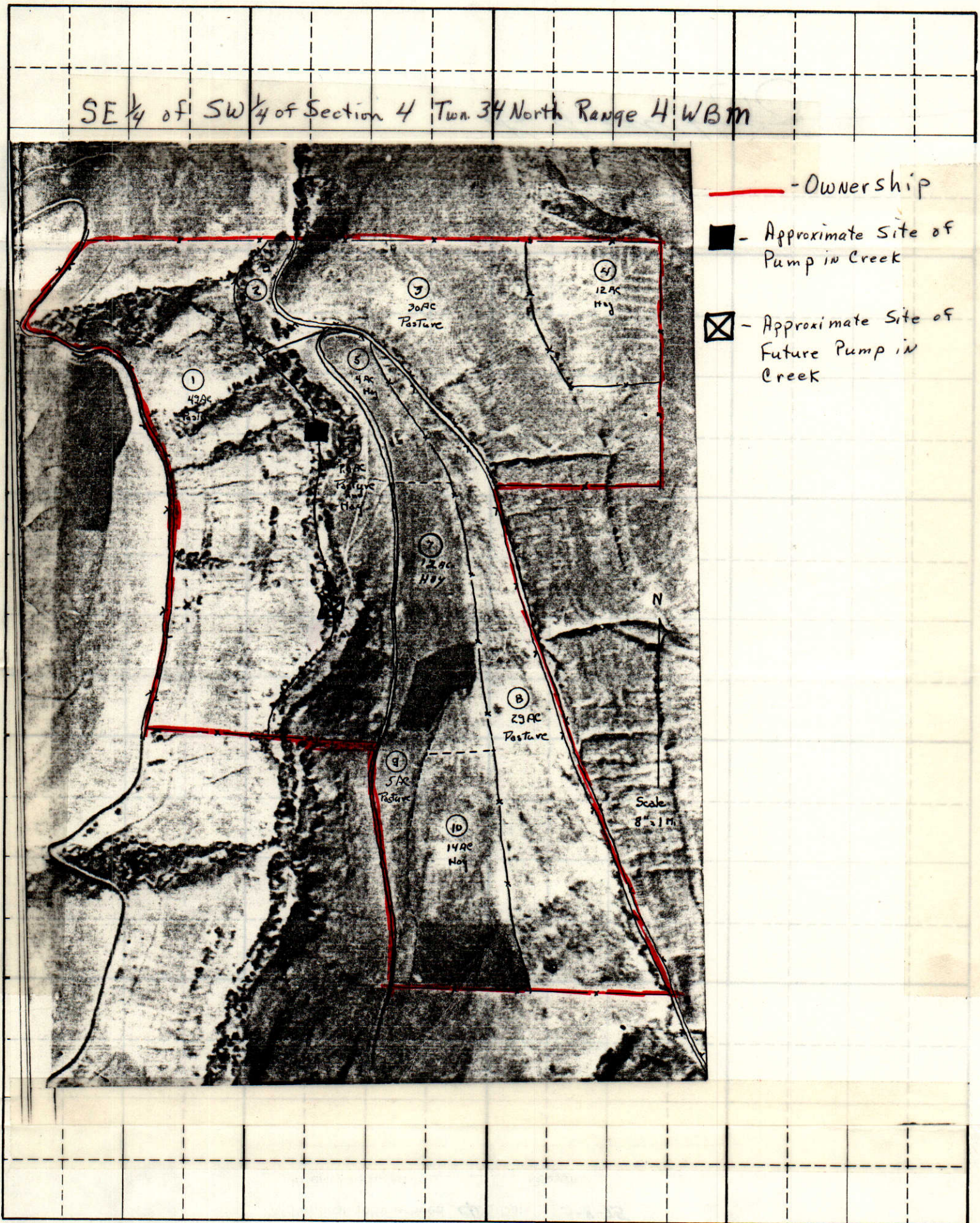


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Bernard Foreman
(Applicant)

Creek is in E $\frac{1}{2}$ of SW $\frac{1}{4}$
of Sec 4 T 34 N
R 4 W

PUBLISHER'S AFFIDAVIT OF PUBLICATION

RECEIVED

APR 8 1975

Department of Water Resources
Northern District Office

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bernard Forsman, 619 Preston, Lewiston, Idaho, has on March 17, 1975 submitted Application No. 85-7098 for a permit to appropriate 0.10 cubic feet per second of water from Sweetwater Creek, tributary of Lapwai Creek by means of pump, pipeline, and sprinklers within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 34N, R. 4W, B.M., Nez Perce County to be used from March 15 to Nov. 15 for the irrigation of five acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 34N, R. 4W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before April 14, 1975.

