



# WATER-RIGHT DOCKET

## Nez Perce National Historical Park

Docket No: 4

WELL 22A.

State Water Rights Documentation

07-29-1992: letter to nps from water resource agent regarding water right no. 85-07408

08/03/92

11:14

002



### 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

July 29, 1992

US DEPT OF INTERIOR  
NATIONAL PARK SERVICE  
NEZ PERCE NATL HISTORIC PARK  
PO BOX 93  
SPALDING ID 83551

RE: WATER RIGHT NO. 85-07408

Dear Water Right Holder(s):

We previously forwarded to you an Amendment for Water Permit so that you could amend your permit to correspond with the findings of the Department's field examiner.

As of this date, we have not received this amendment. If we do not receive the amendment within fifteen (15) days, we will issue a Water Right License which reduces the amount that could have been allowable to you. Enclosed for your convenience is another amendment form in the event the first one was misplaced.

If you have any questions, please contact us.

Sincerely,

*Pamela Skaggs*

PAMELA SKAGGS  
Water Resource Agent

PS:c2

Enclosure

**RECEIVED**  
**NEZ PERCE N.H.P.**

AUG - 3 1992

☐ SUPT. \_\_\_\_\_  
☐ ADMIN. \_\_\_\_\_  
☐ CULT. \_\_\_\_\_  
☐ INTERP. \_\_\_\_\_  
☐ PROT. \_\_\_\_\_  
☒ MAINT. *2 8/3*  
☐ SAFETY \_\_\_\_\_  
☐ FILE \_\_\_\_\_

36N 04W 22 SWNE NWSE

08/03/92 11:24

004

PAGE 2

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
**(For Licensing Purposes)**  
**WATER RIGHT NO. 85-07408**

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

Signed at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(Signature)

08/03/92 11:25

005

PAGE 3

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
WATER RIGHT NO. 85-07408

\*\*\*\*\*

**FOR DEPARTMENT USE ONLY**

Preliminary check by \_\_\_\_\_ Fee - \_\_\_\_\_ Receipted by \_\_\_\_\_ # \_\_\_\_\_ Date \_\_\_\_\_

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 85-07408 with the following;

**CONDITIONS/REMARKS:**

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use 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. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
7. Domestic use is for 2 homes.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
R. Keith Higginson, Director

07/31/92 11:32

002



**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

July 13, 1992

US DEPT OF INTERIOR  
 NATIONAL PARK SERVICE  
 NEZ PERCE NATL HISTORIC PARK  
 PO BOX 93  
 SPALDING ID 83551

RE: WATER RIGHT NO. 85-07408

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within <sup>30<sup>th</sup></sup> 15 days.

If you do not concur with these findings or if you have any questions, please contact us within the <sup>30<sup>th</sup></sup> 15-day period.

Sincerely,

*Pamela Skaggs*

PAMELA SKAGGS  
 Water Resource Agent

PS:cz

Enclosure

*Gene - Concur.  
 What Skaggs  
 know about this?  
 30*

**RECEIVED**  
 NEZ PERCE N.H.P.

JUL 16 1992

☐ SUPT. *h*  
☒ ADMIN. \_\_\_\_\_  
☐ CULT. \_\_\_\_\_  
☐ INTERP. \_\_\_\_\_  
☐ PROT. \_\_\_\_\_  
☒ *7/20*  
☐ S. \_\_\_\_\_  
☐ F. \_\_\_\_\_

07/31/92 11:32

003

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
(For Licensing Purposes)  
**WATER RIGHT NO. 85-07408**

Date of Priority: June 8, 1983

Maximum Diversion Rate:

0.16 CFS

Maximum Diversion Volume:

34.4 AF

Comes now

US DEPT OF INTERIOR

NATIONAL PARK SERVICE

NEZ PERCE NATL HISTORIC PARK

PO BOX 93

SPALDING ID 83551

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 85-07408, and requests that the permit be changed as follows:

Source: GROUNDWATER

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 05/01 to 09/30       | 0.03 CFS                 | 6.0 AF               |
| HEATING               | 01/01 to 12/31       | 0.07 CFS                 | 26.0 AF              |
| COOLING               | 01/01 to 12/31       | 0.07 CFS                 | 26.0 AF              |
| DOMESTIC              | 01/01 to 12/31       | 0.06 CFS                 | 2.4 AF               |
|                       | <b>Totals</b>        | <b>0.16 CFS</b>          | <b>34.4 AF</b>       |

