.02 CFS

LOCATION OF POINT(S) OF DIVERSION:

NESESW	Sec. 11, Township 36N, Range 01W
NWSWE	Sec. 11, Township 36N, Range 01W
	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>
36N	01W	11	SESW	0.5		0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1992.
2. Subject to all prior water rights.
3. Single point of diversion located on or near line between NESESW and NWSWE, S11, T36N, R01W.

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

11th day of October, 1991.

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

NOV 21 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Harry C Erno Phone 208-486-6633
Post office address Box 128 Peck Id. 83545
2. Source of water supply Big Canyon Creek which is a tributary of Clearwater River
3. Location of point of diversion is SF $\frac{1}{4}$ of SW $\frac{1}{4}$ of _____ $\frac{1}{4}$ Govt. Lot _____
Sec. 11 Township 36 N Range 1 W B.M. Nezperce County; additional
points of diversion if any: None
4. Water will be used for the following purposes:
Amount .02 for irrigation purposes from Apr 1 to Sept 30 (both dates inclusive) ^{11-1 per standard season. 08 10-9-91}
(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) _____ and/or (b) .02
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Pump from Big Canyon Creek
with 1" suction and 2-3/4" discharge for garden hoses.
Pump will pump 65 GPM max.
- b. Height of storage dam No storage feet; active reservoir capacity No reservoir acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
N/A to N/A inclusive.
- c. Proposed well diameter is No well inches; proposed depth of well is No well feet.
- d. Is ground water with a temperature of greater than 90°F being sought? No well
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1-Year years (minimum 1 year).

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NOV 21 1991

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? Harry C. Erno
b. Who owns the land to be irrigated or place of use? Harry C. Erno
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. No other person

112 Total number of acres to be irrigated

[illegible]

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. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. _____

