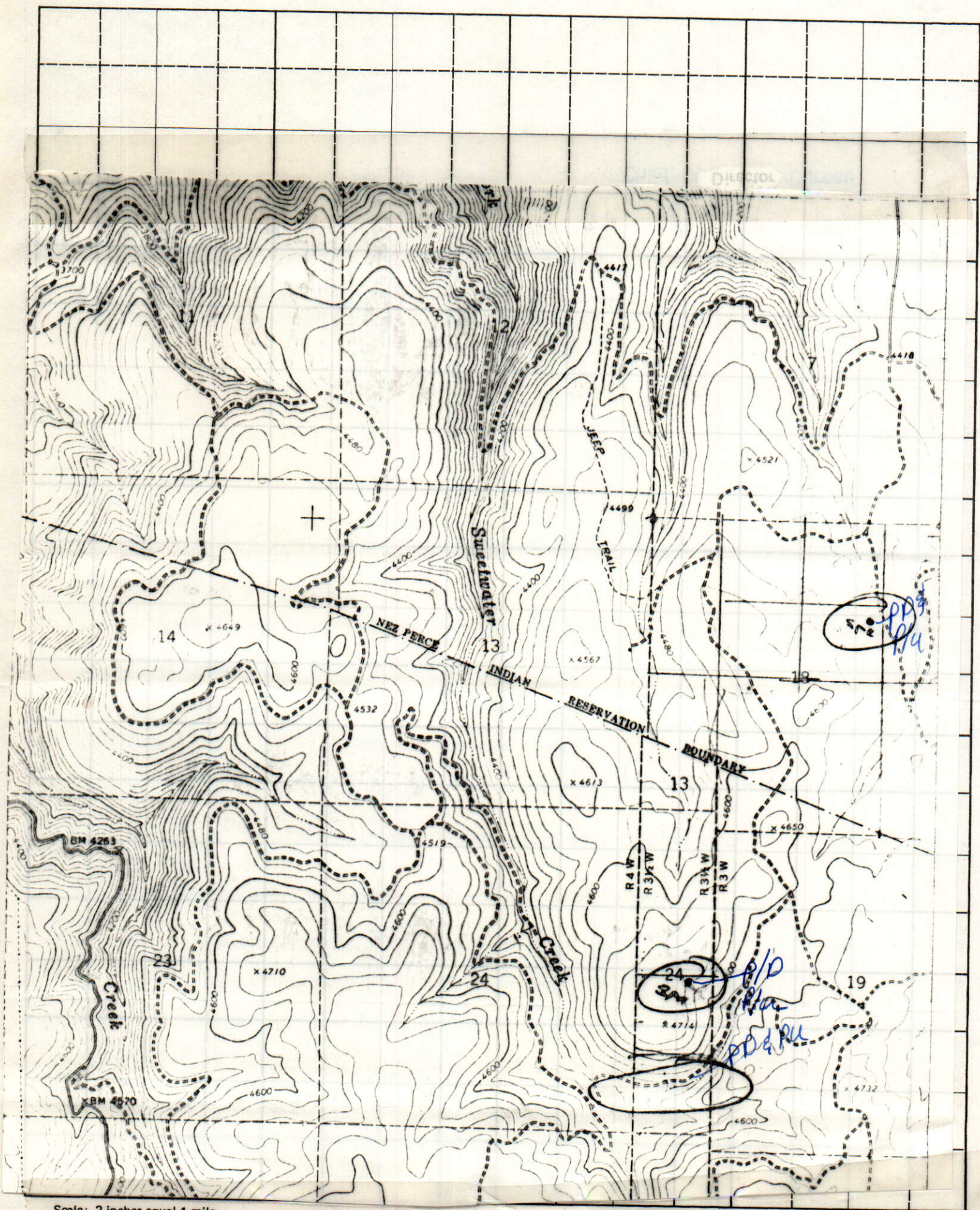


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Application prepared by

Date

Received by

Date

Preliminary check by

Date

Received by

Date

x Herbert Lang
(Applicant)

Proposed Project

1/30/80

Date

Time

11:00

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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

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:

85-7231

LANG, HERBERT D.
1630 LAPWAI RD., LEWISTON, ID 83501

Source: SPRINGS UNNAMED
STREAM tributary to
SWEETWATER CREEK

Date Filed: 06/30/1980

Amount: 0.05 CFS

Diversion Point: SENW Sec 18
T 33N R 03W LOT 03 LOT 04
Sec 24 T 33N R 35W, NEZ
PERCE Co.

Use: STOCKWATER (0.05
CFS) from 01/01 to 12/31
Place of Use: SENW Sec 18 T
33N R 03W LOT 03 LOT 04 Sec
24 T 33N R 35W

Diversion Means: 2 DE-
VELOPED SPRINGS AND
STOCK POND IN CREEK.

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 AUGUST 18, 1980.

C. STEPHEN ALLRED
Director

Linda Lou McCall, 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 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the Notice Of Application For Water
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for two consecutive weeks, the
first publication thereof being on the 31st day of
July, A. D. 19 80, and the last publica-
tion thereof being on the 7th day of August,
A. D. 19 80, and said Notice Of Application For
was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

Right
OK
8/14/80

Water Right

Linda Lou McCall

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

7th day of August, 19 80.

Dorothy R. Heister

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

RECEIVED
AUG 8 1980

Department of Water Resources
Northern District Office

3M 5-72 LT 42669

NOTARY PUBLIC

LEWISTON MORNING TRIBUNE

505 C STREET • P.O. BOX 957
LEWISTON, IDAHO • 83501

INVOICE

9905

July 17, 1980

DATE

SOLD • Department of Water Resources
TO 4055 Government Way
Coeur d'Alene, Idaho 83814

LEGAL NOTICE

Acct. #96475

DATE	QUANTITY	DESCRIPTION	AMOUNT
		NOTICE OF APPLICATION FOR WATER RIGHT	
		Lang, Herbert D.	
		55 lines 2 times	\$22.00
		THANK YOU FOR YOUR PATRONAGE	

MICROFILMED

NOTICE: This is an Invoice of Purchase made by you. Statement will be rendered the first of month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by Number Only.