R. KEITH HIGGINSON
Director

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

D.N. Sinclair, being duly sworn deposes and says, I am the Personnel Manager 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 attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 27th day of March, A. D. 1975, and the last publication thereof being on the 3rd day of April, A. D. 1975, and said Notice of Application 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.

D.N. Sinclair

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

3rd day of April, 1975.

Norman W. Rich 8-28-76
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

MAP (Attach Aerial Photo)

A 10x10 grid with dashed lines. Handwritten blue text includes "R4W" at row 3, column 4; "T34N" at row 5, column 3; and "2d x 1/10" at row 6, column 4. Small blue "H" marks are at (3,4), (3,6), (6,4), and (6,6). Faint pink diagonal lines are in the right half of the grid.

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: SE SW 4 T34N R4W

Place(s) of Use

[illegible]

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Change P.U. as reflected above

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

Examiner's Signature _____

Checked by

Approved by

Date _____

ate

.e

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 85-7098 Priority March 17, 1975 Amount 0.10 cfs

THIS IS TO CERTIFY, that Bernard Forsman
of Lapwai, Idaho, has complied with the terms and conditions of Permit
No. 85-7098 issued pursuant to Application for Permit dated March 17, 1975,
and has submitted proof to the Department of Water Resources on April 24, 1980,
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 0.19 cfs of water from Sweetwater Creek,
tributary to Lapwai 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
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.10</u> cfs and	<u>15.0</u> acre feet
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.10 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
15.0 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, Twp.
34N, Rge. 4W in the County of Nez Perce

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$
34N	4W	4																5

Total number of acres irrigated 5

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, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
August, 19 82.

Director

Identification No. 85-7098

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Bernard Forsman Phone: 746-1203
post office address 619 Preston Lewiston, Idaho 83501
2. Source of water supply Sweetwater Creek which is a tributary of Lapwai Creek
3. a. Location of point of diversion is ^{2 Points} SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 34 N.
Range 4 W. B.M. Nez Perce County; additional points of diversion if any: _____
as shown under paragraph 11 in same area
- b. If water is not consumed, it will be discharged into Sweetwater Creek at a point in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 4 Township 34 N. Range 4 W. B.M. _____
4. Water will be used for the following purposes:
Amount .10 cfs for irrigation purpose from May, 1973 to date (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .10 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Electric centrifugal 3 h.p. pump
and pipe sprinklers
- b. Height of storage dam none feet, active reservoir capacity n/a acre feet; total reservoir capacity n/a acre feet, materials used in storage dam: n/a
Period of year during which storage will occur n/a to n/a inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is n/a inches; proposed depth of well is n/a feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 ~~years~~ xxxxx immediately.
b. Estimated construction cost is \$ none.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp 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 _____
(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:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
34 N	4WBM	4			●								5						

