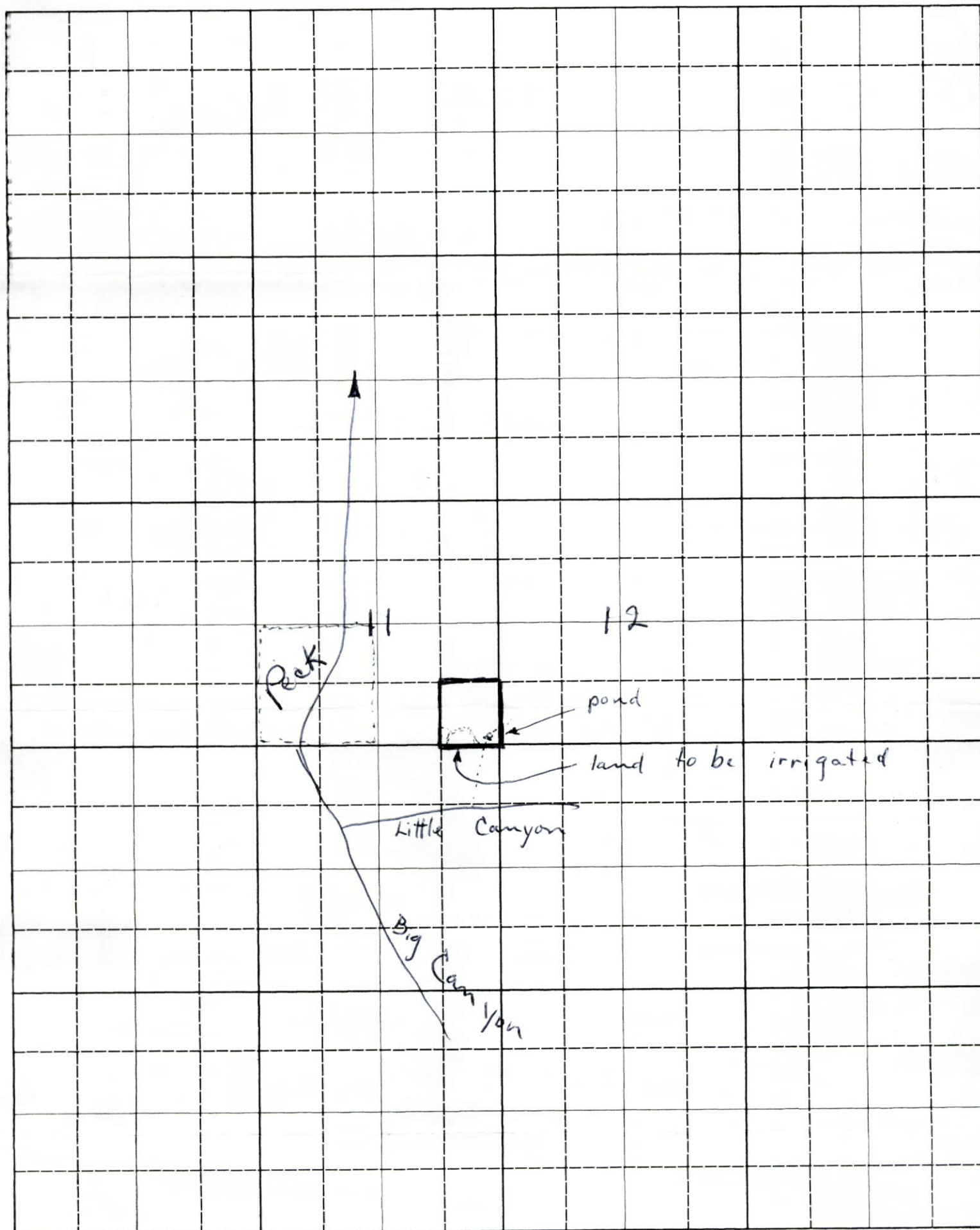


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

T 36 N R 1 W



Scale: 2 inches equal 1 mile.

