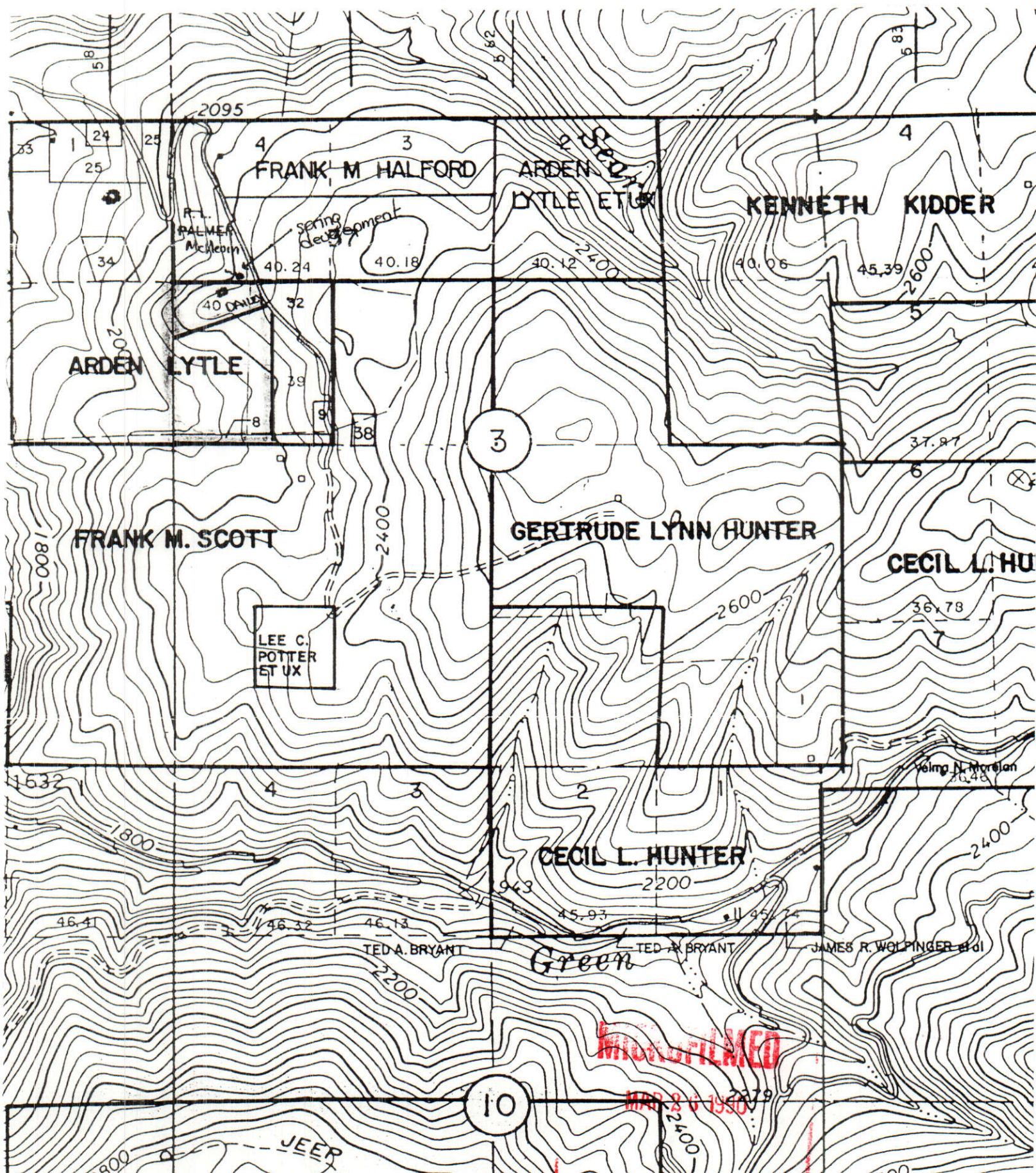




FRANK M. HALFORD

ARDEN LYTL ET UX

KENNETH KIDDER

ARDEN LYTLE

FRANK M. SCOTT

GERTRUDE LYNN HUNTER

CECIL L. HUNTER

LEE C. POTTER ET UX

CECIL L. HUNTER

TED A. BRYANT

Green

TED A. BRYANT

JAMES R. WOLPINGER ET UX

MICROFILMED

MAR 26 1950

10

JEEP

1984
WATER RIGHTS AGREEMENT

COMPUTER
INDEXED
TRACTED
FILMED
ABSTRACTED

THIS AGREEMENT, made and entered into on this 25th day of March, 1985, by and between RODNEY K. GORTSEMA, a single man, of Grangeville, Idaho, hereinafter referred to as Gortsema, and ROBERT D. ALBERTS and DEBBIE L. ALBERTS, husband and wife, of Star Route, Box 29-B, Grangeville, Idaho 83530, hereinafter called the Alberts;

WITNESSETH:

WHEREAS, Gortsema is currently the owner of certain real property situate in the County of Idaho, State of Idaho, by virtue of certain acquisitions from Richard Palmer and Marilyn Palmer, the legal description of which Gortsema property is as follows, to wit:

A parcel of land located in Idaho County, State of Idaho, located in Township 30 North, Range 4 East, Boise Meridian, being in Section 3, and being part of Lot 4, lying SW of the County Road, together with all appurtenances and water rights, subject to easements of use and of record in Idaho County, Idaho; and,

WHEREAS, the Alberts are neighbors of the Gortsema property, owning a portion of real estate on which their home is situated, lying immediately to the south of the Gortsema tract, with the Alberts description being legally described as follows, to wit:

Situate in Idaho County, State of Idaho:

Tax 40: A tract of land all located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Township 30 North, Range 4 East, Boise Meridian, more particularly described as beginning at the NW corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, at a 3" Brass Cap marked as the North 1/16 corner between Sections 3 and 4, T30N, R4E, B.M., the True Point of Beginning. The first course bears S.89°54'11"E., a distance of 715.61 feet, set a yellow cap survey marker in the fence line; thence along the same bearing a distance of 23.5 feet to the center line of the County Road. The second course bears S.24°53'10"E., a distance of 75 feet along the center line of the County Road. The third course bears S.30°01'32"E., a distance of 65.0 feet along the center line of the County Road. The fourth course bears S.67°23'46"W., a distance of 20.0 feet, set a yellow cap survey marker in the fence line; thence along the same bearing a distance of 849.20 feet to a yellow cap survey marker set approximately in the fence line. The fifth course bears N.00°08'52"E., a distance of 450.00 feet back to the True Point of Beginning. A tract of land located with the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, T30N, R4E, B.M. MAR 26 1985

WHEREAS, there is a certain spring and cistern currently located on the Gortsema tract which provides water to the Alberts tract, and

...for a period of years, and the parties now desire to memorialize an agreement providing permanent water rights to the Alberts.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

Gortsema hereby agrees with Alberts, their heirs and assigns, that they shall have a joint water water usage in and to the spring on the Gortsema tract, above described. The parties acknowledge that the current spring is plumbed into a concrete cistern, and such circumstance has existed for a period of years. The parties agree that the current circumstances shall continue as far as usage from the spring and the cistern is concerned.

The parties acknowledge that the spring is currently constructed so that the Gortsema tract uses water from the lower portion of the cistern, and the Alberts use water from the upper portion of the cistern, thereby entitling the Gortsema tract to the water from the cistern in times of shortage. That condition shall continue, and there shall be no major structural changes on the cistern unless both parties shall agree.

The parties understand and agree that in addition to the right of water usage, the Alberts, their successors and assigns, shall have an easement and right of way from the cistern southward to the Alberts property for purposes of the maintenance of the water line to the Alberts property. Furthermore, it is agreed that the Alberts shall have the right of ingress and egress to that water line for maintenance purposes.

Additionally, the Alberts agree to stand the expense of any electricity necessary in conveying water from the cistern to their home and for their use.

It is agreed that for the development of the spring and development of the cistern, each party shall equally share the costs of maintenance of the cistern and the spring to the cistern.

Each party agrees to cooperate with the other concerning the cleaning of the cistern and spring system as that shall from time to time be required. However, in exchange for the formal grant of water usage, the Alberts agree to clean the cistern as necessary during the

calendar year of 1985.

Beginning with the year 1986 and years thereafter, each party shall share the work of cleaning and maintenance of the system, and the Alberts shall be obligated to pay to Gortsema, or his heirs and assigns, the sum of \$100 per year for the continuing water usage.

It is understood that the electrical expense that will be necessary for the Gortsema property shall be paid by Gortsema, or his heirs and assigns.

Any further expenditures which shall be for the spring and cistern, which shall be for the mutual benefit of both parties, shall be equally shared by them. In the event of a dispute over the propriety of any expenditures for the sharing of any costs contemplated by this agreement, each party shall appoint one arbitrator and those arbitrators shall appoint a third arbitrator to settle the differences and take into account all facts and circumstances surrounding the improvements and expenditures, and the decision of the arbitrators shall be binding on all parties.

To the extent necessary, the Idaho Arbitration Act shall apply to the enforcement of any arbitration awards.

In amplification of the rights of Gortsema to the water in times of shortage, it is agreed that the Gortsema tract shall have a priority to the water in times of shortage in an amount reasonably necessary to sustain the actual household, provide subsistence to growing trees and shrubs, and livestock of the Gortsema tract in an amount not to exceed 400 gallons for any one given day before any water shall be used by the Alberts, or their heirs and assigns, from the spring and cistern.

The apparatus installed currently in the cistern shall provide for the priority hereunder contemplated and shall be for domestic and household uses only, with subsistence for the necessary livestock that might be on the Gortsema tract. No commercial uses of water or sale to other persons shall be permitted in times of shortage.

It is agreed that if a water right application is ultimately completed, or has been completed earlier by any of the owners of either parcel of property, a copy of this agreement shall be delivered to the

MAR 26 1990

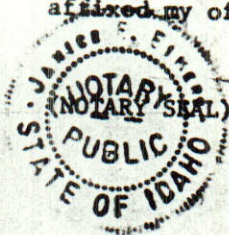
STATE OF IDAHO)

County of Idaho)

ss

On this 15th day of March, 1985, before me, a Notary for the said County and State, personally appeared RODNEY K. GORTSEMA, a single man, known to me to be the person whose name is subscribed to the within instrument, and he acknowledged to me that he freely executed the same.

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



James E. Emery
Notary Public for the State of Idaho,
Residing at Grangeville, therein.

STATE OF IDAHO)

County of Idaho)

ss

On this 18th day of March, 1985, before me, a Notary for the said County and State, personally appeared ROBERT D. ALBERTS and DEBBIE L. ALBERTS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and they acknowledged to me that they freely executed the same.

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



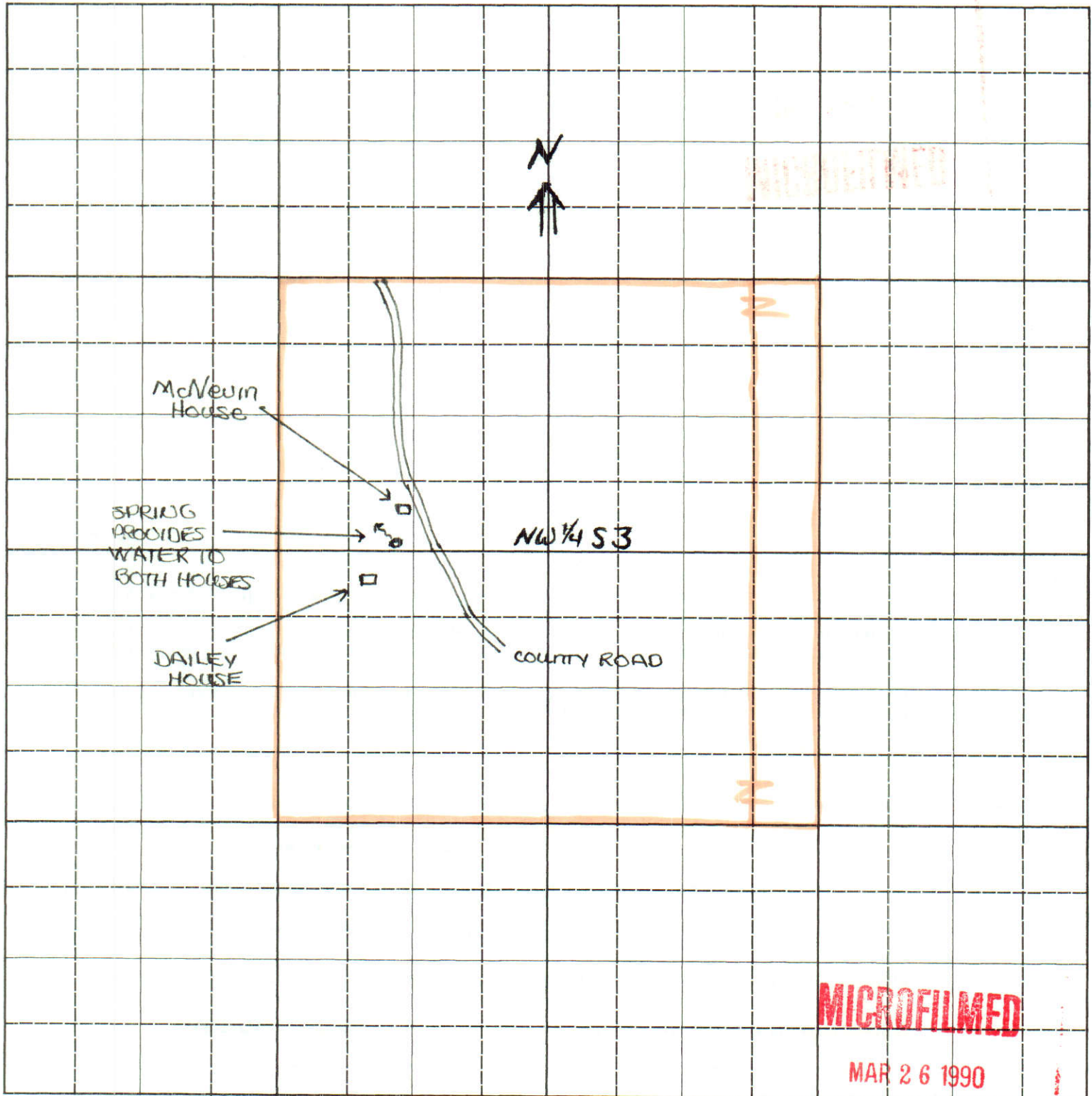
James E. Emery
Notary Public for the State of Idaho,
Residing at Grangeville, therein.

REPRODUCED

MAR 26 1990

NW 1/4 S#3 - 30N R4E (shown within orange block)

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

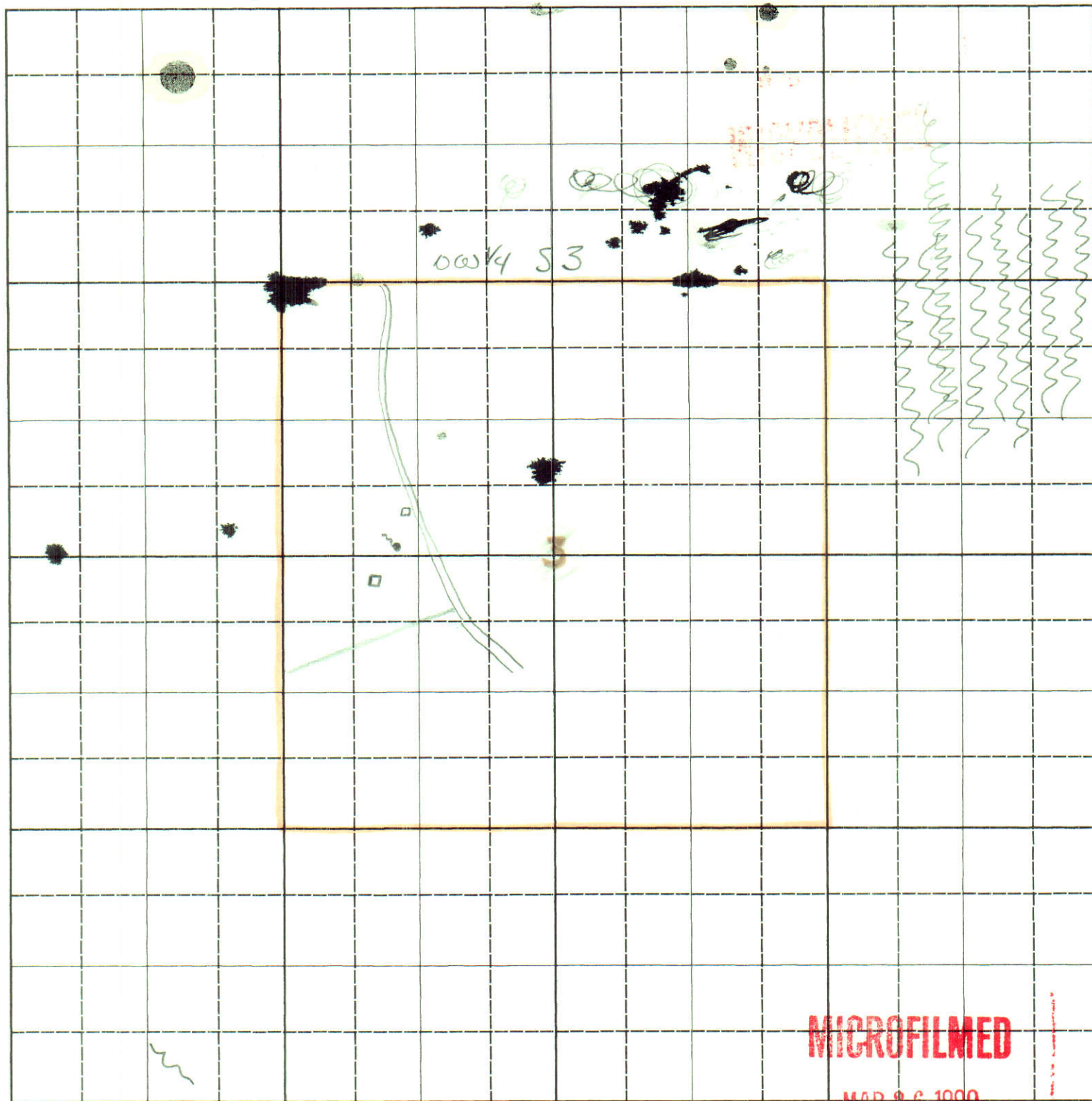


Scale: 2 inches equal 1 mile.

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

Dennis R. Dailey
(Applicant)

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



Scale: 2 inches equal 1 mile.

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

Susan E. Bailey
(Applicant)

AFFIDAVIT OF PUBLICATION

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 82-7189 in the name of Dennis or Susan Dailey was advertised incorrectly on 9/20 & 27/1989.

The Place of Use was incorrectly advertised as T30N R04E Sec. 3 NWNW; whereas, correctly it should be T30N R04E Sec. 3 SWNW.

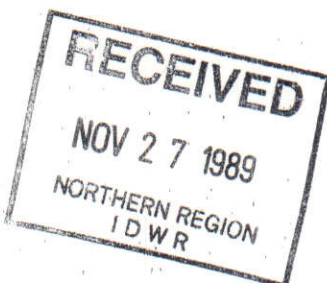
(For additional information concerning the property location, call the Northern Regional Office at 765-4639).

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before December 4, 1989.

R. KEITH HIGGINSON, Dir.
Published in the Idaho County Free Press on 11/15 & 22/1989.

N15-22

[Handwritten signature]
11/27/89



MICROFILMED

MAR 26 1990

STATE OF IDAHO

County of Idaho - ss.

Charlotte Sotin

....., being first duly sworn, says she is the Bookkeeper of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 15th day of November, 1989, and the last publication on the 22nd day of November, 1989; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

[Handwritten signature: Charlotte Sotin]

STATE OF IDAHO }

COUNTY OF }

On this 22nd day of November in the year of 1989, before me, a Notary Public, personally appeared Charlotte Sotin, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Handwritten signature]
Notary Public for Idaho
Residing at Grangeville, Idaho
My commission expires: 9/10/92

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

82-7189

Dennis &/or Susan Dailey

P.O. Box 365

Grangeville, Id. 83530

Source: Spring Tributary: Sinks

Diversion Pt: SWNWNW (Gov. Lt. 4)

Sec. 3 T30N R04E

Use: Domestic (0.01 CFS) Stockwater
(0.01 CFS)

Date Filed: 9/7/89

In: T30N R04E Sec. 3 NWNW.

For additional information concerning
the property location, call the Northern
Regional Office at 765-4639.

The permit(s) will be subject to all prior
water rights. Protests must be filed with
the Director, Dept. of Water Resources,
Northern Region, 1910 Northwest Blvd.,
Suite 210, Coeur d'Alene, Idaho 83814
on or before OCTOBER 10, 1989.

R. KEITH HIGGINSON, Director

Published 9/20/1989 & 9/27/1989

S20-27

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Charlotte Sotin

....., being
first duly sworn, says she is the.....Bookkeeper..... of the
IDAHO COUNTY FREE PRESS, a weekly newspaper published
and issued weekly at Grangeville, Idaho county, State of Idaho,
and is of general circulation in said county and state, that the
said notice, of which the one hereto attached is a true copy, was
published in said paper for two..... weeks, being published
.....two.....times, the first publication being on the
.....20th.....day of September....., 1989.....,
and the last publication on the.....27th.....day of
.....September....., 1989.....; that the said notice was
published in the newspaper proper and not a supplement; that
said newspaper has been continuously and uninterruptedly
published in said county during a period of seventy-eight
consecutive weeks prior to the publication of said notice or
advertisement.

Charlotte Sotin

STATE OF IDAHO }

}

COUNTY OF }

On this.....27th.....day of.....September.....in the year
of.....1989....., before me, a Notary Public, personally
appeared.....Charlotte Sotin....., known or
identified to me to be the person whose name subscribed to the
within instrument, and being by me first duly sworn, declared
that the statements therein are true, and acknowledged to me
that he executed the same.

[Signature]
Notary Public for Idaho

Residing at.....Grangeville, Idaho.....

My commission expires:.....9/10/92.....

RECEIVED

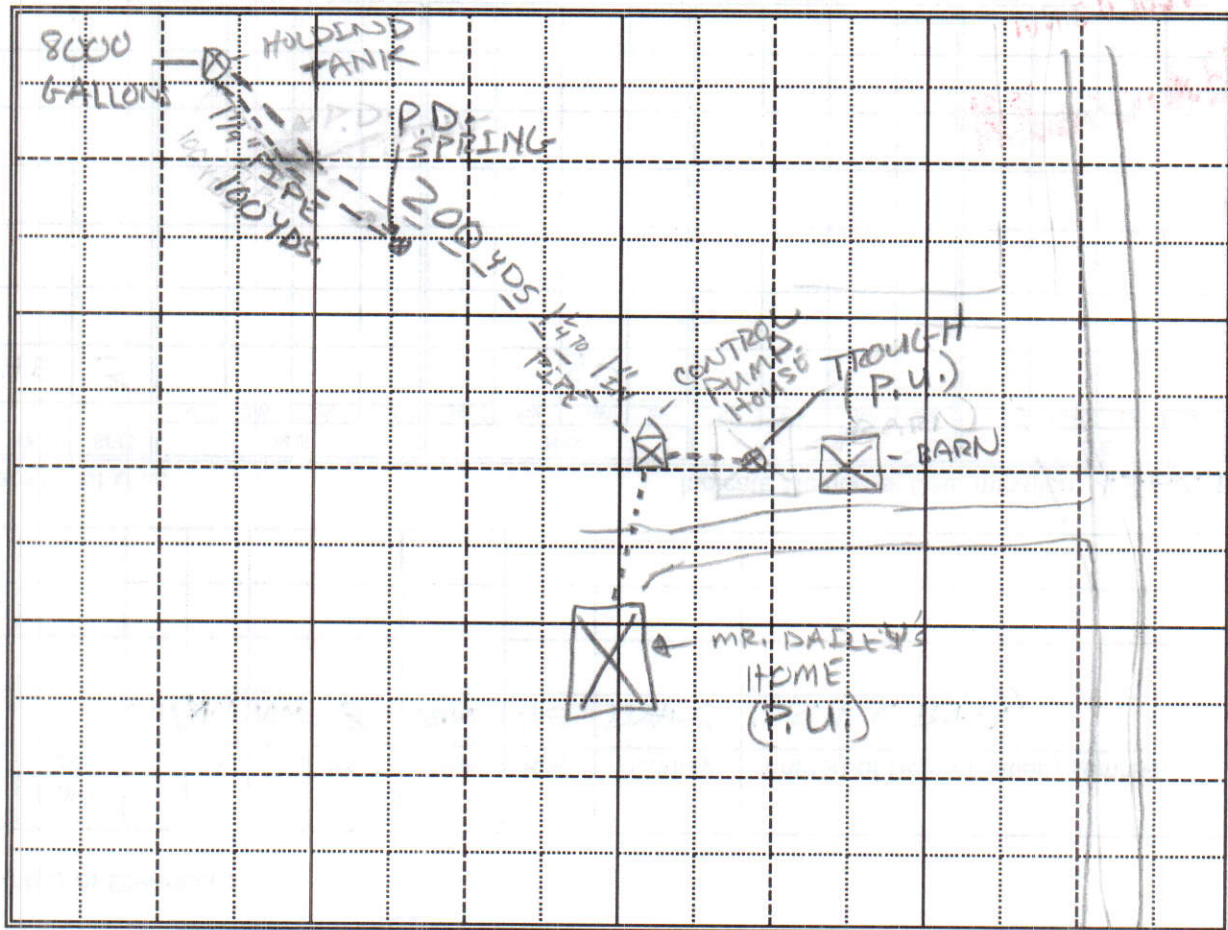
OCT 02 1989

NORTHERN REGION
IDWR

MICROFILMED

MAR 26 1990

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____



Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).



Aerial Photo Attached
(required for irrigation of 10+ acres)



Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1 HP			SUBMERSIBLE PUMP 1 1/4" PIPE

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: NONE

RECORDED
MICROFILMED

JAN 20 1994



82-07189
MR. DAILEY'S
HOME
← (P. U)



MR. DAILEY'S
PUMP HOUSE
←



MR. DAILEY'S
STOCKWATER
P. U
←

NOT RECORDED

JAN 20 1994



MR. DAILEY'S
SPRING-BOX
P.D

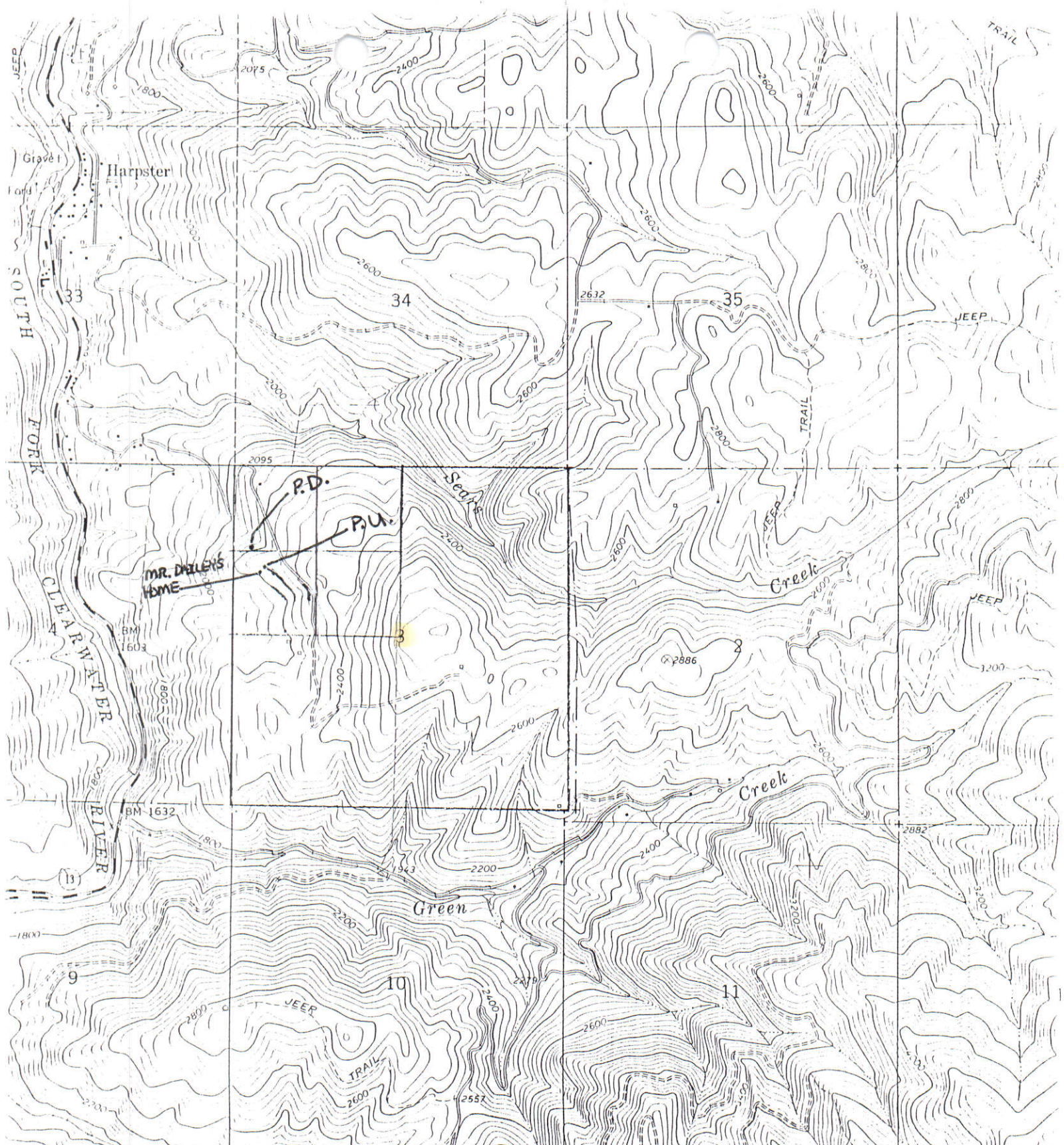


MR. DAILEY'S
8000 GALLON
HOLDING TANK w/

← A SUBMERGIBLE PUMP

MISSOURI MED

JAN 20 1994



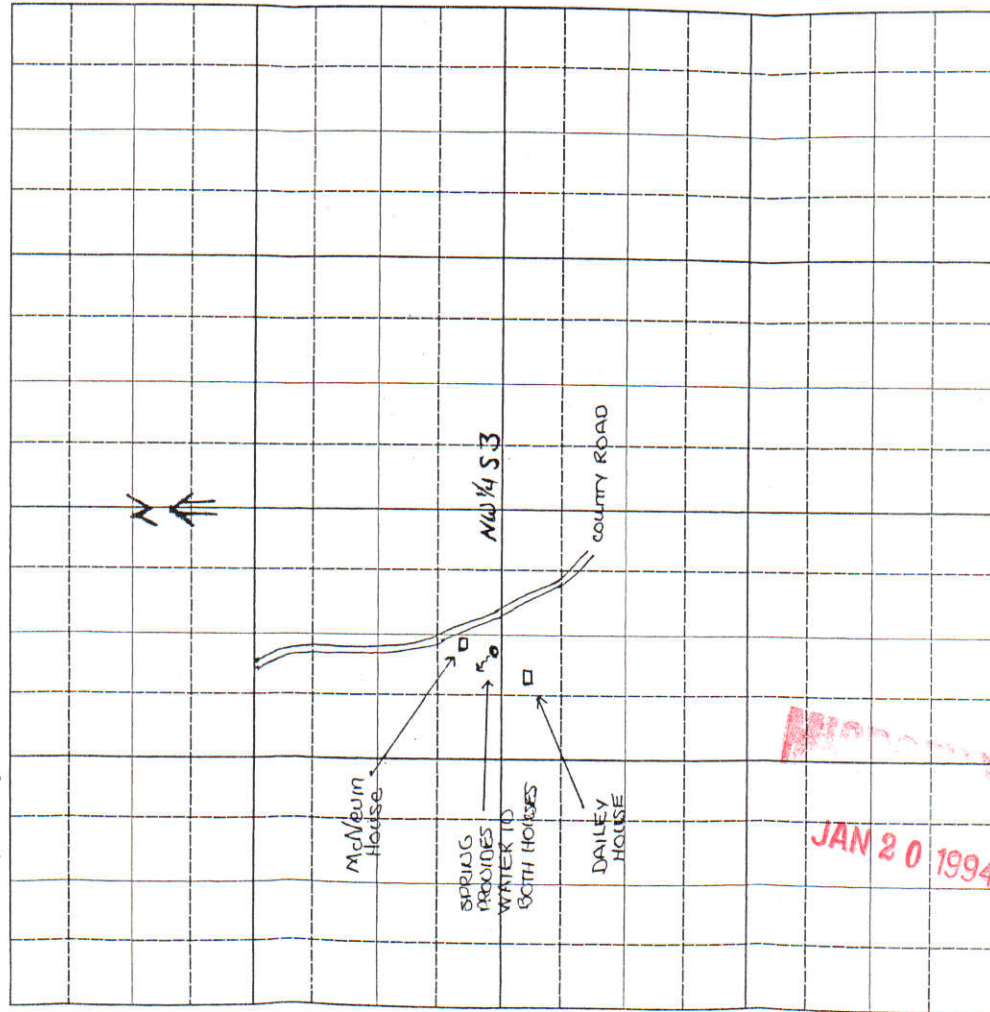
T 30 N R 4 E
SEC. 3

MIDNORTH

JAN 20 1994

NW 1/4 S 33 T 30N R 4E (Shown within orange block)

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



Scale: 3 inches equal 1 mile.

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



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 82-07189

Priority: September 7, 1989

Maximum Diversion Rate:

0.01 CFS

Maximum Diversion Volume:

0.4 AF

This is to certify, that DENNIS DAILEY
SUSAN DAILEY

PO BOX 365

GRANGEVILLE ID 83530-0365

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 7, 1989; and has submitted Proof of Beneficial Use on September 12, 1990. An examination indicates that the works have a diversion capacity of .010 cfs of water from:

SPRING

tributary to SINKS

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 to 12/31	0.01 CFS	0.1 AF
DOMESTIC	01/01 to 12/31	0.01 CFS	0.3 AF
	Totals	0.01 CFS	0.4 AF

LOCATION OF POINT(S) OF DIVERSION:

SWNWNW , Sec. 3, Township 30N, Range 04E
IDAHO County

PLACE OF USE: STOCKWATER

TWN RGE SEC

30N 04E 3 SWNW

PLACE OF USE:

DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Domestic use is for 1 home.

RECORDED

JAN 20 1994

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

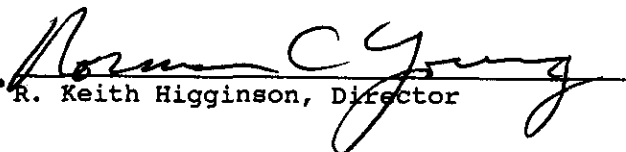
WATER RIGHT NO. 82-07189

CONDITIONS/REMARKS:

7. Stockwater use is for miscellaneous livestock.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 12TH day of JANUARY, 1994

Acting for


R. Keith Higginson, Director

JAN 20 1994

For Office Use Only
Amt. of Fee \$ _____
Date 9/12/90
Receipt No. _____
Received by 295

RECEIVED
SEP 12 1990
No \$ received
Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. P82-07189 Telephone No. 208 983 1030

Name(s) of Permit Holder(s): Dennis Dailey & Susan Dailey

Post Office Address: P.O. Box 365, Grangeville ID 83530 0365

Source of Water: Spring

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic 2 (No. of households) Irrigation _____ (No. of acres)
Stockwater 6 horses (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.01 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: existing use since about 1982

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? Yes No Installed? Yes No

Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Dennis Dailey 208 983 1030 (983 2712 days)
Name Telephone No.

P.O. Box 365 Grangeville ID 83530 0365
Address

MICROFILMED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

FEB 07 1991

Sept 8, 1990
Date

Dennis Dailey Susan Dailey
Signature (and title if on behalf of a company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 82-07189

Proposed Priority: September 7, 1989 Maximum Diversion Rate: 0.01 CFS

This is to certify, that **DENNIS DAILEY**
SUSAN DAILEY
P.O. BOX 365
GRANGEVILLE, ID 835300365
has applied for a permit to appropriate water from:

SPRING tributary of **SINKS**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
STOCKWATER	01/01 to 12/31	0.01 CFS
DOMESTIC	01/01 to 12/31	0.01 CFS
	Totals	0.01 CFS

LOCATION OF POINT(S) OF DIVERSION: SWNNW Sec. 3, Township 30N, Range 04E
IDAHO County

PLACE OF USE: STOCKWATER

TWN RGE SEC

30N 04E 3 SWNW

PLACE OF USE: DOMESTIC, same as STOCKWATER use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1991.
2. Subject to all prior water rights.
3. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
4. Domestic use is for 2 homes.

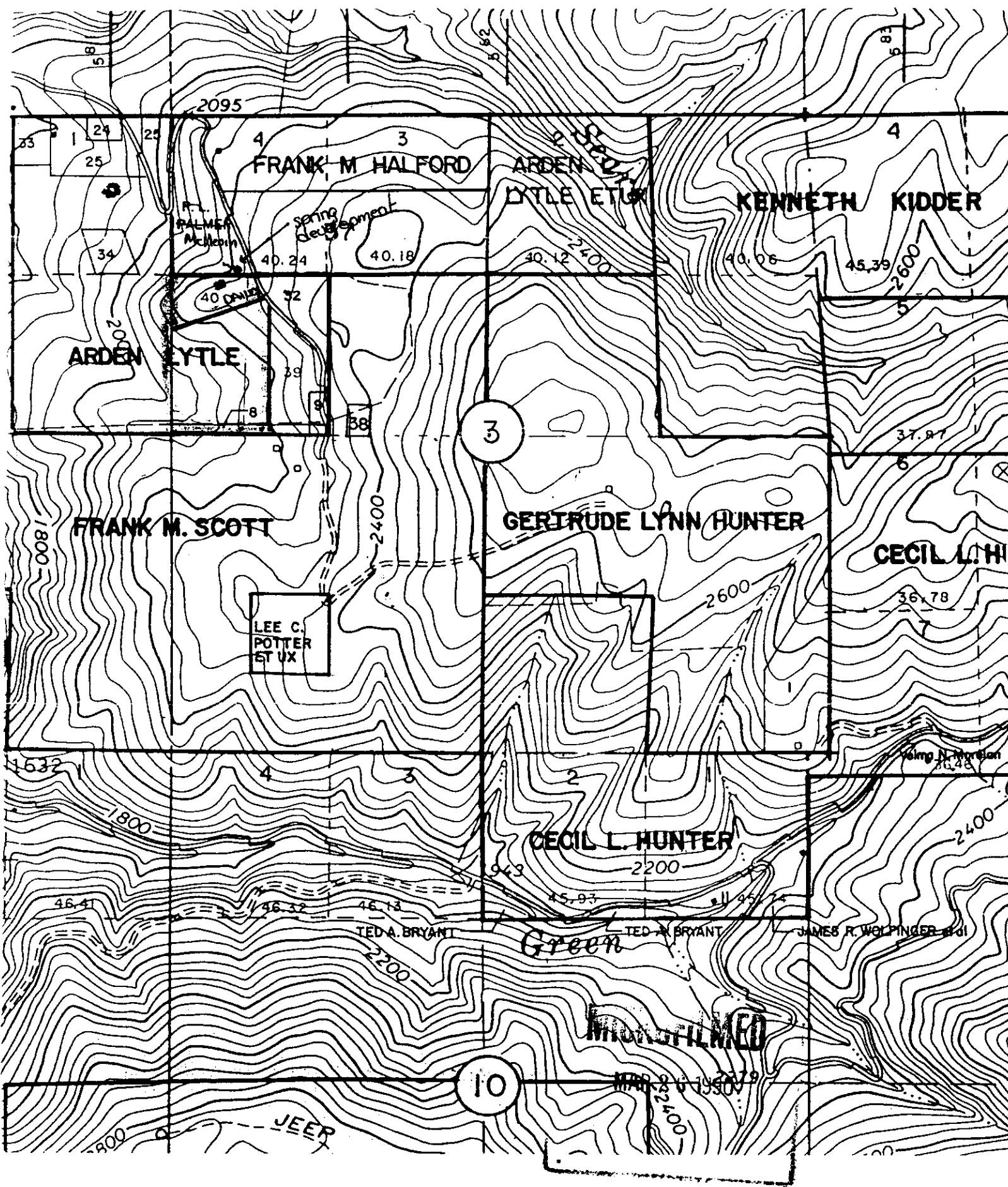
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

17th day of January, 1990

R. Keith Higginson
for R. Keith Higginson, Director

MICROFILMED

MAR 26 1990



FRANK M. HALFORD

ARDEN LYTLE ET UX

KENNETH KIDDER

ARDEN LYTLE

FRANK M. SCOTT

GERTRUDE LYNN HUNTER

CECIL L. HUNTER

LEE C. POTTER ET UX

CECIL L. HUNTER

TED A. BRYANT

TED A. BRYANT

JAMES R. WOLFINGER ET UX

Green

Microfilm

10

MAR 26 1950

JEER

WATER RIGHTS AGREEMENT

THIS AGREEMENT, made and entered into on this 15th day of March, 1985, by and between GORTSEMA, a single individual, of Grangeville, Idaho, hereinafter referred to as Gortsema, and ROBERT D. ALBERTS and DEBBIE L. ALBERTS, a married couple, of Star Route, Box 29-B, Grangeville, Idaho, hereinafter referred to as the Alberts;

WITNESSETH:

WHEREAS, Gortsema is currently the owner of certain real property situate in the County of Blaine, State of Idaho, and certain acquisitions from Richard Palmer and Marilyn Palmer, the legal description of which Gortsema property is as follows, to wit:

A parcel of land located in Idaho County, State of Idaho, located in Township 30 North, Range 4 East, Boise Meridian, being in Section 3, and being part of Lot 4, lying SW of the County Road, together with all appurtenances and water rights, subject to easements of use and of record in Idaho County, Idaho; and,

WHEREAS, the Alberts are neighbors of the Gortsema property, owning a portion of real estate on which their home is situated, lying immediately to the south of the Gortsema tract, with the Alberts description being legally described as follows, to wit:

Situate in Idaho County, State of Idaho:

Tax 40: A tract of land all located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 3, Township 30 North, Range 4 East, Boise Meridian, more particularly described as beginning at the NW corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, at a 3" Brass Cap marked as the North 1/16 corner between Sections 3 and 4, T30N, R4E, B.M., the True Point of Beginning. The first course bears S.89°54'11"E, a distance of 715.61 feet, set a yellow cap survey marker in the fence line; thence along the same bearing a distance of 23.5 feet to the center line of the County Road; The second course bears S.24°11'10"E, a distance of 75 feet along the center line of the County Road; The third course bears S.30°10'12"E, a distance of 63.11 feet along the center line of the County Road; The fourth course bears S.62°23'48"W, a distance of 20.0 feet, set a yellow cap survey marker in the fence line; thence along the same bearing a distance of 849.20 feet to a yellow cap survey marker set approximately in the fence line. The fifth course bears 1.00°05'52"E, a distance of 450.00 feet back to the True Point of Beginning. A tract of land located with the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, T30N, R4E, B.M.

WHEREAS, there is a certain spring and cistern currently located on the Gortsema tract which provides water to the Alberts tract, and

...and the parties now desire to
make an agreement providing permanent water rights to the
Alberts.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

Gortsema hereby agrees with Alberts, their heirs and assigns,
that they shall have a joint water usage in and to the spring
on the Gortsema tract, above described. The parties acknowledge that
the current spring is plumbed into a concrete cistern, and such
circumstance has existed for a period of years. The parties agree
that the current circumstances shall continue as far as usage from
the spring and the cistern is concerned.

The parties acknowledge that the spring is currently constructed
so that the Gortsema tract uses water from the lower portion of the
cistern, and the Alberts use water from the upper portion of the
cistern, thereby entitling the Gortsema tract to the water from the
cistern in times of shortage. That condition shall continue, and
there shall be no major structural changes on the cistern unless both
parties shall agree.

The parties understand and agree that in addition to the right of
water usage, the Alberts, their successors and assigns, shall have
an easement and right of way from the cistern southward to the Alberts
property for purposes of the maintenance of the water line to the
Alberts property. Furthermore, it is agreed that the Alberts shall
have the right of ingress and egress to that water line for maintenance
purposes.

Additionally, the Alberts agree to stand the expense of any
electricity necessary in conveying water from the cistern to their
home and for their use.

It is agreed that for the development of the spring and
development of the cistern, each party shall equally share the costs
of maintenance of the cistern and the spring to the cistern.

Each party agrees to cooperate with the other concerning the
cleaning of the cistern and spring system as that shall from time to time
be required. However, in exchange for the formal grant of water
usage, the Alberts agree to clean the cistern as necessary during the

of 1985.

Beginning with the year 1986 and years thereafter, each party shall share the work of cleaning and maintenance of the system, and the Alberts shall be obligated to pay to Gortsema, or his heirs and assigns, the sum of \$100 per year for the continuing water usage.

It is understood that the electrical expense that will be necessary for the Gortsema property shall be paid by Gortsema, or his heirs and assigns.

Any further expenditures which shall be for the spring and cistern which shall be for the mutual benefit of both parties, shall be equally shared by them. In the event of a dispute over the propriety of any expenditures for the sharing of any costs contemplated by this agreement, each party shall appoint one arbitrator and those arbitrators shall appoint a third arbitrator to settle the differences and take into account all facts and circumstances surrounding the improvements and expenditures, and the decision of the arbitrators shall be binding on all parties.

To the extent necessary, the Idaho Arbitration Act shall apply to the enforcement of any arbitration awards.

In amplification of the rights of Gortsema to the water in times of shortage, it is agreed that the Gortsema tract shall have a priority to the water in times of shortage in an amount reasonable necessary to sustain the actual household, provide subsistence for growing trees and shrubs, and all crops on the Gortsema tract in an amount not to exceed 400 gallons for any one year. Any water not used by the Gortsema family, heirs and assigns from the spring shall be available to the Alberts.

MAR 26 1990

MICROFILMED

WATER RIGHTS

...at Water Resources in determining the priorities and the
...of permits as such agency shall see fit.

In the event that any party shall breach this agreement, the
prevailing party in any suit or action brought to enforce the terms
hereof, after arbitration, shall in addition to costs and disbursements
allowed by law be entitled to a reasonable attorney's fee.

This agreement shall be binding upon the heirs, executors and
administrators of each of the parties hereto as if in each covenant
they were specifically mentioned, and shall be recordable in the
Idaho County-Recorder's Office demonstrating the easement and water
right agreements set forth herein.

OTHER PROVISIONS:

MAR 26 1991

IN WITNESS WHEREOF, the parties hereto have set their hands and
seals the day and year first above written.


ROBERT D. ALBERTS


DEBBIE L. ALBERTS

STATE OF IDAHO)
County of Idaho)

ss

On this 15th day of March, 1985, before me, a Notary
for the said County and State, personally appeared RODNEY K. GORTSEMA,
a single man, known to me to be the person whose name is subscribed
to the within instrument, and he acknowledged to me that he
freely executed the same.

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



James E. Finney
Notary Public for the State of Idaho
Residing at Grangeville, therein.

STATE OF IDAHO)
County of Idaho)

ss

On this 1st day of March, 1985, before me, a Notary
for the said County and State, personally appeared ROBERT D. ALBERTS
and DEBBIE L. ALBERTS, husband and wife, known to me to be
the persons whose names are subscribed to the within instrument,
and they acknowledged to me that they freely executed the
same.

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



James E. Finney
Notary Public for the State of Idaho
Residing at Grangeville, therein.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 82-7189

To appropriate the public waters of the State of Idaho

1. Name of applicant Dennis or Susan Wiley Phone 208 983 1030
Post office address P.O. Box 365, Grangeville, IDAHO 83530-0365
2. Source of water supply surface water (spring) which is a tributary of SINKS - TDK
3. Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Govt. Lot 4
Sec. 3 Township 30N Range 4E B.M. IDAHO County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .01 for household purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .01 for stock purposes from 01/01 to 12/31 (both dates inclusive) 1000000 IN ABOVE
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .01 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. springbox piped into 8000
gallon cistern then pumped to house. Horse trough is
filled from house water system.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
1 ^{yr} years (minimum 1 year) system has been in place since 1982.

MICROFILMED

MAR 26 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 6 HORSES
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. TWO James McNevin (previously filed)
- e. Other; describe fully. shares spring & cistern with us

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>30N</u>	<u>4E</u>	<u>3</u>					<u>S</u>	<u>S</u>											
							<u>D</u>	<u>D</u>											

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. none

11. a. Who owns the property at the point of diversion? James McNevin
- b. Who owns the land to be irrigated or place of use? Dennis & Liz Dailey
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. water rights agreement (copy attached)

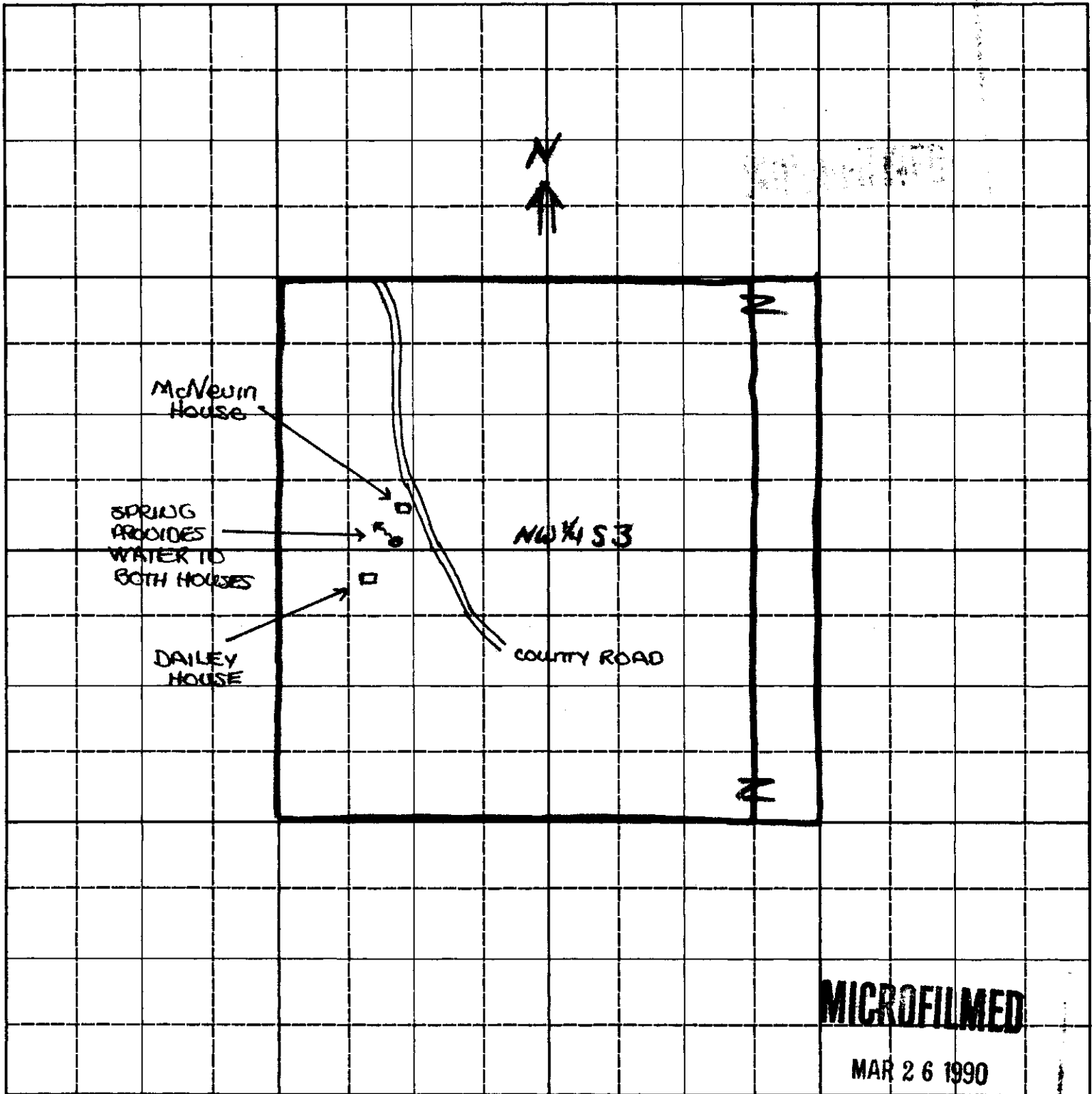
12. Remarks: _____

Microfilm

MAR 26 1990

NW 1/4 S#3. T30N R4E (shown within orange block)

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



Scale: 2 inches equal 1 mile.

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

Dennis R. Dailey
(Applicant)

Received by [Signature] Date 9/7/89 Time 1:30 pm Preliminary check by JK
Fee \$ 30.00 Receipted by [Signature] # N 3281 Date 8/28/89
Publication prepared by [Signature] Date 9/13/89 Published in 9/20-27/89
Publication approved [Signature] Date 10/3/89 11/27/89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: _____



MICROFILMED

MAR 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

To appropriate the public waters of the State of Idaho

1. Name of applicant Dennis or Susan Dailey Phone 208-983-1030

Post office address P.O. Box 365 Grangeville, ID 83530

2. Source of water supply surface water (Spring) which is a tributary of _____

3. Location of point of diversion is SE $\frac{1}{4}$ of SUB $\frac{1}{4}$ of SW $\frac{1}{4}$ Govt. Lot #4

Sec. 43 Township 30N Range 4E B.M. Idaho County; additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount .01 for household and for up to 6 horses purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .01 for STOCK purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum) JK FM ABOVE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .01 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Springbox piped into 8000 gal. cistern. Then pumped to house. Horse trough is part of house water system.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be _____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

7. Time required for the completion of the works and application of the water to the proposed beneficial use is _____

_____ years (minimum 1 year). system has been in place since 1982

MICROFILMED

MAR 26 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. 6 HORSES - Fm ITEM #4-JK
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. two James McNevin (previously filed)
- e. Other; describe fully. Shares the cistern with us.

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
30N	4E	3							S D	Fm ITEM 4-JK									

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. NONE

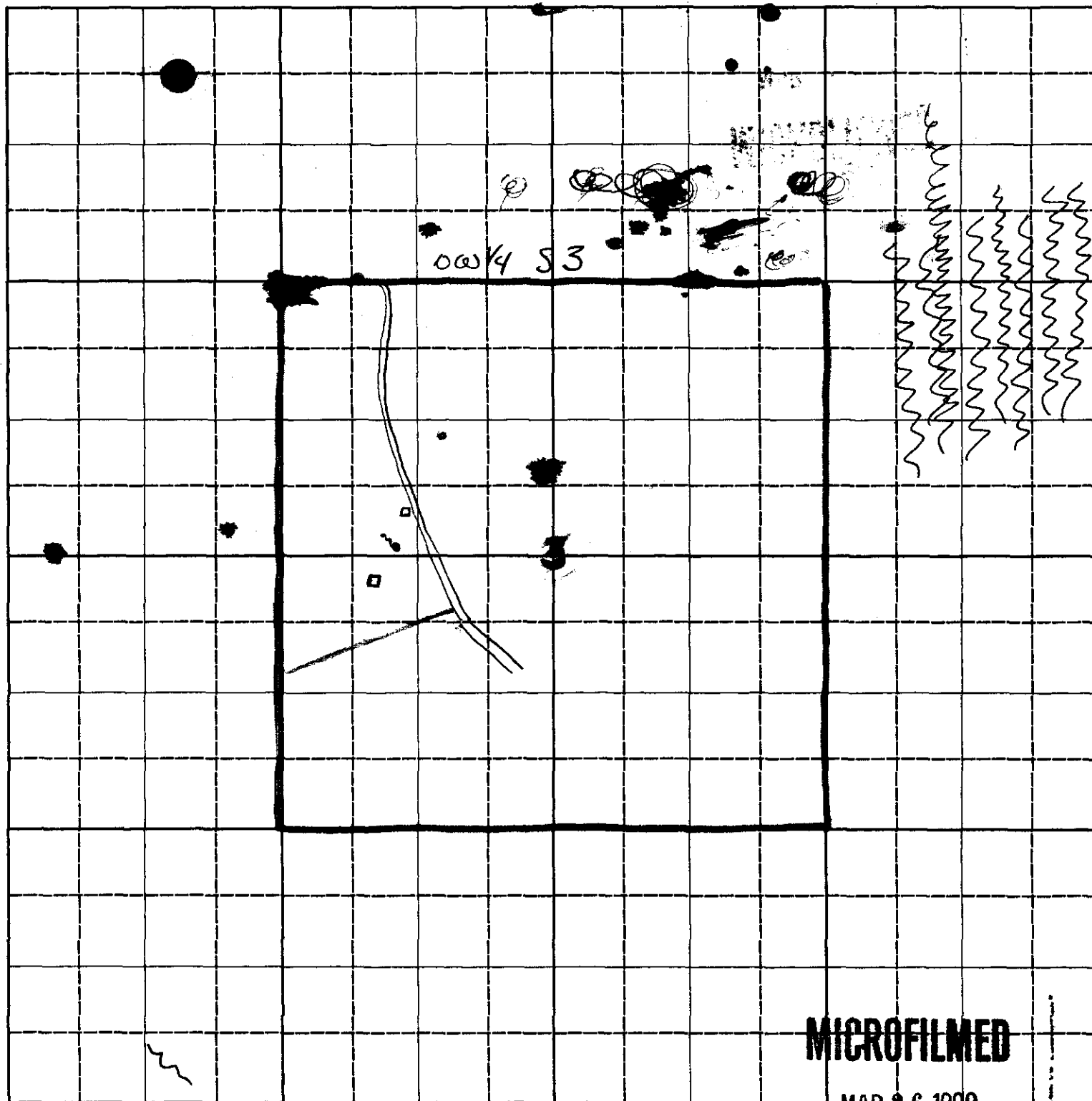
11. a. Who owns the property at the point of diversion? James McNevin
- b. Who owns the land to be irrigated or place of use? Dennis & Liz Dady
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Water Rights Agreement (copy attached)

12. Remarks: _____

MICROFILMED

MAR 26 1990

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



Scale: 2 inches equal 1 mile.

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

Susan E. Dailey
(Applicant)

Received by Date 8/28/89 Time 1:30 PM Preliminary check by
Fee \$ 30.00 Received by # N3281 Date 8/28/89
Publication prepared by Date Published in
Publication approved Date

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

MAR 26 1990

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Charlotte Sotin

....., being first duly sworn, says she is the Bookkeeper of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two weeks, being published two times, the first publication being on the 15th day of November, 1989, and the last publication on the 22nd day of November, 1989; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Charlotte Sotin

STATE OF IDAHO }

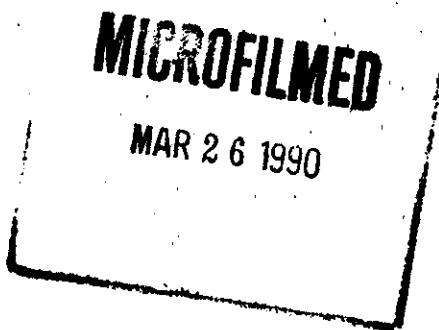
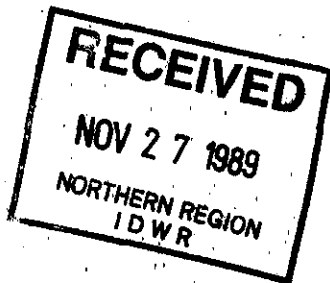
COUNTY OF }

On this 22nd day of November in the year of 1989, before me, a Notary Public, personally appeared Charlotte Sotin, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho

Residing at Grangeville, Idaho

My commission expires: 9/10/92



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Idaho - ss.

Charlotte Sotin

....., being first duly sworn, says she is the..... Bookkeeper..... of the IDAHO COUNTY FREE PRESS, a weekly newspaper published and issued weekly at Grangeville, Idaho county, State of Idaho, and is of general circulation in said county and state, that the said notice, of which the one hereto attached is a true copy, was published in said paper for two..... weeks, being published two..... times, the first publication being on the 20th..... day of September....., 1989....., and the last publication on the 27th..... day of September....., 1989.....; that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the publication of said notice or advertisement.

Charlotte Sotin

STATE OF IDAHO)

)

COUNTY OF)

On this.....27th..... day of.....September..... in the year of.....1989....., before me, a Notary Public, personally appeared.....Charlotte Sotin....., known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho

Residing at.....Grangeville, Idaho.....

My commission expires.....9/10/92.....

RECEIVED

OCT 02 1989

NORTHERN REGION
IDWR

MICROFILMED

MAR 26 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

January 13, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

SUSAN DAILEY
DENNIS DAILEY
PO BOX 365
GRANGEVILLE ID 83530-0365

RE: WATER RIGHT NOS. 82-07189 and 82-07195

Dear Water Right Holder(s):

Enclosed herewith are copies of the Water Right Licenses issued on the above referenced permits.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jim Johnson', written over the printed name.

JIM JOHNSON
Water Rights Supervisor

Enclosures

RECEIVED

JAN 20 1994

LICENSE REVIEW CHECKLIST

Permit # 82-7189 Date 1/7/94 Cindy Zimmerman

	Yes	No	
NAME	☐	☒	Or Address Change?
PRIORITY DATE	☐	☒	Advance? <u> </u> Advanced to: <u> </u>
<u>9/7/89</u>	☐	☐	Order to Reinstate Needed?
	☐	☐	Incorrect Fee for rate recommended?
SOURCE	☐	☒	Changes? Clarification of Originally
<u>Spn/Snk.</u>	☐	☐	Intended source <u> </u>
	☐	☐	Notice of Intent to Void - Source change.
P/D	☐	☒	Amendment Needed? <u> </u>
<u>SWNWNW</u>	☐	☐	Overlap(s) <u> </u>
<u>S3T30N R4E</u>	☐	☒	Amendment Needed? <u> </u>
P/U	☐	☒	Overlap(s) <u> </u>
<u>SWNW</u>	☐	☐	
TOTAL CFS	☐	☒	Measurement done? <u> </u>
<u>.01</u>	☐	☐	
	☐	☐	Theoretical (HP) <u>8.8 x 0.70 x 1</u>
	☐	☐	<u> </u> + 2.31 x <u> </u>
	☐	☐	Capacity <u>01</u>
	☐	☐	Allowable Amount: <u>.01</u>
TOTAL VOLUME	☐	☐	Season of Use: <u>1/1-12/31</u>
<u> </u>	☐	☐	Calculations: <u> </u>
	☐	☐	<u> </u>
	☐	☐	Flow limit: <u> </u> x <u> </u> x 1.9835 = <u> </u>
USES	☐	☒	Change(s) in Nature of Use? <u> </u>
<u>Dom/2</u>	☐	☐	Amendment Needed? <u> </u>
REMARKS	☐	☒	Multiple P/Ds in 1/4 1/4? <u> </u>
	☐	☐	Special Overlap <u> </u>
	☒	☐	Other <u>Dom/1, 004</u>
CONDITIONS	☐	☒	Measure/Lock Devices <u>2/1/91</u> Proof due
	☐	☒	<u>9/12/90</u> Proof Rc'd
	☐	☒	<u> </u> Water Dist
	☐	☒	<u>8/28/89</u> App Rec'd
	☐	☒	<u>8/28/93</u> Exam Made

COMMENTS:

RECOMMENDED	CFS	DIV VOL	LICENSE
<u>Dom/1</u>	<u>.01</u>	<u>.3</u>	☒
<u>Stock/3</u>	<u>.01</u>	<u>.1</u>	1ST AMEND LETTER <u> </u>
<u> </u>	<u> </u>	<u> </u>	2ND AMEND LETTER <u> </u>
Total	.01	.4	

WR0749NP
No. L82-07189

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/07/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DENNIS DAILEY	09/07/1989	STOCKWATER	01-01 12-31	0.01 CFS	0.1 AFA
C	SUSAN DAILEY		DOMESTIC	01-01 12-31	0.01 CFS	0.3 AFA
	PO BOX 365					
	GRANGEVILLE ID 83530-0365			TOTAL DIVERSION:	0.01 CFS	0.4 AFA
	(208) 983-1030					

Water Source: SPRING

Tributary to: SINKS

Stage: LICENSE

Point(s) of Diversion Capacity: 0.01 CFS

Point(s) of Diversion: T30N R04E S03 SWNWNW

IDAHO County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
30N 04E 3	:				:		S		:				:			

Place of use location for DOMESTIC is the same location as described for: STOCKWATER

Pou County: IDAHO

Conditions of Approval:

- 004 - The issuance of this right in no way grants any right-of-way
- or easement across the land of another.

Remarks: Domestic use is for 1 home.
Stockwater use is for miscellaneous livestock.

Dates: App. Received: 09/07/1989 Priority Date: 09/07/1989
Proof Due Date: 02/01/1991 Proof Made Date: 09/12/1990
Exam Made Date: 08/28/1993 Exam Sent to S.O.: 01/03/1994
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 01/07/94 ZIMMERMA 01/07/94 ZIMMERMA

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 03 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 82-07189

1. Owner: DENNIS DAILEY Phone No. (208) 983-1030

Current Address: PO BOX 365

2. Accompanied by: DENNIS DAILEY EXAM DATE: 8-28-93

Address: SAME Phone No. SAME

Relationship to Permit Holder: OWNER

3. Source: SPRING tributary to SINKS

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 82-07195, 82-07 ^{UNKNOWN (well)}

2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NW	NW	3	30N	4E	IDAHO	U.S.G.S. TOPO.

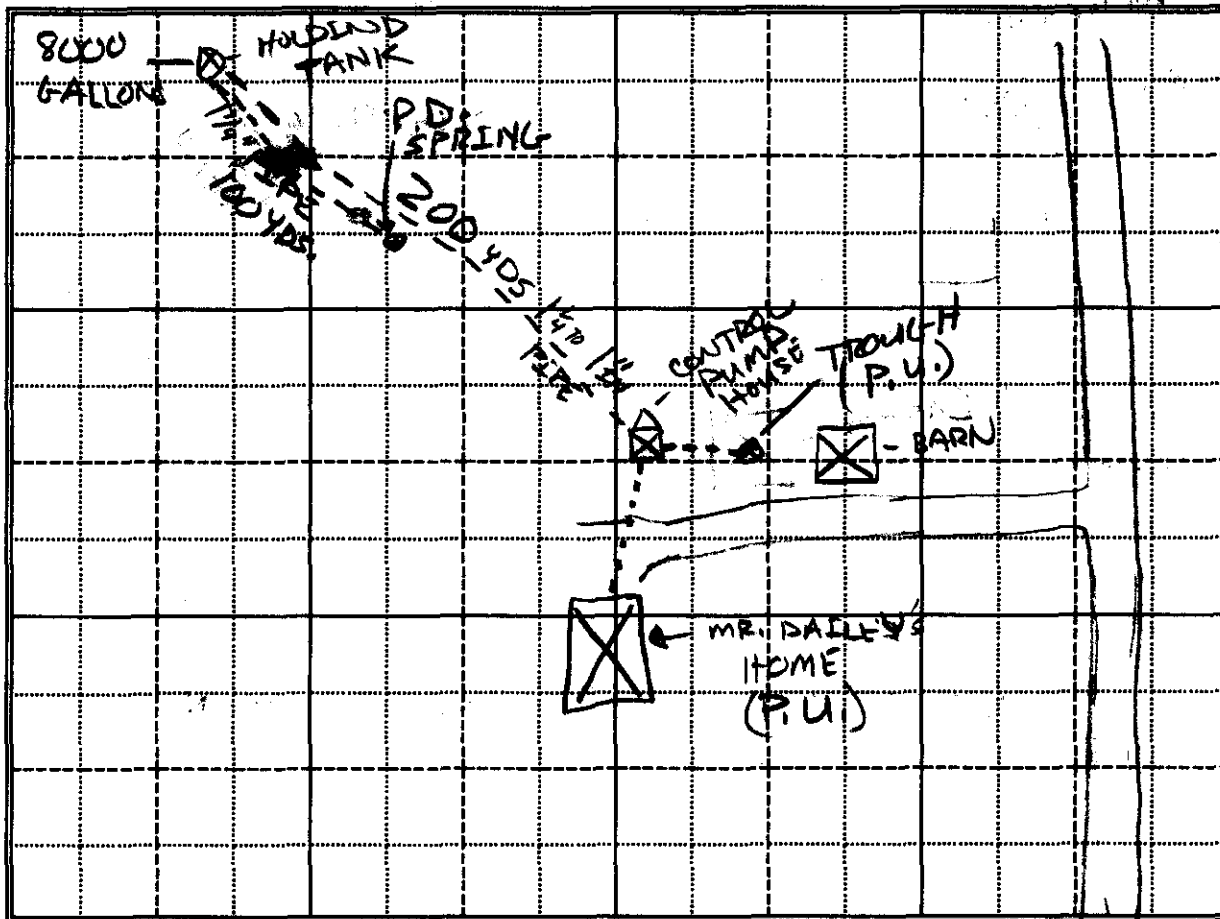
2. Place(s) of Use:

Indicate Method of Determination U.S.G.S. TOPO.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
30N	4E	3							SD										

APPROVED
JAN 20 1994

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____



Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)



Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1 HP			SUBMERSIBLE PUMP 1 1/4" PIPE

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements: NONE

MICROFILMED

JAN 20 1994

E. NARRATIVE/REMARKS/COMMENTS

SPRING DIVERSION IS GRAVITY FED INTO
8000 GALLONS HOLDING TANK. WHICH THEN
THE WATER IS PUMPED UP TO THE PUMP
HOUSE AND THEN DISTRIBUTED TO THE HOME
AND THE TROUGH BY THE BARN.

* THIS IS A BACK-UP SYSTEM FOR WHEN
OR IF HIS WELL GOES DRY.

Have conditions of permit approval been met? ☒ yes ☐ no

IMPROVEMENT

JAN 20 1994

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

NONE**G. VOLUME CALCULATIONS**

1. Volume Calculations for Irrigation:

NONE $V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____ $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____ $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

12 GPD/HEAD WITH A 12 MONTH PERIOD OF USE.**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>STOCKWATER</u>	<u>01-01</u>	<u>12-31</u>	<u>0.01</u>	<u>0.1</u>
<u>DOMESTIC</u>	<u>01-01</u>	<u>12-31</u>	<u>0.01</u>	<u>0.3</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Totals:			<u>0.01</u>	<u>0.4</u>

2. Recommended Amendments

____ Change P.D. as reflected above ____ Add P.D. as reflected above ☒ None
____ Change P.U. as reflected above ____ Add P.U. as reflected above ____ Other

I. AUTHENTICATIONField Examiner's Name Jon M. Kunz Date 8-28-93

Reviewer _____ Date _____

SEAL

RECEIVED

JAN 20 1994

82-07189

MR. DAILEY'S

HOME

← (P. U)

MR. DAILEY'S

PUMP HOUSE

←

MR. DAILEY'S
STOCKWATER

P. U

←

JAN 20 1984



MR. DAILEY'S
SPRING-BOX
P. D

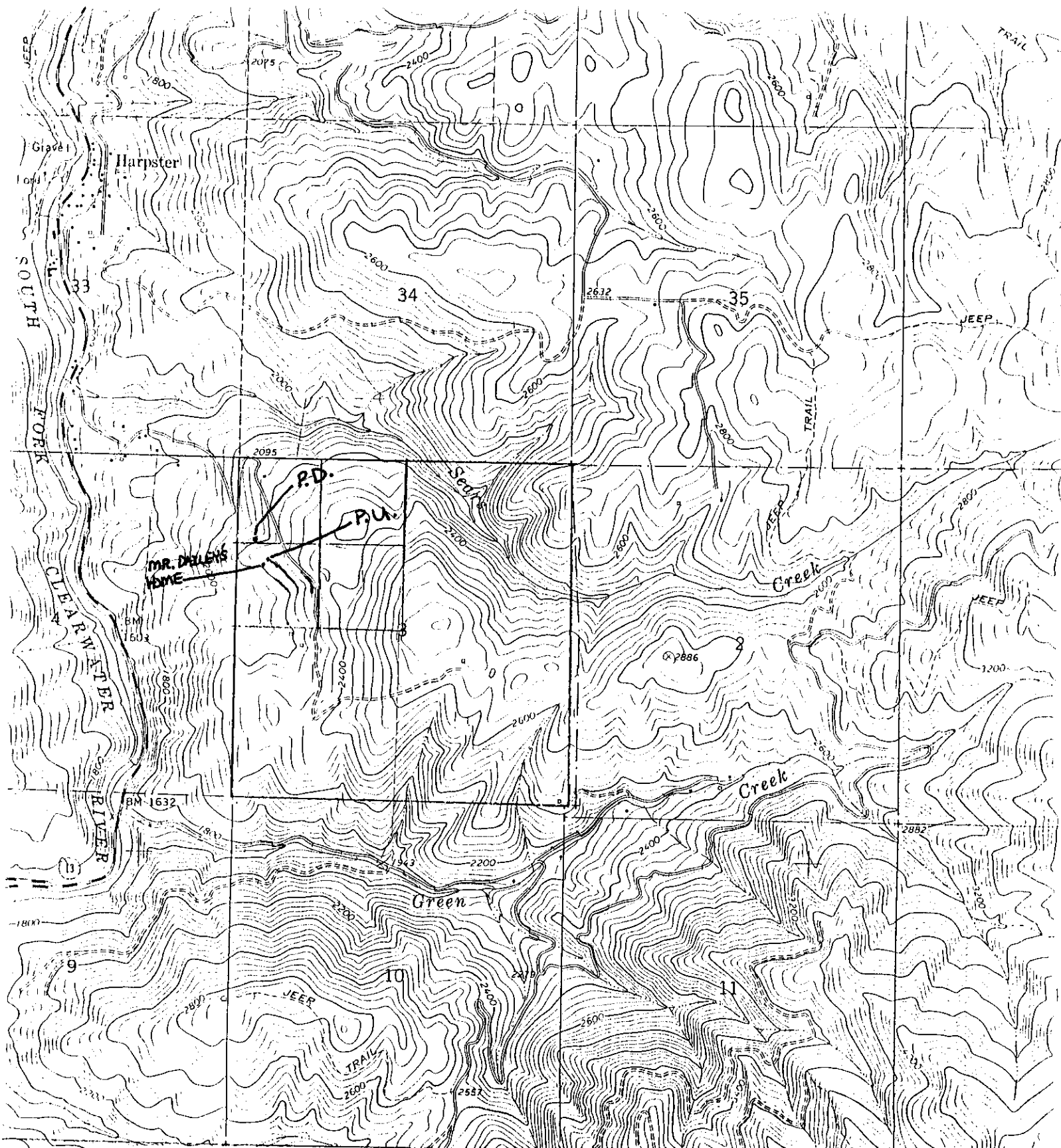


MR. DAILEY'S
8000 GALLON
HOLDING TANK w/

← A SUBMERGIBLE PUMP

Midnight

JAN 20 1994

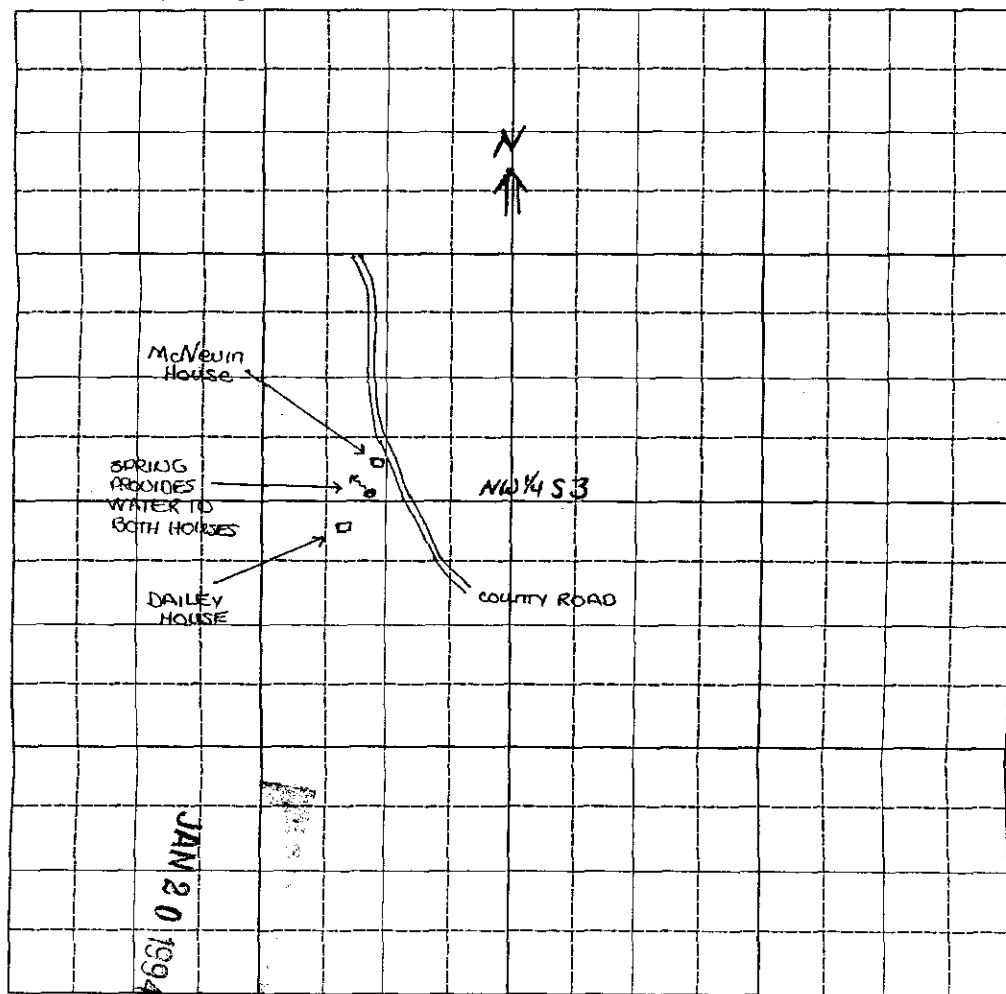


T 30 N R 4 E
SEC. 3

JAN 20 1994

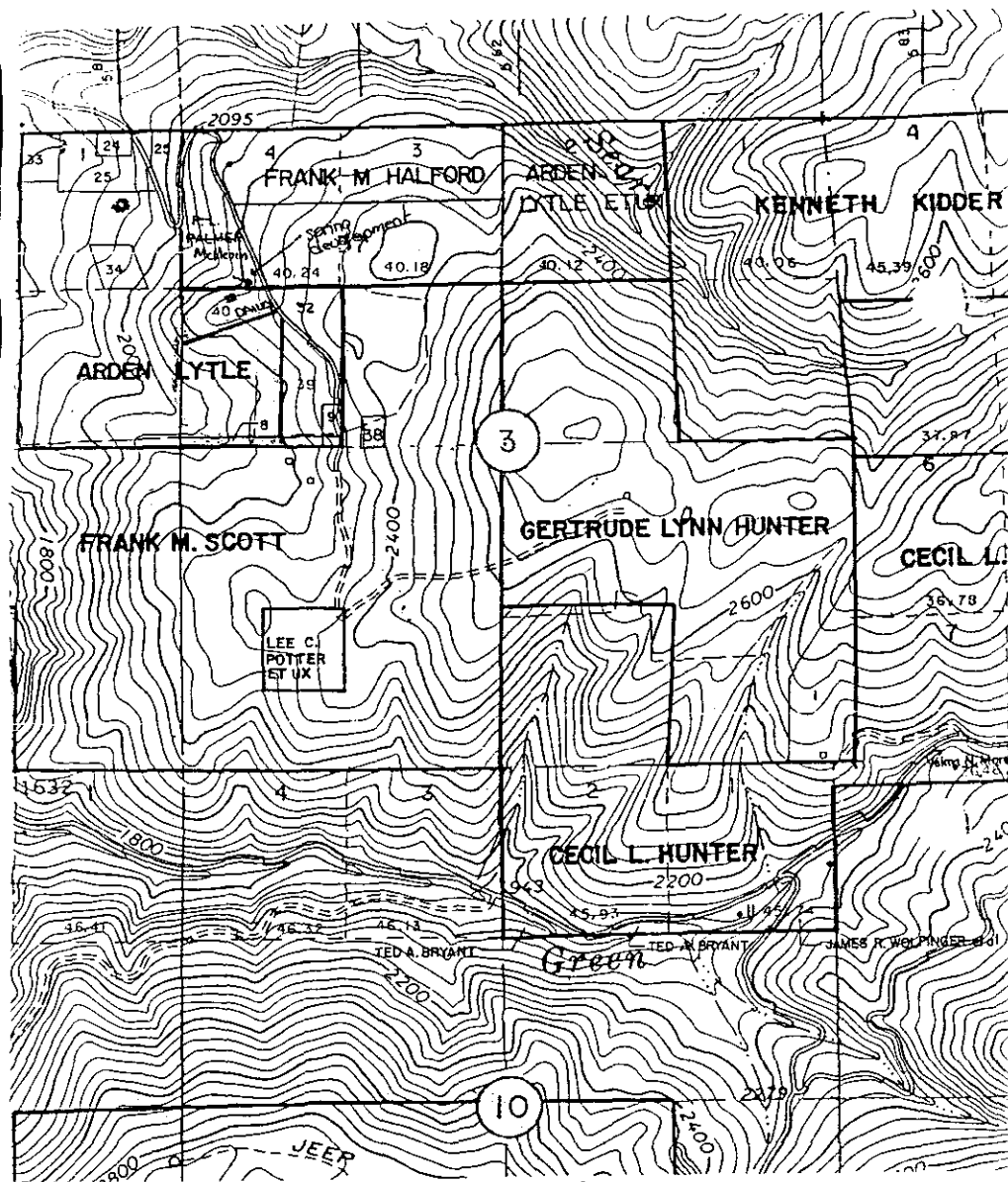
NW 1/4 S#3 - 30N R4E (shown with ^{IT} orange block)

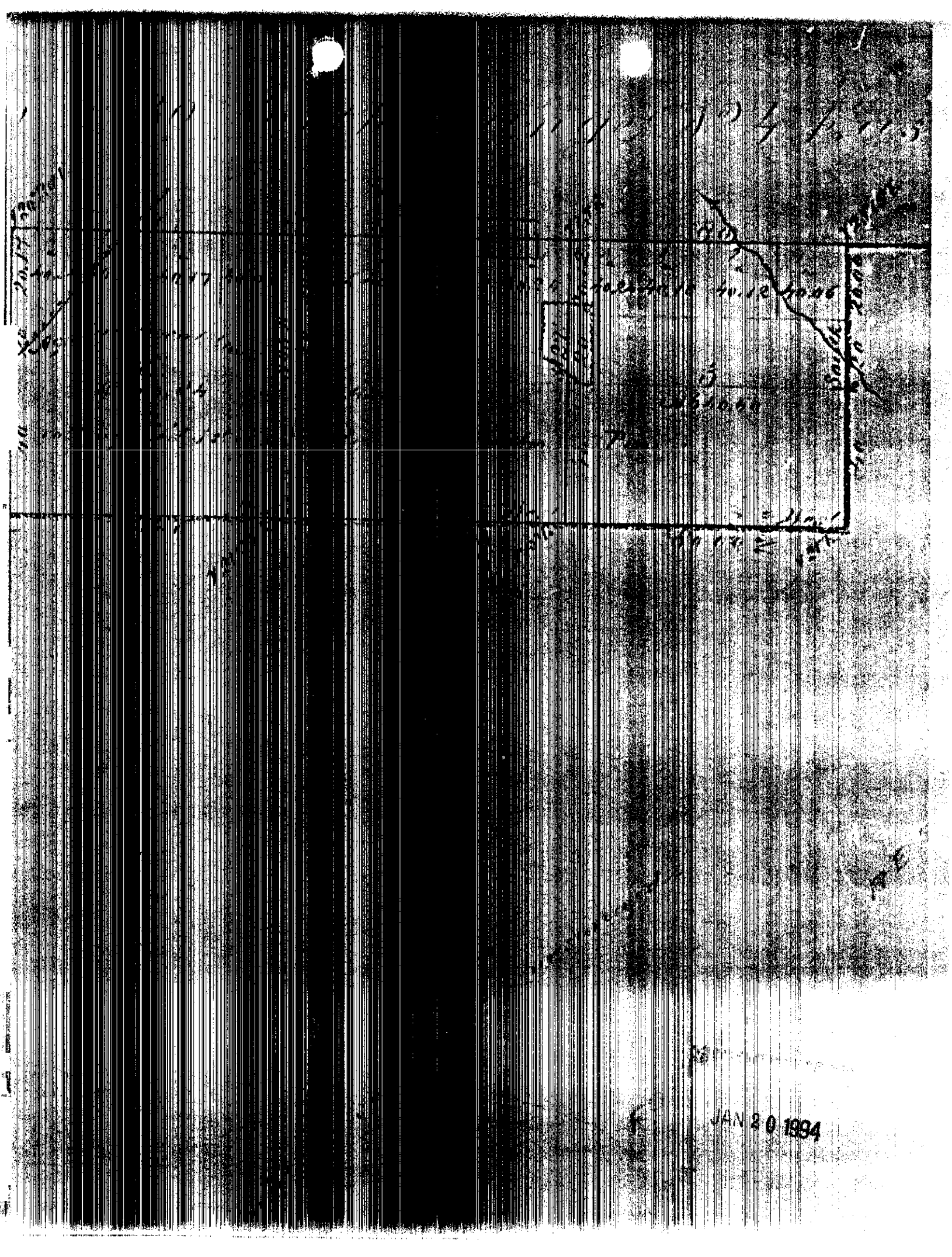
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Section 36 inches equal 1 mile.

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





11/11/33
11/11/34

11/11/34

11/11/34

11/11/34

JAN 20 1934

January 9, 1991

DENNIS DAILEY
SUSAN DAILEY
P.O. BOX 365
GRANGEVILLE, ID 835300365

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 82-07189

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED
FEB 07 1991

DECEMBER 5, 1990

DENNIS DAILEY
BOX 365
GRANGEVILLE, IDAHO 83530

GARY SPACKMAN
DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO

RECEIVED

DEC 10 1990

Department of Water Resources

RE: PERMIT NO. P82-07189

Dear Mr. Spackman,

I wrote you quite some time ago submitting "Proof of Beneficial Use" for our spring development. I have not received any acknowledgment of receipt. The conditions of the permit specify that this must be accomplished on or before February 1, 1991. Please advise me if there is anything else that I need to do or submit to satisfy the requirements of the permit.

I also would like to file for a water use permit on a spring development located on a piece of pasture land that I own which lies adjacent to my home. Would you send me the necessary application forms.

Thank you for your assistance.

Dennis R. Dailey

MICROFILMED

FEB 07 1991

S T A T E O F 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

Statehouse
Boise, Idaho 83720
(208) 327-7900
January 18, 1990

DENNIS DAILEY
SUSAN DAILEY
P.O. BOX 365
GRANGEVILLE, ID 835300365

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P82-07189

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED
MAR 26 1990

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 82-7189 in the name of Dennis or Susan Dailey was advertised incorrectly on 9/20 & 27/1989.

The Place of Use was incorrectly advertised as T30N R04E Sec. 3 NWNW; whereas, correctly it should be T30N R04E Sec. 3 SWNW.

(For additional information concerning the property location, call the Northern Regional Office at 765-4639.)

Protests to the above-referenced correction must be filed with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814 on or before December 4, 1989.

R. KEITH HIGGINSON, Dir.

Published in the Idaho County Free Press on 11/15 & 22/1989.

MICROFILMED

MAR 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

October 23, 1989

R. Keith Higginson
Director

Mr. Dennis Dailey
Box 365
Grangeville, Id. 83530-0365

Re: Water Appropriation Application # 82-07189

Dear Applicant:

A more in depth review of your application has revealed a contradiction in the place of use. The map appears to show one home within the NW NW and one home within the SW NW. Item # 9 on the other hand only lists the NW NW. Please contact this office within 30 days to clarify the location of your home.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

Tom D. King
Tom D. King
Sr. Water Resource Agent



Sorry for the confusion. Our home, the place of use, is located in the SW NW. The home shown in the NW NW belongs to James McNevin. They also use water from the spring, and filed for a water right previously. Thanks for your patience

Dennis Dailey

MICROFILMED
MAR 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor
September 25, 1989

R. Keith Higginson
Director

Mr. Dennis Dailey
Box 365
Grangeville, Id 83530-0365

Re: Water Appropriation Application # 82-07189

Dear Applicant:

This department acknowledges receipt of your Application For Permit To Appropriate The Public Waters Of The State Of Idaho, it has been assigned the above referenced number, to assist us in providing you with prompt, accurate service, please refer to this number in all future correspondence.

Your application is currently being prepared for advertising in the county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests.

If the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. However all protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

If the application is not protested it will be forwarded to Boise, where departmental staff will conduct a more in depth review of the application, to determine if there is a need for further information that will facilitate the Directors decision on the application. You will be notified by mail of this decision.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,


Tom D. King
Sr. Water Resource Agent

MICROFILMED

MAR 26 1990

82-7189

Dennis &/or Susan Dailey
P.O. Box 365
Grangeville, Id. 83530

Source: Spring

Tributary: Sinks

Diversion Pt: SWNWNW (Gov. Lt. 4) Sec. 3 T30N R04E

Use: Domestic (0.01 CFS)
Stockwater (0.01 CFS)

Date Filed: 9/7/89

In: T30N R04E Sec. 3

NWNW

RECEIVED

MAR 26 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region Office

1910 Northwest Blvd. * Suite 210 * Coeur d'Alene, Id. * 83814 * (208) 765-4639

Cecil D. Andrus
Governor

R. Keith Higginson
Director

August 29, 1989

Mr. and Mrs. Dennis Dailey
Box 365
Grangeville, Id. 83530

Re: Water Appropriation Application

Dear Applicant:

The Idaho Department of Water Resources acknowledges receipt of your Application For Permit To appropriate The Public Waters Of The State Of Idaho and your filing fee of \$30.00 for which receipt #N-003281 is enclosed. However I regret to inform you that the application is unclear, so I am returning it to allow you to clarify the following:

Item #2: A spring is is considered to be surface water, since the water naturally arises to the surface. Groundwater, however, is that water which is beneath the surface of the ground. You can not file for surface water and ground water on the same application, unless the system collects both sources and conveys them together to the places of use. I have enclosed a blank application for your convenience, but if the system is to collect both surface and ground water then file only one application and explain how the system collects water from both sources in item 6.a and 12, if more space is needed.

Item #3: If the legal description of the point of diversion is a spring it must be described by 10 acre parcel (for example ... SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) Section, Township and Range as established by the public land survey.

Item #7: This item must indicate the length of time you need to complete the project and put the water to a beneficial use.

Item #10: Describe any other water right you possess, by number if possible.

Item #11: This item is in three parts, if the applicant does not own the property at either the point of diversion (part a.) or where the water is to be used (part b.) then part c. must be completed by explaining the arrangements made to allow the applicant to make this filing. If the source is a spring or other body of water wholly or entirely contained upon the lands of another it is considered to be private water. To appropriate private water the applicant must produce the owners written permission, executed and acknowledged as required for the conveyance of real estate.

Item #13: You must either draw a map using the section layout provided, or you must provide a separate map. Either map must show the property in relation to the Section, Township and Range as established by the Public Land Survey. The Map must also have a North arrow and show the scale.

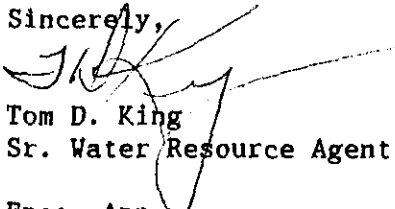
MAR 26 1990

Mr. and Mrs. Dennis Dailey
Page Two
August 29, 1989

The Application must be completed and returned to this office with any other information you deem appropriate within 30 days of the above date. Failure to communicate with this office within that time may result in the voiding of your application.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,



Tom D. King
Sr. Water Resource Agent

Enc: App.
Receipt

MICROFILMED

MAR 26 1990