Total number of acres to be irrigated approx. 5

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

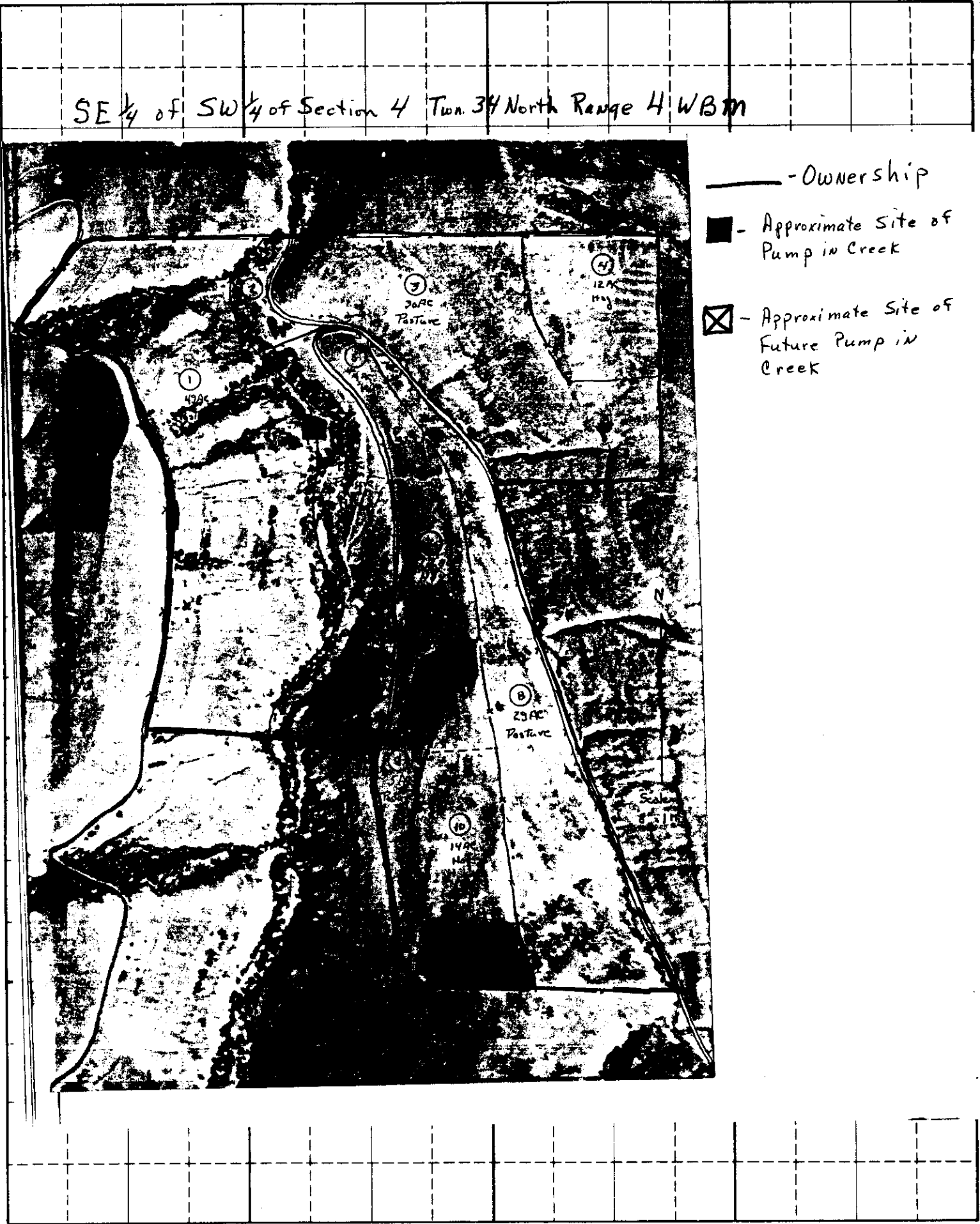
9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use 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 A pump will be placed in Sweetwater Creek and water pumped into the pipe and sprinkler irrigation system for purposes of watering hay ground and pasture.

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.

Bernard Foreman
(Applicant)

Proposed Priority 3-17-1975

Received by CP Date 3-17-75 Time 12:30 p.m.

Preliminary check by AP Fee \$ 10.00

Receipted by AP Date 3-17-75 # 828

Publication prepared by CP Date 3-21-75

Published in Lewiston Morning Tribune

Publication dates 3-27 & 4-3-75

Publication approved CP Date 3-8-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by BDF

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. 85-7098, 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 May 1, 1976.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 19 day of April 19 75.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE DATE
IN CONNECTION WITH PERMIT NO. 85-7098 IN THE
NAME OF BERNARD FORSMAN

ORDER

WHEREAS, on March 17, 1975, Bernard Forsman applied to the Department of Water Resources for a permit to appropriate 0.10 cubic feet per second of water from Sweetwater Creek, tributary to the Lapwai Creek, to be diverted from within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp. 34N, Rge. 4W, B.M., Nez Perce County, to be used for irrigation purposes; and,

WHEREAS, on April 19, 1975, the Department approved said application and issued Permit No. 85-7098 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before May 1, 1976; and,

WHEREAS, on March 9, 1976, the permit holder submitted a request for an extension of time; and,

WHEREAS, it appears that under the circumstances, the permit holder has been proceeding with reasonable diligence and has given good cause for delay;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use of water under Permit No. 85-7098 be extended to May 1, 1980.

Dated this 11 day of March, 1976.


