



WATER-RIGHT DOCKET

Nez Perce National Historical Park

Docket No: 1

CLEARWATER RIVER. SPAULDING SITE.

State Water Rights Documentation

00-00-0000: notice of claim to a water right, acquired under state law, civil case no. 39576, ident. no. 85-4474

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number 85-4474
Date Received
Receipt Number

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) United States of America Phone (303) 221-8301
National Park Service
Mailing Address Water Resources Division
301 S. Howes St. Room 353, Fort Collins, CO Zip 80521
2. Date of Priority (Only one (1) per claim) 1935
3. Source of water supply (a) Clearwater River
which is tributary to (b) Snake River
4. a. Location of existing point of diversion is: Township 36N Range 4W Section 22,
1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Nez Perce
Additional points of diversion if any: _____
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, 1/4 of 1/4 of 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, 1/4 of 1/4 of
1/4, Govt. Lot B.M., County of
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well: _____
30 HP pump in river, 4" pipeline from river to sprinkler system.

6. Water is claimed for the following uses:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.32 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.32 (cfs) and/or (b) _____ (acre feet)8. Total consumptive use claimed is 48 acre feet per annum.9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Fire protection

10. 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 use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
36N	4W	22				16													16

Total number of acres irrigated 1611. In which county (ies) are lands listed above as place of use located? Nez Perce12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

This claim is based on use by the State of Idaho which developed this
arboretum in 1935 as Spalding Memorial State Park and maintained it
as such until 1965 when the National Park Service (NPS) - Nez Perce N.H.P.
acquired the park from the State. The NPS has continued to maintain the
park in the same manner as the Idaho State Parks Department.

Last Name USA - National Park Service Ident No. 85-4474

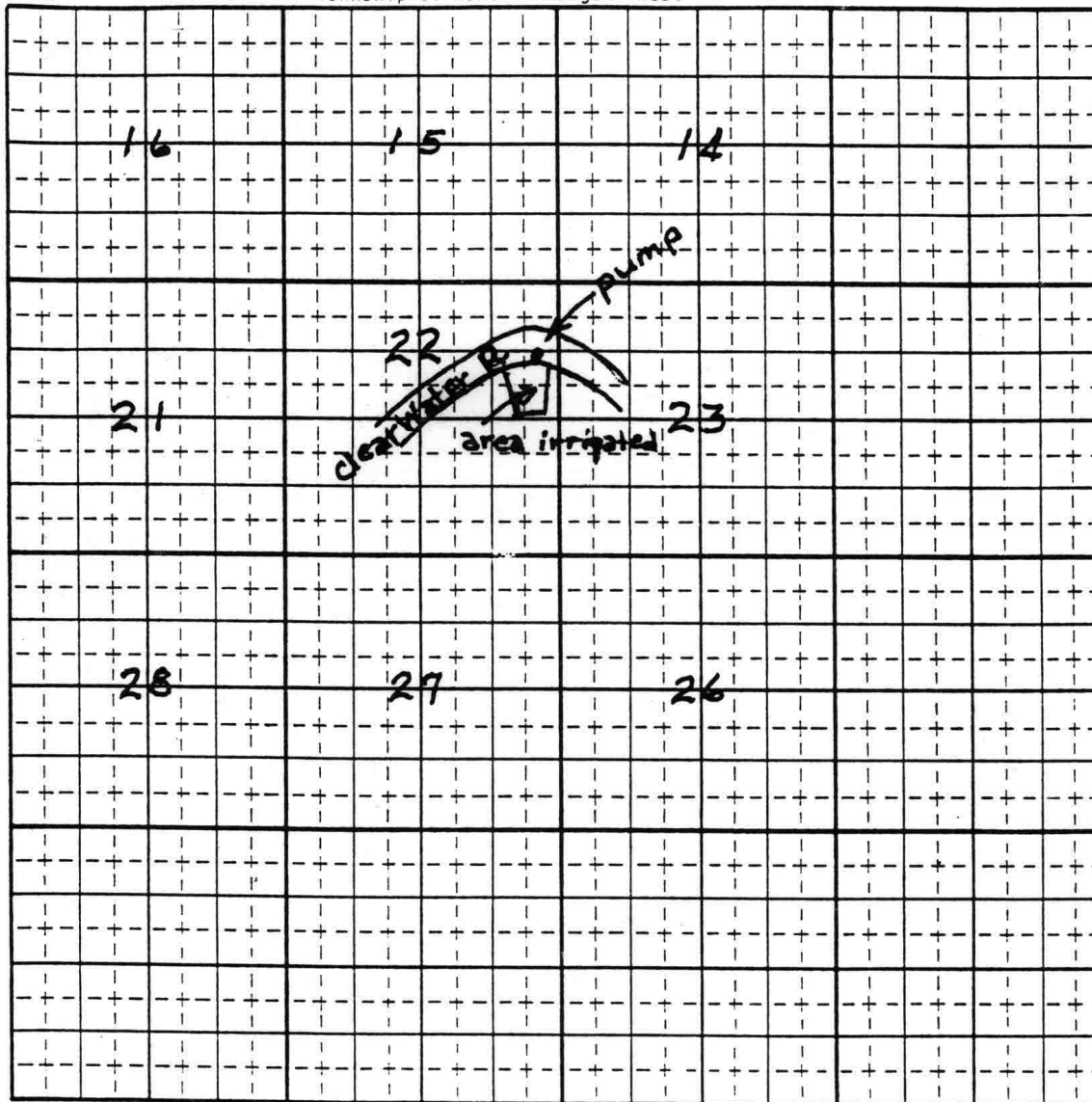
Copies: White - State, Yellow - Claimant

