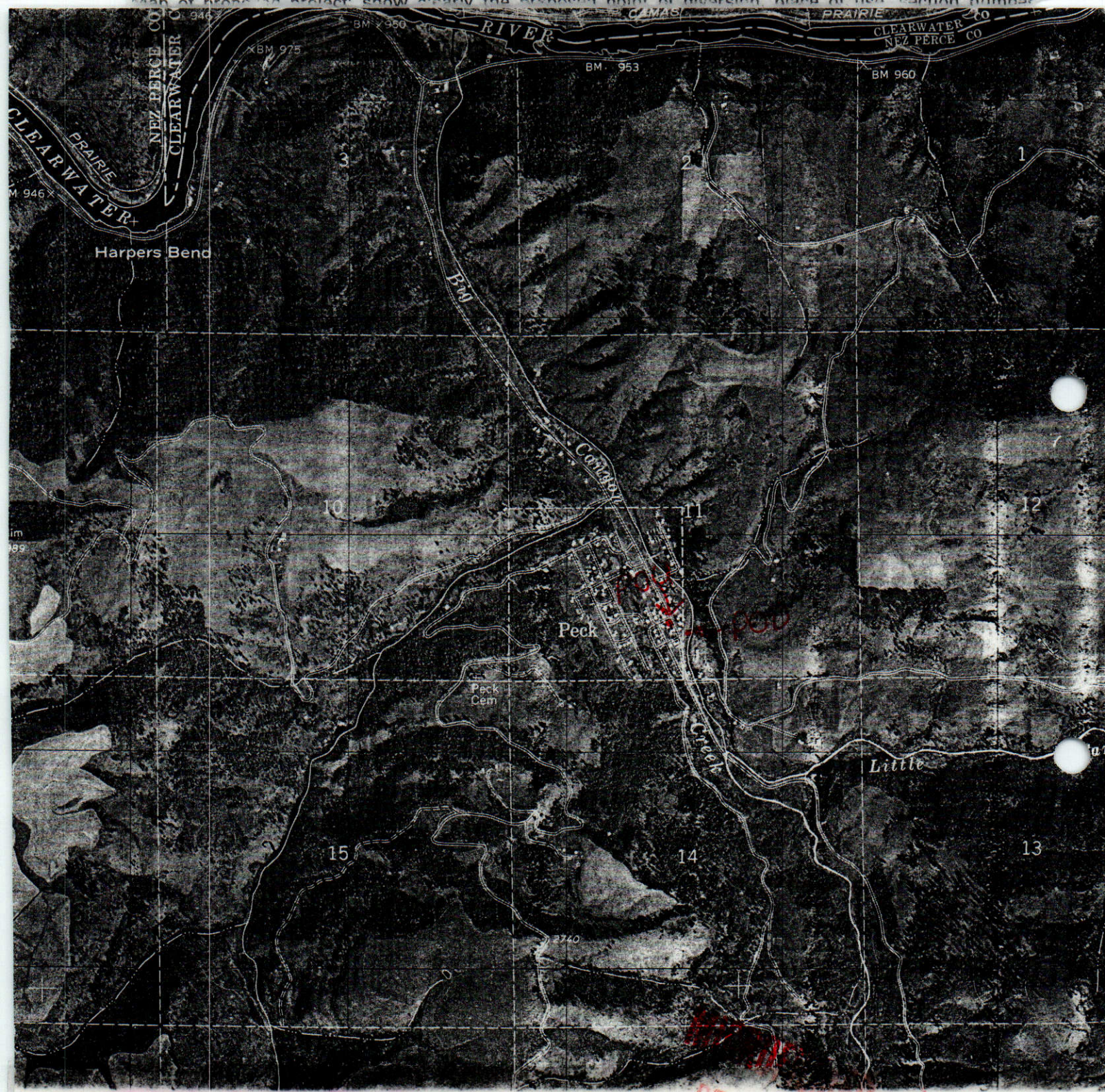


Map of proposed project show clearly the proposed point of diversion place of use section number



T36N, R1W Sec. 11

DEC 21 1960

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

Date 092288 INVOICE No. L00145242

Account No. 96475

Description 45242NOTIC

Times 2 Lines 44

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

STATE OF IDAHO
DEPT. OF WATER RESOURCES
4055 GOVERNMENT WAY
COEURDALENE
ID 83814

\$ **RECEIVED**
SEP 30 1988

Department of Water Resources
Northern District Office

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

B. J. Meloy, 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 091588, or once a
WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 091588, and the last pub-
lication thereof being on the 092288, 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.