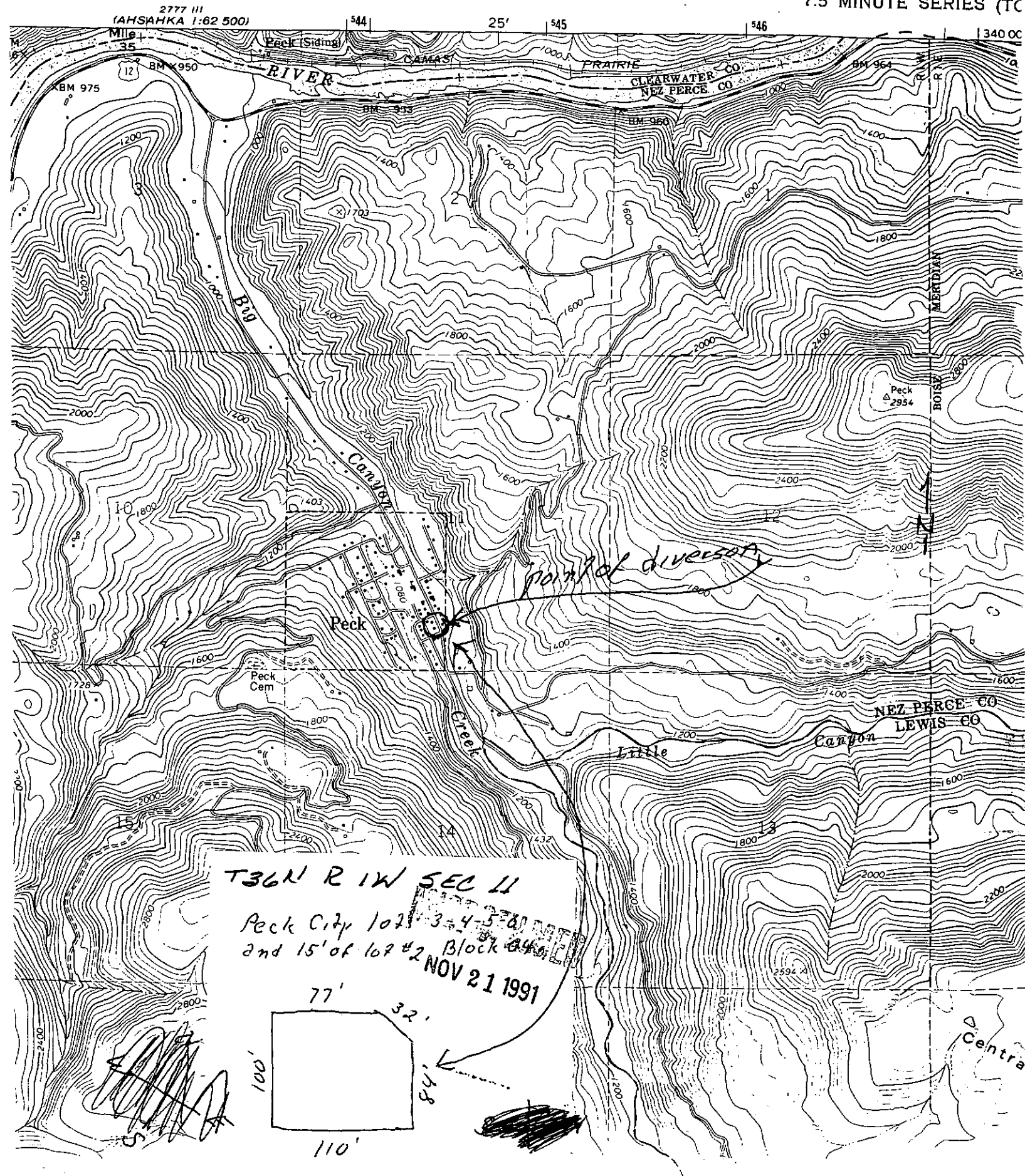
e. Other; describe fully. _____

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.

PECK QUADRA
IDAHO
7.5 MINUTE SERIES (TC



Map enclosed.

Harry C. Enos
(Applicant)

Received by [Signature] Date 9/6/91 Time 1:45 PM Preliminary check by IDK
Fee \$ 30.00 Receipted by [Signature] # N4862 Date 9/6/91
Publication prepared by [Signature] Date 9/11/91 Published in 9/19-26/91
Publication approved [Signature] Date 10/4/91

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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NOV 21 1991.

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

 Date 092491

 INVOICE No. L00308354

 Account No. 964750
85-07563

 Description 08354NOTIC

 Times 2

 Lines 30

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

 DEPT OF WATER RESOURCES
1910 NW BLVD STE 210
COEURDALENE
ID 83814

 \$ 33.75

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

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

85-07563

ERNO, HARRY C

PO BOX 128

PECK, ID 83545

Source: BIG CANYON CREEK

Tributary: CLEARWATER RIVER

Diversion Pt: SESW Sec 11 T

36N R 01W

Use: IRRIGATION (.020 CFS)

Total Diversion (.020 CFS)

Date Filed: 9/6/1991

In: T36N R01W S11 SESW

0.5 ACRES TOTAL

For additional information concerning the property location, call the Northern Regional office at 765-4639.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814 on or before OCTOBER 7, 1991.

R. KEITH HIGGINSON, Director

Sue Baumeister

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 newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper 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

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication beginning on 091991

WEEK for 2 consecutive WEEKS, the first publication thereof being on the 091991, and the last publication thereof being on the 092491, and said

NOTICE OF APPLICATION

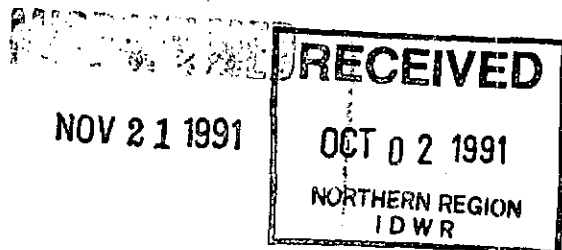
was so published in the regular and entire issue of said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Sue Baumeister

 SUBSCRIBED AND SWORN BEFORE ME THIS THE 30

 day of September 1991

Sheryl D. Lentz

 Notary Public in and for the State of Idaho,
residing at Lewiston, therein.