A. KENNETH DUNN
Administrator, Operations Division

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 85-7098

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) SP 3/12/75

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant

(4) SP 3/12/75

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) CP 3/8

Affidavit of Publication received(date) April 8, 1975

(12) CP 3/21

Final date for protests April 14, 1975
Protests received: yes _____ no ☒

(13) SP 4/14/75

All requested information received from agencies or applicant: yes ☒ no _____

(14) SP 4/14/75

Action recommended:

☒ Approve _____ Deny

3/12/75 Proposed Priority

_____ Reason for Reduction

_____ Measuring device required

_____ See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Bozeman By John Campbell Date 4/14/75

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RECEIVED

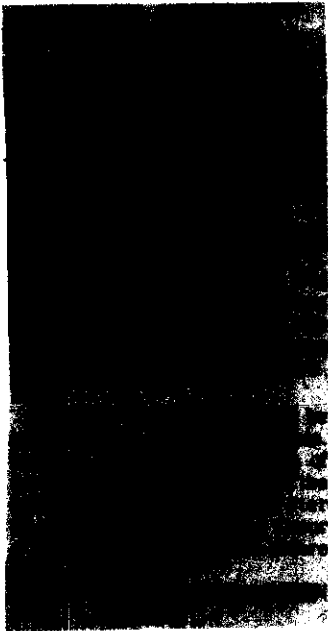
APR 16 1975

PUBLISHER'S AFFIDAVIT OF PUBLICATION

RECEIVED

APR 8 1975

Department of
Health



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

D.N. Sinclair, being duly sworn deposes and says, I am the Personnel Manager 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 attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 2 consecutive weeks, the first publication thereof being on the 27th day of March, A. D. 1975, and the last publication thereof being on the 3rd day of April, A. D. 1975, and said Notice of Application 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.

D.N. Sinclair

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

3rd day of April, 1975.

Norman W. Rich 8-28-76
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

MICROFILMED

DATE: 07/28/94
PAGE: 1

Audit: 03/12/85 05/14/88 CONVERT 07/28/94 CANDREGG



State of Idaho
DEPARTMENT OF WATER RESOURCES

Page 1

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 27, 1994

RECEIVED

JUL 28 1994

Department of Water Resources

Mr. and Mrs. Mark Tate, Jr.
P. O. Box 3
Lapwai, Id. 83540-0003

Re: WR #85-7098 & 85-7257

Dear Mr. and Mrs. Tate:

Thank you for your letter of April 6, 1994.

However, in order to show proof of change of ownership, we need to receive a copy of the warranty deed appurtenant to these water rights.

As soon as we receive proof of ownership, we will be able to submit a database change. Please be aware of the fact that we do not usually acknowledge the receipt of such information as it will not change the license itself. Only our database records will show the change and you will receive any future correspondence (if any) regarding these water rights. The information you send will be placed in the corresponding records file(s).

If you have any questions, please feel free to contact me at 327-7945.

Sincerely,

Carolyn Andregg
Carolyn Andregg
Vault Secretary

cc: file

Carolyn

This is a copy of my warranty deed.

*DB chd
7-28-94
CA*

*Charles
Mark Tate
7-26-94*

5264

RECEPTION
INDEXED
FILMED
DELIVERED
MAILED

FILED NO. 584579
INST. NO.
FILED FOR RECORD
FEE 12.00 REG. BY

1994 APR -6 P 3:54

DETTY J. WILSEY
RECORDER, NEZ PERCE CO. ID.

LAND TITLE

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE, made this 5th day of April, 1994, by

and between NED RICHARD SCHROEDER (also known as NED R. SCHROEDER), individually and as the duly appointed and qualified Personal Representative of the Estate of SUSAN PENNOCK SCHROEDER (also known as SUSAN P. SCHROEDER), deceased, Nez Perce County, Idaho, District Court Case No. SP9400156, as First Party and Grantor, and MARK A. TATE, JR. and FLOYDENE M. TATE, husband and wife, as Second Party and Grantees, whose current address is P.O. Box 3, Lapwai, Idaho 83540.

WITNESSETH:

First Party, by virtue of the power and authority given to Personal Representatives under the laws of the State of Idaho, pursuant to Section 15-3-715, Idaho Code, and in consideration of Ten (\$10.00) Dollars, and other good and valuable considerations paid by Second Party, does hereby grant, bargain, sell and convey unto Second Party, the following described property, situate in the County of Nez Perce, State of Idaho, to-wit:

The Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 4, Township 34 North, Range 4 West of the Boise Meridian, EXCEPT the following described parcels:

That part of the Northeast Quarter of the Southwest Quarter of said Section 4 and that part of the Southeast Quarter of the Southwest Quarter of Section 4 lying East of the following described line: commencing at the Northwest corner of said Section 4; thence South 32°22'03" East a distance of 3534.45 feet to the Point of Beginning; thence South 64°11'53" East a distance of 279.10 feet; thence South 42°54'14" West a distance of 107.69 feet; thence South 7°46'12" East a distance of

