

[illegible][illegible]

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.

85 7048

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 85-7048 Priority November 20, 1972 Amount 0.10 cfs

THIS IS TO CERTIFY, that FRANK A. HOPKINS
of Culdesac, Idaho, has complied with the terms and conditions of Permit
No. 85-7048 issued pursuant to Application for Permit dated November 20, 1972,
and has submitted proof to the Department of Water Resources on November 4, 1977,
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 0.10 cfs of water from springs,
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
Domestic	from January 1 to December 31	at 0.02 cfs and	1.2 acre feet
Stockwater	from January 1 to December 31	at 0.02 cfs and	0.7 acre feet
Irrigation	from April 1 to November 1 (both dates inclusive)	at 0.06 cfs and	15 acre feet

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 is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
16.9 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 35N,
Rge. 3W, B.M. 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 $\frac{1}{4}$	
35N	3W	23							X	5					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 30 day of
April, 19 80.

Director

Identification No. 85-7048

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

- 1 Name of applicant Frank A. Hopkins
post office address P. O. Box 33, Culesac, Idaho 83524, Phone # VI3-5270
- 2 Source of water supply springs on my own land which is a tributary of Lapwai Creek
- 3 a Location of point of diversion is (S. of) se 1/4 of nw 1/4 of Section 23 Township 35 N
Range 3 W B.M. NezPerce County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into small unnamed stream at a point in N W 1/4
of N W 1/4 of Section 23 Township 35 N Range 3 W B.M.
- 4 Water will be used for the following purposes:
Amount .02 cfs for house use purpose from January 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .02 cfs for stock water purpose from January 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .16 cfs for Irrigation purpose from April 15th. to Nov. 1st. (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. .20 cubic feet per second and/or
b. _____ acre feet per annum
- 6 Proposed diverting works
a. Description of ditches, flumes, pumps, headgates, etc. 3 in. plastic pipe under natural gravity

b. Height of storage dam 2 feet, active reservoir capacity .001 acre feet; total reservoir
capacity .02 acre feet, materials used in storage dam: small cement dam or steel storage
tank
Period of year during which storage will occur April 15th. to November 1st. inclusive
(Mo. Day) (Mo. Day)
c Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years
b Estimated construction cost is \$ 2000.
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water SW 1/4 of NW 1/4 of Section 23 Township 35 N.
Range 3 W 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 25 head of beef cattle and 5 head of
Horses
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water (none)
(5) If water is to be used for other purposes describe _____

85 7048

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

TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
35 N	3WBM	23							10	5									15

Total number of acres to be irrigated 15

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

Claim # 85-4034 was filed to cover domestic & stockwater with a priority of 7/1/1930

