

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 16 day of Oct, 1980, and the last publication on the 23 day of October, 1980.
Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 3rd day of November, 1980.

Robert E. Wherry

NOTICE OF APPLICATION FOR WATER RIGHT

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

85-7240

John G. Fitzgerald, P.O. Box 1686, Orofino, ID 83544

Source: GROUNDWATER

Date filed: 09/12/1980

Amount: 0.14 CFS

Diversion Point: LOT 03 Sec 14 T 35N R 02E, Lewis Co.

Use: IRRIGATION (0.10 CFS) from 04/01 to 10/31

DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: LOT 03 Sec 14 T 35N R 02E FOR 4 acres.

Diversion Means: WELL, PUMP 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 NOVEMBER 3, 1980.

C. Stephen Allred, Director
Published Oct. 16, 23 1980

OK 11/5/80

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NOV 5 1980

Department of Water Resources
Northern District Office

MICROFILMED



SCALE 1:24000

CONTOUR INTERVAL 40 FEET
DOTTED LINE REPRESENT 20-FOOT CONTOURS
DATE IS MEAN SEA LEVEL

COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
ICAL SURVEY, DENVER, COLORADO 80225, OR WASHINGTON, D. C. 20242
NG TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST



QUADRANGLE LOCATION

ROAD CLASSIFICATION
Heavy-duty
Medium-duty
Light-duty
Unimproved
U. S. Route

OROFINO E
N4622.5-

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 85-7240 Priority September 12, 1980 Amount 0.07 cfs

THIS IS TO CERTIFY, that John G. Fitzgerald
of Orofino, Idaho, has complied with the terms and conditions of Permit
No. 85-7240 issued pursuant to Application for Permit dated September 12, 1980,
and has submitted proof to the Department of Water Resources on June 15, 1981,
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 0.07 cfs of water from a groundwater source,
tributary to _____, 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
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.03</u> cfs and	<u>3.0</u> acre feet
Domestic (1 unit)	from <u>January 1</u> to <u>December 1</u>	at <u>0.04</u> cfs and	<u>0.6</u> acre feet
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.07 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 confined to for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3.6 acre feet per year, said waters to be diverted within the Government Lot 3 (SW $\frac{1}{4}$ NW $\frac{1}{4}$),
Section 14, Twp. 35N, Rge. 2E in the County of Lewis

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
35N	2E	14							GL 3 1										1

Total number of acres irrigated 1

Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
October, 19 82.

Director

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 G. Fitzgerald Phone _____

Post office address P.O. Box 1686, Orofino, Id. 83544

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ (SNNW) RH 11-17-80
1/4 of GL 3 1/4 of Section 14 Township 35N

Range 2E B.M. Lewis County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.10 for Irrigation purposes from 4-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from 1-1 to 12-31 (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:

a. 0.14 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump & pipeline

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 _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 4 inches; proposed depth of well is 194 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(SNNW) RH 11-17-80

(1) Give the place of use of water: _____ 1/4 of GL 3 1/4 of Section 14 Township 35N

Range 2E 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 6 hd stock, 85 hd poultry

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 2.

(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:

[illegible]