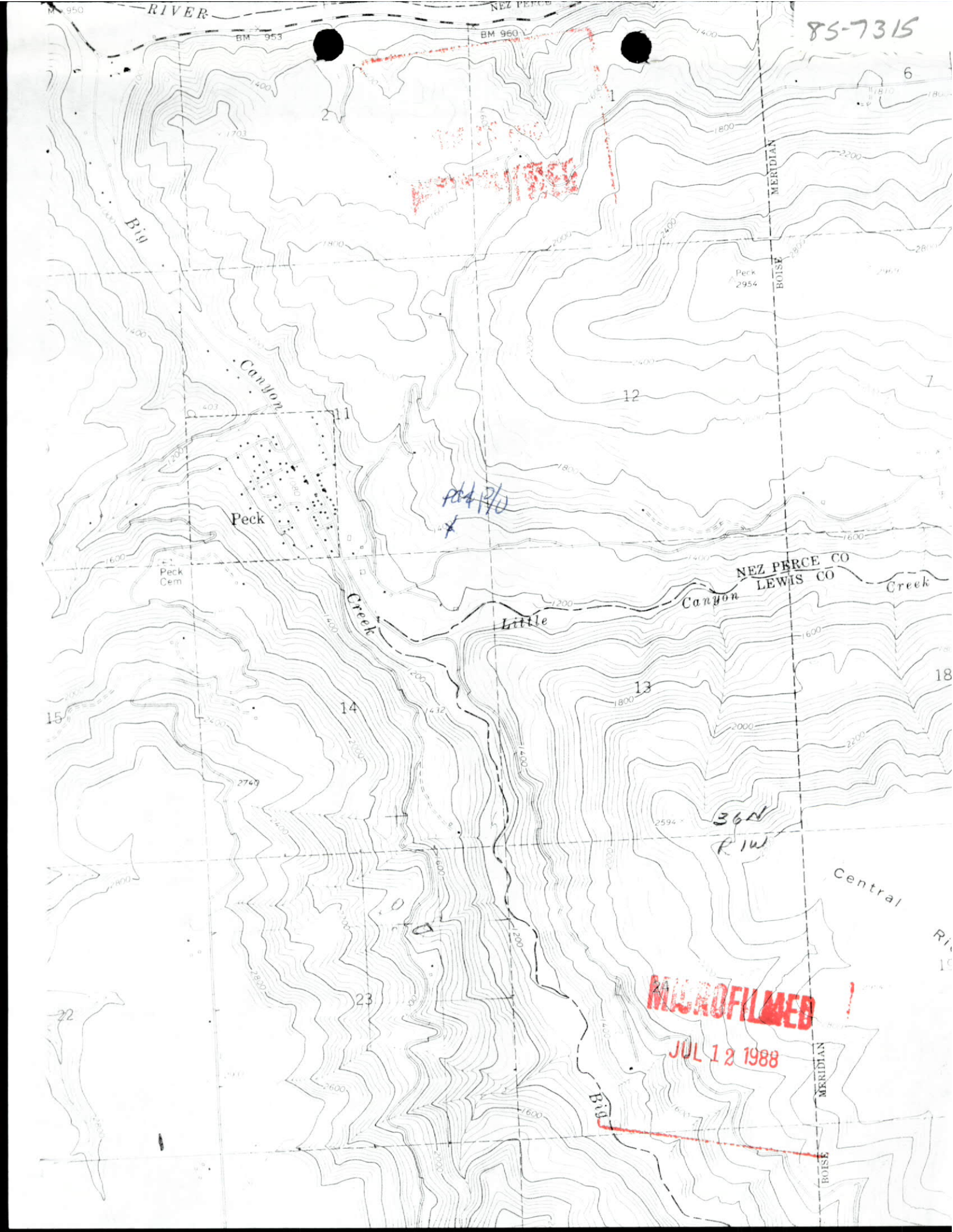
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

MICROFILMED

John Elsbury
(Applicant)

