

Sec 17

Sec 16

Pond

House

Irrigated Acreage

R.D.

Little Canyon Creek

T36N, R1E. BM.

X Marvin D. Hurst
(Applicant)

(Applicant)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Clearwater } ss.

Nancy Noble

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Application

Gentry & Hairston

Notice

That said

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 17th day of April, 19 80, and ending on the 24th day of April, 19 80

Nancy Noble

Subscribed and sworn to before me this 25th day of April, 19 80

Betty E. Knight

NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

LEGAL NOTICES 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:

84-7092
Gentry, Larry E.
Rt. 3 Box 73, Orofino, ID 83544
Source: Spring
Date Filed: 03/20/1980
Amount: 0.04 CFS
Diversion Point: NENW Sec 34 T 36N R 02E, Clearwater Co.
Use: Domestic (0.04 CFS) from 01/01 to 12/31
Place of Use: NENW Sec 34 T 36N R 02E
Diversion Means: Gravity-flow Pipeline.

85-7225
Hairston, Marvin D.
1731 Grelle, Lewiston, ID 83501
Source: Little Canyon Creek tributary to Big Canyon Creek
Date Filed: 03/25/1980
Amount: 0.94 CFS
Diversion Point: NWNW Sec 21 T 36N R 01E, Clearwater Co.
Use: Irrigation (0.40 CFS) from 03/15 to 11/15; Irrigation Storage (5.0 AC-FT) from 01/01 to 12/31; Irrigation from Storage (5.0 AC-FT) from 03/15 to 11/15; Domestic (0.04 CFS) from 01/01 to 12/31; Fire Protection (0.50 CFS) from 01/01 to 12/31; Diversion to Storage (0.50 CFS) from 01/01 to 12/31.
Place of Use: SESE Sec 17 T 36N R 01E for 20 acres

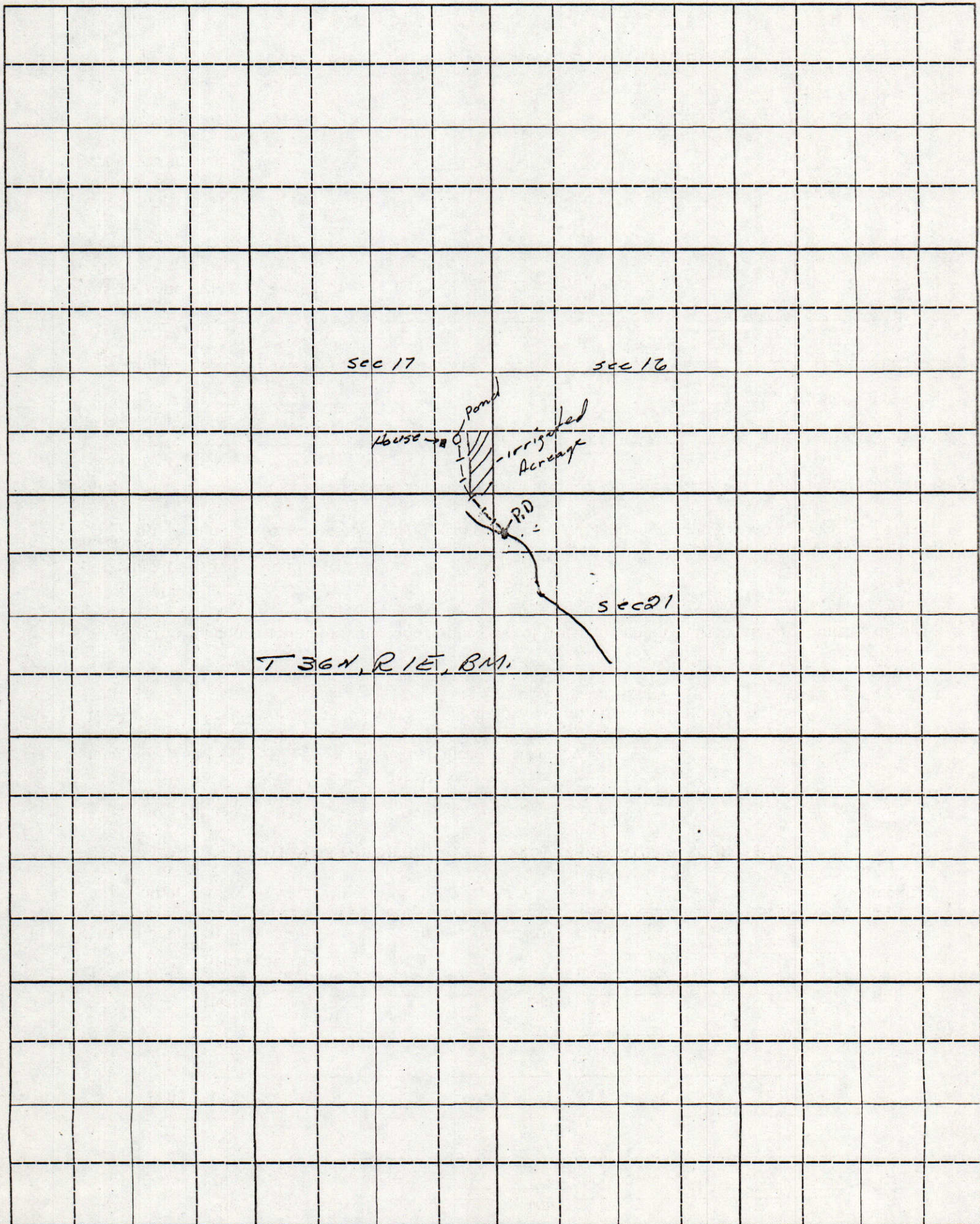
Diversion Means: Hydraulic Ram, Ditches and Pond.

