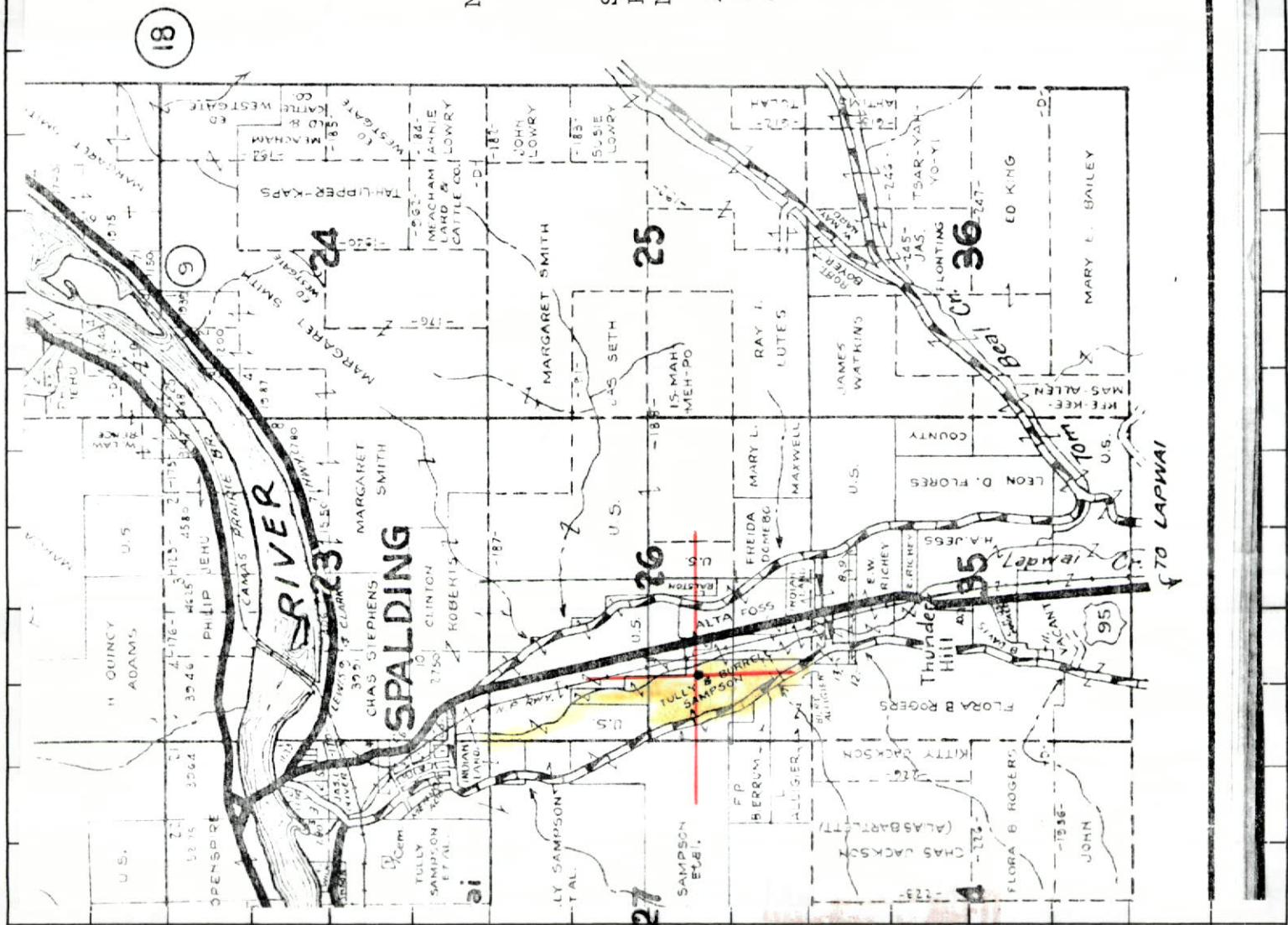




Scale: 2 inches equal 1 mile.

NOTE: The black dot where the two red lines meet is the proposed well construction site.

Section 26, Township 36 North, Range 4 West Boise Meridian, Nez Perce County, State of Idaho.

Area marked in yellow in Sections 26 and 27 is the approximate 82 acres to be irrigated by well.

--LEGEND--

PAVED ROADS

STATE HWYS. ⑨ U.S. HWYS. 95

IMPROVED ROADS

DIRT ROADS

INTERIOR ROADS

RAILROADS

TRAILS

INTERMITTENT CREEKS

SCHOOLS

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.

OCT 13 1988

X Tully Sampson

(Applicant)

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 031088 INVOICE No. L00128500
Account No. 96475
Description 28500NOTIC
Times 2 Lines 24
Tab Lines _____

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

\$ 21.00

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

C. M. Viers, 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

28500
**NOTICE OF APPLICATION
FOR WATER RIGHT**
The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
85-7452
SAMPSON, TULLY
RT. 1, LAPWAI, ID 83540
Source: GROUNDWATER
Diversion Pt: NWSW Sec 26 T 36N R
04W
Use: IRRIGATION (1.640 CFS)
Date Filed: 02/04/1988
In: NWNW SWNW NWSW SWSW
Sec 26 T 36N R 04W NENE Sec 27 T
36N R 04W FOR 82 ACRES
The permit(s) will be subject to
all prior water rights. Protests must
be filed with the Director, Dept. of
Water Resources, 4055 Government
Way, Suite 9, Coeur d'Alene, Idaho
83814 on or before MARCH 21, 1988.
R. KEITH HIGGINSON, Dir.

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 030388, or once a
WEEK for 2 consecutive WEEKS, the first
publication thereof being on the 030388, and the last pub-
lication thereof being on the 031088, 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.

C. M. Viers
SUBSCRIBED AND SWORN BEFORE ME THIS THE 10
day of March 1988

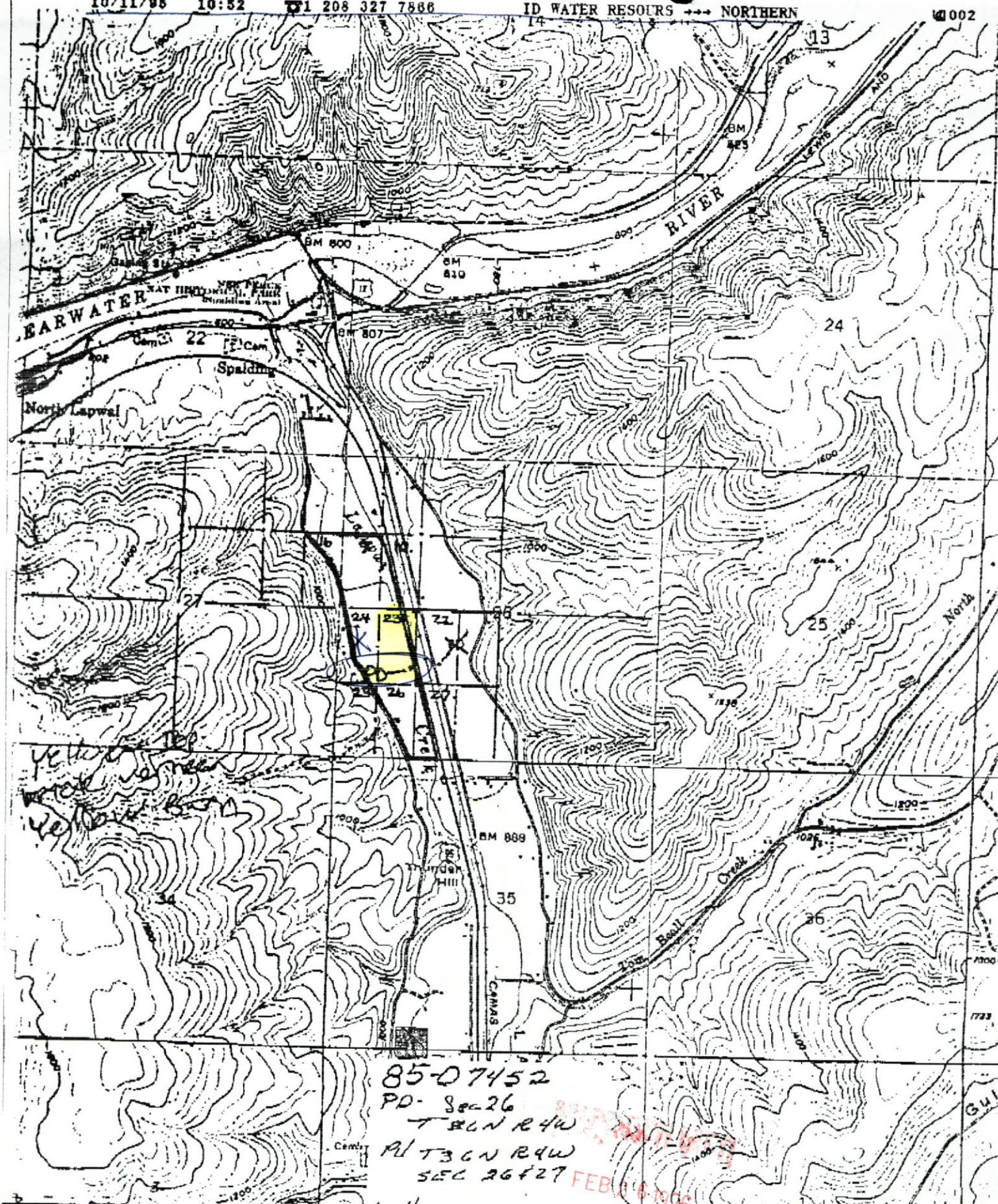
Sheral M. Lentz
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

RECEIVED
OCT 13 1988
3/17/88
MAR 1988
Department of Water Resources
Northern District

10/11/95 10:52 T1 208 327 7886

ID WATER RESOUES --- NORTHERN

0002



85-07452

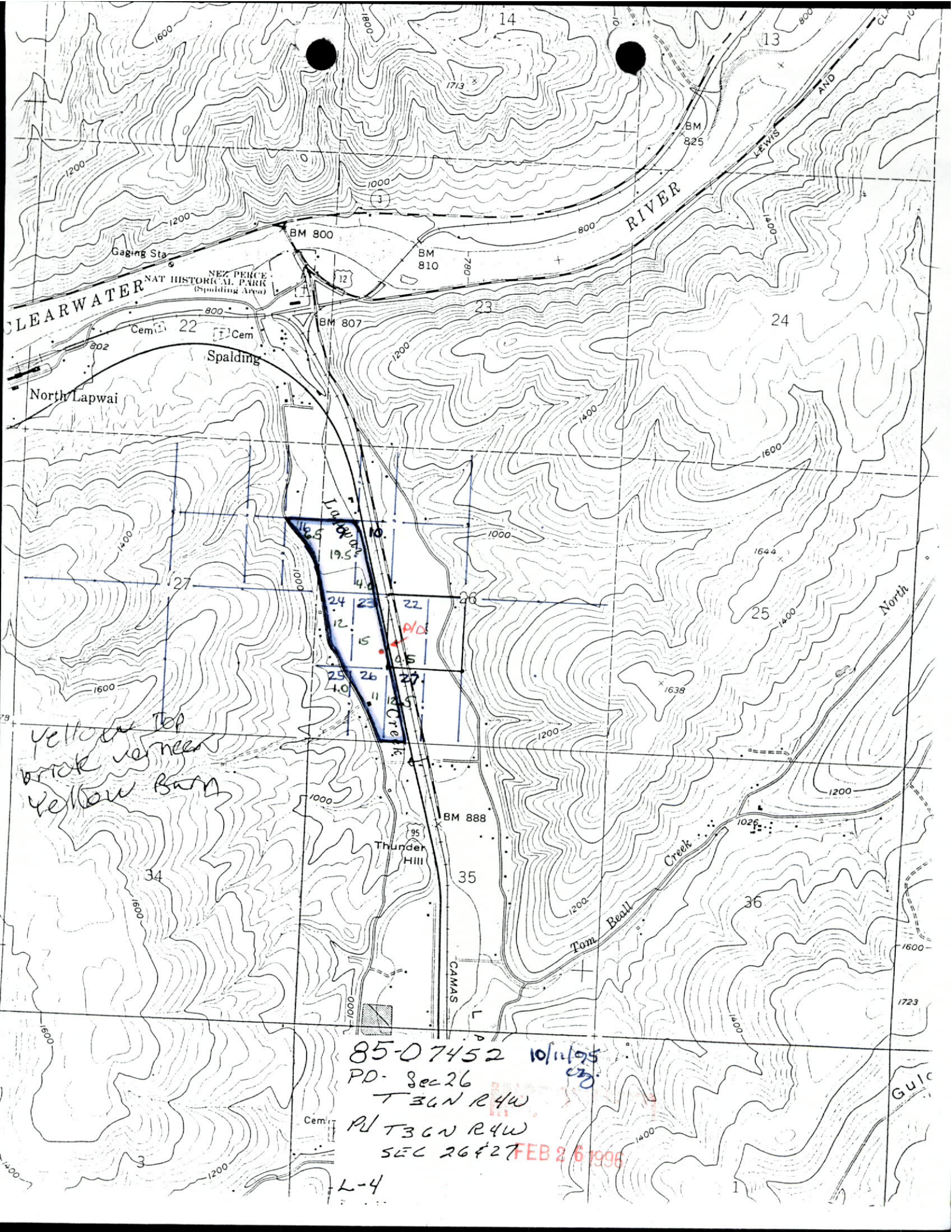
PD- 80-26

T B L N R 4 W

R/ T 3 C N R 4 W

SEC 26 27

* P/D location
per Ted McCracken, examiner 10/11/95. c.g.