Total number of acres to be irrigated 3.5

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 *Applicant*

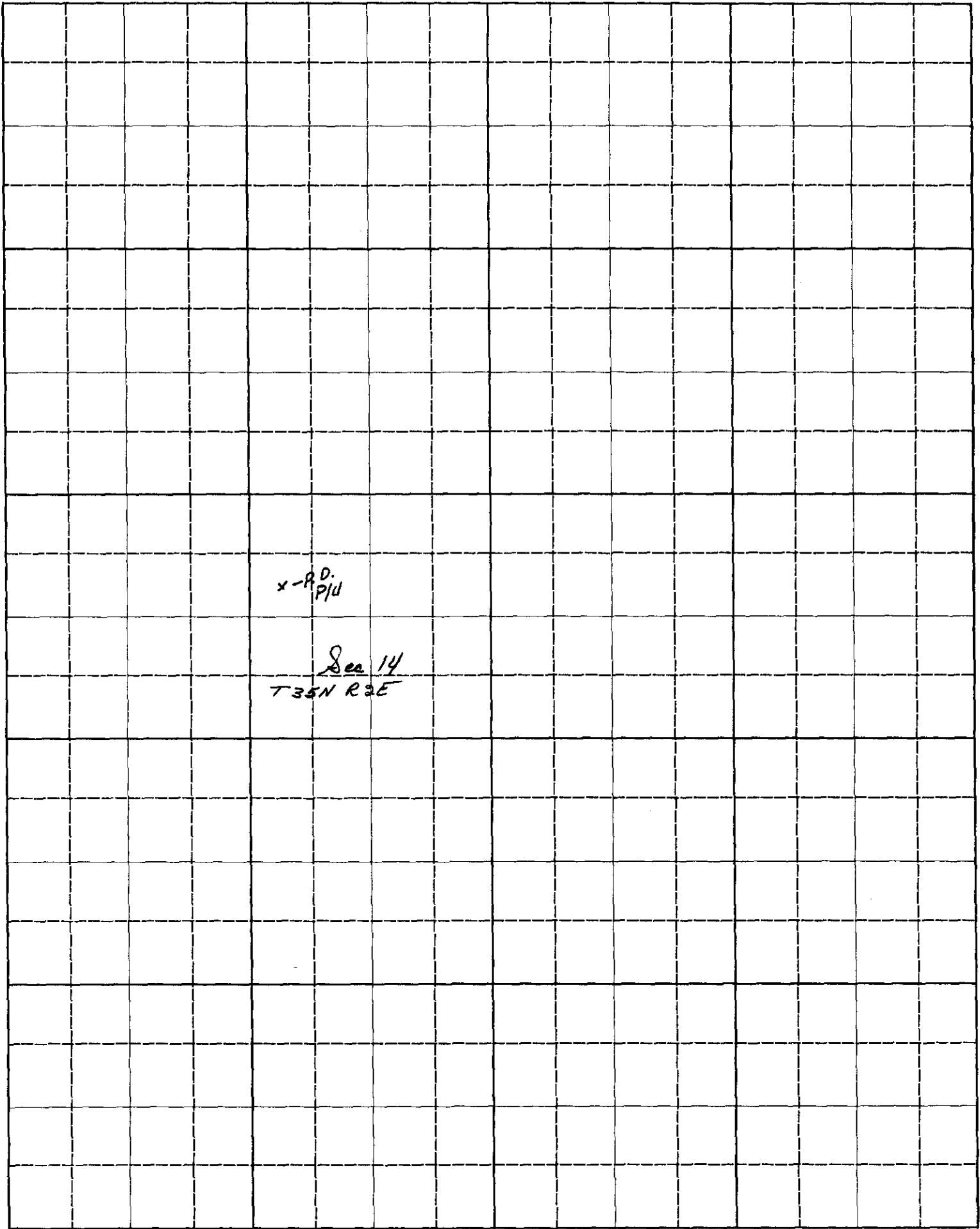
b. Who owns the land to be irrigated or place of use

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.



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 T. [Signature]
(Applicant)

Proposed Priority 9/12/80
Received by pms Date 9/12/80 Time 1:00 pm (\$30.00) from original
Preliminary check by pms Date 7/24/80 Time 1:00 pm (\$30.00) from original
Fee \$ 30.00
Receipted by pms Date 10/3/80 (15428)
Publication prepared by pms Date 10/9/80
Published in Sevier County Herald
Publication dates 10/16-23/80
Publication approved pms Date 11/5/80
Protests filed by: none
Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by RAH RAH

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. 85-7240 , 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 December 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 18th day of November, 1980.

J. Glen Saxton
Chief, Operations Bureau

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 16 day of Oct, 1980, and the last publication on the 23 day of October, 1980.
Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 3rd day of November

MICROFILMED

19 80

Salina E. Wherry

PERMIT TO ABSTRACT
FOR WATER RIGHTS
I, the undersigned, do hereby certify that the following water right has been abstracted for publication in the public domain of the State of Idaho:
05/7/80
John E. Fitzgerald, P.O. Box 1500,
Oreana, ID 83454
Source: GROUNDWATER
Date Filed: 05/12/80
Amount: 0.10 CPS
Diversion Point: LOT 03 Sec 14 T 35N R 02E, Lewis Co.
Use: IRRIGATION (0.10 CPS) from 04/01 to 10/31
DOMESTIC (0.04 CPS) from 01/01 to 12/31
Place of Use: LOT 01 Sec 14 T 35N R 02E FOR 4 acres.
Diversion Method: WELL, PUMP 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, 1000 Gay's Way, Coeur d'Alene, ID, 83814 on or before NOVEMBER 3, 1980.
C. Douglas Allen, Director
Permitting Unit, IDWR

OK 11/5/80

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NOV 5 1980

Department of Water Resources
Northern District Office



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

December 7, 1982

RE: Water Right License No. 85-7240

John G. Fitzgerald
P.O. Box 1686
Orofino, ID 83544

Dear Mr. Fitzgerald:

In response to your question about one acre of irrigation for a hillside orchard, the above referenced license does not cover that.