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 5, 1995

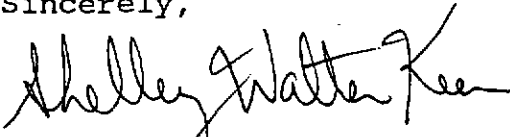
HARRY C ERNO
PO BOX 128
PECK ID 835450128

RE: WATER RIGHT NO. 85-07563

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,



Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED
NOV 16 1995

LICENSE REVIEW
Cindy Zimmerman

No L file

Permit #: 85-7563 Name: Erma Date: 9/21/95
App Rcd 9/6/91 Priority 9/6/91 Examined 7/20/95 /Lots

NAME Chng OK ✓ Or Address Change?
SOURCE ✓ Clarify source
 Prelim. Order to Void - Source change.
P/D ✓ Amendment Needed? SESW -P39,P38
 Overlap(s)
P/U ✓ Amendment Needed? -P41,P38
 Overlap(s)
 *P/D & P/U Amend? P37,P38
 (See paragraph list for governmental agencies.)
RATE Permit/fee limits 0.02/6
 Measured Q= 0.02 cfs Theoretical Q= cfs
 Sgal bucket = 9 gpm = 0.02 cfs
 Recommended capacity 0.02 cfs
 Recommended rate 0.02 cfs
VOLUME ✓ Season of Use: (E) 3/1 - 11/30 = 275 days
 Calculations: 0.5 acres x 3.5 AF/acre = 1.8 AF
✓ Flow limit: 0.02 x 275 x 1.9835 = 10.9 AF
 Recommended volume 1.8 AF
USES ✓ Same Nature of Use? -P46
 Amendment Needed?
REMARKS ✓ Multiple p/d's in 1/4?

CONDITIONS ✓ Measuring (R01)/Locking (R02) Devices
 ✓ Watermaster Control (R04) - WD #
 ✓ R60 Irrigation rate/volume overlap
 ✓ Irrigation water overlap (065) (If gw use sw)
 ✓ Water Quality
 ✓ Other

PRIORITY Due 10/1/92 Rc'd 2/10/92 Receipt# NO # Fee OK? Yes (No)
Order to Reinstate Needed? Yes/No Done?
If Yes, Advanced? Yes/No to:

COMMENTS: surface water 0.02 for 1/2a. irrigation, proof filed 1992; No #.

USE	CFS	DIV VOL	Adjustment Memo
<u>irr / 1/2 A</u>	<u>0.02</u>	<u>1.8</u>	<u>✓</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TOTAL</u>	<u>0.02</u>	<u>1.8</u>	<u> </u>

LICENSE: (P49)
#1 AMEND LTR: P46 or
P39/P41/P37 & P38
#2 AMEND LTR: P42/P47

MEMORANDUM

DATE: October 3, 1995
TO: File No. 85-07563
FROM: Cindy Zimmerman
SUBJECT: Review of Beneficial Use Field Report

=====

The following adjustments were made on the field report:

1. Season of Use.
 - a. Per Licensing Memo #9, the season of use for T36N, R01W is March 1 to November 30.
2. Annual Volume.
 - a. Irrigation = acres x AF/acre
= 0.5 x 3.5
= 1.8 AF.

