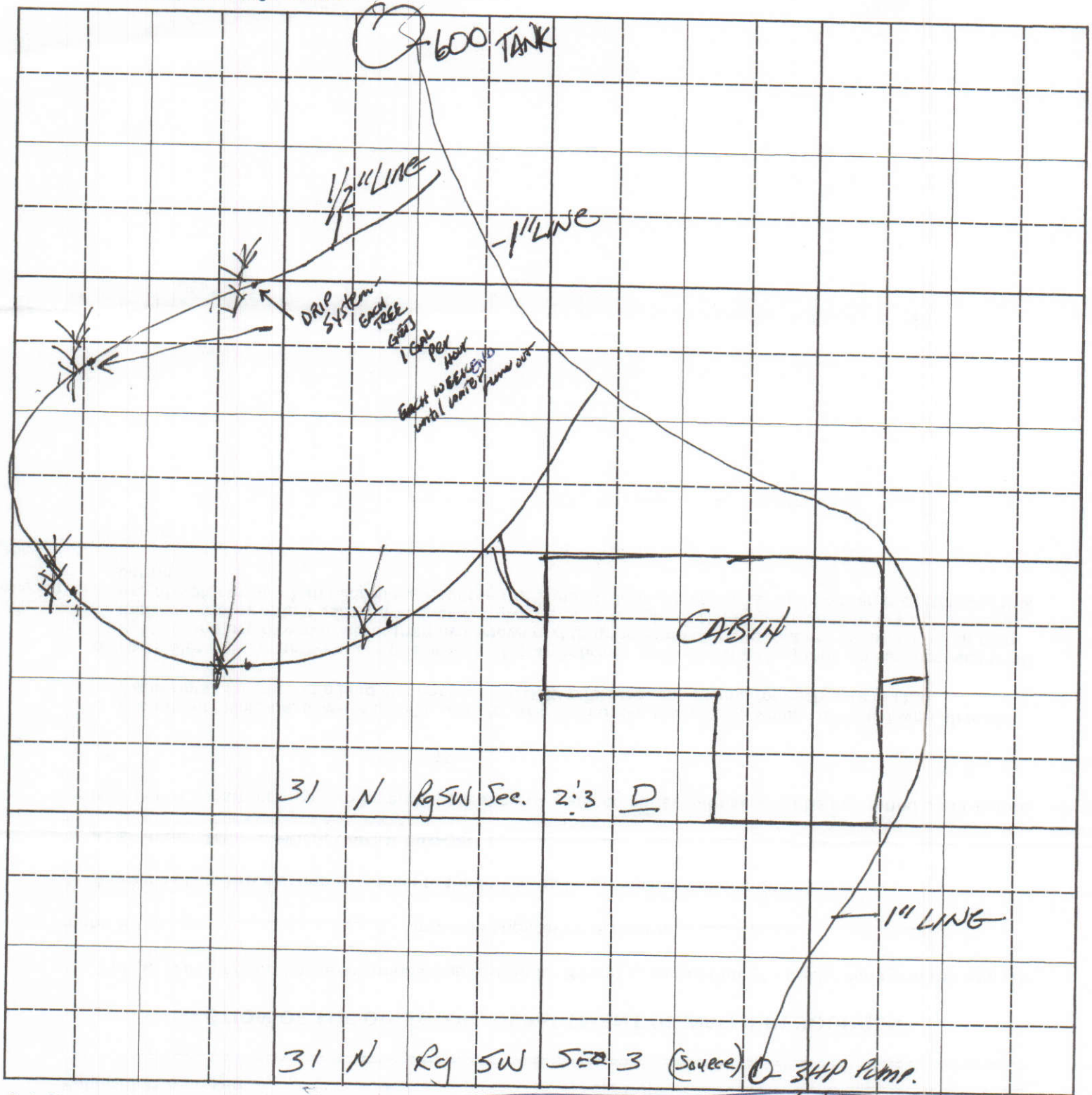


13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

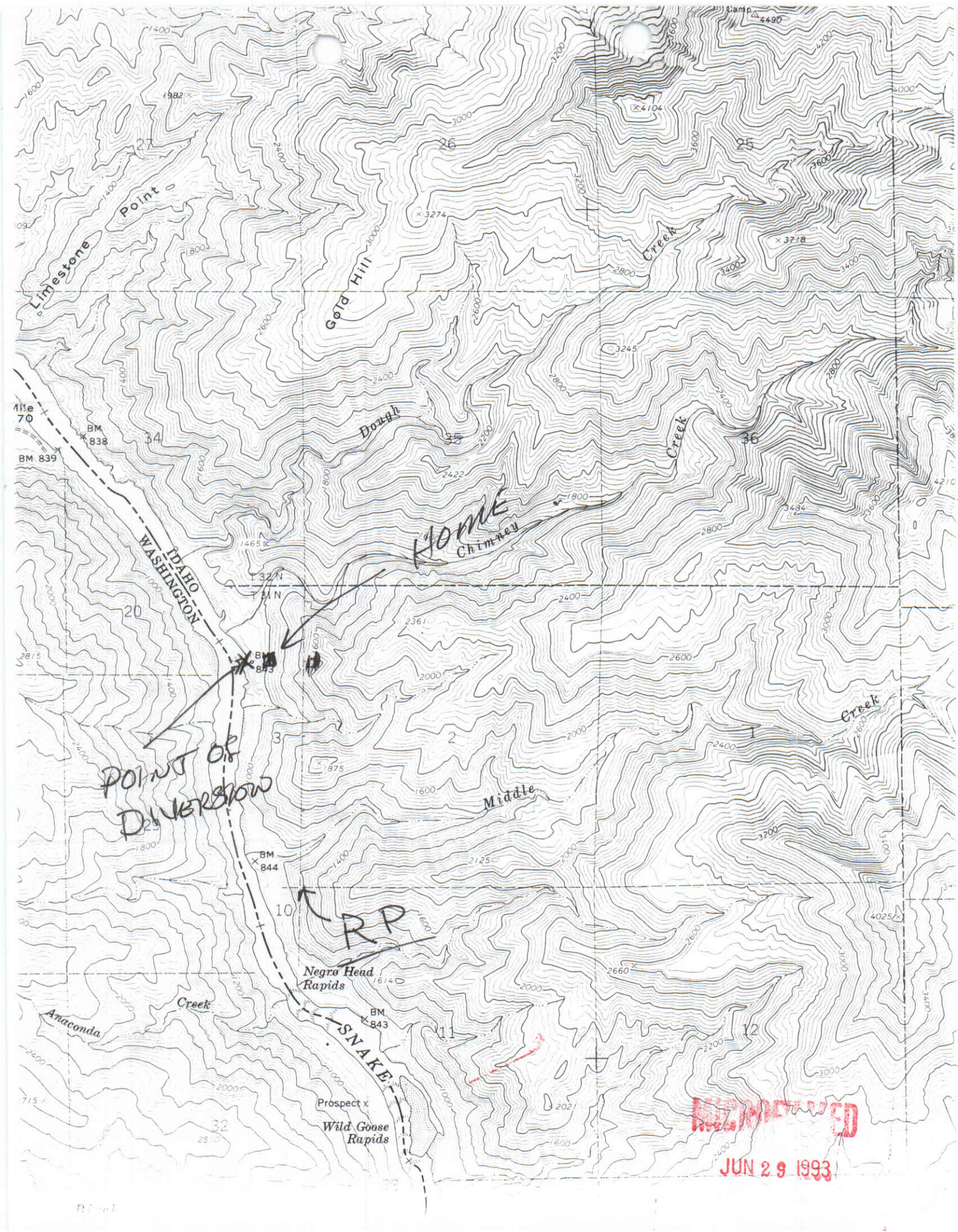


Scale: 2 inches equal 1 mile.

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

JUN 29 1993

SHARPLESS
SNAKE RIVER
James E. Frasure
(Applicant)



RECEIVED

JUN 29 1993

MICROFILM NO.

515108

WARRANTY DEED

RECEIVED
INDEXED
FILED
DELIVERED
MAILED

THIS INDENTURE, Made this 21st day of December, 1976, by and between ROBERT A. TIPPETT and JANET C. TIPPETT, husband and wife, DONALD W. FOUSTE and BETTY J. FOUSTE, as "GRANTORS", and LENIS E. FRASURE and TERRY FRASURE, husband and wife, as "GRANTEES", whose address is 1336 Highland, Clarkston, Washington 99403

WITNESSETH:

That the GRANTORS, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable considerations in hand paid to them by the GRANTEES, the receipt of all of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said GRANTEES, their heirs and assigns forever, the following described real property, situate in the County of Nez Perce, State of Idaho, more particularly described as follows, to-wit:

That part of Lots 1 and 2 of Section 3 and the NW $\frac{1}{4}$ of Section 2 of Township 31 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said section 2 thence S.0°02'E. along the East boundary line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 83.65 feet; thence West a distance of 1888.50 feet; thence S.81°20'46"W. a distance of 270 feet more or less to a point on the ordinary high water line on the right bank of the Snake River; thence Northerly along said high water line a distance of 202 feet more or less; thence N.67°33'43"E. a distance of 40 feet to a point; thence continue N.67°33'43"E. a distance of 84.51 feet; thence East a distance of 2136.71 feet; thence South a distance of 126.76 feet; thence West a distance of 150.0 feet to THE PLACE OF BEGINNING.

