PROOF OF PUBLICATION

I, Robert E. Wherry, publisher of The Lewis County Herald, a weekly newspaper of general circulation established in 1897 and published continuously in the City of Nezperce, County of Lewis, State of Idaho do solemnly swear that the herewith attached publication was printed in the regular edition of The Lewis County Herald, and not in a supplement, for

2 consecutive issues, the first publication having been on the 14 day of May, 19 81, and the last publication on the 21 day of May, 19 81.

Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 1 day of June, 19 81

Notary Public

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho.

85-7264

SPEARS, TOMMIE E.
P.O. BOX 1003, KAMIAH, ID 83536
Source: SPRING tributary to SINKS
Date Filed 04/27/1981
Amount: 0.01 CFS
Diversion Point NWNW Sec 28 T 34N R 03E, LEWIS, Co.
Use: DOMESTIC (0.01 CFS) from 01/01 to 12/31
Place of Use: NWNW Sec 28 T 34N R 03E
Diversion Means: PUMP, RINGS AND PIPELINE.

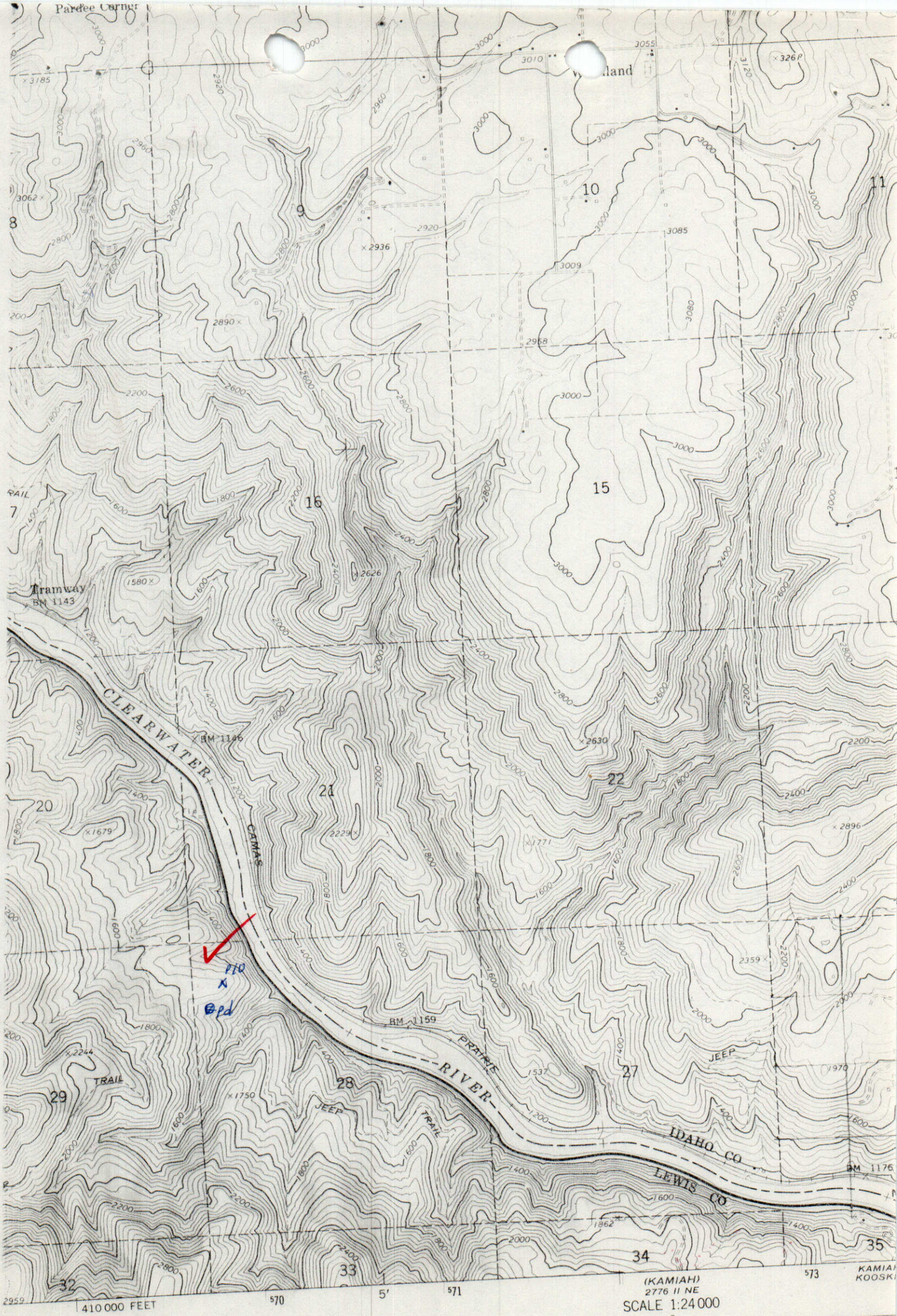
If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources: 4055 Gov't Way, Coeur d'Alene, Id. 83814 on or before JUNE 1, 1981.