Copies White-State, Yellow-Claimant

map on 11x17 inch sheet and p

Scale: 2 inches equals 1 mile

Township 36 North Range 4 West



Last Name USA - National Park Service Ident No. 85-4474

Copies: White-State, Yellow-Claimant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

DECEMBER 5, 1983

NEZ PERCE NATIONAL HISTORICAL PARK
NATIONAL PARK SERVICE
NEZ PERCE NATL. HIST. PARK
P.O. BOX 93
SPALDING ID 83551

RE: Claim No. 85-4474

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filings and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

~~85-4474~~

U.S. DEPT. OF INTERIOR

NATIONAL PARK SERVICE, NEZ PERCE NATL. HIST. PARK, P.O. BOX 93,
SPALDING, ID 83551

Source: CLEARWATER RIVER trib. to SNAKE RIVER

Priority Date: 01/01/1935

Diversion Pt: SENE Sec 22 T 36N R 04W

Use: IRRIGATION (0.55 CFS)

In: SENE Sec 22 T 36N R 04W FOR 16 ACRES

RECEIVED

PUBLISHER'S AFFIDAVIT OF PUBLICATION

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

Gayle Schumacher

, being duly sworn,
deposes and says, I am the Classified Bookkeeper
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 immediately
preceding the first publication of this notice, and has been so
published uninterruptedly for said period; that the

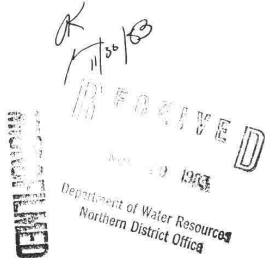
Notice of Claims to Water Rights

attached hereto and which is made a part of this affidavit was
published in the said Lewiston Morning Tribune, once a
week for 2 consecutive weeks, the
first publication thereof being on the 17th day of
November, A.D. 19 83, and the last publica-
tion thereof being on the 23rd day of November,
A.D. 19 83, and said Notice of Claims to Water Rights
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.

SUBSCRIBED AND SWORN BEFORE ME THIS THE 23rd
day of November, 19 83.

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

NOTICE OF CLAIMS TO
WATER RIGHTS
The following claim(s) have been
filed on water rights created by di-
version for beneficial use:
85-1474
U.S. DEPT. OF INTERIOR
NATIONAL PARK SERVICE, NEZ
PERCE NATIONAL MONUMENT, P.O.
BOX 93, SPALDING CO. ID.
Source: CLEARWATER RIVER trib.
to SNAKE RIVER
Priority Date: 01/01/1935
Diversion Pt: SENE Sec 22 T 36N R
04W
Use: IRRIGATION (O.S.C.F.S.)
In: SENE Sec 22 T 36N R 04W FOR 16
ACRES.
Exceptions to a claim may be filed
with the Director, Dept. of Water Re-
sources, 4055 Gov't. Way, Coeur
d'Alene, Id. 83814.
KEN DUNN, Dir.