IDAHO County

| <u>PLACE OF USE:</u>             | <u>IRRIGATION</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|-------------------|--------------|--------------|--------------|--------------|
| <u>TWN RGE SEC</u>               |                   |              |              |              |              |
| 36N 04W 22                       | NWSE              | 1.5          |              |              | 1.5          |
| Total number of acres irrigated: |                   |              |              |              | 1.5          |

PLACE OF USE: HEATING, same as IRRIGATION usePLACE OF USE: COOLING, same as IRRIGATION usePLACE OF USE: DOMESTICTWN RGE SEC

36N 04W 22

SWNE

NWSE

07/31/92 11:32

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PAGE 2

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
**(For Licensing Purposes)**  
**WATER RIGHT NO. 85-07408**

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

Signed at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(Signature)

07/31/92 11:33

005

PAGE 3

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
**(For Licensing Purposes)**  
**WATER RIGHT NO. 85-07408**

\*\*\*\*\*: \*\*\*\*\*

**FOR DEPARTMENT USE ONLY**

Preliminary check by \_\_\_\_\_ Fee = \_\_\_\_\_ Received by \_\_\_\_\_ # \_\_\_\_\_ Date \_\_\_\_\_

**ACTION OF THE DEPARTMENT OF WATER RESOURCES**

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 85-07408 with the following;

**CONDITIONS/REMARKS:**

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right limited to the amount that can actually be beneficially use 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.

**CONDITIONS/REMARKS:**

2. This water right is appurtenant to the described place of use.
3. This water right is appurtenant to the described place of use.
4. This right is subject to all prior water rights and may be forfeited by five years of non-use.
5. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
6. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
7. Return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
8. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
9. Domestic use is for 2 homes.

07/31/92 11:33

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PAGE 4

State of Idaho  
Department of Water Resources

**APPLICATION FOR AMENDMENT**  
**(For Licensing Purposes)**  
**WATER RIGHT NO. 85-07408**

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
R. Keith Higginson, Director

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 85-7408

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  
Water Resources Division  
Mailing Address 301 S. Howes St. Room 353, Fort Collins, CO Zip 80521

2. Date of Priority (Only one (1) per claim) 06/08/1983

3. Source of water supply (a) Ground water (Well #22B)  
which is tributary to (b) \_\_\_\_\_

4. a. Location of existing point of diversion is: Township 36N Range 4W Section 22,  
\_\_\_\_\_ 1/4 of NW 1/4 of SE 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.

Well with pump and pipes to place of use. Well is 160 feet deep.

- (both dates are inclusive) (cfs) (acre feet)
- For Heating/Cooling purposes from 01/01 to 12/31 amount 0.073 or \_\_\_\_\_
- For Domestic purposes from 01/01 to 12/31 amount 0.08 or \_\_\_\_\_
- For Irrigation purposes from 05/01 to 09/30 amount 0.03 or \_\_\_\_\_
- For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_
7. Total quantity claimed (a) 0.2 (cfs) and/or (b) 20 (acre feet)
8. Total consumptive use claimed is 20 acre feet per annum.
9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Public Museum and Offices-rest rooms, drinking fountain, heating/cooling bldg.
10. Description of place of use:
- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
  - 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  |        |       |       |       |        |       |       |       |        |       |       |       |        | L/G   |       |       |        |
| 36N | 4W  | 22  |        |       |       |       |        |       |       |       |        |       |       |       |        | D     |       |       |        |
| 36N | 4W  | 22  |        |       |       |       |        |       |       |       |        |       |       |       |        | 1.5   |       |       | 1.5    |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated 1.5 acres

11. In which county (ies) are lands listed above as place of use located? Nez Perce
12. 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:

The water right claimed herein is used at Nez Perce National Historical Park.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Last Name USA - National Park Ident No. 85-7408  
Service

Copies: White - State, Yellow - Claimant

Decree Number 85-7408  
 If applicable provide IDWR Water Right Number \_\_\_\_\_  
 Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_  
 Plaintiff vs Defendant \_\_\_\_\_