C. STEPHEN ALLRED
Director

Published 5/14 & 5/21/81

RECEIVED
JUN 4 1981
Department of Water Resources
Northern District Office

MICROFILMED



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CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
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d by the Geological Survey

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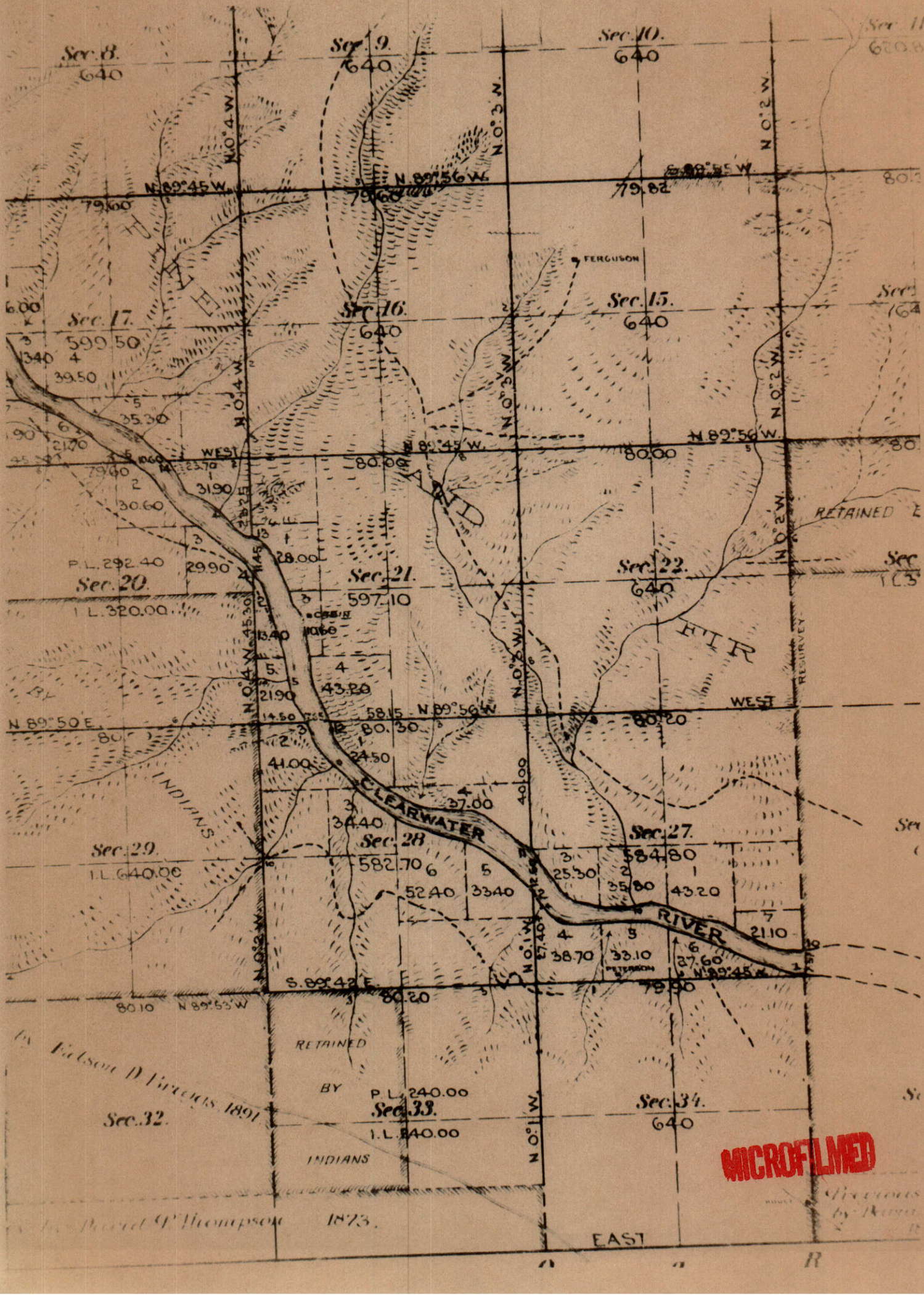
UTM GRID AND 1967 MAGNETIC NORTH
DECLINATION AT CENTER OF SH