SUBJECT to an easement for ingress and egress over and across the North 25 feet thereof.

TO HAVE AND TO HOLD the above described premises, their heirs and assigns forever, together with all the appurtenances and privileges thereto in anywise connected, unto the said GRANTEES, their heirs and assigns forever.

And the said GRANTORS do hereby warrant that they are the lawful owners of the above described premises and that they are not subject to any other claims or encumbrances.

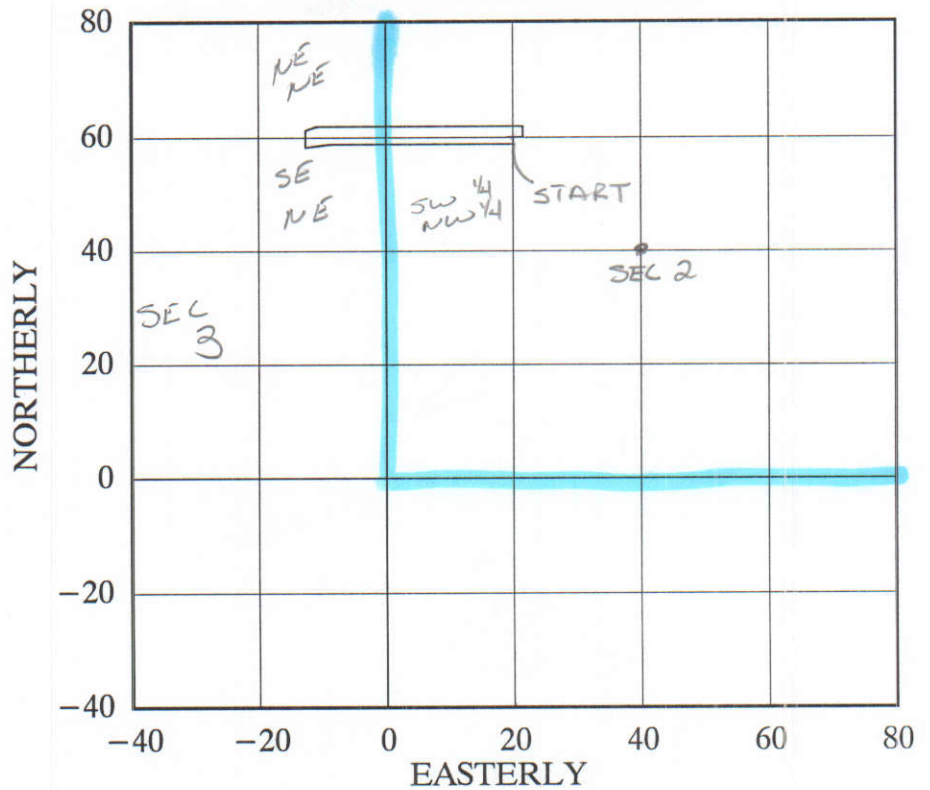
JUN 29 1993

WARRANTY DEED

MAILED 6 LYDEN
JUN 29 1993
JUN 29 1993

WARRAN

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



LENNY FRASURE

03-07051

3/26/93

LB

RECORDED

JUN 29 1993

D *c* *C* *b* *B* *a* *A*



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TON

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 040893 INVOICE No. L00354492

Account No. 964750 03-0051

Description 54492NOTIC

Times 2 Lines 61

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. 210
COEUR D'ALEN
ID 83814



\$ 68.63

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis, being duly sworn,

deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication beginning on 040193

WEEK for 2 consecutive WEEKS, the first publication thereof being on the 040193, and the last publication thereof being on the 040893, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of 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.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 8

day of April 1993

Sheryl M. Lentz

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

54492
**NOTICE OF APPLICATION FOR
WATER RIGHT**

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

03-07051

FRASURE, LENNY

PO BOX 485

CLARKSTON, WA 99403

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 1 (NENE) Sec 3

T 31N R 05W in NEZ

PERCE County.

LOT 2 (SENE) Sec 3

T 31N R 05W in NEZ

PERCE County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 12/1/1992

In: NEZ PERCE County

T31N R05W S03 NENE SENE

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 APRIL 19, 1993.

R. KEITH HIGGINSON, Director

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 03-7051 in the name of Lenny Frasure was advertised incorrectly on 1/7 & 14/1993.

The diversion point was incorrectly advertised as Lot 1 (NENE) Sec 2 T31N R05W & Lot 2 (NENE) Sec 2 T31N R05W; whereas correctly it should be Lot 1 (NENE) and Lot 2

(SENE) Sec 3 T31N R05W.

The place of use was incorrectly advertised as T31N R05W Sec 3 NENE; whereas correctly it should be T31N R05W Sec 3 NENE and SENE.

(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 April 19, 1993.

R. KEITH HIGGINSON, Dir.

JUN 29 1993

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

 Date 011493 INVOICE NO. L00348233

 Account No. 964750 FRASURE

 Description 48233NOTIC

 Times 2 Lines 34

Tab Lines _____

 \$ 38.25

SOLD TO:

 DEPT OD WATER RESOURCES
1910 NORTHWEST BLVD 210
COEUR D'ALEN
ID 83814

 NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

 STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis, being duly sworn,

 deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing
under and by virtue of the laws of the State of Idaho, publishers of the
LEWISTON MORNING TRIBUNE, a newspaper of general circulation
published at Lewiston, Nez Perce County, Idaho; That the said Lewiston
Morning Tribune is an established paper and has been published regular-
ly and issued regularly at least once a day for more than 21 consecutive
years next immediately preceding the first publication of this notice, and
has been so published uninterrupted for said period; that the

NOTICE OF APP FOR WATER RI

 attached hereto and which is made a part of this affidavit was published in
the said Lewiston Morning Tribune, 2 time(s). Publication be-
ing on 010793

 WEEK for 2 consecutive WEEKS, or once a
publication thereof being on the 010793, and the last pub-
lication thereof being on the 011493, and said

NOTICE OF APP FOR WATER RI

 was so published in the regular and entire issue of 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.

Karen J. Lewis

 SUBSCRIBED AND SWORN BEFORE ME THIS THE 14
day of January 1993

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

NOTICE OF APPLICATION FOR WATER RIGHT

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

03-07051

FRASURE, LENNY

PO BOX 485

CLARKSTON, WA 99403

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 1 (NENE) Sec 2

T 31N R 05W

LOT 2 (NENE) Sec 2

T 31N R 05W in NEZ

PERCE County.

Use: DOMESTIC (.040 CFS)

Total Diversion: (.040 CFS)

Date Filed: 12/1/1992

In: NEZ PERCE County

T31N R05W S03

NENE

 For additional information con-
cerning 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 Wa-
ter Resources, Northern Region,
1910 Northwest Blvd., Suite 210, Co-
eur d'Alene, Idaho 83814 on or be-
fore JANUARY 25, 1993.