Yellow Top
brick veneer
Yellow Barn

85-07452 10/11/95
PD- Sec 26
T 36N R 4W
P1 T 36N R 4W
SEC 26 & 27
FEB 26 1996

L-4

16060 89

R4-W

LOW
ELEVATION

F8-L

28 27
33 34

T36N

FEB 26 1995

Copy of aerial
Photo
Tully Sampson
Estate

from ASCS
red 9/29/95 c38

1:660

R 7 W

16069

NATIONAL PARK

NAT. PARK

C-80 29.9

BRYAN FRONDAHL

T302

C-183 12.5

ALF

Lewis

T304

T. SAMPSON

SAMPSON

27

24

17

22

25

T. SAMPSON

32

25

7

23

27

33

34

T36N R4W

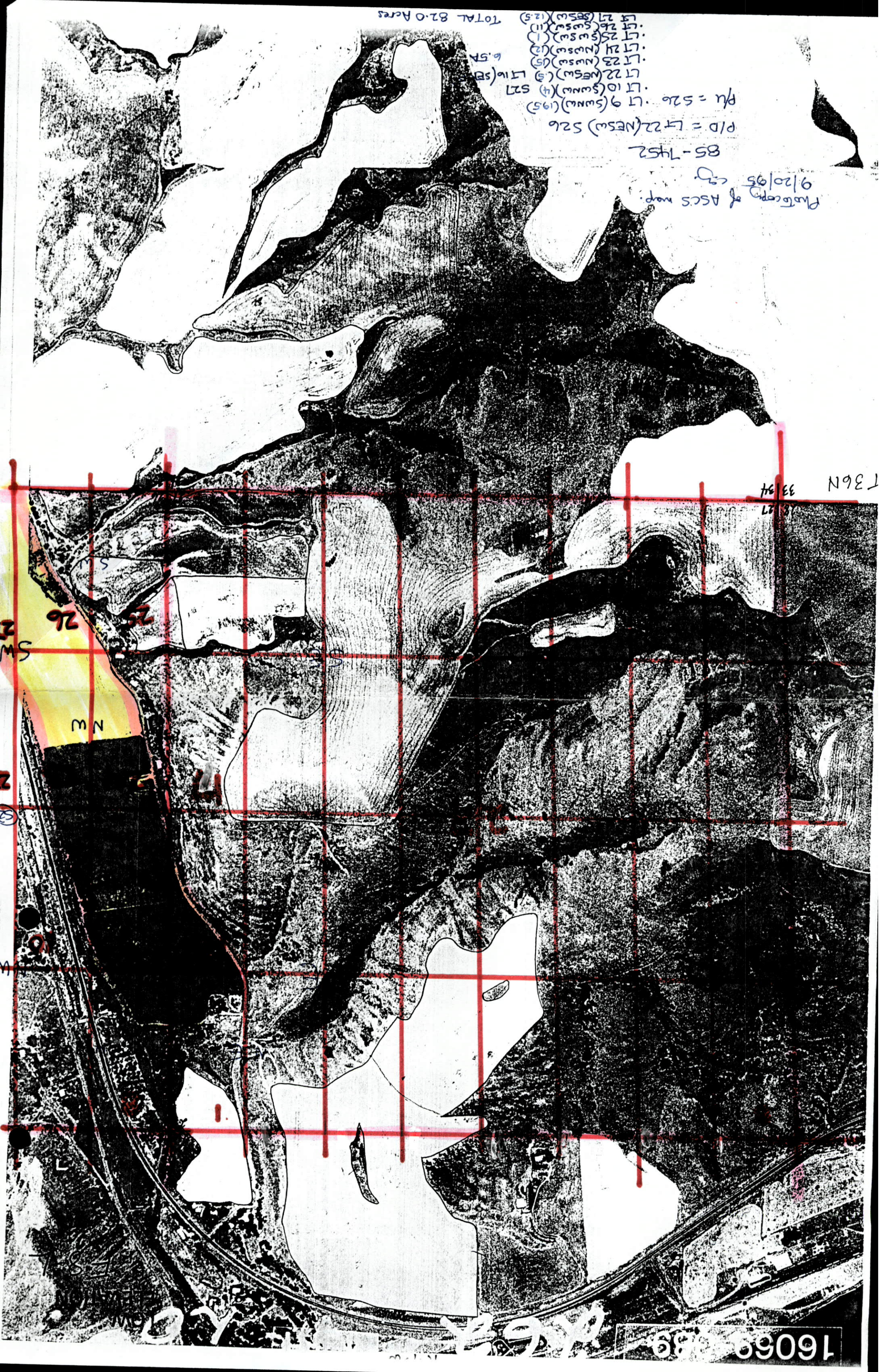
85-7452

(photocopy of aerial in field exam)

85-7452

9/20/98

30.2



TOTAL 82.0 Acres

- LT 27 (SWSW) (12.5)
- LT 26 (SWSW) (11)
- LT 25 (SWSW) (1)
- LT 24 (NWSW) (12)
- LT 23 (NWSW) (6.5)
- LT 22 (NESE) (3)
- LT 16 (SE) 6.5A
- LT 10 (SWNW) (4) 527
- LT 9 (SWNW) (19.5)

P/D = LT 22 (NESE) 526

85-7452

Photo of ASCS map.
9/20/95

T 36N

33 34
76 37

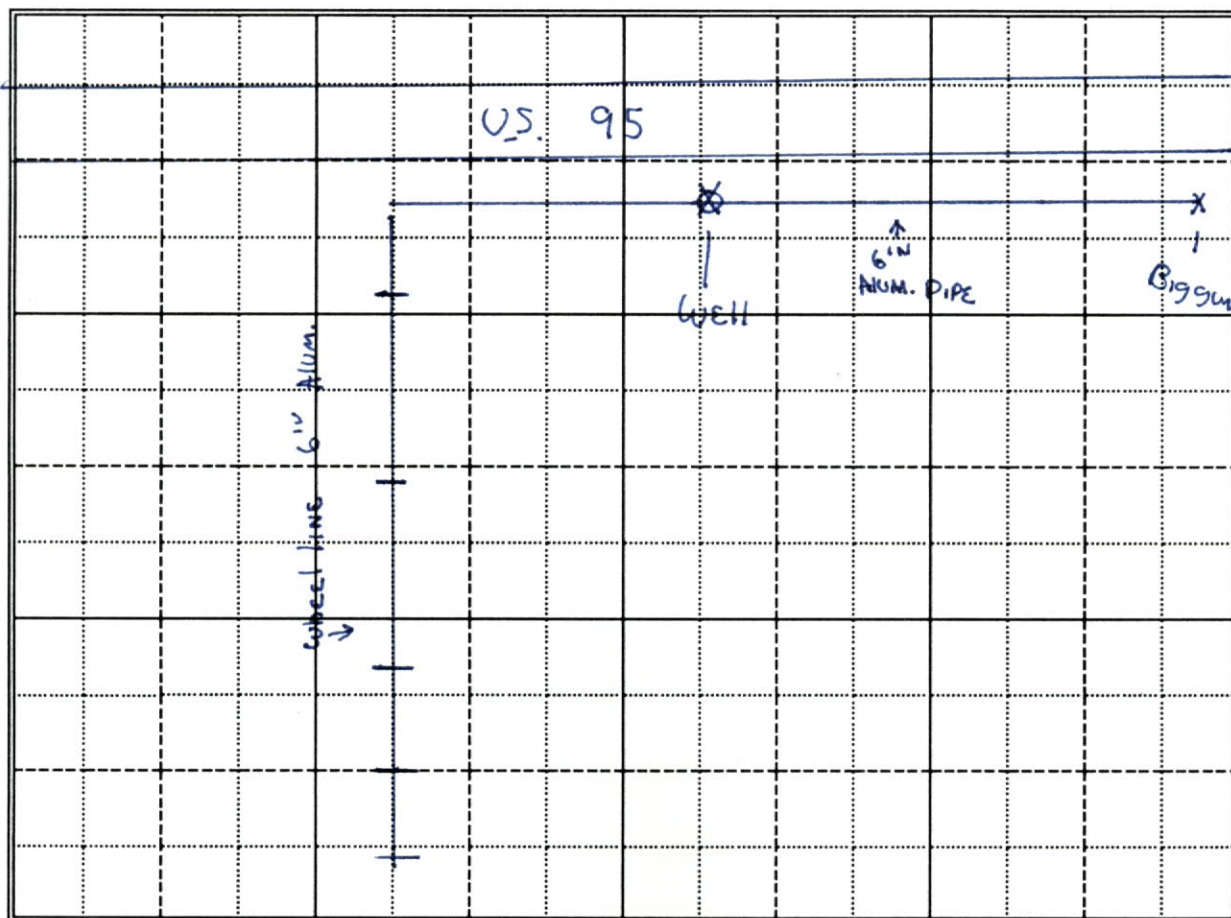
26

29

NW

16059

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
	N4	50			

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

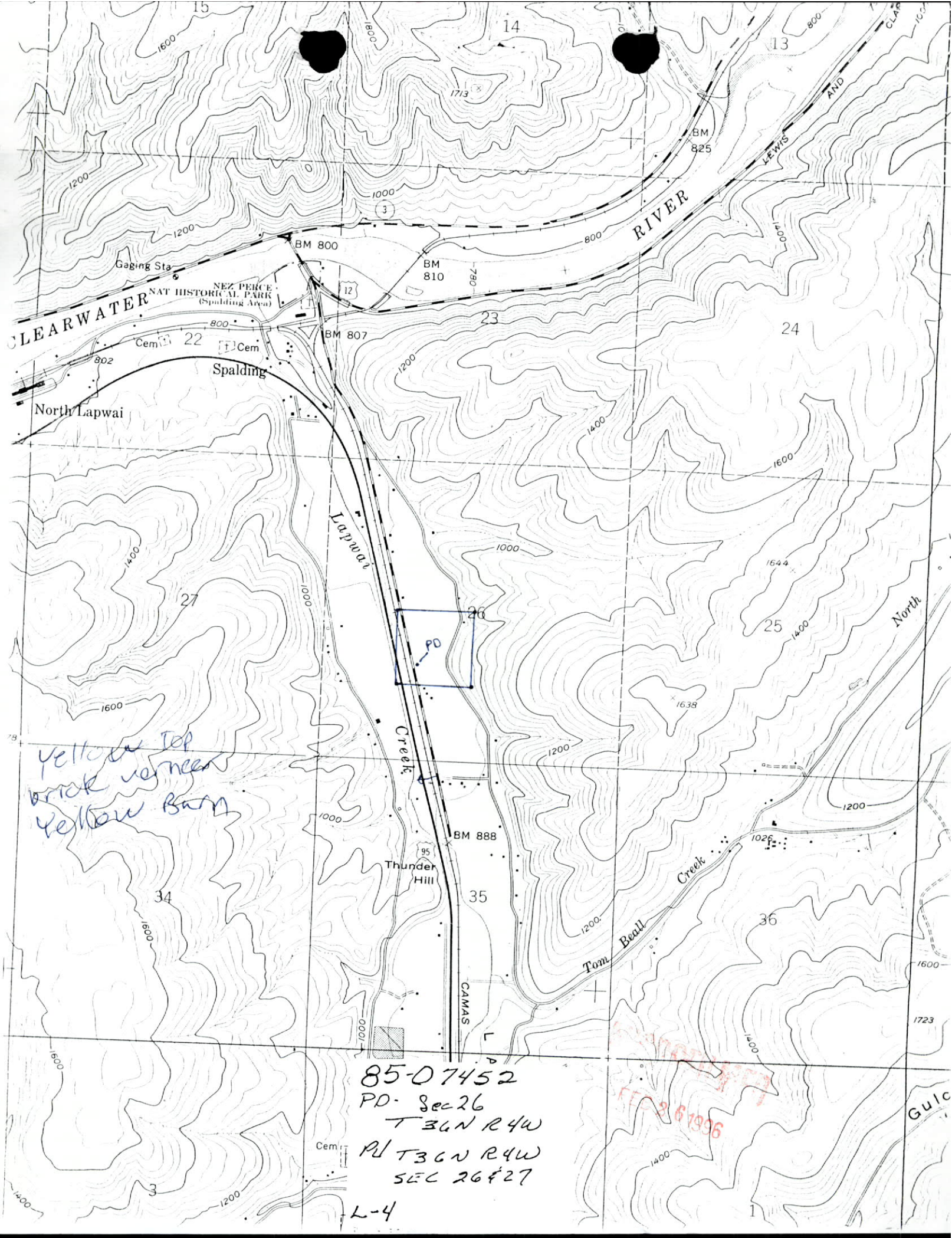
D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Poly sonic						
theoretical						

2. Measurements: polysonic flow meter & theoretical pump check

FEB 26 1996



85-07452

PD- Sec 26

T 36 N R 4 W

PL T 36 N R 4 W

SEC 26 & 27

L-4

R4W

16069

NATIONAL PARK

H 53

NAT PARK

C-80 A 29.9

C-190

BRIAN FROMDAHL

T302

C-183

12.5

ALF

D. Lewis

1987

AMERICAN EXPRESS

(C081)

T31

T319

T304

old photo

9-14 40

T. SAMPSON

EB 2 6 1996

TULLY SAMPSON

J. SHOWERS

C-1 CRP 1988

H. ALLIGIER

CRP 1988

8-2 (324) 272

C-109

30.2

James Rueger

28 27
33 34

T36N
R4W
85-7452



P.D.