If the land was not being irrigated when our examiner visited the property on July 29, 1982, then he can not recommend the one acre of hillside orchard for this license.

I would suggest that you apply for another permit prior to irrigating the hillside orchard. If you have any other questions, please contact me at 334-4123.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw

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RECEIVED

NOV 26 1982

Department of Water Resources



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

November 4, 1982

RE: Water Right No. 85-7240

I HAVE AN ADDITIONAL
ACRE THAT I INTEND TO
IRRIGATE. THIS WILL BE A
HILL SIDE ORCHARD. DOES

John G. Fitzgerald
P.O. Box 1686
Orofino, ID 83544

THIS PERMIT ALLOW FOR
THIS ADDITIONAL WATER
USE ? *gmf 11/22/82*

Dear Mr. Fitzgerald:

We received your reply to our letter of September 14, 1982, on October 20, 1982 and it was first called to my attention on November 3, 1982; therefore, you probably have already received a copy of the license issued on Right 85-7240 which was sent to you on October 25, 1982.

The reason for the difference between 0.14 cfs (that you applied for on your water right application) and the 0.07 cfs issued on the license is because on your permit you requested 0.10 cfs to be used for the irrigation of 3.5 acres of land.

On July 29, 1982, our field examiner accompanied by Patrick Fitzgerald made an examination of lands irrigated under your permit and found that only one acre was irrigated. The maximum rate that can be allowed for irrigation of one acre is 0.03 cfs. Therefore, the 0.03 cfs for irrigation, plus 0.04 cfs for domestic use is 0.07 cfs.

I hope this explanation answers your question. If you have any further questions please let me know.

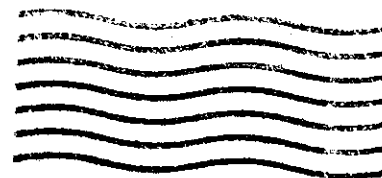
Sincerely,

Jim Johnson
JIM JOHNSON
Water Distribution Supervisor

JJ:kw

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JOHN G. FITZGERALD
P.O. BOX 1686
ORUFINO, IDAHO, 83544



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STATE OF IDAHO
DEPT OF WATER RESOURCES
STATEHOUSE
BOISE,
IDAHO, 83720

November 4, 1982

RE: Water Right No. 85-7240

John G. Fitzgerald
P.O. Box 1686
Orofino, ID 83544

Dear Mr. Fitzgerald:

We received your reply to our letter of September 14, 1982, on October 20, 1982 and it was first called to my attention on November 3, 1982; therefore, you probably have already received a copy of the license issued on Right 85-7240 which was sent to you on October 25, 1982.

The reason for the difference between 0.14 cfs (that you applied for on your water right application) and the 0.07 cfs issued on the license is because on your ~~permit~~ you requested 0.10 cfs to be used for the irrigation of 3.5 acres of land,

On July 29, 1982, our field examiner accompanied by Patrick Fitzgerald made an examination of lands irrigated under your permit and found that only one acre was irrigated. The maximum rate that can be allowed for irrigation of one acre is 0.03 cfs. Therefore, the 0.03 cfs for irrigation, plus 0.04 cfs for domestic use is 0.07 cfs.

I hope this explanation answers your question. If you have any further questions please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:lm



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho 83720

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JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

September 14, 1982

RE: Permit No. 85-7240

John G. Fitzgerald
P.O. Box 1686
Orofino, ID 83544

Dear Mr. Fitzgerald:

A representative of this Department has made an examination of the works covered by your Permit No. 85-7240, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 0.07 cfs Source: groundwater

The maximum quantity diverted shall not exceed 3.6 acre feet per year.

Point(s) of diversion: Government Lot 3(SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 14, Twp. 35N, Rge. 2E, Lewis County

Beneficial use: Irrigation of 1 acre and domestic use for 1 unit within the Gov. Lot 3(SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 14, Twp. 35N, Rge. 2E

Priority date established: September 12, 1980

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

? why not .14
per application
see attached
JTF
10/15/82

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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 G. Fitzgerald Phone _____

Post office address P.O. Box 11686, Orofino, Id. 83544

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ (SWNW) RH 11-17-80
% of GL 3 % of Section 14 Township 35N

Range 2E B.M. Lewis County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.10 for Irrigation purposes from 4.1 to 10.30 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 0.04 for Domestic purposes from 1.1 to 12.31 (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:

a. 0.14 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well, pump & pipeline

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 _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 4 inches; proposed depth of well is 194 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 2 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation: (SWNW) RH 11-17-80
(1) Give the place of use of water: _____ % of GL 3 % of Section 14 Township 35N
Range 2E 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 6 hd stock, 85 hd poultry

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 2.