MICROFILMED

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS

FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR WASHIN

A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON RE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Sec. 27.
584.80
25.30
35.80
43.20
21.10
RIVER
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PETERSON
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RETAINED
BY
P.L. 240.00
Sec. 33.
I.L. 640.00
Sec. 34.
640
Sec. 32.
INDIANS
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1873.
EAST

State of Idaho

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 85-7264 Priority April 27, 1981 Amount 0.01 cfs

THIS IS TO CERTIFY, that Tommie E. Spears

of Kamiah, Idaho, has complied with the terms and conditions of Permit No. 85-7264 issued pursuant to Application for Permit dated April 27, 1981, and has submitted proof to the Department of Water Resources on June 7, 1982, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.01 cfs of water from a spring, tributary to sinks; and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 Unit)	from January 1 to December 31	at 0.01 cfs	and 1.2 acre feet
	from to	at cfs	and
	from to	at cfs	and

(both dates inclusive)

Subject, however, to the condition that no more than 0.01 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1.2 acre feet per year, said waters to be diverted within the Gov. Lot 2 (NW¼NW¼) Section 28, Twp 34N, Rge 3E in the County of Lewis

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
34N	3E	28						Gl 2 X											

Total number of acres irrigated _____

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CONDITIONS OF APPROVAL

a. 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 right may be forfeited by five years of non-use.

b. The right to the use of the water hereby confirmed is restricted and appurtenant to lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

c. Any water right confirmed in this license 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 license 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 license.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10th day of January, 1986.

Acting for the Director

Form 202
3/78

Ident. No. 85-7264

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 Tommie E. SPEARS Phone No Phone

   Post office address P.O. Box 1003 Kamiah Idaho

2. Source of water supply Spring - Surface Water which is a tributary of Sinks - per ltr. 4/30/81 pms

3. Location of point of diversion is NW ¼ of NW ¼ of Section 28 Township 34N

   Range 3E B.M. LEWIS County, additional points of diversion if any: ____

4. Water will be used for the following purposes:

   Amount 0.01 CFS (cfs ~~or acre-feet per annum~~) for domestic purposes from Jan. 1 to Dec 31 (both dates inclusive)

   Amount _____ (cfs or ~~acre-feet~~ per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or ~~acre-feet~~ per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or ~~acre-feet~~ per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

   a. 0.01 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. 3/4 HP Jet Pump sitting on 6-2 foot by 4 foot concrete spring rings. 1" discharge piping to house.

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

   Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

   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: NW ¼ of NW ¼ of Section 28 Township 34N

      Range 3E 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 _____

      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water 1.

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

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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	

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

None - per ltr. 4/30/81 pms

9. a. Who owns the property at the point of diversion Tommie E. + Barbara A. SPEARS