## 16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments \_\_\_\_\_

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) \_\_\_\_\_ Date \_\_\_\_\_  
 \_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_ Chief \_\_\_\_\_

of Water Rights Branch (WRB), Water Resources Division (WRD), that I have signed the foregoing National Park Service Organization (NPS)

document in the space below as \_\_\_\_\_ Chief \_\_\_\_\_ of \_\_\_\_\_ WRB, WRD, NPS  
 Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent O. B. Wallin

Title and Organization Chief, WRB, WRD, NPS Date 1/20/89

State of Idaho/or Colorado )  
 ) SS.  
 County of Larimer )

Subscribed and sworn (or affirmed) before me this 20th day of Jan 19 89

SEAL

Notary Public Dana A. Bowden

Residing at 205 W. Oak, Ft. Collins, CO 80505

My Commission Expires 9-29-91

Please Print Name

## 17. Notice of Appearance:

Notice is hereby given that I, Peter C. Monson will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Peter C. Monson  
 Address U.S. Dept. of Justice - Land & Natural Resources Division - Indian Resources Section  
P.O. Box 44378 Washington D.C. 20026-4378

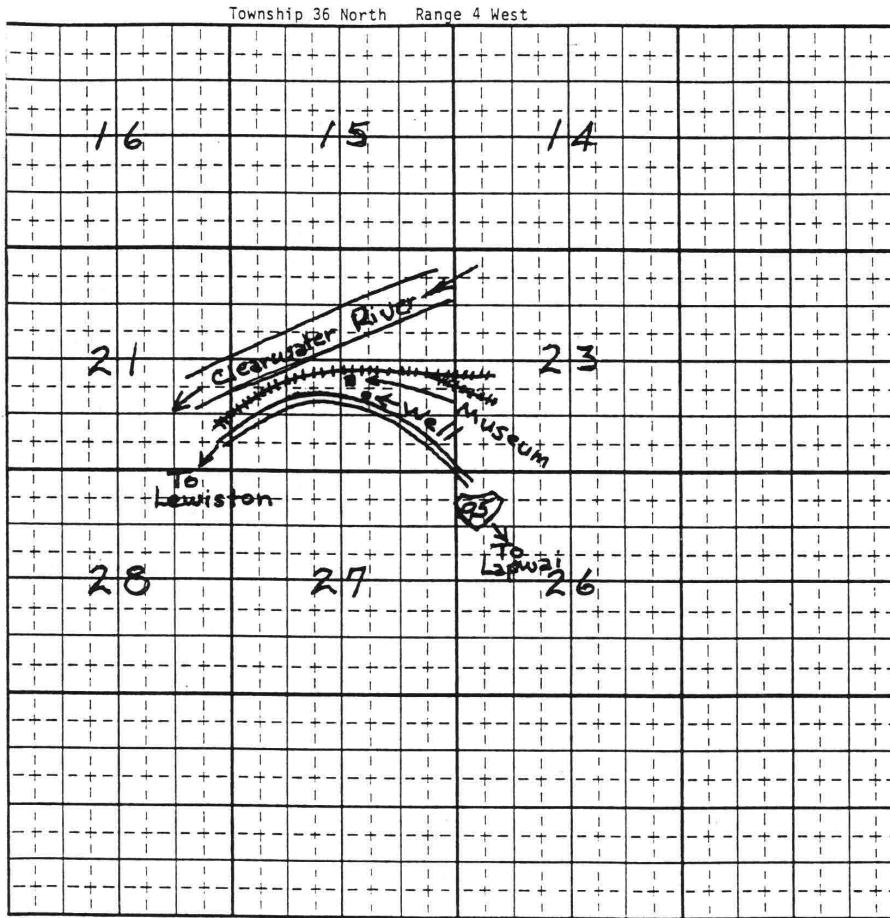
Date \_\_\_\_\_

Last Name USA - National Park Service Ident. Number 85-7408

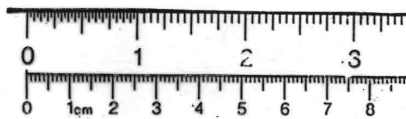
Copies White-State, Yellow-Claimant

Project, region, sheet, county, and page, generation, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name USA - National Park Service Ident No. 85-7408 Copies: White-State, Yellow-Claimant



Form 219B  
5/84RECEIVED  
JUL 26 1985STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
LICENSING REPORTRECEIVED  
JUL 26 1985