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

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JOHN G. FITZGERALD
P.O. Box 1686
OROFINO, IDAHO,
83544

UNRECORDED

State of Idaho.
Dept. of Water Resources.
450 W. State St.
Boise.
Idaho.

October 25, 1982

RE: Permit No. 85-7240

John G. Fitzgerald
P.O. Box 1686
Orofino, ID 83544

Dear Mr. Fitzgerald:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED



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

September 14, 1982

RE: Permit No. 85-7240

John G. Fitzgerald
P.O. Box 1686
Orofino, ID 83544

Dear Mr. Fitzgerald:

A representative of this Department has made an examination of the works covered by your Permit No. 85-7240, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.07 cfs Source: groundwater

The maximum quantity diverted shall not exceed 3.6 acre feet
per year.

Point(s) of diversion: Government Lot 3(SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 14, Twp. 35N,
Rge. 2E, Lewis County

Beneficial use: Irrigation of 1 acre and domestic use for 1 unit within the
Gov. Lot 3(SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 14, Twp. 35N, Rge. 2E

Priority date established: September 12, 1980

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM HINSON
Water Distribution Supervisor

JJ

copy

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources holder(s) has completed development to th consider this card as a statement that the permit tent shown below of Permit No. 85-724

Name(s) of Permit Holder: JOHN G. FITZGERALD

Post Office Address: P.O. Box 1686

ONEIDA, IDAHO, 83544 Tel. No. 9

Source of Water: WELL

Extent of Use: ☒ Domestic ONE (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 3.5 (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.

3/10/81
Date

John G. Fitzgerald
Signature of Permit Holder

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Department of Water Resources

JUN 15 1981

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IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

WANGFELTZGER

P.O. Box 1686

REDDING, IDA, 83544



U.S. POSTAGE

PLACE
TEN CENT
STAMP
HERE

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED

AUG 8 1982

85-7240

Permit No.

Department of Water Resources

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	7-29-82	ZK	No one home
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 7/29/82 Accompanied by Patrick Fitzgerald Total Q measured _____
 If source is surface water, estimate total flow of source _____
 Methods of measurement Estimate Meets Permit requirements? Yes

Measurement calculations:

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	U/K							Submersible

System Description 6" well with submersible pump. Single family domestic use with lac irrigation

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

RECOMMENDED AMOUNTS

Irrigation requirement = <u>3.0</u>		AFA/Acre	
USE	Q (cfs)	V (afa)	FROM TO
<u>Domestic</u>	<u>0.04</u> ✓	<u>0.6</u> ✓	<u>1/1</u> <u>12/31</u>
<u>Irrigation</u>	<u>0.03</u> ✓	<u>3.0</u> ✓	
Total	<u>0.07</u> ✓	<u>3.6</u> ✓	

Remarks Well is 300' west of house

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A grid of 10x10 squares with dashed lines. Handwritten text includes "R2E" at (4, 5), "T35N" at (5, 3), "P4" at (5, 4), "X 1/4" at (5, 4), and "14" at (5, 5).

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

Point(s) of diversion: GL3(SWNW) sec 14 T35N R2E

Place(s) of Use

[illegible]

Recommended Amendments:

- ☐ Change as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change as reflected above ☐ Add P.U. as reflected above ☐ Other

Examiner's Signature F. Beard
Checked by Bob Haynes
Approved by Leah

Date 8/4/82
Date 8/5/82
Date 8/30/82

S T A T E O F I D A H O
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

July 13, 1981

Mr. John G. Fitzgerald
P.O. Box 1686
Orofino, Id. 83544

RE: 85-7240

Dear Mr. Fitzgerald:

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 all future correspondence concerning this examination.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

May 28, 1981

John G. Fitzgerald
P. O. Box 1686
Orofino, ID 83544

Dear Mr. Fitzgerald:

Re: Permit No. 85-7240

Pursuant to your request, enclosed is a statement of beneficial use postcard.

