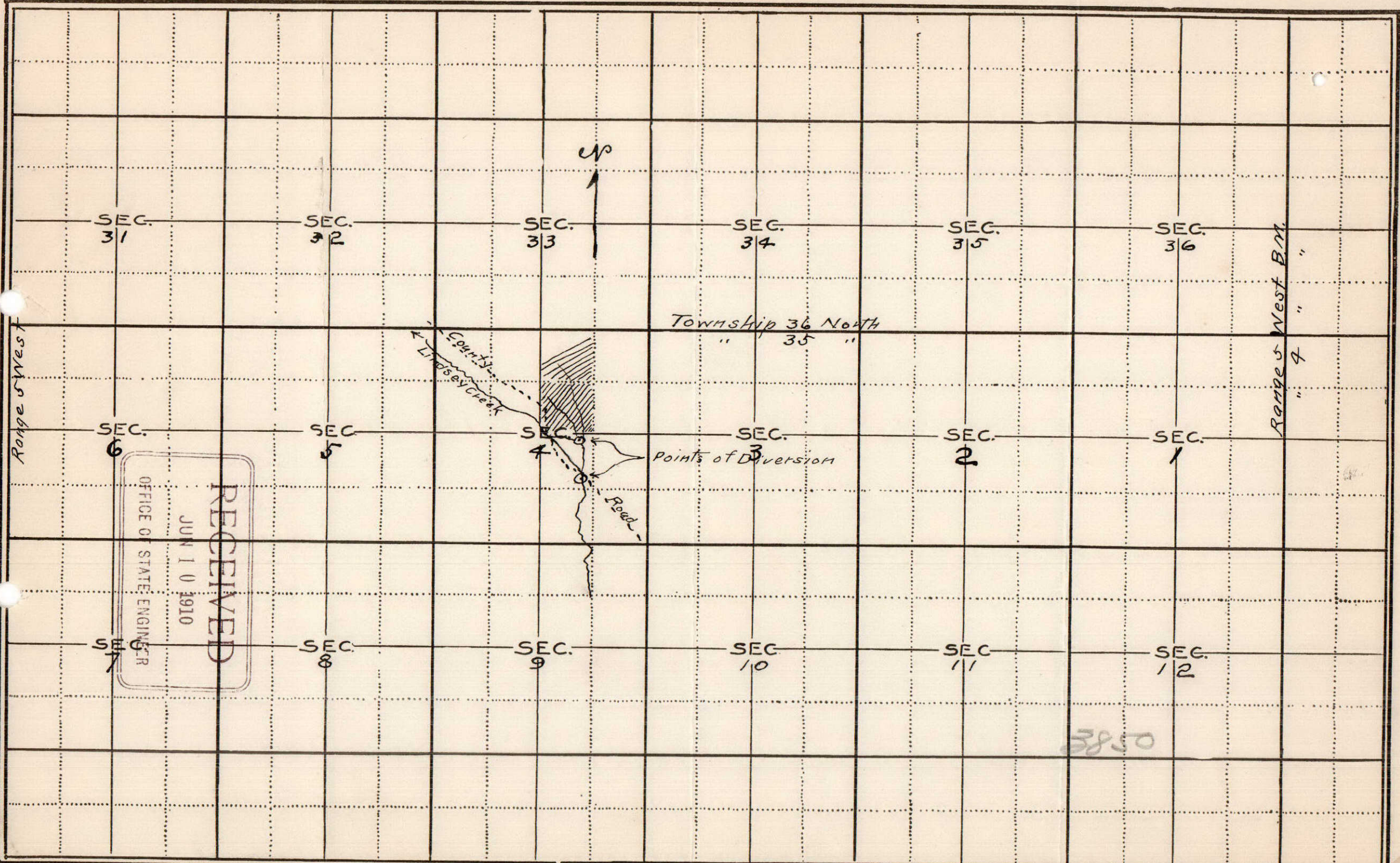




Lindsay Creek *
Nez Perce County *
1 second foot *
Irrigation & domestic *
Priority 7-22-1908 *

S T A T E _ O F _ I D A H O _

Water License No. 3850

WHEREAS, On the 22nd day of July, A.D.1908, G.E.Ritz, of Lewiston, County of Nez Perce, State of Idaho, duly made application (No. 5472) to me for a permit to use 1 cubic foot per second of the waters of LINDSAY CREEK, County of Nez Perce, State of Idaho, for irrigation and domestic purposes; and

WHEREAS, On the 25th day of July, A.D.1908, Permit No. 3850, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 25th day of July, A.D.1909, and for the application to beneficial use of said water on or before the 25th day of July, A.D.1910, and

WHEREAS, On the 21st day of June, A.D.1909, G.E.RITZ, the holder of said permit duly made proof of the completion of adequate works for the diversion of one cubic foot per second of said waters, as evidenced by my Certificate No. 3850, dated July 15,1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1 cubic foot per second of said water, with date of priority of July 22,1908, and

WHEREAS, On the 8th day of June, A.D.1910, G.E.RITZ, the holder of said permit duly made proof of the application to beneficial use of one cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to G.E.RITZ, of Lewiston, County of Nez Perce, State of Idaho, the holder and owner of said Permit No. 3850, a perpetual right, dating from July 22,1908, to the use of 1 cubic foot per second of LINDSAY CREEK, in the County of Nez Perce, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at two points in Northwest quarter southeast quarter, section 4, township 35 North, Range 5 W. B.M., and conducted to the southwest quarter of the northeast quarter and Lot 2, section 4m township 35 North, Range 5 W.B.M., for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 30th day of June, A. D.

Nineteen hundred and ten.

(SEAL)

Recorded June 30, 1910

D.G.Martin

State Engineer

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: G. E. Ritz.

Postofficeaddress: Lewiston.

County: Nez Perce State: Idaho.

II. The financial resources of the applicant are:

(a) Cash on hand: Sufficient to complete the works described in application.

2. The quantity of water claimed is One cubic foot per second.

3. Source of water supply: Lindsay Creek.

County of Nez Perce

4. Location of points of diversion: NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 4 Tp. 35 N. R. 5 W. B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 50 acres.

(b) In the following legal subdivisions: SW NE $\frac{1}{4}$ and part of Lot 2 Sec. 4 Tp. 35 N. R. 5 W. B. M.

6. Estimated cost of works: \$250.

7. Description of works for diversion:

I. Kind of works Pipe Ditch & flume.

II. Dimensions of works:

(d) Conduit Length of conduit is 1000 ft., and it crosses the following quarter sections: SE $\frac{1}{4}$ and NE $\frac{1}{4}$ Sec. 4 Tp. 35 N. R. 5 W. B. M. to land described in 5 I (b) above which is the point of intended use.

8. Time required for the completion of the construction of such work is One year.

9. Time required for the complete application of the water to the proposed use is One additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

G. E. Ritz,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 3850.

Date of first receipt of application 9.00 a.m. July 22, 1908.

Recorded in Book 11, Page 3850 Approved July 25, 1908.

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before September 23, 1908, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 25, 1909.

The whole of said work to be completed on or before July 25, 1909.

The time for proof of beneficial use of water appropriated in accordance herewith, to extend to July 25, 1910.

Witness my hand this twenty-fifth day of July, 1908.

Jas. Stephenson, Jr.,

State Engineer.

Blank notice of completion of works mailed applicant April 1, 1909.

Notice received April 14, 1909 fixing June 21st, 1909 as date and Lewiston, Idaho as place of pro

Notice for publication mailed Lewiston Morning Tribune, May 4th, 1909.

Deposition blanks mailed applicant May 4th, 1909

D. C. Wrighter authorized May 4th, 1909 to make examination of works.

His report received May 21st, 1909.

Depositions of holder and witnesses, affidavit of publication and fees received June 26th, 1909.

Certificate issued July 15th, A. D. 1909.

Permit No. 3850.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that G. E. RITZ, of Lewiston, County of Nez Perce and State of Idaho, the holder of Permit No. 3850, issued upon Application No. 5472 bearing date of priority of July 22nd, 1908, authorizing the diversion of one second foot of the waters of Lindsay Creek, 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 of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one second-foot of the waters of Lindsay Creek, that the point of Diversion of said waters is at a point in the Northeast quarter of the Southeast quarter ($NE\frac{1}{4}SE\frac{1}{4}$) Section 4, Township 35 North of Range 5 West, Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: The Southwest quarter of the Northeast quarter ($SW\frac{1}{4}NE\frac{1}{4}$) and part of Lot Two (2) Section 4, Township 35 North Range 5 West, Boise Meridian.

Witness my hand this 15th day of July, A. D. 1909.

Jas. Stephenson, Jr.,

State Engineer of the State of Idaho.

License issued for Page 691 second feet

In Re Permit 3850

State of Idaho

County of Nez Perce

} SS

G. E. Ritz, being first duly sworn, on oath deposes and says: I am the identical person to whom was granted Permit 3850, for the appropriation of water from Lindsay Creek in Nez Perce County, Idaho. That the actual point of diversion of said water under said permit is "points in the Northwest Quarter of the Southeast Quarter of Section Four, Township Thirty-Five North Range Five West, Boise Meridian". That the discrepancy existing between the permit as granted and the report of D. C. Wrighter is not caused by any change in the points of diversion but is the result of an error made in describing the points of diversion in the permit. That the points of diversion as given herein and in said report is the points of diversion as the same actually appear on the ground and as same should have appeared in the permit and that said points of diversion do not in any way interfere with any other water right or rights on the said stream.

G. E. Ritz.

Subscribed and sworn to before me on this the 23rd day of June 1910.

Geo. E. Erb,

(SEAL)

Notary Public.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at

9 A.M. June 25, 1910.

D. G. Martin, State Engineer

1815000-19100
May 20, 1982
MAY 25 1982

Dear Sirs -

I own a small portion of ^{Department of Water Resources} ~~water~~ for which G. E. Ritz was granted irrigation water rights - 6/30/10 by the State of Idaho. I tried to get a copy of the Grant from the Coeur d'Alene office and they advised me to write to you for it and their records were "uncopiable" because they were on microfilm - Following is the info as I was able to attain it:

State of Idaho - 3850 granted by Idaho
6/30/10 - G. E. RITZ

1 cu F/second Lindsay Creek.

2 pts N/W quarter S/E quarter

Sec 4 township 35 N range 5W,
for S/W quarter of N/E quarter and lot 2

Recorded - License # 85-2013

I'd like if possible to get a copy of the record as you have it.

Sincerely,

Hilda L. Williams

3405 - 10th ST

Heviston Idaho 83501

O. WILLIAMS
3405 10TH STREET
LEWISTON, IDA.
83501



*Idaho Dept. of Water Resources
Statehouse
Boise Idaho 83120*

Lindsay Creek *
Nez Perce County *
1 second foot *
Irrigation & domestic *
Priority 7-22-1908 *

S T A T E O F I D A H O

Water License No. 3850

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WITNESS, My hand and the seal of my office at Boise, Idaho, this 30th day of June, A. D.
Nineteen hundred and ten.

(SEAL)

Recorded June 30,1910

D.G.Martin

State Engineer

Please file



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Executive Assistant~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

April 19, 1982

Re: 85-2013

Mrs. Hilda L. Williams
3405 10th St.
Lewiston, Id. 83501

Dear Mrs. Williams:

If the water from Lindsay Creek is now being used on the same land and for the same purpose as it was originally stipulated on the license, then you do have a portion of the right. If the water was not originally used on your property, then you do not have a portion of the right.

If the water from the dug well is being used in the trailer court, that right must be filed with this Department. If the proposed well increases the usage of water or changes the legal description of the point of diversion, that also must be recorded.

If you need any further assistance, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office - W/enc.

April 12, 1982

Northern Region, Idaho Dept Water Resources
Route # 5 Box 203
Coeur D'Alene, Idaho 83814

RECEIVED

APR 13 1982

Dear Sirs:

Department of Water Resources
Northern District Office

Approximately 19 or 20 years ago I bought
a small trailer court from Dorothy
Marquis, a divorcee - since then
Dorothy Felker. She assured me of
water rights which I believe were
recorded under her father's or perhaps
Grandfather's name. b. 2013

The original water rights were
granted to G. E. Ritz by the State of
Idaho (ST I - 3850) on June 30, 1910.

It called for one cubic foot per
second from Lindsay Creek, 2 fts.
N/W quarter, S/E quarter, Section 4,
townships 35 N, Range 5 W, for S/W
quarter of N/E quarter and lot 2,
recorded.

Since my property is a sub-
division of the original parcel of land
I am entitled to water rights

Accorded the original owner. My property is at 235 Lindsay Creek Road. We not only use well water for drinking but use irrigation water for lawns, garden and watering animals - As soon as it is feasible we hope to drill a new well in a more suitable location and do away with the dug well. Will this change have to be recorded also?

Do you need a legal description of my property?

Sincerely,
(Mrs) Hilda L. Williams
3405 - 10th St.
Lewiston, Idaho 83501

P.S. While at the Court house I got a legal description of the property, on which Jesse Elliott now holds a lien. # 5605 is my place - it was taken out of # 5553 which in turn was part of the original portion of land held by B. E. Ritz -

Escrow Contract

5605

December 12, 1963

That portion of the Southwest quarter of the Northeast Quarter of Section 4, Township 35 North, Range 5 WBM, described as follows: From a point on the West boundary line of the Northeast Quarter of said section 4, said point being 1452.8 feet South from the Quarter corner of said section 4, thence East at right angles to said boundary line a distance of 12.75 feet; thence South $8^{\circ} 34'$ E a distance of 316 feet to the true place of beginning; thence N $76^{\circ} 16'$ E a distance of 302.0 feet; thence S $66^{\circ} 01'$ E a distance of 76.0 feet; thence S $60^{\circ} 40'$ W a distance of 262.6 feet; thence S $31^{\circ} 36'$ E a distance of 94.4 feet; thence S $54^{\circ} 42'$ W a distance of 83.32 feet; thence N $28^{\circ} 04'$ W a distance of 245.2 feet to the true place of beginning, all situate in Nez Perce County, Idaho.

#5553

Escrow Contract Between Dorothy H. Felker (formerly known as Dorothy M. Margulis) and Robert G. McKinley, Sr., July 10, 1962.

From the Southeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 4, T. 35 N. R. 5 W.B.M., Nez Perce County, Idaho; thence N. $0^{\circ} 57'$ E a distance of 342.5 feet to the true place of beginning; thence continue on the last above mentioned course a distance of 159.5 feet; thence N. $66^{\circ} 01'$ W a distance of 1110.00 feet; thence S. $76^{\circ} 16'$ W. a distance of 319.0 feet; thence S. $28^{\circ} 04'$ E a distance of 515.4 feet; thence S. $89^{\circ} 36'$ E a distance of 140.0 feet; thence S. $30^{\circ} 20'$ E a distance of 84.5 feet; thence S $89^{\circ} 36'$ E a distance of 867.1 feet to the true place of beginning containing 11.75 acres more or less.

NAME	ELLIOTT, JESSE			% HILDA LOUISE WILLIAMS
ADDRESS	3405 10TH STREET, LEWISTON, ID. 83501			
DESCRIPTION	LOT SEC.	TWP.	BLK. RGE.	
#5605 of #5553 of SWNE	4	35	5W	11588
				815.0-204.01-002-005

Land description

ACT

ION

C SOURCE - LINDSAY CREEK

TRIBUTARY OF - CLEARWATER RIVER

ACTION

N OWNER LAST NAME - RITZ

N

N SOURCE - LINDSAY CREEK

N STAGE - LICENSE

N DIVERSION POINT - NWSE 04 35N 05W

N USE - IRRIGATION

N USE - DOMESTIC

N USE - IRRIGATION

FIRST NAME - G. E.

CITY - LEWISTON

STATE - ID

PRIORITY - 07-22-1908 COUNTY - NEZ PERCE TOTAL DIV. RATE - 1.0000CES

PLACE OF USE - T2N 35N R4G 05W SEC 04 TRACT S4NE

LOT 02

** W ** MISSING ACRES FOR IRRIGATION WATER USE

** W ** MISSING ACRES FOR IRRIGATION WATER USE

N REMARKS - 2 P/D IN NWSE, S4, T35N, R5W.

N

OLD NO. - 3850

3/79

IDENT. NO. 85-2013

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 3850 1 85-2013
Old No. New No.

Record

1. Original Owner: D. C. Ritz

Present Owner: _____

2. Address:

3. City: Lewiston State: ID Zip: _____4. A. Source of Water: Lindsey Creek

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: 7-22-1908D. County: 69E. Total Diversion Rate: 1.

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>NWSE</u>	<u>4</u>	<u>35N</u>	<u>5W</u>	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

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

from _____ to _____ for A purposes. Amount _____
(cfs or ~~ft~~/yr)from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

CHA 9-18-79

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. 2 P/D in NWSE, S4, T35N & B5W.
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: 3856

F. Proof Made (P or blank):

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

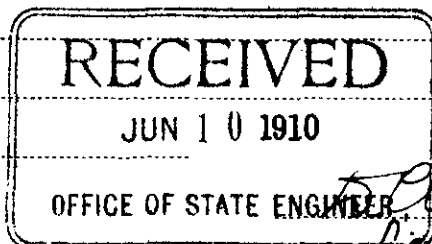
H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

Report of Engineer

1. State name of applicant and number of permit: *J. E. Ritz, Permit No 3850*
2. State source of water supply: *Lindsay Creek, Nez Perce Co.*
3. Location of point of diversion: *Two points in the N.W. 1/4 of the SE 1/4 Sec 4, Township 35 North, Range 5 West B.M. as indicated on plat*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Yes*
5. Describe works as they exist, giving dimensions of same as follows:
- (a) Width of conduit at bottom: *150 ft 8"; 1000 ft 6" + 300 ft 4" Wood pipe, 400 ft Ditch*
 - (b) Width at water line: *16 inches*
 - (c) Depth of water: *6 " to 8 inches*
 - (d) Grade per mile: *About 125 feet*
6. State whether or not water has been turned into works of diversion and if so, to what extent: *Yes. Full capacity*
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *The S.W. 1/4 of the N.E. 1/4 and Lot 2, all of Sec. 4, Township 35 North, Range 5 West B.M. About 25 Acres in each subdivision*
8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: *The points of diversion are as stated above and not as stated in the "Certificate of Completion of Works".*



STATE OF IDAHO,

County of *Nez Perce* } ss.

L. E. Wright, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this *4th* day of *June* 19*10*.

My Commission Expires *April 24th 1914.*

L. E. E. E.
Notary Public.

3850