122.07 feet; thence South 38°51'48" East a distance of 422.96 feet; thence South 18°41'18" East a distance of 349.50 feet; thence South 4°04'57" East a distance of 368.76 feet; thence South 2°59'13" West a distance of 649.76 feet; thence South 6°38'50" West a distance of 277.93 feet to the fence line marking the South line of the Southeast Quarter of the Southwest Quarter and the Point of Terminus, and lying East of the record of survey recorded as Instrument No. 428117;

AND

A tract of land located in part of the Southwest Quarter of Section 4, Township 34 North, Range 4 West of the Boise Meridian, described as follows:

Commencing at the Northwest corner of said Section 4; thence East a distance of 1312.37 feet; thence South 2614.14 feet to the Point of Beginning; thence South 89°37'39" East a distance of 949.55 feet; thence South 45°22'11" West a distance of 519.54 feet; thence South 74°33'06" West a distance of 41.81 feet; thence South 45°45'31" East a distance of 234.80 feet; thence South 44°54'14" West a distance of 134.69 feet; thence South 69°58'03" West a distance of 654.70 feet; thence North 0°09'46" East a distance of 865.78 feet to the Point of Beginning.

INCLUDING water rights as evidenced by Water Right License No. 85-7098 and Water Right License No. 85-7257, copies of which are attached hereto.

SUBJECT TO Easement, including its terms, covenants and provisions as disclosed by instrument to Clearwater Power Company, recorded October 9, 1984, as Instrument No. 481076, records of Nez Perce County, Idaho.

SUBJECT TO Reservations contained in instrument recorded November 29, 1984, as Instrument No. 482544, records of Nez Perce County, Idaho, as follows: "Reserving unto the grantors, their heirs, successors, and assigns, an easement for ingress and egress over and across the existing road within the property described herein."

SUBJECT TO Reservations contained in instrument recorded September 10, 1952, in Book 189 of Deeds, at page 477, records of Nez Perce County, Idaho, as follows: "The United States Government reserves from the lands hereby granted, a right of way thereon for ditches or canals constructed by authority of the United States."

SUBJECT TO All rights of way for public utilities and public roads as the same now exist over and across the herein described property.

TO HAVE AND TO HOLD the said premises, with their appurtenances and also the estate therein, which Grantor has or has power to convey or dispose of, whether individually or as Personal Representative of said estate, or otherwise, unto said Grantees, their heirs and assigns forever. Said Grantor does covenant to and with the said Grantees that SUSAN PENNOCK SCHROEDER, deceased, was the owner in fee simple of said premises; that said premises are free and clear of all encumbrances except taxes and assessments for 1994 and thereafter; and that he will warrant and defend the same from all lawful claims whatsoever.

GRANTEES, BY THE ACCEPTANCE AND RECORDING OF THIS DEED, ACKNOWLEDGE THAT GRANTEES HAVE MADE A COMPLETE INSPECTION OF THE ABOVE-DESCRIBED REAL PROPERTY AND ARE IN ALL RESPECTS SATISFIED THEREWITH AND ACCEPT THE SAME "AS IS".

IN WITNESS WHEREOF, the parties have hereunto caused these premises to be executed the day and year hereinabove first written.

GRANTOR:

Ned Richard Schroeder
NED RICHARD SCHROEDER
Individually

Ned Richard Schroeder
NED RICHARD SCHROEDER
Personal Representative
Estate of SUSAN PENNOCK SCHROEDER

GRANTEES:

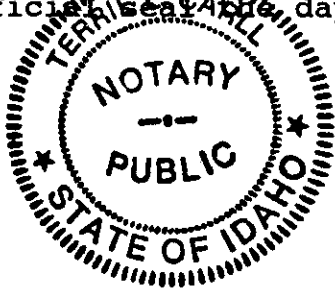
Mark A. Tate Jr.
MARK A. TATE, JR.

Floydene M. Tate
FLOYDENE M. TATE

STATE OF IDAHO)
 : ss
County of Nez Perce)

On this 5th day of April, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared NED RICHARD SCHROEDER, individually, and as Personal Representative of the Estate of SUSAN PENNOCK SCHROEDER, deceased, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 5th day and year first above written.

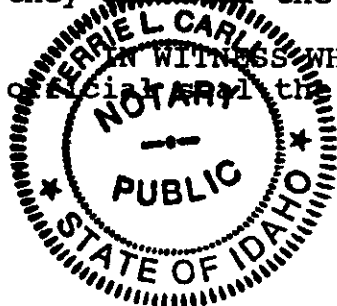


Terriel Carlisle
Notary Public in and for the
State of Idaho, residing at
Lewiston, therein.

My commission expires 4-13-98.