Permit No. 85-7408

Department of Water Resources

Department of Water Resources

## 1. Measurement Calculations

- a) Field Measurement Calculations (Include theoretical capacities and system capacity)

$$\begin{aligned} \text{Domestic (2)} &\rightarrow 0.06 \text{ cfs} \\ \text{Irrigation (1.5)} &\rightarrow 0.03 \text{ cfs} \\ \text{Heating/Cooling} &\rightarrow 0.07 \text{ cfs} \\ Q_T &= 0.16 \text{ cfs} \end{aligned}$$

- b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1.5(3.0) = 4.5 \text{ AFA} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 4.5 \text{ AFA} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 4.5 \text{ AFA} \end{aligned}$$

- c) Volume Calculations for Other Uses:

$$\begin{aligned} \text{Domestic (2)} &= 2(1.2) = 2.4 \text{ AFA} \\ \text{Heating/Cooling} &= \text{assume run 24 hrs/day } 365 \text{ d/yr} \\ &= (0.07)(3600)(24)(365) \text{ } \& 43560 = 50.7 \text{ AFA} \end{aligned}$$

## 2. Overlap Review

- a) Other water rights with same place of use: \_\_\_\_\_
- b) Other water rights with same point of diversion: \_\_\_\_\_
- c) Analysis: \_\_\_\_\_

11. Examiner's Signature *[Signature]* Date 7/21/85  
 Checked in Regional Office by *[Signature]* Date 7/25/85  
 Approved in State Office by \_\_\_\_\_ Date \_\_\_\_\_

The Idaho Department of Water Resources will consider this card as a permit that the permit holder(s) has considered development to the extent shown below of Permit No. 85-7408.

Name(s) of Permit Holder: United States of America Nat. Park Service

Post Office Address: My Perce National Historical Park P.O. Box 93  
Spalding, Idaho 83551 Tel. No. (208) 843-2261

Source of Water: Ground Water

Extent of Use: ☒ Domestic 2 (number of households)  
☐ Stockwater (number and type of stock)  
☒ Irrigation 4.25 acres (acres) lawn sprinkling  
☒ Other Public Visitor Center / Museum, Administrative Bldg, Maintenance Shop

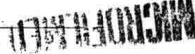
Measuring Device: Required? ☐ Yes ☐ No Installed? ☒ Yes ☐ No

Access Port: Required? ☐ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

7/18/84

Date



Andy C. Whitaker  
 Signature of Permit Holder

1. Owner: USA - National Park Service Permit No. 85-7408  
 Current Address: 40 Nez Perce National Historic Park, PO Box 93 Phone No. 843-2261  
Spaulding, ID 83551

2. Accompanied by: - EXAM. DATE: 6/7/85  
 Address: \_\_\_\_\_ Phone No. \_\_\_\_\_  
 Relationship to Permit Holder: \_\_\_\_\_

3. Source: Ground water tributary to \_\_\_\_\_

| Well/Diversion*<br>No. | Motor<br>Make | HP | Motor<br>Serial No. | Pump<br>Make | Pump Serial No. or<br>Discharge Size |
|------------------------|---------------|----|---------------------|--------------|--------------------------------------|
|                        |               |    |                     |              |                                      |
|                        |               |    |                     |              |                                      |
|                        |               |    |                     |              |                                      |
|                        |               |    |                     |              |                                      |

5. System Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)  
Well pump and pipeline to storage tank then to 2 houses, visitor center, maintenance shop and irrigation of 2 ac. Water is also used for cooling visitor center.