BIG GUN



Wheel line



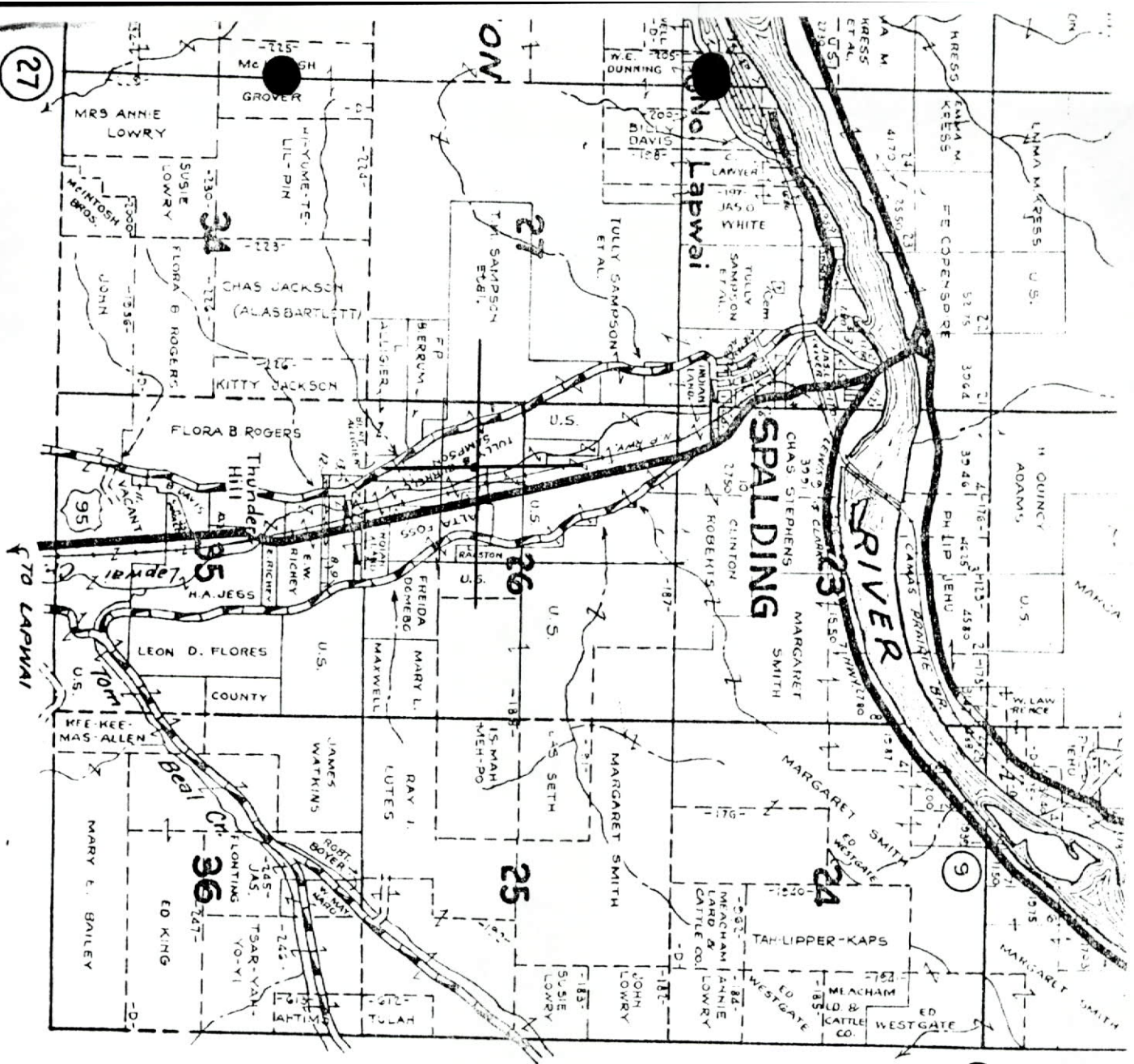
P.D.



RECORDED

FEB 26 1996

85-07452



NOTE: The black dot where the two red lines meet is the proposed well construction site.

Section 26, Township 36 North, Range 4 West Boise Meridian, Nez Perce County, State of Idaho. Area marked in yellow in Sections 26 and 27 is the approximate 82 acres to be irrigated by well.

MICROFILMED

OCT 13 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07452

Priority: February 4, 1988

Maximum Diversion Rate:

1.01 CFS

Maximum Diversion Volume:

328.0 AF

This is to certify, that TULLY SAMPSON

1040 LINDEN AVE

LEWISTON ID 83501

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated February 4, 1988; and has submitted Proof of Beneficial Use on April 26, 1990. An examination indicates that the works have a diversion capacity of 1.010 cfs of water from a GROUNDWATER 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	1.01 CFS	328.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 23(NWSW), Sec. 26, Township 36N, Range 04W
NEZ PERCE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
36N 04W 26	Lot 9(SWNW) 19.5	Lot 10(SWNW) 4	Lot 22(NESW) 0.5	
	Lot 23(NWSW) 15	Lot 24(NWSW) 12	Lot 25(SWSW) 1	
	Lot 26(SWSW) 11	Lot 27(SESW) 12.5		75.5
27	Lot 16(SENE) 6.5			6.5

Total number of acres irrigated: 82

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 that 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 .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

RECEIVED

FEB 26 1996

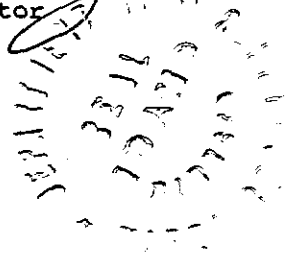
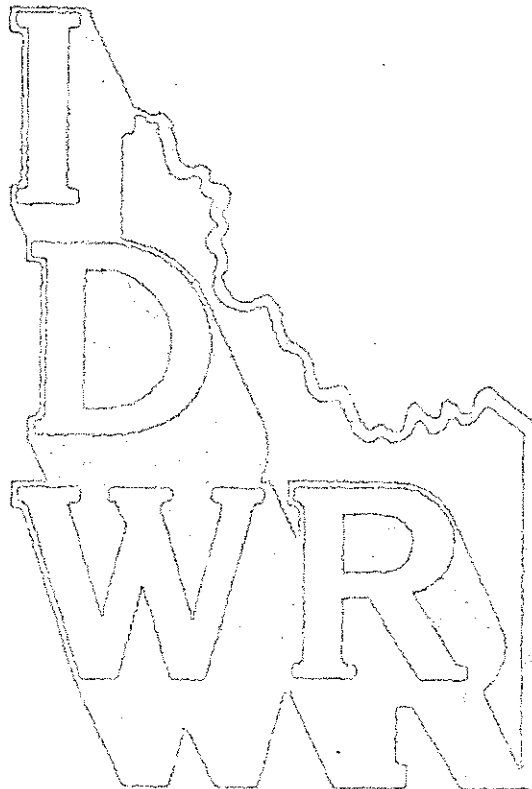
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07452

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 14TH
day of DECEMBER, 1995.


Acting for KARL J. DREHER, Director



FEB 26 1996

State of Idaho
Department of Water Resources

RECEIVED

DEC 11 1995

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 85-07452

Department of Water Resources

Date of Priority: February 4, 1988

Maximum Diversion Rate: 1.01 CFS

Maximum Diversion Volume: 328.0 AF

Comes now

TULLY SAMPSON

1040 LINDEN AVE

LEWISTON ID 83501

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 85-07452, and requests that the permit be changed as follows:

Source: GROUNDWATER

BENEFICIAL USE PERIOD OF USE RATE OF DIVERSION ANNUAL VOLUME

IRRIGATION 03/01 to 11/30 1.01 CFS 328.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 23(NWSW), Sec. 26, Township 36N, Range 04W
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	04W	26	Lot 9(SWNW) 19.5	Lot 10(SWNW) 4	Lot 22(NESW) 0.5	
			Lot 23(NWSW) 15	Lot 24(NWSW) 12	Lot 25(SWSW) 1	
			Lot 26(SWSW) 11	Lot 27(SESW) 12.5		75.5
		27	Lot 16(ENE) 6.5			6.5

Total number of acres irrigated: 82

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Lewiston Id, this 7 day of Dec, 1995.

RECEIVED

Tully Sampson Trust
Dayles E. Liltie
(Signature)

FEB 26 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 85-07452

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = 50.00 Receipted by Jw # C034115 Date 12-12-1995

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 85-07452 with the following;

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 that 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 .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Witness my hand this 14TH day of DECEMBER, 1995.

Acting for

Karl J. Dreher
KARL J. DREHER, Director

RECEIVED
FEB 26 1996

RECEIVED
APR 26 1990STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

Department of Water Resources

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. 85-07452 Telephone No. 743-0563Name(s) of Permit Holder(s): Tully Sampson (deceased)Post Office Address: 1040 Linden Avenue, Lewiston, ID 83501Source of Water: ground waterIf ground water, well driller's name: Uhlenkott Drilling Date drilled: April 5, 1988Extent of Use:
Domestic (No. of households) Irrigation 82 (No. of acres)
Stockwater (No. and type of stock) Other Total rate and/or volume for which proof is submitted 1.64 cfs acre/feetShow date water was first diverted and beneficially used under this permit: June 1, 1988

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

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

OR

Flow Measurement Port: Required? X Yes No Installed? XX Yes NoFee Enclosed: \$ 125.00 (See License Examination Fee Schedule)

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

Larry Butts, Personal Representative of the 743-0563

Name Estate of Tully Sampson

Telephone No.

215 Prospect, Lewiston, ID 83501

Address

MICROFILMED

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.

4/24/90
DateLarry Butts
Signature (and title if on behalf of a company or organization)LARRY BUTTS, PERSONAL REPRESENTATIVE OF THE ESTATE OF
TULLY SAMPSON

RECEIVED

FEB - 4 1988

Ident. No.

85-7452

Form 202
6/85

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Tully Sampson Phone (208) 843-2385
Post office address Route 1, Lapwai, ID 83540
2. Source of water supply GROUND WATER - FM OFFICE OF KEETON, TAIT & PETRIE - JK
Lapwai Creek which is a tributary of Snake River
3. Location of point of diversion is E. 1/2 ~~NW~~ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 36 North Range 4 W. B.M. Nez Perce County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 1.64 for irrigation purposes from 15 Mar. to 15 Nov. (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) 1.64 cfs and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well,

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 10 inches inches; proposed depth of well is 200 feet feet.
d. Is ground water with a temperature of greater than 90°F being sought? no
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
five years (minimum 1 year).

RECEIVED

OCT 13 1988

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.

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	4W	26						6	16			28	30						80
36N	4W	27	2																2

Total number of acres to be irrigated 82 acres

10. Describe any other water rights used for the same purposes as described above. Irrigation, Lapwai Creek, 0.25 cfs, NW¼ and SW¼, Section 26, T. 36N, R. 14, W.B.M. & NE¼, Section 27. Permit No. 85-4440, 1983.

11. a. Who owns the property at the point of diversion? Tully Sampson
- b. Who owns the land to be irrigated or place of use? Tully Sampson
- 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: _____

RECEIVED

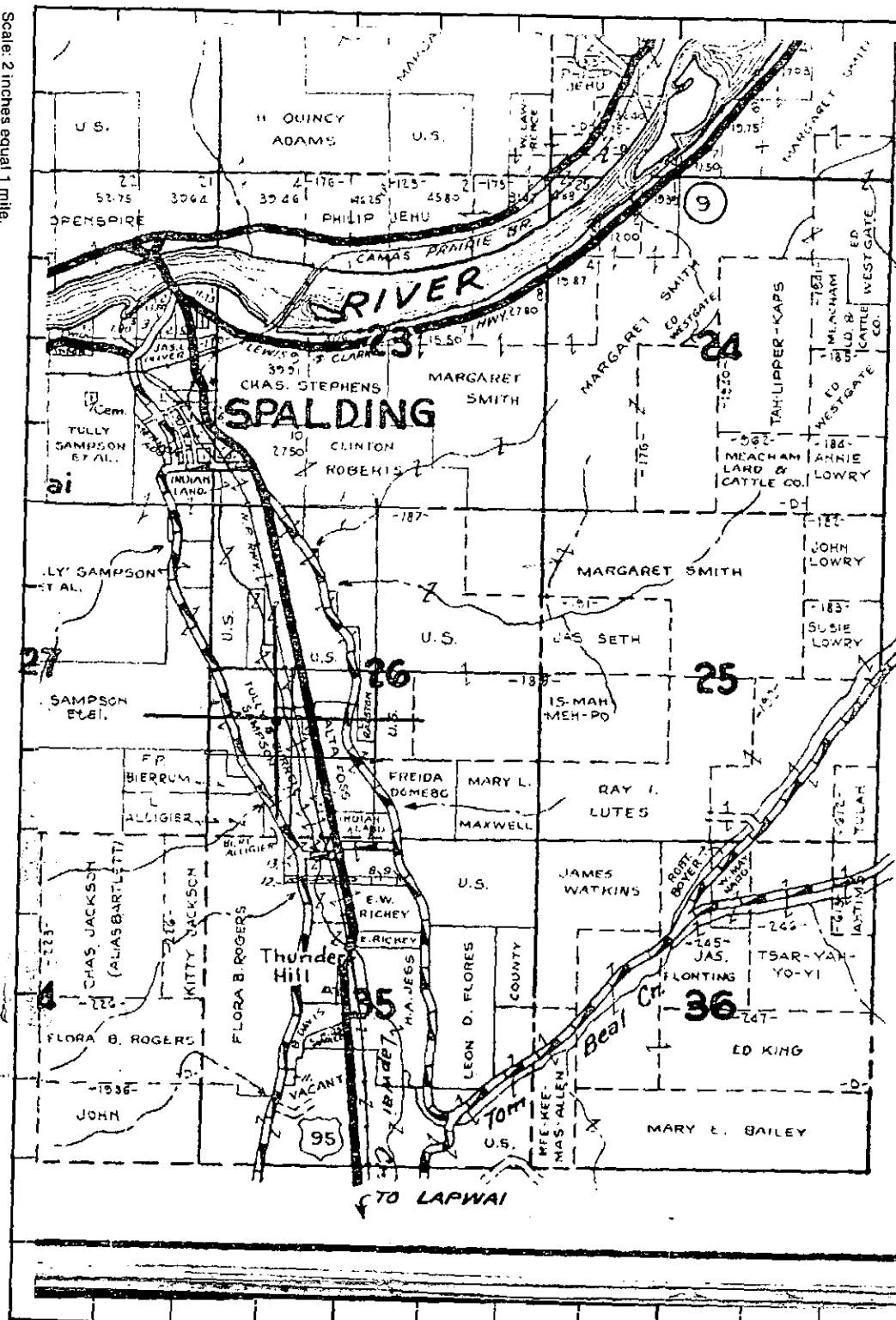
DEC 13 1988

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.

