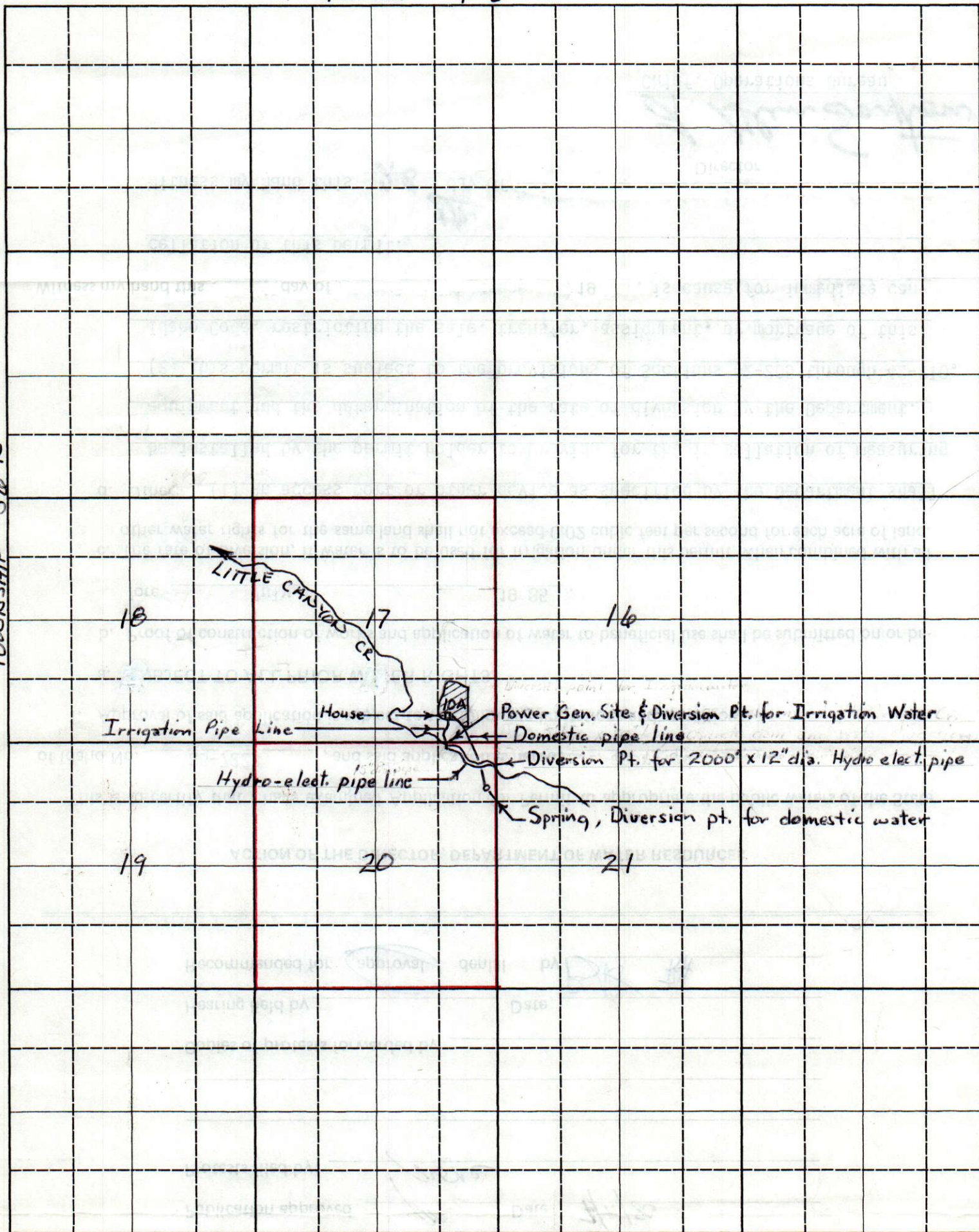


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

RANGE 1 E

TOWNSHIP 36 N



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.

Richard I. Walker

Sarah C. Walker

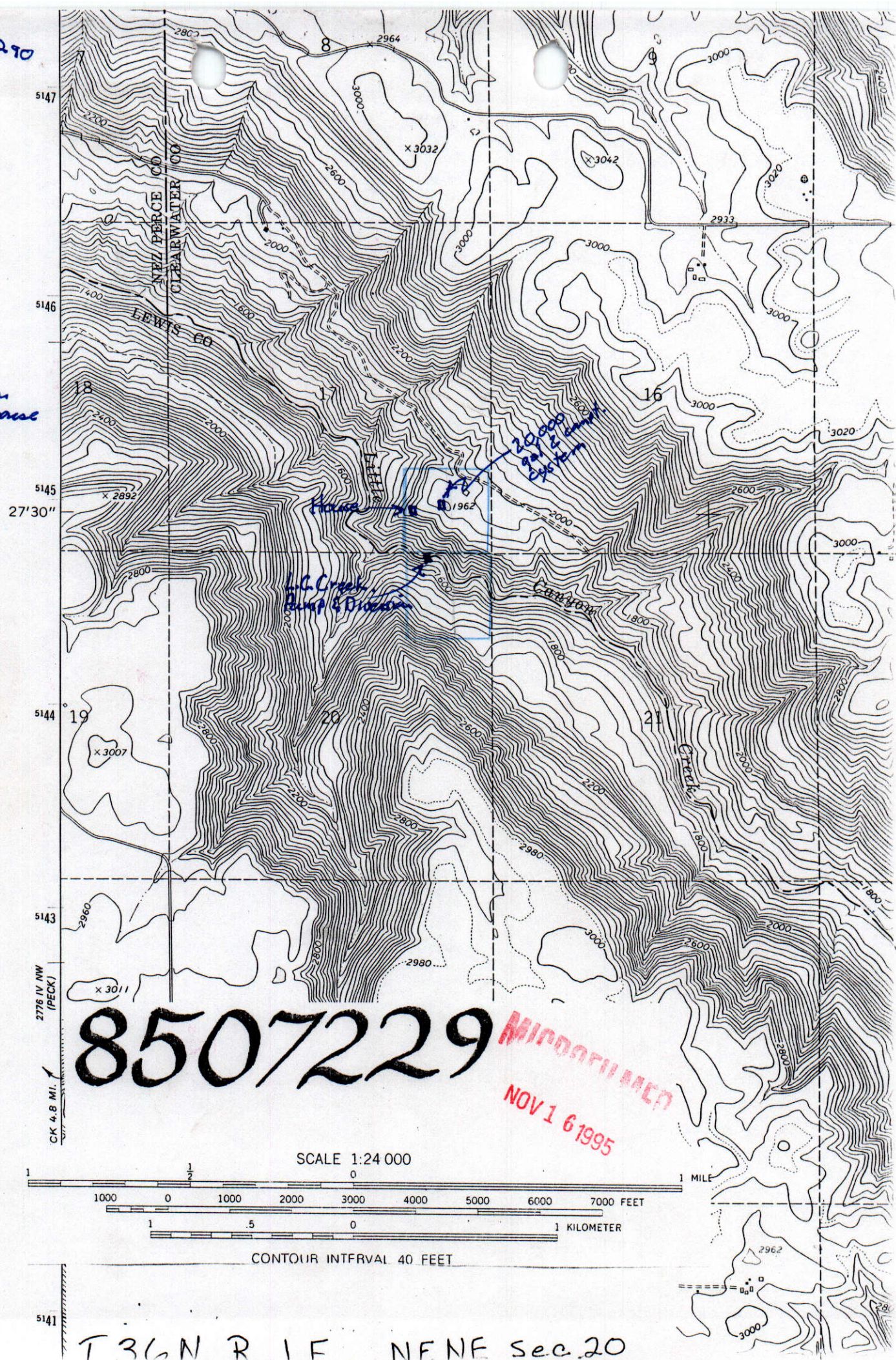
(Applicant)