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 May 5, 1980.

C. STEPHEN ALLRED
Director
4-17,24c

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.

X

(Applicant)

RECEIVED

MAY 10 1984

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
Fee Received \$5.00
Date 5-10-84 COW
Receipt # 34603

REQUEST FOR EXTENSION OF TIME

Department of Water Resources

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

MARVIN D. HARSTON of P.O. BOX 28 PECK, ID 83545
(Name) (Address)

State of IDAHO, 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. 85-7225.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before JUNE 1, 19 84.

That he has heretofore performed the following work described under said permit: WE HAVE DONE

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

INITIAL SURVEY WORK AND HAVE STARTED AN ACCESS
ROAD (TO BE ABLE TO LAY PIPE & RUN, UNDERGROUND PASSIVE,
ELECTRICITY TO THE PUMPING SITE). THE ROAD WILL BE
PASSABLE ONLY BY TRACTOR. Costing \$ 450 APPX.

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

WE WANTED TO TRY & DRILL A WELL BEFORE WE WENT
TO THE GREAT EXPENSE OF PUTTING IN THIS LINE. BECAUSE
OF THE LAND FORMATION (SLIDE ROCKS THAT FORMED THE RANCH
WE LIVE ON) WE WERE UNABLE TO GET A SUPPLY OF
(OVER)

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to JUNE 1, 19 89.
(1 yr. minimum, 5 yrs. maximum)

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

Marvin D. Harston
(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 the statement of beneficial use is extended to June 1, 1989.

Signed this 15th day of May, 19 84.

A. Glen Saxton
Chief, Operations Bureau

RECEIVED

WATER BY DRILLING. WE WERE ABLE TO, HOWEVER,
SPEND \$10,000 TRYING TO DRILL THIS WELL. SO, QUITE
HONESTLY, WE DO NOT HAVE THE CASH AVAILABLE
TO BUY THE PIPE + RUN THE ELECTRICITY. WE
FELT THAT AN ELECTRIC PUMP WOULD BE MUCH MORE
EFFECTIVE THAN A WATER RAM.

ALSO, THE WET WEATHER THIS SPRING HAS HAMPERED
OUR EFFORTS TO GET THE ROAD IN.