85-7315





85-7315

6

7

18

19

RIVER

Big

Canyon

Peck

Peck
Cem

Creek

Little

NEZ PERCE CO
LEWIS CO
Creek

Central

RIVER

MICROFILMED

JUL 12 1988

36N
R1W

add p/o

X

BM 953

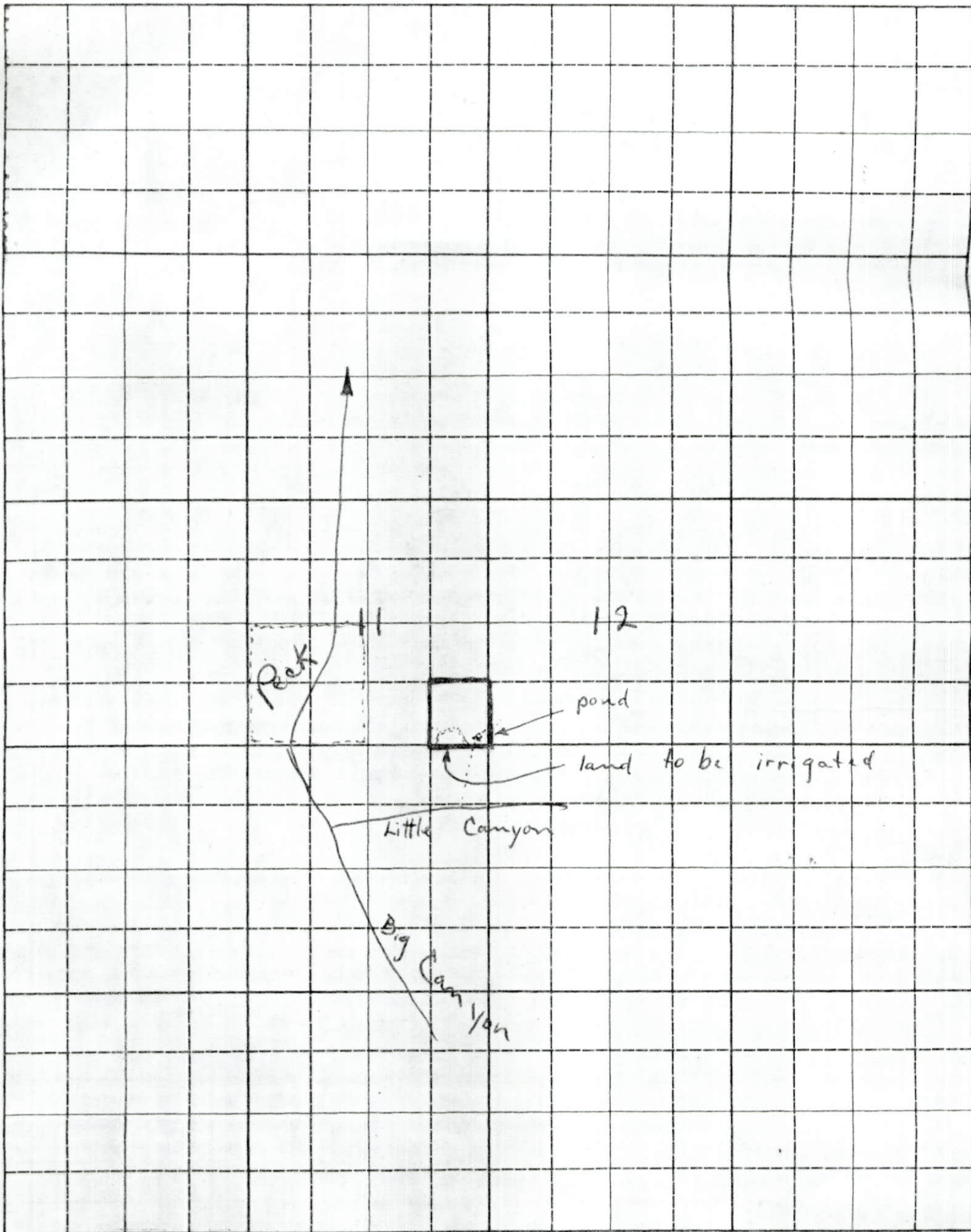
BM 960

BOISE
MERIDIAN

BOISE
MERIDIAN

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

T 36 N R 1 W



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.

John Elsbury
(Applicant)

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE
WATER RIGHT NO. 85-07315

AMENDED

Priority: December 3, 1982

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

0.2 AF

This is to certify, that JOHN K. ELSBURY

P.O. BOX 12

PECK ID 83545

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 19, 1982; and has submitted Proof of Beneficial Use on February 15, 1984. An examination indicates that the works have a diversion capacity of .040 cfs of water from:

SPRING

tributary to SINKS

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		0.2 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
	Totals	0.04 CFS	0.2 AF

LOCATION OF POINT(S) OF DIVERSION:

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

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

36N 01W 11

SESE

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.

RECORDED

MAY 25 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07315

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 28TH
day of DECEMBER, 1992.

Acting for Norman C Young
R. Keith Higginson, Director

REPROFILED
MAY 25 1993

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-7315

Priority: December 3, 1982 Amount: .04 CFS .2 AFA

This is to certify, that JOHN K. ELSBURY
P.O. BOX 12
PECK, ID 83545

has complied with the terms and conditions
of the permit issued pursuant to Application for Permit dated November 19, 1982, and
has submitted proof to the Department of Water Resources on January 1, 1900, that
water has been applied to a beneficial use; an examination by the Department indicates
that the works have a diversion capacity of .04 cfs of water from;

2-15-84

SPRING tributary to SINKS

and that a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
Stockwater storage	01/01 to 12/31		.2 afa
Diversion to storage	01/01 to 12/31	.04 cfs	
	Totals	.04 CFS	.2 AFA

LOCATION OF POINT OF DIVERSION(S): SESE , Sec. 11, Township 36N, Range 1W
Nez Perce County

PLACE OF USE: Stockwater storage

TWN RGE SEC

36N 1W 11 SESE

PLACE OF USE: Diversion to storage, same as Stockwater storage use

CONDITIONS/REMARKS:

1. The right to the use of the water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

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 13th day
of April, 1988.

MICROFILMED

JUL 12 1988

Director

Jim

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 85-7315 IN THE
NAME OF JOHN K. ELSBURY

} ORDER OF REINSTATEMENT
}

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before February 1, 1984; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

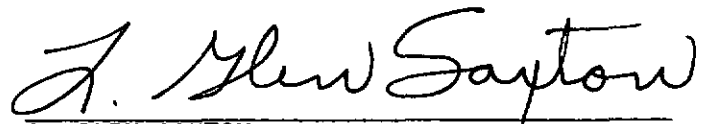
WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

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 holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on February 15, 1984;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 85-7315 be REINSTATED and the priority advanced to December 3, 1982.

Dated this 17th day of April, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED

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 John K. Elsbury Phone 208-486-6171
Post office address PO Box 12, Peck ID.
2. Source of water supply spring which is a tributary of Little Canyon Cr.
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 36 N
Range 1W B.M. Nex Pence County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- JKE 4/10/82*
- Amount 0.10 cfs for irrigation purposes from May 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 1 for storage for livestock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.20 cfs for diversion to storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 1 for irrigation purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- 1 AF for irrigation from storage from 6/1 to 10/1*

5. Total quantity to be appropriated:

- a. 0.20 cubic feet per second and/or b. 1 acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. developed spring and pond
pump & pipe line for irrigation

- b. Height of storage dam 8 feet, active reservoir capacity 1 acre-feet; total reservoir capacity 1 acre-feet, materials used in storage dam: dirt sealed with bentonite

Period of year when water will be diverted to storage Jan 1 to Dec 31 inclusive.
(Month/Day) (Month/Day)

- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:

(1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 36 N

Range 1W B.M. _____

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 10 beef cattle 5 horses

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

RECEIVED
APR 10 1982

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	1W	11																5 5	5 5

Total number of acres to be irrigated 5

c. Describe any other water rights used for the same purposes as described above. None