INTER-DEPARTMENT MEMO — 1

FROM *T. King*

DATE *11-1-83*

TO *File*

SUBJECT *Claim of Nez Perce Nat'l Park*

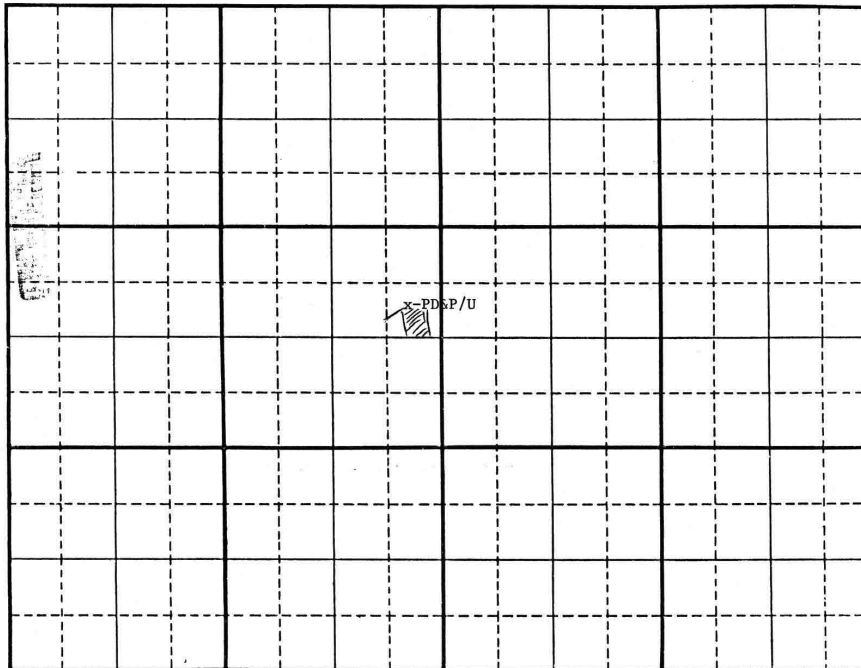
The original claim, received on 6-8-83, met with the statutory requirements, including a voucher for payment.

RECEIVED


SIGNATURE

(7) If you are claiming water as a member of an organization, list name of organization: _____

- (8) Remarks The claim is based on use by the state of Idaho which began in 1935 when they
Planted an arboretum on the acreage shown below. Irrigation has been carried out
each summer since that time. The Park Service acquired the property in 1966 from
the state.



Scale: 2 Inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of Nezperce)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 20 day of September

Andy C. Whitaker
 (Claimant)
 19 83
[Signature]
 Notary Public
 Residing at Lapwai, Idaho

My commission expires September 20, 1985

PHS-6-8-83 (from original - JR)

1474 (from original - JR)
 FOR DEPARTMENT USE ONLY
 Received by PJA Date 9/21/83 Exception filed by: _____ Date _____
 Prelim. check by JAR Date 9/22/83
 \$30.00 fee received by [Signature] Date 11/15/83 (31388)
 Published in [Signature]
 Dates 11/16-12/83

Forwarded to
 claimant by: _____ Date _____

RECEIVED

Department of Water Resources
Northern District Office

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Notice is hereby given that Nez Perce National Historical Park
(name of claimant)

The extent and nature of said claim is as follows:

- Amount 100a/f Use irrigation Period of Use: From March To October

Amount _____ Use _____ Period of Use: From _____ To _____

Amount Use Period of Use: From To
(cfs, gpm) (dom., irri., (both dates inclusive)
or a/f) stock, etc.)