WE WILL BE ABLE TO BUY THE PIPE +
LAY IT A LITTLE AT A TIME.

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 Marvin D. Hairston Phone 486-6235
743-7342
Post office address 1731 Grelle, Lewiston, Id. 83501
2. Source of water supply Little Canyon Creek which is a tributary of Big Canyon Creek
3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21 Township 36N
Range 1E B.M. Clearwater County, additional points of diversion if any: _____

4. Water will be used for the following purposes:
Amount 0.5 cfs for Fire Protection purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 5 AF for Div. to Stor. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 5 AF for Stor for Irr. purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.4 cfs for Irr. from Stor. purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.4 cfs for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:
a. 0.94 cubic feet per second and/or b. 5 acre-feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Hydraulic ram from creek to ditches
for irrigation and to pond for storage.
b. Height of storage dam 8 feet, active reservoir capacity 10 acre-feet; total reservoir
capacity 15 acre-feet, materials used in storage dam: _____
Period of year when water will be diverted to storage 4/1 to 10/1 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 4 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 36N
Range 1E B.M.
(2) Amount of power to be generated: _____ horsepower under _____ feet of head.
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water 1.
(5) If water is to be used for other purposes describe: _____

NOT RECORDED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36N	1E	17																20	20

Total number of acres to be irrigated 20

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

None

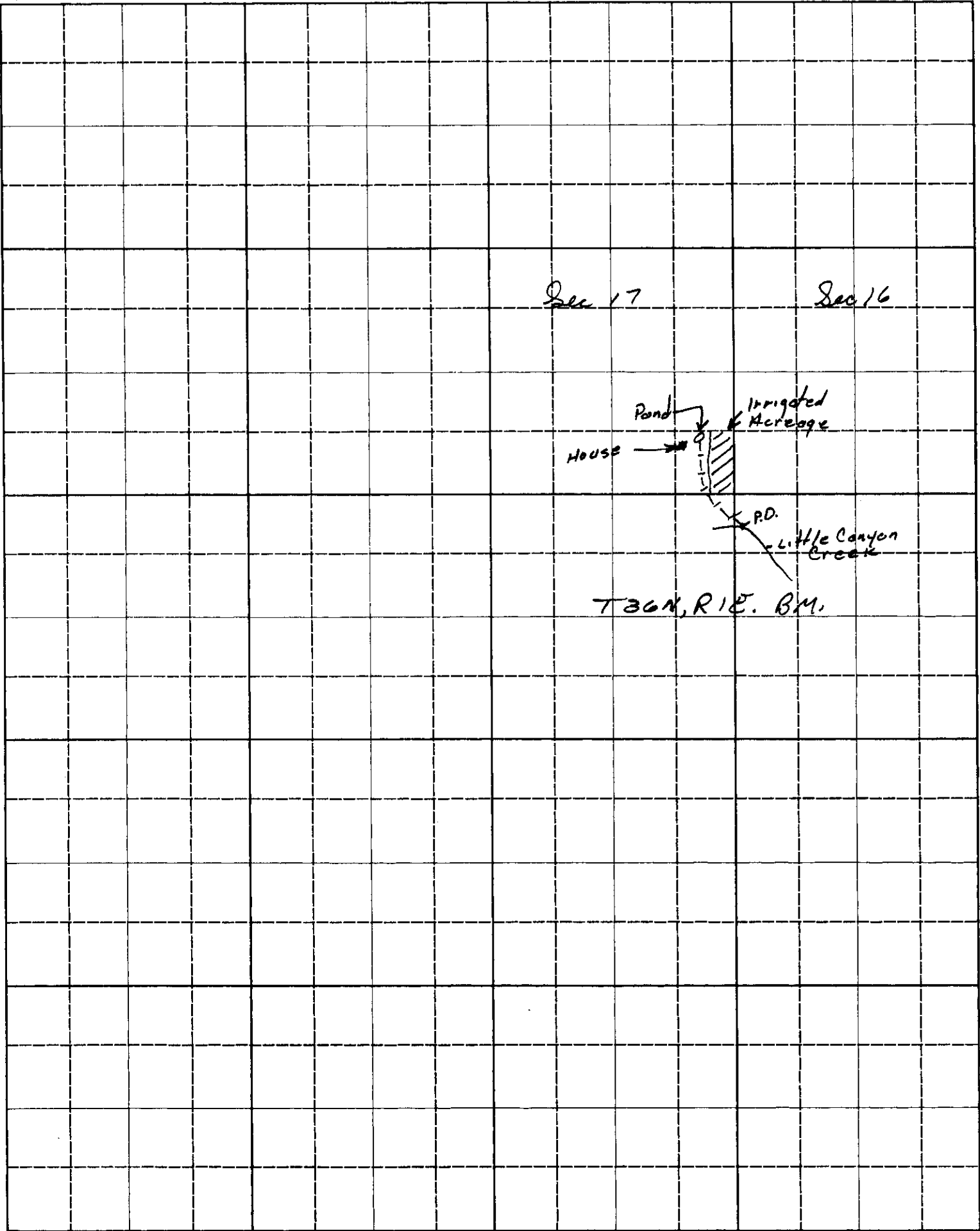
9. a. Who owns the property at the point of diversion Applicant