If you have any questions concerning the completion of it, please let me know.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

RECEIVED
MAY 29 1981
FBI - OROFINO

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 11 1981

Department of Water Resources

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

FITZGERALD, JOHN G.
P.O. BOX 1686
OROFINO, ID 83544

DECEMBER 04, 1980

RE: PERMIT NO. 85-7240

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 A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

David R. Tuthill

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

ENCLOSURE

Please send form for submitting proof.

John H. Fitzgerald 5/6/81

MICROFILMED

MAKING PROOF OF BENEFICIAL USE

HOW TO MAKE PROOF

In order for a permit holder to fulfill the conditions of the permit and obtain a water license, he must submit proof of application of water to beneficial use on or before the date set forth in his permit. Each permit holder will be notified 60 days prior to the date set for such proof. In order for the proof to be valid, it must be received by the Department on or before that date. Proof is made upon a form which is available from the Department. It is very important that you complete this form completely and accurately. The information that you give on the form will enable the Department to make a field examination which is necessary before the license can be issued. The information you enter on the proof form should be an indication of the actual development of your project. This development must also correspond to that described by the permit. If it does not and changes in your project have been made, you should apply to amend your permit to include the actual development. Application for amendment forms are available from the Department on request.

WHAT TO DO IN CASE YOU HAVE NOT COMPLETED THE APPLICATION OF WATER TO BENEFICIAL USE

If you have not been able to complete the application of water to beneficial use within the time allowed, due to reasons beyond your control, you may apply to the Department for an extension of time. However, in order for an application for extension of time to be considered, it must be filed prior to the date on which proof of beneficial use is due. Each application for extension of time is considered on its own merit.

WHAT TO DO IF YOU FAIL TO MAKE PROOF OF BENEFICIAL USE ON TIME

If you have applied the water to beneficial use, but were unable to submit proof of application of water to beneficial use on or before the date set for such proof and your permit has lapsed, you may petition the Department within 60 days from the date that a notice of lapsing was sent to you to reinstate your permit. In order for the Department to reinstate a permit, you must show reasonable cause why such permit should be reinstated. Submission of proof of beneficial use within 60 days will automatically be considered by the Department as cause for reinstatement. The priority of all reinstated permits will be advanced a time equal to the number of days that such showing is subsequent to the date set for proof. After 60 days, there is no way in which the Department can reinstate a permit.

ISSUANCE OF LICENSE

After the Department has completed an examination of your proof and if it appears that you have complied with the terms of the permit, the Department will issue a water license. The license becomes prima facie evidence of a water right. The license will include the maximum rate of diversion, the total annual volume of water which may be diverted, the period of the year during which you may use the water, the nature of use to which you may apply the water, the priority which you have established and any other conditions of the water right.

MACROFILM

JOHN G. FITZGERALD

Box 1585

PRINCETON, IDAHO, 83544

State of Idaho .
Dept. of Water Resources .
Statehouse ,
Boise, Idaho .

RECEIVED
JUN 11 1967

IDENT. NO. 85-7240

IDAH0 DEPARTMENT OF WATER RESOURCES

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

FITZGERALD, JOHN G.
P.O. BOX 1686
OROFINO, ID 83544

DECEMBER 04, 1980

RE: PERMIT NO. 85-7240

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 A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

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: RJA APPLICATION NUMBER: 85-7240

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: 11/3/80 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/5/80 ✓
☒ 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? _____
Date of priority recommended: 11/12/80
Special conditions of approval or cover letter: more than 30 days elapsed priority reduced

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By: RJA Date: 11/6/80
STATE OFFICE REVIEW: return receipt w/cover letter for item 3, 8A
SW to cord

☐ See attached sheet for more information.
By: Robyn Date: 11/17/80

85-2240-

FITZGERALD, JOHN G.

P.O. BOX 1686, OROFINO, ID 83544

Source: GROUNDWATER

Date Filed: 09/12/1980

Amount: 0.14 CFS

Diversion Point: LOT 03 Sec 14 T 35N R 02E, LEWIS Co.

Use: IRRIGATION	(0.10 CFS)	from 04/01 to 10/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: LOT 03 Sec 14 T 35N R 02E FOR 4 ACRES

Diversion Means: WELL, PUMP AND PIPELINE.

