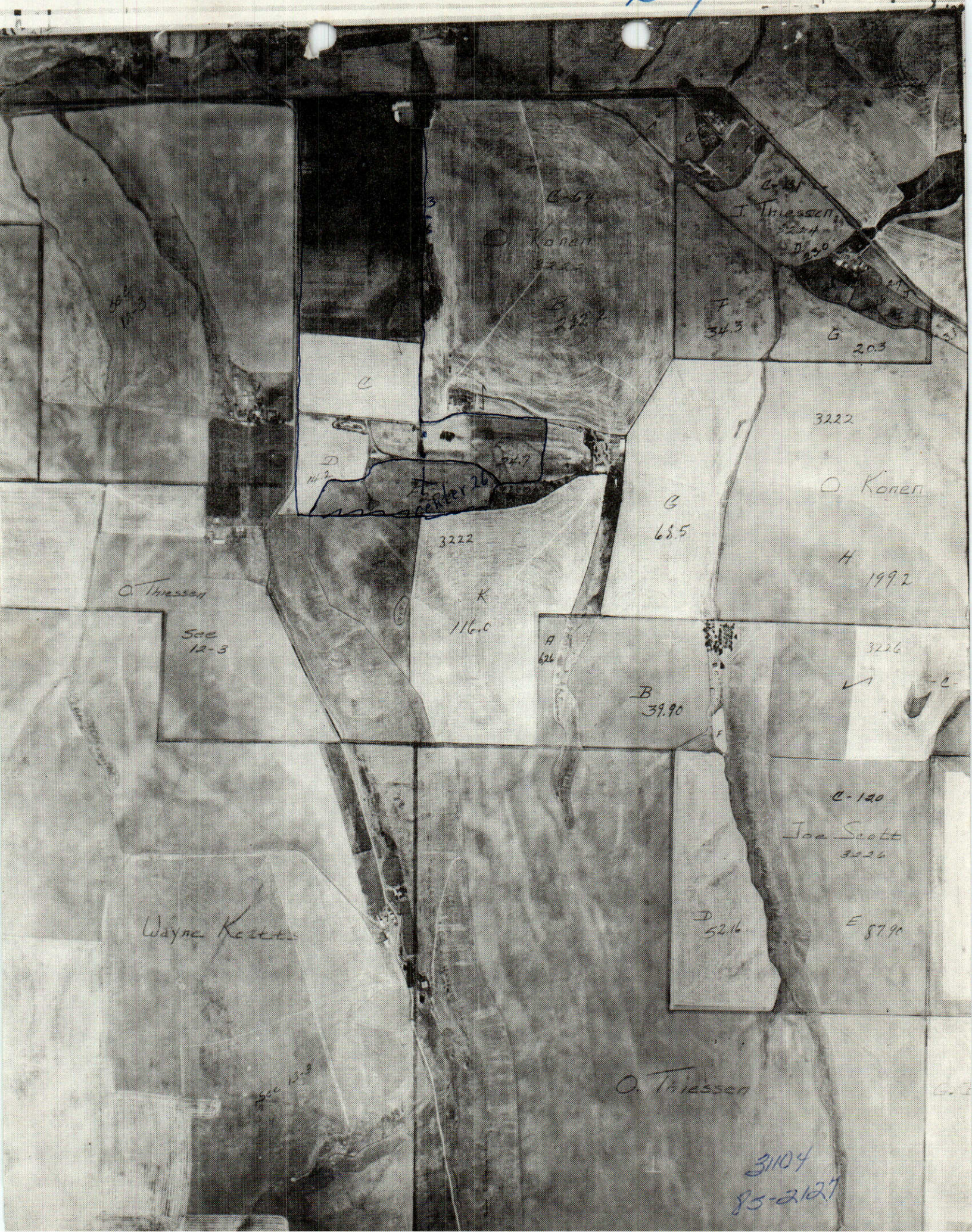
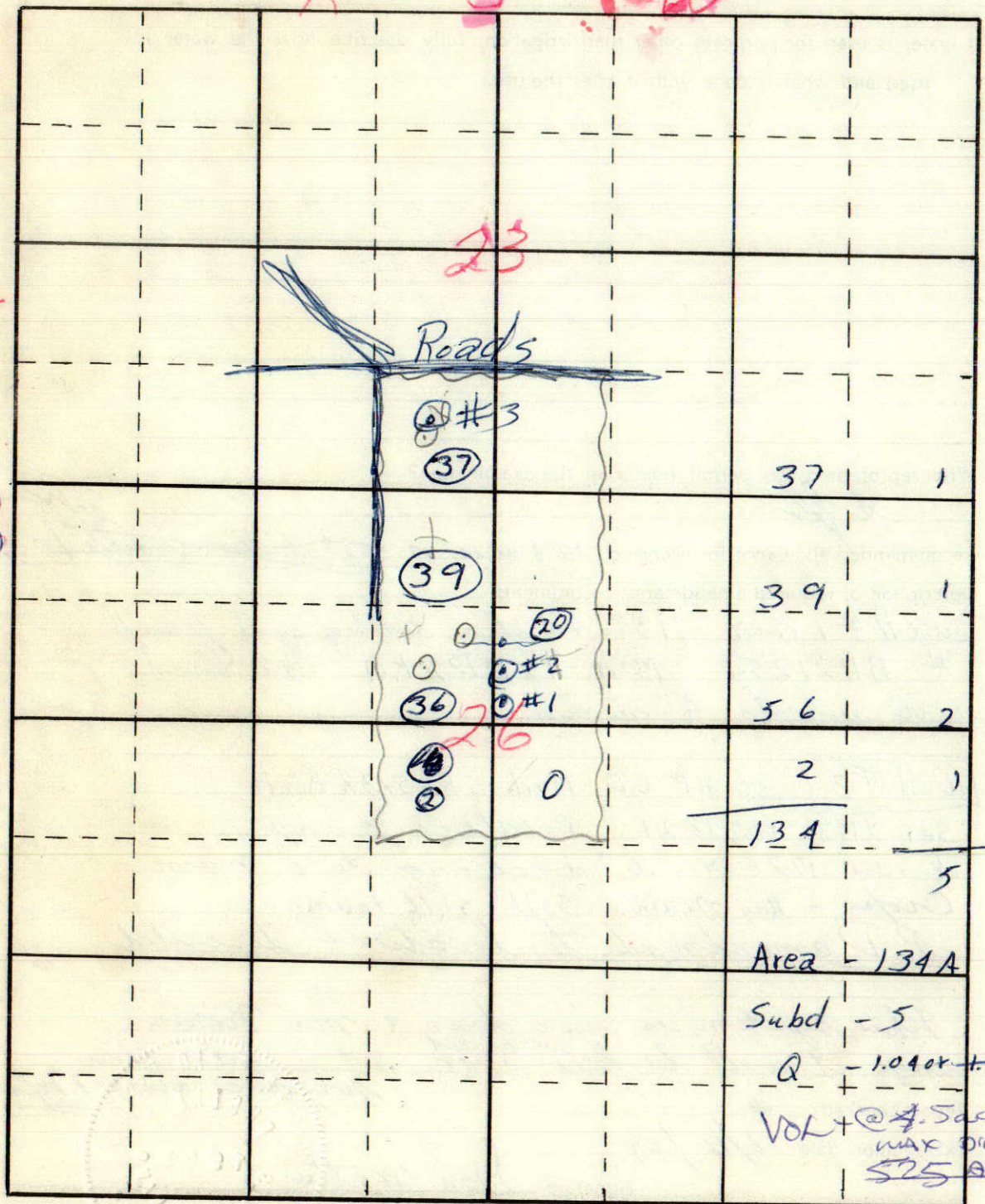