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.



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 Martin D. Haurala
(Applicant)

Proposed Priority 3/25/80
Received by KK Date 4/7/80 Time 1:30 pm (from original Appl.)
Preliminary check by JR Fee \$ 35.00
Received by mm Date 4/8/80 (16905)
Publication prepared by mm Date 4/10/80
Published in Clearwater Tribune
Publication dates 4/17 & 24/80
Publication approved mm Date 4/29/80
Protests filed by: none

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

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. 85-7225, 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 June 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (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.

Witness my hand this 21st day of May, 19 80.

J. Glen Saxton
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,
County of Clearwater } ss.

Nancy Noble

being first duly sworn, on oath, deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the State of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, Foreman, of THE CLEARWATER TRIBUNE: That said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Application

Gentry & Hairston

That said **Notice**

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for full period of two consecutive issues commencing on the 17th day of April, 19 80, and ending on the 24th day of April, 19 80

Nancy Noble
Subscribed and sworn to before me this 25th day of April, 19 80

Betty E. Knight
NOTARY PUBLIC IN AND FOR THE STATE OF IDAHO
RESIDING AT OROFINO THEREIN

MICROFILMED

MEMORANDUM

TO: File 85-7225

FROM: Sharla

DATE: January 28, 1991

RE: Returned Field Exam

Per a telecon with the permit holder on this date, water from Little Canyon Creek is not used for stockwater purposes. He stated that the pond shown under this right has an electric fence around it to specifically keep the stock out and water is in fact used for irrigation and fire protection purposes as originally listed on the permit. The photo taken by the examiner shows an electrical wire around the pond. It appears that an error was made in listing the uses for this right.

I am returning the field exam report to the region for re-examination. The permit holder has been informed that a re-exam will take place and is satisfied with this remedy.

State of Idaho
Department of Water Resources

RECEIVED
JAN 10 1991

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 85-07225

Department of Water Resources

Date of Priority: March 25, 1980

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:¹

3.8 AF

Comes now

MARVIN D. HAIRSTON

P.O. BOX 28

PECK, ID 83545

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. 85-07225, and requests that the permit be changed as follows:

Source: **LITTLE CANYON CREEK**

tributary to **BIG CANYON CREEK**

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER STORAGE	01/01 to 12/31		3.8 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.04 CFS	
	Totals	0.04 CFS	3.8 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 21, Township 36N, Range 01E
CLEARWATER County

PLACE OF USE: STOCKWATER STORAGE

TWN RGE SEC

36N 01E 17

SESE

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

Signed at PECK, IDAHO, this 31 day of DECEMBER, 1990.

Marvin D. Hairston
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 85-07225

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 Received by _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 85-07225 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Stockwater storage is for 60 head.