- (4) Priority claimed: (the date water was first applied to beneficial use) 1935

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

S.E. ¼ N.E. ¼, Sec. 22 Twp. 36N Rge. 4W B.M. County of Nez Perce
Additional points of diversion:

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. 30 hp pump, 4-inch pipeline from intake in river, 300 GPM maximum capacity of pump. Maximum capacity of sprinkler system is about 250 GPM

- (6) A Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

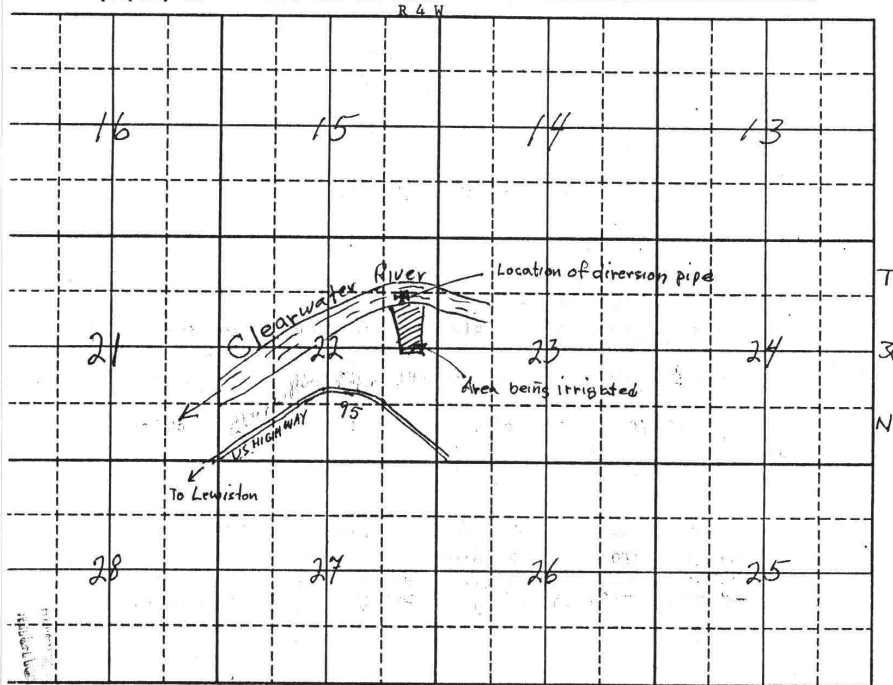
[illegible]

Total No. of acres _____

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Standby
fire protection

- (7) If you are claiming water as a member of an organization, list name of organization: _____

- (8) Remarks The claim is based on use by the state of Idaho which began in 1935
when they planted an arboretum on the acreage shown below. Irrigation has
been carried out each summer since that time. The Park Service acquired the
property in 1936 from the state.



Scale: 2 inches equal 1 mile.

BOISE MERIDIAN

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
 County of _____)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Ruby C. Whitaker
 (Claimant) 6/7/83

Sworn to before me this _____ day of _____, 19 _____

Notary Public

Residing at _____

My commission expires _____

For Department Use Only

Received by _____	Date <u>6/8/83</u>	Exception filed by: _____	Forwarded to _____	Date _____
Prelim. check by _____	Date _____		claimant by: _____	
\$10.00 fee received by _____	Date _____			
Approved for publication by _____				
Published in _____				
Dates _____				

Other Supporting Information



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

MAY 11 1989.

NPS.PN.0329

MEMORANDUM

TO: Owen Williams, Water Resources Division, NPS

FROM: Barbara Scott-Brier, ORS

Barbara Scott-Brier

SUBJECT: In Re the General Adjudication of Rights to the Use of
Water from the Snake River Basin Water System, Civ. No.
39576 (5th Jud. Dist., Twin Falls, Id.)

Owen

Enclosed, as you requested, is a copy of the Department of
Justice's February 2, 1989, cover letter to the State of Idaho
and copies of the United States' filings regarding Snake River
water right claims of the National Park Service.

Please let me know if you have any questions or comments.

cc w/attach:
Lynn Collins, Reg. Sol., SLC
Jack Hockberger, Boise FO, SOL
Bob Oser, Reg 1, FWS
Lou Hilderbrand, PAO, BIA



HM:PCMonson:gpt
90-6-2-63

Washington, D.C. 20530

February 2, 1989

Mr. Clive Strong
Assistant Attorney General
State of Idaho
Statehouse
Boise, Idaho 83720

Dear Clive,

Re: In re the General Adjudication of Rights to the
Use of Water from the Snake River Basin Water
System, Civ. No. 39576 (5th Jud. Dist. Twin
Falls).