STATE OF IDAHO)
 : ss
County of Nez Perce)

On this 5th day of April, 1994, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared MARK A. TATE, JR., and FLOYDENE M. TATE, known or identified to me to be the persons whose names are subscribed to the within and foregoing instrument and acknowledged to me that they executed the same.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 5th day and year first above written.

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

My commission expires 4-13-98.



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 27, 1994

Mr. and Mrs. Mark Tate, Jr.
P. O. Box 3
Lapwai, Id. 83540-0003

Re: WR #85-7098 & 85-7257

Dear Mr. and Mrs. Tate:

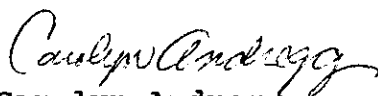
Thank you for your letter of April 6, 1994.

However, in order to show proof of change of ownership, we need to receive a copy of the warranty deed appurtenant to these water rights.

As soon as we receive proof of ownership, we will be able to submit a database change. Please be aware of the fact that we do not usually acknowledge the receipt of such information as it will not change the license itself. Only our database records will show the change and you will receive any future correspondence (if any) regarding these water rights. The information you send will be placed in the corresponding records file(s).

If you have any questions, please feel free to contact me at 327-7945.

Sincerely,


Carolyn Andregg
Vault Secretary

cc: file

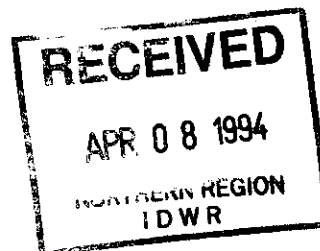
4-6-94

Dear Sir,

On 4-5-94 we bought 53.34 AC on Sweetwater Creek from Ned R + Susan P. Schroeder. Township 34 N Range 4 W Section 4, SE of SW County of Nez Perce, Idaho Water rights license # 85-7098 + # 85-7257. We would like our names changed to these licenses. Mark A. Jr + Floydene M. Tate Our address will be P.O. Box 3 Lapwai, Id 83540-0003. WK phone 843-2522 Hm phone now 882-8039.

Thank you
Mark A. Tate Jr

RECEIVED
APR 27 1994
Department of Water Resources



September 22, 1982

RE: Permit No. 85-7098

Bernard Forsman
Route #1, Box 197-B
Lapwai, ID 83540

Dear Mr. Forsman:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure





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

August 17, 1982

RE: Permit No. 85-7098

Bernard Forsman
Route #1, Box 197-B
Lapwai, ID 83540

Dear Mr. Forsman:

A representative of this Department has made an examination of the works covered by your Permit No. 85-7098, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.10 cfs Source: Sweetwater Creek

The maximum quantity diverted shall not exceed 15.0 acre feet
per year.

Point(s) of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp. 34N, Rge. 4W, Nez Perce County

Beneficial use: Irrigation of 5 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp.
34N, Rge. 4W

Priority date established: March 17, 1975

Conditions (if any):

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:RW

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

JUL 22 1982

JUL 22 1982
Department of Water Resources
Permit No. 85-7098
35-1

Permit No.

35-1

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:	5-30-80	JK	
	7/31/80	ZB	Nobody home
☐ Telephone call made:			
(List Telephone No. used)			
☐ Appointment scheduled for:			
(Date, time, location)			

EXAMINATION

Date 7/8/82 Accompanied by Bernard Forsman Total Q measured 0.19 cfs
If source is surface water, estimate total flow of source 0.5 cfs
Methods of measurement pressure reading Meets Permit requirements?

Measurement calculations: @ 25 psi = 6.54 gpm For 28 psi $Q = [(7.20 - 6.54) 3/5] + 6.54 = 6.94 \text{ gpm}$
 @ 30 psi = 7.20 gpm
 $Q = 12(6.54) = 83.29 \text{ gpm} = 0.19 \text{ cfs}$ CAPACITY Allow .10 as per permit
 $V = (3.0 \times 5) = 15 \text{ AFA}$ # .02 cfs/ac
 $.1 \times 1.9835 \times 214 = 42.4$ 5 ac x .02 = .10 cfs

[illegible]

System Description Pump with 2" intake with 1 1/2" sprinkles line and 12-7/32 rainbirds
x 5ac irrigation.