B. J. Meloy

SUBSCRIBED AND SWORN BEFORE ME THIS THE 28
day of September 1988

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

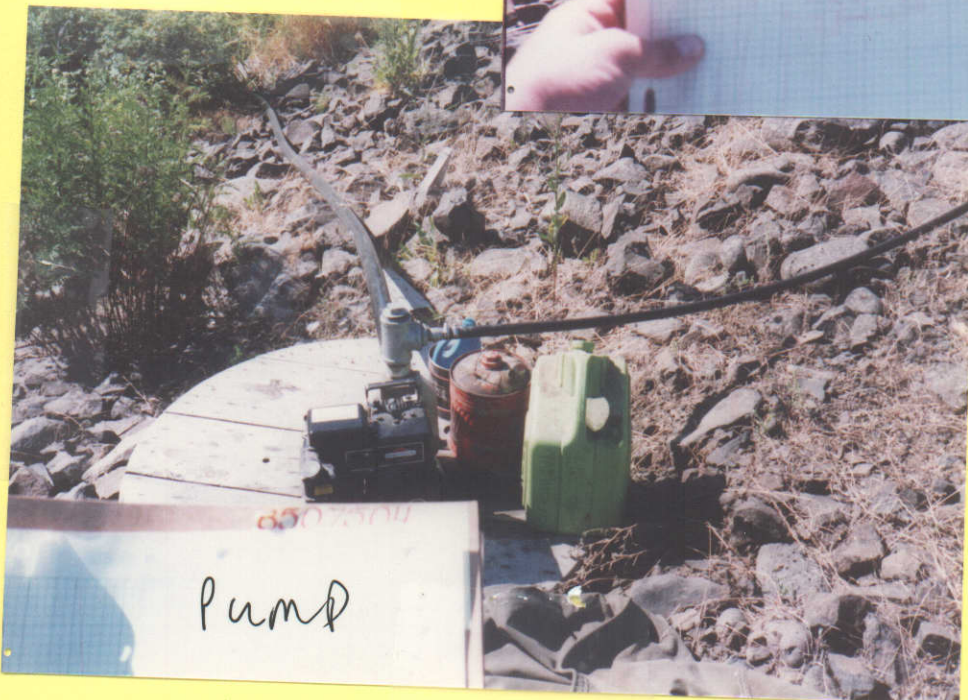
45242
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The Following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
85-07502
WILMARTH, JR., VIRGIL I.
P.O. BOX 89
PECK, ID 83545
Source: SPRINGS
Tributary: CANYON CREEK
Diversion Pt:
NENENW Sec 14 T 36N R 01W
NWNENW Sec 14 T 36N R 01W
SWNENW Sec 14 T 36N R 01W
Use: IRRIGATION (.200 CFS)
DOMESTIC (.040 CFS)
Date Filed: 8/19/1988
In: T36N R01W S11 SESW SESW
S14 NENW
10.0 ACRES TOTAL

85-07504
WILMARTH, MILDRED
WILMARTH, SR., VIRGIL
P.O. BOX 8
PECK, ID 83545
Source: BIG CANYON CREEK
Tributary: CLEARWATER RIVER
Diversion Pt:
SWSE Sec 11 T 36N R 01W
Use: IRRIGATION (.020 CFS)
Date Filed: 8/18/1988
In: T36N R01W S11 SESW
0.3 ACRES TOTAL

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,
Government Way Suite 9, Coeur D'
Alene, Idaho 83814 on or before OC-
TOBER 3, 1988.
R. KEITH HIGGINSON, Director

MICROFILMED

DEC 21 1988



MICROFILMED
AUG 08 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 24 1991

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 85-07504

1. Owner: Mildred Wilmarth or Virgil Wilmarth Sr. Phone No. 486-7951

Current Address: Box 8, Peck ID 83545

2. Accompanied by: Virgil Wilmarth Sr. EXAM. DATE: 7/11/90

Address: Same Phone No. Same

Relationship to Permit Holder: ✓

3. Source: Big Canyon Creek tributary to Clearwater River

B. OVERLAP REVIEW

1. Other water rights with same place of use: None

☐ Copies Attached

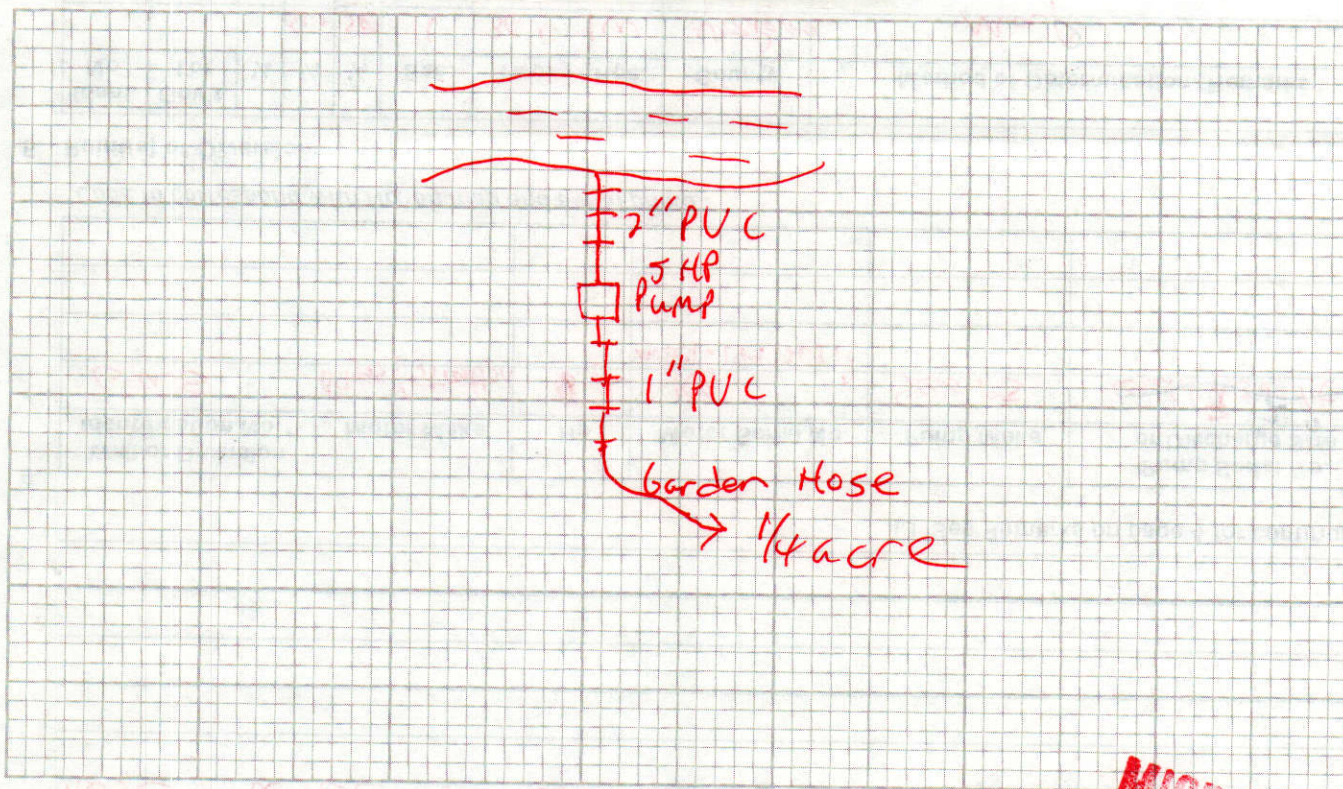
2. Other water rights with same point of diversion: None

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = N.T.S.