9. a. Who owns the property at the point of diversion John Elsberry

b. Who owns the land to be irrigated or place of use John Elsberry

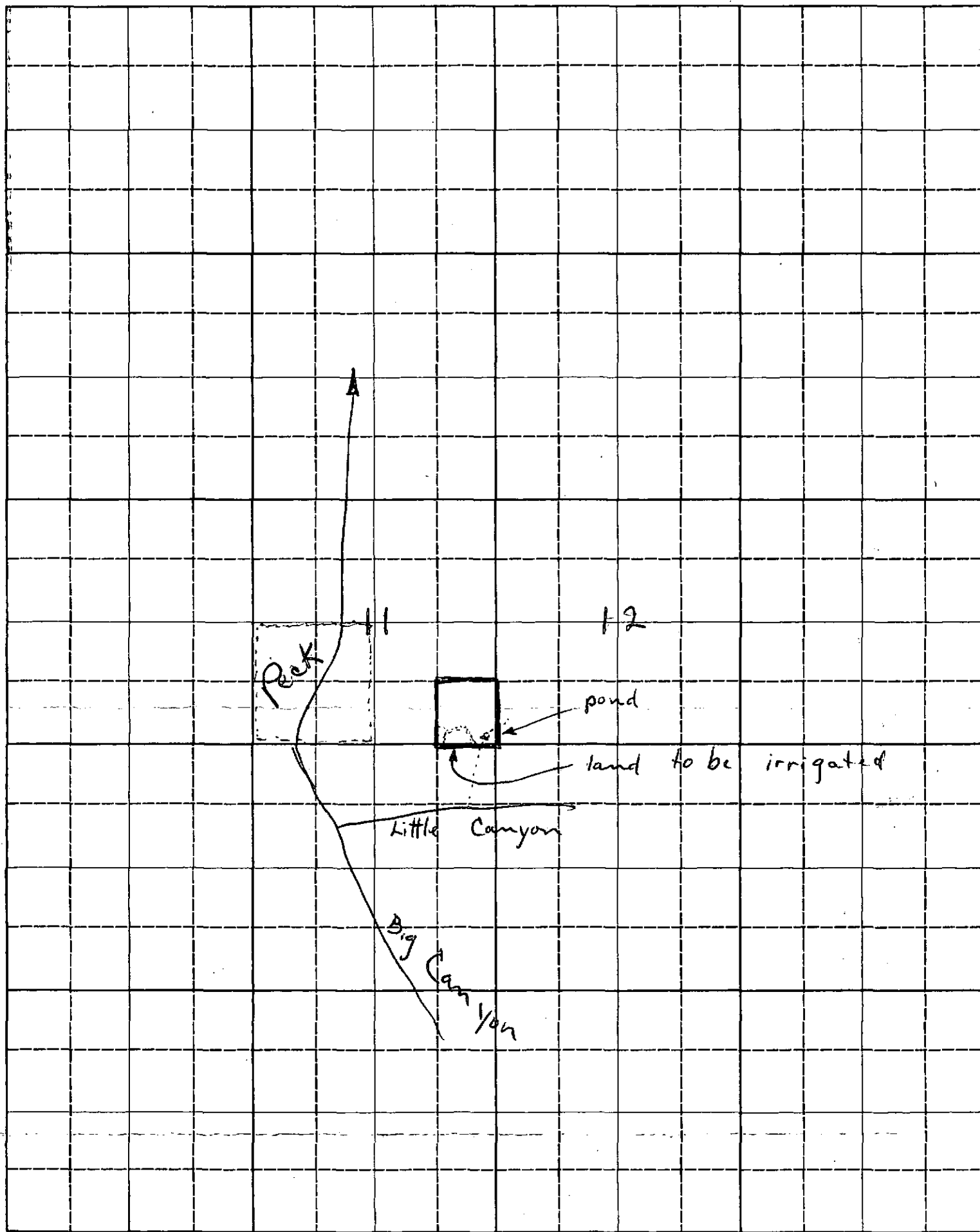
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks I purchased the above described property from Thomas Hill on March 19, 1982. The earth dam & pond were in place at that time but no water right had been filed. The spring from which the water issues forth is located on my neighbor Wargee's property, SWSW, Sec 12, T36N, R1W, about 50' from my fence (property) line.

MICROFILMED

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

T 36 N R 1 W



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.

RECEIVED

John Elsbury
(Applicant)

Proposed Priority 11/19/1982

Received by [Signature] Date 12/1/82 Time 11:40 AM

Preliminary check by JK Fee \$ 30.00

Received by [Signature] Date 12/2/82 (25133)

Publication prepared by [Signature] Date 12/2/82

Published in Lewiston Tribune

Publication dates 12/9+16/82

Publication approved [Signature] Date 12/20/82

Protests filed by: none

Copies of protests forwarded by: _____

Hearing held by _____ Date _____

Recommended for approval denial by KK [Signature]

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. 85-7315, 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 February 1, 19 84.
- 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. Other:

Witness my hand this 20th day of January, 1983.

L. Glen Sayton
Chief, Operations Bureau

11/19/82

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Nez Perce } ss.

NOTICE OF APPLICATION FOR WATER RIGHT

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

86-7155

KONEN, MELVIN, 3422 7TH ST., LEWISTON, ID 83501. Source: GROUNDWATER. Date Filed 11/29/1982. Amount: 0.06 CFS. Diversion Point: NWNW Sec 36 T 37N R 06W, NEZ PERCE Co. Use: STOCKWATER (0.02 CFS) from 01/01 to 12/31. DOMESTIC (0.04 CFS) from 01/01 to 12/31. Place of Use: NWNW Sec 36 T 37N R 06W. Diversion Means: PUMP.