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

RECOMMENDED AMOUNTS

	USE	Q (cfs)	V (afa)	FROM	TO
Irrigation		0.10 ✓	15.0 AFA ✓	4/1	11/1
Total		0.10 ✓	15.0 AFA ✓		

Remarks 12 Rainbird 7/32 - ave pressure 2.8 psi. Supplemental to
irrigation fraction of 85-7257. Only one Pd

MICROFILM

A 10x10 grid with dashed lines for handwriting practice. The grid contains handwritten text and symbols:

- R4W** in the 3rd row, 4th column.
- T34N** in the 4th row, 3rd column.
- 2d** in the 5th row, 4th column.
- x** in the 5th row, 4th column.
- 1/10** in the 5th row, 4th column.
- 4** in the 3rd row, 4th column.
- 4** in the 3rd row, 6th column.
- 4** in the 5th row, 4th column.
- 4** in the 5th row, 6th column.

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

Point(s) of diversion: SE SW 4 T34N R4W

Place(s) of Use

[illegible]

Recommended Amendments:

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

Examiner's Signature L Beard

Checked by Bob Barnes

Approved by [Signature]

Date 7/15/82

Date 7/15/82

e 8282

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

May 30, 1980

Mr. Bernard Forsman
Rt. 1 Box 197-B
Larwai, Id. 83540

RE: 85-7098

Dear Mr. Forsman:

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. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 25-7099

Name(s) of Permit Holder: Bernard Foreman

Post Office Address: Route 7 Box 197-B

Lapwai Id. 83540

Tel. No. 208-4-843-7119

Source of Water: Sweet water Creek

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 5 (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

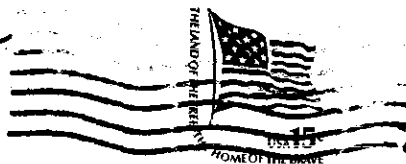
The above information is a true statement of the extent to which the above numbered permit has developed.

4-22-80

Date

Bernard Foreman
Signature of Permit Holder

Bernard L. L. L.
Route 1 Box 197-43
Lapwai, Id. 83740



RECEIVED

APR 24 1980



Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

NOT DELIVERABLE
AS ADDRESSEE IS
UNABLE TO FURNISH
RETURN ADDRESS
TO BE RETURNED TO
SENDER

Rt 1, Box 197 B
Tapiwa, ID
83540

RECEIVED

MAR 6 1980

Department of Water Resources

CERTIFIED MAIL
101845

MICROFILM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

FORSMAN, BERNARD
619 PRESTON
LEWISTON, ID 83501

101845

FEBRUARY 28, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 85-7098 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MAY 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

ENCLOSURE

March 15, 1976

Re: Permit No. 85-7098

Bernard Forsman
Route 1, Box 197-B
Lapwai, Idaho 83540

Dear Mr. Forsman:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to May 1, 1980.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

Permit # 85-7098

(New Address) Bernard Gorsman
Box 1 Box 197-13
Laramie, Idaho 83549

Mr. Keith Heggindon
Water Resources Board

MAR 9 1976

Dear Sir,

Department of Water Resources

Received your "Certified" letter dated March 1, 1976.
In regard to the water right permit Number 85-7098.

We would greatly appreciate an extension of
time to complete the work we have planned
to do. I have a full time job in addition to
our ranch.

We recently moved from Lewiston to the ranch
and the ranch will be our permanent home.

It was impossible to work this winter. We
spent most of our spare time last year
preparing to move and moving as well as
getting other needed work done.

We fully intend to complete the work necessary
to prove "beneficial use." No changes have been
made in the original plans.

We would appreciate one more year to complete
the work if at all possible. I will have
some time off in the late summer and can
complete it then.

Sincerely,
Bernard Gorsman

ms

Bernard Foreman
Route 1 Box 197-B
Lapwai, Idaho
83540
RE-permit #85-7098



State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho
83720

PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Bernard Larsman

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

138408

(Always obtain signature of addressee or agent)

I have received the article described above.

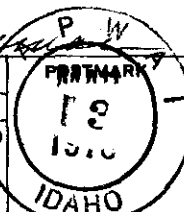
SIGNATURE ☐ Addressee ☐ Authorized agent

Bernard Larsman

4. DATE OF DELIVERY

3-3-76

5. ADDRESS (Complete only if requested)



6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

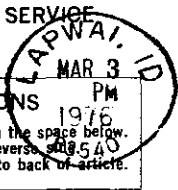
DM

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse and 540
- Moisten gummed ends and attach to back of article.