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).

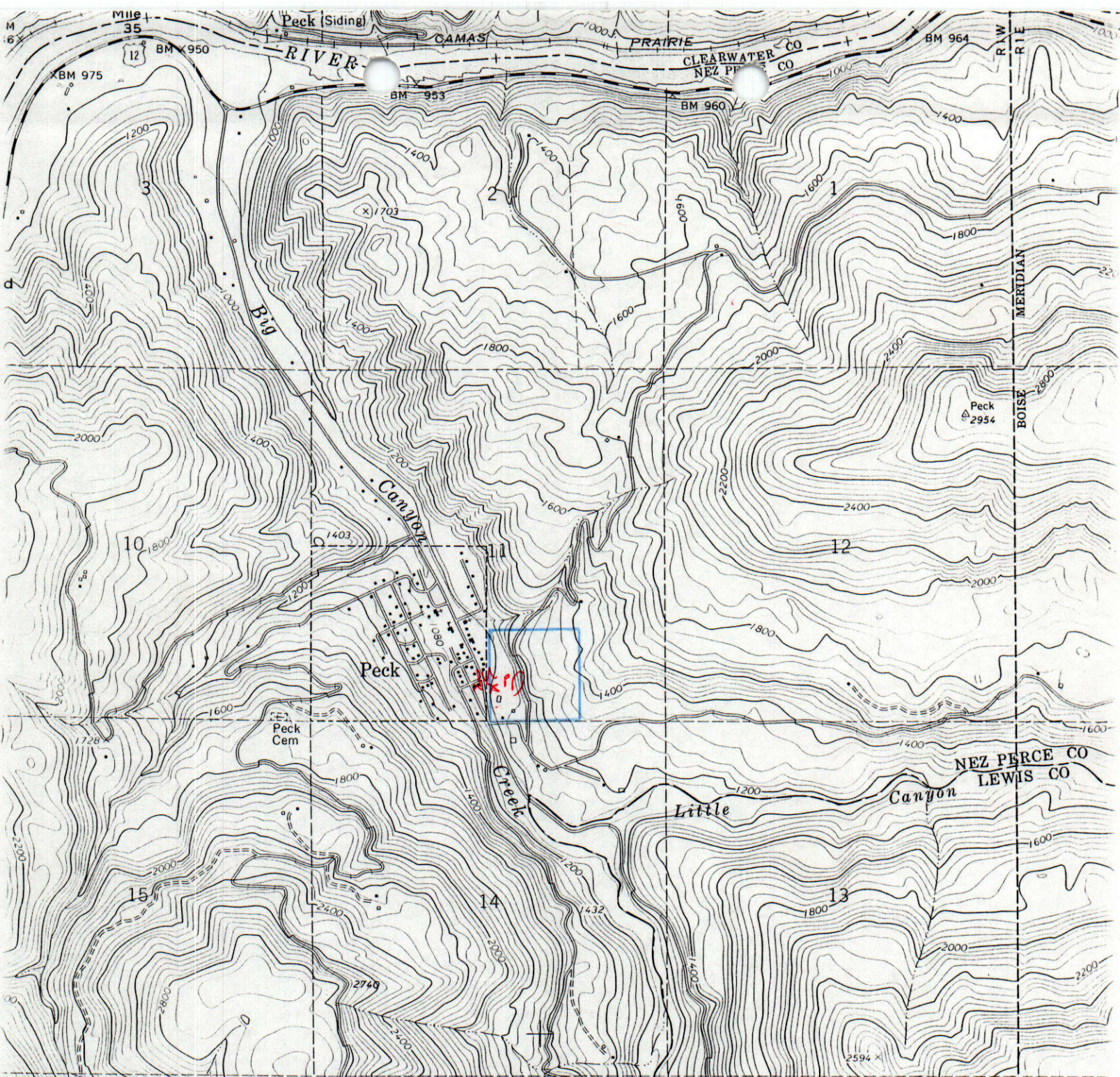
☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.

☐ Aerial Photo Attached

(required for irrigation of 10 acres or more).

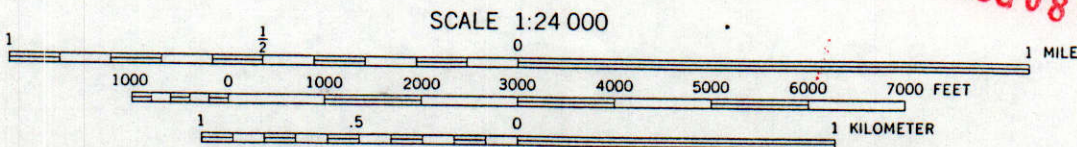
MICROFILMED
AUG 08 1991



8507504

T36N R1W Sec 11

MICROFILMED
AUG 08 1997



CONTOUR INTERVAL 40 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07504

Priority: September 8, 1988

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:¹

1.1 AF

This is to certify, that VIRGIL WILMARTH, SR.
MILDRED WILMARTH

P.O. BOX 8
PECK, ID 83545

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 18, 1988; and has submitted Proof of Beneficial Use on January 22, 1990. An examination indicates that the works have a diversion capacity of .010 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	03/15 to 11/15	0.01 CFS	1.1 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , 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	0.3		0.3

Total number of acres irrigated: 0.3

CONDITIONS/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 .03 cfs per acre nor more than 4.5 afa per acre for the lands above.

RECORDED

AUG 08 1991

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07504

CONDITIONS/REMARKS:

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 12TH
day of July, 1991.

Acting for

R. Keith Higginson, Director

IMPR 1426

AUG 08 1991

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 85-7504 IN THE
NAME OF MILDRED &/OR VIRGIL WILMARTH, SR.