To: Kari Lynn Townsend

Fax No.: (208) 327-7866

Re: 85-04146, et al

Date: August 8, 2000

Pages: 3 including this cover page

Greetings, dear lady,

This is to let you know what is happening with the change of water right ownership forms we discussed yesterday on LANG to McGARVEY.

I am not sure what WR 5809 NP references unless it is an old number for one of the others listed on the McGarvey's Notice of Change of Water Right Ownership form submitted last month.

Bob Haynes talked at length with Mrs. McGarvey, and the decision was to apply for claims under the SRBA on the 85-04146, 85-04147 and 85-04150, and not process the Notice of Change of Water Right Ownership on those rights.

It was determined that the McGarveys do NOT own the property covered by 85-07231. The property covered under that water right was sold to another party some time ago. The property owned by the McGarveys is all contiguous and covered under the above 3 claims referenced in the previous paragraph.

The POD and the POU on Claim 85-04150 are incorrectly listed. They should have been listed as follows:

1. The POD was correct as originally submitted for 85-04150 i.e.: **NWNW of Sec. 3, T35N, R5W** and not the NENE of Sec. 4 as represented on the Claim (see microfiche file).
2. The POU was incorrectly marked as the NWNW of Sec 4, T35N, R5S, when it is actually the **NENE**.

I hope this will make some sense to you, and clear up some questions. If you have* additional questions about this, please call Bob Haynes at Northern. The McGarveys have three SRBA claims they will be processing, and I have copies of all the paperwork, if you need to see it, I can fax it to you.

From the desk of...

Dianne L. Ball
Administrative Assistant
Idaho Dept. of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene ID 83814
(208)769-1450
Fax: (208)769-1454
E-mail: dball@idwr.state.id.us



MICROFILMED

33N 3 1/2 W

SOUTH BOUNDARY 13

NEZ PERCES

18

RETRACED
N 69° 39' W
19.80
1
28.12
RES NORTH 246
EAST 19.34
JIMMASON 2.74

INDIAN RESERVATION

N. R. 4 W.

24

19

T. 33 N. R. 3 W.

1
39.55
2
31.72
24
159.19
3
39.66
4
40.04
EAST 19.89
1
40.00
2
39.63
25
158.38
3
39.37
4
39.38
EAST 19.33
1
39.45
2
39.65
36
159.90
40.04

North

4.35

4.32

RETRACED

TELEPHONE LINE
PLAS WIDE TO POINT

30

31

MICROFILMED

Sec. 5.

ՀԱՄԱՐ

Previous Sec. 7. Survey by Herma. Sec. 8.

1

Sec 18.

Sec. 17.

K

k

L

1

35.88

Sec. 19.

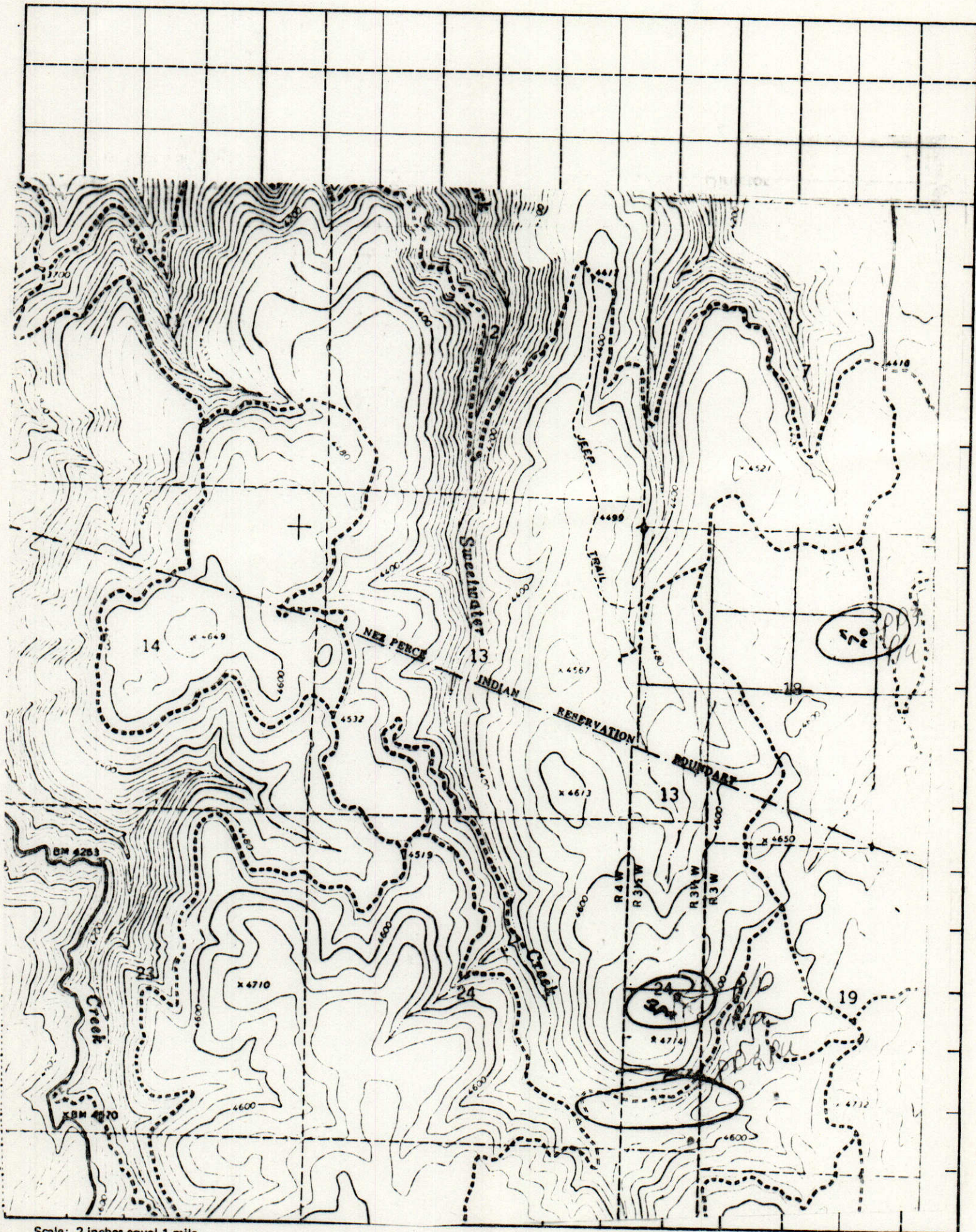
Sec. 20.19.18

Sec. 30

Dec. 29

MICROFILMED

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.