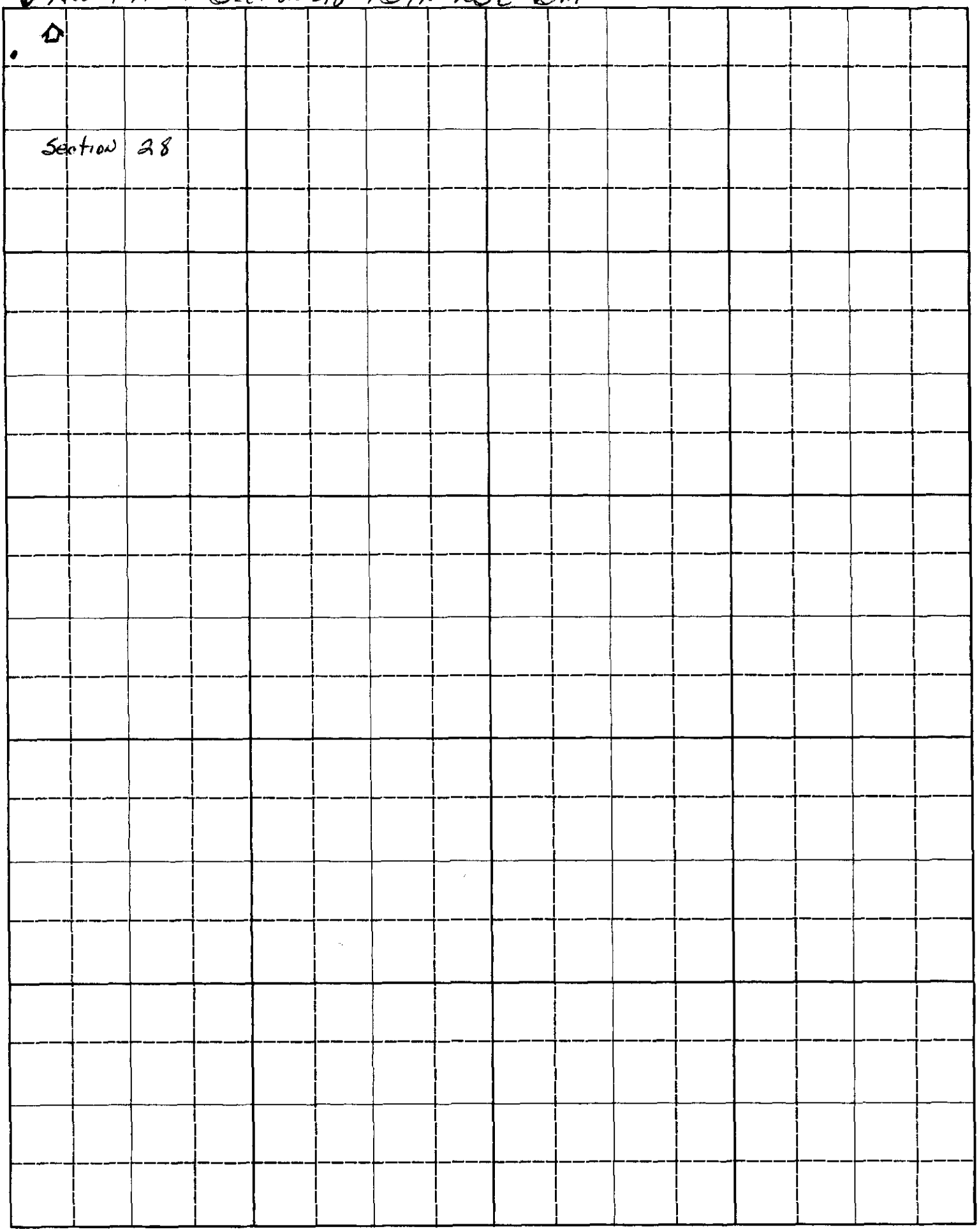
b. Who owns the land to be irrigated or place of use Tommie E + Barbara A. Spears

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 _____

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

C NW¼ NW¼ Section 28 T34N R3E BM



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.

Tommie L Spears

(Applicant)

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Proposed Priority 4/27/81

MICROFILMED

Received by [illegible] Date 4/27/81 Time 12 noon

Preliminary check by JK Fee $ 30.00

Receipted by [illegible] Date 4/28/81 (18094)

Publication prepared by [illegible] Date 5/7/81

Published in Lewis County Herald

Publication dates 5/14 & 21/81

Publication approved [illegible] Date 6/5/81

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by RJA

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. 85-7264, 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 August 1, 19 82.

   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 16TH day of July, 19 81.

Norman C. Young

Administrator, Resources Admin. Div.