Please find enclosed the claims of the United States for the Nez Perce National Historic Park and for that portion of Yellowstone National Park which is located in the Snake River Basin in Idaho. The claims for the Nez Perce National Historic Park are for state law appropriative water rights only and are described on the enclosed forms. I have enclosed both parts of each form, and would appreciate you or the Department of Water Resources assigning a number, if necessary, and acknowledging receipt of the form and returning it to me. No reserved water rights are claimed for this historic park because the land was not reserved from the public domain.

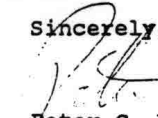
Water rights for Yellowstone are reserved rights and are described in a separate document and enclosures which include a map. I am informed by the Park Service that there are no state appropriative rights for Yellowstone in the area under adjudication.

I am informed that there are two new park units in Idaho--City of Rocks National Reserve and Hagerman Fossil Beds National Monument--which were recently established by congressional act. The Park Service is compiling claims for these two new units which will be submitted at a later date, hopefully within the next six months.

2

Once you have had an opportunity to review these claims, we will be glad to work with you in preparing one or more stipulations to be filed in Court which would be similar to the version which we have proposed for Craters of the Moon. If you have any questions, of course, do not hesitate to call me.

Sincerely,



Peter C. Monson
Attorney, Indian Resources Section
Land and Natural Resources Division
(202) 272-5749

Enclosures
cc: w/o enc.

Lynn Collins, Esquire
Barbara Scott-Brier, Esquire
John Hill, Esquire
Warren Derbidge, Esquire
Stan Ponce

Vett Hughes
Alice Jones
Owen Williams
Stanley L. Ponce

January 20, 1989

L54(479)
PNWR/NEPE/Water Rights

Memorandum

To: Regional Director, Pacific Northwest Region
Attention: Richard L. Winters

From: Chief, Water Resources Division

Subject: General Adjudication of Rights to the Use of Water From the Snake
River Basin Water System (5th Jud. Dist., Twin Falls, ID) on Appeal,
No's. 17267 and 17265 (Id. S. Ct.)

NOTICES OF CLAIM TO A WATER RIGHT for Nez Perce National Historical Park and a
draft letter from the Regional Director, Pacific Northwest Region, to the
Solicitor, Pacific Northwest Region are attached. To meet Court-imposed
deadlines, these claims must be received in the Solicitor's Office by
January 25, 1989.

If you have any questions, please contact Owen Williams at (303) 221-8301.

Stanley L. Ponce

Attachments

cc: NEPE - Superintendent
WASO, WRD - Williams

bcc: PNW - Ron Hyra
Barbara Scott Brier

FNP:JHUGHES:jr:221-8329:01/19/89:WANG #227

January 20, 1989

L54(479)
PNWR/NEPE/Water Rights

Memorandum

To: Solicitor, Pacific Northwest Region
Attention: Barbara Scott-Brier

From: Regional Director, Pacific Northwest Region

Subject: General Adjudication of Rights to the use of water
from the Snake River Basin Water System (5th Jud.
Dist., Twin Falls, ID) on Appeal, Nos. 17267 and
17265 (Id. S. Ct.).

NOTICES OF CLAIM TO A WATER RIGHT for Nez Perce National
Historical Park (NEPE) are enclosed. The Notices are for
appropriative water rights; no Federal reserved water right
claims were prepared since none of the park land was reserved
from public domain.

By memorandum of January 12, 1989 from the Chief, Water Rights
Branch, Water Resources Division (WRD), you were informed of two
new park units in Idaho -- City of Rocks National Reserve and
Hagerman Fossil Beds National Monument -- which were recently
established by Congressional Act. It is my understanding that
water right claims for these units are not needed by January 25,
1989, as are the NEPE claims, and that when the NEPE claims are
submitted, the State of Idaho will be informed that the United
States is developing claims to be submitted at a later date for
the two new units.

If you have any questions regarding the attached, please contact
Owen Williams of the WRD at (303) 221-8301.

Attachments

cc: NEPE - Superintendent
PNWR - Hyra
WASO,WRD - Williams



John V. Evans
Governor

C. Stephen Allred
Director

September 26, 1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

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

Finance Office
Pacific Northwest Region
Westin Building - Rm. 1920
2001 6th Ave.
Seattle, Wa. 98121

Re: Order No. PX-9370-3-0067

Gentlemen:

Enclosed is the above-referenced Order for Supplies or Services requesting that \$90.00 be paid to the Idaho Department of Water Resources for one (1) Claim to a Water Right and two (2) Applications for Permit for Water Rights.