(Applicant)

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 85-7231 Priority June 30, 1980 Amount 0.05 cfs

THIS IS TO CERTIFY, that Herbert D. Lang
of Lewiston, Idaho, has complied with the terms and conditions of Permit
No. 85-7231 issued pursuant to Application for Permit dated June 30, 1980,
and has submitted proof to the Department of Water Resources on November 3, 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 0.05 cfs of water from springs,
tributary to Sweetwater Creek, 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
Stockwater	from January 1 to December 31	at 0.05 cfs and	2.7 acre feet
	from	cfs and	
	from	at cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 0.05 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2.7 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, Twp 33N,
Rge 3W; Gov. Lot 3 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Gov. Lot 4 in the County of Nez Perce
(SE $\frac{1}{4}$ SE $\frac{1}{4}$), Section 24, Twp 33N, Rge 3 $\frac{1}{2}$ W

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 $\frac{1}{4}$	
33N	3W	18			X														
33N	3 $\frac{1}{2}$ W	24													GL 3			GL 4	
															X			X	

Total number of acres irrigated _____

NOTE: 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.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 25TH day of MAY, 19 84.

MICROFILMED

Acting for the Director

Roman C Young

RECEIVED
May 14 1984

STATE OF IDAHO

Department of Water Resources

Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use

APPROVED

Comes now Herbert D. Long ^{Lang} Phone 208-743-7355

of (address) 1630 Lapwai Rd. Lewiston, ID 83501, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 85-7231, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ NE ¼, Section 18, Township 33N, Range 3W, B.M.,
County of Nez Perce. Other points of diversion: Gov. Lot 3 (NE¼SE¼)
Gov. Lot 4 (SE¼SE¼) Sec. 24, Twp 33N, Rge 3½W

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)
No change

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

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
33N	3W	18			X														
33N	3½W	24													GL3 X			GL4 X	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the 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: _____

RECORDED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Let me clarify

[illegible]

Scale: 2 inches equal 1 mile.

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

Signed at San Antonio, Texas, this 10th day of May, 1984.

(Signature)

FOR DEPARTMENT USE ONLY

Received by CCW Date 5-15-84 # 34612 Preliminary check by CCW Fee = \$20.00

Publication prepared by ~~P/A~~ Date

Publication dates

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby

Approve the above Application for Amendment for Permit No. 85-7231.

Witness my hand this 25th day of

Acting for the
Director

84, 19

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Herbert D. Long Phone _____

Post office address 1630 Lapwai Rd. Lewiston, Id. 83501

2. Source of water supply 3 Springs & unnamed stream which is a tributary of sweetwater Creek

3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18 Township 33N

Range 3W B.M. NE 2 PERCE County, additional points of diversion if any: _____

sec 24
GL 3, GL 4, T 33N, R 3 1/2 W

4. Water will be used for the following purposes:

Amount 0.05 for Stock 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)

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

5. Total quantity to be appropriated:

a. 0.05 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 Developed spring (Stock Ponds)
Stock Pond in unnamed Creek

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 _____ 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 5 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: GL 3 ~~1/4~~ GL 4 $\frac{1}{4}$ of Section 24 Township 33N
Range 3 1/2 W B.M. 1/2 ENW, sec 18, T 33N, R 3W

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

(3) List number of each kind of livestock to be watered 200 Range

(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: _____

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

TWP	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	

Total number of acres to be irrigated _____

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

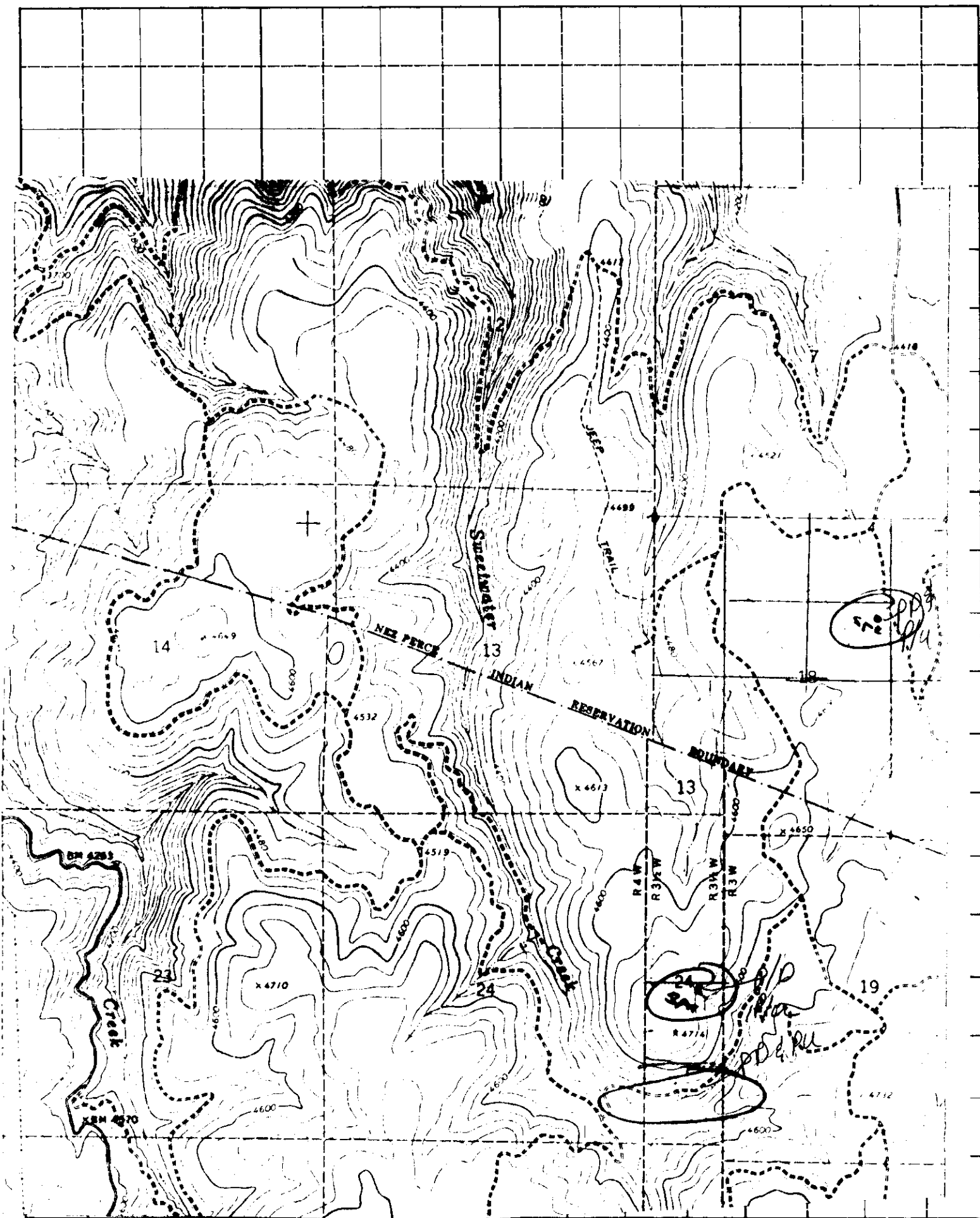
9. a. Who owns the property at the point of diversion Applicant