PROOF OF PUBLICATION

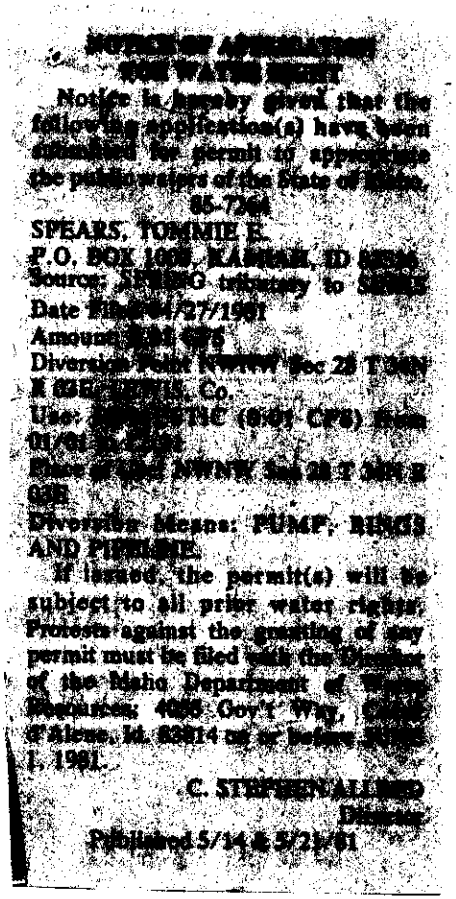
I, Robert E. Wherry, publisher of The Lewis County Herald, a weekly newspaper of general circulation established in 1897 and published continuously in the City of Nezperce, County of Lewis, State of Idaho do solemnly swear that the herewith attached publication was printed in the regular edition of The Lewis County Herald, and not in a supplement, for

2 consecutive issues, the first publication having been on the 14 day of May, 19 81, and the last publication on the 21 day of May, 19 81.

Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 1 day of June, 19 81

Denise E. Likey



NOTICE OF APPROPRIATION
FOR WATER RIGHT

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85-7264

SPEARS, TOMMIE E.
P.O. BOX 1028, KAMIAH, ID 83536
Source: SPRING tributary to SPEARS
Date Filed: 04/27/1981
Amount: 0.01 CFS
Diversion Point: NWNW Sec 28 T 36N R 6E, Nez Perce Co.
Use: [illegible] 0.01 CFS) from 01/01 to 12/31
Place of Use: NWNW Sec 28 T 36N R 6E
Diversion Means: PUMP, DITCH AND PIPELINE.

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 4280 Gov't Way, Coeur d'Alene, Id. 83814 on or before June 1, 1981.

C. STEPHEN ALLRED
Director

Published 5/14 & 5/21/81

Department of Water Resources
Northern District Office

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01 WATER RIGHT NUMBER - 85-7264 02 OLD (D) NUMBER -

LAST NAME
03001 - SPEARS

FIRST NAME
04001 - TOMMIE E.

ORIG. OWNER
05001 - C

06 ADD LINE 1 - P.O. BOX 1003

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - KAMIAH

10 STATE - ID 11 ZIP - 83536

12 STAGE - L LICENSE

13 STATUS -

SOURCE
14001 - SPRING

TRIBUTARY OF
15001 - SINKS

16 DIVERSION MEANS - PUMP, RINGS AND PIPELINE.

17 COUNTY - 61 LEWIS

18 DIVERSION CAPACITY - .010 19 TOTAL DIVERSION RATE - .010 20 TOTAL DIVERSION VOLUME - 1.20

21 WATER DISTRICT -

DIVERSION POINTS

TRACT	SEC	TWN	RNG	LOT	RFLG
22001 - NWNW	23001 - 28	24001 - 34N	25001 - 03E	26001 - 02	27001 -
				28001 -	0

STREAM INDEX FIELDS

0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE -

PLACE OF USE

USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT
30001 - 43 DOMESTIC	31001 - 34N	32001 - 03E	33001 - 28	34001 - NWNW	35001 -	36001 - 02

TOTAL ACRES: 0

WATER USE

PERIOD FROM	PERIOD TO	USE CODE / USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0101	38001 - 1231	39001 - 43 DOMESTIC	40001 - 0.010	41001 - 1.20

42 DECREE PLAINTIFF NAME - 43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

DATES

47	PRIORITY	- 27-APR-1981	55	LICENSE	- 10-JAN-1986
48	PROOF DUE	- 1-AUG-1982	56	APPL RECEIVED	-
49	PROOF MADE	- 1-JAN-1900	57	FIELD EXAM MADE	-
50	APPROVE/DENIED	- 16-JUL-1981	58	DECREE	-
51	PROTESTED	-	59	START WORK	-
52	HEARING	-	60	ORDER SHOW CAUSE	-
53	VERIFIED	-	61	DATE_1	-
54	LAST UPDATE	- 7-MAR-1986	62	DATE_2	-