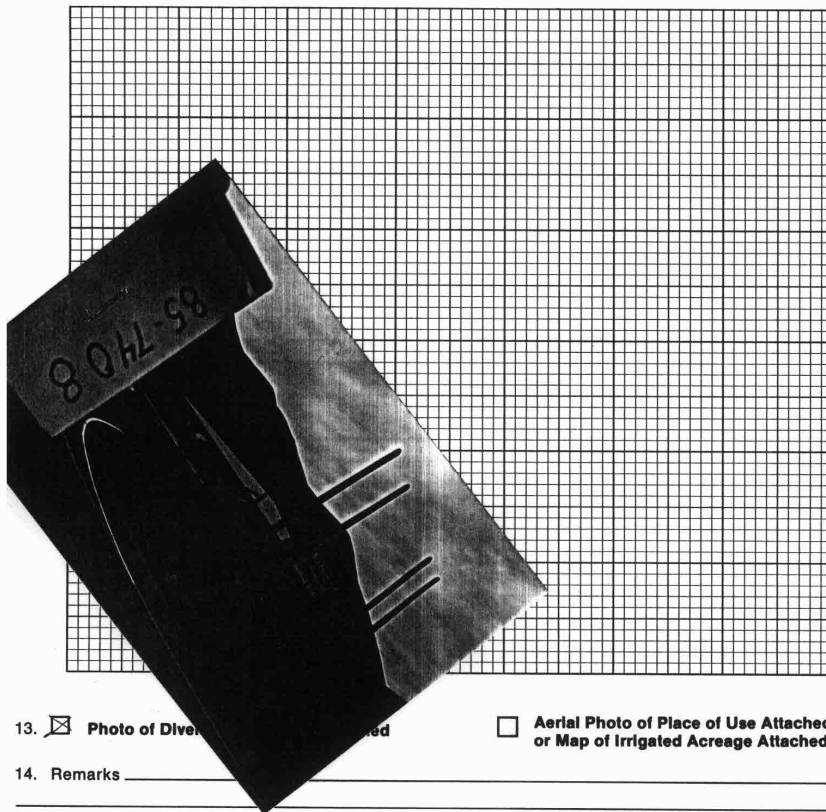
| Measurement Equipment | Type | Make | Model No. | Serial No. | Size | Calib. Date |
|-----------------------|------|------|-----------|------------|------|-------------|
|                       |      |      |           |            |      |             |
|                       |      |      |   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

\* one home in SWNE sec 22

[illegible][illegible]

Total Acres 27

10. Other water rights on these lands \_\_\_\_\_
11. Other water right diverted from same p.d. \_\_\_\_\_
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☒ Photo of Diversion System Attached ☐ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. 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

16. Examiner's/Consultant's Signature Z. Beard Date 6/7/85

Consultant's License Number \_\_\_\_\_

IDWR Director's Authorization to Conduct

Beneficial Use Examination \_\_\_\_\_

Date

CONSULTANT SEAL

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

August 30, 1984

UNITED STATES HISTORICAL PARK  
NEZ PERCE HISTORICAL PARK  
BOX 93  
SPALDING ID 83551

RE: Permit No. 85-7408

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a Water Right License can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 765-4639 or in person at our office.

Sincerely,

/S/  
TOM D. KING  
Senior Water Resource Agent

cc: IDWR - State Office

S T E U F I D A H O  
DEPARTMENT OF WATER RESOURCES

---

STATEHOUSE  
BOISE, IDAHO 83720  
(208) 334-4440

U.S. DEPT. OF INTERIOR  
NATIONAL PARK SERVICE  
NEZ PERCE NATL. HIST. PARK  
P.O. BOX 93  
SPALDING, ID 83551

JANUARY 04, 1984

RE: PERMIT NO. 85-7408

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

THE 1982 IDAHO LEGISLATURE ADDED A REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED INSTRUCTIONS ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.  
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

RECEIVED  
JUN 8 1983

## STATE OF IDAHO

Ident. No. 85-7408

## DEPARTMENT OF WATER RESOURCES

Department of Water Resources  
Northern District Office

## APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant United States of America, Nat. Park Service Phone (208) 843 2261  
Post office address C/O Nez Perce Nat'l Historic Park, P.O.Box 93, Spaulding, ID 83551
2. Source of water supply Ground water which is a tributary of \_\_\_\_\_
3. Location of point of diversion is NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 22 Township 36 N  
Range 4 W B.M. Nez Perce County, additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Allow 0.07 cfs \*kw 12/9/1983  
Amount 0.073 cfs for heating/cooling purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.08 cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.03 cfs for irrigation purposes from 5/1 to 9/30 (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:  
Allow 0.18 cfs per above \*kw  
a. 0.20 cfs - cubic feet per second and/or b. 20 acre-feet per annum.
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. Multi casing well-10" dia. to 118' & 8" dia. to 160', with water lines to visitor center/ park headquarters building which houses a storage tank and water treatment plant and then to two residential buildings, a shop maintenance building and an historical building open to the public.  
Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_  
Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)  
~~Proposed~~ Well diameter is 10 & 8 inches; ~~proposed~~ depth of well is 160 feet.  
Time required for the completion of the works and application of the water to the proposed beneficial use was 4 years (minimum 1 year - maximum 5 years).
- Description of proposed uses:  
If water is not for irrigation:  
(1) Give the place of use of water: NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 22 Township 36 N  
Range 4 W B.M. Boise Meridian
- (2) Amount of power to be generated: none horsepower under \_\_\_\_\_ feet of head.
- (3) List number of each kind of livestock to be watered none
- (4) Name of municipality to be served none, or number of families to be supplied with domestic water two.
- (5) If water is to be used for other purposes describe: park HQ & visitor center, park maintenance shop and irrigation for landscaping around visitor center.