We have completed the back of the form and assume that this is all that is required to receive payment.

If any further information is needed, please contact this office.

Sincerely,

Patricia M. Stypa
Secretary - O/C

Enc. - Order for Supplies or Services

MICROFILMED

MARK ALL PACKAGES AND PAPERS WITH CONTRACT AND/OR ORDER NUMBERS						
1. ORDER NO. 06/07/83		2. CONTRACT NO. (if any) Govt.		3. ORDER NO. PX-9370-3-0067		PAGE 1 OF 5
ISSUING OFFICE Department of Interior, National Park Service, Nez Perce National Historical Park; P. O. Box 93, Spalding, Idaho 83551						
4. ACCOUNTING AND APPROPRIATION DATA 9370 - 105.2500 N (39N) \$90.00						
6. SHIP TO (Consignee and Address, ZIP Code) Nez Perce National Historical Park P. O. Box 93, Spalding, Idaho 83551					VIA Best Method	
7. TO CONTRACTOR (Name, Address, ZIP Code) IDAHO DEPT. OF WATER RESOURCES Northern Regional Office Route 5, Box 203 Suite 1 Coeur d'Alene, Idaho 83814				8. TYPE OF ORDER ☒ (a) Purchase Reference year _____ Please furnish the following on the terms specified on both sides of this order and on the attached sheets, if any, including delivery as indicated. This purchase is negotiated under authority of <u>Section 302(c)(1)</u> of the Act (41 U.S.C. 252(c)(1)) ☐ (b) Delivery Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.		
9. REQUISITION OFFICE NEPE/Administration				10. REQUISITION NO./PURCHASE AUTHORITY A-9370-3-0026		
11. F.O.B. POINT Shipping Point		12. GOVERNMENT B/L NO. None		13. DELIVERY TO F.O.B. POINT ON OR BEFORE NLT 06/30/83		14. DISCOUNT TERMS Net 30
15. SCHEDULE						
Item No. (a)	Supplies or Services (b)	Quantity Ordered (c)	Unit (d)	Unit Price (e)	Amount (f)	Quantity Accepted (g)
1.	Filing fees, federal water right claims: -- surface water right claim -- ground water permit	1 2	ea ea	30.00 30.00	\$30.00 60.00	
Bob - claim fee - 3 complete back of this form & send to Seattle for fees R RECEIVED JUN 8 1983 Department of Interior Northern District						
16. CLASSIFICATION ☐ SMALL BUSINESS ☒ OTHER THAN SMALL BUSINESS ☐ MINORITY BUSINESS ENTERPRISE						
SEE BILLING INSTRUCTIONS ON REVERSE	17. SHIPPING POINT	18. GROSS SHIPPING WEIGHT	19. INVOICE NO.		15. (h) Total from continuation pages	
	20. MAIL INVOICE TO (Include ZIP Code) Finance Office, Pacific NW Region, Rm 1920, Westin Bldg., 2001 6th Ave., Seattle, WA 98121				\$90.00	15. (i) GRAND TOTAL
21. UNITED STATES OF AMERICA By (Signature) <i>Carol M. Gamet</i>			22. NAME (Typed) Mrs. Carol M. Gamet TITLE: CONTRACTING/ORDERING OFFICER			

ORDER FOR SUPPLIES OR SERVICES

147-108

STANDARD FORM 147 (REV 2-77)

Prescribed by GSA, FPR (41 CFR) 1-3.605

MICROFILMED



United States Department of the Interior
NATIONAL PARK SERVICE

Nez Perce National Historical Park
Box 93
Spalding, Idaho 83551

IN REPLY REFER TO:

L54
(NEPE-S)

September 20, 1983

RECEIVED

SEP 21 1983

Department of Water Resources
Northern District Office

State of Idaho
Department of Water Resources
4055 Government Way, Suite No. 9
Coeur d'Alene, ID 83814

Attention: Tom D. King
Senior Water Resource Agent

Gentlemen:

Enclosed is our revised, signed and notarized "Claim to a Water Right"
for the Spalding area.

Thank you for your assistance.

Sincerely,

Fahy C. Whitaker

Fahy C. Whitaker
Superintendent

Enclosures

RECEIVED

June 13, 1983

Ms. Faye C. Whitaker
C/O Nez Perce Nat'l Historic Park
P.O. Box 93
Spaulding, ID. 83551

Dear Ms. Whitaker:

We have recieved the two Applications for Permit and Claim,
you have filed in behalf of the National Park Service.

I have taken the liberty of re-typing the claim and changing
the diversion rate to your stated maximum sprinkler capacity
(0.55 cfs/250gpm).

I am returning your original claim along with the new one I
have prepared, to allow you to check the claim for errors
and have your signature notarized. Please also place your
title beneath your signature.

If you have any questions, please contact me at this office.

Sincerely,

Tom D. King
Senior Water Resource Agent

TDK/paa

Enclosure- Applications for Claim

removed
claim to a
water right form
95-4474
26 Oct 90
J. Hughes





IN REPLY REFER TO:

L54
(NEPE-S)

June 7, 1983

United States Department of the Interior

NATIONAL PARK SERVICE

Nez Perce National Historical Park

Box 93

Spalding, Idaho 83551

Northern Regional Office
Idaho Department of Water Resources
Route 5, Box 203
Suite 1
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed are applications for two water permits and one claim to a water right for waters used by the Nez Perce National Historical Park.

Also enclosed is a purchase order for \$90 in filing fees.

Your assistance is appreciated.

Sincerely,

Fahy C. Whitaker
Superintendent

Enclosures



RECEIVED

JUN 8 1983

Department of Water Resources
Northern District Office

Barrett

Associate Regional Director Luntney

July 3, 1975

Regional Hydrologist Barrett

Trip report to Boise and Lewiston, Idaho, June 25-27, 1975

Purpose of trip: The trip to Boise was made to obtain a state permit for drilling a test well at Spalding headquarters, Nez Perce National Historical Park. Also while at the Idaho Department of Water Resources in Boise, I obtained information on the status of our right to use water from the Clearwater River.

Returning via Lewiston, I planned to conduct a pump test of the well at Spalding and make final inspection of the work on the contract.

Accomplishments: In Boise, I had a meeting with Mr. L. Glen Saxton of the Idaho Department of Water Resources. Mr. Saxton said we should have no problems getting a permit for drilling the test well at Spalding even though we were late in applying for it. He assisted me in making a draft copy of the application explaining, in the process, how to justify a request for more than 9 gal/min/acre which is the limit that may be taken without an additional fee charge.

We also discussed using surface water from the Clearwater River for irrigation. Mr. Saxton made a check of the records for a water right but none had ever been issued. However, he said we do apparently have a right, although it is not recorded, based on previous use by the state and the Park prior to enactment of the law requiring registration of all surface water diversions. He recommended we have our surface water right recorded.

On June 26 at Lewiston, I met with Superintendent Jack Williams and briefed him on the status of the well permit and Park water rights.

The well contractor reported he was having difficulty pulling back the ten-inch casing to expose the well screen. Later on June 26, he advised me the ten-inch casing had sand locked into the bedrock and had broken off at 27-foot depth when he tried to raise it with an extra heavy hammer. The well screen was exposed then, three feet at the bottom instead of 20 feet as planned.

A limited bailing test indicated the well could yield about 75 GPM which is good considering the way it is built. Since this was considerably below what is required to irrigate the arboretum and provide fire protection, we did not schedule a pump test or develop the well.

Observations: On the matter of water rights and well permit are in good shape. I will go ahead and apply for the well permit and surface water right. I think these papers should be done for Superintendent Williams' signature.

As for the well, we were just unlucky. I think it would have been a good producer although maybe not quite 300 GPM. Judging by the data on this well, I believe another boring in this same general area would yield about what we need from the bedrock, provided the same fracture pattern is encountered.

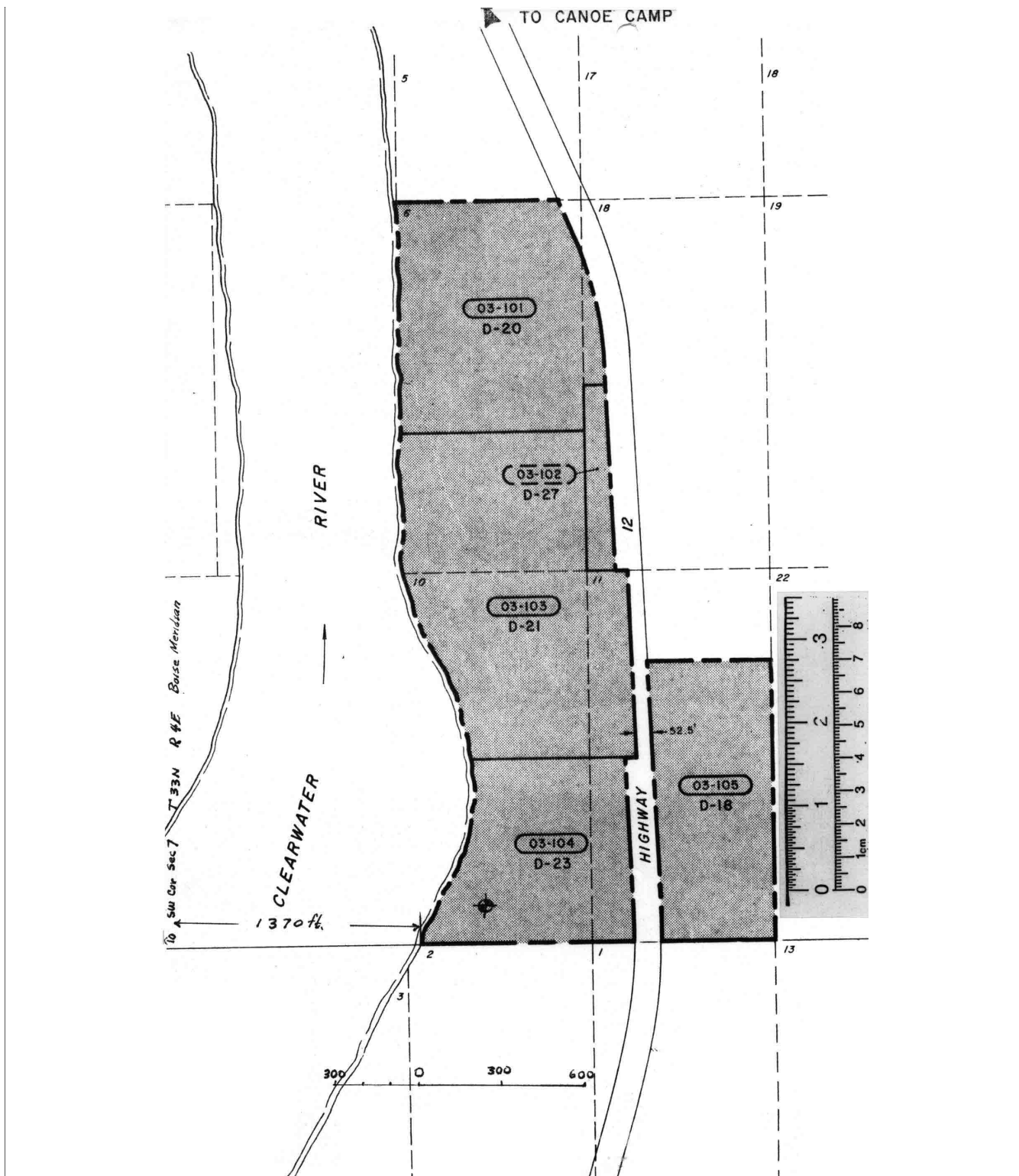
In case additional water resource funds are available in fiscal year 1976, we will keep the contract open until fall. A summary of the costs incurred and money remaining is shown below. Approximately \$6,000 in new money will be needed to drill another well.

Well Cost

Mobilization and clean-up	\$1,200
Drilling boring	2,280
Supplies	<u>2,332</u>
(casing, screen test, etc.)	
	\$5,812
Obligated	\$8,100
Unused	\$2,288

Addended to this memorandum is a narrative report and as-built plan of the well for the contract completion report.

cc:
Superintendent, Nez Perce
PNR-ACP, Mr. Chase



Docket Information

Number of Documents in Docket 25

Documents Dated from 1/1/1935 to 5/11/1989

Docket Compiled: 6/2/2011