ORDER OF REINSTATEMENT

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before January 1, 1990; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on January 22, 1990;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 85-7504 be REINSTATED and the priority advanced to September 8, 1988.

Dated this 21st day of February, 1990.

MICROFILMED

MAR 19 1990


L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Virgil Wilmarth, Sr. & Mildred Wilmarth Phone (208) 486-7951
Post office address Box 8, 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 _____ ¼ of SW ¼ of SE Govt. Lot _____
Sec. 11 Township 36N Range 1W B.M. Nez Perce County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Allow 0.01 cfs*
Amount 0.02 for IRR purposes from 6-1 to 10-1 (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)
Allow 0.01 cfs*
5. Total quantity to be appropriated is (a) 0.02* and/or (b) _____
*0.25 acres x 0.03 cfs = 0.01 cfs ^{cubic feet per second} KW 11/30/88 ^{acre feet per annum}
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 2 HP Pump in creek w/ 1" Pipeline to place of use. 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 for approved beneficial use is
1 years (minimum 1 year).

MICROFILMED
DEC 21 1988

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	10W	11												1/4					1/4

Total number of acres to be irrigated 1/4

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? City of Peck

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

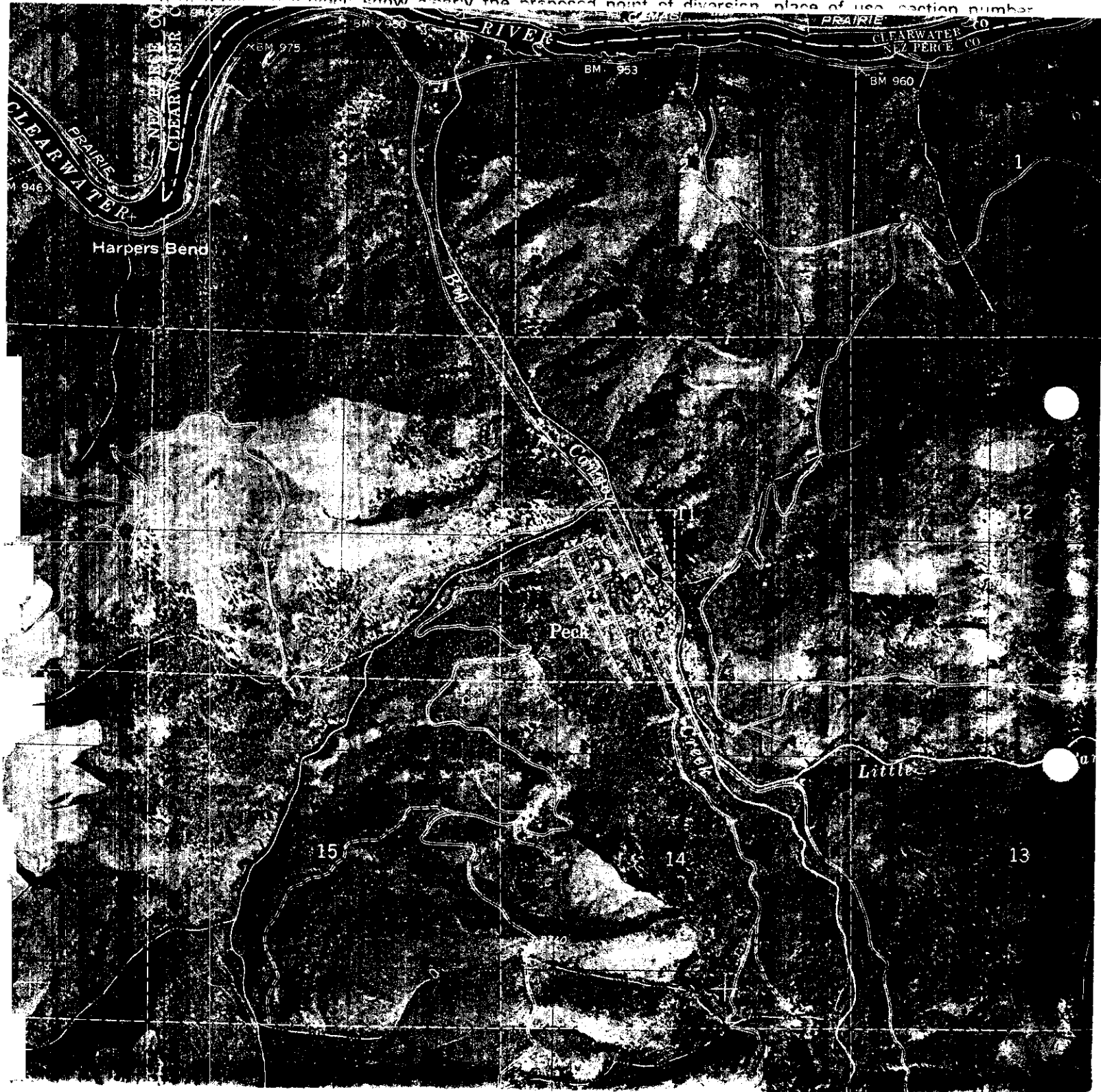
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

RECORDED

DEC 21 1988

Map of proposed project show clearly the proposed point of diversion place of use section number



Proposed Priority 8/18/88
Received by L. Werner Date 8-18-88 Time 1:45 PM Preliminary check by JK
Fee \$ 30.00 Receipted by LW # W745 Date 8-22-88
Publication prepared by JK Date 9/7/88 Published in 9/15+22/88
Publication approved JK Date 9/30/88

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. 85-7504, and said application is hereby APPROVED.

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 January 1, 19 90.
- 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:
The issuance of this permit in no way grants any right-of-way or easement across the land of another.
The maximum rate of diversion for irrigation purposes under this permit shall not exceed 0.01 cfs.

Witness my hand this 1st day of December, 1988.