85-7315

ELSBURY, JOHN K., P.O. BOX 12, PECK, ID 83545. Source: SPRING tributary to LITTLE CANYON CREEK. Date Filed: 11/19/1982. Amount: 0.20 CFS 1.0 AC-FT. Diversion Point: SESE Sec 11 T 36N R 01W, NEZ PERCE Co. Use: IRRIGATION (0.10 CFS) from 05/01 to 10/01. IRRIGATION STORAGE (1.0 AC-FT) from 01/01 to 12/31. IRRIGATION FROM STORAGE (1.0 AC-FT) from 05/01 to 10/01. STOCKWATER STORAGE (1.0 AC-FT) from 01/01 to 12/31. DIVERSION TO STORAGE (0.20 CFS) from 01/01 to 12/31. Place of Use: SESE Sec 11 T 36N R 01W FOR 5 ACRES. Diversion Means: DEVELOPED SPRING, POND, PUMP AND PIPE.

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814 on or before December 27, 1982.

KEN DUNN, Dir.

Gayle Schumacher, being duly sworn deposes and says, I am the Classified Bookkeeper of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period; that the NOTICE FOR APPLICATION

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 9th day of

December, A. D. 1982, and the last publication thereof being on the 16th day of December, A. D. 1982, and said NOTICE FOR APPLICATION

was so published in the regular and entire issue of the 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.

Gayle Schumacher

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE 16th day of December, 1982

Sheral M. Lentz

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

RECEIVED

DEC 20 1982

Department of Water Resources
Northern District Office

12/20/82



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 28, 1992

JOHN K ELSBURY
PO BOX 12
PECK ID 83545-0012

RE: Water Right No. 85-07315

Dear Water Right Holder(s):

During an unrelated review of water rights, a computer generated error was identified on your license. The date you submitted proof of beneficial use was listed incorrectly. We have corrected the error and have issued you an amended license. This correction in no way effects or changes the water right as originally licensed.

I have enclosed a copy of the amended license for your records.

If you have any questions, please feel free to contact me at
(208) 327-7943.

Sincerely,

Pamela Skaggs

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

MICROFILMED

MAY 25 1993

April 13, 1988

JOHN K. ELSBURY
P.O. BOX 12
PECK, ID 83545

RE: Permit No. 85-7315

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JUL 12 1988

March 16, 1988

JOHN K. ELSBURY
P.O. BOX 12
PECK, ID 83545

RE: Permit No. 85-7315

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

JUL 12 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

RECEIVED

AUG 2 1985

10-DAY

75-7315
Permit No.

Department of Water Resources

1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

stock $\rightarrow$
spring flow ~ 0.04 cfs
 $\therefore$ diversion to storage $= 0.04$ cfs
storage for stock ~ 0.1 AF

- b) Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

- c) Volume Calculations for Other Uses:

stock (head) $\rightarrow 0.2$ AFA

2. Overlap Review

- a) Other water rights with same place of use: _____

- b) Other water rights with same point of diversion: _____

- c) Analysis:

MICROFILMED

JUL 12 1988

POINTS TO REMEMBER

4. Permit Holder: John K. Elsbury
Address: Box 12 Peck, Id

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)

1	2	3	4	5

Allowable Maximums: 0.04 cts, 0.1 AF 0.2 AFA

[illegible]

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																X	
Total Acres _____																			

9. Recommended Conditions/Remarks:

MICHAEL

JUL 12 1988

10. 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 _____

11. Examiner's Signature L Beard Date 7/3/85
Checked in Regional Office by Bob Haynes Date 7/24/85
Approved in State Office by Ron Houston Date 2-22-88