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

March 1, 1976

CERTIFIED MAIL

138408

Re: Permit No. 85-7098

Bernard Forsman
619 Preston
Lewiston, Idaho 83501

Dear Mr. Forsman:

One of the conditions of approval of your water Permit No. 85-7098 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before May 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

April 21, 1975

Re: Permit No. 85-7098

Mr. Bernard Forsman
619 Preston
Lewiston, Idaho 83501

Dear Mr. Forsman:

Enclosed is a copy of your approved Application for Permit No. 85-7098. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN DISTRICT

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Room 209
401 Front Avenue
Coeur d'Alene, Idaho 83814
(208) 667-6484

March 21, 1975

Re: Application No. 85-7098 - Bernard Forsman
Claim No. 85-4062 - Dean L. Thompson

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enc: Legal Notice(s)

RECEIVED

Bill: 3-8-75. p

THE *Tribune* PUBLISHING CO.

Producers of Printing and Distribution
 5th & C Sts. Lewiston, Idaho 83501
 Phone 743-0411

RECEIVED

Sold to

Dept. of Water Resources

APR 8 1975

401 Front Ave.

Coeur d' Alene, Idaho 83814 Department of Water Resources
 Northern District Office

Date April 3, 1975

acct # 96475

Requisition No.	Job No.	Quantity	DESCRIPTION	Amount
			Notice of Application for Water Permit (Forsman) 29 lines 2 times @ 37¢ MICROFILMED THANK YOU FOR YOUR PATRONAGE Check Your Order Carefully and Call Us If Not Satisfactory	\$10/73

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

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Bernard Forsman,
619 Preston, Lewiston, Idaho
has on March 17, 1975 submitted Application No. 85-7098
for a permit to appropriate 0.10 cubic feet per second ~~XXXXXXXXXXXX~~
of water from Sweetwater Creek, tributary of Lapwai Creek
by means of pump, pipeline, and sprinklers
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 34N, R. 4W, B.M., Nez Perce County

to be used from March 15 to Nov. 15
for the irrigation of five acres
within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 34N, R. 4W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before April 14, 1975.

R. KEITH HIGGINSON

Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho
on March 27 and April 3, 1975

MICROFILMED

March 21, 1975

Re: Application for Permit No. 85-7098

Mr. Bernard Forsman
619 Preston
Lewiston, ID 83501

Dear Mr. Forsman:

Attached is your receipt No. 828 in the amount of \$10 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Attachment

MICROFILMED

WARE, STELLMON & O'CONNELL

LAWYERS

LEWISTON PROFESSIONAL BUILDING

1219 IDAHO STREET

LEWISTON, IDAHO 83501

MARCUS J. WARE
ELBERT A. STELLMON
DANIEL W. O'CONNELL
WILLIAM A. STELLMON

AREA CODE 208
TELEPHONE 743-1516
P. O. DRAWER 935
CABLE ADDRESS: WASCO

March 12, 1975

Department of Water Resources
Norther District Office
401 Front Avenue
Room 209
Coeur d'Alene, Idaho 83814

RECEIVED
March 17 1975
Department of Water Resources
Northern District Office

Gentlemen:

Bernard Forsman

We enclose application for Permit, together with check for \$10.00 payable to your order of the above named individual, for use of water from Sweetwater Creek.

Very truly yours,

WARE, STELLMON & O'CONNELL


William A. Stellmon

WAS:hnh

enclosures

MICROFILMED

WATER RIGHT NUMBER 85-7098

OWNER LAST NAME - FORSMAN

FIRST NAME - BERNARD

ORIG OWNER -

ADDRESS LINE 1 - RT 1 BOX 197-B

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - LAPWAI

STATE - ID ZIP CODE - 83540

SOURCE - SWEETWATER CREEK

TRIBUTARY OF - LAPWAI CREEK

STAGE - PERMIT

STATUS -

PRIORITY - 03-17-1975

COUNTY - NEZ PERCE

TOTAL DIV. RATE -

.1000 -CFS

TOTAL DIV. VOLUME - 15.0

.00 AFA TRK/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESW 04 34N 04W LOT REDIV -

272.0 48.0

7.0

5.0

0.0

0.0

0.0

0.0

0.0

0.0

5.4

FROM - 03-15 TO - 11-15 USE - IRRIGATION

USE DIV. RATE -

.1000 CFS

USE DIV. VOLUME -

15.0 .00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 34N RNG 04W SEC 04 TRACT SESW LOT AC 05

DECREE NAME -

DATE -

TOTAL ACRES

5

X → REMARKS - 2 P/D SESW, S4, T34N, R4W.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE - 05-01-1980 PERMIT/DENIED - 04-19-1975 PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - P FLD EXAM - COND. OF APPROVAL -

DIVERSION MEANS - PUMP, PIPELINE & SPRINKLERS.