OCT 13 1988

Tully Sampson
(Applicant)



18

NOTE: The black dot where the two red lines meet is the proposed well construction site.

Section 26, Township 36 North, Range 4 West Boise Meridian, Nez Perce County, State of Idaho.

Area marked in yellow in Sections 26 and 27 is the approximate 82 acres to be irrigated by well.

--LEGEND--

- PAVED ROADS
- STATE HWYS. 9 U.S. HWYS. 95
- IMPROVED ROADS
- DIRT ROADS
- INFERIOR ROADS
- RAILROADS
- TRAILS
- INTERMITTENT CREEKS
- SCHOOLS

Received by [Signature] Date 2/11/88 Time 2:10 PM Proposed Print Date 2/4/88
Fee \$ 65.00 Received by [Signature] # 41933 Date 2/12/88
Publication prepared by [Signature] Date 2/25/88 Published in Idaho Tribune
Publication approved [Signature] Date 3/15/88

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. 85-7452, 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 May 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:

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 6th day of April, 1988.

[Signature]
Director

RECEIVED

OCT 13 1988

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 031088 INVOICE No. L00128500Account No. 96475Description 28500NOTICTimes 2 Lines 24

Tab Lines _____

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

STATE OF IDAHO
DEPT. OF WATER RESOURCES
4055 GOVERNMENT WAY
COEURDALENE
ID 83814\$ 21.00NOTICE: 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 PerceC. M. Viers, 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 theNOTICE OF APPLICATIONattached 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 030388WEEK for 2 consecutive WEEKS, or once a
publication thereof being on the 030388, and the last pub-
lication thereof being on the 031088, and saidNOTICE OF APPLICATIONwas 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.C. M. ViersSUBSCRIBED AND SWORN BEFORE ME THIS THE 10day of March 1988Sheral M. LentzNotary Public in and for the State of Idaho,
residing at Lewiston, therein.**NOTICE OF APPLICATION
FOR WATER RIGHT**The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

85-7452

SAMPSON, TULLY
RT. 1, LAPWAI, ID 83540
Source: GROUNDWATER
Diversion Pt: NWSW Sec 26 T 36N R
04W

Use: IRRIGATION (1.640 CFS)

Date Filed: 02/04/1988

In: NWNW SWNW NWSW SWSW
Sec 26 T 36N R 04W NENE Sec 27 T
36N R 04W FOR 82 ACRESThe permit(s) will be subject to
all prior water rights. ~~Protests must~~
be filed with the Director, Dept. of
Water Resources, 4055 Government
Way, Suite 9, Coeur d'Alene, Idaho
83814 on or before MARCH 21, 1988.

R. KEITH HIGGINSON, Dir.

MANUFACTURED

OCT 13 1988

3/15/88

RECEIVED

MAR

1988

Department of Water Resources
Northern District Office



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

December 15, 1995

TULLY SAMPSON
1040 LINDEN AVE
LEWISTON ID 83501

RE: WATER RIGHT NO. 85-07452

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
FEB 26 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 30, 1995

TULLY SAMPSON
1040 LINDEN AVE
LEWISTON ID 83501

RE: WATER RIGHT NO. 85-07452

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
FEB 26 1996

LICENSE REVIEW
Cindy Zimmerman

Permit #: 85-7452 Name: Sampson Date: 9/19/95
App Rcd 2/4/88 Priority 2/4/88 Examined 6/28/95 ✓ Lots ✓

NAME Chng OK ✓ Or Address Change?

SOURCE ✓ Clarify source
✓ Prelim. Order to Void - Source change.

~~P/D~~ ✓ ✓ Amendment Needed? per Ted P/D is in L23(NWSW) - see faxed copy of
NE SW add g.L. ~~P33, P38~~ orthoquad

P/U ✓ ✓ Amendment Needed? Per Aerial add L22(NESW) L27(SESW)
full 82 acres add govt lots P41, P38
Overlap(s) 85-04440

~~*P/D & P/U Amend? P33, P38~~
(See paragraph list for governmental agencies)

RATE --- --- Permit/fee limits: 1.64/1.64
--- --- Measured Q = *0.98 cfs Theoretical Q = 1.01 cfs
(7 sprinklers @ 25 gpm each) + 330 gpm = 448.83 = 505 ÷ 448.83 = 1.13 cfs
(HP) 8.8 x 0.75 x 50 = 330
140 + (2.31 x 20) = 324.8 = 1.01 cfs * polysonic measurement
440 gpm = 0.98 cfs.
Recommended capacity 1.01 cfs
Recommended rate 1.01 cfs

VOLUME --- ✓ Season of Use: (E-4.0) 09/01-11/30 = 275 days
Calculations: irr = 82.0 x 4.0 = 328.0 AF
Flow limit: 1.01 x 275 x 1.9835 = 550.9 AF
Recommended volume 328.0 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 # ---
R3 --- Irrigation rate/volume overlap
--- --- Irrigation water overlap (065) (If gw use sw)
--- --- Water Quality/Other ---

PRIORITY Due 5/1/90 Rc'd 4/26/90 Receipt# 6016553 Fee OK? (Yes) No
Order to Reinstate Needed? Yes/No Done? ---
If Yes, Advanced? Yes/No to: ---

COMMENTS: amend P/D & P/U
limited by capacity; add govt lots

USE	CFS	DIV VOL
<u>irr /82</u>	<u>1.01</u>	<u>328.0</u>
<u>TOTAL</u>	<u>1.01</u>	<u>328.0</u>

Adjustment Memo ✓
~~LICENSE: 040~~
#1 AMEND LTR: P46 or
~~P33~~ P41 & P38
#2 AMEND LTR: P42/P47

MEMORANDUM

DATE: November 30, 1995
TO: File No. 85-07452
FROM: Cindy Zimmerman *cz*
SUBJECT: Review of Beneficial Use Field Report

=====

During the review of the field report on this right, I noted discrepancies between the identified location of the point of diversion and place of use, the system diagram, and the orthoquad and photoquad maps. To clarify the discrepancies, I contacted the examiner and ASCS.

The following adjustments were made on the field report to reflect information derived from the photocopy of the aerial photo from ASCS as confirmed by the examiner:

1. Point of diversion, per Ted McCracken (see faxed orthoquad), is located within Lot 23 (NWSW), S26, T36N, R04W as permitted.

2. Places of use are located in:

T36N R04W S26	Lot 9 (SWNW)	19.5 acres
	Lot 10 (SWNW)	4.0 acres
	Lot 22 (NESW)	1.0 acres
	Lot 23 (NWSW)	15.0 acres
	Lot 24 (NWSW)	12.0 acres
	Lot 25 (SWSW)	0.5 acres
	Lot 26 (SWSW)	11.0 acres
	<u>Lot 27 (SESW)</u>	<u>12.5 acres</u>
	Total	82.0 acres

3. Season of Use.

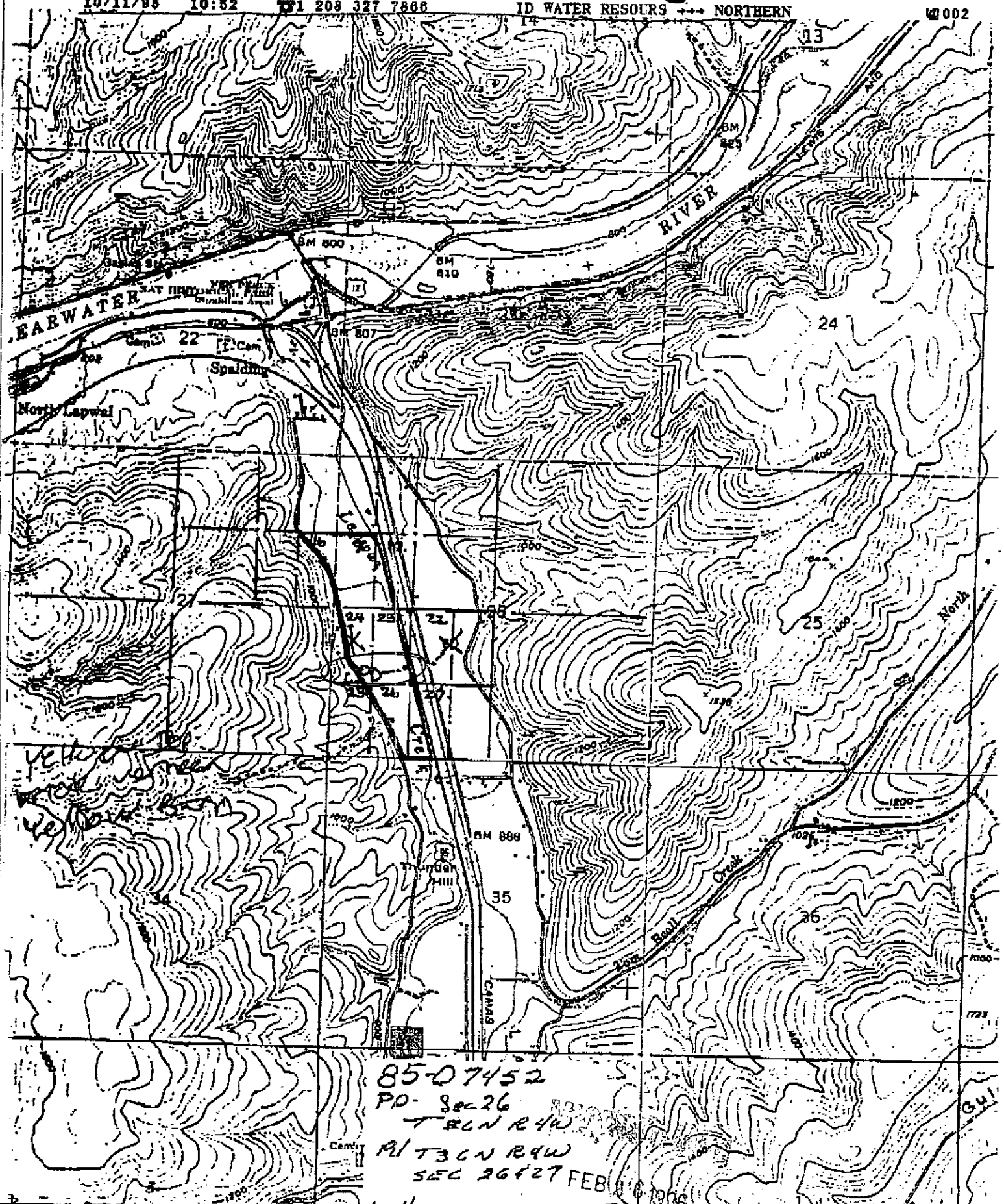
- a. Area E; Irrigation season from March 1 to November 30.