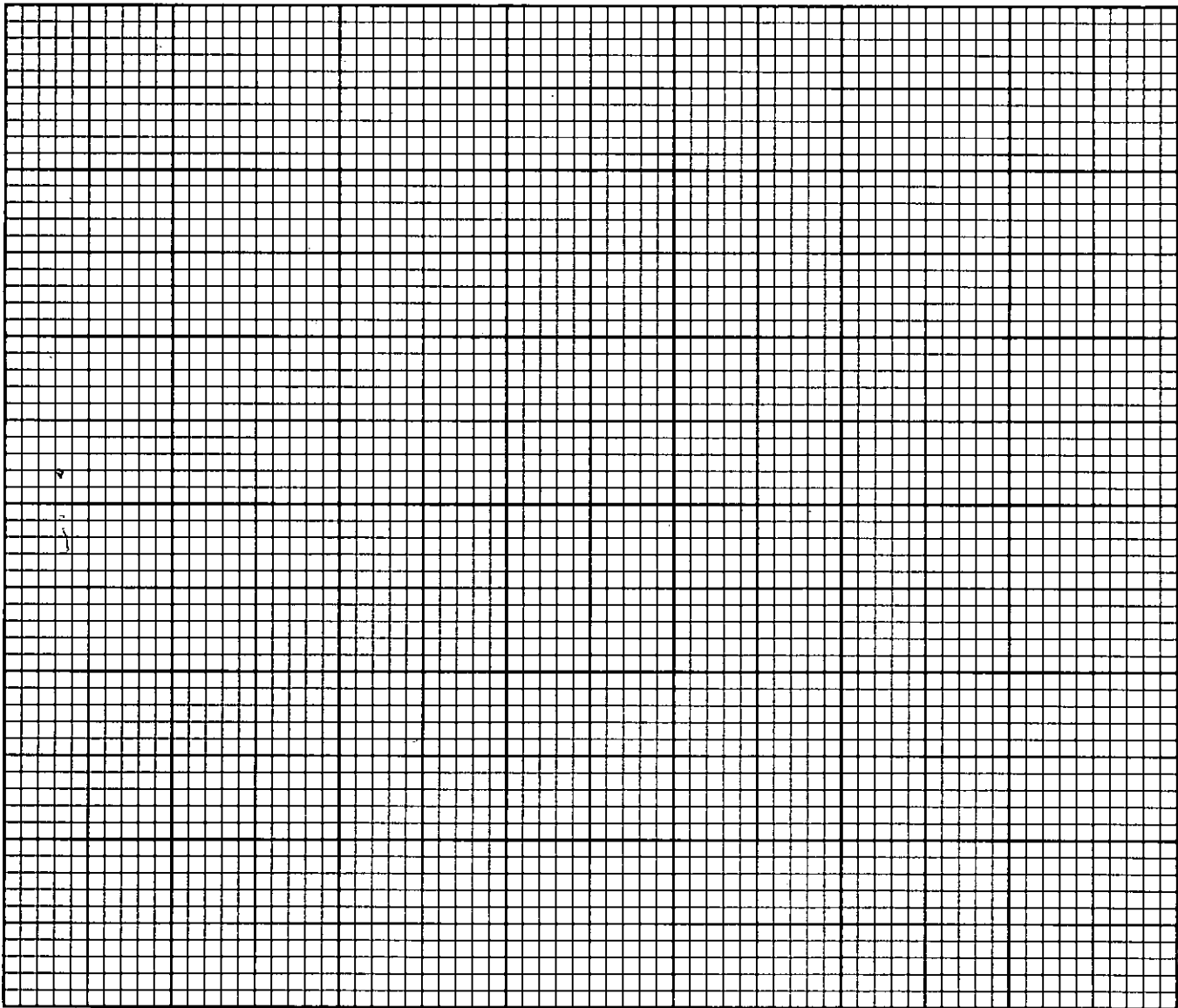


85-7315

[illegible]

10. Other water rights on these lands _____
11. Other water right diverted from same p.d. None

12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ **Photo of Diversion & System Attached**
- ☐ **Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached**

14. Remarks _____

15. 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

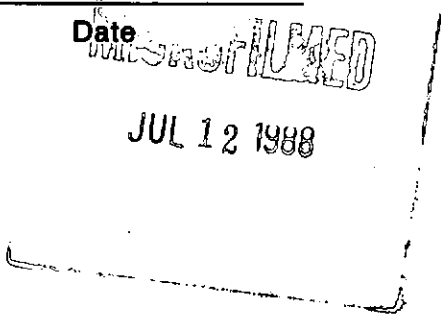
16. Examiner's/Consultant's Signature L Beard