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NOV 1 6 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 29 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 85-07563

1. Owner: HARRY C. ERNO Phone No. (208) 486-6633

Current Address: PO Box 128 Peck Idaho 83545

2. Accompanied by: HARRY C. ERNO EXAM DATE: 7-20-95

Address: SAME AS ABOVE Phone No. (208)-486-6633

Relationship to Permit Holder: _____

3. Source: BIG CANYON CREEK tributary to CLEAR WATER RIVER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 85-02122/85-04337/85-07502/85-07504/85-07515

2. Other water rights with the same point of diversion: 85-04337/85-07504

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
					11	36N	01W	NEZ Pecke	U.S.G.S. 7.5 min Quad

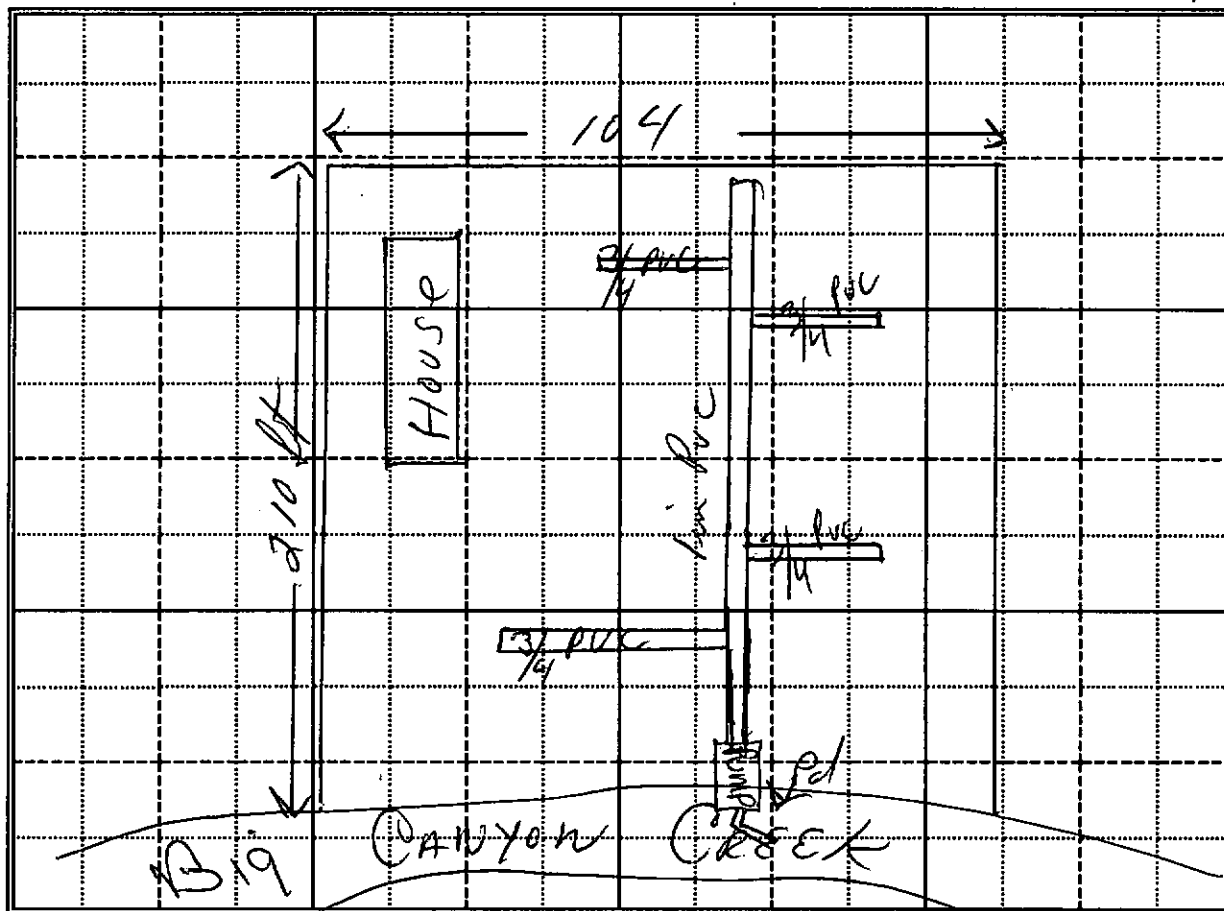
2. Place(s) of Use:

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	
36N	01W	11												0.5					0.5

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AUG 16 1995

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/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
	SEARS	.5	E46412	SEARS	1"

*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

2. Measurements: _____

NOV 16 1995

Additional Computation Sheets Attached

F. FLOW CALCULATIONS

Measured Method:

5941 Bucket

9 gal/min x 1.33681

$$= \frac{60}{.02 \text{ cfs}}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .5 \times 4.5 = 2.25 \text{ cfs}$$
$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02 \times 245 \times 1.9835 = 9.7204$$
$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 2.25$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Unchanged

Period of Use

From 03-15 To 11-15

Rate of Diversion

Q (cfs) .02

Annual Volume

V (afa) 2.25

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 Bobbitt

Date

7-25-95

Reviewer

Date

SEAL

NOTED FOR REVIEW

* Adjustments made during review of this report for water approved 9/21/95
See memo for additional information. 9/21/95 csg

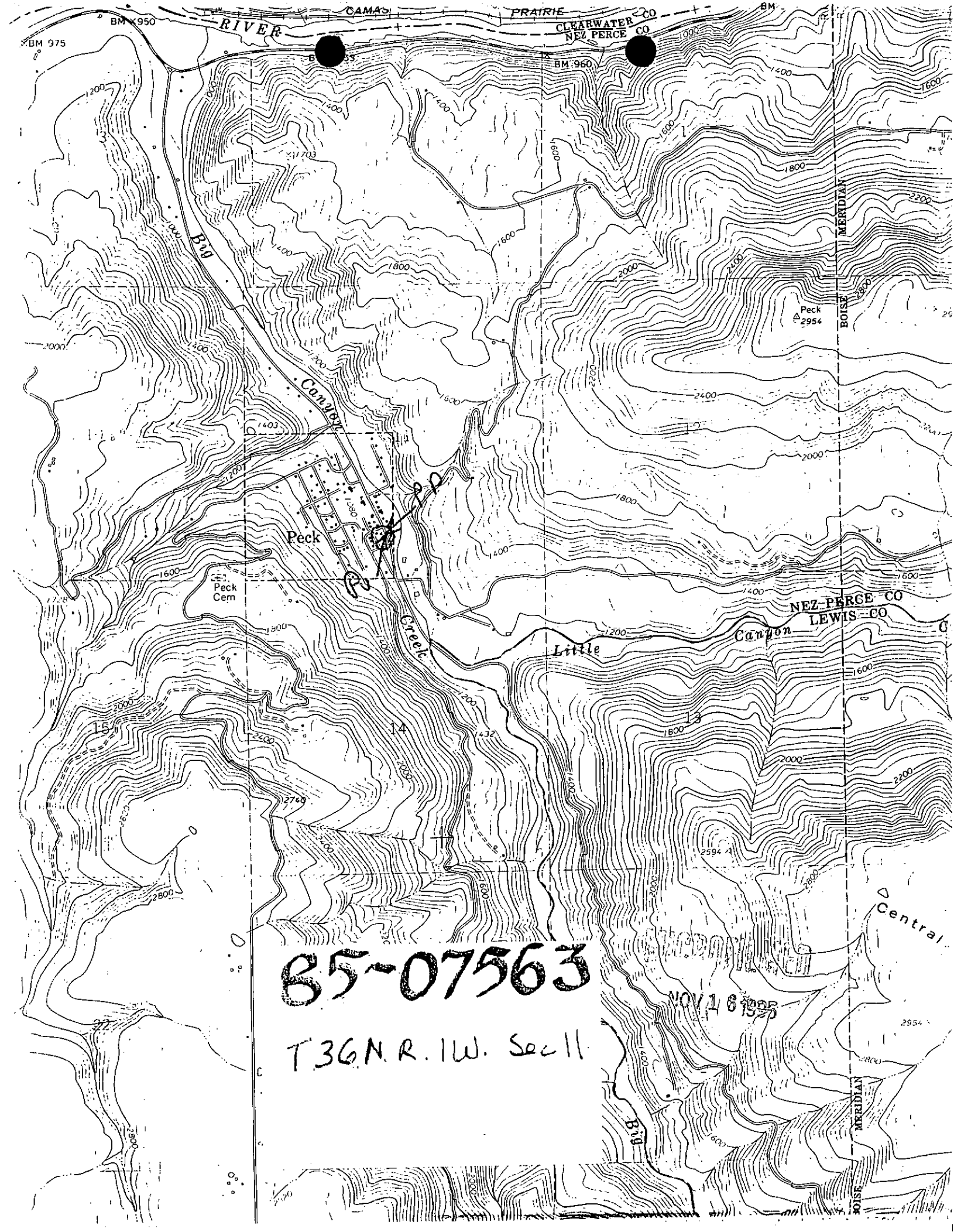
E. NARRATIVE/REMARKS/COMMENTS

Irrigation is accomplished by attaching garden hose + sprinkler at various stubs as needed.

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

NOV 16 1995

NOV 16 1995



85-07563

T36N R. 1W. Sec 11

NOV 16 1995



PO

PO

PO

PO
NOV 16 1995

85-07563

February 14, 1992

HARRY C ERNO
PO BOX 128
PECK ID 83545

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 85-07563

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)765-4639.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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MAR 06 1992



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

October 16, 1991

HARRY C ERNO
PO BOX 128
PECK ID 83545

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-07563

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

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,

PAMELA SKAGGS
Technical Records Specialist

PS:blm

Enclosures

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85-07563

ERNO, HARRY C
PO BOX 128
PECK, ID 83545

Source: BIG CANYON CREEK

Tributary: CLEARWATER RIVER

Diversion Pt: SESW Sec 11 T 36N R 01W

Use: IRRIGATION (.020 CFS)

Total Diversion: (.020 CFS)

Date Filed: 9/ 6/ 1991

In: T36N R01W S11 SESW

0.5 ACRES TOTAL

MICROFILMED

NOV 21 1991

September 10, 1991

Mr. Harry C. Erno
Box 128
Peck, Id 83545

Re: Water Appropriation Application # 85-7563

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, as well as the required appropriation filing fee, for which your Receipt is enclosed. 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 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.

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

Sincerely,

Tom D. King
Sr. Water Resource Agent

Enc: Receipt

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NOV 21 1991

August 13, 1991

Mr. Harry C. Erno
Box 128
Peck, Id. 83545

Re: Appropriation Application

Dear Applicant:

The Idaho Department of Water Resources has received your Application For Permit To Appropriate The Public Waters Of The State Of Idaho. However I regret to inform you that the application is not acceptable in its present form, so I am returning it to you for clarification or completion of the following:

Item #3: The legal description of the point of diversion must be described by 10 acre parcel (for example ... SE1/4 NE1/4 SW1/4) Section, Township and Range as established by the public land survey. This item must reflect the same location as indicated on item #13. If you can not complete item #3, I may be able to do so from the map, upon your request.

Item #5: You must list the total diversion rate in cfs the total rate of flow can not be less than the largest individual amount shown in item #4.

Item #9: This item must be completed by listing the location of all proposed water uses to the nearest 40 acre tract. This may be done by following these steps: First insert Township (Twp.) Ranges (Rge.), Sections (Sec); next, identify each use and location of that use within the section by placing the indicated symbol in the appropriate box as shown below.

STOCKWATER = S; DOMESTIC = D; COOLING = L; FISH PROPAGATION = H;
RECREATION = R; COMMERCIAL = C; FIRE PROTECTION = F; INDUSTRIAL = I;
MINING = X; AESTHETICS = J; GROUNDWATER RECHARGE = E; WILDLIFE = W;
HEATING = G; MUNICIPAL = M; POWER = P;
IRRIGATION = (NUMBER OF ACRES TO BE IRRIGATED IN EACH 40 ACRE TRACT);

Twp.	Rge.	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
50N	04W	3	S	D	L	I	20	10	6										36

This example shows that within Township 50 North, Range 4 West, Section 3, there is Stockwater use in the NE1/4 NE1/4; Domestic use in the NW1/4 NE1/4; Cooling (L) in the SW1/4 NE1/4; Industrial in the SE1/4 NE1/4; and irrigation of 20 acres in the NE1/4 NW1/4, 10 acres in the NW1/4 NW1/4 and 6 acres in the SW1/4 NW1/4, for a total of 36 irrigated acres.