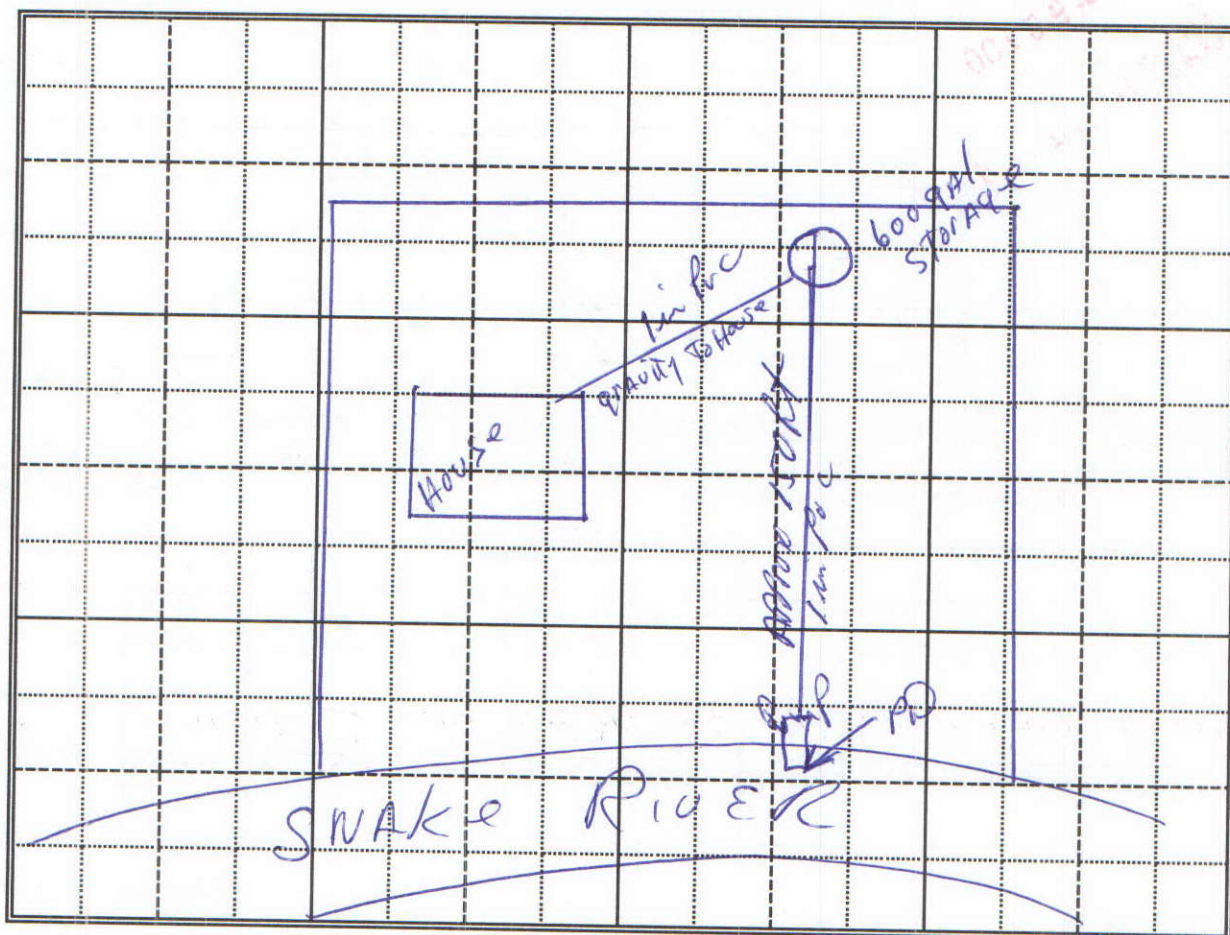
R. KEITH HIGGINSON, Director

JAN 15 1993

 NORTHERN REGION
IDWR

 MICROFILMED
JUN 29 1993

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
	Briggs+Stratton	5		PACER	2HE219

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

D. FLOW MEASUREMENTS

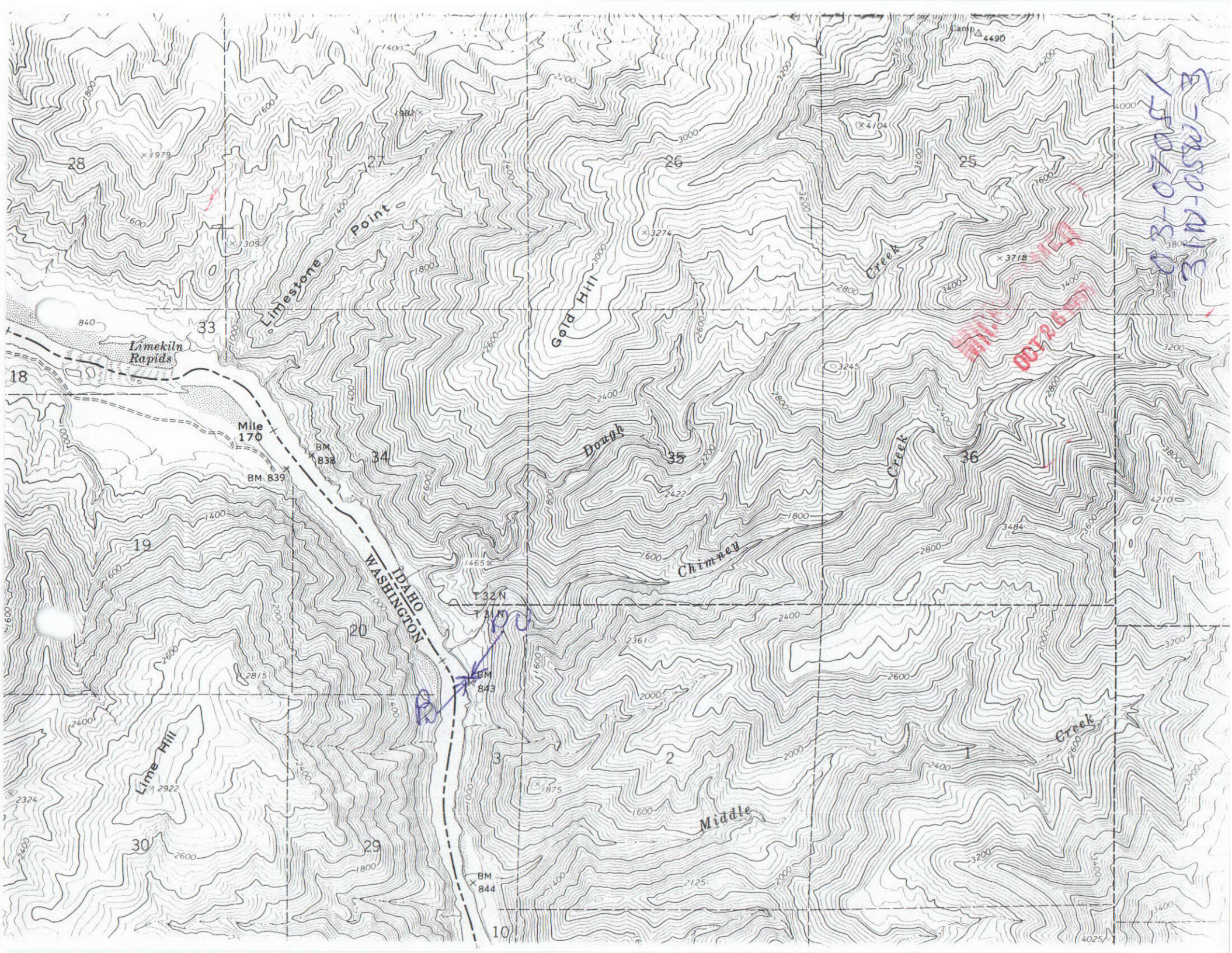
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: _____

MICROFILMED

OCT 26 1995



03-0705-1
310-0582-3



PW +
Pump

7/18/95



600 gal
Storage

8/95



PV

OCT 26 1995

03-07051

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 03-07051

Priority: December 1, 1992

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that LENIS FRASURE

PO BOX 485

CLARKSTON WA 99403-0485

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 1, 1992; and has submitted Proof of Beneficial Use on May 6, 1994. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

SNAKE RIVER

tributary to **COLUMBIA RIVER**

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>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(NENE), Sec. 3, Township 31N, Range 05W
Lot 2(SENE), Sec. 3, Township 31N, Range 05W
NEZ PERCE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

31N 05W 3 Lot 1(NENE) Lot 2(SENE)

CONDITIONS OF APPROVAL AND 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. Single point of diversion located on or near the line between Lot 1 (NENE) and Lot 2 (SENE), S03, T31N, R05W.
6. Single place of use located on or near the line between Lot 1 (NENE) and Lot 2 (SENE), S03, T31N, R05W.
7. Domestic use is for 1 home.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 03-07051

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 3rd
day of OCTOBER, 1975.


Acting for KARL J. DREHER, Director

RECEIVED

JUN 08 1994

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

RECEIVED

MAY 06 1994

Department of Water Resources

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.

1. Permit No. 03-07051 Telephone No. (509) 758-8391

2. Name(s) of Permit Holder(s): Lenis E. Frasure

3. Post Office Address: P. O. Box 485, Clarkston, WA 99403

4. Source of Water: Snake River

a. If ground water, well driller's name: N/A Date drilled: N/A

b. Pump horsepower: (3) Pressure (psi): 80 lbs Dynamic pumping level (ft.): 2 ft.

5. Extent of Use:

Domestic (1) (No. of households) Irrigation (1/2) (No. of acres)

Stockwater N/A (No. and type of stock) Other N/A

6. Total rate and/or volume for which proof is submitted 600 gal per/wk-5 mos. per/yr (May-Sept)
cfs _____ acre/feet _____

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No Yes ☐ Installed? Yes ☐ No ☐

OR

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

8. Fee Enclosed: \$ _____ (See License Examination Fee Schedule) PREVIOUSLY PROVIDED

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

Lenis E. Frasure (509) 758-8391

Name Telephone No.

1336 Highland, Clarkston, WA 99403

Address

10. 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.

05/04/94

Date

Lenis E. Frasure
Signature (and title if on behalf of a company or organization)
Lenis E. Frasure

JUN 28 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 03-07051

Proposed Priority: December 1, 1992 Maximum Diversion Rate: 0.04 CFS

This is to certify, that **LENNY FRASURE**

PO BOX 485

CLARKSTON WA 994030485

has applied for a permit to appropriate water from:

SNAKE RIVER

tributary of **COLUMBIA RIVER**

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

DOMESTIC

01/01 to 12/31

0.04 CFS

LOCATION OF POINT(S) OF DIVERSION:

Lot 1(NENE), Sec. 3, Township 31N, Range 05W

Lot 2(SENE), Sec. 3, Township 31N, Range 05W

NEZ PERCE County

PLACE OF USE: DOMESTIC

TWN RGE SEC

31N 05W 3

NENE

SENE

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 1994.
2. Subject to all prior water rights.
3. Domestic use is for 1 home and/or weekend cabin.
4. One point of diversion located on or near the line between Lot 2 SENE, S03, T31N, R05W, and Lot 3, NENE, S03, T31N, R05W.
5. One place of use located on or near the line between Lot 2, SENE, S03, T31N, R05W, and Lot 3, NENE, S03, T31N, R05W.

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

3

day of

June

1993

R. Keith Higginson

R. Keith Higginson, Director

for

RECEIVED

JUN 29 1993

RECEIVED
STATE OF IDAHO
MAY 10 1993

Form 202
6/85

Ident. No. 03-7051

DEPARTMENT OF WATER RESOURCES
Department of Water Resources
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant LENNY FRASURE Phone 758-8391
Post office address Box 485 - CLARKSTON, IDAHO 99403
2. Source of water supply SNAKE RIVER which is a tributary of COLUMBIA R.
3 HP. PUMP, 1" LINE SNAKE RIVER
3. Location of point of diversion is NE 1/4 of SE 1/4 of NE 1/4 Govt. Lot 2
Sec. 3 Township 31 N Range 5 West B.M. NE 1/4 County; additional
points of diversion if any: NO DIVERSION FROM TRIBUTARY; Pump from shoreline
4. Water will be used for the following purposes:
Amount .04 for Domestic & Household purposes from 01/01 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum) NOV 1, 1992 to FOREVER
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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) _____ and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 1-3HP Pump w 2" intake &
1" OUTGO LINE 600 gal storage tank.
b. Height of storage dam 100 feet; active reservoir capacity 600 GAL. acre-feet; total
reservoir capacity 600 GAL acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
c. Proposed well diameter is N/A inches; proposed depth of well is N/A feet.
d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is
3 Hours years (minimum 1 year).

MAY 20 1993

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. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. One (1)

e. Other; describe fully. Weekend cabin.

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. ~~Surface water~~
~~Domestic~~

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~31/2~~	~~SW~~	~~20~~																	
31N	SW	3-11				D													

Total number of acres to be irrigated _____

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? LENIE E. PEARCE

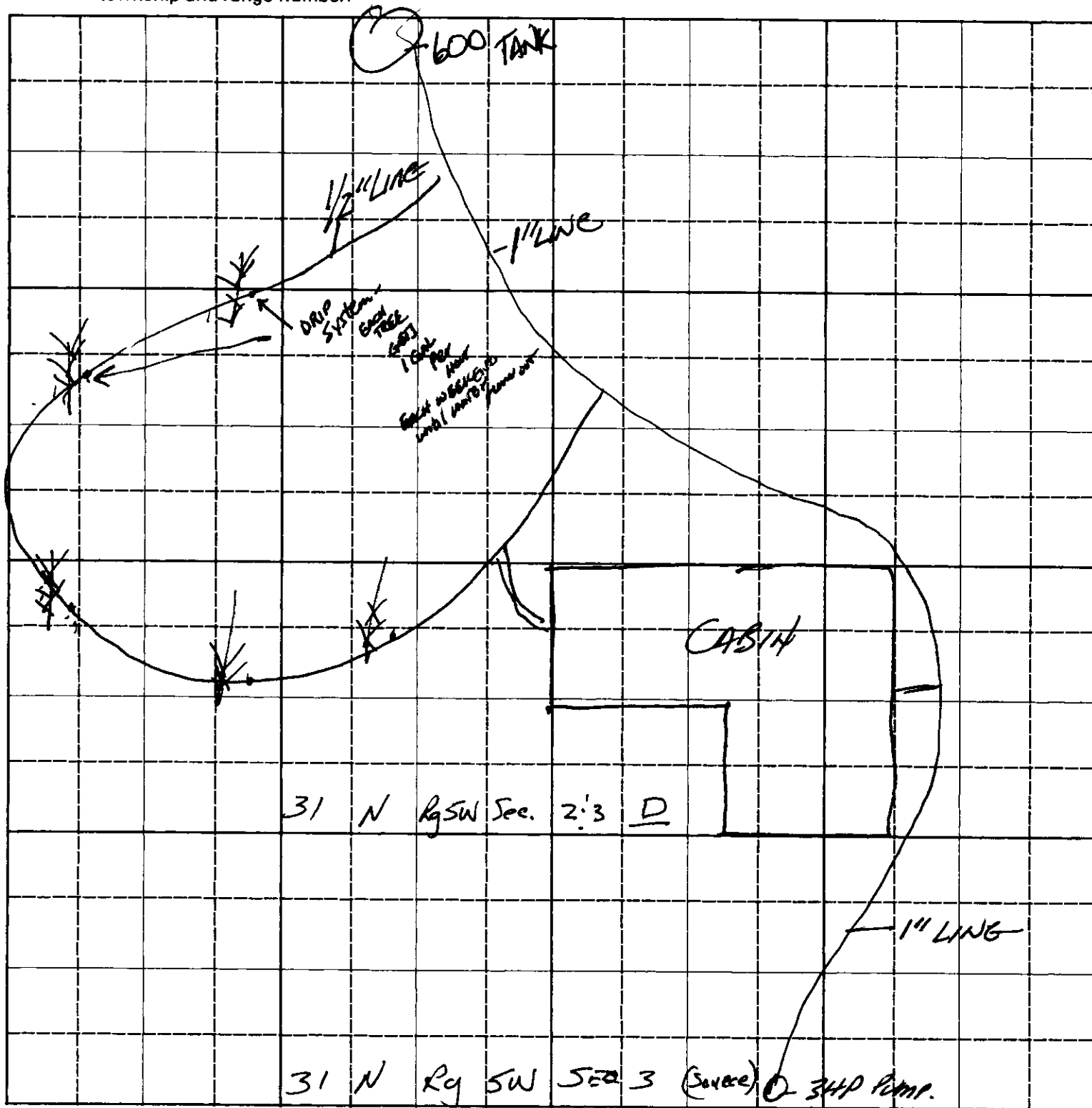
b. Who owns the land to be irrigated or place of use? LENIE E. PEARCE

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: _____

JUN 29 1993

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.

JUL 14 1993

SHORELINE
SWAMP RIVER
James E. Hume
(Applicant)

Received by [Signature] Date 12/1/92 Time 2:30 PM Preliminary check by [Signature]
Fee \$ 30.00 Receipted by [Signature] # N6114 Date 11/5/92
Publication prepared by [Signature] Date 12/30/92 Published in Idaho State 1/7-14/93 4/1+8/93
Publication approved [Signature] Date 4/23/93 4/24/93

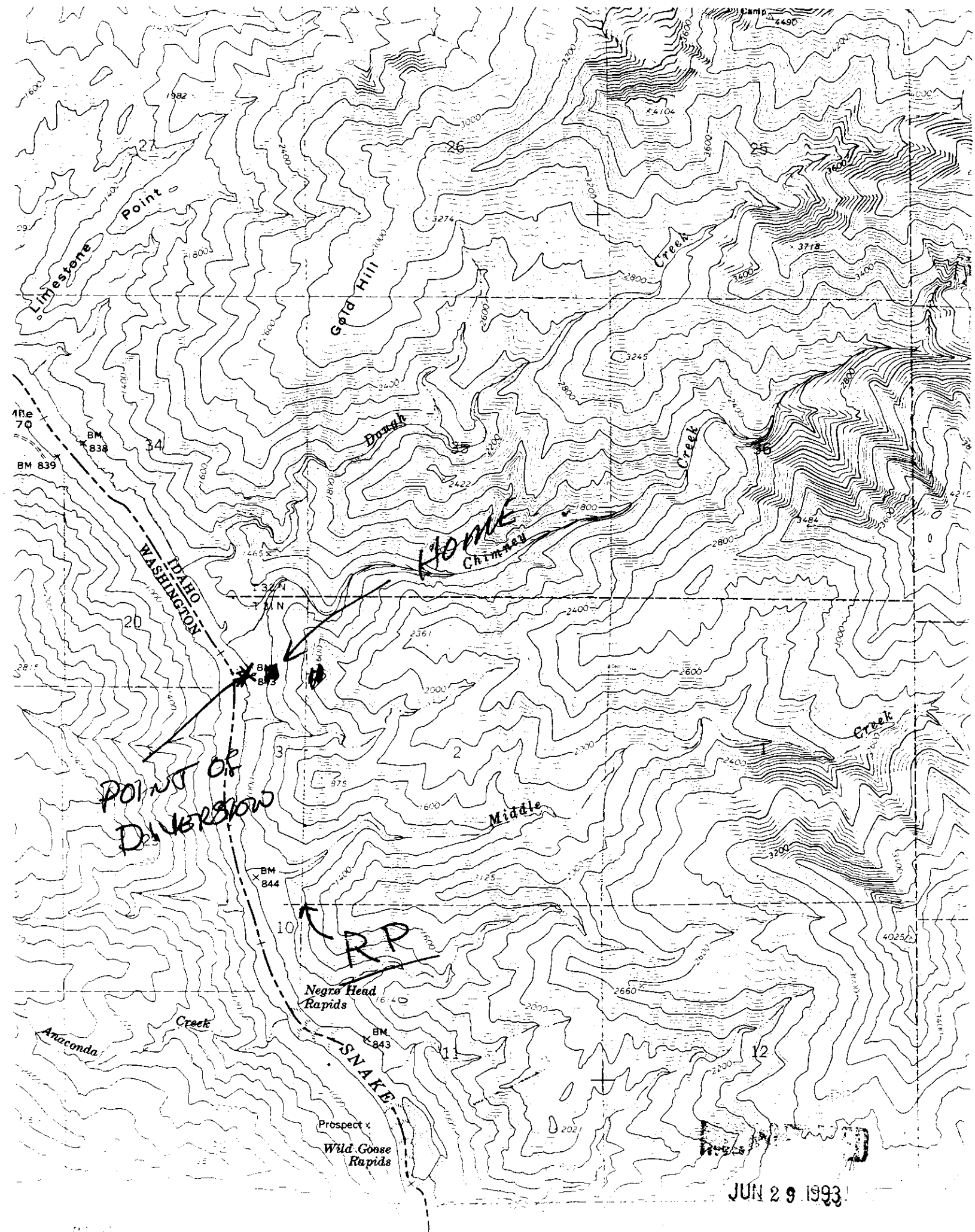
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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:

JUN 20 1993



MICROFILM NO.

515108

WARRANTY DEED

RECEPTION
INDEXED
FILED
DELIVERED
MAILED

THIS INDENTURE, Made this 21st day of December, 1976, by and between ROBERT A. TIPPETT and JANET C. TIPPETT, husband and wife, DONALD W. FOOSTE and BETTY J. FOOSTE, as "GRANTORS", and LEWIS E. FRASURE and TERRY FRASURE, husband and wife, as "GRANTEES", whose address is 1336 Highland, Clarkston, Washington 99403

W I T N E S S E T H :

That the GRANTORS, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable considerations in hand paid to them by the GRANTEE, the receipt of all of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said GRANTEE, their heirs and assigns forever, the following described real property, situate in the County of Nez Perce, State of Idaho, more particularly described as follows, to-wit:

That part of Lots 1 and 2 of Section 3 and the NW $\frac{1}{4}$ of Section 2 of Township 31 North, Range 5 West, B.M., Nez Perce County, Idaho, more particularly described as follows:

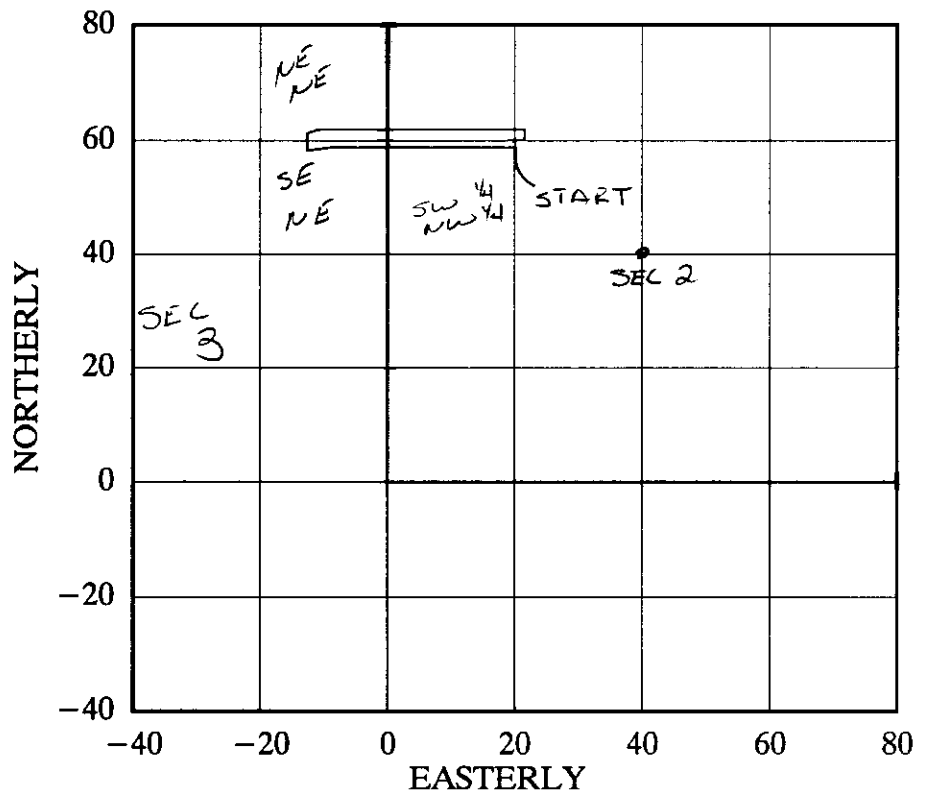
Beginning at the Northeast corner of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said section 2 thence S.0°02'E. along the East boundary line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ a distance of 83.65 feet; thence West a distance of 1888.50 feet; thence S.81°20'46"W. a distance of 270 feet more or less to a point on the ordinary high water line on the right bank of the Snake River; thence Northerly along said high water line a distance of 202 feet more or less; thence N.67°33'43"E. a distance of 40 feet to a point; thence continue N.67°33'43"E. a distance of 84.51 feet; thence East a distance of 2136.71 feet; thence South a distance of 126.76 feet; thence West a distance of 150.0 feet to the NE $\frac{1}{4}$ corner of said NW $\frac{1}{4}$.

JUN 29 1993

WARRANTY DEED

WARRANT

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



LENNY FRASURE

03-07051

3/26/93

B

RECEIVED

JUN 29 1993

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 040893 INVOICE No. L00354492

Account No. 964750 03-L 551

Description 54492NOTIC

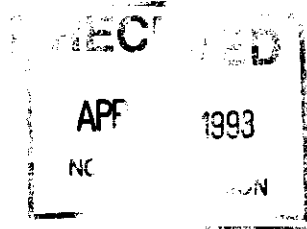
Times 2 Lines 61

Tab Lines

**LEGAL ADVERTISING
INVOICE**

SOLD TO:

DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. 210
COEUR D'ALENE
ID 83814



\$ 68.63

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis

, being duly sworn,

deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF APPLICATION

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 040193, or once a WEEK for 2 consecutive WEEKS, the first publication thereof being on the 040193, and the last publication thereof being on the 040893, and said

NOTICE OF APPLICATION

was so published in the regular and entire issue of 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.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 8

day of April 1993

Sheryl M. Lentz

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

**NOTICE OF APPLICATION FOR
WATER RIGHT**

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

03-07051

FRASURE, LENNY
PO BOX 485
CLARKSTON, WA 99403
Source: SNAKE RIVER

Tributary: COLUMBIA RIVER
Diversion Pt: LOT 1 (NENE) Sec 3
T 31N R 05W in NEZ
PERCE County.
LOT 2 (SENE) Sec 3
T 31N R 05W in NEZ
PERCE County.

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 12/1/1992

In: NEZ PERCE County

T31N R05W S03 NENE SENE
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 APRIL 19, 1993.

R. KEITH HIGGINSON, Director

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 03-7051 in the name of Lenny Frasure was advertised incorrectly on 1/7 & 14/1993.

The diversion point was incorrectly advertised as Lot 1 (NENE) Sec 2 T31N R05W S03 NENE SENE. The place of use was incorrectly advertised as T31N R05W S03 NENE SENE whereas correctly it should be T31N R05W Sec 3 NENE and SENE. (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 April 10, 1993.

R. KEITH HIGGINSON, Dir.

JUN 29 1993

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 03-7051 in the name of Lenny Frasure was advertised incorrectly on 1/7 & 14/1993.

The diversion point was incorrectly advertised as Lot 1 (NENE) Sec 2 T31N R05W & Lot 2 (NENE) Sec 2 T31N R05W; whereas correctly it should be Lot 1 (NENE) and Lot 2 (SENE) Sec 3 T31N R05W.

The place of use was incorrectly advertised as T31N R05W Sec 3 NENE; whereas correctly it should be T31N R05W Sec 3 NENE and SENE.

(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 April 19, 1993.

R. KEITH HIGGINSON, Dir.

Published in the Lewiston Tribune on April 1 & 8, 1993.

RECEIVED

JUN 29 1993

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune

505 C St., P.O. Box 957

Lewiston, Idaho 83501

(208) 743-9411

Date 011493

INVOICE # LC0348233

Account No. 964750

FRASURE

Description 48233NOTIC

Times 2

Lines 34

Tab Lines

\$ 38.25

SOLD TO:

DEPT OD WATER RESOURCES
1910 NORTHWEST BLVD 210
COEUR D'ALEN
ID 83814

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer To Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen J. Lewis

, being duly sworn,

deposes and says, I am the Legal Clerk
of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the

NOTICE OF APP FOR WATER RI

attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 010793

WEEK for 2 consecutive WEEKS, or once a

publication thereof being on the 010793, and the last publication thereof being on the 011493, and said

NOTICE OF APP FOR WATER RI

was so published in the regular and entire issue of 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.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 14

day of January 1993

Sheral M. Lantz

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

NOTICE OF APPLICATION FOR

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

03-07051

FRASURE, LENNY

PO BOX 485

CLARKSTON, WA 99403

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 1 (NENE) Sec 2

T 31N R 05W

LOT 2 (NENE) Sec 2

T 31N R 05W in NEZ

PERCE County

Use: DOMESTIC

(24 CFS)

Date Filed: 12/19/92

In: NEZ PERCE County

T31N R05W S03

NENE

For additional information concerning the property location, call the Northern Regional Office at 783-4639.

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 JANUARY 25, 1993.

R. KEITH HIGGINSON, Director

RECEIVED
JAN 15 1993
NORTHERN REGION
IDWR

JUN 20 1993



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 3, 1995

LENIS FRASURE
PO BOX 485
CLARKSTON WA 994030485

RE: WATER RIGHT NO. 03-07051

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED
OCT 26 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

AUG 29 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 03-07051

1. Owner: LEWIS FRASURE Phone No. (208) 758-8391

Current Address: P.O. Box 485 Clarkston WA 99403-0481

2. Accompanied by: Teri FRASURE EXAM DATE: 7-18-95

Address: SAME AS ABOVE Phone No. _____

Relationship to Permit Holder: Wife

3. Source: SNAKE RIVER tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

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
			NE	NE	3	31N	05W	NE PERC	U.S.G.S 7.5 min Quad

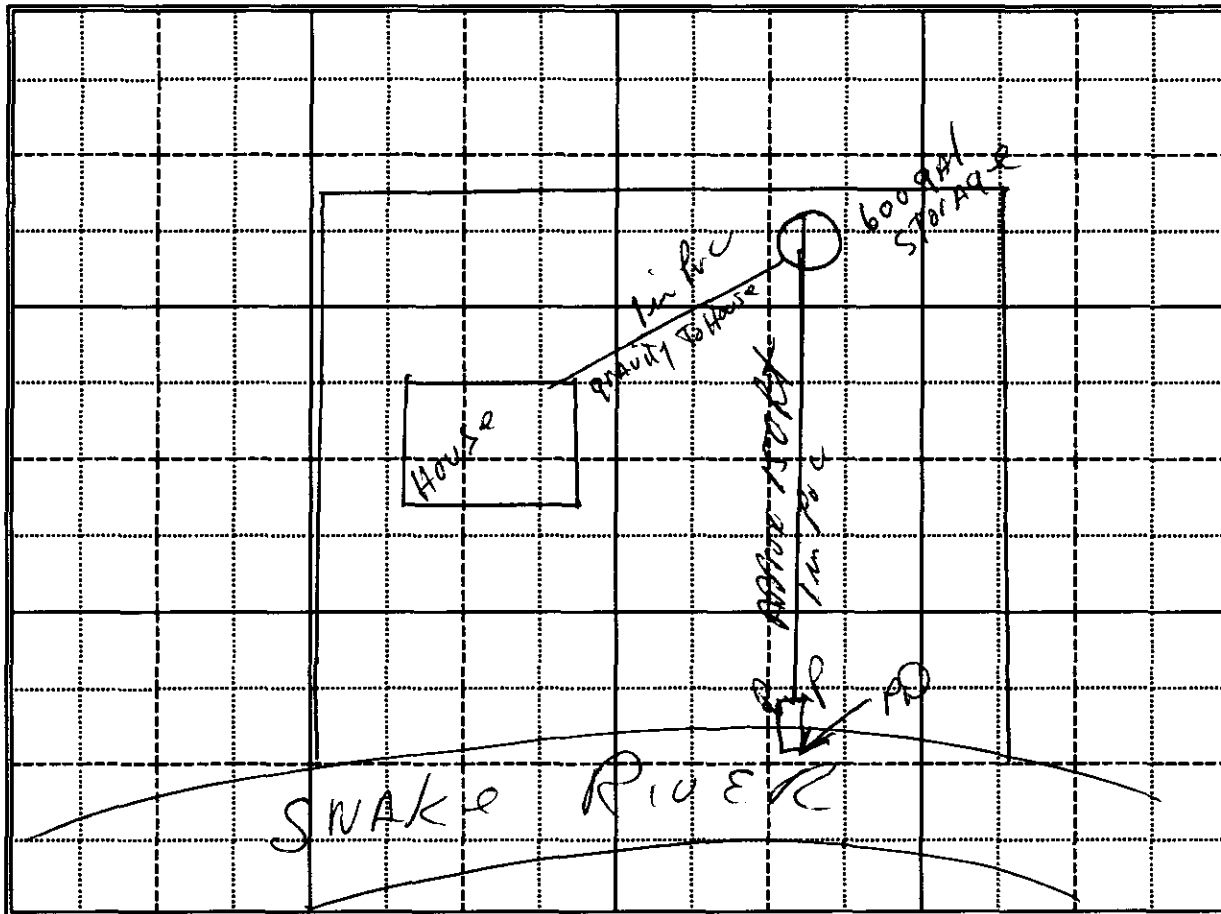
2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
31N	05W	3	0			0													

RECEIVED
OCT 26 1995

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
	Briggs + Stratton	5		PACER	2HE219

*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

2. Measurements: _____

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OCT 26 1995

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

RECORDED
OCT 26 1995

F. FLOW CALCULATIONSMeasured Method: 5 gal Bucket — Additional Computation Sheets Attached

$$\frac{189 \text{ ml} \times 0.133681}{60} = 0.04 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{\hspace{2cm}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{\hspace{2cm}}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>01-01</u>	<u>12-31</u>	<u>0.04</u>	<u>1.2</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Totals:			<u>0.04</u>	<u>1.2</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. AUTHENTICATION

Field Examiner's Name

Wayne Baldick

Date

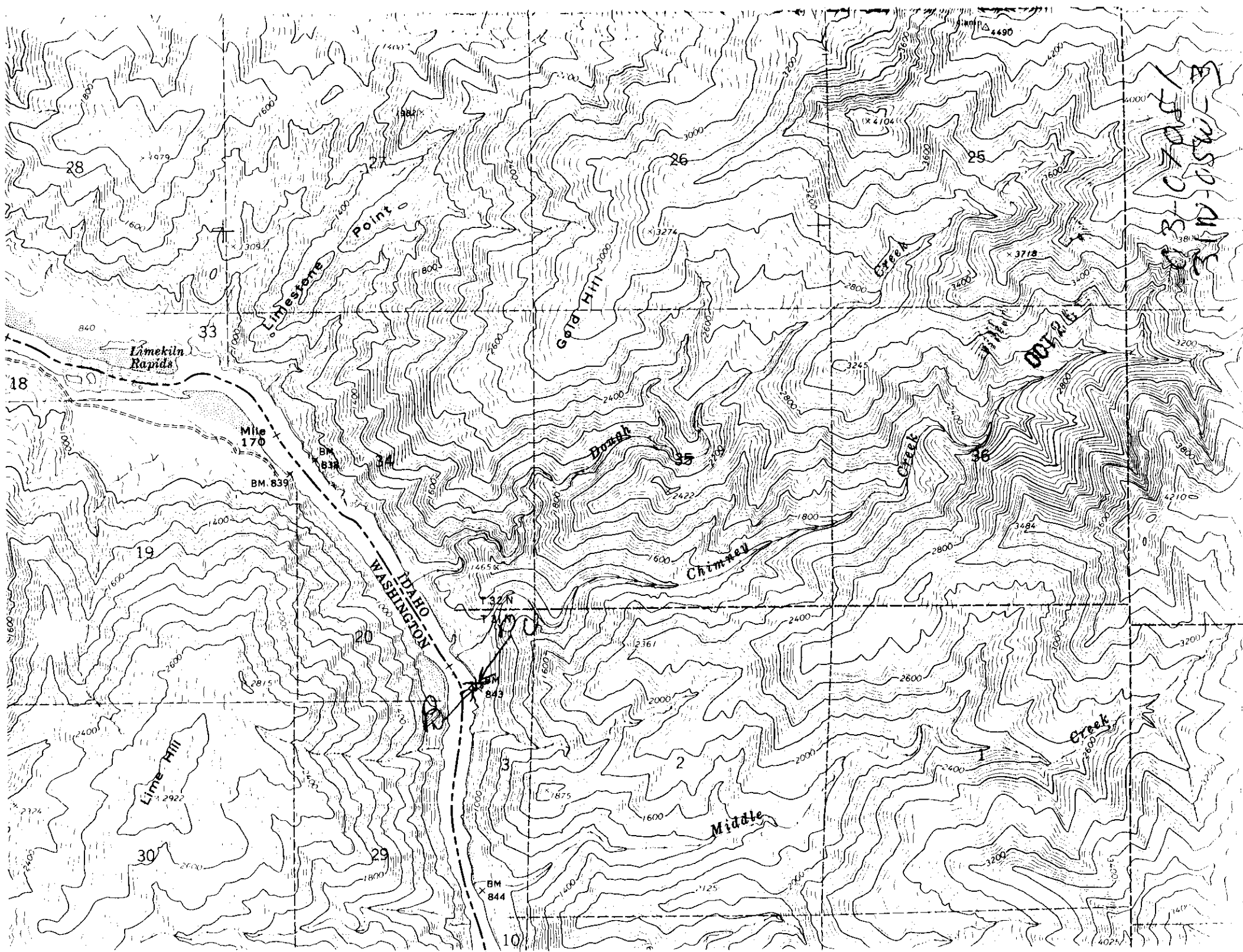
7-25-95

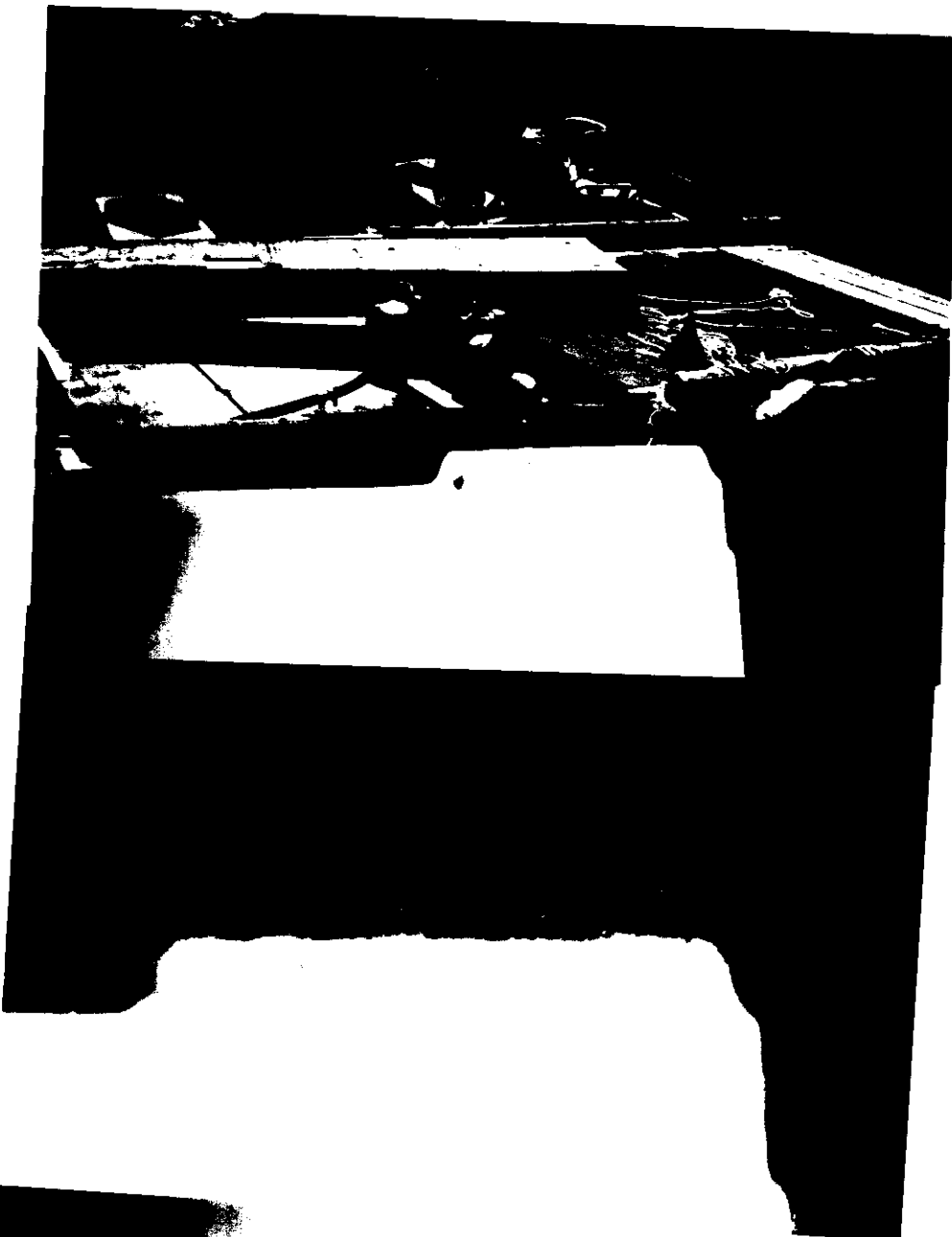
Reviewer

Date

SEAL

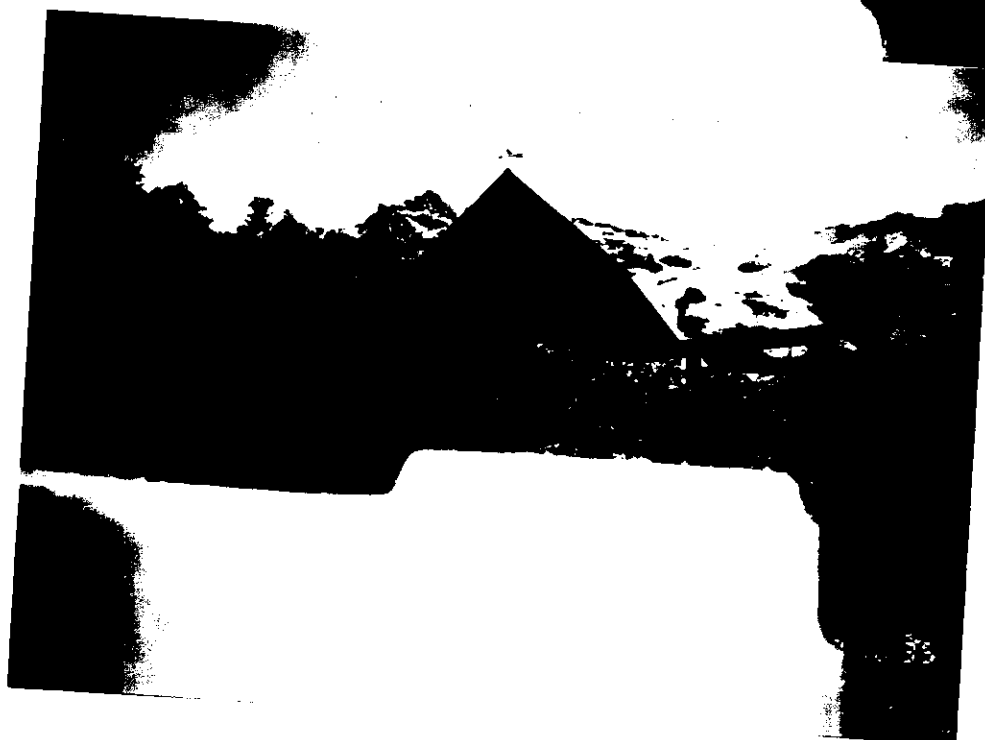
OCT 26 1995





PD +
Pump

600 gal
STORAGE



PV

UOI 2 6 1995

03-07051

June 23, 1994

LENNY FRASURE
PO BOX 485
CLARKSTON WA 994030485

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 03-07051

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)769-1450.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED

JUN 28 1994

LAW OFFICE OF

Pike & Gittins

Lloyd L. Pike
David A. Gittins
Tina L. Kernan*
T. H. Little (1906-1982)

*LICENSED IN WASHINGTON & IDAHO

June 6, 1994

RECEIVED
JUN 08 1994
Department of Water Resources

843 Seventh Street
Post Office Box 191
Clarkston, Washington 99403
Telephone: (509) 758-2501
Telefax: (509) 758-3576

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
BOISE ID 83720-9000

ATTN JULIE L YARBROUGH

Re: Proof Due Notice
Permit No. 03-07051

Dear Ms. Yarbrough:

Pursuant to your letter of May 26, 1994, please find enclosed the original application documents along with Mr. Frasure's check made out to the Idaho Department of Water Resources in the amount of \$50.00.

If there is any additional information or documentation required, please do not hesitate to contact either Mr. Frasure or myself.

Sincerely,

PIKE & GITTINS



Lloyd L. Pike
LLP/srw
Enclosure
cc: Mr. Lenny Frasure

JUN 08 1994

May 26, 1994

Lenny Frasure
P.O. Box 485
Clarkston, WA 99403-0485

RE: Permit No. 03-07051

Dear Permit Holder:

Returned is the proof of beneficial use you submitted in connection with the above referenced permit. Unfortunately, it can not be accepted as filed.

The Department has determined, from pertinent sections of the Idaho Code, that the permit holder must meet two requirements in order to be exempt from the license exam fee. They are:

1. The water right must use a groundwater (well) source.
2. The rate of diversion must be .04 cfs or 4.0 AF or less.

As you can see, you do not meet requirement #1 since you use the Snake River (surface) for your source. Therefore, a license examination fee of \$50.00 applies to the permit.

You indicate that you have previously provided the department with the license exam fee. On November 5, 1992, you paid \$30.00 for advertising the water right permit. The license examination fee associated with the proof is a separate fee.

Please return the original proof and license exam fee within thirty (30) days of receipt of this letter.

If you have any questions or if I can be of any further assistance, please feel to contact me.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure



JUN 28 1994

LAW OFFICE OF

Pike & Gittins

Lloyd L. Pike
David A. Gittins
Tina L. Kernan*
T. H. Little (1906-1982)

*LICENSED IN WASHINGTON & IDAHO

843 Seventh Street
Post Office Box 191
Clarkston, Washington 99403
Telephone: (509) 758-2501
Telefax: (509) 758-3576

May 4, 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD STREET
BOISE ID 83720-9000

ATTN JULIE L YARBROUGH

Re: Proof Due Notice
Permit No. 03-07051

Dear Ms. Yarbrough:

Pursuant to your letter of March 31, 1994, please find enclosed a Proof of Beneficial Use.

If any further information is required, please contact Lenny Frasure at (509) 758-8391.

Sincerely,

PIKE & GITTINS



Lloyd L. Pike
LLP/srw
Enclosure
cc: Mr. Lenny Frasure

JUN 28 1994

March 31, 1994

LENNY FRASURE
PO BOX 485
CLARKSTON WA 994030485

PROOF DUE NOTICE

RE: PERMIT NO. 03-07051

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1994.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

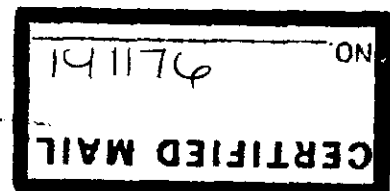
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

JUN 28 1994





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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 3, 1993

LENNY FRASURE
PO BOX 485
CLARKSTON WA 994030485

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 03-07051

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.

Enclosed is 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 is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECORDED

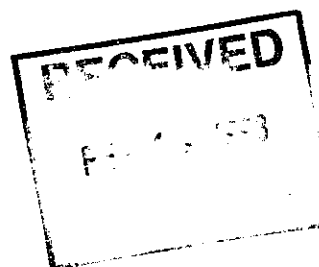
JUN 29 1993

MEMORANDUM

TO: Northern Region
FROM: Brenda Miller *BLM*
DATE: February 16, 1993
RE: P/D and P/U Correction
Application No. 03-07051

The point of diversion and place of use is in Section 3, not Section 2 as listed on the application (also see Warranty Deed legal). The file is being returned to the region for correction and if necessary, re-advertisement.

Thank you! *Done*
5/16/93



RECEIVED

JUN 29 1993

03-07051

FRASURE, LENNY
PO BOX 485
CLARKSTON, WA 99403

Source: SNAKE RIVER

Tributary: COLUMBIA RIVER

Diversion Pt: LOT 1 (NENE) Sec ³/₂ T 31N R 05W in NEZ PERCE County.
LOT 2 (NENE) Sec ³/₂ T 31N R 05W in NEZ PERCE County.
SENE

Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)

Date Filed: 12/ 1/1992

In: NEZ PERCE County
T31N R05W S03

NENE
SENE

*Changed on
computer
3/25/93*

RECEIVED

JUN 29 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 4, 1993

Idaho Dept. of Lands
Statehouse
Boise, Id. 83720

Re: 03-7051

Gentlemen:

Enclosed is a recent filing with this Department that may be of interest to your agency.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

AB/pms

Enc. - Appln.

RECEIVED
JUN 29 1993

JUN 29 1993



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

January 5, 1993

Mr. Lenny Frasure
Box 485
Clarkston, Wa. 99403

Subject: Water Application for Permit Number 03-7051.

Dear Mr. Frasure:

The Idaho Department of Water Resources hereby acknowledges receipt of the above-referenced Application for Permit to Appropriate the Public Waters of the State of Idaho. Enclosed is Receipt Number N6114. Please refer to your Application for Permit Number in future matters concerning this water right application.

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

If your application is not protested, it will be forwarded to Boise for processing. If your Application for Permit is protested, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before your Application for Permit can be approved. If the protest is not resolved, this Department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State Office in Boise.

If your Application for Permit is for a well (groundwater) that was constructed after July 1, 1987, you must apply for a well drilling permit upon approval of your Application for Permit if no permit was obtained by previous owners to construct the well. Well Drilling Permits can only be issued by this office to holders of approved Applications for Permit.

If I can be of further assistance, please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resource Agent

JAN 29 1993

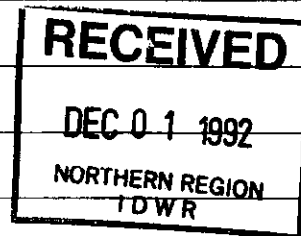
11-25-92

Dear Mr. Beardsley -

Sorry about sending the incomplete info.
package regarding my property on the Snake River.

Hopefully this is filled out better to give
an idea of exactly where everything is at.

Sincerely -
John E. Monroe



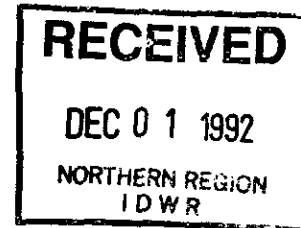


State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 765-4639 • Fax (208) 765-2088

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

November 9, 1992



Mr. Lenny Frasure
Box 485
Clarkston, WA 99403

RE: Application for Permit.

Dear Sir:

We are returning your Application for Permit along with Receipt Number N006114 for the amount of \$30.00.

Your Application for Permit is not acceptable at this time. Please review the following items.

(MAP)

I have included a map with your Application for Permit. Please mark where your point of diversion (source) and Place of use are located.

It appears that the legal descriptions listed for the Point of Diversion do not match where your map is marked. In regard to the Place of Use, we are asking you to place a "D" for domestic use in the correct 40 acre tract designation.

The legal descriptions for both of these items must match where you mark the map. I can determine the legal description for you upon your request, if the map is marked correctly.

If I can be of further assistance, please contact me at this office.

Sincerely,

ALLEN BEARDSLEE
SENIOR WATER RESOURCE AGENT

Enc. - Application for Permit and Receipt.

JUN 29 1993