Consultant's License Number _____

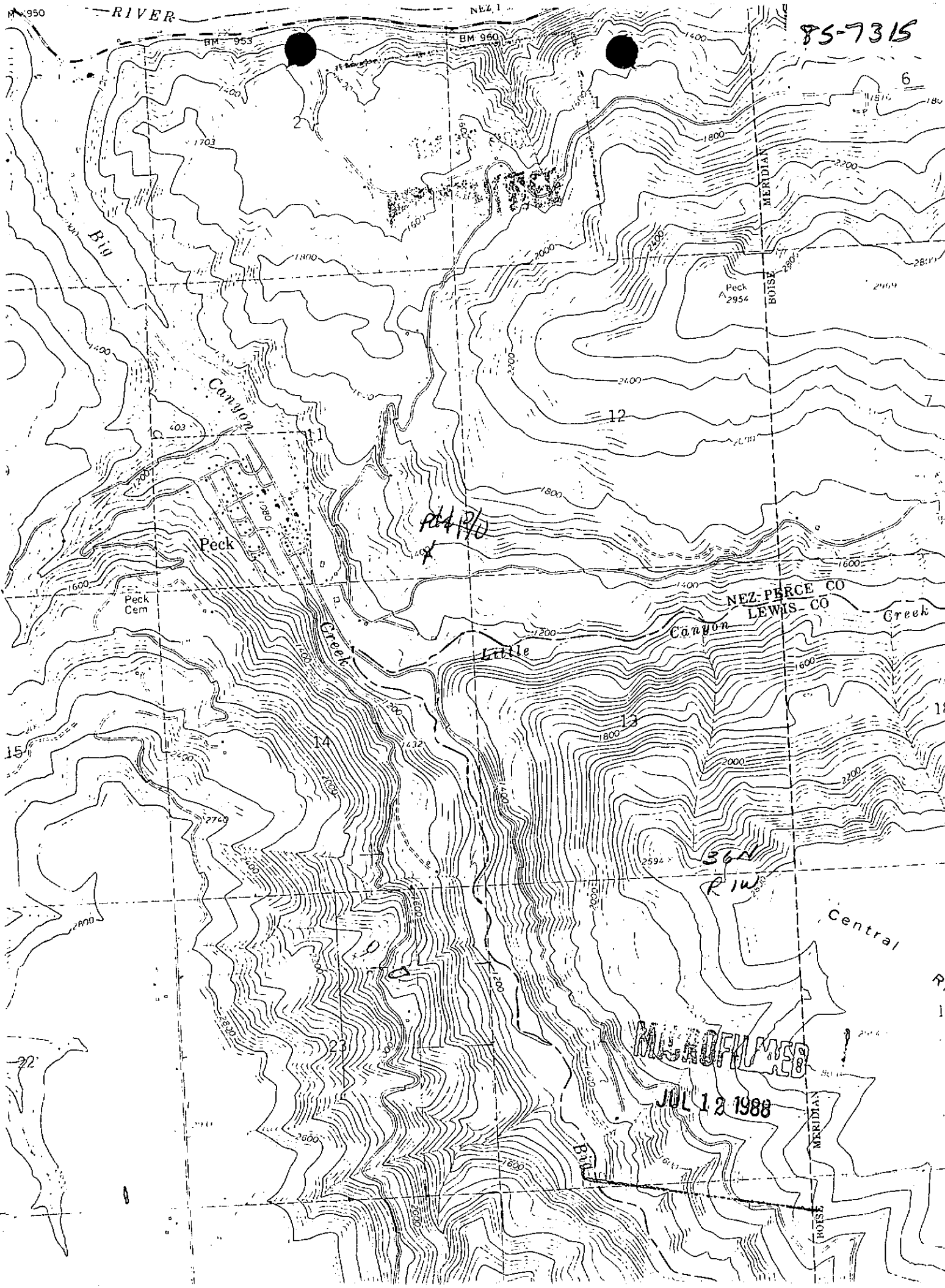
Date 6/7/85

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____



CONSULTANT SEAL



85-7315

6

180

281

211

7

18

1

1

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1

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1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

APRIL 24, 1984

JOHN ELSBURY
BOX 12
PECK ID 83545

RE: Permit No. 85-7315

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Enclosed please find a copy of an order involving your permit.

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 667-6484 or in person at our office.

Sincerely,

/S/
TOM D. KING
Senior Water Resource Agent

cc: IDWR - State Office

Enclosure

RECEIVED

JUL 12 1988

ALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 85-7315

DATE: 4-17-1984

Date proof received

46

Feb 15

Proof due

- 32

Feb 1

Number of day proof late

14

Priority date

+ 323

Nov 19, 1982

New priority date

337

Dec 3, 1982

Remarks:

RECEIVED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 85-7315.

Name(s) of Permit Holder: John & Nancy Elsbury

Post Office Address: Box 12
Peck, ID Tel. No. 486-6171

Source of Water: Spring

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 1 _____ (acres)
☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☒ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

2-14-84
Date

John Elsbury
Signature of Permit Holder

John Elsbury
Box 12
Peck ID 83575



RECEIVED

FEB 15 1984



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138247

ELSBURY, JOHN K.
P.O. BOX 12
PECK, ID 83545

PROOF DUE NOTICE

NOVEMBER 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 85-7315 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE FEBRUARY 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH 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, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A 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

RECEIVED
NOV 30 1983

S T E O F I D A H O
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

ELSBURY, JOHN K.
P.O. BOX 12
PECK, ID 83545

FEBRUARY 01, 1983

RE: PERMIT NO. 85-7315

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.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING 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 THE STATEMENT OF BENEFICIAL USE POSTCARD THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK APPLICATION NUMBER: 85-7315

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☒ Yes ☒ No Field check required.
☐ Yes ☒ No Critical groundwater area.
☐ Yes ☒ No Request dam safety information. Sent by: _____ Date: _____
☒ Yes ☒ No In form to receipt.

Field check by: _____

Date: _____

Comments: _____

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
☐ Idaho Fish and Game Department. _____
☐ Idaho Department of Lands. _____
☐ U.S. Bureau of Land Management. _____
☐ U.S. Forest Service. _____
☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
☐ Yes ☐ No Other rights on same place of use. _____

- ☒ Yes ☐ No* In form for advertising.
Final date for protests: 12/27/82
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 12/20/82
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☐ Yes ☒ No Access port required.
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what district? _____
1/4/83 Date of priority recommended.
☒ Special conditions of approval or cover letter. _____

By: [Signature] Date: 12/28/82

STATE OFFICE REVIEW:

- return receipt
SLW/Lib
☐ See attached sheet for more information.
By: [Signature] Date: 1/4/83

RECEIVED
JAN 03 1983

85-2315

ELSBURY, JOHN K.

P.O. BOX 12, PECK, ID 83545

Source: SPRING tributary to LITTLE CANYON CREEK

Date Filed: 11/19/1982

Amount: 0.20 CFS 1.0 AC-FT

Diversion Point: SESE Sec 11 T.36N R 01W, NEZ PERCE Co.

Use: IRRIGATION	(0.10 CFS)	from 05/01 to 10/01
IRRIGATION STORAGE	(1.0 AC-FT)	from 01/01 to 12/31
IRRIGATION FROM STORAGE	(1.0 AC-FT)	from 05/01 to 10/01
STOCKWATER STORAGE	(1.0 AC-FT)	from 01/01 to 12/31
DIVERSION TO STORAGE	(0.20 CFS)	from 01/01 to 12/31

Place of Use: SESE Sec 11 T 36N R 01W FOR 5 ACRES

Diversion Means: DEVELOPED SPRING, POND, PUMP AND PIPE.

RECEIVED
JAN 19 1983
FBI - BUTTE



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~C. Stephen Alred~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

November 22, 1982

Mr. John K. Elsbury
P. O. Box 12
Peck, Id. 83545

Dear Mr. Elsbury:

I have taken the liberty of changing Item Nos. 4 and 5 to reflect stored water and I also completed Item No. 6a.

I am enclosing your Check No. 92030 in the amount of \$30.00 and your Application for Permit for your approval of the changes.