The property listed in this item must be the same property as shown on the map. If you can not complete item #9, I may be able to do so upon your request, if the required information is on the map.

Mr. Harry Erno
Page Two
August 13, 1991

Item #13: An application is not acceptable without a map or plat of sufficient scale (not less than two inches equal to one mile) to show the proposed project. You must either draw a map using the section layout provided, or you must provide a separate map. Either map must show the property in relation to the Section, Township and Range as established by the Public Land Survey. The map must have a North arrow and the scale must be shown. The point of diversion must be labeled and the place of use must be outlined and labeled. The point of diversion and place of use must agree with items #3 and #9.

This office did not receive the required filing with your application, the filing fee for an appropriation application is based on the rate of diversion (acre feet in the case of storage). if your diversion rate is greater than 0.01 cfs but less than 0.20 cfs, then the filing fee is \$30.00. If you are storing more than one acre foot but less than 20 acre feet then the filing fee is \$30.00

The Application must be completed and returned to this office with the appropriate filing fee and any other information you deem appropriate within 30 days of the above date. Failure to communicate with this office within that time may result in the voiding of your application.

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

Sincerely,

Tom D. King
Sr. Water Resource Agent

Enc: Application

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7/85
AUG 05 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

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

1. Name of applicant Harry C. ERNO Phone 208-486-6633
Post office address P.O. Box 128 Peale, Idaho 83545
2. Source of water supply Canyon Creek which is a tributary of Clearwater River
3. Location of point of diversion is _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____
Sec. 11 Township 36 N Range 01 W B.M. Nexperce County; additional
points of diversion if any: lots 2, 3, 4, 5, & 6 Block 64 of The Village of Peale
excepting North 15' of lot #2
4. Water will be used for the following purposes:
Amount .02 for irrigation purposes from Apr. 1 to Sep. 30 (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) 39 gpm and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 65 gpm, electric pump.
1" suction with 2-3/4" discharge

b. Height of storage dam N/A feet; active reservoir capacity N/A acre-feet; total
reservoir capacity N/A acre-feet; period of year when water will be diverted to storage:
N/A to N/A inclusive.
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
d. Is ground water with a temperature of greater than 90°F being sought? N/A
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
irrigation yearly years (minimum 1 year).

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

Water to be taken out of Big Canyon Creek for
irrigation of lawn, flower beds, and veg.
garden approx 20' x 30'. Located at
135 So. Main St. Peck, Id. 83545
Property borders Big Canyon Creek on the
west side.

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Scale: 2 inches equal 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.

Harry C. Cline
(Applicant)

8. Description of proposed use (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. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. _____
- 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	
36N	R 1W	11																	

Total number of acres to be irrigated _____

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? Harry C. Erno (Applicant?)
- b. Who owns the land to be irrigated or place of use? Applicant? Harry C. Erno
- 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: Irrigating lawn, flower beds, small veg. garden.

NOV 21 1991

Received by JD Date 8/5/91 Time 11:30 pm Preliminary check by TRK
Fee \$ _____ Received by _____ # _____ Date _____
Publication prepared by _____ Date _____ Published in _____
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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NOV 21 1991

August 16, 1991

Mr. Harry C. Erno
Box 128
Peck, Id. 83545

Dear Mr. Erno:

Pursuant our conversation, enclosed is an Application for Permit to replace the original form you previously submitted.

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

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Application
Instructions

RECORDED

NOV 21 1991