RECEIVED
FEB 26 1996

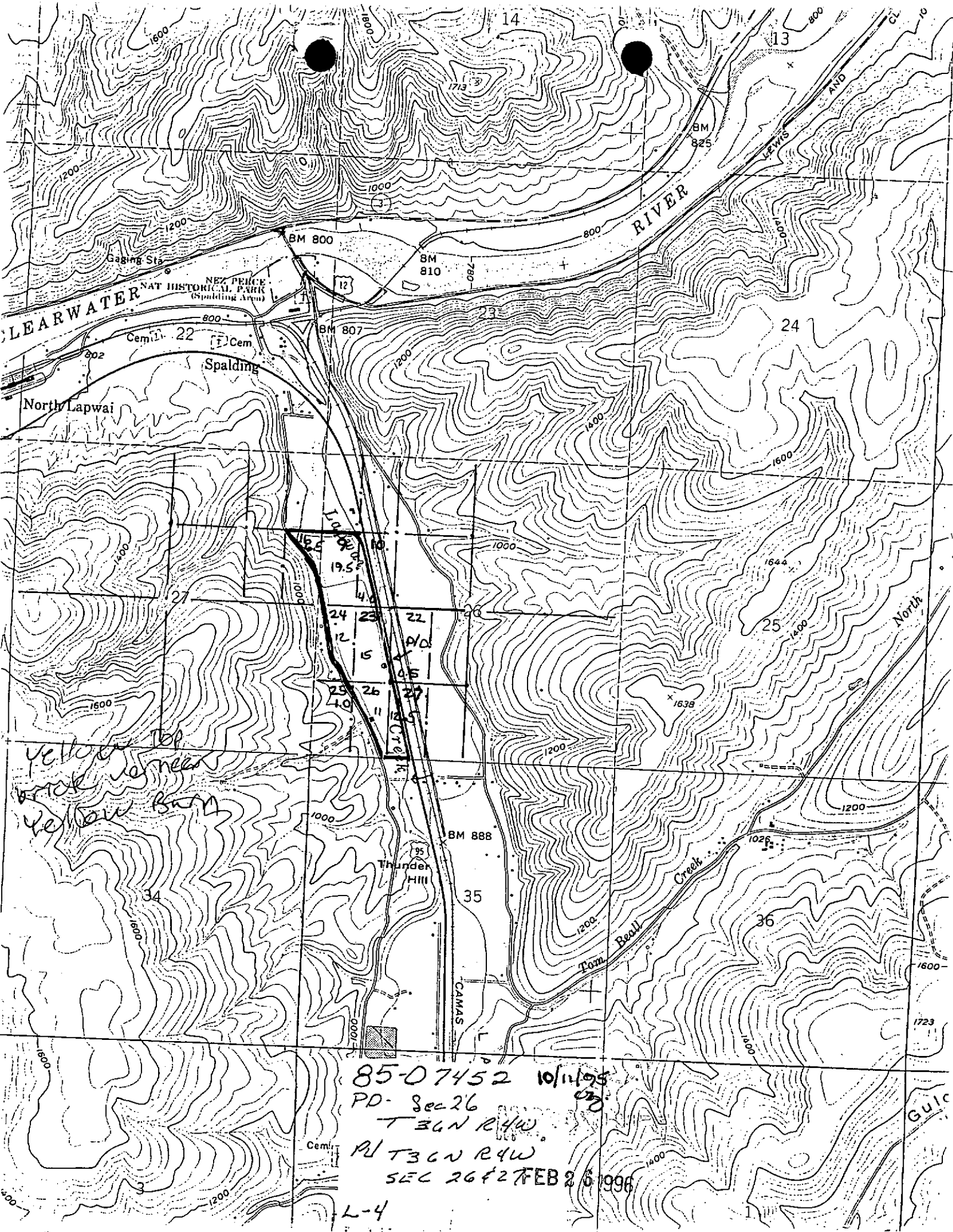
10/11/95 10:52 TSI 208 327 7888

ID WATER RESOURS --- NORTHERN

0002



* P/D location:
per Ted McClacken, examiner 10/11/95. c.g.



85-07452 10/11/95
PD- Sec 26
T 36N R 4W
PL T 36N R 4W
SEC 26 & 27 FEB 26 1996

L-4

16069 89

R4-W

1668 100



T36N 33/34

FEB 26 1996

Copy of aerial
photo
Tully Sampson
Estate

From ASCS
red 9/29/95 c3j.

1:660

162064

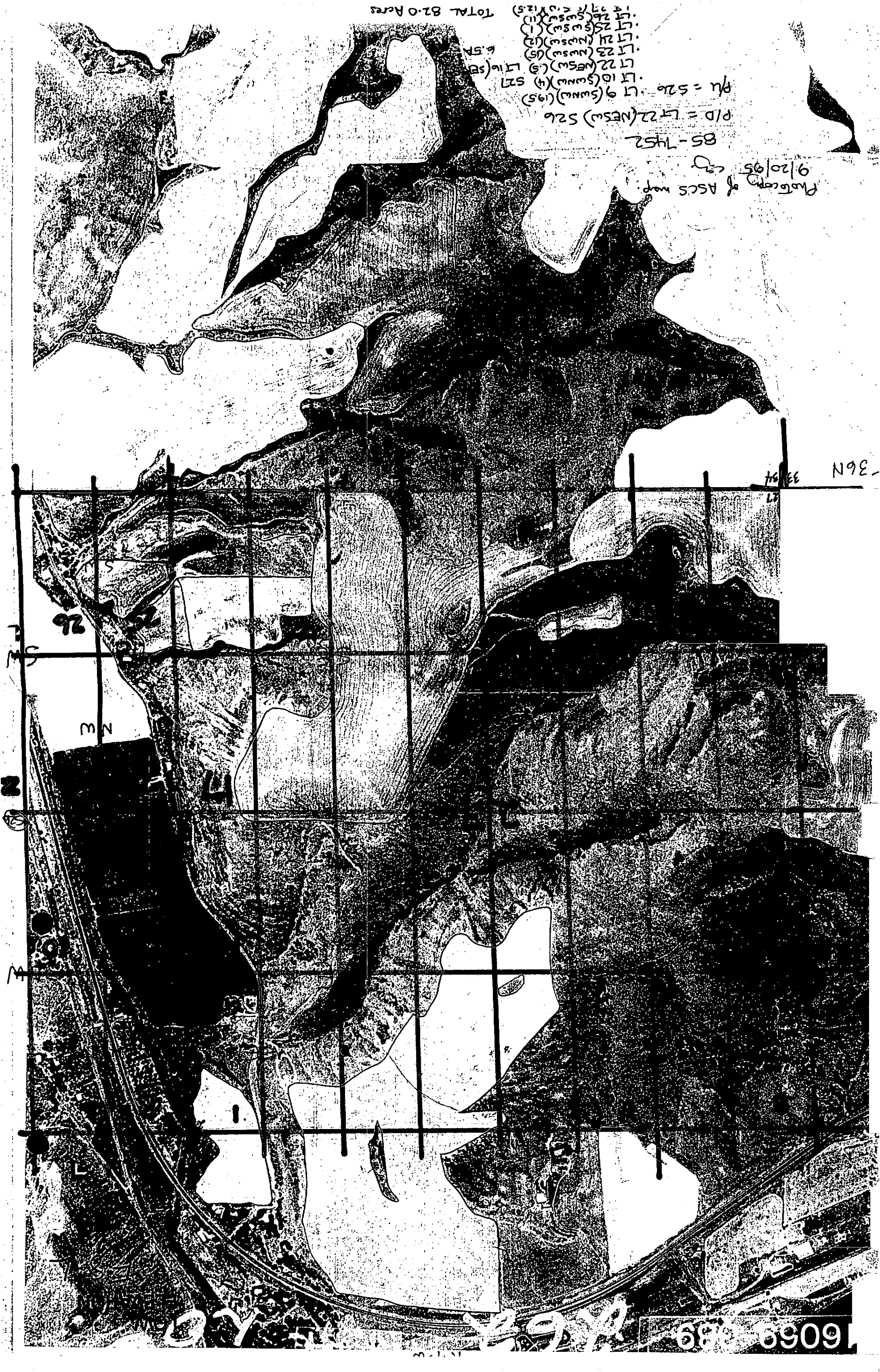


(photocopy of
aerial in field)

T36N
R4W
85-7452

C-19
J. SHOWERS
C-183
H. A. GIER
CAP
1955

85-7452
James
9/20/93



TOTAL 82.0 Acres

- LT 26 (SWSW) (1)
- LT 25 (SWSW) (1)
- LT 24 (SWSW) (1)
- LT 23 (SWSW) (1)
- LT 22 (SWSW) (1)
- LT 10 (SWSW) (4)
- LT 9 (SWSW) (19)

85-7452
P/D = LT 22 (SWSW) 526
P/A = 526

Photocopy of ASCS map
9/20/95

36N

33E

LT

26

32

14

7

680 63091

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
AUG 29 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 85-07452

1. Owner: Hubert Sampson (DECEASED) Phone No. (208) 743-0563

Current Address: 1040 LINDEN AVE LEWISTON ID, 83501

2. Accompanied by: Jim Kruger EXAM DATE: 6/28/95

Address: Lakeland Idaho Phone No. (208) 743-1045

Relationship to Permit Holder: Share cropper

3. Source: groundwater tributary to Snake

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 85-04440

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
			NE	SW	26	36N	04W	NE2 Pct 36	uses 2.5 min ground

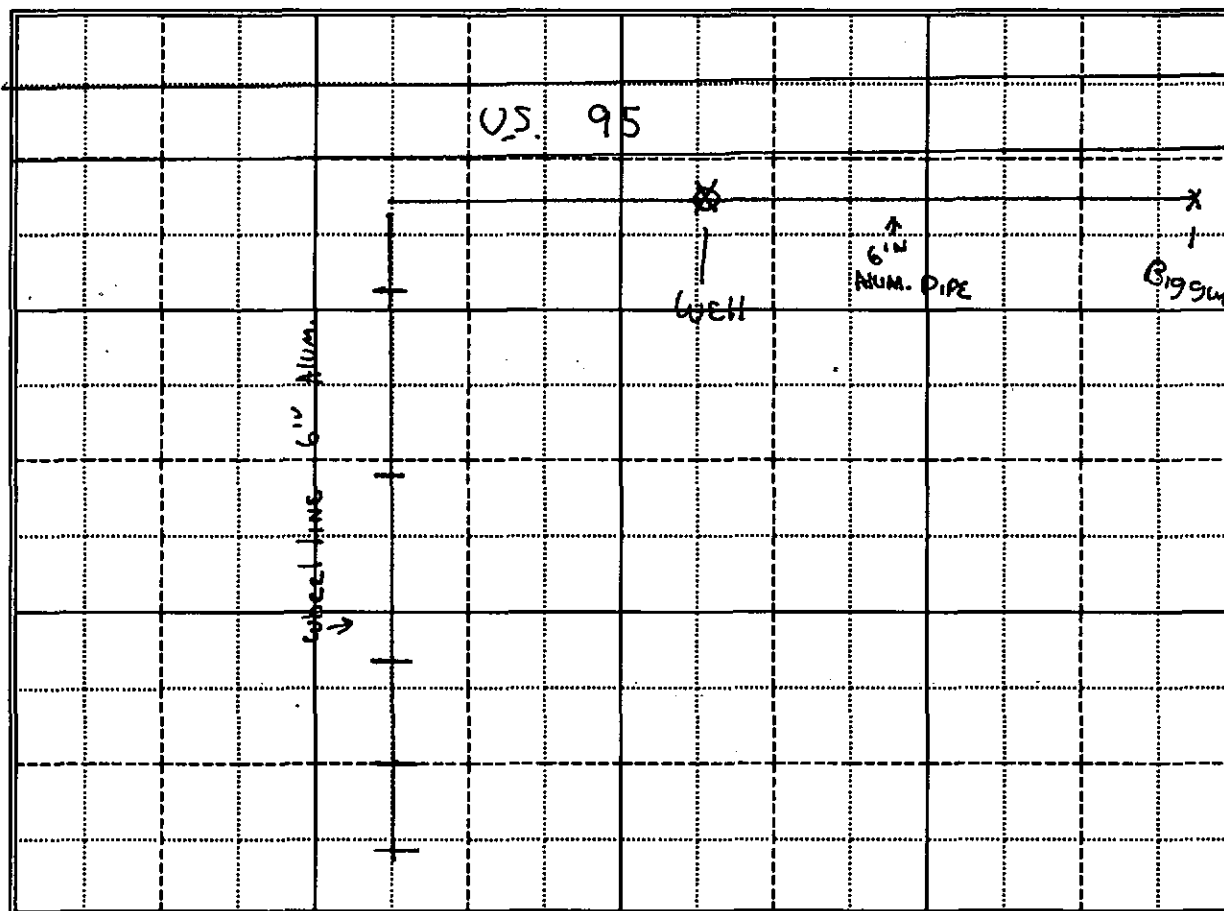
* 2. Place(s) of Use:

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	04W	26						06	16			28	30						80.0
36N	04W	27	02																2.0

RECEIVED
FEB 26 1996

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 Quadrange 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
	N4	50			

*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
Polysonic						
Theoretical						

2. Measurements: Polysonic flow meter + theoretical pump check

E. NARRATIVE/REMARKS/COMMENTS

Mr Kruger uses a wheel line with 7 sprinkler heads @ 25 gpm. also a big gun sprinkler capable of 330 gpm with a 1.1 in nozzle. I used our ultrasonic flow meter to measure the max flow of this system and came up with 440 gpm (.98) cfs. Mr Kruger stated that this was not right because his pump was not working right so I did a theoretical pump check and came up with 1.01 cfs and gave Mr Kruger the benefit of doubt and recommended this amount although considerably lower than what was filed for. This is used for 20 acres of wheat and the rest is hay.

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

RECEIVED
FEB 26 1996

F. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 82 \times 4.0 = 328$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.01 \times 245 \times 1.9835 = 490.82$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 328$$

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		
Irrigation	3-15*	11-15*	1.01	328.0
Totals:			1.01	328.0

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. AUTHENTICATIONField Examiner's Name Med McCreesh Date 7/25/95

Reviewer _____ Date _____

SEAL

* Adjustments made during review of this right for license approval.
See memo for additional information. 9/20/95 c.s.g.

FEB 26 1996

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 85-07452

DATE: 25-JUL-95

COMPLETE BY: TED MCCRACKEN

HORSEPOWER = 50

PUMP EFFICIENCY = 75%

DYNAMIC LIFT = 140 FEET

SYSTEM PRESSURE = 80 PSI

QUANTITY = 1.01 CFS

FEB 26 1996

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

R. Keith Higginson
Director

January 9, 1991

Nez Perce County ASCS Office
Dale R. George Executive Dir.
3510 12th St.
Lewiston, Id. 83501

Re: License Examination # 85-07452

Gentlemen:

In order to issue a licensed water right for irrigation purposes for ten or more acres, this department must have in its possession a copy of an aerial photograph which shows the property being irrigated.