J. Glen Saxton

MICROFILMED

DEC 21 1988

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

Date 092288 INVOICE No. 100145242
Account No. 96475
Description 45242NOTIC
Times 2 Lines 44
Tab Lines _____

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

STATE OF IDAHO
DEPT. OF WATER RESOURCES
4055 GOVERNMENT WAY
COEURDALENE
ID 83814

\$ **RECEIVED**
SEP 20 1988

Department of Water Resources
Northern District Office

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

B. J. Meloy, 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 091588, or once a
WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 091588, and the last pub-
lication thereof being on the 092288, 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.

B. J. Meloy

SUBSCRIBED AND SWORN BEFORE ME THIS THE 28
day of September 1988

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

NOTICE OF APPLICATION
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
85-07504
WILMARTH, JR., VIRGIL I.
P.O. BOX 2
PECK, ID 83845
Source: SPRINGS
Tributary: CANYON CREEK
Diversion Pt:
NENENW Sec 14 T 36N R 01W
NW/4ENW Sec 14 T 36N R 01W
SW/4ENW Sec 14 T 36N R 01W
Use: IRRIGATION (.200 CFS)
DOMESTIC (.040 CFS)
Date Filed: 8/18/1988
In: T36N R01W S11 SESW SESW
S14 NENW
10.0 ACRES TOTAL
85-07504
WILMARTH, MILDRED
WILMARTH, SR., VIRGIL
P.O. BOX 2
PECK, ID 83845
Source: BIG CANYON CREEK
Tributary: CLEARWATER RIVER
Diversion Pt:
SWSE Sec 11 T 36N R 01W
Use: IRRIGATION (.020 CFS)
Date Filed: 8/18/1988
In: T36N R01W S11 SESW
0.3 ACRES TOTAL
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,
Government Way Suite 9, Coeur d'
Alene, Idaho 83814 on or before OC-
tober 1, 1988.
R. KEITH HIGGINS, Director

MICROFILMED

DEC 21 1988



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

October 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHERYL L DAVIS
400 HOSP DR LOT 3
OROFINO ID 83544

RE: Change of Ownership for Water Right 85-07504

Dear Ms. Davis:

The Notice of Change of Water Right Ownership form that you submitted to the Department has been forwarded to me for handling.

The ownership change form did not include the support documentation that we require. I have enclosed a copy of the form you sent with areas highlighted to show the required information. Also enclosed is the extra paperwork that you furnished.

We will be happy to process your ownership change request upon receipt of the necessary information.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,

A handwritten signature in cursive script that reads 'Kari Lynn Townsend'.

Kari Lynn Townsend
Secretary

KLT:k

Enclosures

RECEIVED

OCT 07 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

1. Water Right or Adjudication Claim No(s): 85 - 7504
2. The following **REQUIRED** information must be submitted with this form:
- A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
- AND**
- ~~B. PLAT OF PROPERTY~~ or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
- OR**
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant VIRGIL WILMARTH, SR 4/02 MILDRED WILMARTH
Box 8, PECK, ID 83545
4. New Owner/Claimant(s) SHERYL L DAVIS
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 400 HOSP DRIVE LOT 3
- City, State and ZIP Code OROFINO, ID 83544
- New Telephone Number () 208-486-6225
5. Date you acquired the property 9-29-99
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate _____ Number and type of stock N/A
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Sheryl L. Davis
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

July 18, 1991

VIRGIL WILMARTH, SR.
MILDRED WILMARTH
P.O. BOX 8
PECK, ID 83545

RE: WATER RIGHT NO. 85-07504

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

MICROFILMED
AUG 08 1991

LICENSE REVIEW CHECKLIST

Permit No.

85-7504

Name/Address

change?

ok

Priority date

Advance? yes

no

Memo to advance

Order to reinstate needed?

yes

no

Total cfs

Limited by fee

N/A

Limited by capacity

Total volume

Limited by flow

Chart checked for AF rate/ac

4.5

Capacity

Actual measurement checked

Theoretical checked $2 \times 8.8 \times 7 / 10 + 2.3 \times 70 = .12 \text{ cfs}$

If greater than permit, check for other rts

Source

Changed? yes

no

If so, is memo needed to clarify?

P/D

Verify with map

permit

More than one per 1/4? Remember remark

Check p/d overlap

N/A

Uses

Check irrigation period of use w/ chart

P/U

Verify with map

permit

> 5 acres irrigated, run overlap

N/A

Remarks

More than one p/d in 1/4

Description of non-irrig uses

Special overlap condition

Conditions -

Measuring device

W.Master control

Overlap

Water quality

Other

Dates/Misc. -

Water Dist

App Rec'd

Proof Rec'd

CHECK FOR ADJ. CLAIM

Needed according to proof filed

Filed - needs amended

Add'l fee required

Not filed

Not needed

proof made 1/29/90

Comments/Changes to Examiner's Recommendations:

AUG 08 1991

License

10-day

30-day

Back of field report signed?

Reviewer

Date

Review time

min.

SENIOR AGENT REVIEW

Check List
for
Beneficial Use Field Report

Permit 85-07504

A. GENERAL INFORMATION

1. Name and address are most current available. (Check BU statement)
2. Exam Date
3. Source (Check Permit)

B. OVERLAP REVIEW

1. & 2. (Rule 5,1,4)

C. SYSTEM DESCRIPTION

1. Diversion System Diagram (Rule 5,1,3 / 5,1,4)
2. USGS (Rule 5,1,7 / 5,1,9) Aerial (Rule 5,1,17)
Photo of pd and/or pu or explanation
3. Word Picture (Rule 5,1,3 / 5,1,4)
4. Diversion (Rule 5,1,3)
5. Compare with USGS Map/Land Survey Maps/Aerial Photos/Permit.
Method of determination
6. Irrigation (Rule 5,1,8), Method of determination,
Compare USGS/Land Survey? Aerial Photos/Permit.