FLAGS

63	TRANSFER/AMENDED	-
64	DLE/CAREY ACT	-
65	FLAG_1	-
66	FLAG_2	-
67	FLAG_3	-

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 13, 1986

RE: Permit No. 85-7264

Tommie E. Spears
Box 1003
Kamiah, ID 83536

Dear Mr. Spears:

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

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Form 219
12/79

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED
SEP 7 1983
Water Resources

Permit No. 83-7264

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 8/3/83 Accompanied by Mrs Spears Total Q measured est. 0.01 cfs
If source is surface water, estimate total flow of source 0.61 cfs
Methods of measurement Estimate Meets Permit requirements? Yes

Measurement calculations: Single family domestic allows up to 0.04 cfs.
∴ 0.01 cfs is acceptable
V = 1.2 cfs

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
								pump present, but not accesable

System Description Developed spring with concrete box. Pump and pipeline to house.

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = _____ AFA/Acre

USE	Q (cfs)	V (afa)	FROM	TO
Domestic ✓ (1 unit)	0.01 ✓	1.2 ✓	1-1 ✓	12-31 ✓
Total	0.01 ✓	1.2 ✓		

Remarks

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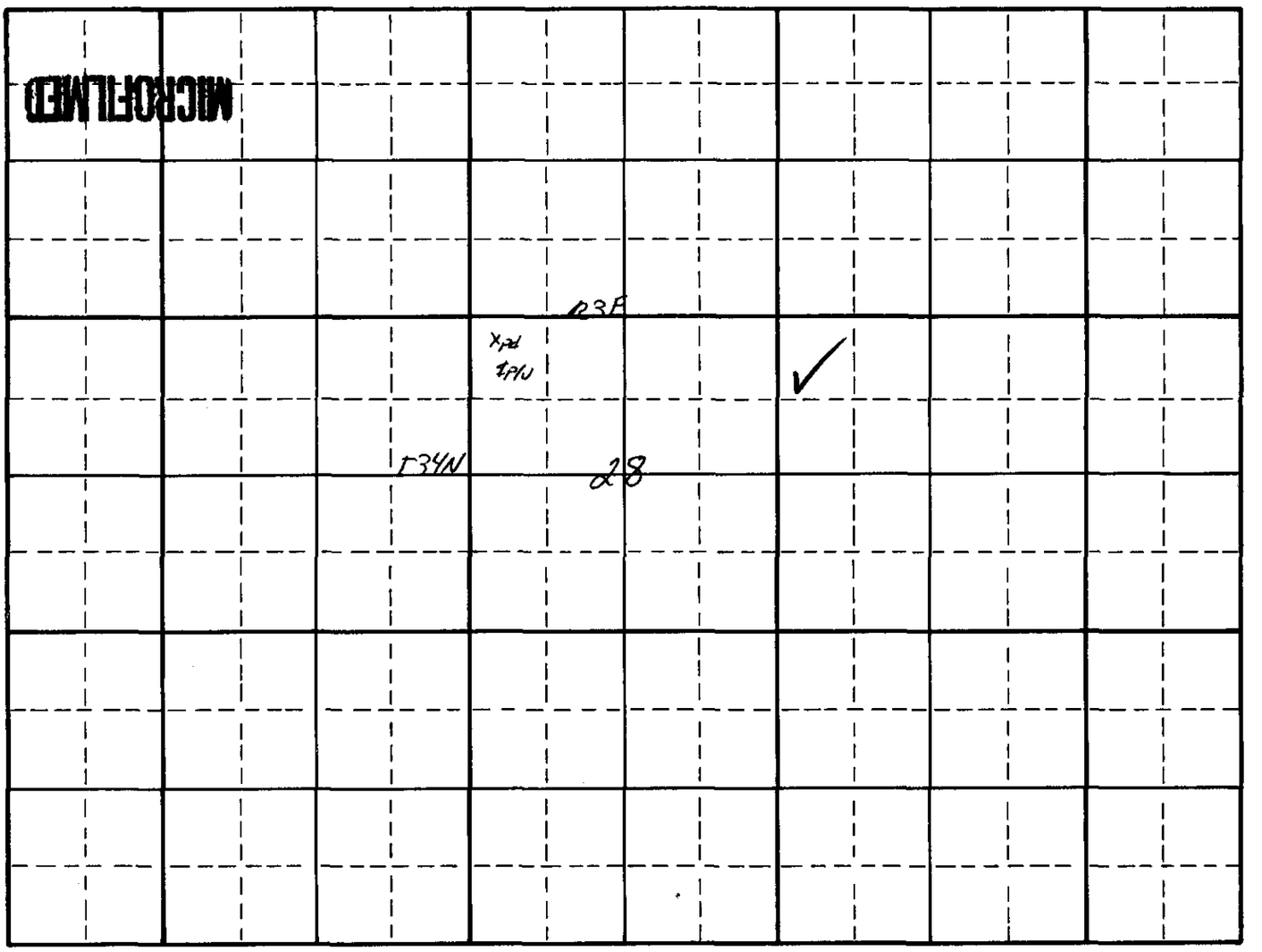
MAP (Attach Aerial Photo)