Permit No. G-31104 85
 Name of Applicant J. F. Konen, Route 1, Box 38, Lewiston, Idaho
 Source of Water Sub.
 a tributary of (2)
 Location of P.D. SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 35 N, R. 5 W, B.M.,
Nez Perce County

Water is used for Irrigation, domestic and stockwater (sw not on dep)
 Quantity of water claimed: Permit 2.22 c.f.s. Depositions 2.22 c.f.s.
 Type of measuring device installed or method of measurement and general description
 of diversion works Well # 1 - 20'x12", H - running 100'-80', poplars
Q - 110 gpm (weir); Well #2 - 267'x8", H - running 100'-80', trailerhse
Q - 400 gpm (weir); Well #3 - 2700'x16", H - running 100'-80',
Q - 400 gpm (weir). 80 sprinklers @ 7.1 g.p.m. 5.0 psi. A/S2/S2

Land to be irrigated or place of use:			
TWP.	RGE.	SEC.	Description
36 N	5 W	23	SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
		26	W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Filed - April 23, 1963
 Due - May 2, 1968
 Made - August 10, 1968
 Priority - August 1, 1963
 Total acreage 314 permit; 124 deposition

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and
 acreage covered by subdivision; also show land covered on the map.)

none
none
525 ac-ft / season - based upon feasibility of system
TOL 10-1-69

Plot 11

PUBLISHER'S AFFIDAVIT OF PUBLICATION

OCT 15 1968

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on June 19, 1968 at Lewiston, County of Nez Perce, State of Idaho, before notary public Edward E. Keller, 402 Main St., Lewiston, Idaho, proof will be submitted of the completion of works for the diversion of 2.22 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-31-104, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is J. F. Konen, Route 1, Box 38, Lewiston, Idaho.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.22 cubic feet per second.
3. The use to which said water has been applied is domestic, stock water and irrigation purposes, and the amount applied to beneficial use is 2.22 c.f.s.
4. The point of diversion of said water is SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23, T. 35 N., R. 5 W., B.M., Nez Perce County.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 35 N., R. 5 W., B.M.

The date of priority which said user is prepared to establish is April 23, 1963.