D. FLOW MEASUREMENTS Check math (Rule 5,1,13 / 5,1,14)

E. FLOW CALCULATIONS Check math (Rule 5,1,13 / 5,1,14)

F. OPTIONAL

G. VOLUME CALCULATIONS

- Three significant figures/not less than 0.10 (Rule 6,1,2)
Fish (Rule 5,1,11) number stock, homes, etc... (Rule 5,1,12)

H. REMARKS AND OVERLAP ANALYSES

- All actual uses listed (Rule 5,1,2):
All unused, permitted uses listed (Rule 5,1,2):
Overlaps (Rule 5,1,4):
Return flows (Rule 5,1,5):
Conditions (Rule 5,1,6).

I. RECOMMENDATIONS

1. Municipal (Rule 5,1,10): Compare with items E & G, permit, fee, capacity
(Rule 5,1,15): Measured flows for each use listed separately (Rule 5,1,14).
Period of year (Rule 5,1,13)
2. Compare permit to exam for amendments (Rule 5,1,16)

J. AUTHENTICATION

Name, Signature, Certification Date, Exam Date.

WELL INSPECTION REPORT

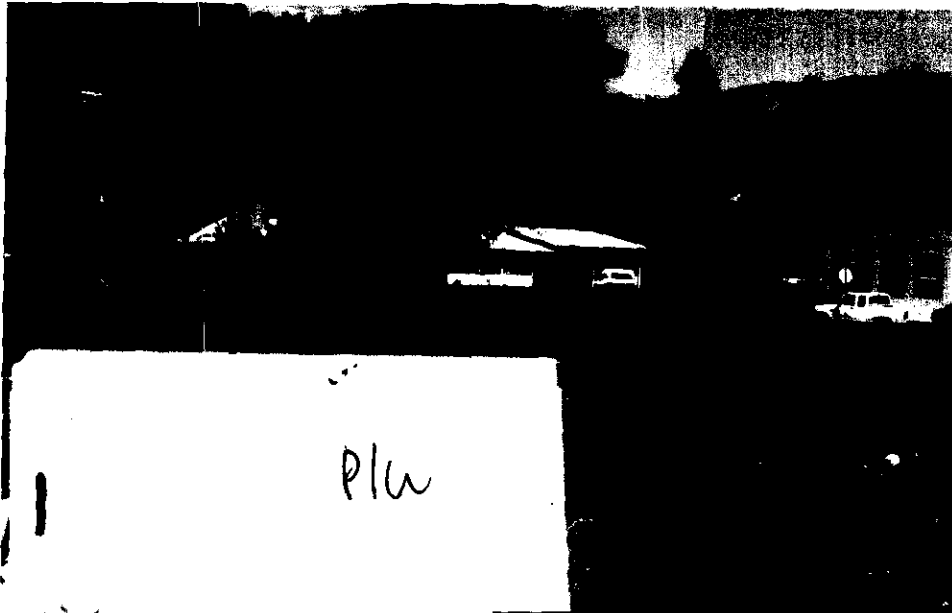
Check with permit and well log for discrepancies

Signature

J.H. King

Date

8/20/90



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 s or more).

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The water from the creek is taken through 2" PVC and pumped to the house through 1" PVC w/ garden hose & used to water 1/4 acre

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
6AS	brass/stratton	2	K6 model - 149,7631	Sears	outlet 2" F1H