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: Gov. Lot 2 (NW NW) SEC 28 T 34N R3E

Place(s) of Use ✓

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
34N	3E	28						X GL2											

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

Examiner's Signature Larry Beard Date 8/19/83

Checked by Bob Haynes Date 9/1/83

Approved by Ray Walker Date 11-27-85

d by the Geological Survey

methods from aerial
checked 1967

th American datum
coordinate system,

e Mercator grid ticks,

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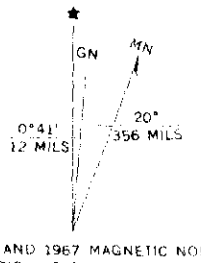

UTM GRID AND 1967 MAGNETIC NORTH
DECLINATION AT CENTER OF SH

SCALE 1:24000

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1000 0 1000 2000 3000 4000 5000 6000 7000

1 0 1 KILOMET

CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL

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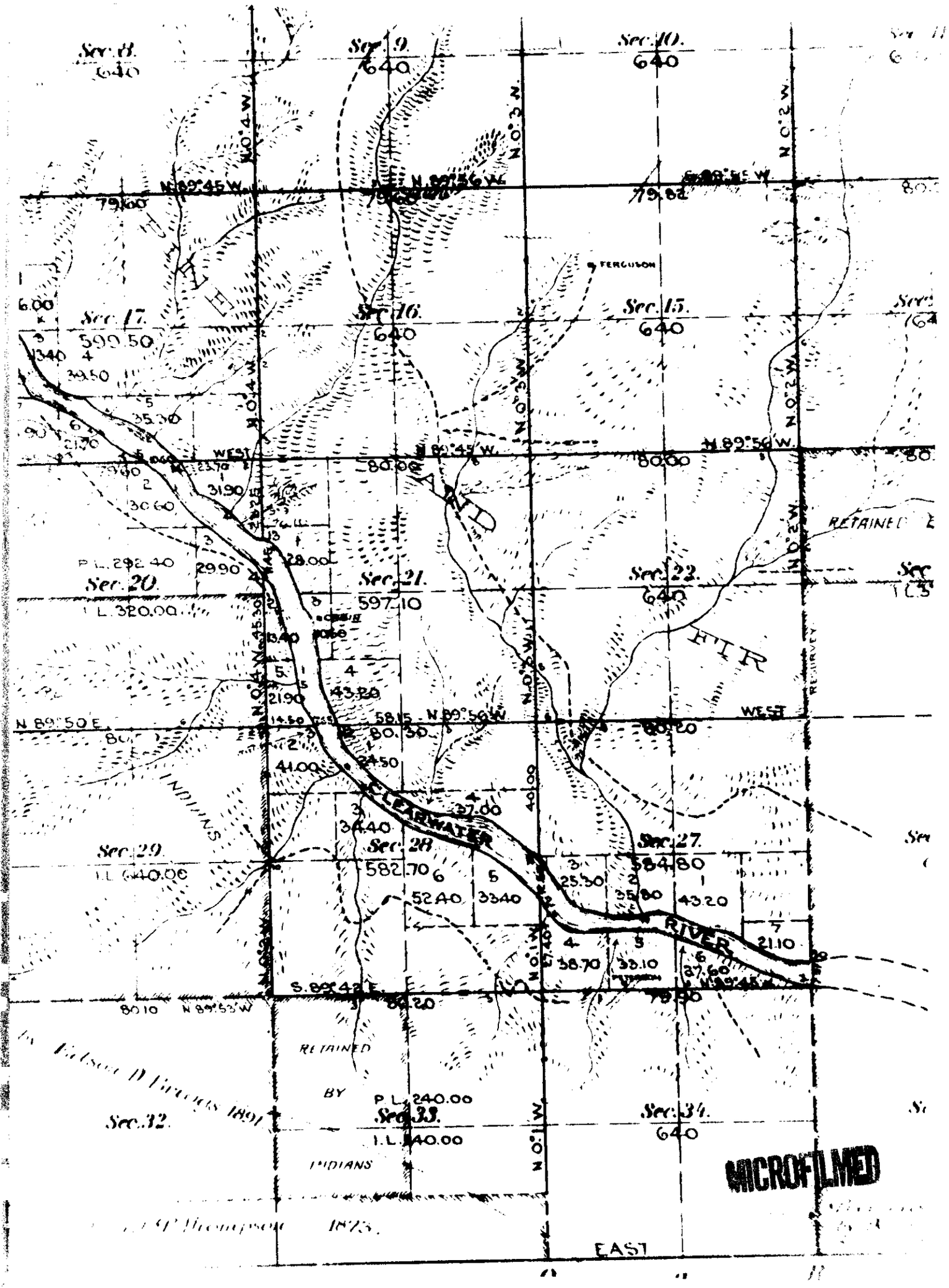
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON RE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N 89°56 W.
80.30
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CLEARWATER
Sec. 29.
L. 640.00
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582.70
Sec. 27.
584.80
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S. 89°42 E.
80.20
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N 89°53 W.
RETAINED
BY
P L. 240.00
Sec. 32.
Sec. 33.
L. L. 640.00
Sec. 34.
640
INDIANS
EAST
MICROFILMED

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

October 8, 1982

Tommie E. Spears
Bx 1003
Kamiah, Id. 83536

RE: 85-7264

Dear Ms. Spears:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination, however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. If you will not be available to show the system, please provide this office with the name and address of someone who will be able to do so. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office. Please be sure to use the above-referenced permit number in in all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/rms

