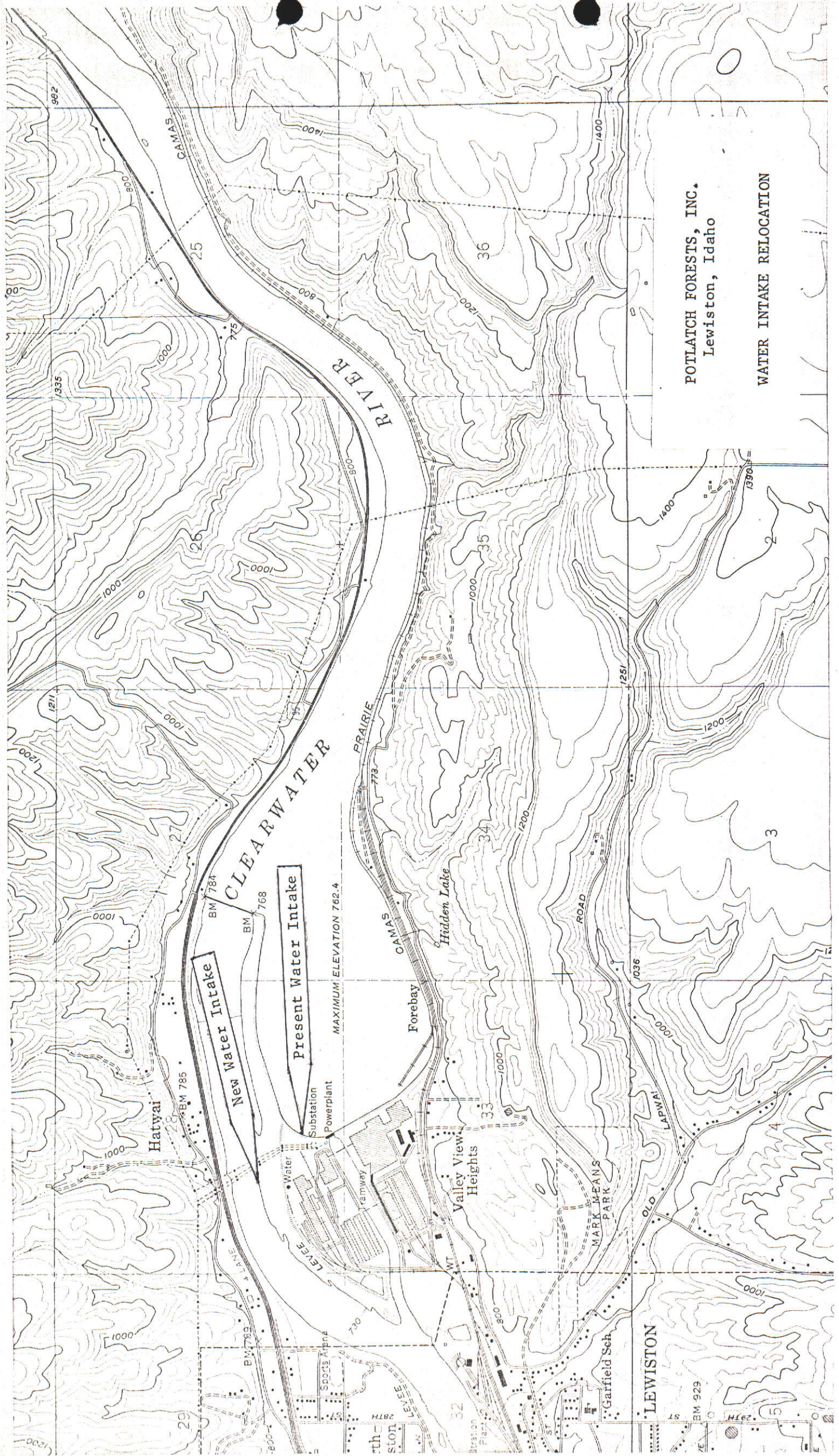




POTLATCH FORESTS, INC.
Lewiston, Idaho

WATER INTAKE RELOCATION

86 4008

PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 86-4008

Notice is hereby given that Potlatch Forests, Inc. of Box 1016, Lewiston, Idaho has applied to the Department of Water Administration for a change of point of diversion of the waters of the Clearwater River, Tributary to the Snake River. The right sought to be changed is evidenced by Claim No. 86-4008 and application of the water to a beneficial use and is recorded as follows: Amount: 30 c.f.s. Priority: October 17, 1963 Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Twp. 36N, Rge. 5W, B.M., Nez Perce County. The water is used for manufacturing purposes from January 1 to December 31, **TO BE CHANGED AS FOLLOWS**

Amount: 30 c.f.s. To be diverted from a point within NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Twp. 36N, Rge. 5W, B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before August 30, 1971.

R. KEITH HIGGINSON
Director

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

D.N. Sinclair

Department of Water Administration, 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 Proposed Change of Water Right attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for two consecutive weeks, the first publication thereof being on the 12th day of August, A. D. 19 71, and the last publication thereof being on the 19th day of August, A. D. 19 71, and said Notice of Proposed Change of Water Right 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

19th day of August, 19 71.

J. H. Harris

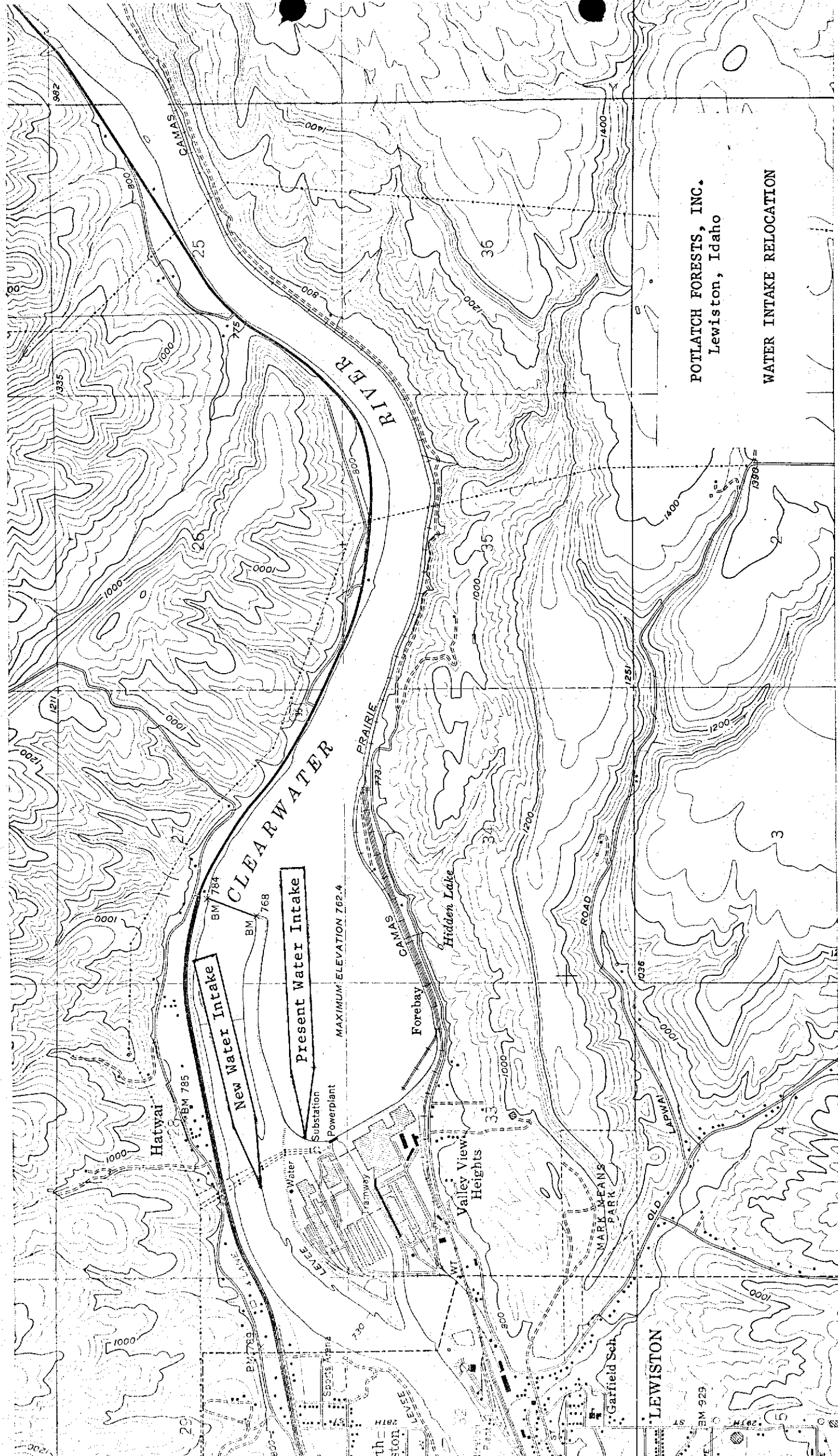
Notary Public in and for the State of Idaho,
residing at Lewiston, therein.

Transfer No

~~86-4008~~ 85-4108

~~86-4008~~
85-4108

Receipt 6375



POTLATCH FORESTS, INC.
Lewiston, Idaho

WATER INTAKE RELOCATION

b. Do you intend to make the transfer permanent? _____

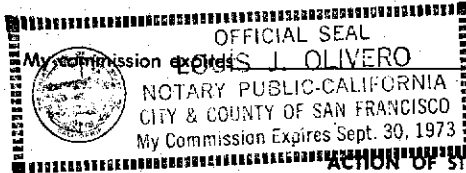
c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 13th day of July, 19 71
James J. Olivero (signature of applicant) V.P.
James J. Olivero (notary public)



**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 86-4008
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:
That an adequate measuring device of a type approved by this
Department be permanently installed and maintained.

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

Witness my hand this 13th day of September, 19 71.
Stephen A. Clark
State Reclamation Engineer
DEPUTY DIRECTOR

FOR DEPARTMENT USE ONLY

Received by COA Date 7-8-71 Protest filed by: _____ Date: _____
Prelim. check by COA Date: _____
Fee received by COA Date 7/8/71 Fee \$30.00
Approved for publication by D
LEWISTON
Published in Morning Dates 8-12 + 8-19, 1971
TRIBUNE
Hearing held: _____

Watermaster Recommendation sent: _____

86 4008

Identification No. 86-4008P

Claim No. _____

Map No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant POTLATCH FORESTS, INC.
post office address P.O. BOX 1016 Lewiston, Idaho 83501

2. The point of diversion is in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 28 Township 36N
Range 5W B.M. located on Clearwater River
(name of source)

tributary to Snake River in Nez Perce County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

<u>Nov. 25, 1949</u>	amount: <u>45</u>	c.f.s. or	<u> </u> acre feet
<u>Oct. 17, 1963</u>	amount: <u>30</u>	c.f.s. or	<u> </u> acre feet
<u> </u>	amount: <u> </u>	c.f.s. or	<u> </u> acre feet
Total claimed		<u>75</u>	c.f.s. or <u> </u> acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Manufacturing period of use from 1-1 continuous to 12-31 (both dates inclusive)
use period of use from to (both dates inclusive)
use period of use from to (both dates inclusive)
use period of use from to (both dates inclusive).

4. Description of diverting works: (Please see attachment)

a. Surface water diversion dam and/or headgate: material is composed of
 ; length is feet; height is feet;
width at bottom is feet; width at top is feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known

b. Underground water diverting works: is well flowing or pumped ; depth of well is feet; diameter of well is inches; type of pump is
capacity of pump is g.p.m.; name and address of well driller is
 ;

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

c. Conveying works: length of ditch to place of use is -- feet; width of ditch at top is feet; width of bottom of ditch is feet; depth of water is feet; grade of ditch per 1000 feet is feet; material through which ditch passes is ; maximum length of pipe line to first place of use is 1,100 feet; diameter of pipe line is 36 inches; type of pipe wood stave; grade of pipe per 1000 feet is 16'. Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible no significant change in conveying system.

d. If water is stored: name of reservoir Minor fire protection storage only;
total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet;
year construction commenced _____; year completed _____; date first used _____
period of storage is from _____ to _____; is reservoir drained each year _____;
is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Total number of acres to be irrigated_____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) None

6. Where water is used for stock watering, give number of each kind of stock watered --

7. Where water is used for domestic or municipal purposes give number of families served --
name of town supplied --

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities Water used in manufacture of pulp, paperboard, tissue, lumber,
veneer, and related forestry products.

a. Idaho Water License No. 21327 - Priority Nov. 25, 1949, 45 cfs.

b. W.W.P. Co. and Federal Power Commission approved increase to 75 cfs dated
Oct. 17, 1963.

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
The water is used for industrial nonconsumptive processes and is returned to the
Snake River via enclosed pipeline.

State of ~~Idaho~~ CALIFORNIA }
County of SAN FRANCISCO } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

Sworn to before me this 18th day of June, 1971.

Wm. J. Gray v.p.
Claimant

Paul Sutter
Notary Public

Residing at San Francisco, California

My commission expires October 22, 1974

For Department Use Only

Received by <u> </u>	Date <u>6-21-71</u>	Exception filed by: <u> </u>	Forwarded to claimant by: <u> </u>	Date <u> </u>
Prelim. check by <u> </u>	Date <u>6-21-71</u>	<u> </u>	<u> </u>	<u> </u>
Fee received by <u> </u>	Date <u>6/23/71</u>	Fee \$ <u>10.00</u>	<u> </u>	<u> </u>
Approved for publication by <u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Published in <u>Lewiston Morning Tribune</u>	Dates <u>7-8+7-15-71</u>	<u> </u>	<u> </u>	<u> </u>

86-4008

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s. or</u>	<u> </u>	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s. or</u>	<u> </u>	acre feet
	Total claimed:		<u>1.2 c.f.s. or</u>	<u> </u>	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 86-4008

Notice is hereby given that Potlatch Forests, Inc. of Box 1016, Lewiston, Idaho has applied to the Department of Water Administration for a change of point of diversion of the waters of the Clearwater River, Tributary to the Snake River. The right sought to be changed is evidenced by Claim No. 86-4008 and application of the water to a beneficial use and is recorded as follows. Amount: 30 c.f.s. Date: October 17, 1963 Point of Diversion: SE 1/4 SW 1/4, Sec. 28, Twp. 36N, Rge. 5W, B.M., Nez Perce County. The water is used for manufacturing purposes from January 1 to December 31, TO BE CHANGED AS FOLLOWS Amount: 30 c.f.s. To be diverted from a point within NE 1/4 SW 1/4, Sec. 28, Twp. 36N, Rge. 5W, B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration on or before August 30, 1971.

R. KEITH HIGGINSON
Director

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

D.N. 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 Proposed Change of Water Right attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for two consecutive weeks, the first publication thereof being on the 12th day of August, A. D. 19 71, and the last publication thereof being on the 19th day of August, A. D. 19 71, and said Notice of Proposed Change of Water Right 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

19th day of August, 19 71.

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

State of Idaho

License and Certificate of Water Right

Water License No. 21327 Priority November 25, 1949 Amount 45 second feet

THIS IS TO CERTIFY that POTLATCH FORESTS, INC.

of Lewiston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 25, 1949; that Permit No. 21327 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 45 second feet, was issued thereunder on February 23, 1955, showing that said works were completed on the 17th day of January, 1955; and that on the 5th day of January, 1956, POTLATCH FORESTS, INC.

of Lewiston, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Clearwater River a tributary of Snake River for the purpose of manufacturing use, under Use Permit No. 21327 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses, at Page 5678, on the 29th day of March, 1956; The right hereby confirmed dates from November 25, 1949;

The Point of Diversion is located

in the SE ¼ SW ¼, Sec. 28, Tp. 36 N, R. 5 W, B.M. Nez Perce County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 45 cubic feet per second.

Description and location of use:

TWP.	RANGE	SECTION	FORTY-ACRE TRACT	NO. ACRES DESCRIBED IN PERMIT	NO. ACRES ACTUALLY IRRIGATED
			Water used at the Potlatch Forests Inc., Pulp and Paper Mill, located in the SE ¼ SW ¼ Section 26, Township 36 North, Range 5 West, B.M., Nez Perce County, Idaho.		
			<i>Shirley L. 78</i> <i>Boise 6/18/58</i>		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 29th day of March, 1956

Mark R. Kulp

State Reclamation Engineer.

(Attachment)

4. Description of diverting works:

a. Surface Water Diversion:

Pumps drawing from mill pond maintained by Washington Water Power Company for power generation.

b. Underground Water Diversion:

Pumped wells as follows:

#1 552 ft depth 16 inches dia 900 gpm pump capacity

#2 656 ft depth 16 inches dia 1000 gpm pump capacity

FEDERAL POWER COMMISSION

WASHINGTON 25 20426

Project No. 621 - Idaho
The Washington Water Power Company

JAN 31 1964

The Washington Water Power Company
Post Office Drawer 1445
Spokane 10, Washington

Attention: E. B. Talkington, Assistant Secretary

Gentlemen:

Reference is made to Mr. Talkington's letter of October 30, 1963, requesting Commission approval of a letter agreement between the Company and Potlatch Forests, Inc., which amends the permit and water use agreement of December 14, 1949, by increasing the maximum allowable diversion of water from the storage basin of the Clearwater hydroelectric project (No. 621-Idaho) by Potlatch from forty-five (45) cubic feet per second to seventy-five (75) cubic feet per second.

It is noted that the need for the additional water by Potlatch arises from its expanded pulp-paper manufacturing operations. You further state that, in your opinion, the diversion of such additional water by Potlatch will not adversely effect the operation of the Clearwater project for power production.

You are advised that the Commission has no objection to the increased diversion of water from the project reservoir from 45 cubic feet per second to 75 cubic feet per second, as provided by the letter agreement, and provided further that the period of the amended agreement shall not extend beyond the period of the license.

By direction of the Commission.

J. H. GUTRIDE

Secretary

86 4008

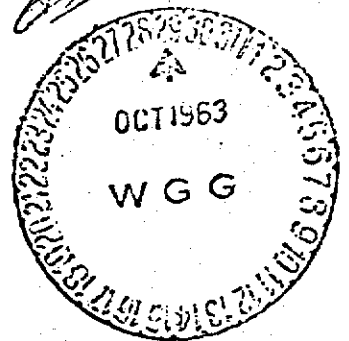


A. H. WEGNER, VICE PRESIDENT
SALES, PROMOTION, AND INFORMATION

THE WASHINGTON WATER POWER COMPANY

POST OFFICE DRAWER 1445 SPOKANE 10, WASHINGTON

October 28, 1963



Potlatch Forests, Inc.
Lewiston, Idaho

Attention: W. G. Gray, Vice President

Re: Water Diversion Contract
December 14, 1949

Gentlemen:

We return herewith two approved copies of your letter dated October 17, 1963, amending the above identified contract to provide for a maximum diversion of 75 cubic feet of water per second.

Very truly yours,

E. R. Anderson
Supervisor - Electric Contracts

E. R. Anderson:c

86 4008

POTLATCH FORESTS, INC.

GROWERS AND MANUFACTURERS OF FOREST PRODUCTS

SHerwood 3-4561

GENERAL OFFICES • LEWISTON, IDAHO

October 17, 1963

The Washington Water Power Company
P. O. Drawer 1445
Spokane, Washington 99210

Attention: A. H. Wegner, Vice President

Re: Water Diversion Contract
December 14, 1949

Gentlemen:

Pursuant to recent discussions between representatives of our respective organizations, this will confirm our indication that the amount of water which we will continue to require for our pulp and paper manufacturing operations is approximately 75 cubic feet per second.

We understand that you are willing to make this amount of water available to us under the agreement dated December 14, 1949. Accordingly, we propose that said agreement be and the same is hereby amended by changing the amount of water to be diverted thereunder to "seventy-five (75) cubic feet per second" rather than "forty-five (45) cubic feet per second" as presently provided in the contract. In all other respects the agreement shall remain in full force and effect.

If the foregoing is in keeping with your understanding, please indicate your approval thereof by signing two copies of this letter in the space provided below and return to us for our files.

Very truly yours,

POTLATCH FORESTS, INC.

By *[Signature]*

Title: Vice President

APPROVED - Date October 25, 1963
THE WASHINGTON WATER POWER COMPANY

By *[Signature]*

Title: Vice President

86 4008

PUBLISHER'S AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIM TO A WATER RIGHT

864008

Notice is hereby given that Potlatch Forests, Inc., P.O. Box 1016, Lewiston, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 75.0 cubic feet per second of water from Clearwater River, tributary to Snake River with point of diversion in the SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 28, T. 36N, R. 5W, B.M., Nez Perce County.

The water is claimed to be used from Jan. 1 to Dec. 31 for manufacturing purposes with a priority of Nov. 25, 1949 (45.0 cfs), and Oct. 17, 1963 (30.0 cfs); the place of use is within the SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 28, T. 36N, R. 5W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho on July 8 and July 15, 1971.

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

D.N. 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 Claim to A Water Right attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for two consecutive weeks, the first publication thereof being on the 8th day of July, A. D. 19 71, and the last publication thereof being on the 15th day of July, A. D. 19 71, and said Notice of Claim to A Water Right 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

15th day of July, 19 71.

Paulette J. Hamilton 5-10-75

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

WATER RIGHT NUMBER 85-4108

WATER RIGHTS EDIT REPORT

12/17/79

PAGE 96

ACT
ION

N OWNER LAST NAME - POTLATCH FORESTS, INC.

N ADDRESS LINE 1 - P.O. BOX 1016

N CITY - LEWISTON

STATE - ID ZIP CODE - 83501

N SOURCE - CLEARWATER RIVER

TRIBUTARY OF - SNAKE RIVER

N STAGE - STAIRY CLM

PRIORITY - 10-17-1963

COUNTY - NEZ PERCE

TOTAL DIV. RATE - 30.0000CFS

N DIVERSION POINT - NESW 28 36N 05W

TRFR/AMEND - 7

N FROM - 01-01 TO - 12-31 USE - INDUSTRIAL

USE DIV. RATE - 30.0000CFS

N USE - INDUSTRIAL PLACE OF USE - TWN 36N RNG 05W SEC 28 TRACT SWSE

N REMARKS - TRANS. 1995.

IDENT. NO. 85-4108

WATER RIGHT
DATA ENTRY LOG

[illegible]

1000

Identification No. 185-4108
 OTd No. New No.

1. Original Owner: Pallatch Forests Inc.

Present Owner: _____

2. Address: P. O. Box 1016

3. City: Lewiston State: Id Zip: 83501

4. A. Source of Water: Clearwater River

B. Tributary of: Snake River

5. A. Stage (A,P,L,D,S,J): *L*

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 10-17-1963

D. County: 69

E. Total Diversion Rate: 30-

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank): T

H. Water District:

I. . DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	<u>Tract</u>	<u>Sec.</u>	<u>Twp.</u>	<u>Rge.</u>	<u>Gov't</u> <u>Lot</u>	<u>Rediv.</u>
6. A. Point of Diversion	<u>NE SW</u>	<u>28</u>	<u>36N</u>	<u>5W</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for I purposes. Amount 30.
(cfs or AG-FT/yr)

from _____ to _____ for _____ purposes. Amount _____

from to for purposes. Amount

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: I

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
36N	5W	28																I	

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

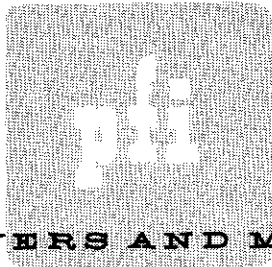
E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):



POTLATCH FORESTS, INC.

Department of Water Administration

GROWERS AND MANUFACTURERS OF FOREST PRODUCTS

AREA CODE 208
PHONE 799-0123

GENERAL OFFICES LEWISTON, IDAHO 83501

July 6, 1972

BDF

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attention Mr. Bobby D. Fleenor
Assistant Director

Gentlemen:

Re: Transfer No. 86-4008 and your letter of October 7, 1971

This is to advise you that the decision has been made to also install a magnetic flow transmitter with recorder and integrator on the minor flow from our new water intake. The total flow on this instrument and that of our previous correspondence will be the total intake flow.

Please let us know if any additional information is desired.

Very truly yours,

POTLATCH FORESTS, INC.

P. O. Woelfel,
Senior Staff Engineer
Lewiston Pulp & Paperboard Division

POW:rp

86 4008

Portlatch Forests, Inc.

PULP AND PAPERBOARD MILL

LEWISTON, IDAHO 83501

P. O. Woelfel

Senior Staff Engineer

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

October 7, 1971

Re: Transfer No. 86-4008

Patlatch Forests, Incorporated
Post Office Box #1016
Lewiston, Idaho 83501

ATTENTION: Mr. Paul Woelfel

Dear Mr. Woelfel:

The type of measuring device that you mention in your letter of September 29, 1971, is satisfactory. However, we ask that you send us the manufacturers brochures for the particular make of meter you install.

It would also be helpful if you would let us know the type of meter that you will install to measure the minor flow when you make that decision.

Sincerely,

Bobby D. Fleenor
Assistant Director

BDF:cs

86 4008

September 24, 1971

Re: Transfer No. 86-4008

Potlatch Forests, Inc.
Post Office Box #1016
Lewiston, Idaho 83501

Gentlemen:

Please find enclosed a copy of the APPROVED Transfer No. 86-4008.

We wish to call your attention to the conditions of approval as listed on page four of the approved transfer.

If you should have any further questions in reference to this matter, please feel free to contact this Department.

Sincerely,

Bobby D. Fleenor
Assistant Director

BDF:CS

Enclosure

86 4008

RECEIVED

OCT 1 1971

POTLATCH FORESTS, INC.

Department of Water Administration

GROWERS AND MANUFACTURERS OF FOREST PRODUCTS

AREA CODE 208
PHONE 799-0123

GENERAL OFFICES LEWISTON, IDAHO 83501

September 29, 1971

BDF
AKO aK.

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attention Mr. Bobby D. Fleenor
Assistant Director

Gentlemen:

Transfer No. 86-4088
Approved Measuring Devices

Approved Transfer No. 86-4008 is contingent upon an adequate measuring device being permanently installed and maintained, and of a type approved by the Department of Water Administration.

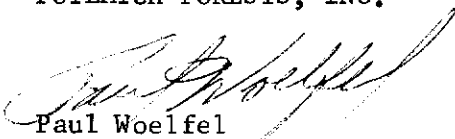
As presently planned, the total flow from our intake system will be split into two flows which we will measure individually. The total intake being the sum of the two. The major of the two flows will be measured by a magnetic flow transmitter with an integrating flow recorder.

No decision has been made on the specific type of device to measure the minor flow, however, a magnetic, venturi, or orifice transmitter with a recording integrator would be appropriate.

Does this system and selection of measuring devices meet with your department's approval?

Very truly yours,

POTLATCH FORESTS, INC.


Paul Woelfel
Senior Staff Engineer
Lewiston Pulp & Paperboard Mill

PW:cb
cc: C.W. Rasmussen

86 4008

August 3, 1971

Re: Claim to a Water Right No. 86-4008

Potlatch Forests, Inc.
P. O. Box 1016
Lewiston, Idaho 83501

Gentlemen:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

Enclosure: Copy of Claim

86 4008

August 2, 1971

Re: Application for Transfer No. 86-4008

The Lewiston Morning Tribune
505 "C" Street
Lewiston, Idaho 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 our 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 date. 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 just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:CM

Enclosure

*Bill submitted
8-25-71
for*

86 4008

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 86-4008

Notice is hereby given that POTLATCH FORESTS, INC.
of Box #1016 Lewiston, Idaho has applied to the Department of Water
Administration for a change of point of diversion of the waters of ~~the Clearwater River, Tributary to the Snake River~~.
The right sought to be changed is evidenced by Claim No. 86-4008 and application
of the water to a beneficial use. and is recorded as follows.
Amount: 30 c.f.s. Priority: October 17, 1963
Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Twp. 36N, Rge. 5W, B.M., Nez Perce County
The water is used for manufacturing purposes from January 1 to December
31

TO BE CHANGED AS FOLLOWS

Amount: 30 c.f.s.
To be diverted from a point within NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Twp. 36N, Rge. 5W, B.M.
~~The water right is hereby changed to~~ ~~the water right is hereby changed to~~

Any protests against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Administration on or before
August 30, 1971.

R. KEITH HIGGINSON
Director

86 4008

Published in the Lewiston Morning Tribune, Lewiston, Idaho
on August 12, 1971 and August 19, 1971.

R. N. CONGREVE
VICE PRESIDENT - OPERATIONS
PAPERBOARD & PACKAGING GROUP

Department of Water Administration

July 6, 1971

Mr. Dorian Clay
Appropriation Examiner
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Clay:

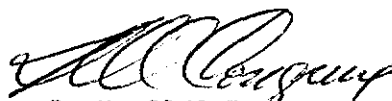
Re: Applications for Transfer of Water Rights --
Your Correspondence June 24

Reacting to the referenced correspondence and your discussions with our Mr. Paul Woelfel, attached please find the revised forms and the fee for transfer of each of the designated rights.

Kindly accept our apologies for causing this inconvenience of re-submission but be assured we are grateful for your considerations and cooperation.

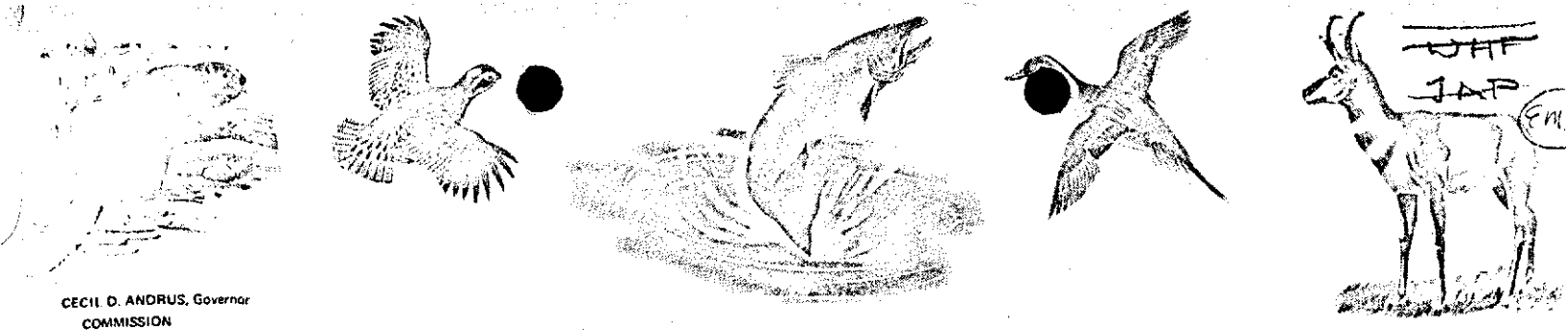
Please advise should any further information or clarification be required.

Very truly yours,


R. N. CONGREVE

RNC:mwn
Attachments
xc: W. G. Gray
T. W. Tudder
A. L. Vandevender
Mr. R. Keith Higginson

86 4007



CECIL D. ANDRUS, Governor
COMMISSION
ROBERT G. KALB, Sandpoint
PAUL C. KEETON, Lewiston
JOHN EATON, Cascade
R. J. HOLMES, Twin Falls
GLENN STANGER, Idaho Falls

IDAHO FISH AND GAME DEPARTMENT

April 7, 1971

JOHN R. WOODWORTH, Director

POST OFFICE BOX 25
600 SOUTH WALNUT STREET
BOISE, IDAHO 83707

Mr. Eric Kalz, Engineer
Potlatch Forests, Inc.
East Lewiston
Lewiston, Idaho 83501

Dear Mr. Kalz:

We have reviewed the plans submitted to Terry Holubetz, Regional Fishery Biologist for the Idaho Fish and Game Department at Lewiston. The plans are marked as Job No. 7054 and consist of five sheets, including the schematic flow diagram and four sheets of plans and sections for the proposed water intake.

These have been reviewed by both our Fisheries and Engineering personnel and the plans are acceptable to this Department and are approved as submitted.

The construction of the water intake structure should be accomplished at minimum river elevation with the river bank adjacent to the intake structure serving as a cofferdam for the construction of the intake works. The construction should take place when there is no spill at the spillway dam from any gate with only the fishway water in the river at that time. On completion of the intake works, the channel from the intake works to the river could be opened up with a minimum of turbidity resulting from the construction work.

It is requested that you keep Mr. Holubetz advised of your planning and coordinate the construction with him in order that the minimum effect on the stream will result due to the construction.

CENTRAL

86 4008

APR 9 1971

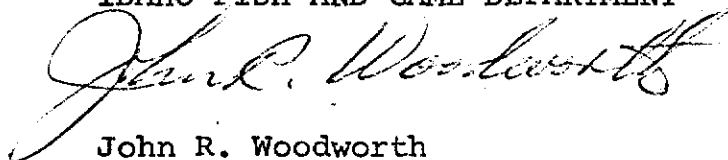
ENGINEERING

Mr. Eric Kolz, Engineer
April 7, 1971
Page 2

Thank you for providing us the opportunity to review the plans and if we can be of further service, please advise.

Sincerely,

IDAHO FISH AND GAME DEPARTMENT

A handwritten signature in cursive script, reading "John R. Woodworth".

John R. Woodworth
Director

cc: Corps of Engineers, Walla Walla
Terry Holubetz w/plans
Fisheries

86 4008

R. N. CONGREVE
VICE PRESIDENT - OPERATIONS
PAPERBOARD & PACKAGING GROUP

July 6, 1971

Mr. Dorian Clay
Appropriation Examiner
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Clay:

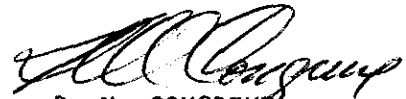
Re: Applications for Transfer of Water Rights --
Your Correspondence June 24

Reacting to the referenced correspondence and your discussions with our Mr. Paul Woelfel, attached please find the revised forms and the fee for transfer of each of the designated rights.

Kindly accept our apologies for causing this inconvenience of re-submission but be assured we are grateful for your considerations and cooperation.

Please advise should any further information or clarification be required.

Very truly yours,


R. N. CONGREVE

RNC:mwn
Attachments
xc: W. G. Gray
T. W. Tudder
A. L. Vandevender
Mr. R. Keith Higginson

86 4008

July 2, 1971

Re: Claim No. 86-4008 - Potlatch Forests, Inc.

Mr. R. N. Congreve, Vice President
Potlatch Forests, Incorporated
P.O. Box 1016
Lewiston, Idaho 83501

Dear Mr. Congreve:

Please find enclosed three applications for transfer of water right as requested. We apologize for any inconvenience this delay may have caused you.

If we can be of further assistance, please contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cr

Enc: Application for Transfer of Water Right (3)

86 4008

July 1, 1971

Re: Claim No. 86-4008 - Potlatch Forests, Inc.

Lewiston Morning Tribune
505 "C" Street
Lewiston, Idaho 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 our 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 date. 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,

Donald W. McEldowney
Appropriation Supervisor

Bill submitted 7-28-71 By ds

DWM:cr

Enclosure

86 4008

Legal -- 7-8-71

**NOTICE OF CLAIM TO A
WATER RIGHT**

Notice is hereby given that Potlatch Forests, Inc., P.O. Box 1016, Lewiston, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 75.0 cubic feet per second of water from Clearwater River, tributary to Snake River with point of diversion in the SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 28, T. 36N, R. 5W, B.M., Nez Perce County.

The water is claimed to be used from Jan. 1 to Dec. 31 for manufacturing purposes with a priority of Nov. 25, 1949 (45.0 cfs), and Oct. 17, 1963 (30.0 cfs); the place of use is within the SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 28, T. 36N, R. 5W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho on July 8 and July 15, 1971.

86-4008
Pur telephone
call 97-9-71
Cm

-A
SESW
Pur telephone
call 9 7-12-71

NOTICE OF CLAIM TO A WATER RIGHT

No. 86-4008

Notice is hereby given that Potlatch Forests, Inc., P.O. Box 1016,
Lewiston, Idaho
has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 75.0 cubic feet per second ~~acresfeet~~
of water from Clearwater River, tributary to Snake River
with point of diversion in the SE1/4SW1/4, Sec. 28, T. 36N, R. 5W, B.M.,
Hex Perce County.

The water is claimed to be used from Jan. 1 to Dec. 31 for
manufacturing purposes
with a priority of Nov. 25, 1949 (45.0 cfs), and Oct. 17, 1963 (30.0 cfs);
the place of use is within the SE1/4SW1/4, Sec. 28, T. 36N, R. 5W, B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Lewiston Morning Tribune, Lewiston, Idaho
on July 8 and July 15, 1971.

June 24, 1971

Re: Potlatch Forests, Inc.

Mr. R. N. Congreve, Vice President
Potlatch Forests, Incorporated
Post Office Box #1016
Lewiston, Idaho 83501

Dear Mr. Congreve:

We are in receipt of the claim to a water right and application for transfer submitted in the behalf of Potlatch Forests, Incorporated. In reviewing the claim, it would appear to be in order and we have begun its processing.

We find in reviewing the transfer, however, that it must be returned as it is proposing a change in two separate water rights - one based on a license and the other a claim. Each of these two rights must be transferred on an individual form. The fee for any transfer up to 0.20 cubic feet per second of water will be \$10.00. The fee for any transfer in excess of this amount will be \$30.00.

If you should have any further questions in reference to this matter, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosure

86 4002

June 24, 1971

Potlatch Forests, Inc.
P.O. Box 1016
Lewiston, Idaho 83501

Gentlemen:

Returned herewith is your receipt No. 6713 in the amount of \$10.00
for your claim application _____,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

86 4008

R. N. CONGREVE
VICE PRESIDENT - OPERATIONS
PAPERBOARD & PACKAGING GROUP

June 18, 1971

Mr. Keith Higginson
State Reclamation Engineer
Capitol Building
Boise, Idaho 83707

Dear Mr. Higginson:

RE: Claim to a Water Right
Application for Transfer of Water Right

Forwarded in accord with previous correspondence between your office and that of our Mr. P. Woelfel are the referenced documents signed by our Corporate Vice-President, Mr. W. G. Gray.

Please be assured we are most grateful for the cooperation and considerations of you and your associates in the proper preparation and information of these documents.

Kindly advise if any additional information or clarification be required.

Sincerely,


R. N. Congreve

RNC:kmc
Attachments & \$10 Filing Fee

xc: W. G. Gray
T. W. Tudder
A. L. Vandevender

86 4008

April 23, 1971

Mr. P. Woelfel
Potlatch Forests, Inc.
General Offices
Lewiston, Idaho 83501

Dear Mr. Woelfel:

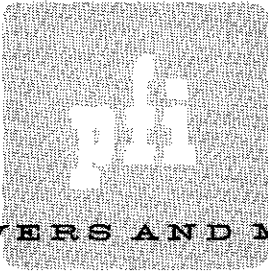
Before sending you the forms for filing for a water right permit, as requested in your recent letter, I feel I should point out some alternatives. It is possible that your Company may be able to claim a water right established by reason of the past use of water at your facilities at Lewiston. This is made possible by several court interpretations of our state constitution and water laws which indicate that an appropriation of water can be made by diversion and application to a beneficial use. It would appear to me that the past history of your use in connection with the Washington water power dam is sufficient to be recognized by the court as an established right. If such is the case, the company can file a claim with this office on forms which we can provide and then request a change in point of diversion. On the other hand, if you feel that no such prior right exists, we will be happy to supply you with application forms for obtaining a water permit. Please advise as to your desire in this matter.

Very truly yours,

R. KEITH HIGGINSON
Director

RKH:kh

86 4008



POTLATCH FORESTS, INC.

®
GROWERS AND MANUFACTURERS OF FOREST PRODUCTS

AREA CODE 208
PHONE 799-0123

GENERAL OFFICES LEWISTON, IDAHO 83501

April 15, 1971

Department of Fish and Game

Mr. Keith Higginson
State Reclamation Engineer
Capitol Building
Boise, Idaho 83707

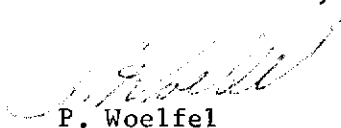
Dear Mr. Higginson:

Discontinuation of hydroelectric generation by Washington Water Power Company at Lewiston will necessitate construction of a new intake from the Clearwater River for supplying the Potlatch Forests facilities at Lewiston.

We would appreciate your advising us of the proper procedure and necessary forms for a formal application for a Water Right Permit. We have been in contact with the Corps of Engineers and the Idaho Fish and Game Department concerning a Construction Permit.

Very truly yours,

POTLATCH FORESTS, INC.


P. Woelfel
Senior Staff Engineer
Lewiston Pulp & Paperboard Mill

PW:cb
cc: A. Vandevender
E. Kalz

86 4008