R. KEITH HIGGINSON,
State Reclamation Engineer

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

Department of Reclamation

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 Proof attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, once a week for four consecutive weeks, the

first publication thereof being on the 22nd day of May, A. D. 1968, and the last publication thereof being on the 12th day of June,

A. D. 1968, and said Notice of Proof 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

27 day of September, 1968

Edward E. Keller

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

RECEIVED

SEP 30 1968

Department of Reclamation

31104

NAME OF APPLICANT

J. F. Kamen Lewis & T. Doherty

Form No. 0

Section 13

well 35 40
22

39 26
27

20 well 20
40 well 27

14 well
20

Section 14

Permit Map No. 4-31104
As Approved
GEO. N. CARTE MAY 2 1963
State Reclamation Engineer

Refine copy

WATER LICENSE

Water License No. G-31104/85-2127 Priority August 1, 1963 Amount 1.04 c.f.s.
(late proof)

THIS IS TO CERTIFY, that J. F. KONEN
of Lewiston, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 23, 1963; that Permit G-31104/85-2127 was issued pursuant to said application; that the proposed works were completed on or about 1933, with a storage/or carrying capacity of 1.04 c.f.s., said works consisting of 3 wells, pumps, motors, and sprinkler system; and that on August 10, 1968, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 525 acre feet per season, with a maximum rate of diversion of 1.04 cubic feet per second of the waters of ground-water, tributary of _____, for the purpose of Irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SE 1/4 SW 1/4, Sec. 23, T. 35 N., R. 5 W., B.M., and other additional points 2 points in SW 1/4 NE 1/4 Sec. 26, Twp. 35 N., Rge. 5 W., B.M., in the County of Nez Perce; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 525 acre feet per year.

Description and location of place of use:

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	
35 N	5 W	23												37					37
		26			20		39			36	2								97

Total number of acres irrigated 134

The right to the use of the water 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

2nd day of December, 1969.

[Signature]
State Reclamation Engineer

85 2127

Deposited

100

Comes now J. F. KONEN

Route 1, Box 38, Lewiston, Idaho

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho

1. Point of diversion: SE 1/4 SW 1/4, Sec. 23, T. 35 N.,

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day

mo. - day

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

[illegible]

10/1/80

[illegible]

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

X J. J. Jones
(signature)

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,

R. Keith Higgins
State Reclamation Engineer

85-2127

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39191
Permit No. G- 31104
District No.

1. Name of Applicant: J. F. Konen
Rt. #1, Box 38
Postoffice address: Lewiston County: Nez Perce State: Idaho
2. Quantity of water claimed: 2.22 C.F.S.
 - (a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the ^{2 points} SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26
SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23
Twp. 35 N , Rge. 5 W , B.M., County of Nez Perce
5. Water is to be used for: domestic, stock and irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Wells, pumps and sprinkler system
8. Estimated cost of works: \$ 5000
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 2.22 (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

By _____ Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. APRIL 23, 1963

Returned to applicant for correction:

Corrected application received:

The number of this permit is G- 31104

Recorded in Book 109 Page 31104 Approved May 2, 1963

This is to certify that I have examined the within application for a permit to 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 _____ 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 November 2, 1965

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before May 2, 1968

Witness my hand this 2 day of May, 1963 s/ CARL E. TAPPAN
Ass't. STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 2
day of May, 1963

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLLIE
Governor

12.

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	
35 N	5 W	23 26	40 40	40 40	40 35	40 40	75 240
						Total	315

LICENSE ISSUED FOR 1.04 SEC. FT.
 LICENSE PAGE NO.

ACTION

N OWNER LAST NAME - KONEN

FIRST NAME - J. F.

N CITY - LEWISTON STATE - ID

N SOURCE - GROUNDWATER

N STAGE - LICENSE PRIORITY - 08-01-1963 COUNTY - NEZ PERCE TOTAL DIV. RATE - 1.0400CFS

N DIVERSION POINT - SESW 23 35N 05W

SWNE 26 35N 05W

N FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - 1.0400CFS

N USE - IRRIGATION

PLACE OF USE - TWN 35N RNG 05W SEC 23 TRACT SESW

AC 37

N USE - IRRIGATION

PLACE OF USE - TWN 35N RNG 05W SEC 26 TRACT SWNE

AC 20 TRACT NENW

AC 39

N TRACT SENW

AC 36 TRACT NESW

AC 02

N REMARKS - 2 P/D IN SWNE, S26, T35N, R5W.

OLD NO. - 31104

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 31104 185-2127
Old No. New No.

Record

1. Original Owner: J. F. Kerner

Present Owner: _____

2. Address:

3. City: Lewiston State: 10 Zip: _____

4. A. Source of Water: gw
B. Tributary of: _____

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: 8-1-1963
D. County: 69
E. Total Diversion Rate: 1.04
F. Total Diversion Volume:
G. Transfer/Amendment (P,T of A or blank):
H. Water District:
I. DLE/Carey Act (D,C or blank):
J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>#52 SW</u>	<u>23</u>	<u>35 N</u>	<u>5 W</u>		
	<u>SW NE</u>	<u>26</u>	<u>35 N</u>	<u>5 W</u>		

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

from 4-1 to 10-31 for A purposes. Amount 1.04
(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 _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. 2 P/D in SWNE, S 26, T 35 N, R 5 W.
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: 31109

F. Proof Made (P or blank):

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

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):