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

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	SE	11	36N	1W	NezPerce	Map

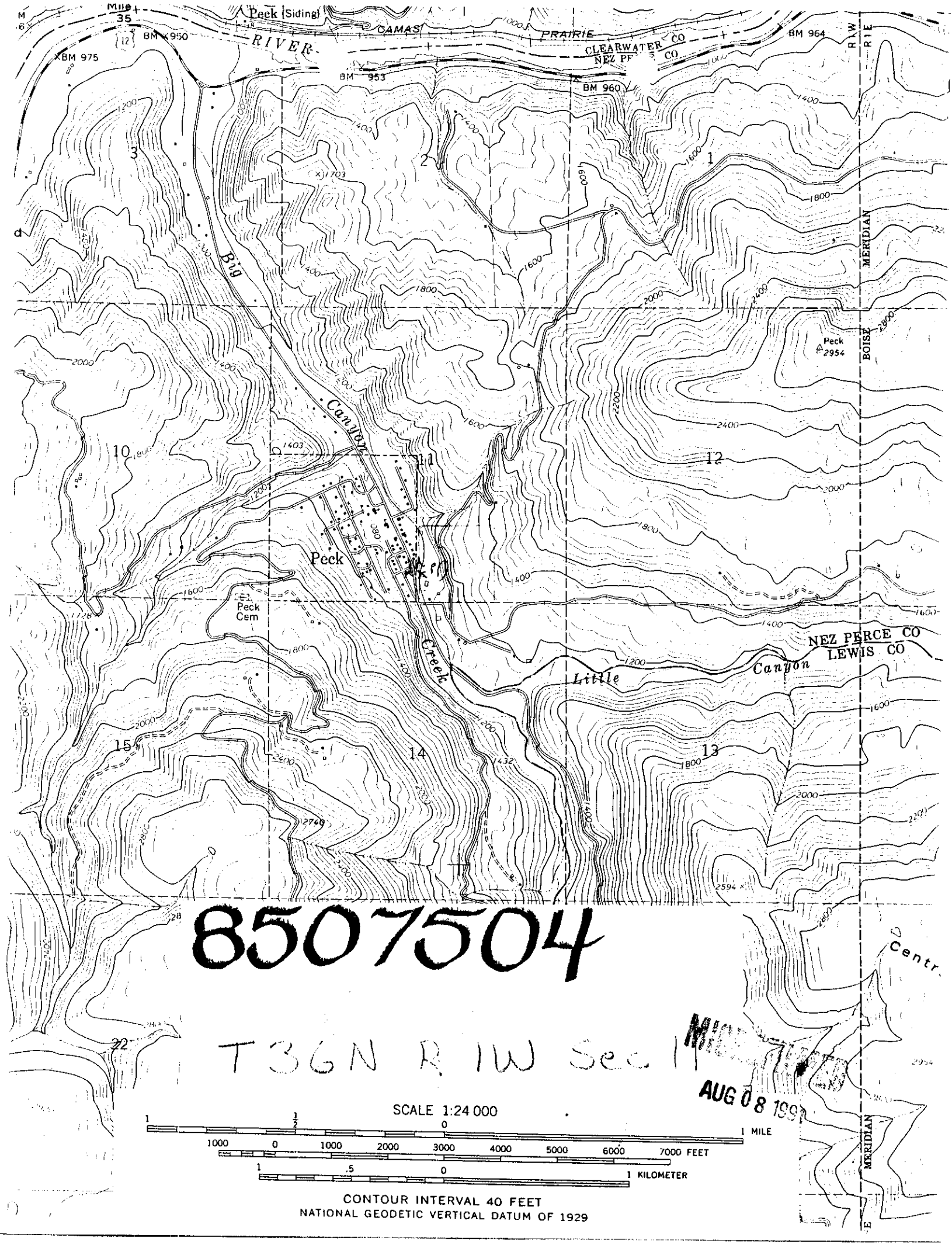
6. **Place(s) of Use:**

Indicate Method of Determination Map

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
36N	1W	11												1/4					1/4

AUG 08 1991

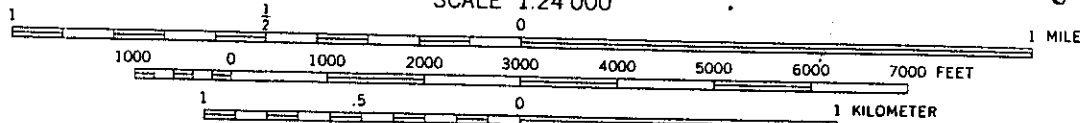
Do not use this space



8507504

T36N R1W Sec 1

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

AUG 08 1991

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes: 1/4 acre

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{(1/4)(3.0) \div .75}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{.75}$

2. Volume Calculations for Other Uses:

AUG 08 1991

[illegible]

1. Recommended Amounts

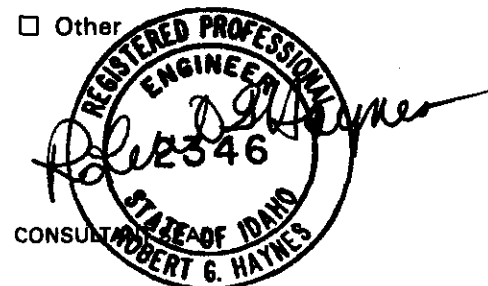
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	11/15	.01	175
Totals:			.01	175

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None☐ Other

Field Examiner's Name Robert Knoblock
Signature Robert Knoblock
Certification Date 4/16/90
Field Report Preparation Date 7/11/90



K. **Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.**

MICROFILMED

AUG 08 1991

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
 Office of State Auditor

AGENCY USE

8217
Date
02/22/90
Code
193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY
TO

MILDRED OR VIRGIL WILMARTH
 BOX 8
 PECK, ID 83545

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
 () STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	06 50 122	1238	8831		REFUNDS WR #85-7504 PER RITA FLECK 2/21/90	20.00 20.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

TOTAL

20.00

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

February 21, 1990

Mildred and Virgil Wilmarth
Box 8
Peck, ID 83545

Dear Mr. and Mrs. Wilmarth:

Re: Permit No. 85-7504

This office acknowledges receipt of the proof of beneficial use form submitted on January 22, 1990. Enclosed is a copy of the order reinstating the permit since the proof form was received after the proof due date.

Along with the proof of beneficial use form, the department received a \$20 filing fee. For the diversion of 0.01 cfs, there is no fee for the department to conduct the field inspection. I've requested the Fiscal Section to prepare a refund. The refund should come to you from the Auditor's Office in several weeks.

The next step in establishing a water right is for the department to conduct a field inspection to determine the extent of beneficial use. Our regional office will contact you to schedule a convenient time.

If you have any questions, please contact me. If you have questions regarding the field inspection, please contact the Coeur d'Alene office at 678-4639.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: Fiscal Section

RECORDED

MAR 19 1990

MEMORANDUM

DATE: February 21, 1990

TO: FISCAL SECTION

FROM: Nina Shields or Rita Fleck

RE: REFUND - Permit No. 85-7504

Please prepare a refund of \$20.00 (receipt No. C014137). Attached is a copy of a letter which explains why the refund is necessary along with the receipt.

Also, please reference the water right identification number on any papers returned to me for the files. Thanks.

Attachments: Letter
Receipt

MICROFILMED

MAR 19 1990

1/80

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 85-7504

Date: 2/7/90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change NO If yes, prepare a data entry
☒ Proof received timely NO
 Reinstated

Source of Water:

- ☒ Surface water
 Groundwater
NP 1. well log in file
 2. drilling permit
 A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
NO Is rate or volume and fee appropriate needs refund
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- NO Is a measuring device or access port required?
 Has one been installed?
 Waiver or modification of measuring device requested

Remarks:

Priority Calculation:

Date proof received Jan 22, 1990 22

Date proof due Jan 1, 1990 - 1

No. of days late = 21

Priority date Aug 18, 1988 + 230

NEW PRIORITY DATE Sept 8, 1988 = 251

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

For Office Use Only
Amt. of Fee \$ 20.00
Date 1/22/90
Receipt No. 2014137
Received by J. Wong

RECEIVED

JAN 22 1990

STATE OF IDAHO
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.

Permit No. 85-07504 Telephone No. (208) 486-7951

Name(s) of Permit Holder(s): Mildred Wilmarth and Virgil Wilmarth, Jr.