cc: IDWR - State Office

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

October 4, 1982

Mr. Thomas Spears
P. O. Box 1003
Kamiah, Id. 83536

Re: 85-7264

Dear Mr. Spears:

This regional office has not yet received authorization from the main office in Boise to proceed with the examination. This is undoubtedly due to the efforts of the Boise office to cut mailing expense by mailing a large number of authorizations at one time.

When I receive the authorization from Boise, I will notify you. The examination, however, will probably not be conducted until after June of 1983. Your permit will remain valid until the examination has been made.

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

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED

29 Sept. 1982

RE: Permit NO. 85-7264

Dear Sir,

In May of this year I received a certified letter from your office. I returned the enclosed post card requesting an inspection of my water system. As of this date I, to my knowledge, have not been inspected.

Please advise me on the current status of my claim for water rights.

Thanking you in advance for your assistance in this matter I remain,

Respectfully

Tommie L Spears

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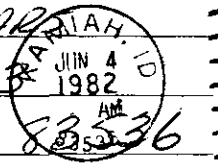
RECEIVED
SEP 30 1982
Department of Water Resources
Northern District Office

Tommie E Spear
P.O. Box 100
KAMIAH ID 83536



RECEIVED
JUN 7 1982
Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

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. 85-7264.

Name(s) of Permit Holder: Tommie E. SPEARS

Post Office Address: P.O. Box 1003

KAMIAH, ID. 83536 Tel. No. No Phone

Source of Water: Spring

Extent of Use:
- ☒ Domestic 1 (number of households)
- ☒ Stockwater 3 horses (number and type of stock)
- ☐ Irrigation _____ (acres)
- ☐ Other _____

MICROFILMED

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.

4 June 1982
Date

Tommie E. Spears
Signature of Permit Holder