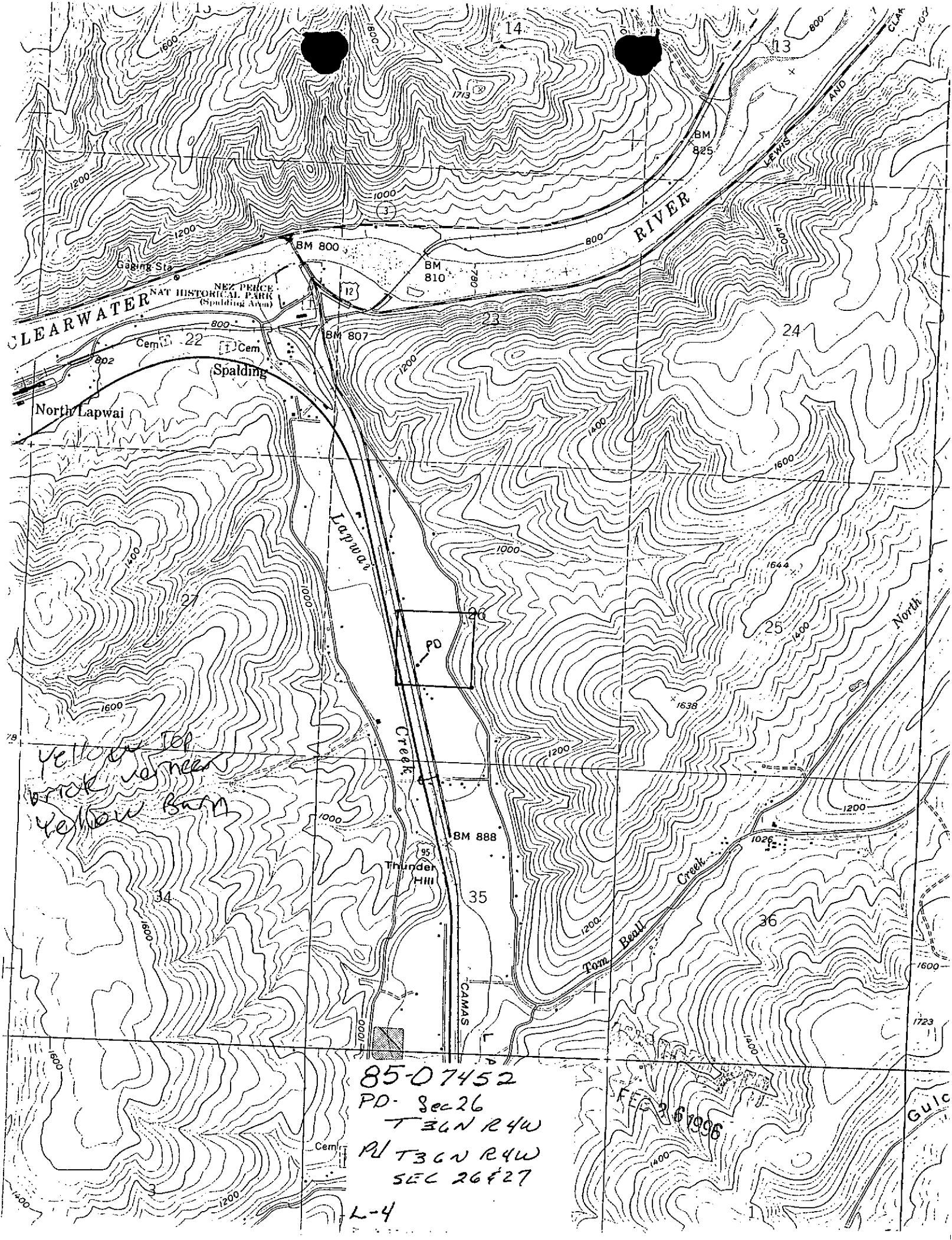
The following named people have stated that they are irrigating 10 or more acres of land. Please send photos of their property along with a bill for any required fees.

<u>W/R NUMBER</u>	<u>NAME</u>	<u>LEGAL DESCRIPTION</u>
85-07452	Tully Simpson Estate (Larry Butts, Representative)	SEC. 26, W1/2 NW, W1/2 SW; SEC. 27, NE NE; Both within T36N, R4W,

Sincerely,

Tom D. King
Sr. Water Resource Agent

RECEIVED
FEB 26 1996



85-07452
PD- Sec 26
T36N R4W
R1 T36N R4W
SEC 26 & 27

L-4

FEB 26 1996

Yellow Top
Creek is near
Yellow Barn

16060

K 4 W

C-196

C-193
12.5
HLE

T304

C-087

Use
old photo
9-14-46

T. SAMPSON

EB 2 6 1996

TULLY
SAMPSON

J. SHAWERS
17 314

C-1 CRP 156

H. ALLIGIER

CRP 1988

8-2 (1324) 27

2090

28 27

33 34

T36N
R4W
85-7450

James
Kenevel

36N E 4W

D

Sec. 21, T. 36N, R. 4W, S. 22E

80											
50											
20											
10											
5											
2.5											
1.25											
.625											
.3125											
.15625											
.078125											
.0390625											
.01953125											
.009765625											
.0048828125											
.00244140625											
.001220703125											
.0006103515625											
.00030517578125											
.000152587890625											
.0000762939453125											
.00003814697265625											
.000019073486328125											
.0000095367431640625											
.00000476837158203125											
.000002384185791015625											
.0000011920928955078125											
.00000059604644775390625											
.000000298023223876953125											
.0000001490116119384765625											
.00000007450580596923828125											
.000000037252902984619140625											
.0000000186264514923095703125											
.00000000931322574615478515625											
.000000004656612873077392578125											
.0000000023283064365386962890625											
.00000000116415321826934814453125											
.000000000582076609134674072265625											
.0000000002910383045673370361328125											
.00000000014551915228366851806640625											
.000000000072759576141834259033203125											
.0000000000363797880709171295166015625											
.00000000001818989403545856475830078125											
.000000000009094947017729282379150390625											
.0000000000045474735088646411895751953125											
.00000000000227373675443232059478759765625											
.000000000001136868377216160297393798828125											
.0000000000005684341886080801486968994140625											
.00000000000028421709430404007434844970703125											
.000000000000142108547152020037174224853515625											
.0000000000000710542735760100185871124267578125											
.00000000000003552713678800500929355621337890625											
.00000000000001776356839400250046177810668953125											
.0000000000000088817841970012502308890533426953125											
.0000000000000044408920985006251154444451667134765625											
.00000000000000222044604925031255772222258335793828125											
.00000000000000111022302462515627861111129167895828125											
.0000000000000005551115123125139309305555645894793828125											
.0000000000000002775557561562569654652777822947396895828125											
.00000000000000013877787807812534827232638891147197396895828125											
.00000000000000006938893903906251741361631944573593696895828125											
.000000000000000034694469519531258706808159722867968484451667134765625											
.0000000000000000173472347597656254353404079861433982422258335793828125											
.000000000000000008673617379882812521767020494307166991211129167895828125											
.000000000000000004336808689941406108835102471533499560555645894793828125											
.0000000000000000021684043449707166544175512357679977802777822947396895828125											
.00000000000000000108420217248535772208775757679977802777822947396895828125											
.00000000000000000054210108624267886038878787822947396895828125											
.0000000000000000002710505431213394401943939391147197396895828125											
.0000000000000000001355252715606697200971969695573593696895828125											
.000000000000000000067762635780334860048598484767968484451667134765625											
.0000000000000000000338813178901674300242992423839842422258335793828125											
.00000000000000000001694065894508371501214962119199211129167895828125											
.0000000000000000000084703294725418575006074810959960555645894793828125											
.00000000000000000000423516473627087875000303740499802777822947396895828125											
.00000000000000000000211758236813543937500015187024994011129167895828125											
.00000000000000000000105879118406771968750007593512499700555645894793828125											
.0000000000000000000005293955920338598437500037967562499852777822947396895828125											
.00000000000000000000026469779601692992187500018983778124994011129167895828125											
.000000000000000000000132348898008464960937500009491889062499700555645894793828125											
.00000000000000000000006617444900423248046875000047459445312499852777822947396895828125											
.000000000000000000000033087224502116240234375000023729722656249992638891147197396895828125											
.000000000000000000000016543612251058120117187500001186486132812499963194451667134765625											

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

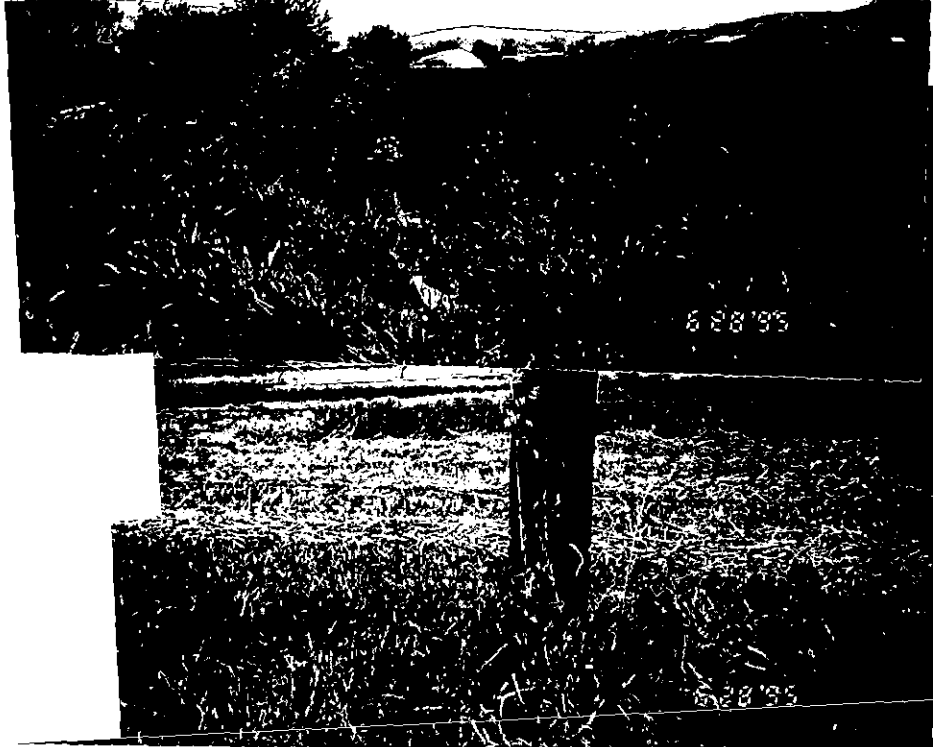
[illegible]

USE ADDITIONAL SHEETS IF NECESSARY — FORWARD THE WHITE COPY TO THE DEPARTMENT

FEB 26 1996

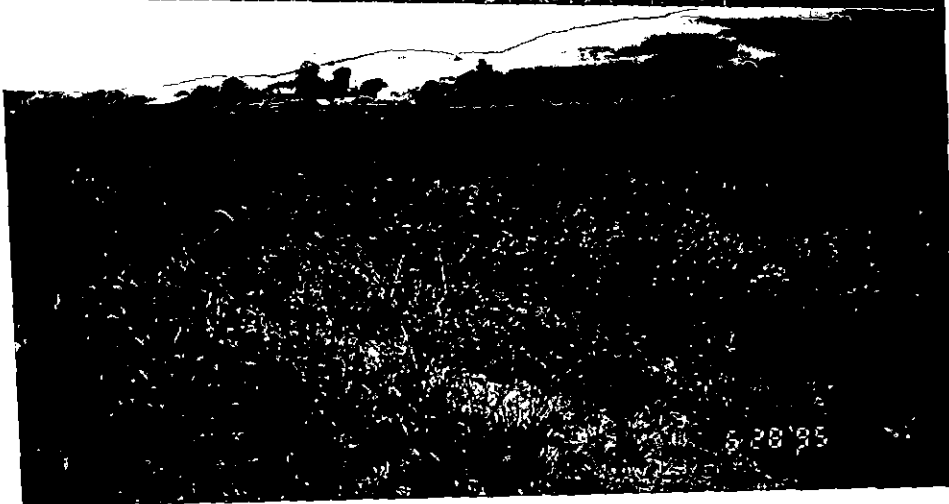


P.D.



BIG GUN

Wheel line



P.D.

FEB 26 1996

85-07452

December 17, 1990

TULLY SAMPSON
RT. 1
LAPWAI, ID 835400000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 85-07452

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,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MicroFILMED
JAN 17 1991

Law Offices of
Keeton and Tait

P.O. DRAWER E
312 MILLER STREET

Lewiston, Idaho
83501

RECEIVED
APR 26 1990

Department of Water Resources

Paul C. Keeton
John Reid Tait

AREA CODE 208
743-6231

13 April 1990

Ms. Rita Fleck
Secretary/Records Manager
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

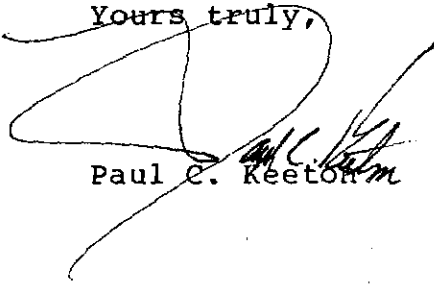
Re: Permit Holder: Tully Sampson, deceased
Permit No: 85-07452

Dear Ms. Fleck:

Enclosed herein please find form No. 217, Proof of Beneficial Use, together with a check for the filing fee in the amount of \$125 which I am filing on behalf of Tully Sampson, now deceased.

Please do not hesitate to contact me if you have any questions concerning the enclosed or need any further information.

Yours truly,


Paul C. Keeton

PCK:ser
Enclosures

RECEIVED

JAN 17 1991

138265
February 28, 1990

TULLY SAMPSON
RT. 1
LAPWAI, ID 835400000

PROOF DUE NOTICE

RE: PERMIT NO. 85-07452

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 May 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,

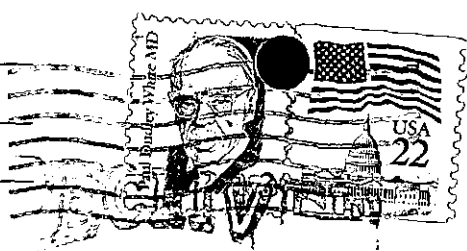
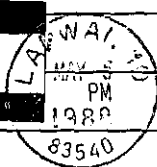
Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JAN 17 1991

1 SAMPSON
Rt 1 Box 82
LAPWAI, ID 83540



RECEIVED

MAY 17 1988



MAY 09 1988

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 85-7452
Name(s) of Permit Holder(s): Tully, Sampson
Post Office Address: Rt 1, Bay 182
Lapwai, Idaho 83540 Tel. No. 208-843-2385

☒ I hereby certify that construction of diversion works for the above referenced permit began on may 2, 1988 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is
not an acceptable reason.

5/2/88
Date

Tully, Sampson
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
APRIL 14, 1988

SAMPSON, TULLY
RT. 1
LAPWAI, ID 83540

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 85-7452

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR A FLOW MEASUREMENT PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE FLOW MEASUREMENT PORT.

SECTION 42-235, IDAHO CODE, REQUIRES THAT A "DRILLING PERMIT" MUST BE OBTAINED FROM THE DEPARTMENT FOR ALL WELLS CONSTRUCTED AFTER JULY 1, 1987. A DRILLING PERMIT IS A SEPARATE PERMIT THAT MUST BE ISSUED IN ADDITION TO YOUR PERMIT TO APPROPRIATE WATER. COMMENCEMENT OF WELL CONSTRUCTION OR DIVERSION OF WATER UNDER YOUR PERMIT TO APPROPRIATE WATER IS PROHIBITED UNLESS A DRILLING PERMIT IS OBTAINED.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

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 INTO A LICENSE.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

P.S. Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

MICROFILMED

OCT 13 1988

State of Idaho
Department of Water Resources

DRILLING PERMIT

RECEIVED

FEB - 4 1988

(Authorizing Construction of a Well)*

Department of Water Resources

1. Applicant Tully SAMPSON

2. Address Lapwai Rt 1

IDAHO 83540

☒ Well Owner () Well Operator () Other, specify _____

3. Water right permit no. _____; Injection well permit no. _____

④ Proposed well location E1/2 ~~XX~~ NW 1/4 SW 1/4, or Gov't lot No. _____,

Sec. 26, Twp. 36 N, Rge. 4 W, County Nezperce,

Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

() Domestic () Stockwater () Monitoring

☒ Irrigation () Industrial () Municipal

() Injection () Other, Specify _____

6. Well construction information:

☒ New well () Deepen () Replace

Proposed surface diameter 10 inches Proposed depth 200 feet

Anticipated bottom hole temperature:

☒ 85°F or less (Cold water well)

() 85°F to 212°F (Low temp. geothermal well)

() 212°F or more (Geothermal well)

7. Anticipated construction start date 2-1-88

8. Well Driller (if known) unknown at this time.

Address _____

Date 1-19-88 Applicant's signature X Tully Sampson

Title _____

RECEIVED

State of Idaho, to-wit:

Commencing at a point on the North line of Lot Twenty-four (24), Ninety (90) links East of the quarter corner, between Sections 26 and 27, in Township Thirty-six (36), North of Range Four (4), West of the Boise Meridian; thence East 14 and 10/100 chains to a point on the center of the North line of Lot 23, Section 26, Township 36, North, of Range 4, West of the Boise Meridian; thence South on the center line of said Lot 23, 7.50 chains; thence East 5.00 chains to a point on the East line of said Lot 23; thence South on said East line of said Lot 23, 2.50 chains; thence East 2.50 chains; thence South 5.00 chains; thence East 2.50 chains to a point on the North and South center line of Lot 22 of the Section, Township and Range above mentioned; thence South on said center line 5.00 chains to the South line of said Lot 22; thence West 17.50 chains on the South line of said Lots 22, 23 and 24 to a point in the center of the public road, said point being marked by a stone with an X on top; thence North 18° West 2.00 chains on center line of said road; thence North 39° 45' West 4.50 chains on center line of said road; thence North 12° 30' West 15.02 chains on center line of said road to the place of beginning; Subject, however, to the right-of-way of the Clearwater Short Line Railway Company in Lot 22; also that piece or parcel of land in Lot 24, Section 26, in Township 36, North, or Range 4, West Boise Meridian, now occupied by Lee Koon,

together with any and all water rights and ditches appurtenant thereto.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, claim or demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises.

TO HAVE AND TO HOLD, the said premises above bargained and described with the appurtenances, unto the said parties of the second part, their heirs and assigns forever.

And the said party of the first part, for herself, her heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the enrolling and delivery of these presents, she is well seized of the premises conveyed as of good, sure, perfect, absolute and indefeasible estate of inheritance in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in the manner and form aforesaid, and that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments and incumbrances of what kind soever, excepting taxes for the year 1947, and excepting from any warranty the water rights and ditches appurtenant to said premises, it being understood that as to said water rights and ditches the party of the first part hereby quit claims her interest to the second parties without warranty of title or other warranty.

And the above bargained premises (other than water rights and ditches) in the quiet and peaceable possession of the said parties of the second part, their heirs, and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will Warrant and forever Defend.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year in this instrument first above written.

Lillian E. Hodge

(SEAL)

STATE OF IDAHO) ss
County of _____)

On this 9 day of January, 1947, before me, the undersigned, a Notary Public in and for said State, personally appeared Lillian E. Hodge, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Notary seal)

W. K. Armour, Notary Public, residing at Moscow, Idaho.

Filed for record at 11:50 o'clock a.m., Jan. 2, 1952, request of Tully Sampson

MICROFILMED

OCT 13 1988

This well
will be in
the north ^{east}
corner of
this description

85-7452

SAMPSON, TULLY

RT. 1, LAPWAI, ID 83540

Source: GROUNDWATER

Diversion Pt: NWSW Sec 26 T 36N R 04W

Use: IRRIGATION (1.640 CFS)

Date Filed: 02/04/1988

In: NWNW SWNW NWSW SWSW Sec 26 T 36N R 04W NENE Sec 27 T 36N R 04W
FOR 82 ACRES

RECORDED
OCT 13 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 25, 1988

Mr. Tully Sampson
Rt. 1
Lapwai, Id. 83540

Dear Mr. Sampson:

The Department of Water Resources acknowledged receipt of your water right application for permit. The application has been assigned Identification No. 85-7452. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Lewiston Tribune. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to the final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Enclosed please find your Receipt No. 41933 for the amount of \$165.00 - \$65.00 for the Application for Permit and \$100.00 for the Well Drilling Permit.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Manager

RGH/pms
Enc. - Receipt

MICROFILMED

OCT 13 1988

Celebrate
IDAHO
1890 • CENTENNIAL • 1990

Law Offices of
Keeton, Tait and Petrie

P. O. DRAWER E
312 MILLER STREET
Lewiston, Idaho
83501

Paul C. Keeton
John Reid Tait
Gordon W. Petrie

AREA CODE 208
743-6231

IDAHO ONLY
1 800 922-7799

10 February 1988

Department of Water Resources
Northern Regional Office
Route 5, Box 203, Suite 1
Coeur d'Alene, ID 83814

Re: Water Right Application and Drilling Permit
for Tully Sampson

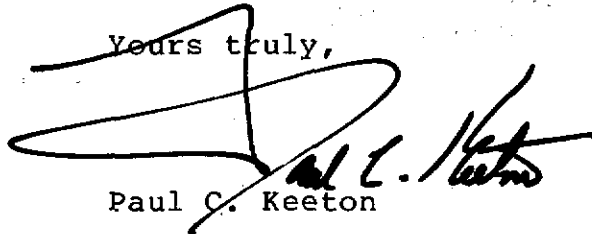
Gentlemen:

Enclosed herein please find Application for Permit and Drilling Permit which I am filing on behalf of Tully Sampson. Also enclosed are two checks, one for \$85 and the second for \$80, which total \$165. This total represents \$65 for the application fee and \$100 for the drilling permit.

These documents were originally mailed to Boise and were returned to me for correction and for an additional fee along with a letter. A copy of that letter is enclosed for your reference.

I would appreciate it if you would process the corrected water right application and approve the drilling permit at your early convenience. If you have any questions, please do not hesitate to contact me.

Yours truly,



Paul C. Keeton

PCK:ser
Enclosures

cc: Mr. Tully Sampson

RECEIVED

OCT 13 1988

RECEIVED

FEB 11 1988

Department of Water Resources
Northern District Office



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

10 FEB 1988

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 8, 1988

Paul C. Keeton
Keeton, Tait & Petrie
P.O. Drawer E
312 Miller St.
Lewiston, ID 83501

RE: Water Right Application & Drilling Permit
for Tully Sampson

Dear Mr. Keeton:

Upon reviewing the above referenced applications the following discrepancies were noted. The applications and Check No. 11174 (92-30/1231) are being returned to you for the following reasons:

1. The amount of water filed on for 82 acres should not be more than 1.64 cfs or .02 cfs per acre.
2. The fee for the drilling permit is \$100 and must be submitted with the drilling permit.

Please make the additions and corrections and return to our Northern Regional Office at Route 5, Box 203, Suite 1, Coeur d'Alene, ID 83814 for processing. The drilling permit will not be approved until the water right is processed.

Sincerely,

John D. Carlson
JOHN D. CARLSON
Groundwater Protection Section

JDC:ldt(GP8-1.19)

Enclosures

RECEIVED

OCT 13 1988



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 8, 1988

Paul C. Keeton
Keeton, Tait & Petrie
P.O. Drawer E
312 Miller St.
Lewiston, ID 83501

RE: Water Right Application & Drilling Permit
for Tully Sampson

Dear Mr. Keeton:

Upon reviewing the above referenced applications the following discrepancies were noted. The applications and Check No. 11174 (92-30/1231) are being returned to you for the following reasons:

1. The amount of water filed on for 82 acres should not be more than 1.64 cfs or .02 cfs per acre.
2. The fee for the drilling permit is \$100 and must be submitted with the drilling permit.

Please make the additions and corrections and return to our Northern Regional Office at Route 5, Box 203, Suite 1, Coeur d'Alene, ID 83814 for processing. The drilling permit will not be approved until the water right is processed.

Sincerely,

JOHN D. CARLSON
Groundwater Protection Section

JDC:ldt(GP8-1.19)

Enclosures

MAILED

OCT 13 1988

Application fee - Tully Sampson

TON, TAIT & TRIE

LAW OFFICE ACCOUNT
P.O. DRAWER E
LEWISTON, IDAHO 83501

No. 11174

DATE 2 February 19 88

92-30
1231

PAY TO THE ORDER OF Idaho Department of Water Resources \$ 85.00

Eighty-five Dollars and No/100 DOLLARS



First Security Bank of Idaho
NATIONAL ASSOCIATION
LEWISTON, IDAHO

LAW OFFICE ACCOUNT

[Handwritten signature: Paul L. Kuter]

⑆123100308⑆ 19 00581 23⑈

MICROFILMED
OCT 13 1988

RECEIVED

FEB - 4 1988

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Tully Sampson Phone (208) 843-2385
Post office address Route 1, Lapwai, ID 83540
2. Source of water supply Lapwai Creek which is a tributary of Snake River
3. Location of point of diversion is E 1/2 ~~X~~ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 36 North Range 4 W. B.M. Nez Perce County; additional
points of diversion if any: _____

to be used for the following purposes:

Too much
water...
 $82ac \times 0.02 =$
 $1.64 cfs$

- .22 for irrigation purposes from 15 Mar. to 15 Nov. (both dates inclusive)
(annum)
_____ for _____ purposes from _____ to _____ (both dates inclusive)
(annum)
_____ for _____ purposes from _____ to _____ (both dates inclusive)
(annum)
_____ for _____ purposes from _____ to _____ (both dates inclusive)
(annum)

to be appropriated is (a) 2.22 cfs and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Well,

- 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 10 inches inches; proposed depth of well is 200 feet feet.
- d. Is ground water with a temperature of greater than 90°F being sought? no

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
five years (minimum 1 year).

RECEIVED

OCT 13 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	4W	26						6	16			28	30						
36N	4W	27	2																

Total number of acres to be irrigated 82 acres

10. Describe any other water rights used for the same purposes as described above. Irrigation, Lapwai

Creek, 0.25 cfs, NW¼ and SW¼, Section 26, T. 36N, R. 4, W.B.M. & NE¼, Section 27. Permit No. 85-4440, 1983.