If you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

KKK/pms

Enc. - Check
Application

RECEIVED
NOV 23 1982

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant John K. Elsbury Phone 208-486-6171
 Post office address Po Box 12, Peck ID.
2. Source of water supply spring which is a tributary of Little Canyon Cr.
3. Location of point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 36 N
 Range 1W B.M. Nez Perce County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 0.10 cfs for irrigation purposes from May 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 1 for storage for livestock purposes from Jan 1 to Dec 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.20 cfs for diversion to storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 1 for irrigation purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- 1 AF for irrigation from storage from 6/1 to 10/1

5. Total quantity to be appropriated:

- a. 0.20 cubic feet per second and/or b. 1 acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. developed spring and pond
pump & pipe line for irrigation
- b. Height of storage dam 8 feet, active reservoir capacity 1 acre-feet; total reservoir capacity 1 acre-feet, materials used in storage dam: dirt sealed with bentonite
 Period of year when water will be diverted to storage Jan 1 to Dec 31 inclusive.
(Month/Day) (Month/Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:
 (1) Give the place of use of water: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 11 Township 36 N
 Range 1W B.M. _____
- (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
- (3) List number of each kind of livestock to be watered 10 beef cattle 5 horses
- (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
- (5) If water is to be used for other purposes describe: _____

Total number of acres to be irrigated 5

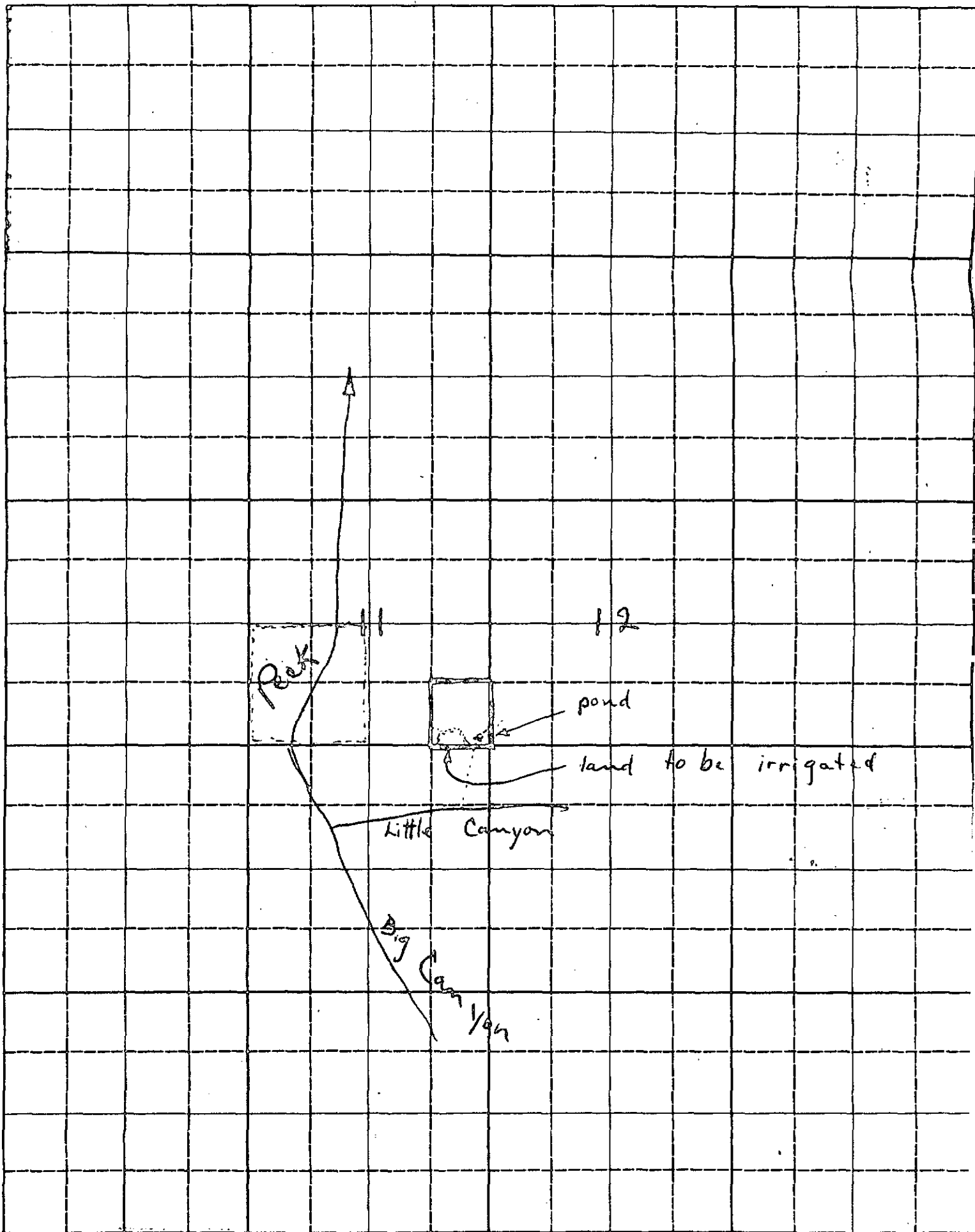
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks I purchased the above described property from Thomas Hill on March 19, 1982. The earth dam & pond were in place at that time but no water right had been filed. The spring from which the water issues forth is located on my neighbor Wargee's property, NW 1/4 Sec 12, T36N, R1W, about 50' from the cross property line.

11. Map of proposed project: show clearly the proposed township and range number.

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

T36N R1W



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.

John Elsbury
(Applicant)

Received by Date 11/19/52 Time 11:40 AM
Preliminary check by Fee \$
Receipted by Date
Publication prepared by Date
Published in
Publication dates
Publication approved Date
Protests filed by:

Copies of protests forwarded by
Hearing held by Date
Recommended for approval denial by

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before , 19 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: