

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Range 6 West

Township 35 North

14

P.O. +
P.O. 4.

Scale: 2 inches equal 1 mile

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

Signed at LEWISTON IDAHO, this 3 day of FEB., 19 70.

X A. Neil Daulton - President
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above Application for Amendment to Permit No. 33279/03-2013.

Witness my hand this 5th day of February, 19 70

R. Keith Higgins
State Reclamation Engineer

R-6W

Clarkston

Linnton

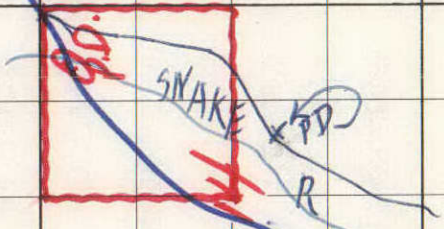
Washington

T-35N

Idaho

$$Q \approx 1.68 \text{ cfs}$$

$$V = 736.58 \text{ AC 24/yr.}$$



PUBLISHER'S AFFIDAVIT OF PUBLICATION

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

Notice is hereby given that on August 29, 1967, at Lewiston, County of Nez Perce, State of Idaho, before notary public Arlen R. Rogers, Upper Snake River Ave., Lewiston, Idaho, proof will be submitted of the completion of works for the diversion of 7.0 c.f.s. of the waters of Snake River, and the application to bene-

ficial use of said water, in accordance with the terms and conditions of permit 33279, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is DeAtley Corporation, Lewiston, Idaho, P.O. Box 648.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 7.0 cubic feet per second.

3. The use to which said water has been applied is manufacturing (washing sand and gravel) purposes, and the amount applied to beneficial use is 7.0 c.f.s.

4. The point of diversion of said water is NE 1/4 NE 1/4, Sec. 14, T. 35 N, R. 6W, B.M., Nez Perce County.

5. The place where said water is used is NE 1/4, Sec. 14, T. 35 N, R. 6W, B.M.

6. The date of priority which said user is prepared to establish is September 21, 1966.

R. KEITH HIGGINSON
State Reclamation Engineer

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

D. N. Sinclair, being duly sworn

deposes and says, I am the Office Manager of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established paper and has been published regularly and issued regularly at least once a day for more than 20 consecutive years immediately preceding the first publication of this notice, and has been so published uninterruptedly for said

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

first publication thereof being on the 26th day of July, A. D. 1967, and the last publica-

tion thereof being on the 16th day of August, A. D. 1967, and said Notice of Proof

was so published in the regular and entire issue of the said newspaper and not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

D. N. Sinclair

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE 16th day of August, 1967.

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

RECEIVED
SEP 13 1967

33279

WATER LICENSE

Water License No. 33279/03-2013 Priority September 21, 1966 Amount 1.68 c.f.g.

THIS IS TO CERTIFY, that DEATLEY CORPORATION
of Lewiston, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 21, 1966; that Permit 33279/03-2013 was issued pursuant
to said application; that the proposed works were completed on or about 1960,
with a storage/or carrying capacity of 1.68 c.f.g., said works consisting of
pump, motor, and settling ponds; and that on August 29, 1967,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 736.58
acre feet per season, with a maximum rate of diversion of 1.68 cubic feet per second of the waters
of SNAKE RIVER, tributary of COLUMBIA RIVER,
for the purpose of MANUFACTURING from JANUARY 1 to DECEMBER 31;
(WASHING SAND AND GRAVEL)
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, T. 35 N, R. 6 W, B.M., and
other additional points _____, in the County of
Nez Perce; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 736.58 acre feet per year.

Description and location of place of use:

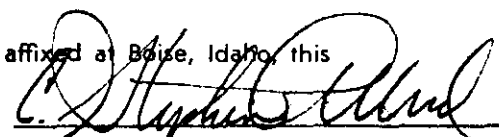
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
35 N	6 W	14														X			

Total number of acres irrigated _____

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

12th day of February, 19 70.


Deputy State Reclamation Engineer

33279
03-2013

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR AMENDMENT

RECEIVED
FEB 3
Department of Reclamation

Permit No. 33279/03-2013

Comes now DeAtley Corporation of (address) _____

P.O. Box 648, Lewiston, Idaho, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 33279/03-2013, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 SE 1/4, Sec. 14, T. 35 N, R. 6 W, B.M. Other points of diversion _____

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

mo. - day mo. - day

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

3. Place of use or land to be irrigated:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
35 N	6 W	14														X			

Total number of acres to be irrigated

33279
03-2013

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Range 6 West

Township 35 North

14

P.O.
P.O.

Scale: 2 inches equal 1 mile

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

Signed at LEWISTON IDAHO, this 3 day of FEB., 19 70.

X A. Neil Delaney - President
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,
hereby approve the above Application for Amendment to Permit No. 33279/03-2013.

Witness my hand this 5th day of February, 19 70

R. Keith Higgins
State Reclamation Engineer

File 33436... 33279 650

Address all communications to

Form No. 1
5M 1-65

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41472

Permit No. 33279

District No. _____

1966
S. C. A. H.
Department of Reclamation

1. Name of Applicant: DeATLEY CORPORATION

Post Office address Lewiston, County Nez Perce State Idaho

If applicant is a corporation, give:

(a) Date and place of incorporation: 4th day of January, 1960, Lewiston, Idaho

(b) Amount of Capital stock: \$200,000.00 (c) Amount paid in: \$138,420.00

(d) Names and addresses of directors: A. Neil DeAtley P. O. Box 648, Lewiston, Idaho

Roberta DeAtley, P. O. Box 648, Lewiston, Idaho; Thomas A. Madden, P. O.

Box 648, Lewiston, Idaho; Robert H. Summers, P. O. Box 648, Lewiston, Idaho

The financial resources of the applicant are: (a) Cash on hand: \$32,094.38 (as of 9/1/66)

(b) Treasury stock: _____ (c) Bonds to be issued: _____

(d) Other resources: \$715,680.79

2. Quantity of water claimed: Seven (7) cubic feet per second

3. Source of water supply: Snake River

which is tributary of N. A.

4. Location of point of diversion: 660 feet distant from the northeast corner

of Section 14, Twp. 35N, Rge. 6 W., B. M., and is in the northeast quarter

of Section 14, Twp. 35 N, Rge. 6 W B.M., County of Nez Perce

5. Water is to be used for: washing sand and gravel (manufacturing)

6. If for any non-irrigation purpose, give:

(a) Point of use of water: 660 feet distant from northeast corner of Section 14

Twp. 35 N, Rge. 6 W., B. M., in the NE¹/₄ of Section 14, Twp. 35 N, Rge. 6 W, B. M.

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

(c) Water is to be returned to Snake River at a point 660 feet

distant from the northeast corner of Section 14, Twp. 35 N, Rge. 6 W., B. M., in the

NE¹/₄ of Section 14, Twp. 35 N, Rge. 6 W., B. M.

7. Estimated cost of works: \$ N. A.

8. Kind of works: N. A.
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam N. A. feet; length of dam at top _____ feet; length of dam at bottom _____

feet; material used in dam _____
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width N. A. feet; Height _____ feet

11. Ditch: Width at bottom N. A. feet; Width at water line _____ feet; Depth of water _____ feet;

Dimensions of flume _____; Diameter of pipe _____ inches;

Length of conduit _____ miles. Average grade per mile _____ feet.

33279

16. (a) Is reservoir to be used? (If so, fill in (b) and (c) below.) N. A.
(b) Name of reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

Remarks: The location on a Metsker map is not accurate. The exact location of the point of diversion is 46° 23' 39½" north latitude and 117° 22' 51" West longitude. The water will be returned to the river and constitutes a non-consumptive use. A minimum of 3000 gallons of water per minute will be necessary. This use has continued over a period well in excess of 10 years. The water will be used in a sand and gravel quarry located on land leased from Mr. Earl Duthie by your applicant. The use by your applicant will be continuous. Diversion will be by a standpipe.

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.

DeATLEY CORPORATION

By A. Neil DeAtley, President Applicant.
Philip E. Peterson, Agent
Attorney for the corporation

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I,, of, County of, State of, do hereby certify that I am the owner of the land on which the spring mentioned in the application of is located, to-wit:

and that I do hereby grant unto the said permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO)
County of) ss.

On this day of, 19....., before me, a Notary Public for the State of Idaho, residing at, personally appeared known to me to be the person... whose name..... subscribed to the foregoing certificate, and acknowledged to me thathe.... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires Notary Public.

33279

B.W.

Approval of State Reclamation Engineer

33279

The number of this permit is.....

Recorded in Book 116 Page 33279 Approved OCT 19 1966
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$..... to be filed before.....

Work to begin on or before December 19, 1966, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before April 19, 1967

The whole of said work to be completed on or before October 19, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before October 19, 1967

Witness my hand this 19th day of October 1966

R. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE Governor of the State of Idaho,
and LOUIS E. CLAPP Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 19th day of October 1966

Countersigned.

By

Louis E. Clapp
Secretary of State

STATE OF IDAHO

By

Robert E. Smylie
Governor.

No-33279

PERMIT

Date of first receipt at office of State Reclamation Engineer

September 21, 1966 8:00 A.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 6.50

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof 25

33279

33279
K.O.
03-200

**Application For Permit
To Appropriate the Public Waters of the State of Idaho**

APPLICATION No. 41472
PERMIT No. 33279
DISTRICT No.

1. Name of Applicant: DeAtley Corporation
Postoffice address: Lewiston County: Nez Perce State: Idaho
I. If applicant is a corporation, give:
(a) Date and place of incorporation: 4th day of January, 1960 Lewiston, Idaho
(b) Amount of capital stock: \$200,000.00
(c) Amount paid in: \$138,420.00
(d) Names and addresses of directors: A. Neil DeAtley, Roberta DeAtley, Thomas A. Madden and Robert H. Summers
all of P.O. Box 648, Lewiston, Idaho
II. The financial resources of the applicant are:
(a) Cash on hand: \$39,094.38 (as of 9-1-66) (c) Bond to be issued:
(b) Treasury stock: (d) Other resources: \$715,680.79
2. Quantity of water claimed: 7.0 cubic feet per second.
3. Source of water supply: Snake River which is a tributary of N/A
4. Location of point of diversion: 660 feet distant from the Northeast corner of Section 14, T. 35 N, R. 6 W, B.M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of section 14, T. 35 N, R. 6 W, B. M., County of Nez Perce
5. Water is to be used for washing sand and gravel (manufacturing)
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: 660 feet distant from NE corner of Section 14
T. 35 N, R. 6 W, B.M., in the NE $\frac{1}{4}$ of Section of 14, T. 35 N, R. 6 W, B.M.
(b) Amount of power generated: N/A H.P., under feet head.
(c) Water is to be returned to Snake River at a point 660 feet
distant from the NE corner of Section 14, T. 35 N, R. 6 W, B.M., in the NE $\frac{1}{4}$
of Section 14, T. 35 N, R. 6 W, B.M.
7. Estimated cost of works: \$ N/A
8. Kind of works:
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is 1 years.
13. The time required for the complete application of the water to the proposed use is 0- additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
Unknown

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

/s/ PHILIP E. PETERSON ~~Applicant~~ Agent
Attorney for the Corporation

By/ FOR THE DeAtley Corporation Agent.

Date of first receipt at Department of Reclamation: September 21, 1966 8:00 A.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33279

Recorded in Book 116 Page 33279 Approved October 19, 1966

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

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

Work to begin on or before December 19, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 19, 1967

The whole of said work to be completed on or before October 19, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before October 16, 1967

WITNESS My hand this 19th day of October, 1966.

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,

and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 19th

day of October, 1966.

STATE OF IDAHO

Countersigned:

(SEAL) By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ ROBERT E. SMYLIE
Governor.

REMARKS: The location on a Metsker map is not accurate. The exact location of the point of diversion is $46^{\circ}23'39\frac{1}{2}"$ north latitude and $117^{\circ}22'51"$ West longitude. The water will be returned to the river and constitutes a non-consumptive use. A minimum of 3000 gallons of water per minute will be necessary. This use has continued over a period well in excess of 10 years. The water will be used in a sand & gravel quarry located on land leased from Mr. Earl Duthie and your applicant. The use by your applicant will be continuous. Diversion will be by a standpipe.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			MANUFACTURING																
			LICENSE ISSUED FOR <u>1.68</u> SEC. FT. LICENSE PAGE NO. <u> </u>																

February 12, 1970

Re: Permit No. 33279/03-2013

DeAtley Corporation
P.O. Box 648
Lewiston, Idaho 83501

Gentlemen:

Enclosed herewith are your Water License and copy of approved application for amendment.

Also enclosed is departmental receipt No. 4159 in the amount of \$10 covering the fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

03-2013
33279

Form Available from Good-Will Greetings, Inc., Minneapolis

Fold at Guide Mark to Mail in Window Envelope.

T
O

Mr. Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

RECEIVED

FEB 5 1970

Department of Reclamation

DeAtley Corporation

CONTRACTORS

P. O. BOX 648

LEWISTON, IDAHO 83501

SUBJECT

Permit No. 33279/03-2013

DATE

February 3, 1970

FOLD — MESSAGE

Enclosed is the signed partially completed application for amendment.

We agree with all findings and enclose our check in the amount of \$10.00 to cover application and licensing fees. Thank you.

ORIGINATOR-DO NOT WRITE BELOW THIS LINE

REPLY TO —————>

SIGNED

Charles J. Kijewski

Secretary

REPLY

03-2013
33279

DATE

SIGNED

SEND WHITE AND PINK COPIES WITH CARBONS INTACT. PINK COPY IS RETURNED WITH REPLY.

Detach Before Depositing

PAY PERIOD
ENDING

Name

Total Hours	Overtime Hours	EARNINGS			DEDUCTIONS					Wages Paid	Other	Total Check
		Straight Time	Overtime	Total	OAB	Fed. Wh.	State Wh.		TOTAL			

DeATLEY CORPORATION

LEWISTON, IDAHO

DATE	INVOICE NUMBER	DESCRIPTION	AMOUNT	DEDUCTIONS		NET AMOUNT
				PARTICULARS	AMOUNT	
		Permit No. 33279/03-2013				
		Application for amendment	5.00			
		Licensing fee	5.00			10.00
		03-2013				
		33279				
					No	9021

PRINTCRAFT

DeATLEY CORPORATION

LEWISTON, IDAHO

February 2, 1970

Re: Permit No. 33279/03-2013

DeAtley Corporation
P.O. Box 648
Lewiston, Idaho 83501

Dear Sirs:

The Department of Reclamation has conducted a field examination of the land and works covered by the above referenced permit and has found that the point of diversion and place of use are located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14, T. 35 N., R. 6 W., B.M., not NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14, T. 35 N., R. 6 W., B.M., as listed on the permit.

Enclosed is a partially completed application for amendment. If you agree with the findings of the department, please sign the application and return it with a \$5 fee.

The department is prepared to license Permit No. 33279/03-2013 for 1.68 c.f.s. of water from the Snake River for manufacturing purposes. The maximum quantity diverted shall not exceed 736.58 acre feet per year and the priority date established is September 21, 1966. If you agree with these findings, please remit licensing fees of \$5 within 30 days of the date of this letter.

Please return the signed application for amendment and a total of \$10 in fees, as soon as possible.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh
Enclosure

03-2013
33279



DeATLEY CORPORATION

CONTRACTORS
P. O. BOX 648 UPPER SNAKE RIVER ROAD SHERWOOD 3-1531
LEWISTON, IDAHO, 83501

RECEIVED

FEB 9 1970
Department of Reclamation

January 29, 1970

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

Attention: Dorian T. Clay
Field Examiner

Re: Permit No. 33279/03-2013

Dear Mr. Clay:

The following quantity of water was used last year by DeAtley Corporation from the diversion works listed on the above numbered permit.

A flow of two thousand gallons per minute was measured at the plant weir.

2,000 gpm at 480 minutes per day equals 960,000 gallons per eight hour day.

960,000 gpd for 250 work days equals 240,000,000 gallons per year.

$$\frac{240,000,000 \text{ gpy}}{7.48 \text{ gal. per cubic foot}} = 32,085,561 \text{ cubic feet per year.}$$

$$\frac{32,085,561 \text{ cu. ft. per year}}{43,560 \text{ cu. ft. per acre}} = 736.58 \text{ acre feet per year.}$$

We estimate a 25% water loss, due to storage pond evaporation, pipe friction and other losses, before it reaches the plant weir. The total quantity of water withdrawn from the river would then be about 920 acre feet per year.

Yours very truly,

A. Neil DeAtley
A. Neil DeAtley
President

03-2013
33279



DeATLEY CORPORATION

CONTRACTORS

P. O. BOX 648

UPPER SNAKE RIVER ROAD
LEWISTON, IDAHO

SHERWOOD 3-~~1531~~
1531

January 29, 1970

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

Attention: Dorian T. Clay
Field Examiner

Re: Permit No. 33279/03-2013

Dear Mr. Clay:

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$\frac{240,000,000 \text{ gpy}}{7.48 \text{ gal. per cubic foot}} = 32,085,561 \text{ cubic feet per year.}$

$\frac{32,085,561 \text{ cu. ft. per year}}{43,560 \text{ cu. ft. per acre}} = 736.58 \text{ acre feet per year.}$

We estimate a 25% water loss, due to storage pond evaporation, pipe friction and other losses, before it reaches the plant weir. The total quantity of water withdrawn from the river would then be about 920 acre feet per year.

Yours very truly,

A. Neil DeAtley
President

03-2013
33279

January 9, 1970

Re: Permit No. 33279/03-2013

A. Neil DeAtley
DeAtley Corporation
Upper Snake River Avenue
Lewiston, Idaho 83501

Dear Mr. DeAtley:

In reviewing the field examination for the above referenced permit, I find that some additional information is required before a Water License can be issued. The department needs to know the volume of water used annually by the DeAtley Corporation from the diverting works listed on the above referenced permit.

If recorded data are not available, estimates of the volume of water used will be sufficient. If estimates are submitted, please state your method of arriving at these estimates. Also provide any facts and figures that would help to substantiate these estimates.

As soon as we receive this information, we shall continue to process this permit. If you have any questions, please feel free to contact us.

Very truly yours,

Dorian T. Clay
Field Examiner

DTC/jmb

03-2013
33279

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 33279

REPORT ON PROOF OF Completion of Works & Beneficial Use

03-2013
33279

R-6W

Clarkston

Linton

Washington

T-35N

SNAKE RIVER

Idaho

$$Q \approx 1.68 \text{ cfs}$$

$$Y = 736.58 \text{ AC}/\text{yr.}$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 33279

This proof is for C/W & B/U

In Water District No.

1. Name of applicant DeAtley Corporation

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14
T. 35 N R. 6 W County of Nez Perce

4. Describe works as they exist, giving dimensions and capacities of same:

100 H.P. ~~W-I~~ Motor Type RU Serial 1366564
1800 r.p.m. Johnston Pump Serial JX-2685
pumps from last of 4 settling ponds, River system.
Is a G-E 20 H.P. Model 5K4326A3 Motor Serial DA 123498 1175 r.p.m.
driving a Pacific Centrifugal pump Model 6A4H7A5F (Remarks)

5. Water is used for: manufacturing (washing sand & gravel)

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

yes

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

NE $\frac{1}{4}$, Sec. 14, T. 35 N, R. 6 W, B.M.

Attention You may be called upon to explain the seemingly low discharge of the pump. I believe it is a case of having a motor turning at 1175 r.p.m. driving a pump rated for 1800 r.p.m. ^{or a similar design intended}. I can think of no other reason as the pumping lift is less than 40 ft.

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

8. What large stream would the water here appropriated finally reach? Columbia R.

Remarks:

Serial EIC 26816 rated 1200 gpm @ 40' w/6" intake & discharge to last settling pond

6" Pipe measured flow $x=12"$ @ approx $y=25"$ $Q=752$ gpm see Note 2.
Note 1: Amend to show P.D. & Use in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (10 & 13?)
Sec. 14 T 35 N - R 6 W

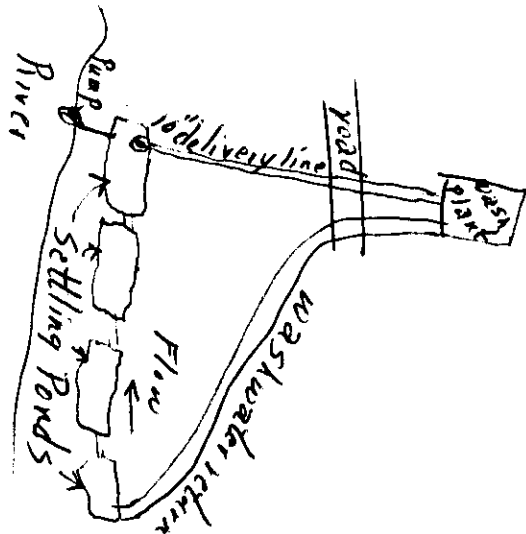
See sketch for settling pond layout (back page)

Note 2: This is a low head installation subject to river level changes & probably a noticeable discharge changes.

This examination was made on the 16th day of June, 19 69

Mr. De Atley Present (Signed) Don Watts Examiner.

03-2013
33279



*Water is raised and the river
will operate as required to
keep the system full.*

INSTRUCTIONS TO EXAMINERS

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

DeAtley Corporation
Lewiston, Idaho

pat

Newcomb

Permit No. 33279

Examination for C/W & B/U

County Nez Perce

Quantity: 7.0 c.f.s.
85

Sec. 14 T35N R.6W

Source: Snake River

P.D.: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14, T. 35 N R. 6 W, B.M.

Use: manufacturing (washing sand & gravel)

Extension:

Protest:

Completion of Works:

Other Rights:

Filed: September 21, 1966

Due: October 19, 1967

Made: August 29, 1967

Priority: September 21, 1966

September 14, 1967

Re: Permit No. 33279

A. Neil DeAtley
DeAtley Corporation
Upper Snake River Avenue
Lewiston, Idaho 83501

Dear Mr. DeAtley:

We acknowledge receipt of the depositions and affidavit of publication in the
Lewiston Morning Tribune submitted as proof of com-
pletion of works and beneficial use on Permit 33279.

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

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

33279

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 33279

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

DEPOSITION OF HOLDER

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

A. Neil DeAtley, 641 21st Ave. Lewiston. Contractor, 641 - 21st Ave. Lewiston Idaho

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

DeAtley Corporation President of Corporation
Upper Snake River Avenue. Lewiston, Idaho Authority: Manager of Corporation

Ques. 3. State number, approval date of permit, and date of priority: Sept. 21, 1966

Permit No. 33279. Approval date Oct 19, 1966

Ques. 4. State source of water supply: Snake River

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

600 ft from the N.E. corner of Sec. 14, T35N, R6W BM.

Ques. 5. Describe your works of diversion: Pumped to point of use

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 7 cu.ft per sec ; Give name of canal or ditch or other works by which water is conducted to such place of use: _____

_____ ; if a well, state depth of well N.A. ; depth and size of casing N.A. ; depth to water N.A. ; if pump is used, state discharge of pump: _____ ; tell how it was measured or determined _____

_____ ; if sprinkler irrigation, give number and size of nozzles and operating pressure: N A

Ques. 6. State for what purpose water is used: Sand & Gravel washing (manufacturing)
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

33279

State nature of all improvements which have been made as a direct result of said use:
Screening and washing machinery has been installed.
Worked-over areas have been neatly levelled.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: N.A.

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

Used in the SW 1/4, NE 1/4, SE 1/4, Sec. 14. T 35 N. R6W. B.M.

for washing sand and gravel (Manufacturing)

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Representing original permit holder

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: before 1960 - Time used since first use:

Used every work day.

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

(sign) A. Neil Mathis

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

Lewiston, County of Payson
State of Idaho, on this 29th day of September, A. D. 1967.

My commission expires: 8-11-70

33279

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 33279

* * * * *

SEP 13 1967

Reclamation

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

DEPOSITION OF WITNESS

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

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

Edward E. Keller - age 45 , 2304 Sunset Drive. Lewiston, Idaho

Insurance Agent

Ques. 2 Are you acquainted with A. Neil DeAtley ~~68~~ Deatley Corporation, the holder of
Permit No. 33279? How long have you known him and where does he reside?

Yes . 8 Years.

Lewiston, Idaho.

Ques. 3. Have you read or heard said Permit No. 33279 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Snake River

Give location of place of diversion, showing subdivision, section, township and range
Approx. 600 ft from NE corner Sec 14, Twp 35N, R6W. Boise Meridian, NezPerce County

Describe works for conveying water to place of use: Pump and pipe line to point of use

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 7 cu.ft a sec. How much water have you seen being so
conveyed? 7 cu.ft a sec.

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

Not for irrigation

33279

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

appr. SW 1/4 of NE 1/4 of SE 1/4 of Sec 14, Twp 35 N. R6W Boise Meridian

Nez Perce County

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

Not for irrigation

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

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

Ques. 10. When did you first see this water used? Summer of 1964

Other times you have seen such use: two or three times a year since then

(Signed):

Edward E. Keller

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

 , County of Nez Perce, State of Idaho, on

this 29th day of August, A. D. 1967

John R. Rogers
Notary Public for the State of Idaho
Residing Lewiston, Idaho

My commission expires Aug. 11, 1970

33279

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 33279

SEP 13 1967

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

DEPOSITION OF WITNESS

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

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

Jerry Lee Henrikson Age 31 - E 7916 Princeton, Spokane, Washington

Salesman E 7916 Princeton - Spokane, Washington

Ques. 2 Are you acquainted with A Neil DeAtley of Deatley Corporation, the holder of
Permit No. 33279? How long have you known him and where does he reside?

14 years. Lewiston, Idaho.

Ques. 3. Have you read or heard said Permit No. 33279 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Snake River

Give location of place of diversion, showing subdivision, section, township and range
Approx 600 ft from N E corner Section 14 Twp 35N, R6W Boise Meridian

Describe works for conveying water to place of use:

Pumps and pipe to point of use

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 7 cubic feet per second How much water have you seen being so
conveyed? approx 7 cubic feet per second

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

33279

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

S.W. quarter of N.E. quarter of the S.E. 1/4 of Section 14. Twp 35N R6W. BM.

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

Not for irrigation

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

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

Ques. 10. When did you first see this water used? Summer 1963

Other times you have seen such use: Monthly

(Signed):

Henry J. Henderson

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

 , County of Myer, State of Idaho, on

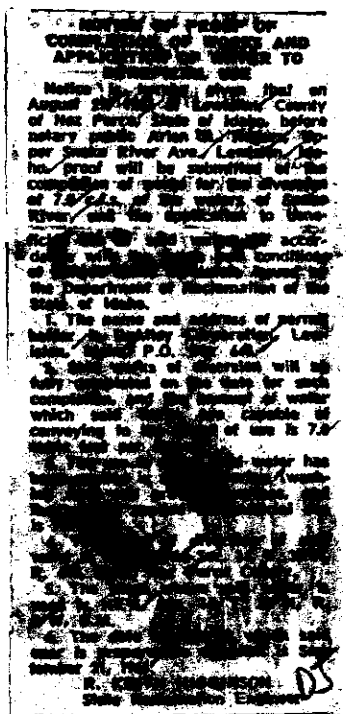
this 29th day of August, A. D. 1967

John T. Rogers
Notary Public for the State of Idaho
Residing Lewiston, Idaho

My commission expires Aug. 11, 1970

33279

PUBLISHER'S AFFIDAVIT OF PUBLICATION



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

D. N. Sinclair, being duly sworn
deposes and says, I am the Office Manager
of the Tribune Publishing Company, a corporation organized
and existing under and by virtue of the laws of the State of
Idaho, publishers of the LEWISTON MORNING TRIBUNE, a
newspaper of general circulation published at Lewiston, Nez
Perce County, Idaho; That the said Lewiston Morning Tribune
is an established paper and has been published regularly and
issued regularly at least once a day for more than 20 consecu-
tive years immediately preceding the first publication of this
notice, and has been so published uninterruptedly for said
period; that the Notice of Proof
attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for four consecutive weeks, the
first publication thereof being on the 26th day of
July, A. D. 1967, and the last publica-
tion thereof being on the 16th day of August,
A. D. 1967, and said Notice of Proof
was so published in the regular and entire issue of the said
newspaper and not in a supplement thereof and was so pub-
lished in every issue and number of the said paper, during the
period and times of publication as set forth above.

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE
16th day of August, 1967.

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

33279



DeATLEY CORPORATION

CONTRACTORS

P. O. BOX 648

UPPER SNAKE RIVER ROAD

SHERWOOD 3-1051

LEWISTON, IDAHO 83501

September 12, 1967

SEP 13 1967

Department of Reclamation

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

Att: Mr. Donald W. McEldowney

Re: Permit No. 33279

Dear Mr. McEldowney:

A hearing was held on August 29, 1967 before Arlen R. Rogers, Notary Public for the State of Idaho, on the Upper Snake River premises of DeAtley Corporation. The purpose of the hearing was to prove the completion of works and application of water to beneficial use of Permit No. 33279.

Edward E. Keller of Lewiston and Jerry L. Henrikson of Spokane, Washington were the two witnesses, and A. Neil DeAtley, president of DeAtley Corporation, represented the permitholder.

Enclosed are the signed and notarized copies of Deposition of Witnesses and the Deposition of Holder, as well as the proof of publication in the Lewiston Morning Tribune.

Yours very truly,

Charles J. Kiljanczyk

Charles J. Kiljanczyk
Secretary

33279

Re: Permit 33279

July 21, 1967

Secretary
DeAtley Corporation
P. O. Box 648
Lewiston, Idaho 33501

Dear Sir:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit 33279.

We have mailed the notice to the Lewiston Morning Tribune to be published once a week for four consecutive weeks prior to August 29, 1967, which is the hearing date when the permit holder DeAtley Corporation (a representative) and two disinterested witnesses must appear before Arlen P. Rogers, Permit holder's premises, Upper Snake River notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by DeAtley Corporation

_____. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Water Right Clerk

DWM:ks

cc: Notary

Enc. dwp

33279

July 21, 1967

Re: Permit 33279

The Lewiston Morning Tribune
Lewiston,
Idaho 83501

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to August 29, 1967. The expense of the publication is to paid by ~~DEATLEY~~ DeAtley Corporation, P. O. Box 643, Lewiston, Idaho 83501, to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McElowney
Water Right Clerk

DWM:ks

Enclosure: legal notice

33279

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

Notice is hereby given that on August 29, 1967 at Lewiston,
County of Nez Perce, State of Idaho, before notary public (name & address) _____
Arlen R. Rogers - Permit holder's premises, Upper Snake River Ave., proof will be
submitted of the completion of works for the diversion of 7.0 c.f.s. of the waters
of Snake River, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit 33279, heretofore issued by
the Department of Reclamation of the State of Idaho.

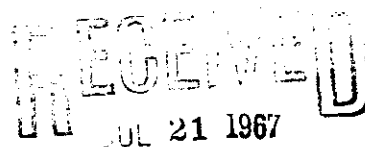
1. The name and address of permit holder is DeAtley Corporation,
Lewiston, Idaho P.O. Box 648.
2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
7.0 cubic feet per second.
3. The use to which said water has been applied is manufacturing (washing
sand and gravel) purposes, and the amount applied to beneficial
use is 7.0 c.f.s.
4. The point of diversion of said water is NE~~1~~4, Sec. 14, T. 35 N,
R. 6 W, B.M., Nez Perce County.
5. The place where said water is used is NE~~1~~4, Sec. 14, T. 35 N, R. 6 W, B.M.

6. The date of priority which said user is prepared to establish is _____
September 21, 1966.

R. KEITH HIGGINSON

State Reclamation Engineer

33279



Department of Reclamation

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

State Reclamation Engineer:

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

DeAtley Corporation

by Charles J. Kilgus - Sec.
(signature)

P.O. Box 648

Lewiston, Idaho 83501
(address)

July 20, 1967
(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

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

Engineer

33279

Re: Permit No. 33279

July 6, 1967

DeAtley Corporation
Lewiston, Idaho 83501

Gentlemen:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than October 19, 1967.

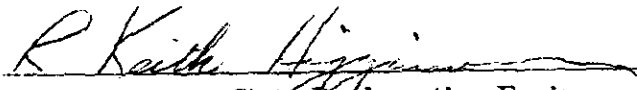
Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary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

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

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

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

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


State Reclamation Engineer

RELINQUISHMENT

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

Dated _____.

permit holder

33279

October 27, 1966

Re: Permit No. 33279

DeAtley Corporation
Lewiston, Idaho

Gentlemen:

We enclose Permit No. 33279 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~We also enclose~~ Departmental Receipt No. 33430 which was issued covering payment in the amount of \$ 6.50 for the filing fee of the above mentioned permit, was mailed with Permit 33206 at an earlier date.

Very truly yours,

Enc. permit

M. RUSSELL BOSCH
Office Manager

MRB:ajw

33279

*Internal
Correspondence
33279*

September 14, 1966

RE: Application for Permit

Madden, Randall, Bengtson and Peterson
Attorneys at Law
P.O. Box 474
Lewiston, Idaho 83501
Attention: Mr. Philip E. Peterson

Dear Mr. Peterson:

Returned herewith is your application for the
DeAtley Corporation and your check in the amount of
\$16.50. The total fees for both permits will be
\$12.00. Please forward a check for this amount.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Applications (2)
Check No. 1693

33279

THOMAS A. MADDEN
RUSSELL S. RANDALL
JOHN H. BENGTON
PHILIP E. PETERSON

MADDEN, RANDALL, BENGTON & PETERSON

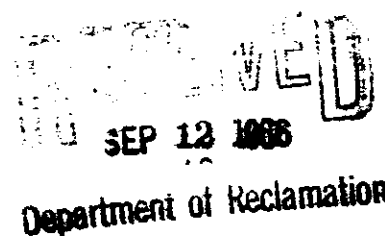
LAWYERS

FIRST SECURITY BANK BUILDING

POST OFFICE BOX 474

5TH AND MAIN STREETS LEWISTON, IDAHO 83501

September 9, 1966



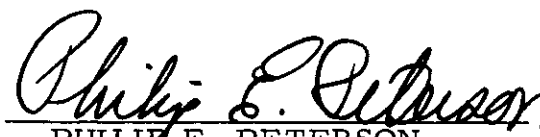
Mr. Keith Higginson
Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Higginson:

Enclosed are two applications for water permits from the DeAtley Corporation; one on Mission Creek and the other on the Snake River. The applicant is a lessee of these lands on a long term lease. Will it be necessary to obtain the signatures of the lessor - landowners in addition to his? If so, could these be returned in order that we may obtain these signatures.

Also enclosed is our check for \$16.50. This represents a \$6.50 fee for the Snake River diversion, seven cubic feet, and a \$10.00 fee for the Mission Creek project, \$5.00 for the diversion and \$5.00 for the storage permit. We assume one application can be made for diversion and storage.

Very truly yours,


PHILIP E. PETERSON

PEP:eb
Enclosures

33279