(208)^A 263-4290

2" main from
cistern to house

WAJAX
MACK 3

544



PERMIT # 85-07229

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S



P.O.



P.D.

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NOV 16 1995



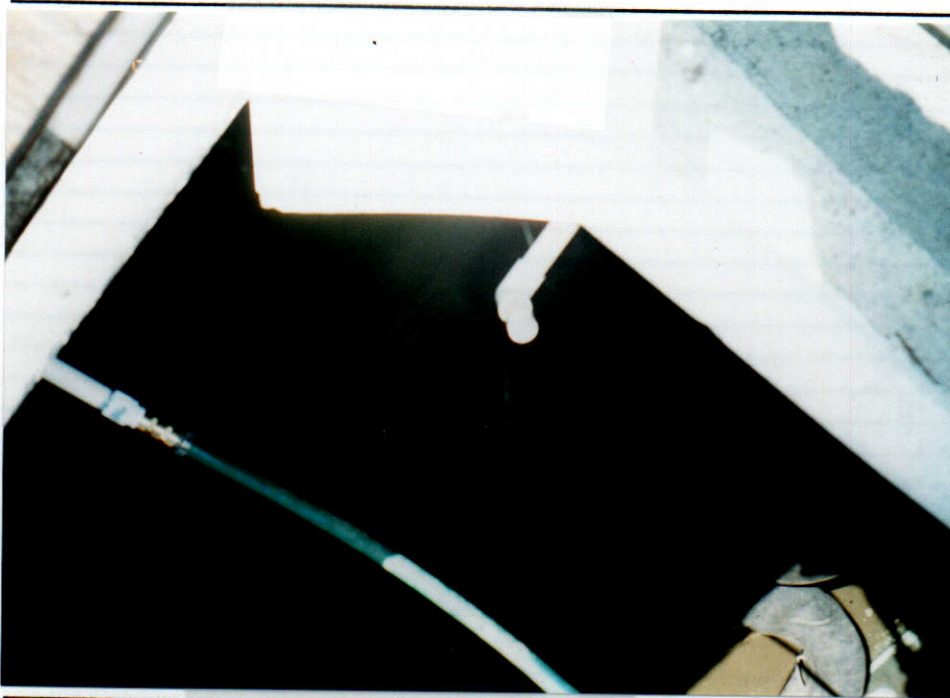
Pump

5.4P

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 85-07229

P H O T O G R A P H S



20,000 gallon
STORAGE

MISSOURI

NOV 16 1995

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 12 day of

June, 1980, and the

last publication on the 26 day

of June, 1980.

Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 2nd day of July,

1980

Robert E. Wherry

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 85-7229 in the Name of Richard I. and/or Sarah C. Walker was advertised incorrectly on May 22 and May 29, 1980.

The Place of Use was incorrectly advertised as the SESE Sec 17 T36N R013; whereas, correctly, it should have been the SESE Sec 17 T 36N R01E.

Any protest to the above-reference correction must be filed with the State of Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before July 7, 1980.

C. Stephen Allred
Director

Published in the Lewis County Herald
on June 19 and June 26, 1980.

Department of Water Resources
Northern District Office

RECEIVED
JUL 9 1980

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 22 day of May, 1980, and the last publication on the 29 day of May, 1980.
Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 2nd day of June, 1980.

Robert E. Wherry

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: 85-7229

WALKER, RICHARD I. &/or SARAH C.

P.O. BOX 112, PECK, ID 83545

Source: LITTLE CANYON CREEK, tributary to BIG CANYON CREEK

Date Filed: 05/12/1980

Amount: 3.57 CFS

Diversion Point: NENE Sec 20 T 36 N R 01E, LEWIS Co.

Use: IRRIGATION (0.10 CFS) from 05/15 to 10/15

POWER (3.45 CFS) from 01/01 to 12/31

DOMESTIC (0.02 CFS) from 01/01 to 12/31

Place of Use: SESE Sec 17 T 36N R 01E
FOR 10 ACRES

Diversion Means: CONCRETE DIVERSION 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 9, 1980.

C. STEPHEN ALLRED
Director

Published 5/22 & 5/29/80

RECEIVED

JUN 9 1980

Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 85-07229

Priority: May 12, 1980

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 12.9 AF

This is to certify, that RICHARD I WALKER
SARAH C WALKER

PO BOX 69

PECK ID 83545

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated May 12, 1980; and has submitted Proof of Beneficial Use on July 2, 1990. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

LITTLE CANYON CREEK tributary to BIG CANYON CREEK

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 11/30	0.04 CFS	12.3 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF
	Totals	0.04 CFS	12.9 AF

LOCATION OF POINT(S) OF DIVERSION: NENE, Sec. 20, Township 36N, Range 01E
LEWIS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
36N	01E	17	SESE	3.5		3.5

Total number of acres irrigated: 3.5

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

NOV 16 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

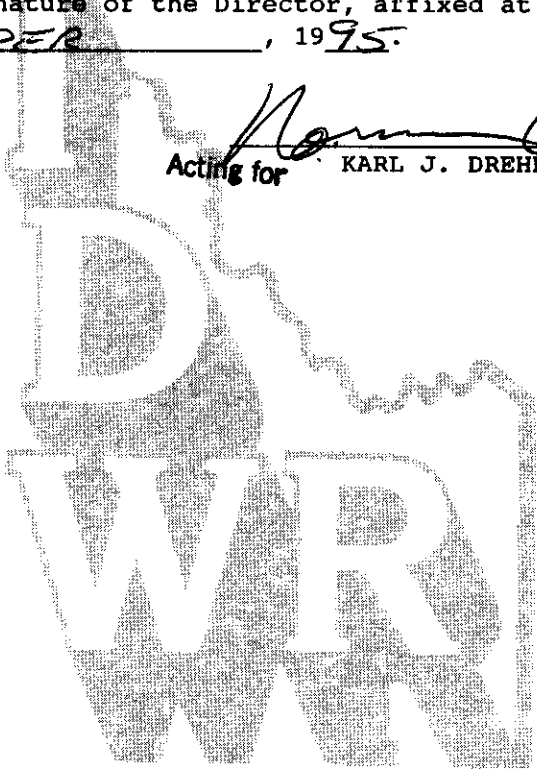
WATER RIGHT NO. 85-07229

CONDITIONS OF APPROVAL AND REMARKS

5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
6. Domestic use is for 1 home.
7. Domestic use does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 26TH day of OCTOBER, 1995.


Acting for KARL J. DREHER, Director



NOV 16 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 85-7229 IN THE)
NAME OF RICHARD I. &/OR SARAH C. WALKER)
_____)

ORDER

WHEREAS, on July 28, 1980, the Department of Water Resources issued Permit No. 85-7229 with a condition of approval which states:

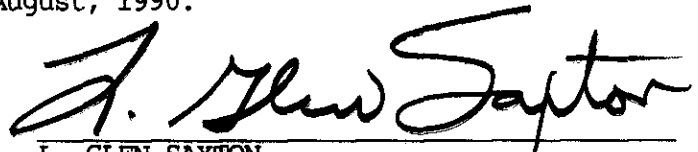
An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department;

and,

WHEREAS, the Department of Water Resources has determined that the installation of a lockable device is not required at this time;

NOW, THEREFORE, IT IS ORDERED that this condition of approval on Permit No. 85-7229 be REMOVED.

Dated this 27 day of August, 1990.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED

OCT 24 1990

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 2 1990

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. A85-07229 Telephone No. 486-6231

Name(s) of Permit Holder(s): Richard I. and/or Sarah C. Walker

Post Office Address: Box 69 Peck, ID. 83545

Source of Water: Little Canyon Creek, Tributary of Big Canyon Cr.

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic 1 (No. of households) Irrigation garden/grapes (No. of acres)
Stockwater _____ (No. and type of stock) Other Fire

Total rate and/or volume for which proof is submitted .04 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 15 July 1985

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

Measuring device: Required? Yes No Installed? Yes No

OR

✓ Flow Measurement Port: Required? Yes No Installed? Yes No

Fee Enclosed: \$ _____ (See License Examination Fee Schedule)

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

Richard Walker 486-6231
Name Telephone No.

Box 69 Little Canyon Rd. Peck ID. 83545
Address

MICROFILMED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

OCT 24 1990

6/27/90
Date

Richard I. Walker
Signature (and title if on behalf of a company or organization)

Because of the lower volume of water used I request a waiver for the required "flow measurement point."

RECEIVED

JUN 28 1985

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

6/25/85

Department of Water Resources

Walker, Richard I. & Sarah C. of P.O. Box 69, Little Canyon
(Name) (Address)

State of Peck, ID. 83545, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of
the State of Idaho No. 85-7229

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
July 01, 1985

That he has heretofore performed the following work described under said permit: The design & const.

(This must be filled out! If no work has been completed put none.)

of a reinforced concrete, 2 compartment storage cistern (20,000 gal. capacity)
Burying of 2 pipes from cistern site 1200 linear feet & 440' vertical down
to Little Canyon Cr.. Burying of a 2" ID pipe from cistern to House site
(750') for domestic, garden & fire protection Costings \$17,125.00
(over)

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

As mentioned above, the pump has been ordered, but not yet received.
The engine/pump combination will enable us to begin using
Little Canyon Creek water for our irrigation / fire needs thus
proving beneficial use. However, we still wish to design & const.
(over)

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to 1 July 1990 * Mr. Knoblock suggested that
(1 yr. minimum, 5 yrs. maximum) since we had to consider
planting our nut & fruit
orchard to prove up on the maximum acreage (10) that we
request the maximum allowable extension.

NOTE
AS OF JULY 1, 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

Richard I. Walker
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to July 1, 1990. Use of water
under this permit and any license subsequently issued is subject to review by the
Director thirty-five (35) years after the water is first applied to a beneficial use.
Upon appropriate findings relative to the interest of the public, the Director may
cancel all or any part of the use authorized herein and may revise, delete or add
conditions under which the right may be exercised.

The rights for the use of water acquired under this permit shall be junior and subordi-
nate to all other rights for the use of water, other than hydropower, within the State
of Idaho that are initiated later in time than the priority of this permit and shall not
give rise to any right or claim against any future rights for the use of water, other
than hydropower, within the State of Idaho initiated later in time than the priority of
this permit.

Signed this 6th day of Sept, 1985

J. Glen Sayton
Chief, Operations Bureau

MICROFILMED

work performed can't: The building and placement of a concrete and steel support tower to suspend one of the two buried pipes across Little Canyon Cr. to access the unnamed spring addressed in permit application. The purchase of an I/C engine and the design and const. of a portable engine/pump maint. The ordering of a positive displacement piston pump (6/14/85) required to develop the pressure to deliver water to the cistern (490 vertical feet).

The clearing of 1.5 miles of road to access the unnamed spring & the const. of $\frac{1}{8}$ mile of trail to access the spring site. The spring has been cleaned and channeled via a main collector pipe. This water has been used for domestic purposes since the fall of 1980.

An additional $\frac{3}{4}$ mile of abandoned logging road was cleared by hand to provide for burying the pipe from this unnamed spring down to ^{the} Little Canyon Creek cable suspension crossing.

Reasons unable to complete work can't. a geared water wheel which will utilize creek water to power the positive displacement pump (which is an order).

The Major Reason for this extension request, is due to the general economic conditions prevalent in North Central Idaho. I have been a consultant with the U.S.F.S., Nat'l Geographic ext. but this work stopped. Therefore, I searched for an alternate source of income not related to woods products industries. I have been a pilot for the past 20 years - During the winter/Spring of 1983/84 I began working toward obtaining an instrument rating & a commercial pilots Lic. I obtained both of these goals & began flying for Orofino Aviation in Aug of 1984. — Needless to say, this greatly set our water project back.

Therefore, Having documented the work completed to date, and the events that, we feel, delayed our completion of the beneficial use, we request the approval of this time extension. Note: As soon as the pump is received, water will be put to beneficial use.

MICROFILMED

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 Richard I. and/or Sarah C. Walker Phone 208-486-6231
Post office address Box 112, PECK, IDAHO 83545
2. Source of water supply Little Canyon Creek which is a tributary of Big Canyon Creek
3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 20 Township 36 N
Range 1 E B.M. LEWIS County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount 3.45 for Power Generation purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount .1 for Irrigation purposes from March 15 to Nov. 15 R.H. 7-21-80
(cfs or acre-feet per annum) May 15 to Oct 15 (both dates inclusive)
- Amount .02 for Domestic Use purposes from Jan. 1 to Dec. 31 (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. 3.57 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Power Generation: Concrete diversion structure, 2000' of 12" dia. transmission pipe, A Banki Turbine turning the generator; Irrigation: A positive displacement pump, 1000' 8" Transmission pipe; Domestic Use: Spring Collector box (concrete) 1" dia X 1500' Transmission pipe to cistern at house site.

- b. Height of storage dam None 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: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17 Township 36 N
Range 1 E B.M.

- (2) Amount of power to be generated: 5 kw horsepower under 40 feet of head.

- (3) List number of each kind of livestock to be watered None

- (4) Name of municipality to be served _____, or number of families to be supplied with Elect. Power domestic water 3.

- (5) If water is to be used for other purposes describe: Domestic Use, 1 family unit, Electrical Generation, 3 family units including 2 small businesses.

MAILED

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	
36	1E	17																10	10

Total number of acres to be irrigated 10

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

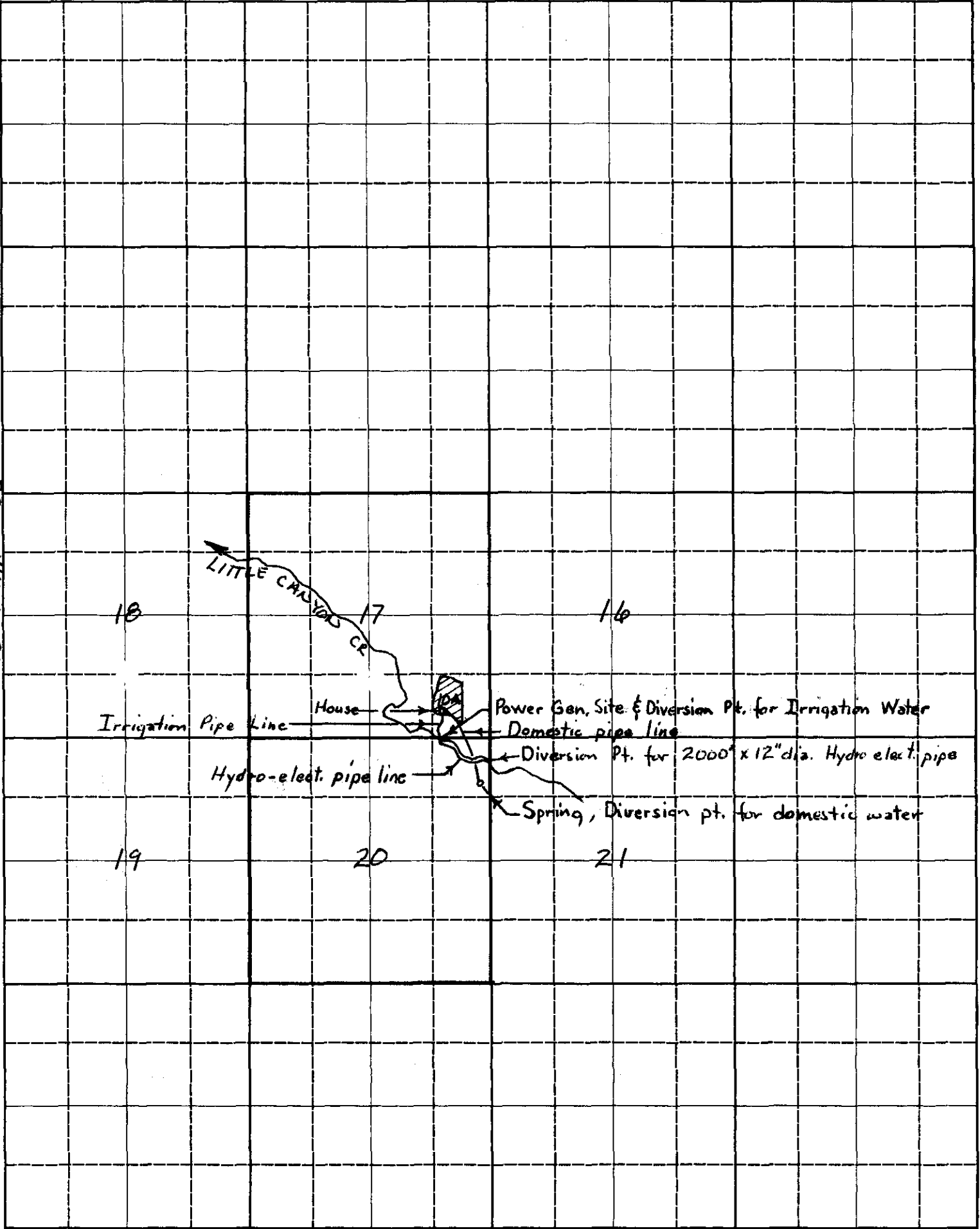
9. a. Who owns the property at the point of diversion Richard I. and/or Sarah C. Walker
b. Who owns the land to be irrigated or place of use Richard I. and/or Sarah C. Walker
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Irrigation water will be used on 6 acres of orchard and 4 acres of vineyard (A 1hp. positive displacement pump will be used)
Power Generation The reinforced concrete diversion structure will extend 18" above the stream bed. The intake system will consist of a steel trash rack, sediment trap and headgate. The system is designed to develop maximum power with a water volume of 1600 gpm and a total head of 40'. This is achieved with 1500' of 12" PVC pipe and 500' of 12" steel pipe. This hydro system has capacity to provide four family units each with 12 kwh/day and three businesses each with 11 Kwh/day. ie (refrigerator, freezer, lighting, 1hp. water pump, radio/record player, 1.5hp. circulating pump or blower with 1kwh remaining for misc. needs for each family unit). The water used for power generation will be discharged back into Little Canyon Cr. 2000' downstream from its diversion point.

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

RANGE 1 E

TOWNSHIP 36 N



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.

Richard I. Walker
Sarah C. Walker
(Applicant)

Proposed Priority 5/12/80

Received by mm Date 5/12/80 Time 11:50 AM

Preliminary check by TK Fee \$ 65.80

Receipted by mm Date 5/14/80 (16980)

Publication prepared by KK Date 5/12/80

Published in Lewis County Herald

Publication dates 5/22 & 29/80

Publication approved mm Date 5/11/80

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by B/A RH

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. 85-7229, 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 July 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: (1) An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
(2) This permit is subject to the provisions of Sections 42-205 through 42-210, Idaho Code, restricting the sale, transfer, assignment, or mortgage of this permit. Failure to comply with these provisions is cause for immediate cancellation of this permit.

Witness my hand this 28th day of July, 1980.

A. Glen Saxton
Chief, Operations Bureau

AFFADAVIT TO ESTABLISH RESIDENCE

We, Richard I. and/or Sarah C. Walker, of Peck,
name town

County of Clearwater, State of Idaho, being duly sworn do hereby

certify that I am a bona fide resident of the State of Idaho.

Signed, Richard I. Walker

Sarah C. Walker

Subscribed and sworn to before me in City of Orofino,

County of Clearwater, State of Idaho, on this date 4/8/80.

Note: This permit is issued subject to the provision S.L. 1937,
Ch. 142; am. 1957, Ch. 66. (Idaho Code section 42-205242-210).

State of Idaho)
County of Clearwater) ss.

On this 8 day of April, 1980, before me personally
appeared Richard I. Walker, and Sarah C. Walker,
known to me to be the persons whose names are subscribed to the within
instrument, and acknowledged to me that they executed the same.

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

Karl S. Laws
Notary Public, State of Idaho
Residing at Orofino, therein.

(SEAL)



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 27, 1995

RICHARD I WALKER
SARAH C WALKER
PO BOX 69
PECK ID 83545

RE: WATER RIGHT NO. 85-07229

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED

NOV 16 1995

LICENSE REVIEW CHECKLIST

PERMIT NO. 85-07229 DATE 10-23-95



NAME Change OK ☒ Or Address Change?

PRIORITY DATE ☒ Advance? Advanced to: See note on Proof sheet.
 Order to reinstate needed?
 Incorrect fee for rate recommended? NO

SOURCE ☒ Changes or just clarification of originally intended source?
 Notice of Intent to Void necessary?

POINT OF DIV ☒ Amendment needed?
 ☒ Overlaps?

PLACE OF USE ☒ Amendment needed?
 ☒ Overlaps?

DIV RATE ☒ Permit (fee limits) 3.57 CFS .04 CFS
 Meas Q = Theo Q = .04 Recommend: .04
Dom limit is .02
3 acre limit is .04 (ADD 1/2 ACRE FOR DOM)
 Combined rates exceed capacity

ANNUAL VOLUME ☒ Volume Limit: Season: NEW E/3.5 (3-1 to 11-30)
 Calculations: Dom - reduce to .6
3 acres + 1/2 acre (law) = 12.3 c.f
 Flow limit: cfs x x 1.9835 =
 Combined volumes exceed capacity/allowable

USES ☒ Change in Nature of Use or additional uses?
 Amendment necessary?

ADDITIONAL INFO Supplemental Groundwater PPU Scenario
 Irr/Dom Combination YES Shared G/W System

NEW REMARKS Multiple p/d(s) in 1/4 1/4?
WBS Other

NEW CONDITIONS Watermaster control - District
 Measuring/Locking Devices
R30 Irrigation Overlap
 Other
 Water Quality Heat/Cool/Fish verified

COMMENTS: ① Delete power use - not developed
 ② Do not add a fire protection use volume.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>YES</u>
<u>Irrigation</u>	<u>.04</u>	<u>12.3</u>	Adjustment Memo Needed	<u>YES</u>
<u>Domestic</u>	<u>.02</u>	<u>.6</u>	LICENSE	<u>✓</u>
<u> </u>	<u> </u>	<u> </u>	1ST AMEND LETTER	<u> </u>
<u>TOTAL</u>	<u>.04</u>	<u>12.9</u>	2ND AMEND LETTER	<u> </u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 09 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 85-07229

1. Owner: Richard Walker Phone No. (208) 486-6231

Current Address: Box 69 Beck Id, 83545

2. Accompanied by: owner EXAM DATE: 6-27-95

Address: Same as above Phone No. _____

Relationship to Permit Holder: _____

3. Source: little canyon creek tributary to Big Canyon Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
*			NE	NE	20	30 N	01 E	NEZ POIRCE	11000 75 min quad

2. Place(s) of Use:

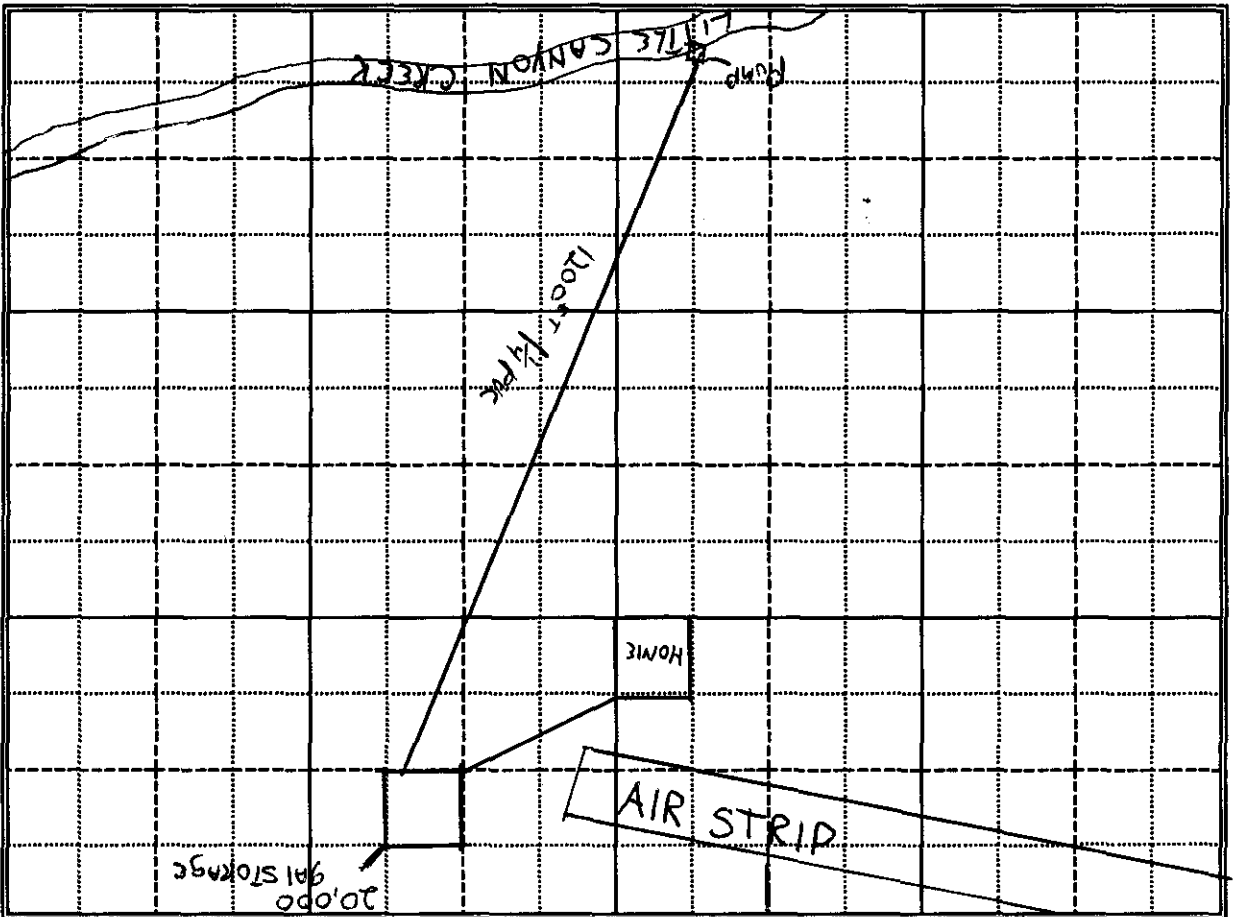
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
*	30 N	01 E	17															3.0	3

NOV 1 6 1995

* SEE Adjustment memo. BC

3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.d. as applicable.



Scale: 1" = 100'

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
Aerial Photo Attached (required for irrigation of 10+ acres)
Photo of Diversion and System Attached

4.

Well or Diversion Identification No. *	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Bugby	5		W4JAX	

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

NOV 1 6 1995

E. NARRATIVE/REMARKS/COMMENTS

This system supplies home and garden and also nut orchard with H₂O it is pumped from little canyon creek to 20,000 gall storage and used from storage.

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

MINOR CHANGES
NOV 16 1995

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 3 \times 3 = 6$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .02 \times 245 \times 1.9835 = 9.7$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 6$$

2. Volume Calculations for Other Uses:

$$5.KE \quad 1.4F \quad .06 \quad 325,850 \quad \text{Soll } 20,000,9411$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

Domestic

Navigation

Fish Production

Period of Use
To

From

01-01

03-15

12-31

Totals:

Rate of Diversion

Q (cfs)

.02

.02

.04

Annual Volume

V (afa)

12

6.0

.06

7.8

2. Recommended Amendments

Change P.D. as reflected above

Change P.U. as reflected above

Add P.D. as reflected above

Add P.U. as reflected above

None

Other

I. AUTHENTICATION

Field Examiner's Name

McCormick

Date

9/15/95

Reviewer

Date

* See attached adjoining sheet memo.

NOV 16 1995

RECEIVED

SEAL

MEMORANDUM

TO: File 85-07229 / Richard Walker
FROM: Brenda Chapman
DATE: October 24, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 85-07229 are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

According to the USGS maps, the point of diversion and place of use are both in Township 36N not 30N. The exam map is correct.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-01 to 11-30	.04	12.3
Domestic	1-01 to 12-31	.02	.6

The irrigation season dates and annual diversion volume requirements have been changed to the current standards.

The domestic and irrigation volume recommendations have been adjusted. Per current guidelines, the allowable $\frac{1}{2}$ acre for domestic garden, lawn and trees has been added to the irrigated acres. The domestic volume is the standard, internal use recommendation.

Fire protection will not be added in lieu of the undeveloped power use. An emergency use, such as domestic fire protection, does not need the approval of the Department.

RECEIVED
NOV 16 1995

July 18, 1991

Richard and Sarah Walker
Box 69
Peck ID 83545

RE: Water Right Permits No. 85-07229 & 85-07500

Dear Mr. and Mrs. Walker:

Enclosed is the Assignment of Permit form for Water Right No. 85-07500 that you requested.

I discussed the situation of your water diversion from Little Canyon Creek with both our Senior Agent and our Regional Manager. Hopefully, their suggestions will meet with your approval and don't make the matter even more confusing.

1. You have not developed a hydropower diversion in the time allowed, therefore you do not have a right to divert water for the purpose of power generation.
2. The way that you described the operation of the pump that you would like to use, the water doesn't really leave the stream channel (and therefore isn't "diverted").
3. You have the right under Permit 85-07229 to divert 0.04 cfs (18 gpm) for irrigation of 3 acres and have been doing so with a 5 hp gasoline powered pump.
4. Water Rights for Hydropower are subordinate to all other water uses (rights) except other Hydropower rights. This means that if you had a valid Water Right for hydropower, and someone else had a Water Right for some other use (even with a later priority date) that was adversely impacted by your hydro project, they would have priority over the water.
5. Since your hydropump would not be "diverting" water, you could use it in place of your gasoline powered pump to provide water to irrigate your 3 acres covered in Permit 85-07229. If at some time in the future some one protested your use of the hydro pump, claiming that your use impacted their ability to divert water, you could simply go back to using your gasoline powered pump, and the Priority Date of 5/12/80 set forth in Permit 85-07229 would determine which user had senior claim to the water. This is also what would happen if you had a valid right for hydropower (see # 4).

NOV 16 1995

Hopefully, this explains a course of action that you can live with. I realize that it differs slightly from what I had felt was possible, but I don't think it is any more restrictive. Please contact me if I can be of any further assistance.

Sincererly,

Theresa J. Bright
Field Examiner

Enc.: Assignment of Permit

NOV 16 1995

THEORETICAL PUMP EFFICIENCY CALCULATIONS

FILE: 85-07229

DATE: 5-JUL-95

COMPLETE BY: TED MCCRACKEN

HORSEPOWER = 5

PUMP EFFICIENCY = 75%

DYNAMIC LIFT = 450 FEET

SYSTEM PRESSURE = 180 PSI

QUANTITY = 0.04 CFS

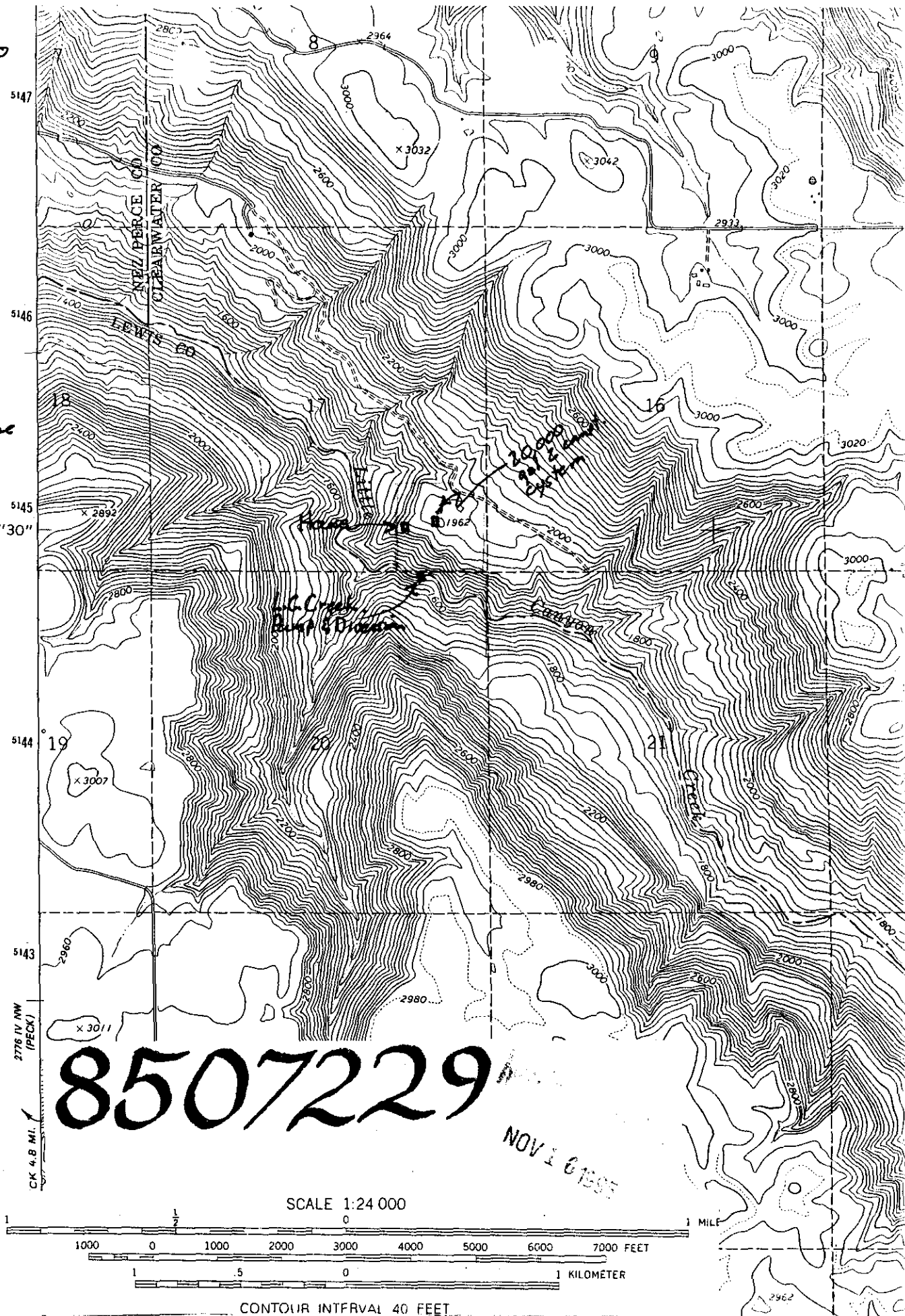
85-07229-1000
NOV 16 1995

(208)^A 263-4290

2" main from
cistern to house

WAJAX
MARK 3

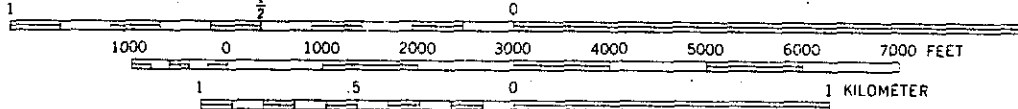
5"



8507229

NOV 16 1957

SCALE 1:24 000



CONTOUR INTERVAL 40 FEET

T 36 N R 1 E NF NF Sec. 20

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

PERMIT # 85-07229

P H O T O G R A P H S



P.O.

P.D.

NOV

6/1985

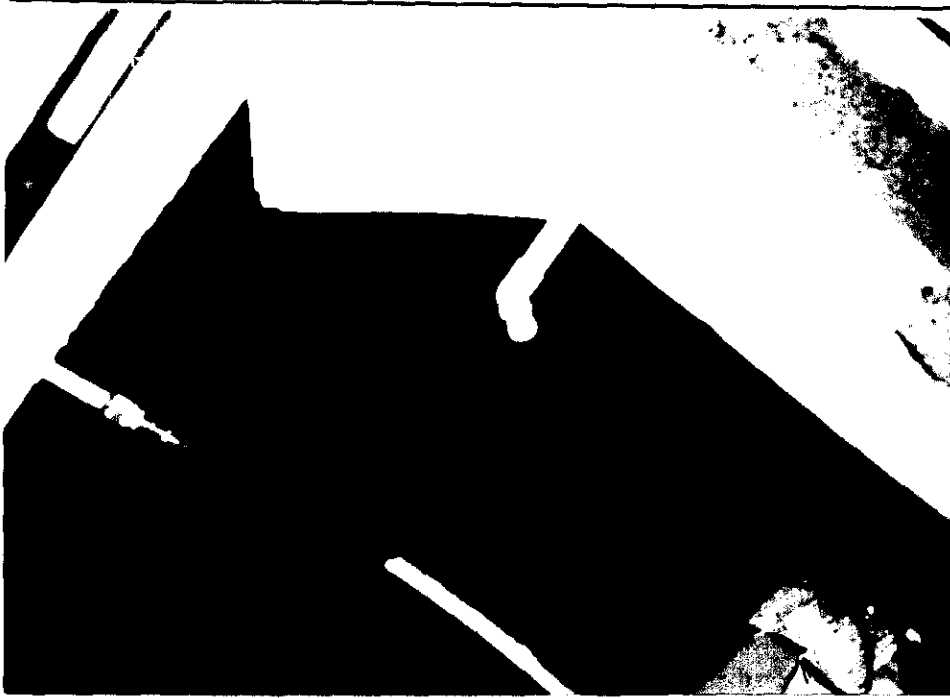
Pump

5.4P

PERMIT # 85-07229

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
FIELD REPORT SUPPLEMENT

P H O T O G R A P H S



20,000 gallon
STORAGE

NOV 1 1985

September 25, 1990

Richard I and/or Sarah C. Walker
Box 69
Peck, ID 83545

Dear Mr. and Mrs. Walker:

Re: Permit No. 85-7229

The department received the proof of beneficial use form with the request to waive the access port requirement. The enclosed order removes the condition.

The next step in the licensing process is for the department to conduct the field inspection to confirm and determine the extent of beneficial use. I cannot tell just when the representative from our Southern Regional office will conduct the exam, but he will try to contact you or your representative prior to being in the area.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

c: Region

MICROFILMED

OCT 24 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 85-7229

Date: 8-10-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change OK If yes, prepare a data entry
☒ Proof received timely
☐ Reinstated

Source of Water:

- ☒ Surface water
☐ Groundwater
☒ 1. well log in file
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☐ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

CP 10-4-90
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

10-23-95

July 1st 1990 must
have been on a
weekend for the proof
to have been acceptable
on July 2nd with no
advancement in
priority date. EC

138708
April 30, 1990

RICHARD I. WALKER
SARAH C. WALKER
P.O. BOX 69 LITTLE CANYON
PECK, ID 83545

PROOF DUE NOTICE

RE: PERMIT NO. 85-07229

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1990.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

OCT 24 1990

Wickley
Box 69
Peck ID.
E3545



MICROFILMED



JUN 21 1983

OCT 24 1990

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 85-7229
Name(s) of Permit Holder(s): Richard T. & Sarah C. Walker
Post Office Address: Box 149 Peck, ID. 83545
Tel. No. 486-6231

- ☒ I hereby certify that construction of diversion works for the above referenced permit began on 5/25/83. I understand that I must continue to develop the water project with due diligence to maintain a valid permit.
- ☐ I hereby certify that construction of diversion 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.

Date

Signature of Permit Holder

6/16/83

Richard T. Walker

Sarah C. Walker

NOT FILMED
OCT 24 1990

September 6, 1985

Richard I. & Sarah C. Walker
P. O. Box 69, Little Canyon
Peck, ID 83545

Dear Mr. and Mrs. Walker:

Re: Permit No. 85-7229

Enclosed is a copy of your approved request for extension of time. The time within which to submit proof of beneficial use is extended to July 1, 1990.

Based on provisions of Sec. 42-203D, Idaho Code enacted during the 1985 Legislative Session, your permit will also be reviewed under the public interest criteria. The code section reads as follows:

42-203D. Review of permits - Opportunity for hearing.

(1) The department shall review all permits issued prior to the effective date [July 1, 1985] of this section, except to the extent a permit has been put to beneficial use prior to July 1, 1985, to determine whether they comply with the provisions of chapter 2, title 42, Idaho Code. If the department finds that the proposed use does not satisfy the criteria of chapter 2, title 42, Idaho Code, then the department shall either cancel the permit or impose the conditions required to bring the permit into compliance with chapter 2, title 42, Idaho Code. If the department finds that the permit satisfies the criteria established in chapter 2, title 42, Idaho Code, then the department shall enter an order continuing the permit.

(2) The department shall provide an opportunity for hearing in accordance with section 42-1701A, Idaho Code, and sections 67-5209 and 67-5215, Idaho Code, for each holder of a permit that is proposed either to be cancelled or made subject to new conditions.

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If you have any questions concerning these permits, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFTI MED



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

EXTENSION OF TIME

June 28, 1985

Richard or Sarah Walker
Little Canyon Box 69
Peck, ID 83545

PERMIT NO. 85-7229

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 36921

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

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

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

138964

WALKER, RICHARD I. & SARAH C.
P. O. BOX 112
PECK, ID 83545

PROOF DUE NOTICE

APRIL 30, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 85-7229 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JULY 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE FORM OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

WALKER, RICHARD L. & SARAH C.
P. O. BOX 112
PECK, ID 83545

AUGUST 07, 1980

RE: PERMIT NO. 85-7229

DEAR PERMIT HOLDER:

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

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

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

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 12 day of June, 1980, and the last publication on the 26 day of June, 1980.
Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 2 day of July, 1980

Robert E. Wherry

NOTICE OF CORRECTION
Notice is hereby given that the name of Richard L. and/or Carol C. Walker was published incorrectly on May 22 and May 23, 1980.
The Place of Use was incorrectly advertised as the State of Idaho 8013; whereas, correctly, it should have been the State of Idaho 8012.
Any protest to the above-mentioned correction must be filed with the State of Idaho Department of State Services, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before July 7, 1980.
C. Stephen Alfred
Director
Published in the Lewis County Herald on June 19 and June 26, 1980.

COPIES FILED
RECORDED

JUL 1 1980

JUL 1 1980

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 85-7229
in the Name of Richard I. and/or Sarah C. Walker
was advertised incorrectly on May 22 and May 29
19 80.

The Place of Use was incorrectly advertised as the SESE Sec 17 T36N R013;
whereas, correctly, it should have been the SESE Sec 17 T36N R01E.

Any protest/~~exception~~ to the above-referenced correction must be filed
with the State of Idaho Department of Water Resources, 4055 Government
Way, Coeur d'Alene, Idaho 83814, on or before July 7, 19 80.

C. STEPHEN ALLRED
Director

Published in the Lewis County Herald on
June 19 and June 26, 19 80.

MICROFILMED

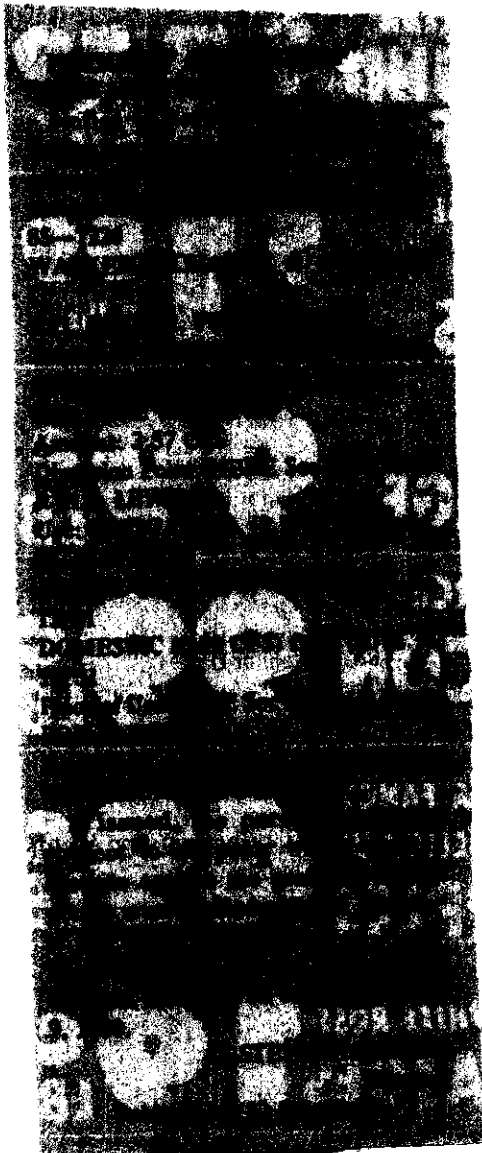
PROOF OF PUBLICATION

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 22 day of May, 1928, and the last publication on the 29 day of May, 1928.
Robert E. Wherry

Subscribed and sworn to before me, a Notary Public, this 3rd day of June, 1928.

Robert E. Wherry



Department of
Northern District

85-2229

WALKER, RICHARD I. &/or SARAH C.

P. O. BOX 112, PECK, ID 83545

Source: LITTLE CANYON CREEK tributary to BIG CANYON CREEK

Date Filed: 05/12/1980

Amount: 3.57 CFS

Diversion Point: NENE Sec 20 T 36N R 01E, LEWIS Co.

Use: IRRIGATION	(0.10 CFS)	from 05/15 to 10/15
POWER	(3.45 CFS)	from 01/01 to 12/31
DOMESTIC	(0.02 CFS)	from 01/01 to 12/31

Place of Use: SESE Sec 17 T 36N R 01E FOR 10 ACRES

Diversion Means: CONCRETE DIVERSION AND PIPELINE.

MICROFILMED

June 11, 1980

Lewis County Herald
517 Oak
Nez Perce, Idaho 83543

Re: 85-7229

Gentlemen:

Enclosed is a Notice of Correction for the above-referenced permit which was originally published in your newspaper on May 22 and 29, 1980.

Please publish the Notice of Correction on June 19 and 26, 1980, and forward your Affidavit of Publication. If you cannot publish on these dates, please contact me immediately, since this will change the wording in the publication.

We ask that you do not bill us for this second publishing since the error was not ours. We are holding the bill for the first publishing and will submit it for payment when we receive your Affidavit. Thank you for your cooperation.

Sincerely,

Patricia M. Stypa
Sr. Secretary

Enc. - Notice

ENCLOSURE