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

R. Keith Higginson, Director

January 18, 1991

RE: Permit No. 85-07225

Marvin D. Hairston
P.O. Box 28
Peck, ID 83545

Dear Permit Holder:

Thank you for returning the licensing Amendment, however you did not include the \$20.00 filing fee.

I will hold the amendment form here for twenty (20) days without further action. Please return the \$20.00 filing fee for the amendment by February 8, 1991.

If you have any questions, please contact me at 327-7947.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

December 26, 1990

MARVIN D. HAIRSTON
P.O. BOX 28
PECK, ID 83545

RE: WATER RIGHT NO. 85-07225

Dear Water Right Holder(s):

We previously 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 the amendment. If we do not receive it within fifteen (15) days, we will assume you no longer have any interest in the permit and cancellation proceedings will begin. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

Enclosure

November 9, 1990

MARVIN D. HAIRSTON
P.O. BOX 28
PECK, ID 83545

RE: WATER RIGHT NO. 85-07225

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

December 9, 1988

Mr. Marvin Hairston
P.O. Box 28
Peck, Id. 83545

Re: 85-7225

Dear Mr. Hairston:

Dear Permitholder:

We acknowledge receipt of your statement of completion of water development 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 prior to the time the examination is made so that you may demonstrate 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.

Sincerely,

/s/
TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED
DEC 21 1988

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 85-7225

Date: 11-23-88

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
N Address change _____ If yes, prepare a data entry
Y Proof received timely
_____ Reinstated

Source of Water:

Y 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:

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

Measuring Device:

Y Is a measuring device or access port required?
Y Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:
Date proof received _____

Date proof due _____

No. of days late _____

Priority date _____

NEW PRIORITY DATE _____

hja
SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

Form 217
03/86

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by JS
Sent to region _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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. 85-7225

Name(s) of Permit Holder: MARVIN A. (SONNY) HAIRSTON

Post Office Address: P.O. Box 28

PECK ID 83545 Telephone No. 208-486-6235

Source of Water: Little Canyon Creek

Extent of Use:

Domestic 1 (number of households) Stockwater 30 HORSES (number and type of stock)
Irrigation _____ (acres) Other/Remark 30 CATTLE

Total rate and/or volume for which proof is submitted .94 cfs 5.14 acre-feet

Show the date water was first diverted and beneficially used under this permit: AUG. 10, 1988

Measuring Device: Required? Yes X No Fee enclosed \$ NA
Installed? X Yes — No (See License Examination Fee Schedule)

Flow Measurement Port: Required? X Yes — No
Installed? X Yes — No

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

SONNY HAIRSTON 208-486-6235
(Name) (Telephone Number)

P.O. Box 28 PECK ID 83545
(Address)

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.

11-10-88 Marvin A. Hairston
Date Signature of Permit Holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 85-7225 OCT 12 1988

Name(s) of Permit Holder(s): MARVIN HAIR Department of Water Resources

Post Office Address: P.O. Box 28 PECK, ID. 83545 Telephone: 486-6235

☒ I hereby certify that construction of diversion works for the above referenced permit began on 9-25-88 (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:

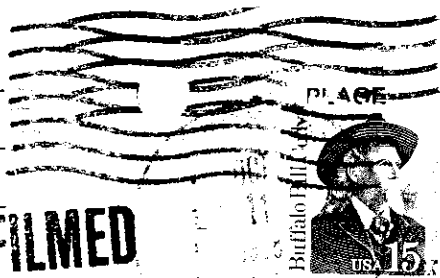
*Note: A financing difficulty is not an acceptable reason.

Date

Signature of Permit Holder

SYSTEM FINISHED- PLEASE SEND COMPLETION CARD

HAR TO
P.O. BOX 28
PECK ID - 83545



MICROFILMED



DEC 21 1988

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

3



May 15, 1984

Marvin A. Hairston
P. O. Box 28
Peck, ID 83545

Dear Mr. Hairston:

Re: Permit No. 85-7225

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to June 1, 1989.

The 1982 Idaho Legislature added a requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date a permit is issued. In the case of this extension, you must commence works within a year from the day the extension was signed and proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction. If you are still prevented from commencing works eleven months from now, note the reason on the blue card and return it then.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures: Ext. of Time
C/W Postcard

STAFF REVIEW OF REQUESTS FOR EXTENSION OF TIME

Permit Number 85-1225

- Y Date received stamp
- Y Fee received and receipted
- Y Name on request same as on permit
- N Address same permit as on latest correspondence
- Y Proof due date within six months of due date
- Y Signature same as permit
- Y Source of water the same
- Y Review conditions of approval
- ✓ Extensions previously approved
- Y Proceed diligently
- N Is delay caused by litigation: Swan Falls
- Date lit. completed
- Date lit. began
- Period of delay
- New proof due date

ACTION: *Recommend approval based on due diligence.*

- Y Is the extension timely received?
- N Reinstate: Extension received
- Proof due date
- Days late
- Priority date
- Adjusted priority date
- N Is there commencement of works?
- Cover letter
- Coding sheet address
- Rolodex card updated and refiled

Reviewed by *[Signature]* Date: 5-15-1984

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

EXTENSION OF TIME

May 10, 1984

Marvin Hairston
P.O. Box 28
Peck, ID 83545

PERMIT NO. 85-7225

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. 34603

Roberta Garrett
Records Supervisor

Enclosure

INTER-DEPARTMENT MEMO — 1

FROM Rita Fleck

TO File 85-7225

SUBJECT Returned B/U Notice

DATE 4-25-84

Pursuant to a telephone conversation with Mr. Hairston today, his new address is P. O. Box 28, Peck, ID 83545. His notice was sent to that address on this date.





SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
S. House
Boise, Idaho 83720

3

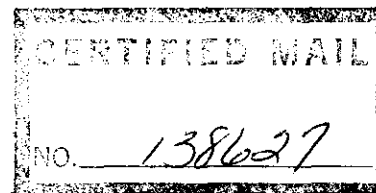


FORWARDING
ORDER EXPIRED

Department of Water Resources

APR 6 1984

RECEIVED



RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138627

HAIRSTON, MARVIN D.
1731 GRELLE
LEWISTON, ID 83501

PROOF DUE NOTICE

MARCH 31, 1984

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 85-7225 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1984. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

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

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

RECEIVED
MAY 11 1984

3/79

IDENT. NO. 85-7225

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

HAIRSTON, MARVIN D.
1731 GRELLE
LEWISTON, ID 83501

MAY 27, 1980

RE: PERMIT NO. 85-7225

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

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JR

APPLICATION NUMBER: 85-7225

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
☐ 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.
☒ Idaho Fish and Game Department.
☒ Idaho Department of Lands.
☒ U.S. Bureau of Land Management.
☒ U.S. Forest Service.
☒ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

- ☐ Yes ☐ No
☐ Yes ☒ No
☒ Yes ☐ No*
☐ Yes ☒ No

Platted by: _____ Map No. _____

Other rights on same place of use. _____

In form for advertising.

Final date for protests: 5/5/80

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 4/29/80
☒ 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
☒ Yes ☐ No
☐ Yes ☒ No
☒ Yes ☒ No

Measuring device required.

Access port required.

Will water be delivered by watermaster? If yes, what district? _____

Date of priority recommended. 3/25/80

Special conditions of approval or cover letter. _____

By: [Signature] Date: 5/12/80

STATE OFFICE REVIEW:

OIC

S.L. w/oic cond.

- ☐ See attached sheet for more information.

By: [Signature] Date: 5/20/80

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85-2225-

HAIRSTON, MARVIN D.

1731 GRELLE, LEWISTON, ID 83501

Source: LITTLE CANYON CREEK tributary to BIG CANYON CREEK

Date Filed: 03/25/1980

Amount: 0.94 CFS

Diversion Point: NWNW Sec 21 T 36N R 01E, CLEARWATER Co.

Use: IRRIGATION	(0.40 CFS)	from 03/15 to 11/15
IRRIGATION STORAGE	(5.0 AC-FT)	from 01/01 to 12/31
IRRIGATION FROM STORAGE	(5.0 AC-FT)	from 03/15 to 11/15
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31
FIRE PROTECTION	(0.50 CFS)	from 01/01 to 12/31
DIVERSION TO STORAGE	(0.50 CFS)	from 01/01 to 12/31

Place of Use: SESE Sec 17 T 36N R 01E FOR 20 ACRES

Diversion Means: HYDRAULIC RAM, DITCHES AND POND.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

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

April 15, 1980

Marvin Hairston
1731 Grelle
Lewiston, ID 83501

RE: 85-7225

Dear Mr. Hairston:

Enclosed is Receipt No. 16905 in the amount of \$35.00 which was received by this office for the filing fee on the above-referenced item.

Sincerely,

Patricia M. Styrpa

PMS

Enclosure

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April 1, 1980

Mr. Marvin D. Hairston
1731 Grelle
Lewiston, Idaho 83501

Dear Mr. Hairston:

You returned your Application for Permit to us unsigned, so we have taken the liberty of re-typing the form to make a more legible copy. Please check the typed copy against the original to insure that there are no errors, then sign the typed copy and return it to our office with your check for \$35.00, which is also enclosed.

Pursuant to your written request, we are also sending you two more Applications and instructions. If you have any further questions, please do not hesitate to contact me at this office.

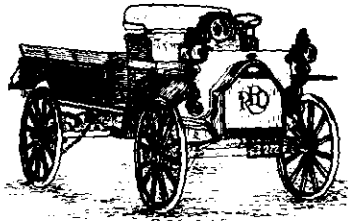
Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Check No. 92-313
Application (4)
Instructions (2)

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Since 1913

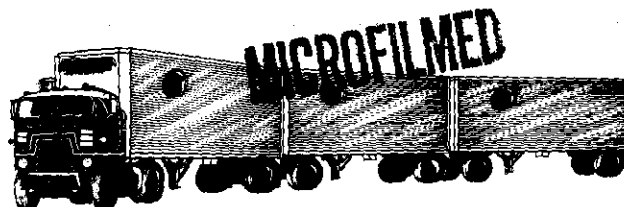


DEAR SIRS:

I CALLED ON FRIDAY
THE 21ST AND TALKED TO
ONE OF THE MEN IN
THE OFFICE. I CORRECTED
MY APPLICATION PER THE
CONVERSATION AND I INITIALED
ALL OF THE CHANGES AND
INCLUDED THE APPROPRIATE
FEE

Wm H. Hanks

PLEASE SEND 2 MORE
APPLICATIONS



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant MARVIN A. HOINSTON Phone 208 486-6235
MAH D.
Post office address 1731 Grelle, Lewiston, Id. 83501
2. Source of water supply Little Canyon Creek which is a tributary of Big Canyon Cr.
3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 21 Township 36 N
Range 1E B.M. Clearwater County, additional points of diversion if any: _____

4. Water will be used for the following purposes:
- MAH 5 cfs diversion to storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- MAH 5 AF for irrigation purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
- MAH 5 AF for from storage purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
- MAH 0.4 cfs for irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
- MAH 0.04 cfs for Domestic purposes from 1-1 to 12-31 (both dates inclusive)
5. Total quantity to be appropriated:

- a. 244 94 cubic feet per second and/or b. MAH 15 (5) acre-feet per annum.
MAH

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. Hydraulic Ram from creek to ditches
for irrigation and to pond for storage.

- b. Height of storage dam 8 feet, active reservoir capacity 10 acre-feet; total reservoir capacity 15 acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage 4-1 to 10-1 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 4 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 1E B.M.

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

- (3) List number of each kind of livestock to be watered _____

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

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
36N	1E	17																20	20

Total number of acres to be irrigated 20

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

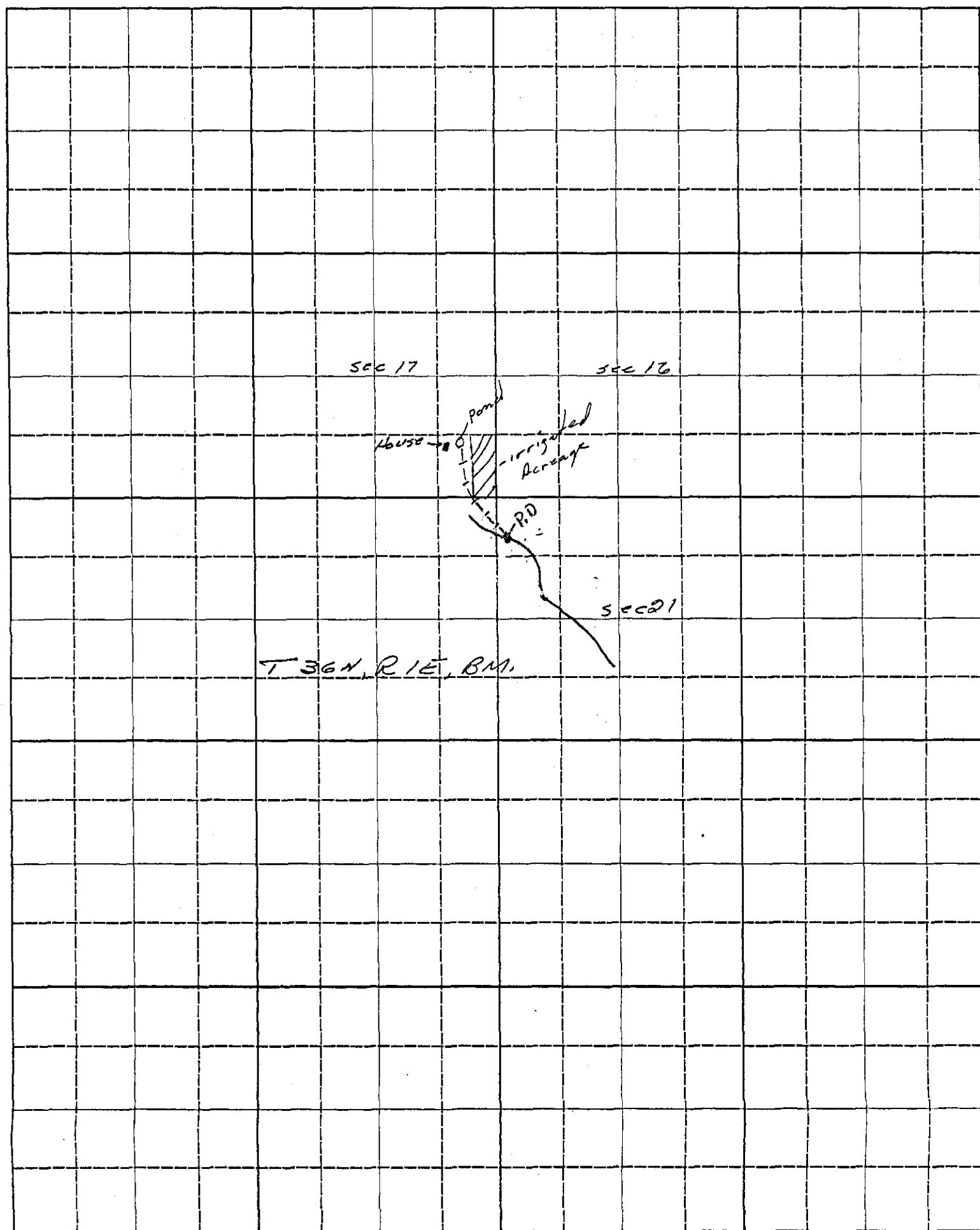
9. a. Who owns the property at the point of diversion Applicant

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.



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 KK Date 3/25/80 Time 1:00P
Preliminary check by _____ Fee \$ 135.00
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