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

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.



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

x *Herbert D. Lang*
(Applicant)

Proposed Priority 6/30/80
Received by PSA Date 6-30-80 Time Noon
Preliminary check by PSA Fee \$ 20.00
Receipted by ms Date 6/30/80 (15278)
Publication prepared by ms Date 7/3/80
Published in Lewiston Tribune
Publication dates 7/10-17/80 / 7/31 - 8/7/80
Publication approved ms Date 8/11/80
Protests filed by: none

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

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. 85-7231 , 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 85 .
- 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 27th day of August , 19 80 .

J. Glen Saxton
Director

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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

Linda Lou McCall, 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 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the Notice Of Application For Water
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for two consecutive weeks, the
first publication thereof being on the 31st day of
July, A. D. 19 80, and the last publica-
tion thereof being on the 7th day of August,
A. D. 19 80, and said Notice Of Application For
Water Right was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

Linda Lou McCall

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

7th day of August, 19 80

Dorothy R. Heister

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

RECEIVED
AUG 10 1980

Department of Water Resources
Northern District Office

505 C STREET • P.O. BOX 957
LEWISTON, IDAHO • 83501

DATE _____

SOLD •
TO

NOTICE: This is an Invoice of Purchase made by you. Statement will be rendered the first of month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by Number Only.

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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.

85-7231

LANG, HERBERT D.
1630 LAPWAI RD., LEWISTON, ID 83501

Source: SPRINGS

UNNAMED STREAM (tributary to SWEETWATER CREEK)

Date Filed: 06/30/1980

Amount: 0.05 CFS

Diversion Point: SENW Sec 18 T 33N R 03W Lot 03 Lot 04 Sec 24 T 33N R 36W, NEZ PERCE Co.

Use: STOCKWATER (0.05 CFS) from 01/01 to 12/31

Place of Use: SENW Sec 18 T 33N R 03W Lot 03 Lot 04 Sec 24 T 33N R 36W

Diversion Means: 2 DEVELOPED SPRINGS AND STOCK POND IN CREEK

LANG, HERBERT D.
1630 LAPWAI RD., LEWISTON, ID 83501

Source: SPRINGS tributary to LEWISTON CREEK

Date Filed: 06/30/1980

Amount: 0.05 CFS

Diversion Point: NWNE Sec 04 T 33N R 03W, NEZ PERCE Co.

Use: IRRIGATION (0.05 CFS) from 01/1 to 12/31

STOCKWATER (0.05 CFS) from 01/01 to 12/31

DOMESTIC (0.05 CFS) from 01/01 to 12/31

Place of Use: NWNE Sec 04 T 33N R 03W FOR 1 ACRES

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 6005 Gov't Way, Coeur d'Alene, ID, 83814.

C. STEPHEN ALLRED

Director

STATE OF IDAHO,

County of Nez Perce

ss.

Linda Lou McCall

, 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 Of Application For Water attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a

week for two consecutive weeks, the

first publication thereof being on the 10th day of

July, A. D. 1980, and the last publica-

tion thereof being on the 17th day of July,

A. D. 1980, and said Notice Of Application For

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.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

17th day of July, 1980

Dorothy R. Heitler

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

MICROFILMED

To: Kari Lynn Townsend

Fax No.: (208) 327-7866

Re: 85-04146, et al

Date: August 8, 2000

Pages: 3 including this cover page

Greetings, dear lady,

This is to let you know what is happening with the change of water right ownership forms we discussed yesterday on LANG to McGARVEY.

I am not sure what WR 5809 NP references unless it is an old number for one of the others listed on the McGarvey's Notice of Change of Water Right Ownership form submitted last month.

Bob Haynes talked at length with Mrs. McGarvey, and the decision was to apply for claims under the SRBA on the 85-04146, 85-04147 and 85-04150, and not process the Notice of Change of Water Right Ownership on those rights.

~~Since the McGarvey's Notice of Change of Water Right Ownership form 85-04150 was submitted, the property covered under that water right was sold to another party some time ago. The property owned by the McGarveys is all contiguous and covered under the above 3 claims referenced in the previous paragraph.~~

The POD and the POU on Claim 85-04150 are incorrectly listed. They should have been listed as follows:

1. The POD was correct as originally submitted for 85-04150 i.e.: **NWNW of Sec. 3, T35N, R5W** and not the NENE of Sec. 4 as represented on the Claim (see microfiche file).
2. The POU was incorrectly marked as the NWNW of Sec 4, T35N, R5S, when it is actually the **NENE**.

I hope this will make some sense to you, and clear up some questions. If you have* additional questions about this, please call Bob Haynes at Northern. The McGarveys have three SRBA claims they will be processing, and I have copies of all the paperwork, if you need to see it, I can fax it to you.

From the desk of...