3222

C Koper

H 1992

3226

C-140

Jon Scott
8036

E 8790

31104
85-2127

C 685

B 3990

D 5216

3222

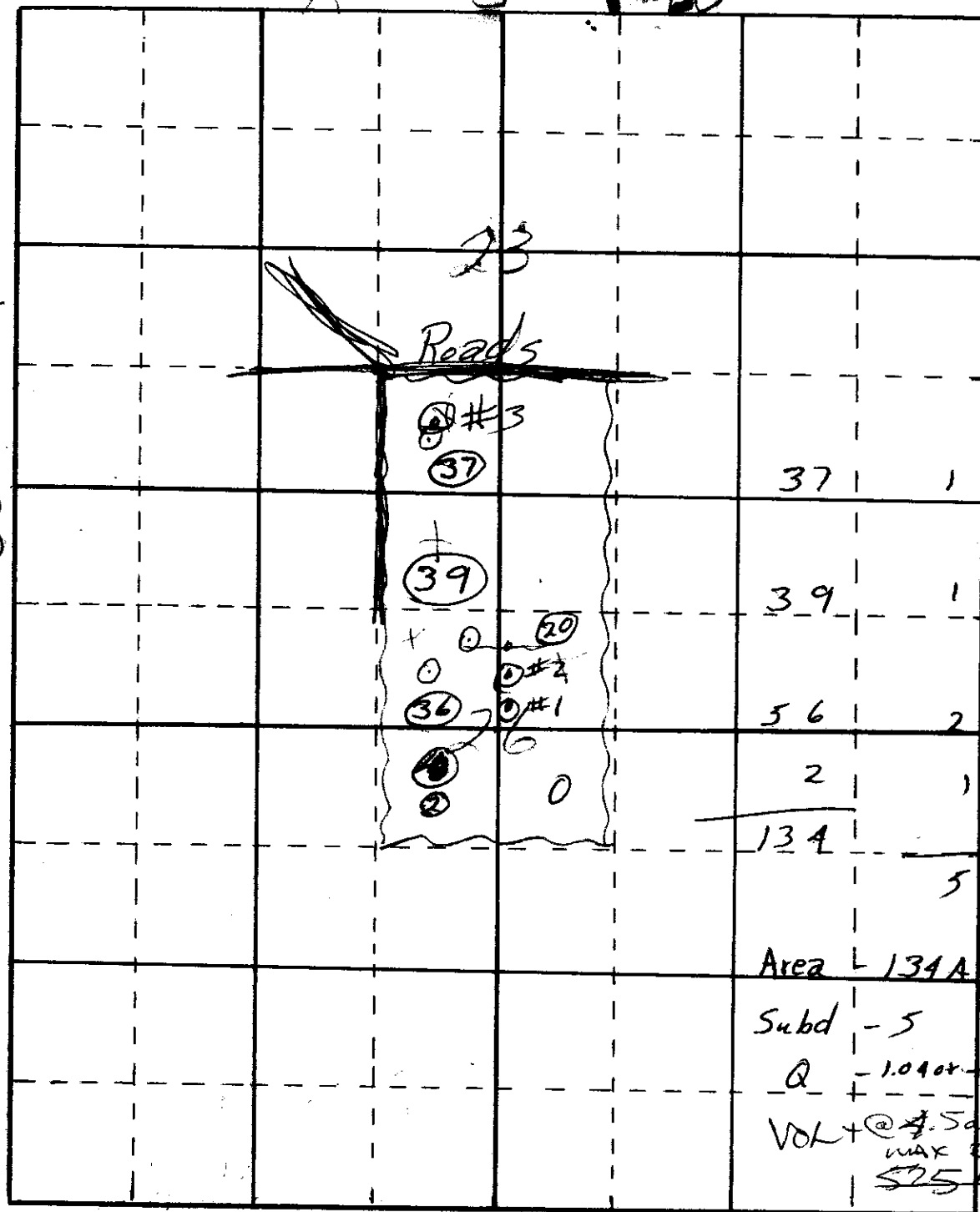
K 1160

A 626

C Thayer

500
12-3

Wayne K...



Permit No. G-31104

Name of Applicant J. F. Konen, Route 1, Box 38, Lewiston, Idaho

Source of Water Sub.

a tributary of (2)

Location of P.D. SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 23; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 35 N, R. 5 W, B.M.,
Nez Perce County

Water is used for Irrigation, domestic and stockwater (sw not on dep)

Quantity of water claimed: Permit 2.22 c.f.s. Depositions 2.22 c.f.s.

Type of measuring device installed or method of measurement and general description

of diversion works Well # 1 - 20'x12", H - running 100'-80', replays

Q - 110 gpm (weir); Well #2 - 267'x8", H - running 100'-80', trailer hose

Q - 400 gpm (weir); Well #3 - 2700'x16", H - running 100'-80',

Q - 400 gpm (weir). 80 sprinklers @ 7.1 g.p.m. 5.0 psi. A/S2/52

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
36 N	5 W	23	SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
		26	W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Filed - April 23, 1963

Due - May 2, 1968

Made - August 10, 1968

Priority - August 1, 1963

(late proof)

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and

acreage covered by subdivision; also show land covered on the map.

Area - 134A
Subd - 5
Q - 1.040 + .25
VOL + @ 4.5 ac-ft / acre / season
MAX DIVERTED NOT TO EXCEED
525 ac-ft / season - Based upon feasibility of system

TOL 10-14-69

Source of supply wells

a tributary of _____

Location of P.D.(s) SE 1/4 SW 1/4 sec 23 & 2 in
SW 1/4 NE 1/4 sec 26, T35N-R5W

Water is used for Irrigation

Quantity of water found .94 cfs

How was the measurement made? nozzle pressure readings

Measurement calculations _____

40 # 30 Rain Bird $1/4 \times 3/32$ @ 30 psi
40 # 30 " " $1/8$ @ 28 psi

$Q = 40 (6.07)$
 $+ 40 (4.48)$
 $= 40 (10.55) = 422 \text{ gpm} = .94 \text{ cfs}$
plus leak est - .1 cfs

$Q_{40} = 40 (12.4) = 110 \text{ cfs}$

Diversion works description and diagram

Well #2 F-M Motor 15HP
Type Q2KV Serial -
59318A; F-M Pump
Ser - PK 6540 6" disch
to 4" line valve & 6" main
@ 68 psi @ pump

Well #1 7 1/2 HP GE Motor

Mod 5K215P 6157, ³⁵²⁵ ~~2340~~ RPM,

10- ~~8~~ RM (to comments)

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 134

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

Self
Recommended allowance for licensing 1.04 as is or 1.25 if allowance made for repairs

Description of required amendments. Comments.

well #1 cont 15" Pacific centrifugal pump
BP21254 Mod - 1 1/2 BD4KA 1 1/2" disch
enlarged to 4" main

Well #3 30 HP GE Mod 5K6513XA3B
Ser YMJ 1031021 Peerless Pump
Serial 172839 6" discharge to 6" main
Crops - Hay grain Soil - silt loam
P.D. Amendment to locations described

This system is run down & Mr. Hosen
says it will be ^{overhauled} soon. It should then
produce about 1.7 cfs

Report checked? 4

Examination date 6/16/69

Signature Don Watts

85-2127
3/10/71

December 4, 1969

Re: Permit No. G-31104/85-2127

Mr. J. F. Konen
Route 1, Box 38
Lewiston, Idaho 83501

Dear Mr. Konen:

Enclosed you will find your Water License issued on the above numbered permit and departmental receipt No. 3915 in the amount of \$20.

Also enclosed is a copy of your approved amendment to permit No. G-31104/85-2127.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh
Enclosures

November 5, 1969

Re: Permit No. G-31104/85-2127

Mr. J. F. Konen
Route 1, Box 38
Lewiston, Idaho 83501

Dear Mr. Konen:

The Department of Reclamation has conducted a field examination of the land and works covered by the above referenced permit and has found that it will be necessary to amend your permit. Your permit lists the points of diversion as in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23; and 2 points in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26, Twp. 35 N., Rge. 5 W., B.M. Our engineer found that the actual points of diversion are one point in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23; and 2 points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, Twp. 35 N., Rge. 5 W., B.M. We are enclosing a partially completed application for amendment. If you agree with the findings of the department, please sign the amendment and return it with a \$5.00 fee.

The department is prepared to license Permit No. G-31104/85-2127 for 1.04 c.f.s. of water from three wells for irrigation of 134 acres within SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 23; SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26, Twp. 35 N., Rge. 5 W., B.M. The maximum quantity diverted shall not exceed 525 acre feet per season and the priority date established is August 1, 1963 (late proof). If you agree with these findings, please remit licensing fees of \$15.00 within 30 days of the date of this letter.

Please return the amendment and a total of \$20.00 in fees as soon as possible.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh
Enclosure

15-22657
11/09

October 16, 1968

Re: Permit No. G-31104

Mr. J. F. Konen
Route 1, Box 38
Lewiston, Idaho 83501

Dear Mr. Konen:

We acknowledge receipt of the depositions and affidavit of publication in the Lewiston Morning Tribune submitted as proof of completion of works and beneficial use on Permit G-31104.

Before a water license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

15-111
31104

Idaho Insurance Agency, Inc.

Ed Keller - Les Von Borgen

402 MAIN STREET

LEWISTON, IDAHO

Notary Seal is
now affixed.

Thank you.

Ed Keller

31104

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 7, 1968

Department of Reclamation

Re: Permit No. G-31104

J. F. Konen
Route 1, Box 38
Lewiston, Idaho

Dear Mr. Konen:

We have received the depositions and affidavit of notary and affidavit of publication sent to us recently. The papers appear to be in order except for the absence of the notary's seal on the affidavit of publication.

We are returning the affidavit so that the seal may be affixed. Please return the affidavit promptly.. Thank you.

Very truly yours,

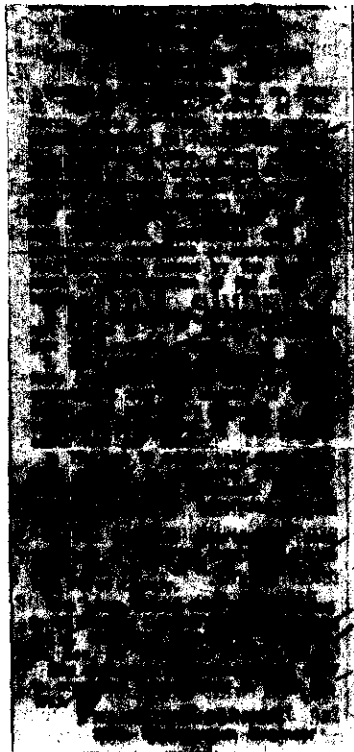
A handwritten signature in cursive script, reading "C. Stephen Allred".

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:dj
Enc: Aff. of Pub.

31104

PUBLISHER'S AFFIDAVIT OF PUBLICATION



RECEIVED

SEP 20 1968

Department of Reclamation

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 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said

period; that the Notice of Proof
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for four consecutive weeks, the

first publication thereof being on the 22nd day of
May, A. D. 1968, and the last publica-

tion thereof being on the 12th day of June,
A. D. 1968, and said Notice of Proof

was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished 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

27 day of September, 1968

Edward E. Keller

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

October 7, 1968

Re: Permit No. G-31104

J. F. Konen
Route 1, Box 38
Lewiston, Idaho

Dear Mr. Konen:

We have received the depositions and affidavit of notary and affidavit of publication sent to us recently. The papers appear to be in order except for the absence of the notary's seal on the affidavit of publication.

We are returning the affidavit so that the seal may be affixed. Please return the affidavit promptly.. Thank you.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:tfj
Enc: Aff. of Pub.

31104

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. G-31104

* * * * *

RECEIVED

SEP 20 1968

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: J. F. Konen
Tammany farmer, Rt. 1, Box 38 Lewiston, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: G-31104
April 23, 1968 5-2-63 April 23, 1963

Ques. 4. State source of water supply: 3 wells
Give location of point of diversion, showing subdivision, section, township and range
SE1/4NW1/4 Sec 26; SE1/4SW1/4 Sec. 23., T35N, R5W, BM, NezPerce County

Ques. 5. Describe your works of diversion: 3 Wells
; state amount of water they are capable of conveying from point of diversion to place of use: 2.22 cfs; Give name of canal or ditch or other works by which water is conducted to such place of use: Pipe
; if a well, state depth of well 20,267'&2700'; depth and size of casing 12"-20'D, 8"-120d, 16"-540'd; depth to water running 100'-80'; if pump is used, state discharge of pump: 110gpm, 400gpm, & 400gpm; tell how it was measured or determined
Weir; if sprinkler irrigation, give number and size of nozzles and operating pressure: 80 Sprinklers @ 7.1 gpm 5.0psi

Ques. 6. State for what purpose water is used: irrigation and domestic
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:
124 acres SE1/4SW1/4, SW1/4SE1/4 Sec. 23; W1/2NE1/4, E1/2NW1/4, NE1/4SW1/4, NW1/4SE1/4 Sec 26, T35N, R5W, BM
NezPerce County

31104

State nature of all improvements which have been made as a direct result of said use:

Cleaned walls. installed pumps & Irrigation & domestic water liner.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: Well Nos 1 & 2 unknown Well #3 Tammany Oil Well Co.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1933 100gpm - Time used since first use:

Wells drilled between 1900 and 1926 & used every year since.

Ques. 10. Describe all other water rights appurtenant to same place of use: None

(sign)

J. F. Rosen

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 10th day of August, A. D. 19 68.

OK
well
corrected
and
affidavit

Edmund B. Keller

My commission expires: June 14, 1969

31104

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED

SEP 30 1968

Permit No. G31104

* * * * *

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

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:

Joe L. Scott, 47 - Tammany farmer- Lewiston Idaho

~~W. J. Scott, 47 - Soil Conservation Service, Boise, Idaho~~

Ques. 2 Are you acquainted with J. F. Konen, the holder of

Permit No. G31104? How long have you known him and where does he reside?

Since 1943 Rt 1, Box 38 Lewiston, Idaho

Ques. 3. Have you read or heard said Permit No. G31104 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: 3 Wells

Give location of place of diversion, showing subdivision, section, township and range

SE1/4NW1/4 Sec 26, SE1/4SW1/4 SEC 23 T35N, R5W, BM Nez Perce County

Describe works for conveying water to place of use: Irrigation and domestic

pipe lines

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 2 1/2 How much water have you seen being so conveyed? 2 1/2 c.f

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

124 acres-SE1/4SW1/4, SW1/4SEC 23: W1/4NE1/4, E1/4NW1/4, NE1/4SW1/4, NW1/4SE1/4 Sec 26, T 35N, R5W

B.M, NezPerce County

31104

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Household Use

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.

124 Acres of farmland 3.5 acre foot

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? 1943

Other times you have seen such use: Yearly since original date

(Signed):

Joe L. Smith

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 17 day of September, A. D. 19 68

OK
affirmed

Edward B. Keller

Notary Public for the State of Idaho

Residing Lewiston

My commission expires June 14, 1969

31104

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
Permit No. G31104

RECEIVED
SEP 20 1968
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

Russell E. Smith, XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Age 58, 706 Linden Ave, Lewiston, Idaho
Range Conservationist, USDA Soil Conservation Service, Boise, Idaho

Ques. 2 Are you acquainted with J. F. Kenen, the holder of
Permit No. G31104? How long have you known him and where does he reside?

Since 1947 Rt 1, Box 38 Lewiston, Idaho

Ques. 3. Have you read or heard said Permit No. G31104 read, and are you familiar
with its provisions and conditions: Yes x No.

Ques. 4. State source of water supply: 3 Wells

Give location of place of diversion, showing subdivision, section, township and range
SE1/4NW1/4 Sec 26, SE1/4SW1/4 SEC 23 T35N, R5W, BM Nez Perce County

Describe works for conveying water to place of use: Irrigation and domestic
pipe lines

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 2 1/2 How much water have you seen being so
conveyed? 2 1/2 c.f

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

124 acres SE1/4SW1/4, SW1/4SE1/4 Sec 23: W1/2NE1/4, E1/2NW1/4, NE1/4SW1/4, NW1/4SE1/4 Sec 26, T 35N, R5W
B.M, NezPerce County

31104

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Household Use

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.

124 Acres of farmland 3.5 acre foot

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? 1945

Other times you have seen such use: Yearly since original date

(Signed):

Russell E Smith

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 23 day of September, A. D. 19 68

Edward B. Zeller

Notary Public for the State of Idaho

Residing Lewiston

My commission expires June 14, 1969

31104

IDAHO INSURANCE AGENCY, INC.

EDWARD E. KELLER - G. LESTER VON BARGEN

404 MAIN STREET

LEWISTON, IDAHO 83501

Telephone: SHerwood 3-3584

RECEIVED

SEP 29 1968

September 27, 1968

Department of Reclamation

State of Idaho
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Gentlemen:

Re: J. F. Konen
permit # G 31104

Attached are the depositions and the affidavit of publication from the Lewiston Morning Tribune, relating to the above described water permit.

My notarized statement appears below.

Very truly yours,

Edward E. Keller
Edward E. Keller, Mgr.

State of Idaho
County of Nez Perce

My office was open on June 19, 1968, and no protests were offered or received. I do not know of any special reason why the witness depositions were delayed, except for the fact that one of them is out of town a great deal of the time; it is possible they may have endeavored to contact me on a week-end, and may have not been successful in doing so.

Edward E. Keller
Edward E. Keller

Subscribed and sworn before me this 27th day of September, 1968 at Lewiston, Idaho, County of Nez Perce, State of Idaho.

G. Lester Von Bargen
G. Lester Von Bargen, Notary Public
Lewiston, Idaho

my commission expires Aug. 20, 1969

Representing HARTFORD FIRE INSURANCE COMPANY and HARTFORD ACCIDENT AND INDEMNITY COMPANY of



THE HARTFORD INSURANCE GROUP
HARTFORD, CONNECTICUT

31104

July 22, 1968

Re: Permit No. G-31104

J. F. Konen
Route 1, Box 38
Lewiston, Idaho 83501

Dear Mr. Konen:

We have received your letter of July 11, 1968. Please be advised that you should have the notary public, Edward E. Keller, complete a notarized statement advising the department of the reason for the delay in making the depositions, whether or not his office was open on June 19, 1968, and whether or not any protests were offered or received for Permit G-31104.

The affidavit should be notarized by a second notary and returned to this department with your holder and witness depositions and the affidavit of publication from the Lewiston Morning Tribune. We will hold the papers without action until we receive the second witness deposition.

If you have any further questions, please feel free to contact us. We would appreciate receiving the papers as soon as possible.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

31104

RECEIVED

JUL 15 1968

Department of Reclamation

July 11, 1968

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho 83701

Re: Permit No. G-31104

Gentlemen:

Due to the recent illness and death of my wife, I was unable to have the depositions of myself and two witnesses completed on June 19th as stated in your letter of May 15, 1968.

I am now in the process of completing the despositions. However, one witness, Russell E. Smith of the U.S.D.A. Conservation Service, will be out of town until the first of August and unable to appear before the Notary until then. If there is any special papers to file for this extension of time in returning the completed despositions, please advise me.

Sincerely,

J. F. Konen

J. F. Konen

31104

May 15, 1968

Re: Permit G-31104

J. F. Konen
Route 1, Box 38
Lewiston, Idaho

Dear Mr. Konen:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No. G-31104.

We have mailed the notice to the Lewiston Morning Tribune to be published once a week for four consecutive weeks prior to June 19, 1968, which is the hearing date when the permit holder _____

J. F. Konen

and two disinterested witnesses must appear before _____

Edward E. Keller, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by J. F. Konen. Be sure all the forms have the notary's seal and are signed. Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Depositions

cc: Notary

31104

May 15, 1968

Re: Permit No. G-31104
J. F. Konen

Lewiston Morning Tribune
Lewiston, Idaho 83501

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to June 19, 1968. The expense of the publication is to paid by J. F. Konen, Route 1, Box 38, Lewiston, Idaho.

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

31104

NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on June 19, 1968 at Lewiston,
County of Nez Perce, State of Idaho, before notary public (name & address) Edward E. Keller 402 Main St. Lewiston, Idaho, proof will be
submitted of the completion of works for the diversion of 2.22 c.f.s. of the waters
of a subterranean source, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit G-31104, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is J. F. Konen, Route 1, Box 38,
Lewiston, Idaho.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
2.22 cubic feet per second.
3. The use to which said water has been applied is domestic, stock water and
irrigation purposes, and the amount applied to beneficial
use is 2.22 c.f.s.
4. The point of diversion of said water is ~~SE4SW4~~ SE4NW4, Sec. 26;
SE4SW4, Sec. 23, T. 35 N, R. 5 W, B.M., Nez Perce County.
5. The place where said water is used is SE4SW4, SW4SE4, Sec. 23; W1/2NE4,
E1/2NW4, NE4SW4, NW4SE4, Sec. 26, T. 35 N, R. 5 W, B.M.
6. The date of priority which said user is prepared to establish is _____
April 23, 1963.

R. KEITH HIGGINSON

State Reclamation Engineer

31104

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Lewiston Morning Tribune of Lewiston, Idaho 83501; published in the county in which the works are situated.

J. F. Konen
(signature) J. F. Konen

Rt. # 1 Box 38

Lewiston, Idaho
(address)

May 2, 1968
(date)

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 when proof is for completion of works.

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

Engineer

31104

RECEIVED

May 13, 1968 MAY 15 1968

Department of Reclamation

State of Idaho
Dept. of Reclamation
107 State House
Boise, Idaho

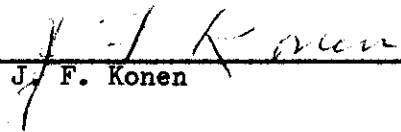
Re: Permit No. G-31104

Gentlemen:

Enclosed are completed forms for the above permit as requested by you. I realize these reports are late in returning. However, in the rush of spring work and income tax filing time they were misplaced by me. I trust this oversight on my part will not cause difficulties.

Sincerely

By


J. F. Konen

Encs.

31104

Re: Permit No. G-31104

March 1, 1968

J. F. Konen
Route 1, Box 38
Lewiston, Idaho 83501

Dear Mr. Konen:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than May 2, 1968.

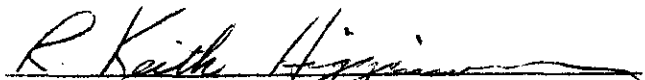
Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces and sign the form authorizing us to publish the notice at your expense and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.


State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____.

permit holder

31104

May 15, 1963

Re: Permit No. G-31104

Mr. J. F. Konen,
Rt. #1, Box 38,
Lewiston, Idaho.

Dear Mr. Konen:

We enclose Permit No. G-31104 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-7865 which was issued covering payment in the amount of \$ 5.50 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl.

31104

NAME OF APPLICANT

J. K. Williams *Leicester, Idaho*

Form No. 0

Section 23

well 35 40

34 26

*20 well 20
40 well 20*

14

Section 24

4-31104

GEORGE H. CARTE MAY 2 1963
State Reclamation Engineer

Office of the State Reclamation Engineer

**NOTICE OF PROOF OF
COMPLETION OF WORKS
AND APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that on June 19, 1968 at Lewiston, County of Nez Perce, State of Idaho, before notary public Edward E. Keller, 402 Main St., Lewiston, Idaho, proof will be submitted of the completion of works for the diversion of 2.22 c.f.s. of the waters of a subterranean source, and the application to beneficial use of said water, in accordance with the terms and conditions of permit G-31-104, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is J. F. Konen, Route 1, Box 38, Lewiston, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 2.22 cubic feet per second.

3. The use to which said water has been applied is domestic, stock water and irrigation purposes, and the amount applied to beneficial use is 2.22 c.f.s.

4. The point of diversion of said water is SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 25, T. 35 N., R. 5 W., B.M., Nez Perce County.

The place where said water is used is SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 35 N., R. 5 W., B.M.

The date of priority which said user is prepared to establish is April 23, 1963.

R. KEITH HIGGINSON,
State Reclamation Engineer

April 23, 1963

Re: Application No. 39191

J. F. Konen
Route #1, Box 38
Lewiston, Idaho

Dear Mr. Konen:

Enclosed is a copy of your application for permit which you may sign and return to this office and it will be exchanged for your first application.

You did not return the two maps with the application form. Be sure and enclose them with the new form.

Prompt return of the form with the maps is desirable.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. copy of application
for permit

31104

Leicester D. K.
April 20 - 63

Department of Reclamation
Besse Idaho

Mr. Ralph W. Thomas,

APR 23 1963
Department of Reclamation

Dear Sir

Enclose herewith the
application for Permit and a check
for 5⁵⁰

I believe I would like
to have another permit blank
I would try and have it
more persuasive

Yours Truly,
J. S. Korman

31104

April 9, 1963

Re: Application for Permit

J. F. Konen
Route #1, Box 38
Lewiston, Idaho

Dear Mr. Konen:

Returned herewith is your application for permit which we received without the \$5.50 filing fee for 2.22 c.f.s.

You did not answer 7. Kind of works. I have penciled "3 wells, pumps and " - Kindly finish such as sprinkler system or as ditches.

The time for completion has been changed to 5 years, however you can make proofs at any prior time.

The land list under 12 appears to be in error. That has been changed in pencil to show SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 35 N., R. 5 W., a total of 315 acres. That agrees with the map and the points of diversion.

The answer under 13 is not correct. Do you have any water rights for this land? If not, you should show "none" and should describe any you may have for this land.

Kindly correct as necessary and return with the filing fee. The amount of the filing fee is shown on page 4 of the application form.

You should complete the second map.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

31109

RT:ew
Enc. application