Post Office Address: Box 8

Source of Water: Big Canyon Creek

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:

Domestic _____ (No. of households)

Irrigation 0.25 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted 0.01 cfs 0.01 acre/feet 0-4 on chart

Show date water was first diverted and beneficially used under this permit: July 20, 1989

One of the following may be a condition of approval of your permit:

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

OR

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

Fee Enclosed: \$ 20.00 (See License Examination Fee Schedule)

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

Virgil Wilmarth, Jr. (208) 486-6302
Name Telephone No.

Box 89 Beck, Idaho 83545
Address

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The above information is my true statement of the extent to which the above numbered permit has been developed and relinquish any undeveloped portion of the permit to the state of Idaho.

MAR 19 1990

Jan 18, 1990 Mildred Wilmarth
Date Signature (and title if on behalf of a company or organization)
Virgil Wilmarth

Fick, Ida
Jan 18, 1990

Dear Mr. Saxon,

I feel very embarrassed to write and tell you that we just overlooked this piece of business; hence the lapse.

We have been away from home and just overlooked getting this in on time. Sorry!

I couldn't find a place to tell me what the fee should be, if I haven't sent enough, please let me know.

Sorry for any inconvenience.

Mildred Wilmarth

RECEIVED
JAN 22 1990

Department of Water Resources

MICROFILMED

MAR 19 1990



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 10, 1990

MILDRED WILMARTH
VIRGIL WILMARTH, SR.
P.O. BOX 8
PECK, ID 83545

LAPSE NOTICE

RE: PERMIT NO. 85-07504

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced water permit has lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time. You were provided the proper form in our proof due notice to you dated October 31, 1989.

Your permit cannot be reinstated unless you submit proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal (including the examination fee or a completed field examination report) or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

MICROFILMED

MAR 19 1990

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.

January 10, 1990

MILDRED WILMARTH
VIRGIL WILMARTH, SR.
P.O. BOX 8
PECK, ID 83545

LAPSE NOTICE

RE: PERMIT NO. 85-07504

Dear Permit Holder:

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A proof of beneficial use form and a request for extension of time form are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which might bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

Enclosures

LGS:RF

MICROFILMED

MAR 19 1990

CERTIFICATION OF MAILING

I hereby certify that on 1-15-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

138844
October 31, 1989

MILDRED WILMARTH
VIRGIL WILMARTH, SR.
P.O. BOX 8
PECK, ID 83545

PROOF DUE NOTICE

RE: PERMIT NO. 85-07504

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, 1990. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

MAR 19 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
December 12, 1988

MILDRED WILMARTH
VIRGIL WILMARTH, SR.
P.O. BOX 8
PECK, ID 83545

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

RE: PERMIT NO. 85-07504

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.

We have enclosed 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 for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS: SC
Enclosures

MICROFILMED
DEC 21 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: JK DATE: 8/30/88 APPLICATION: 85-7504

REQUIRED INFORMATION

- ☒ Name: (If applicant is a corporation or partnership, names must be provided for the director, officers, and other partners.)
- ☒ Address:
- ☒ Source: (See USGS Quad for names of water sources)
- ☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County:
- ☒ Quantity: (flow and/or volume)
- ☒ Period of use:
- ☒ Nature of proposed use: (Include description of use)
- ☒ Description of diverting works:
- ☒ Time required for beneficial use of water:
- ☒ Place of use or acres irrigated:
- ☒ Map:
- ☒ Signature: (If applicant is corp., partnership, or municipality title of signator is required)
- ☒ Fee:
- ☒ yes ___ No* In form to receipt:

ADDITIONAL INFORMATION

YES NO

- ☒ ___ Overlapping place of use: (Describe source & relationship to present application on the back.)
- ☒ ___ Overlapping point of diversion:
- ☒ ___ Field check required: Field check by: _____
- ☒ ___ Field report attached:
- ☒ ___ Critical groundwater area:
- ☒ ___ Groundwater management area:
- ☒ ___ Send dam safety information:
- ☒ ___ Send power requirement letter:
- ☒ ___ Send fish farm requirement letter:
- ☒ ___ Power residency affidavit:
- ☒ ___ Power efficiency form:
- ☒ ___ Within trust water boundry: (If yes, attach Trust Water Supplementary Analysis Sheet.)
- ☒ ___ Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.)
- ☒ ___ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____

Additional information on reverse side: _____

RECEIVED
OCT 26 1988

Department of Water Resources

PROCESSING

YES NO

___ In form for advertising:
___ Statewide advertising:
___ Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

___ I.D. Health and Welfare
___ I.D. Fish and Game
___ I.D. Lands
___ Adjudication Bureau

YES NO

___ U.S. BLM
___ U.S. Forest Svc.
___ Water District # _____
___ Other _____

FINAL REGIONAL PROCESSING REVIEW

YES / NO

✓ Affidavit of publication received:
✓ Application published correctly: If not, record action taken.

✓ Publication dates and paper recorded on application:
✓ Protests received, Final date for protest 10/3/88
✓ Protests, dates, resolution of protest recorded on application:
✓ Recommendations attached:
✓ Measuring device required:
✓ Measuring port required:
✓ Water delivered by water master? District # _____
✓ Special conditions of approval or cover letter: (see additional info. below)
✓ See Below For Additional Information

Recommended Date of Priority 8/18/88
Recommended by: PLH Date 10/19/88

STATE OFFICE REVIEW

P16

04 28 (irrig., 0.01cfs)

See below for additional information. By kw Date 11/30/88

ADDITIONAL INFORMATION

85-02122 IAC BIG CANYON CR- HAYWOOD
85-04337 IAC " " " " STATTON

85-07504

WILMARTH, MILDRED
WILMARTH, SR., VIRGIL
P.O. BOX 8
PECK, ID 83545

Source: BIG CANYON CREEK

Tributary: CLEARWATER RIVER

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

Use: IRRIGATION (.020 CFS)

Date Filed: 8/18/1988

In: T36N R01W S11 SESW

0.3 ACRES TOTAL

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DEC 21 1988