Dianne L. Ball
Administrative Assistant
Idaho Dept. of Water Resources
1910 Northwest Blvd., Suite 210
Coeur d'Alene ID 83814
(208)769-1450
Fax: (208)769-1454
E-mail: dball@idwr.state.id.us



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 26, 2000

JAMES W MC GARVEY
TERRY D MC GARVEY
1630 LAPWAI RD
LEWISTON ID 83501

RE: Change in Ownership for Water Rights 85-04146/85-04147/
85-04150/85-07231

Dear Mr. & Mrs. McGarvey:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. All ownership change notices received after June 30, 2000 must include the appropriate filing fees in order to be processed. We have determined that the filing fee for your notice will be \$50.00 to process water rights 85-04146 and 85-04147.

During our review of the ownership documentation you submitted for water rights 85-07231 and 85-04150 we found some discrepancies between that documentation and the legal description of the place(s) of use shown on the water right license and claim. I have enclosed copies of each for your reference. When you provide documentation that matches the license and claim information and the filing fees (\$50.00) we will be able to complete the ownership change request for you.

Because the Department cannot process the ownership change without proper documentation or fees, we will hold any action on your notice pending receipt of the necessary information and fees. If we do not receive the necessary information and fees within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend". The signature is fluid and cursive, with the first name "Kari" being more prominent.

Kari Lynn Townsend
Secretary

KLT:k

Enclosure(s)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 85-7231

Name(s) of Permit Holder(s): Herbert E. Lang

Post Office Address: 1630 Faguna Rd
Hamlet, Idaho 83221 Tel. No. 743 735 5-

☒ I hereby certify that construction of diversion works for the above referenced permit began on June 1981 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

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

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

10-29-82
Date

Herbert E. Lang
Signature of Permit Holder

H. D. Kan

1630 Kapa

Kearston



RECEIVED
NOV 1 1982

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



46-705

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans
Governor
A. Kenneth Dunn
~~C. Stephen Allen~~
Director

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

October 29, 1982

85-7231

Mr. Herbert D. Lang
1630 Lapwai Rd.
Lewiston, Id. 83501

Dear Mr. Lang:

We are returning the six claims you recently sent to this office. We have put the identification number on the three claims which were previously filed. The other three claims were not acceptable as claims and were filed as Permit No. 85-7231.

If you have ~~and~~ already filled out and returned a blue "Commencement of Works" card, please use the one enclosed. This card ~~mere~~ states that you have commenced the work prior to June 30, 1983.

Since you informed me that the project is finished, I have also enclosed a white "Beneficial Use" card, which should be completed and returned prior to August 1, 1985.

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

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms
Enc. - Claims (6)
Commencement of Works Card
Beneficial Use Card

cc: IDWR - ST, SFF.

MICROFILMED

May 31, 1984

RE: Permit No. 85-7231

Herbert D. Lang
1630 Lapwai Rd.
Lewiston, ID 83501

Dear Mr. Lang:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 34612 in the amount of \$20.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosures

MAILED
JUN 1 1984
FBI - IDAHO

May 3, 1984

RE: Permit No. 85-7231

Herbert D. Lang
1630 Lapwai Rd.
Lewiston, ID 83501

Dear Permit Holder:

On March 13, 1984, we forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment.

If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you.

Since the license will be a permanent water right your prompt attention to this matter will be appreciated.

If you have any questions please contact us as soon as possible.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

RECEIVED
MAY 10 1984



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

March 13, 1984

RE: Permit No. 85-7231

Herbett D. Long
1630 Lapwai Rd.
Lewistown, ID 83501

Dear Mr. Long:

A representative of this Department made an examination of the works covered by your Permit No. 85-7231 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.05 cfs Source: springs trib to Sweetwater Creek

The maximum quantity diverted shall not exceed 2.7 acre feet
per year.

Point(s) of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp 33N, Rge 3W; Gov. Lot 3 (NE $\frac{1}{4}$ SE $\frac{1}{4}$)
Gov. Lot 4 (SE $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 24, Twp 33N, Rge 3W
Beneficial Use: Stockwater within SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Twp 33N, Rge 3W and
NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, Twp 33N, Rge 3W

Priority date established: June 30, 1980

Conditions (if any):

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED
OCT 7 1983
Department of Water Resources
Permit No. 85-723.1

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 8/22/83 Accompanied by — Total Q measured est. 0.05
If source is surface water, estimate total flow of source —
Methods of measurement — Meets Permit requirements? yes

Measurement calculations:
200 hdi . stock pond 125' x 75' x 6'
down 8' x 100' x 12' crest

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
								<u>Gravity</u>

System Description 2 excavated springs for stock and one stock pond in stream

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

RECOMMENDED AMOUNTS

USE	Irrigation requirement =		AFA/Acre	
	Q (cfs)	V (afa)	FROM	TO
<u>Stock</u> ✓	<u>0.05</u> ✓	<u>2.7</u> ✓	<u>1-1</u> ✓	<u>12-31</u> ✓
Total	<u>0.05</u> ✓	<u>2.7</u> ✓		

Remarks —

MICROFILMED

MAP (Attach Aerial Photo)

MICROFILMED

								MICROFILMED

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SWNE, 8th 18', ~~SW T33N, R34W, GL 33rd T33N R34W~~

Place(s) of Use → T33N R3 1/2 W, S20E, G1344 ✓
24 FD

TWP.	RGE.	SEC:	NE%				NW%				SW%				SEX			
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%
				</														

Recommended Amendments:

☒ Change P. 1, as reflected above

☒ Change P. 2, as reflected above

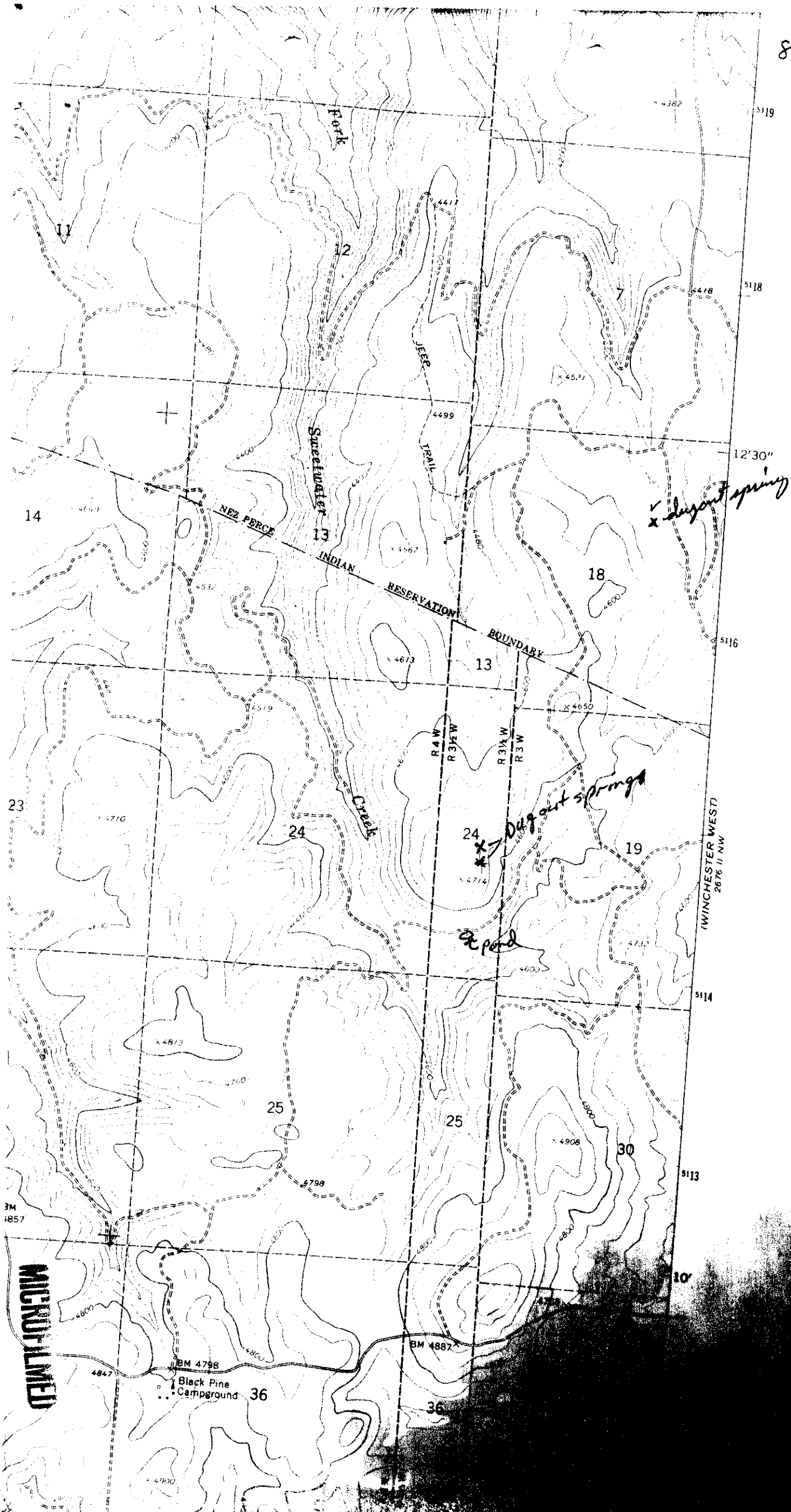
☐ Add P.D., as reflected above

☒ Add P.U., as reflected above

☐ Other

☒ None

Examiner's Signature	<i>[Signature]</i>	Date	8-23-83
Checked by	<i>[Signature]</i>	Date	9/27/83
Approved by	<i>[Signature]</i>	Date	3-2-84



33N 3 1/2 W

13
SOUTH BOUNDARY

18

100 PERCENT

RETRACED
N 69° 39' W
15.80

INDIAN RESERVATION

RES
NORTH 2nd

20.12
20.12
15.30
15.30

1
39.55

2

31.72

24

19

24
159.19

3

39.66

4

40.04

41.57
17.80

1

40.00

2

39.63

25

30

25
158.38

3

39.37

4

39.38

41.57
17.80

1

39.45

2

39.63

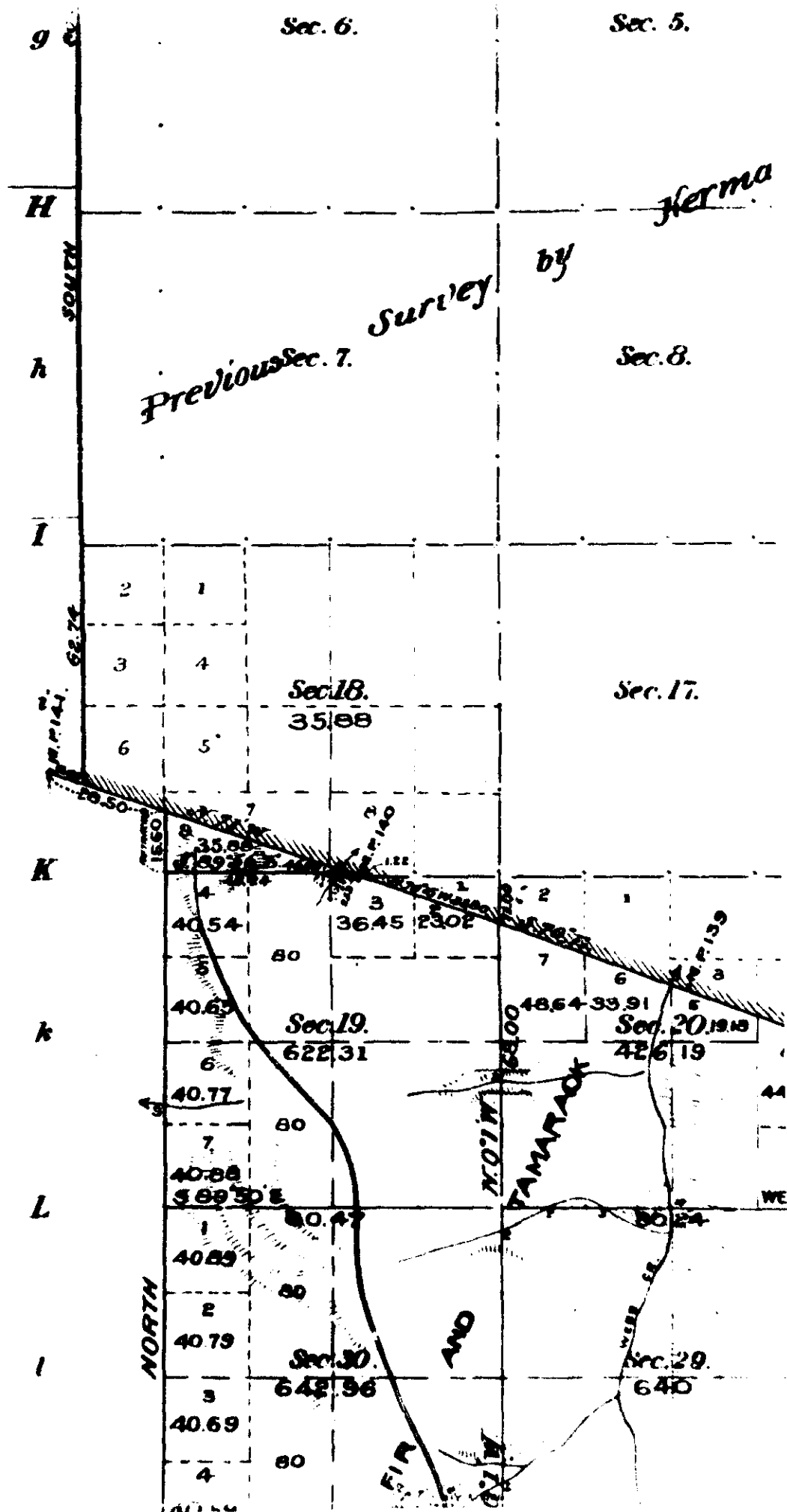
46

159.90

100.00

N. R. 4 W.

T. 33 N. R. 3 W.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
R. KENNETH DUNN
Director

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

January 21, 1983

Mr. Herbert Lang
1630 Lawwai Rd.
Lewiston, Id. 83501

RE: 85-7231

Dear Mr. Lang:

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



DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a permit that the permit holder(s) has completed development to the extent shown below of Permit No. 85-7231.

Name(s) of Permit Holder: Herbert D. Lang

Post Office Address: 1630 Lapwai Rd.
Lewiston, Idaho 83501 Tel. No. 743-7355

Source of Water: Spring

Extent of Use: ☐ Domestic (number of households)
☒ Stockwater 125 cattle (number and type of stock)
☐ Irrigation (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.

10-29-82
Date

Herbert D. Lang
Signature of Permit Holder

H. D. Lang
1630 Lapwa. Rd.
Lewiston, Idaho 83501



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
NOV 3 1982

Department of Water Resources



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 29, 1982

RECEIVED

NOV 1 1982

Department of Water Resources

85-7231

85-4146

85-4150

85-4147

Mr. Herbert D. Lang
1630 Lapwai Rd.
Lewiston, Id. 83501

Dear Mr. Lang:

We are returning the six claims you recently sent to this office. We have put the identification number on the three claims which were previously filed. The other three claims were not acceptable as claims and were filed as Permit No. 85-7231.

If you have not already filled out and returned a blue "Commencement of Works" card, please use the one enclosed. This card mere states that you have commenced the work prior to June 30, 1983.

Since you informed me that the project is finished, I have also enclosed a white "Beneficial Use" card, which should be completed and returned prior to August 1, 1985.

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

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms
Enc. - Claims (6)
Commencement of Works Card
Beneficial Use Card



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

LANG, HERBERT D.
1630 LAPWAI RD.
LEWISTON, ID 83501

SEPTEMBER 24, 1980

RE: PERMIT NO. 85-7231

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: RMA APPLICATION NUMBER: 85-7231

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.
☒ Fee.
☐ Yes ☒ No
☐ Yes ☒ No
☐ Yes ☒ No
☒ Yes ☐ No*

Field check by: _____
Date: _____
Comments: _____

Field check required.
Critical groundwater area.
Request dam safety information. Sent by: _____ Date: _____
In form to receipt.

*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. 8/18/80 ✓
Final date for protests: 8/18/80 ✓
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 8/8/80 ✓
☒ Application published correctly. If not, record action taken: Re-adv. - missing closing paragraph.
☒ 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? _____
✓ 6/30/80 Date of priority recommended.
Special conditions of approval or cover letter. _____

By: RMA Date: 8/19/80 **MICROFILMED**

STATE OFFICE REVIEW:

return receipt w/ cover letter
SLW to cond

- ☐ See attached sheet for more information.
By: Robyn Date: 8/26/80

85-7231-

LANG, HERBERT D.

1630 LAPWAI RD., LEWISTON, ID 83501

Source: SPRINGS

UNNAMED STREAM tributary to SWEETWATER CREEK

Date Filed: 06/30/1980

Amount: 0.05 CFS

Diversion Point: SENW Sec 18 T 33N R 03W LOT 03 LOT 04 Sec 24 T 33N R 35W,
NEZ PERCE Co.

Use: STOCKWATER (0.05 CFS) from 01/01 to 12/31

Place of Use: SENW Sec 18 T 33N R 03W LOT 03 LOT 04 Sec 24 T 33N R 35W

Diversion Means: 2 DEVELOPED SPRINGS AND STOCK POND IN CREEK.

MICROFILMED

July 23, 1980

Ms. Linda McCall
Lewiston Morning Tribune
505 C Street
Lewiston, Idaho 83501

Re: 85-7231 and 84-4116

Pursuant to our telephone conversation yesterday, we are returning the Affidavits and bills for the above-referenced legal notices.

Also enclosed are new copies of these same legal notices for you to have published on July 11 and August 7, 1980.

Please credit our account for the amounts on the enclosed bills, re-advertise the enclosed notices, and forward a copy of your Affidavit of Publication and billing for this second advertising.

If you cannot publish on the proposed dates, please contact us immediately. Your cooperation is much appreciated.

Sincerely,

Patricia M. Stypa
Senior Secretary

Enc. - Affidavits (2)
Bills (2)
Legal Notices (2)

MICROFILMED

1630 Lapwai Road
Lewiston, Idaho 83501
June 26, 1980

Idaho Dept. of Water Resources
Northern District Office
Route 5 Box 203 Suite #1
Coeur D'Alene, Idaho 83814

Dear Mr. Fong

Enclosed please find the corrected claim which was done for me at the Nez Perce County Courthouse in Lewiston. Attached find a check for \$20.00.

Also enclosed is the signed application for permit and a check for \$20.00.

Thank you for your help.

Sincerely,
Mrs. Herbert D. Lang
1630 Lapwai Road
Lewiston, Idaho 83501

MICROFILMED

June 25, 1980

Mrs. Herbert D. Lang
1630 Lapwai Road
Lewiston, Idaho 83501

Dear Mrs. Lang:

Pursuant to our conversation on the phone, I am enclosing your four checks (No. 92-107), three in the amount of \$20.00 and one in the amount of \$75.00, along with four Claims and one Application.

To refile the claim for Section 3, determine the proper $\frac{1}{2}$ section within Section 3 and return the claim and a \$20.00 filing fee prior to July 1, 1980. (The filing fee will be increased to \$30.00 after that date.)

To file the Application which I prepared from the other three Claims, check the Application for accuracy, sign it and return it to this office prior to July 1, 1980, with a filing fee of \$20.00.

If you have any questions, please contact us.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Checks (4)
Claims (4)
Application (1)

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Herbert D. Long Phone _____
Post office address 1630 Kaphnai Rd. Lewiston, Id. 83501
2. Source of water supply 2 springs & unnamed stream which is a tributary of Sweetwater Creek
3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 18 Township 33N
Range 3W B.M. NE PERCE County, additional points of diversion if any: _____
SEC 24
GL 3, GL 4, T 33N, R 3W

4. Water will be used for the following purposes:

- Amount 0.05 for Stock 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

- a. 0.05 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. 2 Developed spring (Stock Ponds)
Stock Pond in unnamed Creek

- 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 _____ 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 5 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: GL 3 ~~1/4~~ GL 4 $\frac{1}{4}$ of Section 24 Township 33N
Range 3W B.M. NE NW, SEC 18, T 33N, R 3W
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered 200 / Range
(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: _____

MICROFILMED

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

[illegible]**Total number of acres to be irrigated**

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

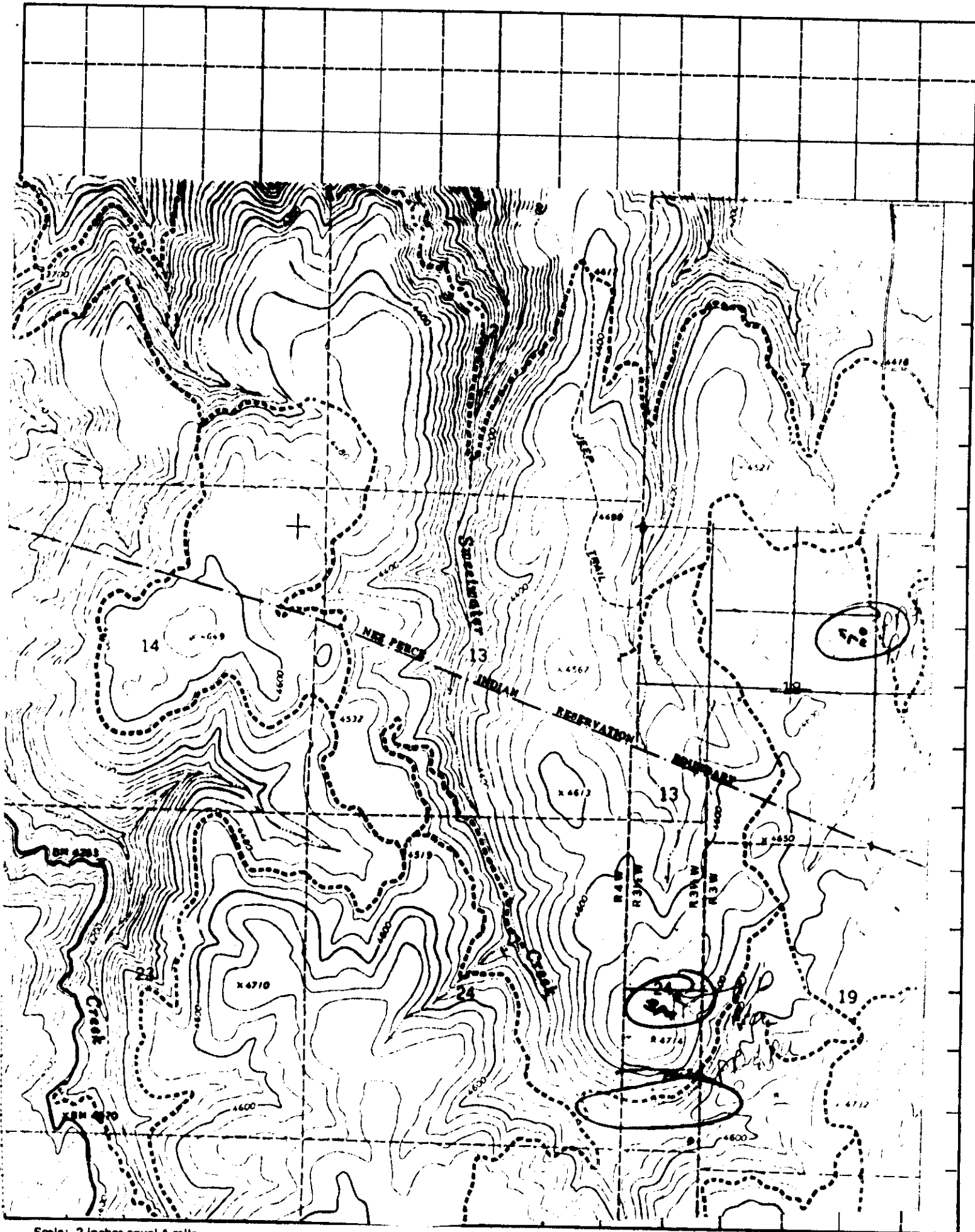
9. a. Who owns the property at the point of diversion

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.

X

(Applicant)

Received by _____ Date _____ Time _____
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: _____

Witness my hand this _____ day of _____, 19____.

Director