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REMITTANCE ADVICE

JOHN G. FITZGERALD, C.P.A. • 1610 WEST STREET • REDDING, CA 96001

DATE	INVOICE NO.	DESCRIPTION		GROSS AMOUNT	DEDUCTIONS	NET AMOUNT
		Water Application Fee				30.00

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Form VC-4 © The Drawing Board Inc., Box 220505, Dallas, Texas

September 16, 1980

Mr. John G. Fitzgerald
P. O. Box 1686
Orofino, Idaho 83544

Dear Mr. Fitzgerald:

I regret to inform you that the filing fee for 0.30 cfs is \$45.00; also, the statutory maximum diversion rate for irrigation is 0.02 cfs per acre of irrigation. I am, therefore, returning your Check No. 904915 in the amount of \$30.00 and your Application for Permit.

For irrigation of tracts containing five acres or less, this Department has been empowered to approve 0.03 cfs per acre of irrigation. This would amount to 0.10 cfs for irrigation of 3.5 acres and 0.04 cfs for two homes for a total of 0.14 cfs. The filing fee for this amount of water is \$30.00.

In Item No. 3 and Item No. 8.a.1., you have indicated the place of use and point of diversion as lying within Government Lot 3 and as being within the SWNE, on the map. Unfortunately, the SWNE, lies within Clearwater County and Government Lot 3 replaces the SWNW in Lewis County.

I have contacted the Lewis County Assessor to verify your ownership of land within Government Lot 3 and from the information I received from them, I have taken the liberty of preparing an Application for Permit.

I have enclosed that application for your approval and signature. Please check it carefully, sign it and return it to this office with the \$30.00 filing fee.

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

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Check
Application (2)

MICROFILMED

July 25, 1980

Mr. John G. Fitzgerald
P. O. Box 1686
Orofino, Idaho 83544

Dear Mr. Fitzgerald:

We are returning your Check No. 90-915 in the amount of \$30.00 and your Application for Permit for completion of the following:

1. Item No. 4 - Please show irrigation usage in c.f.s.
AF/Ann is used only for storage purposes.
2. Item No. 5.a. - Please total irrigation and domestic usage here.
3. Item No. 7. - Please indicate the time required for the completion of the home and irrigation system.
(Minimum time is 1 year.)
4. Item No. 8.a.1. - Please give the legal description of the property upon which the house(s) is/are located or will be located.
5. Item No. 8.a.4. - Please indicate the number of homes.
6. Item No. 8.b. - Please indicate the acreage irrigated as specified in the enclosed instructions.
7. Please complete Item No. 8.

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

Sincerely,

TOM D. KING
Senior Water Resource Agent
TDK/pms

Enc. - Application
Check
Instructions

RECEIVED

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 G. FITZGERALD Phone _____

Post office address P.O. BOX 1686, OROFINO, IDAHO, 83544

2. Source of water supply UNDERGROUND WATER which is a tributary of _____

3. Location of point of diversion is _____ ¼ of _____ ¼ of Section _____ Township _____

Range _____ B.M. LEWIS County, additional points of diversion if any: _____

NORTH END OF LOT 3, SECTION 14, TOWNSHIP 35, N.
RANGE 2 EAST, B.M. LYING BETWEEN NE 2 PERCE ROAD & STATE HIGHWAY.

4. Water will be used for the following purposes:

Amount 20 for IRRIGATION purposes from 4-1 to 10-30 (both dates inclusive)
(acre-feet per annum)

Amount .02 for DOMESTIC purposes from 1-1 to 12-31 (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:

a. .02 cubic feet per second and/or b. 20 acre-feet per annum.

6. ~~Proposed~~ EXISTING diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. PIPE LINES.

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 _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. ~~Proposed~~ well diameter is 4 inches; ~~proposed~~ depth of well is 194 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is _____ 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: _____ ¼ of _____ ¼ of Section _____ Township _____

Range _____ 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 3 SHEEP, 2 PIGS, 1 HORSE,
50 CHICKENS, 12 TURKEYS, 20 DUCKS.

(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: _____

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

[illegible]

Total number of acres to be irrigated $3\frac{1}{2}$

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

9. a. Who owns the property at the point of diversion JOHN G. FITZGERALD

b. Who owns the land to be irrigated or place of use JOHN G. FITZGERALD

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 WELL WAS DRILLED IN SEPT. 1976

PRODUCES 125 GALLONS PER MINUTE
PIPELINE IS $1\frac{1}{2}$ " FOR IRRIGATION
PURPOSES.
3HP. PUMP ON WELL.

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

A full-page sheet of white graph paper featuring a uniform grid of thin black lines. The grid consists of 20 columns and 20 rows, creating a total of 400 small squares. The lines are evenly spaced and extend across the entire page, leaving no margins or additional markings.

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 [Signature]
(Applicant)

Received by Date 7/24/80 Time 1:50 PM
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: