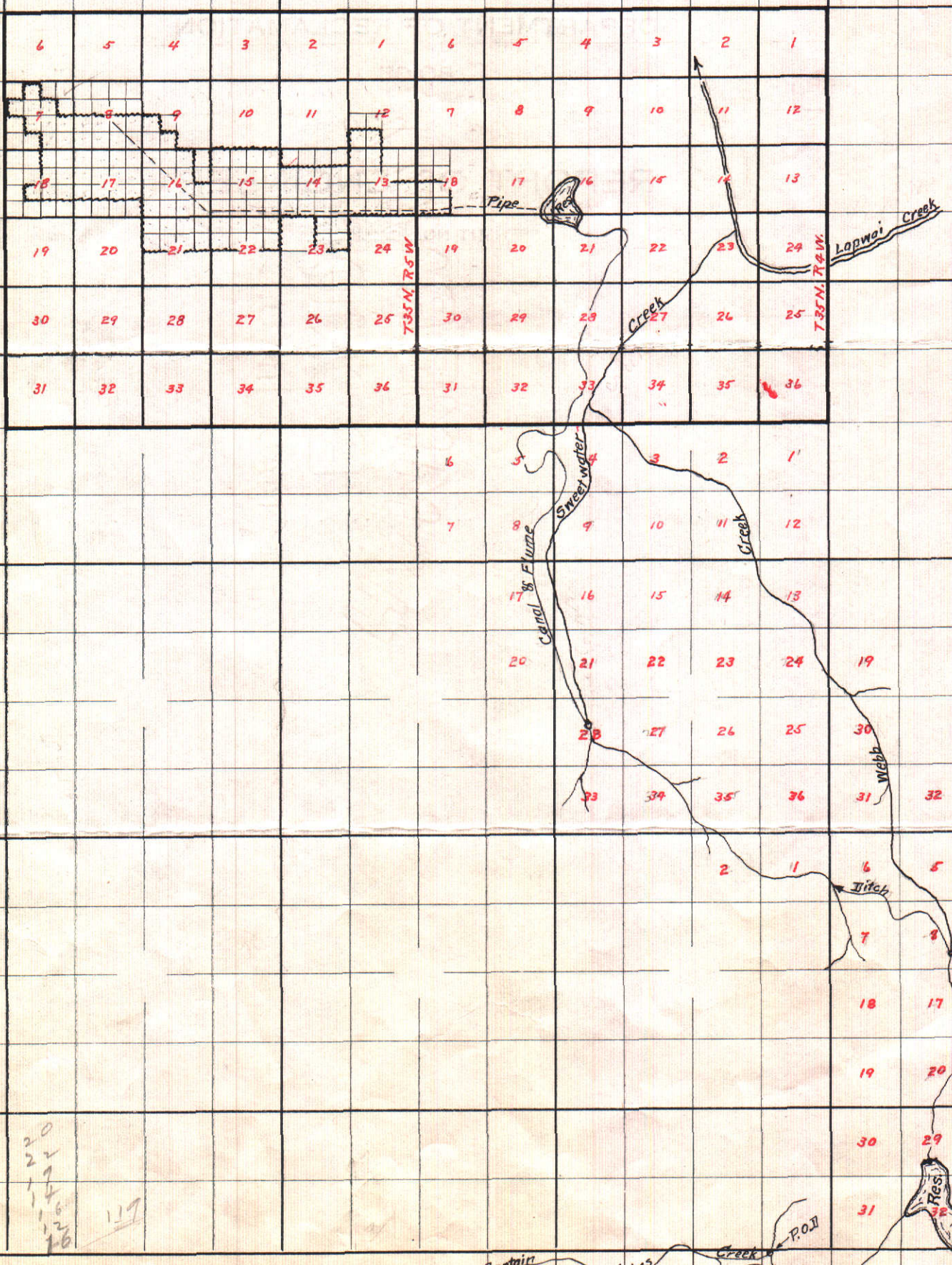


3577 - 445 W



20
22
14
16
12
10
117

"P.D." IS IN

33 N (3W) Sec. 29

SE $\frac{1}{4}$ SW $\frac{1}{4}$ - see

permit and completion
of works.

Rex J. Chapman

State of Idaho
License and Certificate of Water Right

Water License No. 16789 Amount 4 second feet
Water District No. Priority February 18, 1934

THIS IS TO CERTIFY that ESTATE OF T. A. CLARK, DECEASED,
of Meadows, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 23, 1937; that Permit No. 16789
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4 second feet, was issued thereunder on December 14, 1938, showing that said works
were completed on the 9th day of September, 1938; and that on the 21st
day of February, 1939,

ESTATE OF T. A. CLARK, DECEASED,
of Meadows, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Goose Creek
, a tributary of Little Salmon River, for the purpose of irrigation and
domestic use, under Use Permit No. 16789 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4023, on the 28th day of June, 1940;

The right hereby confirmed dates from February 18, 1934;

The Point of Diversion is located about 1980 feet from the NW corner of Sec. 29, T. 19 N., R. 2 E.
in the NE 1/4 NW 1/4, Sec. 29, Tp. 19 N., R. 2 E., B. M. Adams 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 4
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
19 N,	2 E.	30	NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	40	40
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	40
			SE 1/4 SE 1/4	40	40
			Total Number of Acres Irrigated	-	240

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 Commissioner of Reclamation, affixed at Boise, Idaho,
this 28th day of June, 1940

JAMES SPOTFORD
Commissioner of Reclamation

(SEAL)

Twp.	Range	Section	Forty-Acre Tract	No. Acres described in Permit	No Acres actually Irrigated
35 N	4 W	7	SW 1 NE 1	9.89	9.89
			NE 1 NW 1	1.21	1.21
			SW 1 NW 1	2.63	2.63
			SE 1 NW 1	6.86	6.86
			NE 1 SW 1	37.78	37.78
			NE 1 SE 1	38.97	38.97
			NW 1 SE 1	38.31	38.31
			SW 1 SE 1	40.00	40.00
			SE 1 SE 1	39.77	39.77
		8	NE 1 SW 1	40.08	40.08
			NW 1 SW 1	40.66	40.66
			SW 1 SW 1	40.72	40.72
			SE 1 SW 1	39.96	39.96
			NE 1 SE 1	40.55	40.55
			NW 1 SE 1	41.06	41.06
			SW 1 SE 1	40.72	40.72
			SE 1 SE 1	39.94	39.94
		9	NW 1 SW 1	10.44	10.44
			SW 1 SW 1	10.45	10.45
			SE 1 SW 1	5.02	5.02
		12	SW 1 SW 1	43.01	43.01
			SE 1 SW 1	37.47	37.47
		13	NE 1 NW 1	39.87	39.87
			NW 1 NW 1	29.75	29.76
			SW 1 NW 1	40.87	40.87
			SE 1 NW 1	36.75	36.75
			NE 1 SW 1	40.69	40.69
			NW 1 SW 1	40.00	40.00
			SW 1 SW 1	38.50	38.50
			SE 1 SW 1	39.26	39.26
			NE 1 SE 1	40.35	40.35
			NW 1 SE 1	40.00	40.00
		14	SW 1 SE 1	38.61	38.61
			SE 1 SE 1	39.34	39.34
			SW 1 NE 1	6.62	6.62
			SE 1 NE 1	17.01	17.01
			SW 1 NW 1	40.00	40.00
			SE 1 NW 1	23.12	23.12
			NE 1 SW 1	40.00	40.00
			NW 1 SW 1	40.00	40.00
			SW 1 SW 1	38.84	38.84
			SE 1 SW 1	38.40	38.40
		15	NE 1 SE 1	37.66	37.66
			NW 1 SE 1	37.60	37.60
			SW 1 SE 1	38.26	38.26
			SE 1 SE 1	38.31	38.31
			NE 1 NE 1	38.22	38.22
			NW 1 NE 1	17.88	17.88
			SW 1 NE 1	36.39	36.39
			SE 1 NE 1	40.41	40.41
			NE 1 NW 1	42.20	42.20
			NW 1 NW 1	41.60	41.60
		16	SW 1 NW 1	40.00	40.00
			SE 1 NW 1	40.83	40.83
			NE 1 SW 1	40.95	40.95
			NW 1 SW 1	40.00	40.00
			SW 1 SW 1	39.82	39.82
			SE 1 SW 1	38.84	38.74
			NE 1 SE 1	40.28	40.28
			NW 1 SE 1	40.00	40.00
			SW 1 SE 1	40.45	40.45
			SE 1 SE 1	41.26	41.26
		17	NW 1 NE 1	30.47	30.47
			SW 1 NE 1	35.00	35.00
			NE 1 NW 1	40.71	40.71
			NW 1 NW 1	41.28	41.28
			SW 1 NW 1	40.16	40.16
			SE 1 NW 1	39.92	39.92
			NE 1 SW 1	39.92	39.92
			NW 1 SW 1	34.86	34.86
			SW 1 SW 1	39.08	39.08
			SE 1 SW 1	39.71	39.71
		18	NE 1 SE 1	40.90	40.90
			NW 1 SE 1	40.00	40.00
			SW 1 SE 1	39.68	39.68
			SE 1 SE 1	40.59	40.59
			NE 1 NE 1	40.07	40.07
			NW 1 NE 1	41.02	41.02
			SW 1 NE 1	39.72	39.72
			SE 1 NE 1	40.48	40.48
			NE 1 NW 1	40.12	40.12
			NW 1 NE 1	40.66	40.66
		21	SW 1 NW 1	40.72	40.72
			SE 1 NW 1	40.12	40.12
			NE 1 SW 1	40.21	40.21
			NW 1 SW 1	40.72	40.72
			NE 1 SE 1	40.88	40.88
			NW 1 SE 1	30.54	30.54
			NE 1 NE 1	39.40	39.40
			NW 1 NE 1	39.66	39.66
			SW 1 NE 1	40.00	40.00
			SE 1 NE 1	39.39	39.39
		21	NE 1 SE 1	39.19	39.19
			NW 1 SE 1	40.00	40.00
			NE 1 NE 1	40.99	40.99
			NW 1 NE 1	40.00	40.00
			SW 1 NE 1	40.30	40.30

35 N. 4 W.

12	SW 1/4 SW 1/4	40.01	40.01
	SE 1/4 SW 1/4	37.47	37.47
13	NE 1/4 NW 1/4	39.87	39.87
	NW 1/4 NW 1/4	29.75	29.75
	SW 1/4 NW 1/4	40.87	40.87
	SE 1/4 NW 1/4	36.75	36.75
	NE 1/4 SE 1/4	40.69	40.69
	NW 1/4 SW 1/4	40.00	40.00
	SW 1/4 SW 1/4	38.50	38.50
	SE 1/4 SW 1/4	39.26	39.26
	NE 1/4 SE 1/4	40.35	40.35
	NW 1/4 SE 1/4	40.00	40.00
	SW 1/4 SE 1/4	38.61	38.61
	SE 1/4 SE 1/4	39.34	39.34
14	SW 1/4 NE 1/4	6.62	6.62
	SE 1/4 NE 1/4	17.01	17.01
	SW 1/4 NW 1/4	40.00	40.00
	SE 1/4 NW 1/4	23.12	23.12
	NE 1/4 SW 1/4	40.00	40.00
	NW 1/4 SW 1/4	40.00	40.00
	SW 1/4 SW 1/4	38.84	38.84
	SE 1/4 SW 1/4	38.40	38.40
	NE 1/4 SE 1/4	37.66	37.66
	NW 1/4 SE 1/4	37.60	37.60
	SW 1/4 SE 1/4	38.26	38.26
	SE 1/4 SE 1/4	38.31	38.31
15	NE 1/4 NE 1/4	38.22	38.22
	NW 1/4 NE 1/4	17.88	17.88
	SW 1/4 NE 1/4	36.39	36.39
	SE 1/4 NE 1/4	40.41	40.41
	NE 1/4 NW 1/4	42.20	42.20
	NW 1/4 NW 1/4	41.60	41.60
	SW 1/4 NW 1/4	40.00	40.00
	SE 1/4 NW 1/4	40.83	40.83
	NE 1/4 SW 1/4	40.95	40.95
	NW 1/4 SW 1/4	40.00	40.00
	SW 1/4 SW 1/4	39.82	39.82
	SE 1/4 SW 1/4	38.74	38.74
	NE 1/4 SE 1/4	40.28	40.28
	NW 1/4 SE 1/4	40.00	40.00
	SW 1/4 SE 1/4	40.45	40.45
	SE 1/4 SE 1/4	41.26	41.26
16	NW 1/4 NE 1/4	30.47	30.47
	SW 1/4 NE 1/4	35.00	35.00
	NE 1/4 NW 1/4	40.71	40.71
	NW 1/4 NW 1/4	41.28	41.28
	SW 1/4 NW 1/4	40.16	40.16
	SE 1/4 NW 1/4	39.92	39.92
	NE 1/4 SW 1/4	39.92	39.92
	NW 1/4 SW 1/4	34.86	34.86
	SW 1/4 SW 1/4	39.08	39.08
	SE 1/4 SW 1/4	39.71	39.71
	NE 1/4 SE 1/4	40/90	40.90
	NW 1/4 SE 1/4	40/00	40.00
	SW 1/4 SE 1/4	39.68	39.68
	SE 1/4 SE 1/4	40.59	40.59
17	NE 1/4 NE 1/4	40.07	40.07
	NW 1/4 NE 1/4	41.02	41.02
	SW 1/4 NE 1/4	39.72	39.72
	SE 1/4 NE 1/4	40.48	40.48
	NE 1/4 NW 1/4	40.12	40.12
	NW 1/4 NE 1/4	40.66	40.66
	SW 1/4 NW 1/4	40.72	40.72
	SE 1/4 NW 1/4	40.12	40.12
	NE 1/4 SW 1/4	40.21	40.21
	NW 1/4 SW 1/4	40.72	40.72
	NE 1/4 SE 1/4	40.88	40/88
	NW 1/4 SE 1/4	30.54	30/54
18	NE 1/4 NE 1/4	39.40	39.40
	NW 1/4 NE 1/4	39.66	39.66
	SW 1/4 NE 1/4	40.00	40.00
	SE 1/4 NE 1/4	39.39	39.39
	NE 1/4 SE 1/4	39.19	39.19
	NW 1/4 SE 1/4	40.00	40.00
21	NE 1/4 NE 1/4	40.99	40.99
	NW 1/4 NE 1/4	40.00	40.00
	SW 1/4 NE 1/4	40.30	40.30
	SE 1/4 NE 1/4	41.63	41.63
	NE 1/4 NW 1/4	39.92	39.92
	NW 1/4 NW 1/4	38.67	38.67
	SW 1/4 NW 1/4	38.66	38.66
	SE 1/4 NW 1/4	40.20	40.20
22	NE 1/4 NE 1/4	40.90	40.90
	NW 1/4 NE 1/4	39.67	39.67
	SW 1/4 NE 1/4	40.84	40.84
	SE 1/4 NE 1/4	41.30	41.30
	NE 1/4 NW 1/4	25.50	25.50
	NW 1/4 NW 1/4	40.00	40.00
	SW 1/4 NW 1/4	40.72	40.72
	SE 1/4 NW 1/4	41.73	41.73
23	NE 1/4 NE 1/4	39.89	39.89
	NW 1/4 NE 1/4	40.00	40.00
	SW 1/4 NE 1/4	41.85	41.85
	SE 1/4 NE 1/4	41.32	41.32
	NE 1/4 SW 1/4	40.47	40.47
	NW 1/4 SW 1/4	40/00	40.00
	SW 1/4 SW 1/4	38.74	38.74
	SE 1/4 SW 1/4	39.33	39.33

Total Number of Acres Irrigated -4,332.16

85-2147

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of Idaho

Application No. R 25263
Permit No. R 576

1. Name of Applicant: LEWISTON ORCHARDS IRRIGATION DISTRICT

Postoffice address: Lewiston County Nez Perce State Idaho

I. If applicant is a corporation, give:

Lewiston, Idaho

(a) Date and place of incorporation: January 19, 1920, /

(b) Amount of Capital Stock: \$ none

(c) Amount paid in: \$ none

(d) Names and addresses of directors: F. B. Ruddock, D. S. Wallace, Walter Eddy, Paul Johnson, George Alden, L. G. Heitfeld, P. E. Farrington, all addressed at Lewiston, Idaho.

II. The financial resources of the corporation are:

(a) Cash on hand: \$ 1280.00

(b) Treasury Stock: \$

(c) Bonds to be issued: \$ none

(d) Other resources: Real property and complete water system.

2. Quantity of water to be stored: 2000 acre feet per annum.

3. Source of water supply is Captain Johns (Creek) ~~Webb~~ a tributary of Snake River.

4. The outlet of the proposed reservoir is located (bearing) feet, distant from the corner of Section , Township , Range , B. M. and is in the SE ¼ of SW ¼ of Section 29 , Township 33 N. , Range 3 W. , B. M. County of Nez Perce

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Webb (Creek) ~~Webb~~.

(b) The reservoir is to be filled through a feeder canal, the points of diversion for which ^{are} located (bearing) feet distant from

the corner of Section , Township , Range , B. M., and is in the NW ¼ of NW ¼ of

Section 2 , Township 32 N. , Range 4 W. , B. M.; width at bottom 5 feet, width at top

feet, depth of water 7 feet; average grade per mile 5 feet; Capacity 25 cubic feet per second.

6. (a) The area of the high water line of the reservoir is 90 acres.

(b) The reservoir capacity is 2000 acre feet.

7. Height of reservoir dam 57 feet, length at top 540 feet, length at bottom 50 feet, size of outlet 3' pipe feet by feet. The dam is ~~to be~~ constructed of materials as follows: Earth, dam completed in 1922

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of

Webb and Sweetwater Creeks ~~(See Remarks?)~~ No

(b) Water stored in reservoir will be carried in the channel of Webb (Creek) ~~(River)~~ a distance

of 5 miles to point of diversion located in the NE ¼ NW ¼ Sec. 6, T. 33 N., R. 3 W., thence through the Webb Creek canal-See Remarks. (bearing) feet, distant from the corner of Section

Township , Range , B. M., and in the ¼ of ¼ of Section , Township , Range

B. M.

9. Amount of water claimed from (Creek) (River) (Spring) in addition to that stored in reservoir cubic feet per second.

10. Water is to be used for irrigation and domestic purposes.

11. If for mining, milling, power or manufacturing purposes give:

(a) Point of use of water (bearing) feet, distant from Corner of Section , Township , Range

B. M. and is in the ¼ of ¼ of Section , Township , Range , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to (Creek) (River) (Spring) at a point (bearing) feet

distant from the corner of Section , Township , Range , B. M., in

the ¼ of ¼ of Section , Township , Range B. M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No.

, which is hereby referred to and made a part hereof.

13. Kind of diversion works: **Dam, canal, flume, reservoir, pipe lines**
(Dam, canal, flume, pipe, etc.) **are**
14. Height of diversion dams: **Webb Creek 20** feet, length at top **50** feet, length at bottom **20** feet. The dams **are** constructed
of materials as follows: **Sweetwater 10** feet, length at top **75** feet, length at bottom **60** feet.
Webb Creek, rock filled log crib dam, Sweetwater Creek, Log crib dam, faced with plank.

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgates Width **3** feet, Height **4** feet.
16. Diversion Canal: Width at Bottom **Webb 7** feet, width at water line **9** feet, depth of water **2** feet, Dimensions of Flume **Webb 3½' wide, 2½' in height**
length **1.77 miles** **Sweetwater 7** feet, length at top **50** feet, length at bottom **20** feet. The dams **are** constructed
length **1.75 miles** Diameter of Pipe **30** inches; Length of Conduit **Canal line 3.52** miles. Average grade per mile **See Remarks** feet.
Flume 9.95 miles. Average grade per mile **See Remarks** feet.
7000' pipe line
17. Estimated cost of Works: Storage Works: \$ **none** Diversion Works: \$ **10,000.00**
18. Time required for completion of work **1** years.
19. Time required for complete application of water to proposed beneficial use is **1** years.
20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
35 N.	5 W	7			9.89		1.21		2.63	6.86	37.78				38.97	38.31	40	39.77	215.42
		8									40.08	40.66	40.72	39.96	40.55	41.06	40.72	39.94	323.69
		9										10.44	10.45	5.02					25.91
		12											43.01	37.47					80.48
		13					39.87	29.76	40.87	36.75	40.69	40	38.50	39.26	40.35	40	38.61	39.34	464.00
		14			6.62	17.01			40	23.12	40	40	38.84	38.40	37.66	37.60	38.26	38.31	395.82
		15	38.22	17.88	36.39	40.41	42.20	41.60	40	40.83	40.95	40	39.82	38.74	40.28	40	40.45	41.26	619.03
		16		30.47	35		40.71	41.28	40.16	39.92	39.92	34.86	39.08	39.73	40.90	40	39.68	40.59	542.28
		17	40.07	41.02	39.72	40.48	40.12	40.65	40.72	40.12	40.21	40.72			40.88	30.54			475.26
		18	39.40	39.66	40	39.39									39.19	40			237.64
		21	40.99	40	40.30	41.63	39.92	38.67	38.66	40.20									320.37
		22	40.90	39.67	40.84	41.30	25.50	40	40.72	41.73									310.66
		23	39.89	40	41.85	41.32													163.06
	4 W	18									40.47	40	38.74	39.33					158.54

Total Number of Acres to be Irrigated

4332.16

Remarks: Water stored in Soldier's Meadow Reservoir (completed in 1922) is run down the channel of Webb Creek a distance of 5 miles and thence through the Webb Creek canal and flume a distance of 3.52 miles thence into Sweetwater Creek and down the channel of Sweetwater Creek a distance of 4 miles to the headgates of the Sweetwater Canal and flume, thence through the Sweetwater canal and flume to Reservoir "A", thence through pipe lines to the land to be irrigated.

Webb Creek Flume-1.77 miles, width 3.5', height 2½', grade 15' per M.

" " canal-1.75 " , " 7' , depth 2' , " 10' " M.

Sweetwater flume-1.75 " , " 5' , height 4' , " 3.2' " M.

" canal-8.2 " , " 7' , depth 2.8' , " 3.2' " M.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

Lewiston Orchards Irrigation District

Applicant.

By D. S. Wallace, Mgr.,

Agent.

Date of first receipt at office of Commissioner of Reclamation 4:15 P. M. December 4, 1934

Returned to applicant for correction

Corrected application received

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 576

Recorded in book R 2 , page 576 Approved January 7, 1935

This is to certify that I have examined the within application for a permit to construct a reservoir and store and appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$, to be filed on or before

Work to begin on or before March 6, 1935

and to continue diligently and

uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before July 7, 1935

The whole of said work to be completed on or before January 7, 1936

Beneficial use of water stored in accordance herewith, to be made on or before January 7, 1937.

Witness my hand this 7th day of January

1934

R. W. FARIS
Commissioner of Reclamation.

Permit No. R-576

CERTIFICATE OF COMPLETION OF RESERVOIR AND RIGHT
TO STORE WATER

Amount 2000 Acre Feet

Priority December 4, 1934

This is to certify that LEWISTON ORCHARDS IRRIGATION DISTRICT of Lewiston, County of Nez Perce, and State of Idaho, the holder of Permit No. R-576, issued upon Application No. R-25263, bearing date of priority of December 4, 1934, authorizing the construction of a reservoir and the right to store the waters of Captain John's Creek, a tributary of Snake River, County of Nez Perce, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works as set out and described in said Permit; that said works are adequate for the storage of 2000 acre feet of water annually; that the location of the outlet of said reservoir is in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29, Township 33 N., Range 3 W., Boise Meridian; that a right to store the said waters has been perfected in accordance with the laws of Idaho and is hereby confirmed by the Commissioner of Reclamation and entered of record in Volume R-2, of Permits, at page 576, records of the Department of Reclamation on the 27th day of February, 1937; that the right hereby confirmed dates from December 4, 1934; and that the amount of water to which said right is, by this certificate, entitled to store annually shall not exceed 2000 acre feet.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 27th day of February, A. D. 1937.

(SEAL)

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made January 7, 1936
Certificate of Completion of Works issued February 27, 1937

LICENSE ISSUED FOR ~~2000~~ 2000 ACRES FT.
P. 4024 *acre feet*

D E E D

Rec'd 2-1-49

Book 181 Page 284

THIS INDENTURE, made this 2nd day of November, 1948, between the LEWISTON ORCHARDS IRRIGATION DISTRICT, an irrigation district organized and existing under and by virtue of the laws of the State of Idaho, Grantor, and THE UNITED STATES OF AMERICA, Grantee.

WITNESSETH:

That the Lewiston Orchards Irrigation District, pursuant to Article 27 of the Repayment Contract between the Lewiston Orchards Irrigation District and the United States, dated September 10, 1947 and recorded on October 1, 1947 in Book 7 of Miscellaneous Records, beginning on page 237 in the records of the County Recorder of Nez Perce County, State of Idaho, has granted, bargained and sold, and by these presents doth grant, bargain, sell, convey and confirm unto the United States of America and its assigns forever, all the following described real property situated in Nez Perce County, State of Idaho, to-wit:

The entire domestic and irrigation water diversion and distribution system of the Lewiston Orchards Irrigation District, including but not limited to the following:

The Water Permits and Water Licenses granted by the State Engineer of the State of Idaho with respect to such system;

The Water system extending from Captain John's Canal diverting water from Captain John's Creek, including

Soldiers Meadow Reservoir on Webb Creek, Webb Canal diverting water from Webb Creek into the East Fork of Sweetwater Creek, Lake Waha Feeder Canal diverting water from the West Fork of Sweetwater Creek, Lake Waha and pumping facilities, Sweetwater Canal diverting water from Sweetwater Creek, to and including Reservoir "A", Relief Reservoir No. 1, Relief Reservoir No. 2, and the various pipe lines and canals constituting the distribution system of said irrigation and domestic water system; and

All land and rights-of-way acquired for said system by any means whatsoever, including, among others, by prescriptive right, by adverse use, by conveyances, by condemnation proceedings, by reservations and dedications made by the Lewiston Land and Water Company, Limited and by the Lewiston Sweetwater Irrigating Company, Limited, or their predecessors on plats of subdivided lands, or in deeds to private owners or in certificates of water rights.

RESERVING unto the Grantor for salvage, the existing pumping and power line facilities at Lake Waha.

EXCEPTING all lands acquired by the Grantor in connection with Reservoir "A" located in Sections sixteen, seventeen,

twenty and twenty-one, Township 33 North, Range 4 West, Boise meridian, which lie at an elevation twenty (20) feet above the maximum water surface elevation of said reservoir; and EXCEPTING all land acquired by the Grantor in connection with Soldiers Meadow Reservoir located in Sections 29 and 32, Township 33 North, Range 3 West, Boise Meridian, which lie fifty (50) feet above the maximum water surface elevation of said reservoir; and

EXCEPTING all that portion of the SE of the NW
NE of the SW
SE of the SW
of Section 31, Township 34,
North of Range 3, West Boise Meridian,
not included in the right of way for Webb Canal running through
the above described property.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Grantor.

TO HAVE AND TO HOLD ALL and singular the above mentioned and described premises, together with the appurtenances, unto the United States of America and its assigns forever. And the said Grantor, its successors and assigns, the said premises in the quiet and peaceable possession of the said Grantee and its assigns, against the said Grantor, and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the Grantor Above named has caused these presents to be signed by its President and attested to by its Secretary, and has caused the District seal to be affixed thereto, the day and year first above written.

LEWISTON ORCHARDS IRRIGATION DISTRICT

BY:

/s/ Bert Schroeder

President

ATTEST:

/s/ Wilbur C. Kelly

Secretary

(SEAL)

STATE OF IDAHO

ss.

COUNTY OF NEZ PERCE

On this 2nd day of November, in the year 1943, before me, RUSSELL S. RANDALL, a Notary Public, personally appeared BERT SCHROEDER, known to me to be the President of the Lewiston Orchards Irrigation District and the person who executed the within instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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

/s/ Russell S. Randall

Notary Public for Idaho
Residing at Lewiston

(SEAL)

My commission expires 1-10-51.

As of September 29, 1997

Pacific Northwest Region Water Inventory Report

Page 1 of 3

Project LEWISTON ORCHARDS

Division

Water Right Description			Water Right Filing Activity							
Entity	Facility	Source	Action	Number	Date	CFS	Acre Ft	Uses	Priority	UseRight
LOID	CLEARWATER RIVER DIVERSION	CLEARWATER RIVER	Application	85-7109	06/17/1970	30.00		I, M	06/17/1970	
			Permit	85-7109	08/04/1970					
			Certificate							
			Adjudication	Relinquished						
Comment										
LOID	WELL DOMESTIC	GROUND WATER	Application	85-7146	04/29/1977	3.00		M & I	04/29/1977	
			Permit							
			Certificate							
			Adjudication	A85-07146						
Comment										
LOID	WELL DOMESTIC	GROUNDWATER	Application	85-7428	02/28/1985	4.00		M & I	02/28/1985	
			Permit	85-7428	06/28/1985	4.00		M & I		
			Certificate							
			Adjudication	A85-07428						
Comment										
USA	DAMS AND CANALS	CAPTAIN JOHN CREEK	Application		12/04/1934		2,000.0	I, D	12/04/1934	
			Permit	R-576	02/27/1937		2,000.0	I, D		
			Certificate	85-2147	07/20/1940		2,000.0	I, D		
			Adjudication	85-2147		20.00		I, D	+	
Comment 20 CFS SRBA LICENSE R-576 WATER DIVERTED FROM BROWNS CREEK(TRIB CAPTAIN JOHN CREEK) FOR STORE IN SOLDIERS MEADOW RESERVOIR RELEASED FROM STORE FOR BENE USE										

SEP 29 '97 04:00PM DIV OF WPRANDL

P.5

Pacific Northwest Region Water Inventory Report

Project LEWISTON ORCHARDS			Division						
Water Right Description			Water Right Filing Activity						
Entity	Facility	Source	Action	Number	Date	CFS	Acre Ft	Uses	
USA ✓	DIVERSION DAM CREEK & DITCH TO LAKE WAHA	WEST FORK SWEETWATER CREEK	Application	85-11087		20.00		I, D	Priority
			Permit						05/26/1915
			Certificate						UseRight
			Adjudication	85-11087		20.00		I, D	
Comment 20 CFS BENE USE CLAIM UP TO 20 CFS IS DIVERTED FROM WEST FORK SWEETWATER CREEK TO STORAGE IN LAKE WAHA. WATER IS PUMPED FROM LAKE WAHA FOR DELIVERY & USE LOI									
USA ✓	LAKE WAHA PUMP DIVERSION	LAKE WAHA	Application		05/26/1915	10.00		I, D	Priority
			Permit	11331	06/19/1915	10.00		I, D	05/26/1915
			Certificate	85-2049	07/05/1922	10.00		I, D	UseRight
			Adjudication	85-2049		10.00	4,000.0	I, D	+
Comment 10/4000 LICENSE 11331, DIVERSION INCLUDES NATURAL ACCRUALS & WATERS IMPORTED TO LAKE WAHA FROM WEST FORK SWEETWATER CREEK & DRAFTING 4000 AF FROM LAKE WAHA									
USA ✓	LAKE WAHA PUMP DIVERSION	LAKE WAHA	Application	22117	07/24/1922	10.00		I, D	Priority
			Permit	15566	08/01/1922	10.00		I, D	08/24/1923
			Certificate	85-2063	04/30/1924	10.00		I, D	UseRight
			Adjudication	ABS 02063					+
Comment NEED TO FILE 15566 LAKE WAHA & ALL SOURCES & TRIBS INCLUDING BOTH NORMAL FLOW & FLOOD FLOW WATER OF SAID LAKE WAHA & ITS SOURCES & TRIBS									
USA ✓	MANNS LAKE DAM OUTLET FISH TRAP TANK PIP	LINDSAY CREEK AND SWEETWATER CREEK	Application	85-4483	04/07/1986		10,500.0	I,K,IN,M,F	Priority
			Permit						06/01/1907
			Certificate						UseRight
			Adjudication	85-4483			10,500.0	I,K,IN,M,F	
Comment 10500 AF FILED IN SRBA, STATUTORY CLAIM, USES IRR 8000 AF, STOCKWATER 1000 AF, INDUSTRIAL 1500 AF, MUNICIPAL 1500 AF, FIRE PROTECTION 1000 AF									

Pacific Northwest Region Water Inventory Report

Project LEWISTON ORCHARDS

Division

Water Right Description			Water Right Filing Activity						
Entity	Facility	Source	Action	Number	Date	CFS	Acre Ft	Uses	Priority
USA ✓	SOLDIERS MEADOW RESERVOIR DAM	WEBB CREEK	Application	R-22037	05/24/1922		2,000.0	I	05/24/1922
			Permit	R-294	05/29/1922		2,000.0	I	
			Certificate	85-2146	04/30/1924		2,000.0	I	UseRight
			Adjudication	85-2146		2,000.0	I, D	=	
Comment 2000 AF FILED IN SRBA, WATER LICENSE R-294									
USA ✓	SWEETWATER DIVERSION AND CANAL	SWEETWATER CREEK	Application	1040	07/14/1904	100.00		I, D	Priority
			Permit	877	10/25/1904	100.00		I, D	07/14/1904
			Certificate	85-2003	10/22/1909	87.80		I, D	UseRight
			Adjudication	85-0016	06/12/1916	100.00		I, D	+
Comment 87.8 SRBA LIC 877 4/11/16 85-2003 SUPERCEDED DECREE SIEGRIST MILL V. LEWISTON-SWEETWATER IRR CO POU 3,845.48 ACRES NEZ PERCE COUNTY BASIS OF CLAIM DECREE									
USA ✓	WEBB CREEK DIVERSION DAM CONDUIT & CANAL	WEBB CREEK & SOLDIERS MEADOW RES(WEBB CREEK)	Application	15945	01/30/1924	40.00		I, D	Priority
			Permit	15945	04/30/1924	40.00		I, D	01/30/1924
			Certificate	85-2065	04/30/1924	40.00		I, D	UseRight
			Adjudication	85-2065		40.00		I, D	=
Comment 40 CFS FILED IN SRBA, WATER LICENSE 15945, 3845.48 A IRRIGATED NEZ PERCE COUNTY									

July 23, 1940

Re: Permit No. R-576

Lewiston Orchards Irrigation District,
Lewiston, Idaho.

Gentlemen:-

We are enclosing herewith License and Certificate of Water Right, issued under the above numbered permit, confirming the right of the Lewiston Orchards Irrigation District to the use of 2000 acre feet of water from Captain Johns Creek, a tributary of Snake River, with a date of priority of December 4, 1934, for irrigation and domestic use on 4332.16 acres of land within the boundaries of the district.

The Department's Receipt No. 17476 for the \$118.00 fees paid in connection with this final proof, is also enclosed.

Very truly yours,

JAMES SPOTFORD
Commissioner of Reclamation
By

JLA
Encls.

Chief Clerk

R-576

DIRECTORS

FRED B. RUDDOCK, PRESIDENT
F. B. GANO, VICE PRESIDENT
L. H. KURTH, TREASURER
P. E. FARRINGTON
HENRY OLANDER
A. H. KESSLER
HENRY STAFFELBACH
R. H. MANN, SUPERINTENDENT
K. C. PARKER, SECRETARY

LEWISTON ORCHARDS IRRIGATION DISTRICT

LEWISTON, IDAHO

April 8, 1938

RECEIVED

APR 14 1938

DEPARTMENT OF RECLAMATION

Department of Reclamation

Boise, Idaho.

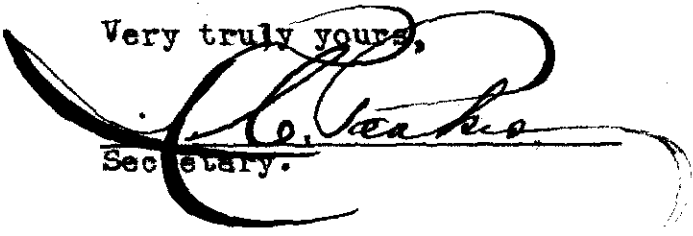
Re: Permit No. R-576

Gentlemen:

This will acknowledge receipt of your letter of
March 28 relative to the above captioned Permit No.

This will receive our consideration and will be
taken care of in the near future.

Very truly yours,


Secretary.

R-576

March 28, 1934

Re: Permit No. R-376.

D. S. Wallace, Manager
Lewiston Orchards Irrigation Dist.,
Route 2
Lewiston, Idaho

Dear Sir:

We now have our field engineer's report on the inspection he made last October in connection with your beneficial use proof under the above numbered permit to appropriate 2000 acre feet of water per annum from Captain John's Creek.

His report shows that the water has been put to beneficial use on approximately 4334 acres of land, this land lying in 119 forty-acre subdivisions, 118 of which are named in the permit. Therefore, upon receipt of the statutory fee of \$118.00, the Department will issue you a license confirming your right to store and appropriate 2000 acre feet of water per annum from Captain John's Creek, with a date of priority of December 4, 1934.

Very truly yours,

Deputy Commissioner of Reclamation

11

R-376

~~XXXXXXXXXX~~

Barnilla W. Clark

March 1, 1937

Re: Permit No. R-576

K. C. PARKER, Secretary
Lewiston Orchards Irr. Dist.
Lewiston, Idaho

Dear Sir:

You will find enclosed herewith, Certificate of Completion of Reservoir and Right to Store Water which has been issued for 2000 acre feet per annum of the waters of Captain John's Creek in accordance with the provisions of the above permit.

We are also enclosing our Office Receipt No. 16126 in the amount of \$5.00 covering fee remitted by you in connection with this proof.

Very truly yours

R. W. FARIS
Commissioner of Reclamation

by

Asst Chief Clerk

ej
encl

R-576

DIRECTORS
FRED B. RUDDOCK, PRESIDENT
F. B. GAND, VICE PRESIDENT
L. G. HEITFELD
P. E. FARRINGTON
PAUL JOHNSON
HENRY OLANDER
ART L. POSTON
D. S. WALLACE,
MANAGER AND TREASURER
K. C. PARKER, SECRETARY

LEWISTON ORCHARDS IRRIGATION DISTRICT
LEWISTON, IDAHO

Feb 24, 1937

Department of Reclamation

Boise, Idaho.

Gentlemen:

Re: Permit No R-576

Complying with your request in your letter of Feb
19, 1937 we are enclosing our check in the sum of \$5.00
for Certificate of Completion of Reservoir.

Very truly yours,

K. C. Parker
Secretary

RECEIVED

FEB 26 1937

Department of Reclamation

R-576

February 19, 1937

XXXXXXXXXX

Barzilla W. Clark

Re: Permit No. B-576

D. S. WALLACE, Mgr.
Lewiston Orchards Irr. Dist.
Lewiston, Idaho

Dear Sir:

On the 4th day of August, 1936, Fred A. Tolman, Field Engineer of this department, made an inspection of the diversion works which you have constructed to take water from Captain John's Creek to Lake Waha.

We now have his report covering such inspection, and we find that the works are adequate for storing the water which you propose to use under the terms of this permit for supplementing your present rights. Therefore, upon receipt of a fee in the amount of \$5.00, we shall issue a Certificate of Completion of Reservoir for 2000 acre feet of water per annum.

Very truly yours

Chief Clerk & Office Engineer

FLH/oj

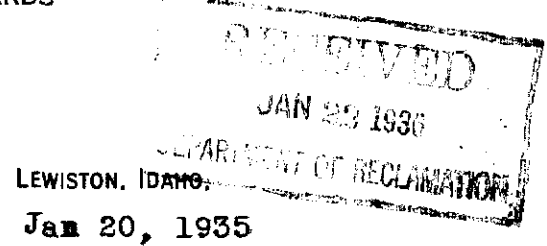
R-576

DIRECTORS
F. B. RUDDOCK, PRESIDENT
L. G. HEITFELD, VICE PRESIDENT
D. S. WALLACE, MANAGER
WALTER EDDY, TREASURER
PAUL JOHNSON
GEO. ALDEN
P. E. FARRINGTON
K. C. PARKER, SECRETARY

LEWISTON ORCHARDS IRRIGATION DISTRICT

LEWISTON ORCHARDS

TELEPHONE 3852



Mr. R. W. Faris

Commissioner of Reclamation

Boise, Idaho.

Dear sir:

Replying to your letter of the 17th- Re: Permit No
R -576- we note you will make a field examination by
Mr. Felman.

This is to advise you that it will be impractical
to make the examination before late in March or during
April as the project is on top of the mountain.

Very truly yours,

D. S. Wallace Manager.

DSW/KC

R-576

DIRECTORS
FRED S. RUDDOCK, PRESIDENT
F. B. GAND, VICE PRESIDENT
L. G. HEITFELD
P. E. FARRINGTON
PAUL JOHNSON
HENRY OLANDER
ART L. POSTON
D. S. WALLACE,
MANAGER AND TREASURER
K. C. PARKER, SECRETARY

LEWISTON ORCHARDS IRRIGATION DISTRICT
LEWISTON, IDAHO

Jan 18, 1937

State of Idaho
Department of Reclamation
Mr. R. W. Farris, Commissioner
Boise, Idaho.

Re: Permit No R 576

Dear sir:

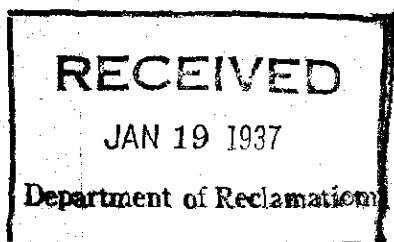
This will acknowledge receipt of your letter of Jan. 14th requesting the affidavit of publication from the newspaper, which we are enclosing.

We note an engineer from your office will inspect the Captain John Canal some time in the future. Just now it would be difficult to get there. Late spring or summer would be more favorable.

Thanking you for the information, I am

Very truly yours,

D. S. Wallace Manager.



R-576

Publisher's Affidavit of Publication

NOTICE FOR PUBLICATION

Notice of Proof Application of Water to Beneficial Use.

Notice is hereby given that at 10 ¹/₂ m. on the 7th day of January, 1937, at Lewiston, County of Nez Perce, State of Idaho, before John W. Grammer, Notary Public, proof will be submitted of the application to beneficial use of 2,000 acre-feet per annum of the waters of Captain John's Creek in accordance with the terms and conditions of Permit No. R-576, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Lewiston Orchards Irrigation District, Lewiston, Idaho.

The use to which said water has been applied is irrigation and domestic use.

The amount applied to beneficial use is 2,000 acre-feet per annum.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated): Land in Lewiston Orchards Irrigation District, Nez Perce County, Idaho, located in Sections 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 21, 22 and 23, T. 35 N., R. 5 W., B. M.; and Sec. 18, T. 35 N., R. 4 W., B. M.; containing a total of 4,332.16 acres.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Captain John's Creek, Soldier's Meadow Reservoir and Sweetwater Canal.

The right to take water from such works is based upon Permit No. R-576.

The source of supply from which such water is diverted is Captain John's Creek.

The date of the priority which said user is prepared to establish is December 4, 1934.

R. W. FARIS,
Commissioner of Reclamation.

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

Harvey W. Hamblin being duly sworn deposes and says: I am the Secretary and Principal Clerk 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 next immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period;

that the Notice for Publication attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 4 consecutive weeks, the first publication thereof being on the 15th day of December, A. D. 1936,

and the last publication thereof being on the 5th day of January, A. D. 1937, and said

Notice for Publication 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.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

5th day of January, 1937.

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

R-576

January 17, 1936

Re: Permit No. R-576
Lewiston Orchards Irrigation District

MR. D. S. WALLACE, Manager
Lewiston,
Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses and the affidavit of publication from the newspaper, all in connection with proof of completion of works under the above permit.

Before further action can be taken in this matter the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made since the department has but one field engineer who makes examinations all over the state. However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office you will be further notified as to fees due before the issuance of the certificate of completion of works.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg
cc - John W. Gramer, Lewiston, Idaho

R-576

January 14, 1937

~~XXXXXXXXXX~~

Barnilla W. Clerk

Re: Permit No. R-576
Lewiston Orchards Irr. Dist.

D. S. WALLACE, Mgr.
Lewiston Orchards Irr. Dist.
Route #2
Lewiston, Idaho

Dear Sir:

This will acknowledge receipt of the deposition of the holder and depositions of two witnesses in connection with beneficial use proof under the above permit. We did not, however, receive the affidavit of publication from the newspaper and ask that you furnish us with this instrument at the earliest possible date.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made since the department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will contact you at the time set for examination so that you may show him over the grounds. After his report is on file in this office, you will be further notified as to fees due before the issuance of your license.

Very truly yours

Chief Clerk & Office Engineer

PLE/cj
cc John W. Cramer

R-576

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-576

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Lewiston Orchards Irrigation District (D. S. Wallace, Mgr.)

2. Source of water supply: Captain John's Creek
outlet

3. Location of point of ~~diversion~~: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29

T. 33 N. R. 3 W., B. M. County of Nez Perce

4. Describe works as they exist, giving dimensions and capacities of same: *Diversions consist of earth dam 7 ft high ^{3/4} head gate 4' wide x 4' high with flash board control. Spillways on dams are adequate. Litches are 5 to 6 ft wide ^{3/4} 2 ft deep.*

5. Water is used for: Irrigation and Domestic

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irriga-

tion): SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 7; S $\frac{1}{2}$ Sec. 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 9; S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 12; NW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 13; S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 14; Sec. 15; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 16; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 17; NE $\frac{1}{4}$, N $\frac{1}{8}$ SE $\frac{1}{4}$, Sec. 18; N $\frac{1}{2}$ Sec. 21; N $\frac{1}{2}$ Sec. 22; NE $\frac{1}{4}$, Sec. 23; all in T. 35 N., R. 5 W., B. M.; and SW $\frac{1}{4}$, Sec. 18, T. 35 N., R. 4 W., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Clearwater River

Remarks: *District reservoirs are Soldier Meadows 2000. Reservoir "A" 3000 ^{3/4} Lake Waha 7200 Acre feet respectively. The present irrigated area is approximately 4334 Acres. The system includes 32 miles of flume, 17 miles of main canal ^{3/4} many miles of pipe*

This examination was made on the 21st day of October, 1937.

(Signed)

Fred A. Dolman

Examiner.

R-576

Lewiston Orchards Irr. Dist. 4
Route #2
Lewiston, Idaho
Permit No. R-576

Examination for Beneficial Use

County Nez Perce

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-

[illegible]

SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

27 1937
Dec 4 1939

R 1937
L 1939

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. R-576

REPORT ON PROOF OF Beneficial Use

OK. 2000 Ac. Ft.
fee \$118⁰⁰

R-576

85-2147

A

Total number of acres irrigated 4,332.16

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. B-576

This proof is for Completion of Works In Water District No. _____

1. Name of applicant D. S. Wallace, Manager, Lewiston Orchards Irrigation District
2. Source of water supply: Captain John's Creek
3. Location of point of ~~diversion~~ ^{outlet}: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29
T. 33 N. R. 3 W. County of Nez Perce
4. Describe works as they exist, giving dimensions and capacities of same: Diversions are made by earth dams of 7 ft. height and headgates 4' wide x 4' high with flash board control. Spillways on dams are adequate. Ditches are 5 ft. wide x 2 ft. deep all in cut, (2 to 7 ft.) and lead to tributary of Webb Creek above Reservoir C. Capacity of diversions in excess of 40 sec. ft.
5. Water is used for: irrigation and domestic
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, & SE $\frac{1}{4}$ Sec. 7; S $\frac{1}{2}$ Sec. 8; NW $\frac{1}{4}$ SW $\frac{1}{4}$ & S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 9; S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 12; NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 13; S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 14; all Sec. 15; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec. 16; NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 17; NE $\frac{1}{4}$ & N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18; N $\frac{1}{2}$ Sec. 21; N $\frac{1}{2}$ Sec. 22; NE $\frac{1}{4}$ Sec. 23; T. 35 N., R. 5 W., B. M., & SW $\frac{1}{4}$ Sec. 18, T. 35 N., R. 4 W., B. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Snake River via Clearwater River.
Remarks: This water is supplemental to waters from Sweetwater Creek and Lake Waha and has been used beneficially upon lands included in the above list.

At date of this examination the water available at the points of diversion from Captain Johns Creek was 1/50 second foot.

This examination was made on the 4th day of August, 1936

(Signed)

Herb A. Tolman
Examiner.

R-576

D. S. Wallace, Manager
Lewiston Orchards Irrigation District
Lewiston, Idaho
Permit No. R-576

Examination for Completion of Works

County Nez Perce

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE**

REPORT OF ENGINEER

PERMIT NO. R-576

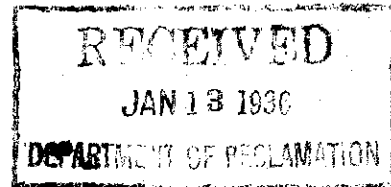
REPORT ON PROOF OF COMPLETION OF WORKS

R-576

R-576

JOHN W. CRAMER
ATTORNEY-AT-LAW
202 SALSBERG BLOCK
LEWISTON, IDAHO

January 10, 1936



State of Idaho Engineering Department
Boise, Idaho

Gentlemen:

Re: Permit R-576
Lewiston Orchards Irrigation District

I inclose herewith deposition of permit holder, together
with depositions of two witnesses and affidavit of publication.

This matter was concluded on the 7th, but the Irrigation
District failed to provide the affidavit of publication until
today.

Very truly yours,

John W. Cramer

JWC:AM
Enc 4

R-576

Publisher's Affidavit of Publication

NOTICE FOR PUBLICATION

Notice is hereby given that at 11:00 A. M. on the 7th day of January, 1936, at Lewiston, County of Nez Perce, State of Idaho, before John W. Cramer, Notary Public, proof will be submitted at the completion of works for the storage of 2,000 acre feet per annum of the waters of Captain John Creek in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Lewiston Orchards Irrigation District.

2. The postoffice address of such person or corporation is Lewiston, County of Nez Perce, State of Idaho.

3. The number of such permit is R-576, and the date set for the completion of such work is January 7, 1936.

4. Said water is to be used for irrigation and domestic purposes.

5. Said works will be fully completed on the date set for such completion, and the amount of water which said works are capable of storing, in accordance with the plans accompanying the application for such permit, is 2,000 acre feet per annum.

6. The amount of lands for which said water is available is 4322.16 acres, particularly described as follows: All lands lying within the boundaries of the Lewiston Orchards Irrigation District, Lewiston, Idaho.

R. W. FARNS,
Commissioner of Reclamation.

STATE OF IDAHO, ss.
County of Nez Perce.

RECEIVED

JAN 13 1936

Harvey W. Hamblin being duly sworn deposes and says: I am the Secretary and Principal Clerk 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 next immediately preceding the first publication of this notice, and has been so published uninterruptedly for said period;

that the notice for publication attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for 4 consecutive weeks, the first publication thereof being on the 9th day of December, A. D. 1935, and the last publication thereof being on the 30th day of December, A. D. 1935, and said

notice for publication 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.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE

30th day of December, 1935

Emerson E. Stewart

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

R-576

PERMIT NO. _____

RECEIVED

JAN 13 1936

DEPARTMENT OF RECLAMATION

Proof of Completion of Works**DEPOSITION OF HOLDER**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. D. S. Wallace, R. F. D. #2, Lewiston, Idaho; Manager Lewiston Orchards Irrigation District.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Lewiston Orchards Irrigation District, Lewiston, Idaho; Manager; Resolution of Board of Directors authorizing appearance.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion. ~~Outlet~~Ans. R-576; January 7, 1935; 25 second feet; 2000 acre ft. Captain John's Creek. ~~Sec. 2; NW 1/4 Sec. 1, T. 32 N., R. 4 W. B. M., Nez Perce County, Idaho.~~
~~Sec. 2; NW 1/4 Sec. 1, T. 32 N., R. 4 W. B. M., Nez Perce County, Idaho.~~

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation; 4332 supplementing; Appropriated water of Webb and Sweet Water Creeks, all lying in Lewiston Orchards Irrigation District, Nez Perce County, Idaho, Township 35 North, Ranges 4 and 5 W. B. M. (See Permit)

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes; Full amount of creek flow used for irrigation during season of 1935.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. No variance.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Two log crib dams; two wooden headgates, capacity of 25 second feet; two canals, total length 7000 feet; each canal 5 feet at bottom with two feet depth; Total cost \$10,000.00.

(Sign here.)

D. S. Wallace

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Lewiston,

County of Nez Perce, State of Idaho, on this 7th day of January, A. D. 1936.

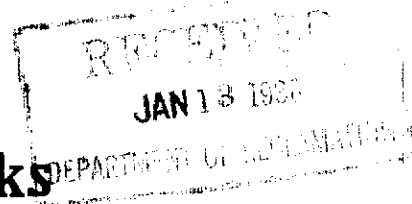
John W. Cramer
Notary Public.

My Commission expires September 15, 1937.

R-576

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. _____



Proof of Completion of Works

DEPOSITION OF WITNESS

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. R. H. Mann, R. F. D. #2, Lewiston, Idaho; Civil Engineer

Ques. 2. Are you acquainted with Lewiston Orchards Irrigation District, the holder of Permit No. R-576, authorizing the diversion of 25 second-feet of the waters of Captain John's Creek, at _____ for irrigation purposes? How long have you known him, and where does he reside?

Ans. I have known Mr. Wallace, Manager of Lewiston Orchards Irrigation District for more than ten years and he resides in Lewiston Orchards, Nez Perce County, Idaho;

Ques. 3. Have you read or heard read said Permit No. R-576, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes; Lewiston Orchards consisting of 4332 acres of small fruit and vegetable tracts; two acre feet necessary for profitable cultivation; This water supplements appropriated waters of Webb and Sweet Water Creeks.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Two small log crib dams; two wooden headgates; two canals, with total length of 7000 feet, canals five feet wide at bottom and two feet in depth; capacity 25 second feet;

(Sign here.)

R. H. Mann

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Lewiston

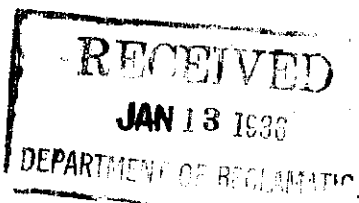
County of Nez Perce, State of Idaho, on this 7th day of January, A. D. 1936

John Cramer

R-576

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. _____

Proof of Completion of Works**DEPOSITION OF WITNESS**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. P. E. Farrington, R. F. D. #2, Lewiston, Idaho; Farmer

Ques. 2. Are you acquainted with Lewiston Orchards Irrigation District, the holder of Permit No. R-576, authorizing the diversion of 25 second-feet of the waters of Captain John's Creek, at _____ for irrigation purposes? How long have you known him, and where does he reside?

I have known Mr. Wallace, Manager of Lewiston Orchards Irrigation District for
 Ans. more than ten years and he resides in Lewiston Orchards, Nez Perce County, Idaho

Ques. 3. Have you read or heard read said Permit No. R-576, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes; Lewiston Orchards consisting of 4332 acres of small fruit and vegetable tracts; two acre feet necessary for profitable cultivation; This water supplements appropriated waters of Webb and Sweet Water Creeks.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Two small log crib dams; two wooden headgates; two canals with total length of 7000 feet, canals five feet wide at bottom and two feet in depth; capacity 25 second feet;

(Sign here.)

P. E. Farrington

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Lewiston

County of Nez Perce, State of Idaho, on this 7th day of January, A. D. 1936

A handwritten signature in cursive script, appearing to read "John Cramer".

R-576

JOHN W. CRAMER

Attorney at Law

202 SALSBERG BLOCK
LEWISTON, IDAHO

January 7, 1937

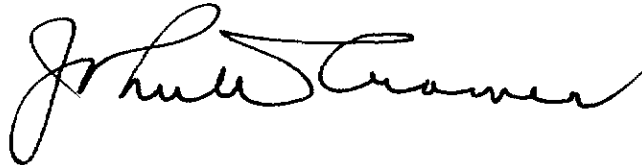
Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Re: Permit No. R-576

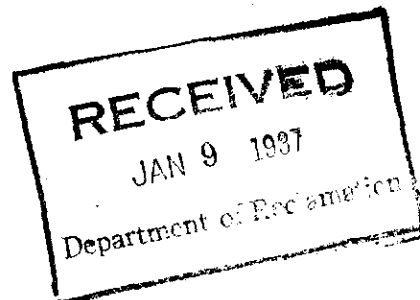
I inclose herewith deposition of holder and deposition
of two witnesses taken before me this date in the matter
of the proof of "application of water to beneficial use"
under the above numbered permit.

Very truly yours,



JWC:AM
Enc 3

Get off of Pub.



R-576

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. R-576

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. D. S. Wallace; Lewiston Orchards; Manager, Lewiston Orchards Irrigation District; R. F. D. #2, Lewiston, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Lewiston Orchards Irrigation District; Lewiston, Idaho; Manager; authority of Board of Directors;

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. R-576 - date of permit and priority - ~~January 7, 1935~~, Dec 4, 1934

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Captain John's Creek located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, and the

NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 1, Township 32 North, Range 4 W.B.M.

Outlet - SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 27, T. 33 N., R. 3 W., B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Diversion dams at points of diversion consist of two rock filled log crib dams about 50 ft. to 75 ft. long, 8 ft. in heighth, 5 ft. spillways in center and wooden canal control gates 4 ft. wide set in earth adjacent to dams; Captain John's Creek;

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic use in Lewiston Orchards Irrigation District, consisting of 4332 acres supplementing present water supply for homes, orchard tracts and irrigated farms; The district is located in Sections 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, Township 35 North, Range 5 W.B.M. and Sec 18, T. 35 N., R. 4 W., B.M.

Ques. 7. If for other than for irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Water for domestic use taken from irrigation system;

R-576

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 1 1/2 acre feet per acre.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Same person

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The right flow of Captain John's Creek was diverted during the years 1935 and 1936 and used for irrigation purposes in Lewiston Orchards Irrigation District;

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. The natural flow of Webb Creek, Sweetwater Creek and waters of Lake Waha have been comingled with the waters of Captain John's Creek to furnish water for the Lewiston Orchards Irrigation District under the following permits: No. 877 for Sweetwater Creek, No. 15945 - Webb Creek; No. 8-294 for Soldier's Meadow Reservoir, Lake Waha Pumping Plant, No's 11331 and 15566 and No. 22649 for the reconstruction of the system in 1922;

(Sign)

D. S. Wallace

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Lewiston, County of Nez Perce, State of Idaho, on this 7th day of January, A. D. 19 37.

John Cramer

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

My commission expires 9/15/37

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-576

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Arthur A. Shipley; 56 years; Lewiston Orchards; farming;

R. F. D. #2, Lewiston, Idaho;

Ques. 2. Are you acquainted with Lewiston Orchards Irrigation District, the holder of Permit No. R-576? How long have you known him and where does he reside?

Ans. I have been a resident of the Lewiston Orchards Irrigation District and have known D. S. Wallace, manager, for more than 10 years;

Ques. 3. Have you read or heard read said Permit No. R-576, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Captain John's Creek, points of diversion in Sections 1 and 2, Township 32 North, Range 4 W.B.M. on Captain John's Creek; two canals 5 ft. wide and 2½ ft. deep with log crib diversion dams and wooden headgates;

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 25 second feet; 20 second feet;

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation and domestic use in Lewiston Orchards Irrigation District, consisting of 4332 acres supplementing present water supply for homes, orchard tracts and irrigated farms; the district is located in Sections 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, Township 35 North, Range 5 W.B.M. & Sec 18 T. 35 N. R 4 W. B.M.

R-576

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. Water for domestic use taken from irrigation system;

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Dry farm land suitable for irrigated fruit and vegetable tracts; 1 1/2 acre
ft.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No, except as a resident of the district.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. At numerous times during the springs and summers of 1935 and 1936 I have
seen the entire flow of Captain John's Creek of about 20 second feet diverted
into Soldier's Meadow reservoir and then carried into the system of the district.
I have seen the waters delivered by the district used daily for irrigation pur-
poses.

(Signed)

Arthur A Shipley

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Lewiston, County of Nez Perce, State of Idaho, on this day of January 7, A. D. 1937.

John Cramer
Notary Public.

My commission expires 2/15/37

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R-576

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Howard D. Mull; 36 years; electric power operator Lewiston Orchards;

R. F. D. #2, Lewiston, Idaho.

Ques. 2. Are you acquainted with Lewiston Orchards Irrigation District, the holder of Permit No. R-576? How long have you known him and where does he reside?

Ans. I have been a resident of the Lewiston Orchards Irrigation District and have known D. S. Wallace, manager, for more than 7 years;

Ques. 3. Have you read or heard read said Permit No. R-576, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Captain John's Creek; points of diversion in Sections 1 and 2, Township 32 North, Range 4 W.M.M. on Captain John's Creek; two canals 5 ft. wide and 2 1/2 ft. deep with log crib diversion dams and wooden headgates;

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 25 second feet; 20 second feet; - 2,000 acre feet

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Irrigation and domestic use in Lewiston Orchards Irrigation District, consisting of 4332 acres supplementing present water supply for homes, orchard tracts and irrigated farms; the district is located in Sections 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, Township 35 North, Range 5 W.B.M. & Sec 18, 23, 5 N., R 4 W., B 1 W

R-576

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. Water for domestic use taken from irrigation system:

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Dry farm land suitable for irrigated fruit and vegetable tracts, 1 1/2 acres
It:

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No, except as a resident of the district.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

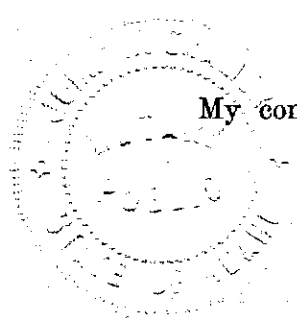
Ans. At numerous times during the springs and summers of 1935 and 1936 I have
seen the entire flow of Captain John's Creek of about 20 secondfeet diverted
into Soldier's Meadow reservoir and then carried into the system of the district.
I have seen the waters delivered by the district used daily for irrigation pur-
poses.

(Signed) Howard A. Small

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Lewiston, County of Nez Perce, State of Idaho, on this day of January 7, A. D. 1937.

John C. Cramer
Notary Public.

My commission expires 9/15/37



State of Idaho

DEPARTMENT OF RECLAMATION BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,
December 29, 1936

Re: Permit No. R-576

JOHN W. CRAMER, Notary Public
Lewiston, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. R-576

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On January 7, 1937, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Lewiston, Idaho before John W. Cramer

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

R. W. FARIS

Commissioner of Reclamation.

R-576

December 11, 1936

Re: Permit No. R-576

LEWISTON ORCHARDS IRRIGATION DISTRICT
Lewiston, Idaho

Attention: D. S. Wallace, Mgr.

Gentlemen:

This will acknowledge receipt of notice in duplicate for publication in connection with beneficial use proof, and also your authorization to have the notice published in the Lewiston Morning Tribune, Lewiston, Idaho, all in connection with Permit No. R-576.

A copy of the notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to January 7, 1937. About ten days prior to this date, depositions consisting of one for the holder and one each for two witnesses, will be mailed to John W. Cramer, Notary Public, Lewiston, Idaho, so that he will have them in ample time for the proof.

On the date designated you should appear at Mr. Cramer's office with two disinterested witnesses who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

Chief Clerk & Office Engineer.

PLH/cj

R-576

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date..... **December 10, 1936**

Re: Permit No. R-576

EDITOR, Lewiston Morning Tribune
Lewiston, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **January 7, 1937**, the date set for proof, the expense of the publication to be paid by the applicant, **Lewiston Orchards Irrigation District**
Lewiston, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

R-576

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 7th day of January, 19 37,
at Lewiston, County of Nez Perce, State of Idaho,
before John W. Cramer, Notary Public, proof will be submitted
of the application to beneficial use of 2000 acre feet per annum ~~cubic feet per second~~ of the
waters of Captain John's Creek in accordance with the terms and conditions of
Permit No. R-576 heretofore issued by the Commissioner of Reclamation
of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Lewiston Orchards Irrigation District; Lewiston, Idaho.

The use to which said water has been applied is Irrigation and domestic use.

The amount applied to beneficial use is 2000 acre feet per annum

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Land in Lewiston Orchards Irrigation District, Nez Perce County, Idaho,
located in Sections 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 21, 22 and 23, T. 35 N.,
R. 5 W., B. M.; and Sec. 18, T. 35 N., R. 4 W., B. M.; containing a total of
4552.16 acres.

The name of the canal or ditch or other works by which said water is conducted to such place of use
is Captain John's Creek, Soldier's Meadow Reservoir and Sweetwater Canal

The right to take water from such works is based upon Permit No. R-576

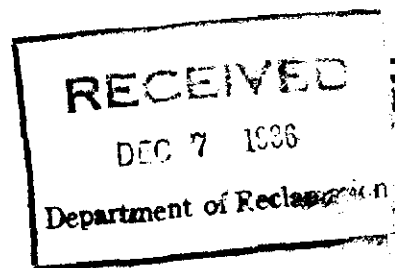
The source of supply from which such water is diverted is Captain John's Creek

The date of the priority which said user is prepared to establish is December 4, 1934.

R. W. FARIS

Commissioner of Reclamation.

R-576



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 19, 1936

(P. O.) Lewiston, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
..... Lewiston Morning Tribune of Lewiston, Idaho, published in
the county in which the works are situated.

LEWISTON ORCHARDS IRRIGATION DISTRICT

By D. S. Wallace Eng'r

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

.....
Engineer.

R-574

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE
NOV 9 - 1936

D. S. WALLACE, Mgr.
Lewiston Orchards Irr. Dist.
Lewiston, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. **R-576**, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is **Jan. 7, 1937**, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

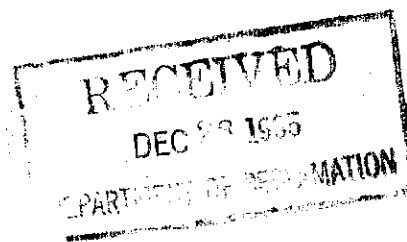
R. W. FARIS
~~GEO. N. CARTER~~,
Commissioner of Reclamation.

R-576

JOHN W. CRAMER

ATTORNEY-AT-LAW
202 SALSBERG BLOCK
LEWISTON, IDAHO

December 26, 1935



R-576

Engineering Department of the State of Idaho
Boise, Idaho

Gentlemen:

Re: Permit No. R-576
Lewiston Orchards Irrigation District

I am in receipt of your letter in connection with the proof of completion of works in connection with the above permit.

Through an error you sent me two copies of the form of deposition of permit holder and only one for witnesses. I wished you would kindly send me an additional copy of the form of deposition for witnesses.

Very truly yours,

John W. Cramer

JWC:AM

*mailed
1-2-36*

R-576

State of Idaho

ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Re: Permit No. R-576
Lewiston Orchards Irrigation District

MR. JOHN W. CRAMER, Notary Public
Lewiston,
Idaho

Boise, Idaho, December 23, 1935

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works under Permit No. R-576

Deposition of Permit Holder,
Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of the permit holder's rights:

1. On January 7, 1936, the date set for proof of completion of works, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Lewiston, Idaho, before John W. Cramer, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

R. W. FARIS
Commissioner of Reclamation

R-576

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date.....December 6, 1935.....

Re: Permit No. R-576

EDITOR, LEWISTON TRIBUNE
Lewiston,
Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to January 7, 1936....., the date set for proof, the expense of the publication to be paid by the applicant,.....

.....LEWISTON ORCHARDS IRRIGATION DISTRICT, LEWISTON, IDAHO c/o D. S. Wallace, Mgr......
to whom you should furnish proof of publication on or prior to the date set for proof.

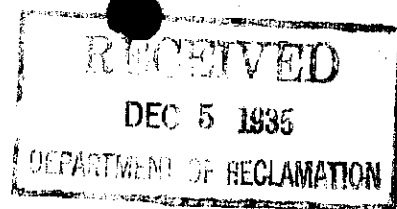
Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

R-576



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 2nd 1935
(P. O.) Lewiston Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at ^{our} ~~my~~ expense in the Lewiston Tribune of Lewiston Idaho published in the county in which the works are situated.

Lewiston Orchard Irrigation District
J. L. Wallace Eng'r

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

R-576

Notice for Publication

Notice is hereby given that at 11:00 M., on the 7th day of January 1936, at Lewiston, County of Nez Perce, State of Idaho, before John W. Cramer, Notary Public proof will be submitted of the completion of works for the diversion of storage 2,000 acre annum feet per second of the waters of Captain John Creek

in accordance with the terms and conditions of a certain permit heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name of the person or corporation holding said permit is Lewiston Orchards Irrigation District

2. The postoffice address of such person or principal place of business of such corporation is Lewiston, County of Nez Perce, State of Idaho.

3. The number of such Permit is R-576, and the date set for the completion of such work is January 7, 1936

4. Said water is to be used for irrigation and domestic purposes.

5. Said works will be fully completed on the date set for such completion, and the amount of water which said works are capable of storing 2,000 acre annum feet per second, in accordance with the plans accompanying the application for such permit, is 2,000 acre annum feet per second.

6. The amount of lands for which said water is available is 4332.16 acres, particularly described as follows:
All lands lying within the boundaries of the Lewiston Orchards Irrigation District, Lewiston, Idaho.

R. W. FARIS

Commissioner of Reclamation.

R-576

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

D. M. WALLACE, Agent
Lewiston Orchards Irrigation District,
Lewiston, Idaho

Boise, Idaho
Nov. 7, 1935

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. R-576

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before Jan. 7, 1936. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Very truly yours,

R. W. FARIS

Commissioner of Reclamation.

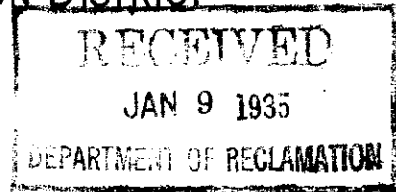
R-576

DIRECTORS
F. B. RUDDOCK, PRESIDENT
D. S. WALLACE,
MANAGER AND VICE PRESIDENT
WALTER EDDY, TREASURER
PAUL JOHNSON
GEO. ALDEN
L. G. HEITFELD
P. E. FARRINGTON
K. C. PARKER, SECRETARY

LEWISTON ORCHARDS IRRIGATION DISTRICT

LEWISTON ORCHARDS

TELEPHONE 38F2



LEWISTON, IDAHO.

Jan 7, 1935.

R-576
Department of Reclamation

Boise, Idaho.

Gentlemen:

On December 1, 1934 we mailed to you a check for \$6.75 with maps and an application for water to be taken from Captain John Creek and stored in the Meadows Reservoir.

The check has not been cashed and no acknowledgment received from you.

Yours truly,

D. S. Wallace R-576
Manager.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. R-576

Boise, Idaho, January 9, 1934

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

MR. D. S. WALLACE, Mgr.,
Lewiston Orchards Irrigation District,
Lewiston, Idaho

R. W. FARIS
Commissioner of Reclamation.

R-576

R-576

Upon receipt of a
fee of \$ 5.00 issued
Cert. of Comp. of Res.
for 2000 A. F.

2-18-37

R.H.

R-576

State of Idaho

License and Certificate of Water Right

Water License No. R-576
 Water District No. _____

Amount 2000 acre feet
 Priority December 4, 1934

THIS IS TO CERTIFY that **LEWISTON ORCHARDS IRRIGATION DISTRICT** ^{store and}
 of **Lewiston, Idaho**, made application for a permit to appropriate the
 public waters of the State of Idaho, dated **December 4**, 19 **34**; that Permit No. **R-576** 85 2117
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **2000**
acre ~~second~~ feet, was issued thereunder on **February 27**, 19 **37**, showing that said works
 were completed on the **7th** day of **January**, 19 **36**; and that on the **7th**
 day of **January**, 19 **37**,

LEWISTON ORCHARDS IRRIGATION DISTRICT

of **Lewiston**, State of **Idaho**, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of **Captain Johns**
Creek, a tributary of **Snake River**, for the purpose of **irrigation and**
domestic use, under Use Permit No. **R-576** of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume **7**
 of Licenses, at page **4024**, on the **20th** day of **July**, 19 **40**;

The right hereby confirmed dates from **December 4**, 19 **34**;
 Outlet

The Point of ~~Diversion~~ is located 3W
 in the **SE** $\frac{1}{4}$ **SW** $\frac{1}{4}$, Sec. **29**, Twp. **33 N.**, R. **4 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 **2000 acre**
~~feet~~ feet per second. ~~annum~~

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated

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 Commissioner of Reclamation, affixed at Boise, Idaho,
 this **20th** day of **July**, 19 **40**

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

8 S.F.

$$\begin{array}{r} 2.5 \overline{) 200} \\ 200 \\ \hline \end{array}$$