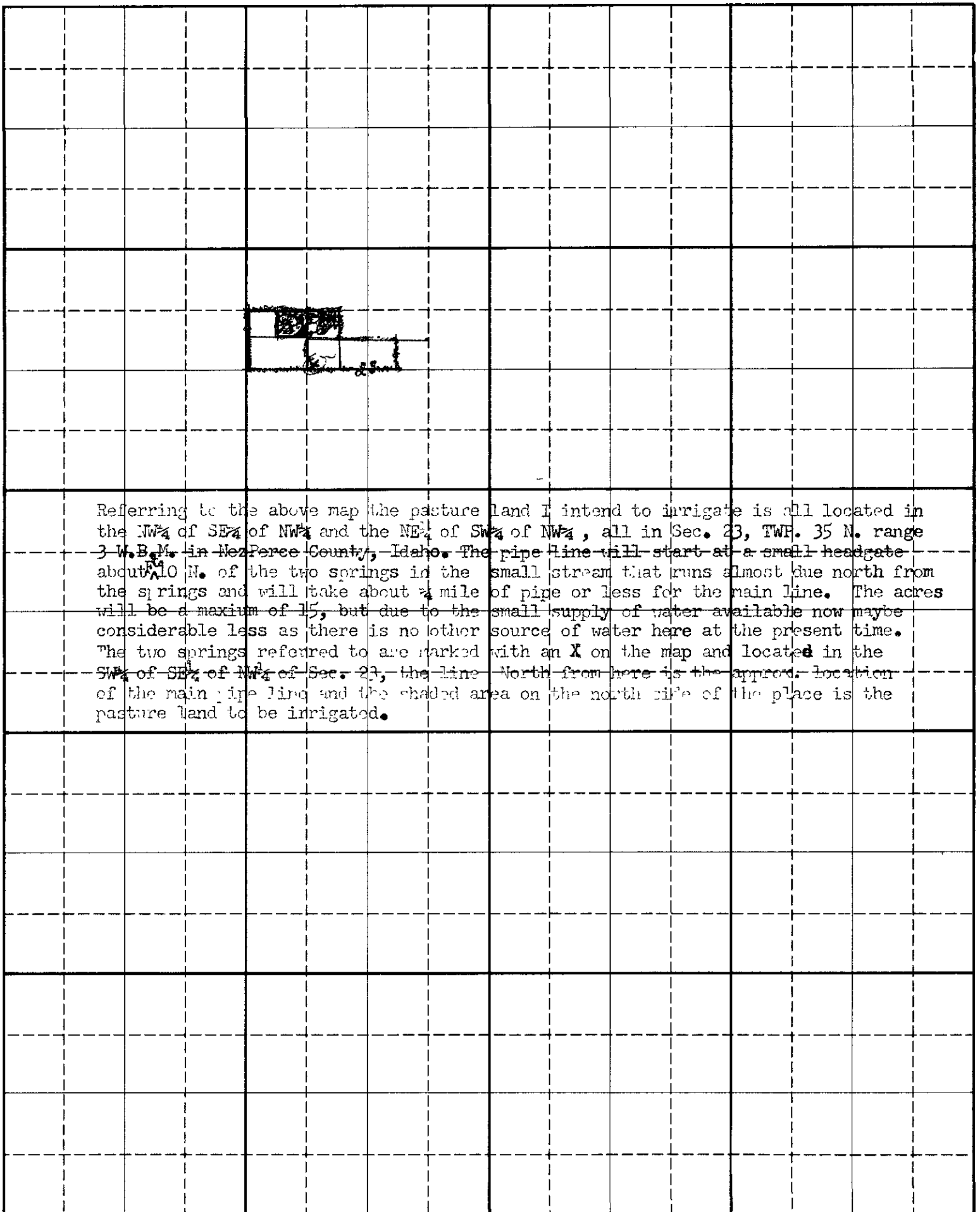
9 a. Who owns the property at the point of diversion Frank A. Hopkins, applicant

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

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 These two Springs are located within 30 ft. of each other on land I own and under present conditions will not produce over 20 gal. of water per minute, there is a small ^{nt} reservoir for each one and they have been piped to two different residents located on the same land within a $\frac{1}{4}$ mile of the springs for over 40 years to my knowledge. I still own one of these houses, the other one I sold ~~to~~ to Archie Hopkins of Culdesac, Idaho, together with one spring, but I reserved the overflow from his spring and all I want to do is to file for the right to use this overflow from both spring boxes for Irrig. and stock water, the water for both our residents comes first and I only wish to use the excess to improve my pasture and this is agreeable with him. He bought the house and about 3 acres of land out of the 30 acres listed on the application and I still own all the rest of it around him. The 3 Acres I sold are all located in the SE corner of the N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 23

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



Referring to the above map the pasture land I intend to irrigate is all located in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$, all in Sec. 23, TWP. 35 N. range 3 W. B. M. in Nez Perce County, Idaho. The pipe line will start at a small headgate about 10 N. of the two springs in the small stream that runs almost due north from the springs and will take about $\frac{1}{2}$ mile of pipe or less for the main line. The acres will be a maximum of 15, but due to the small supply of water available now maybe considerable less as there is no other source of water here at the present time. The two springs referred to are marked with an X on the map and located in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 23, the line North from here is the approx. location of the main pipe line and the shaded area on the north side of the place is the pasture land to be irrigated.

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.

Frank A. Hopkins
(Applicant)

85 7048

Received by cf Date 11-30-72 Time 2:00 PM

Preliminary check by D Fee \$ 10.00

Receipted by cf Date 11-30-72 Permit # 7068

Publication prepared by cr Date 12-1-72

Published in Lewiston Morning Tribune

Publication dates 12-7 & 12-14-72

Publication approved cf Date 1-4-73

Priority reduced to 11-20-72 Reason _____

Protests filed by _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 85-7048, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

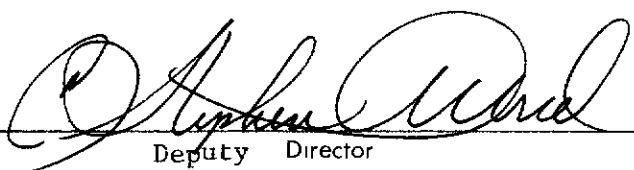
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 19 78.

c. Other _____

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

Witness my hand this 2nd day of March, 19 73.


Deputy Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)			Application No. <u>85-7048</u> Name <u>Frank Hopkins</u>
(2)			Check: ☒ Signature ☒ Point of Diversion <u>SENW</u> ☒ Quantity of Water and Period of Use <u>should be 3-15/11-15/ev I or</u> ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee
(3)			Send copies to: ☐ Idaho State Health Department ☐ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)			☐ Request Special Use Permit from U.S.F.S. ☐ Request Easement from B.L.M.
(5)	<u>FB</u>	<u>11-15-72</u>	In form for advertising _____
(6)	<u>CL</u>	<u>1-4-73</u>	Affidavit of Publication received <u>12-20-72</u>
(7)	<u>CL</u>	<u>12-1-72</u>	Final date for protests <u>DECEMBER 25, 1972</u> Protests received: yes _____ no <u>✓</u>
(8)			Date and Place of hearing _____ Decision reached at hearing _____
(9)			Located within Water District No. _____
(10)			Critical groundwater area: yes _____ no _____
(11)			Groundwater levels: ☐ Decline (comment) _____ ☐ Stable (comment) _____ ☐ Increasing (comment) _____
(12)			Comments: _____
(13)	<u>FB</u>	<u>2/26/73</u>	Action recommended: ☒ Approve Priority <u>11/20/72</u> ☐ Deny Reason for Reduction _____ See attached sheet for conditions of approval <u>FB</u> <u>2/26/73</u> No conditions for approval
(14)	<u>FB</u>	<u>2/26/73</u>	District <u>Porter</u> By <u>[Signature]</u> Date <u>2/26/73</u> Title <u>Superintendent</u>

85 7048

RECEIVED
DEPARTMENT OF WATER ADMINISTRATION
BOISE, IDAHO

PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frank A. Hopkins, P.O. Box 83, Culdesac, Idaho has on November 20, 1972 submitted Application No. 85-7048 for a permit to appropriate 0.20 cubic feet per second of water from springs, tributary of Lapwai Creek by means of pipe and gravity within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 35N, R. 3W, B.M., Nez Perce County to be used from Jan 1 to Dec. 31 for domestic (0.02 cfs) and stockwatering (0.02 cfs) purposes; and from April 15 to Nov. 1 for the irrigation of 15 acres (0.16 cfs) within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T. 35N, R. 3W, B.M. (domestic & stockwatering); S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23, T. 35N, R. 3W, B.M. (irrigation).

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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before December 25, 1972.

R. KEITH HIGGINSON
Director

STATE OF IDAHO, }
County of Nez Perce } ss

D. W. Sinclair

, being duly sworn

deposes and says, I am the ~~Office 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

time for two consecutive weeks, the

first publication thereof being on the 7th day of

December, A. D. 1972, and the last publica-

tion thereof being on the 14th day of December,

A. D. 1972, 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. W. Sinclair

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

12 day of December, 1972

Theresa Ann Kirk, Notary

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 7, 1980

Frank A. Hopkins
P.O. Box 83
Culdesac, Idaho 83524

Dear Mr. Hopkins,

RE: License No. 85-7043

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

Sincerely,

Jan Grover
JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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

April 9, 1980

Frank A. Hopkins
P.O. Box 83
Culdesac, ID 83524

Dear Mr. Hopkins:

A representative of this Department has made an examination of the works covered by your Permit No. 85-7048, and has found the following:

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

The maximum quantity diverted shall not exceed 16.9 acre feet
per year.

Point(s) of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 35N, Rge. 3W, B.M.

Beneficial use: Irrigation of 5 acres within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23; domestic
and stockwater use within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, Twp. 35N, Rge. 3W.

Priority date established: November 20, 1972

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,

JAN GROVER
Water Rights Supervisor

[illegible]

Diagram of System

DATE OF EXAM 8-7-79

ACREAGE

Found _____
Recommended _____

Irrigation Requirement 3.0 Ac Ft/Ac

USE

Irrigation Q = 0.06 c.f.s. V = 15.0 AF/Ann. from 4-15 to 11-1
Domestic Q = 0.02 c.f.s. V = 1.0 AF/Ann. from 1-1 to 12-31
Livestock Q = 0.02 c.f.s. V = 3.1 AF/Ann. from 1-1 to 12-31

Is water co-mingled? yes _____ no _____

Name source _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with _____
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge. _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 25 gpm (0.06 cfs) Method of measurement Pressure gauge

Total Q recommended 1.10 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 16.7 AF/Ann

Recommended Amendments:

P D _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION

(5) Turbo Zuck sprinkler with 1 REIDON nozzle (comparable to 60.30 gpm / 3/4" nozzle) @ 25 gpm = 0.06 cfs
(3) 2 = 25 gpm $\frac{25 \text{ gpm}}{1.488} = 0.06 \text{ cfs}$ Irr + 0.02 cfs (one home) + 0.02 cfs (stock) = 0.10 cfs
 $16.0 \text{ AF/Ann. Irr} + 0.7 \text{ AF/Ann. Stock} = 16.7 \text{ AF/Ann.}$

SYSTEM DESCRIPTION:

Developed spring with pipeline to dwelling, over then to sprinkling, etc. & stock

REMARKS:

Contacted Mr. M. - when he purchased a portion of a land, he has decided right to spring for one home. His home appears to be the one for which this App. was made. "They (the spring) have been pipes to two different landowners for over 10 years." (Hearg App. Per. Permit # 82-7248 Item # 10.)

Examiner's Signature J. K. Kim Date 8-16-79

Checked by Bob Haynes Date 8-31-79

Approved by _____ Date _____

November 9, 1977

Re: Permit No. 85-7048

Frank A. Hopkins
P. O. Box 83
Culdesac, Idaho 83524

Dear Mr. Hopkins:

We acknowledge receipt of the affidavit submitted as proof of beneficial 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 cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Coeur d'Alene.

Sincerely,

JANICE RENK
Water Rights

Identification No. ~~85-1001~~

Permit No. 85-7048

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Frank A. Hopkins
b) Post Office Address P. O. Box 22, Coldsac, Idaho 83424
2. Permit Number 85-7048
3. Date of Priority that you are prepared to establish 11/20/72
4. a) Source from which water was appropriated 2 springs on my own ranch which run into two separate small cement reservoirs for domestic use and I am only using the overflow for irrigation.
b) Location of the point of diversion. se 1/4 NW 1/4, Section 23
Township 35 N, Range 3 W Boise Meridian, Other points of diversion: none
5. a) The amount of water and use to which the water has been applied
Amount 0.08 cfs ~~one inch pipe and one inch pipe~~ Irrig. purposes from 1-1- to 10-1- incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.02 cfs for DOMESTIC purposes from JAN 1 to DEC 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 0.02 cfs for STOCKWATER purposes from JAN 1 to DEC 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 0.12 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: ESTIMATED
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use
b) Describe the agreement or understanding by which you take water from the works:
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well, if from surface water, give brief description of diversion structure and/or canal or ditch) The overflow from the two spring reservoirs is run into a 50 gallon steel bbl. and piped from there to the four acre pasture under natural gravity
b) Describe the type and size of measuring device which you have installed at your point of diversion:
c) Give well driller's name and address and the date the well was completed.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:
it is used some in the summer months for yards, garden and domestic use around the buildings on the ranch in this same location
S24NW1/4 S-23 T-59N R-3W DOMESTIC & STOCKWATER

11/27/72

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision. about 4 acres of pasture irrigated plus some domestic use all in the SE 1/4 of the NE 1/4 of Section 23, T1N, R35W, Range 3 T1N in Nez Perce County, Idaho.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
35N	3W	23							2										4

Total number of acres irrigated approx. 4 acres

10. Remarks: I am only using the overflow from the two reservoirs for irrigation

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

10 28 71
(Date)

Frank A. Hopkins
(Signature)

State of Idaho)
) ss.
County of Nez Perce)

On this 28 day of October, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Celia Burt
Notary Public residing at Nez Perce, Id.

My commission expires September

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

January 9, 1973

Re: Application for Permit No. 85-7048 - Frank A. Hopkins
Claim to a Water Right No. 85-4034 - " " "
" " " " " " 85-4035 - Archie E. Hopkins

Donald A. Anderson
Route #2, Box 2
Culdesac, ID 83524

Dear Mr. Anderson:

Enclosed please find a copy of the application No. 85-7048 in the name of Frank A. Hopkins. As you can see, the requirement for a description is by 40-acre tracts and Mr. Hopkins lists the point of diversion and place of use to his own property. This information was also contained in our legal notice published in the Lewiston Morning Tribune on December 7 and December 14, 1972.

The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity less than applied for, or approve the permit subject to special conditions.

The last day that we could receive protests on this application was December 25, 1972; however, because of the holidays and the fact that your letter was dated December 23, we will allow you ten days in which to file a protest in accordance with the above items. Please submit this protest on or before January 19, 1973.

Page 2

Re: 85-7048, 85-4034, and 85-4035

Donald A. Anderson

January 9, 1973

A protest against the Claims No. 85-4034 and 85-4035 may be filed any time. The same general rules for these claims should be followed as in the application. Also, each application and claim protest must be a separate item.

The fee for the enclosed copies is \$.75. Please make checks payable to the Idaho Department of Water Administration. Additional copies of the claims are available upon request.

If you should have any questions, or if we can be of further assistance, please feel free to contact us.

Very truly yours,

Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

Enc: Copy of Application
Application for Permit form
w/instructions

cc: Keith Lunders
Route #2, Box 1-E
Culdesac, ID 83524

bcc: State Office w/

85 1211

December, 23, 1972

Idaho Department of Water Administration
401 Front Ave.
Coeur d'Alene, Idaho 83814

RECEIVED

27

Attn: Mr. R. Keith Higginson

Dear Mr. Higginson:

This is a Protest of granting Water Rights and Water Permits on the following Applications:

- (1) Notice of Claim to a Water Right No. 85-4034
Frank A. Hopkins: P.O. Box 83, Culdesac, Idaho
- (2) Notice of Claim to a Water Right No. 85-4035
Archie E. Hopkins, Culdesac, Idaho
- (3) Notice of Application for Water Permit No. 85-7048
Frank A. Hopkins; P.O. Box 83, Culdesac, Idaho

This Protest is being filed with your office, because of the lack of a suitable description of the locations of the springs, and creeks. This information had been requested from your office on Monday, December 18, 1972 by Telephone, and as of this date, it hasn't been received.

Thank you for your immediate attention on this matter, Please send applications and instructions on how to apply for Water Rights and Water Permits.

Respectfully Yours,

Donald A. Andersen

Donald A. Andersen
Rt 2 Box 2
Culdesac, Idaho 83524

Keith Lunders

Keith Lunders
Rt 2 Box 4-E
Culdesac, Idaho 83524

85 12 17

March 2, 1973

Re. Permit No.: 85-7048

Frank A. Hopkins
P. O. Box 83
Culdesac, Idaho 83524

Dear Mr. Hopkins:

Enclosed is a copy of your approved Application for Permit No. 85-7048 . We
direct your attention to the conditions of approval as listed on the fourth page.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF: cd

Enclosures

85 7048

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

January 9, 1973

Re: Application for Permit No. 85-7048 - Frank A. Hopkins
Claim to a Water Right No. 85-4034 - " " "
" " " " " " 85-4035 - Archie E. Hopkins

Donald A. Anderson
Route #2, Box 2
Culdesac, ID 83524

Dear Mr. Anderson:

Enclosed please find a copy of the application No. 85-7048 in the name of Frank A. Hopkins. As you can see, the requirement for a description is by 40-acre tracts and Mr. Hopkins lists the point of diversion and place of use to his own property. This information was also contained in our legal notice published in the Lewiston Morning Tribune on December 7 and December 14, 1972.

The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity less than applied for, or approve the permit subject to special conditions.

The last day that we could receive protests on this application was December 25, 1972; however, because of the holidays and the fact that your letter was dated December 23, we will allow you ten days in which to file a protest in accordance with the above items. Please submit this protest on or before January 19, 1973.

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Re: 85-7048, 85-4034, and 85-4035

Donald A. Anderson

January 9, 1973

A protest against the Claims No. 85-4034 and 85-4035 may be filed any time. The same general rules for these claims should be followed as in the application. Also, each application and claim protest must be a separate item.

The fee for the enclosed copies is \$.75. Please make checks payable to the Idaho Department of Water Administration. Additional copies of the claims are available upon request.

If you should have any questions, or if we can be of further assistance, please feel free to contact us.

Very truly yours,

Ervin E. Ballou
Water Resource Examiner
Northern District

EEB:cr

Enc: Copy of Application
Application for Permit form
w/instructions

cc: Keith Lunders
Route #2, Box 1-E
Culdesac, ID 83524

bcc: State Office

85 7048

December, 23, 1972

Idaho Department of Water Administration
401 Front Ave.
Coeur d'Alene, Idaho 83814

27

Attn: Mr. R. Keith Higginson

Dear Mr. Higginson:

This is a Protest of granting Water Rights and Water Permits on the following Applications:

(1) Notice of Claim to a Water Right No. 85-4034

Frank A. Hopkins; P.O. Box 83, Culdesac, Idaho

(2) Notice of Claim to a Water Right No. 85-4035

Archie E. Hopkins, Culdesac, Idaho

(3) Notice of Application for Water Permit No. 85-7048

Frank A. Hopkins; P.O. Box 83, Culdesac, Idaho

This Protest is being filed with your office, because of the lack of a suitable description of the locations of the springs, and creeks. This information had been requested from your office on Monday, December 18, 1972 by Telephone, and as of this date, it hasn't been received.

Thank you for your immediate attention on this matter. Please send applications and instructions on how to apply for Water Rights and Water Permits.

Respectfully Yours,

Donald A. Andersen

Donald A. Andersen

Rt 2 Box 2

Culdesac, Idaho 83524

Keith Lunders

Keith Lunders

Rt 2 Box 1-E

Culdesac, Idaho 83524

85 117

December 4, 1972

Re: Application for Permit No. 85-7048

Frank A. Hopkins
P.O. Box 83
Culdesac, ID 83524

Dear Mr. Hopkins:

Attached herewith is your receipt No. 9068 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
Water Resource Supervisor
Northern District

FE:CR

Enc: Receipt

85 7048

December 1, 1972

Re: Application for Permit No. 85-7048 - Frank A. Hopkins

Lewiston Morning Tribune
505 C Street
Lewiston, ID 83501

Gentlemen:

Enclosed you will find 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 the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Water Resource Supervisor
Northern District

Bill submitted 1-11-73 by ck.

FE:CR

Enc: Legal Notice

85 7048

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Sold to

State of Idaho
Dept. of Water Admin.
401 Iron Ave. Rm. 209
Coeur D'Alene, Idaho 83814

Date Dec. 14th, 19 72

REQUISITION NO.	JOB NO.	QUANTITY	DESCRIPTION	AMOUNT
			Notice of Application For Water Permit 32 Lines, 2 times Signed: <u>Tribune Publishing Co.</u> By: <u>[Signature]</u> Office Manager THANK YOU FOR YOUR PATRONAGE CHECK YOUR ORDER CAREFULLY AND CALL US IF NOT SATISFACTORY	11.84

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Frank A. Hopkins,
P.O. Box 83, Culdesac, Idaho

has on November 20, 1972 submitted Application No. 85-7048
for a permit to appropriate 0.20 cubic feet per second XXXXXXXXXXXXXXXXXXXX
of water from springs, tributary of Lapwai Creek
by means of pipe and gravity
within the SE 1/4 NW 1/4, Sec. 23, T. 35N, R. 3W, B.M., Nez Perce County

to be used from Jan. 1 to Dec. 31 for domestic (0.02 cfs) and stockwatering
xxx (0.02 cfs) purposes; and from April 15 to Nov. 1 for the irrigation of
for 15 acres (0.16 cfs)

within the SW 1/4 NW 1/4, Sec. 23, T. 35N, R. 3W, B.M. (domestic & stockwatering);
S 1/2 NW 1/4, Sec. 23, T. 35N, R. 3W, B.M. (irrigation)

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 Administration, 401 Front Ave., Coeur d'Alene, Idaho, 83814 on or before
December 25, 1972

R. KEITH HIGGINSON

Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho

on Dec. 7 and Dec. 14, 1972

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that Frank A Hopkins, P O Box 83, Culdesac, Idaho has on November 20, 1972 submitted Application No 86-7048, for a permit to appropriate 0.20 cubic feet per second of water from springs, tributary of Lapwai Creek by means of pipe and gravity within the SE¹/₄NW¹/₄, Sec 23, T 35N, R. 3W, B.M., Nez Perce County to be used from Jan 1 to Dec 31 for domestic (0.02 cfs) and stockwatering (0.02 cfs) purposes and from April 15 to Nov 1 for the irrigation of 15 acres (0.16 cfs) within the SW¹/₄NW¹/₄, Sec 23, T 35N, R 3W, B.M. domestic & stockwatering S¹/₂NW¹/₄, Sec 23 T 35N, R 3W, B.M. (irrigation)

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 Administration, 401 Front Ave, Coeur d Alene, Idaho 83814 on or before December 25, 1972

R KEITH HIGGINSON
Director

Published in the Lewiston Morning Tribune, Lewiston Idaho on Dec 7 and Dec 14, 1972.