- Who owns the property at the point of diversion? Tully Sampson
- Who owns the land to be irrigated or place of use? Tully Sampson
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

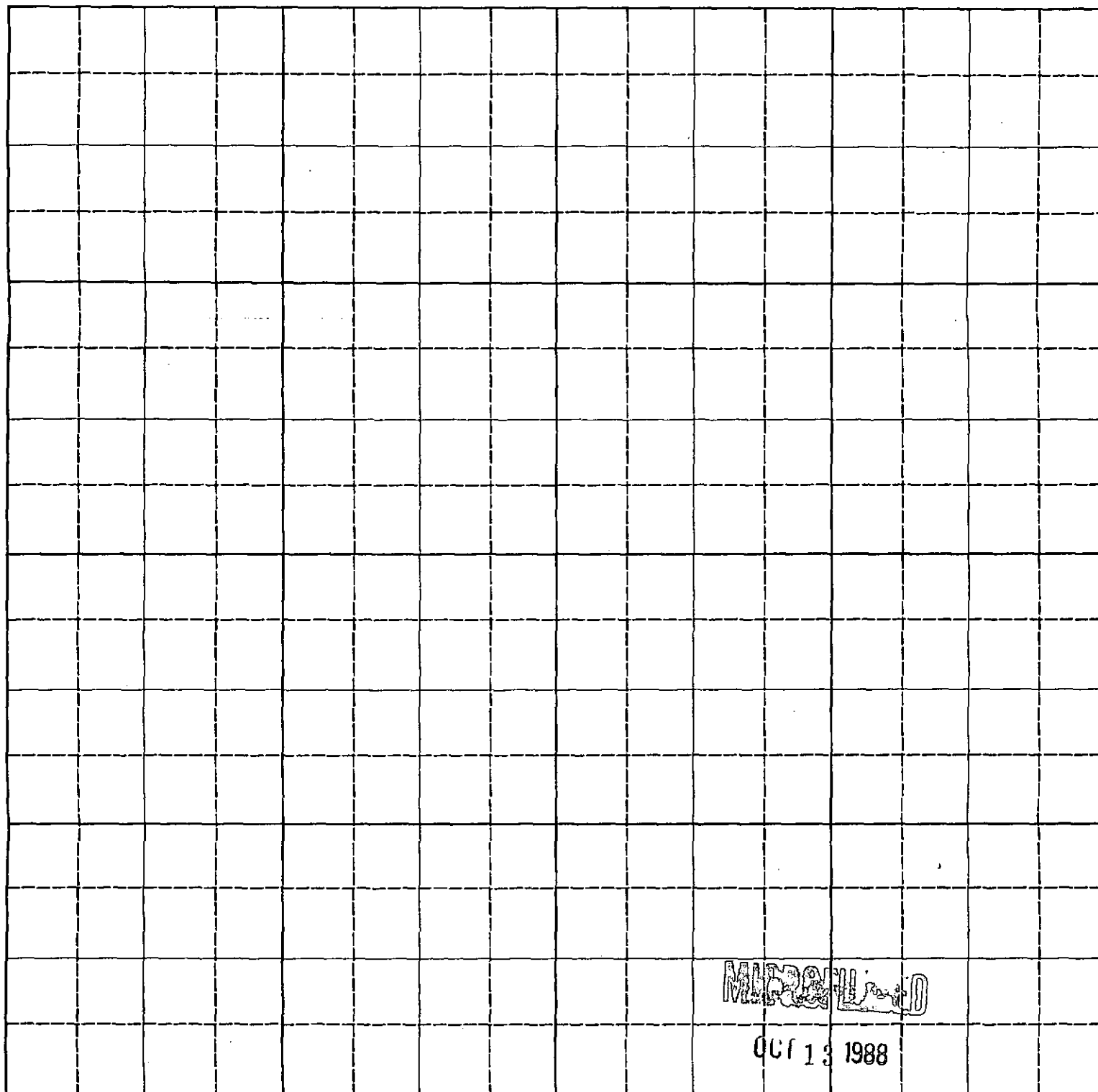
12. Remarks: _____

RECORDED

OCT 13 1988

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

SEE ATTACHED.

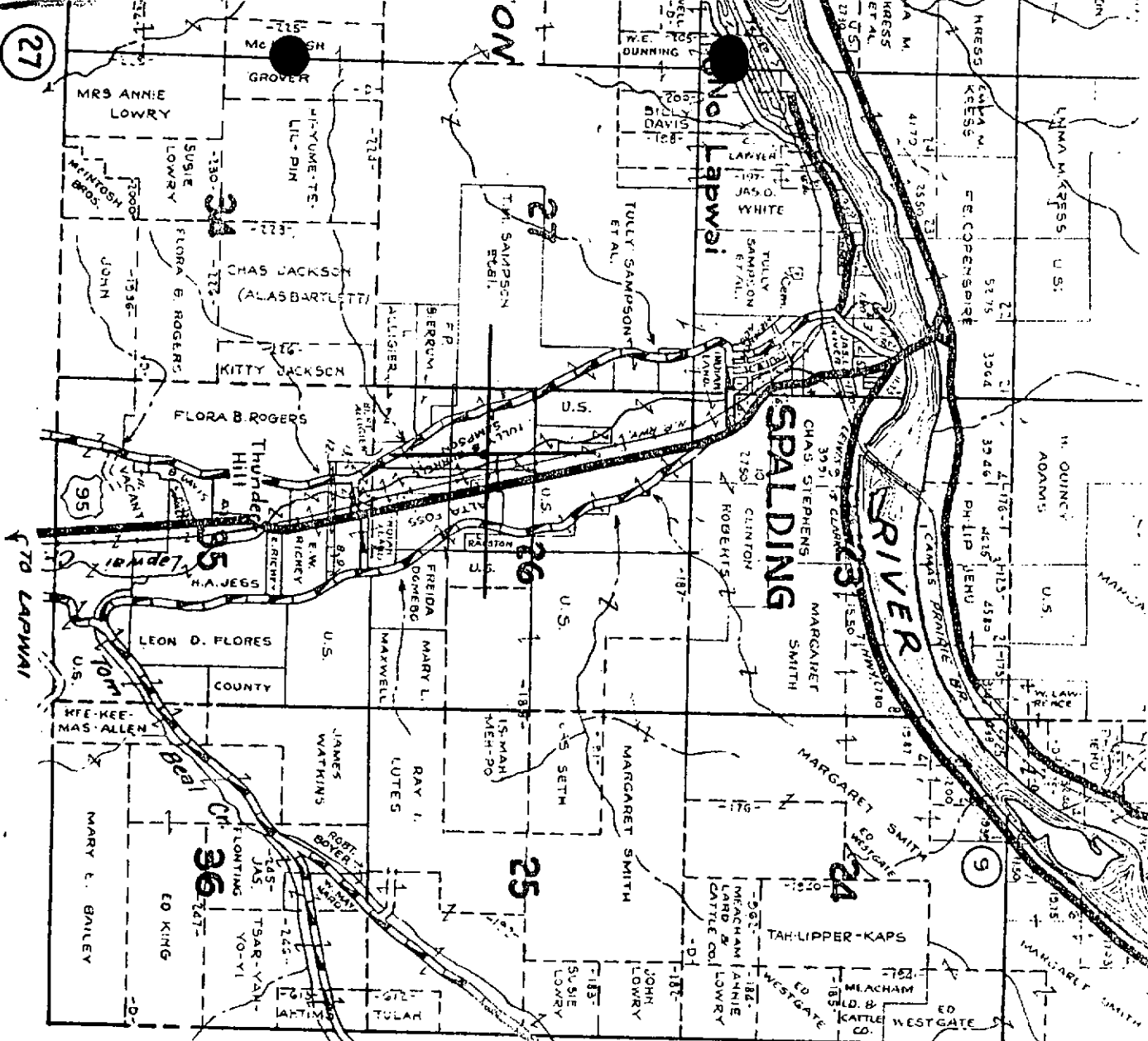


MICRONALD
 OCT 13 1988

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.

x Tully Sampson
(Applicant)



MICROFILMED

OCT 13 1988

NOTE: The black dot where the two red lines meet is the proposed well construction site.

Section 26, Township 36 North, Range 4 West Boise Meridian, Nez Perce County, State of Idaho. Area marked in yellow in Sections 26 and 27 is the approximate 82 acres to be irrigated by well.

--LEGEND--
 PAVED ROADS
 STATE HWYS. ⑤ U.S. HWYS. ②
 IMPROVED ROADS
 DIRT ROADS
 INTERIOR ROADS
 RAILROADS
 TRAILS
 INTERMITTENT CREEKS
 SCHOOLS

Drilling Permit No. _____
Water Permit No. _____
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

FEB - 4 1988

Department of Water Resources

1. Applicant Tully SAMPSON

2. Address Lapwai, Rt 1

IDAHO 83540

☒ Well Owner ☐ Well Operator ☐ Other, specify _____

3. Water right permit no. _____, Injection well p No fee

④ Proposed well location E1/2 ~~XX~~ NW 1/4 SW 1/4, or G

Sec. 26, Twp. 36 N, Rge. 4 W, County 1

Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

☐ Domestic ☐ Stockwater ☐ Monitoring

☒ Irrigation ☐ Industrial ☐ Municipal

☐ Injection ☐ Other, Specify _____

6. Well construction information:

☒ New well ☐ Deepen ☐ Replace

Proposed surface diameter 10 inches Proposed depth 200 feet

Anticipated bottom hole temperature:

☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)

RECEIVED

OCT 13 1988

7. Anticipated construction start date 2-1-88

8. Well Driller (if known) unknown at this time

Address _____

Date 1-19-88 Applicant's signature X Tully Sampson

Title _____

Keeton, Tait and Petrie

Lewiston, Idaho

83501



Mr. John E. Beal, P.E.
Department of Water Resources
Towers Office Building
450 W. State
Boise, ID 83720

Source:

001 61 1988



as described
us well
will be in
the north
corner of
this description

-wit:

beginning at a point on the North line of Lot Twenty-four (24), Ninety (90) links East of the quarter corner, between Sections 26 and 27, in Township Thirty-six (36), North of Range Four (4), West of the Boise Meridian; thence East 14 and 10/100 chains to a point on the center of the North line of Lot 23, Section 26, Township 36, North, of Range 4, West of the Boise Meridian; thence South on the center line of said Lot 23, 7.50 chains; thence East 5.00 chains to a point on the East line of said Lot 23; thence South on said East line of said Lot 23, 2.50 chains; thence East 2.50 chains; thence South 5.00 chains; thence East 2.50 chains to a point on the North and South center line of Lot 22 of the Section, Township and Range above mentioned; thence South on said center line 5.00 chains to the South line of said Lot 22; thence West 17.50 chains on the South line of said Lots 22, 23 and 24 to a point in the center of the public road, said point being marked by a stone with an X on top; thence North 18° West 2.00 chains on center line of said road; thence North 39° 45' West 4.50 chains on center line of said road; thence North 12° 30' West 15.02 chains on center line of said road to the place of beginning; Subject, however, to the right-of-way of the Clearwater Short Line Railway Company in Lot 23; also that piece or parcel of land in Lot 24, Section 26, in Township 36, North, of Range 4, West Boise Meridian, now occupied by Lee Koon,

together with any and all water rights and ditches appurtenant thereto.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, claim or demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises.

TO HAVE AND TO HOLD, the said premises above bargained and described with the appurtenances, unto the said parties of the second part, their heirs and assigns forever.

And the said party of the first part, for herself, her heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the ensembling and delivery of these presents, she is well seized of the premises conveyed as of good, sure, perfect, absolute and indefeasible estate of inheritance in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in the manner and form aforesaid, and that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments and incumbrances of what kind soever, excepting taxes for the year 1947, and excepting from any warranty the water rights and ditches appurtenant to said premises, it being understood that as to said water rights and ditches the party of the first part hereby quit claims her interest to the second parties without warranty of title or other warranty.

And the above bargained premises (other than water rights and ditches) in the quiet and peaceable possession of the said parties of the second part, their heirs, and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will Warrant and forever Defend.

IN WITNESS WHEREOF, the said party of the first part has hereunto set her hand and seal the day and year in this instrument first above written.

Lillian E. Hodge

(SEAL)

STATE OF IDAHO)
County of _____) ss

On this 9 day of January, 1947, before me, the undersigned, a Notary Public in and for said State, personally appeared Lillian E. Hodge, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Notary seal)

W. K. Armour, Notary Public, residing at Moscow, Idaho.

Filed for record at 11:50 o'clock a.m., Jan. 2, 1952, request of Tully Sampson

RECORDED

OCT 13 1988

RECEIVED

FEB - 4 1988

Law Offices of
Keeton, Tait and Petrie

P. O. DRAWER E
312 MILLER STREET
Lewiston, Idaho
83501

Department of Water Resources

Paul C. Keeton
John Reid Tait
Gordon W. Petrie

AREA CODE 208
743-6231

IDAHO ONLY
1 800 922-7799

1 February 1988

Mr. John E. Beal, P.E.
Department of Water Resources
Towers Office Building
450 W. State
Boise, ID 83720

Re: Water right application/Drilling permit
Tully Sampson

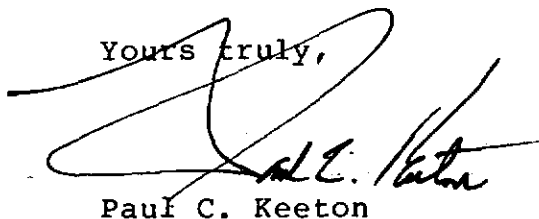
Dear Mr. Beal:

Enclosed herein please find Application for Permit and Drilling Permit which I am filing on behalf of Tully Sampson. Also enclosed is my check for \$85 for the application fee.

I would appreciate it if you would process both of these permits as we discussed in our last telephone conversation.

If you have any questions or need any further information, please do not hesitate to contact me.

Yours truly,



Paul C. Keeton

PCK:ser
Enclosures

cc: Mr. Tully Sampson

RECEIVED

OCT 13 1988

Tim Ule-cott

Drilling Permit

12/22/87

- 21 Acres -

Sec 26 T36N R4W
Nee Perse Co.

Tully Sampson
R+1

Lapwai ID 83540

I told Tim I could
not approve & P verbally
he will send in stuff

I will send tully WR
App.

RECEIVED

OCT 13 1988