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**DEVELOPMENT**

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

| TWP                                   | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|---------------------------------------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|                                       |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 36                                    | N     | 4 W  | 22  |     |     |     |     |     |     |     |     |     |     |     |     | 1.5 |     |     | 1.5    |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|                                       |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
| Total number of acres to be irrigated |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 1.5    |

c. Describe any other water rights used for the same purposes as described above. \_\_\_\_\_

9. a. Who owns the property at the point of diversion United States, Department of Interior, NPS

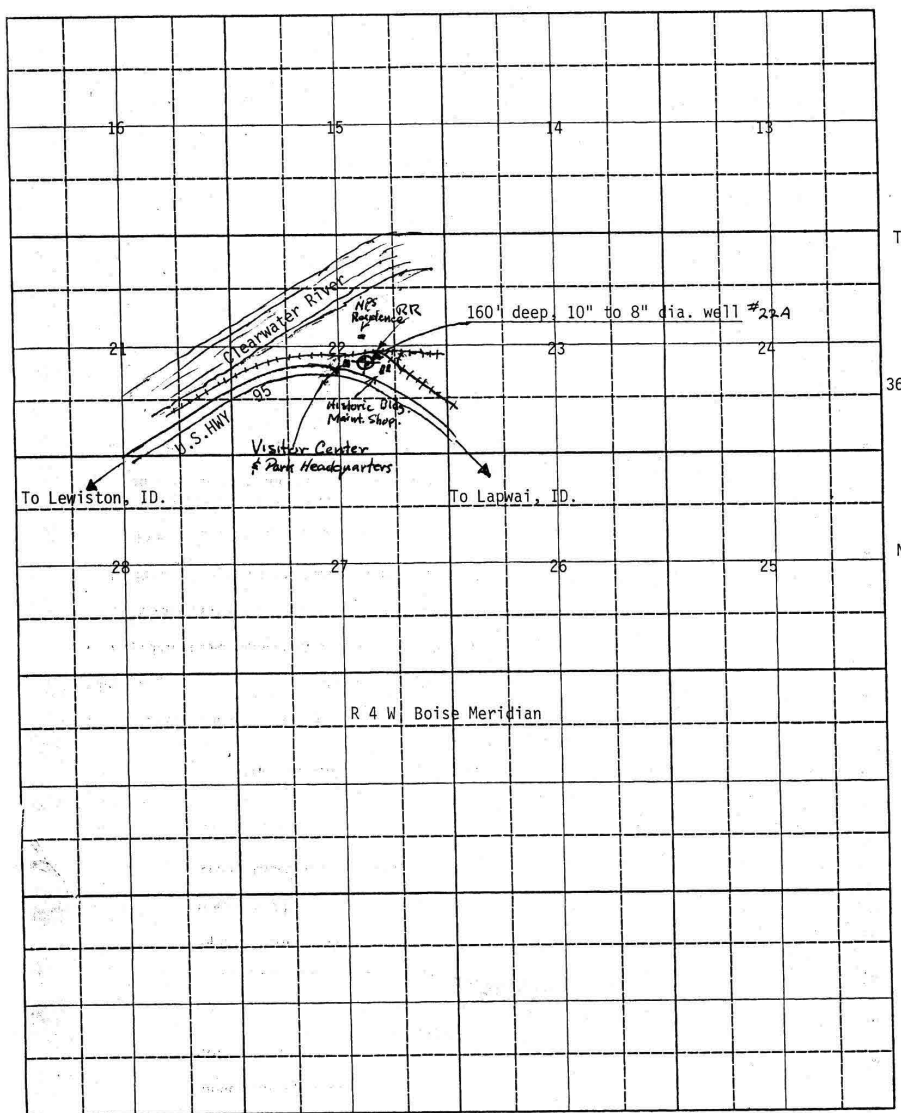
b. Who owns the land to be irrigated or place of use United States, Department of Interior, NPS

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing The park superintendent, an employee of the National Park Service is acting as an agent of the government.

10. Remarks By making this filing the United States does not waive any rights which it may have to Federal reserved water rights.

The existing well #22A was drilled in 1978 as a test well. In 1981 it was put in production to serve two single family residences, a park maintenance building, an historic store and the park HQ/ visitor center. With the exception of the HQ/ visitor center building the new well replaces old wells, presumably drilled before March 25, 1963, which are no longer considered safe. By making this filing the U.S. does not waive any ground or surface rights which were acquired or inferred from the historic use of water in any of these older buildings.

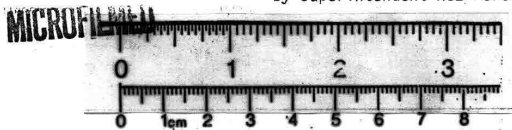
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Andy C. Whitaker  
(Applicant)  
by Superintendent Nez Perce National Historical Park



Proposed Priority 6/8/83

Received by [Signature] Date 11/27/83 Time 1:40 PM (J. M. M.)  
 Preliminary check by TR Fee \$ 30.00  
 Receipted by [Signature] Date 11/7/83 (31388)  
 Publication prepared by [Signature] Date 11/10/83  
 Published in Lewiston Tribune  
 Publication dates 11/17-24/83  
 Publication approved [Signature] Date 11/30/83  
 Protests filed by: none

Copies of protests forwarded by \_\_\_\_\_  
 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_  
 Recommended for approval denial by [Signature] kw

## 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. 85-7408, and said application is hereby APPROVED.

## 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 January 1, 19 88.
- 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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.  
 Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

Witness my hand this 19<sup>th</sup> day of December, 1983.

A. Glen Sayton  
 Chief, Operations Bureau

RECEIVED  
JUN 8 1983

Ident. No. 85-7408

## STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

Department of Water Resources  
Northern District Office

## APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America, Nat. Park Service Phone (208) 843 2261  
Post office address C/O Nez Perce Nat'l Historic Park, P.O.Box 93, Spaulding, ID 83551
2. Source of water supply Ground water which is a tributary of \_\_\_\_\_
3. Location of point of diversion is NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 22 Township 36 N  
Range 4 W B.M. Nez Perce County, additional points of diversion if any: \_\_\_\_\_
4. Water will be used for the following purposes:  
Allow 0.07 cfs \*kw 12/9/1983  
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(cfs or acre-feet per annum)  
Amount 0.08 cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount 0.03 cfs for irrigation purposes from 5/1 to 9/30 (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:  
Allow 0.18 cfs per above \*kw  
a. 0.20 cfs cubic feet per second and/or b. 20 acre-feet per annum.
6. Proposed diverting works:
  - a. Description of ditches, flumes, pumps, headgates, etc. Multi casing well-10" dia. to 118' & 8" dia. to 160', with water lines to visitor center/ park headquarters building which houses a storage tank and water treatment plant and then to two residential buildings, a shop maintenance building and an historical building open to the public.
  - b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_  
Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)
  - c. ~~Proposed~~ Well diameter is 10 & 8 inches; ~~proposed~~ depth of well is 160 feet.
7. Time required for the completion of the works and application of the water to the proposed beneficial use is was 4 years (minimum 1 year - maximum 5 years).
8. Description of proposed uses:
  - a. If water is not for irrigation:
    - (1) Give the place of use of water: NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 22 Township 36 N  
Range 4 W B.M. Boise Meridian
    - (2) Amount of power to be generated: none horsepower under \_\_\_\_\_ feet of head.
    - (3) List number of each kind of livestock to be watered none
    - (4) Name of municipality to be served none, or number of families to be supplied with domestic water two.
    - (5) If water is to be used for other purposes describe: park HQ & visitor center, park maintenance shop and irrigation for landscaping around visitor center.

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[illegible]

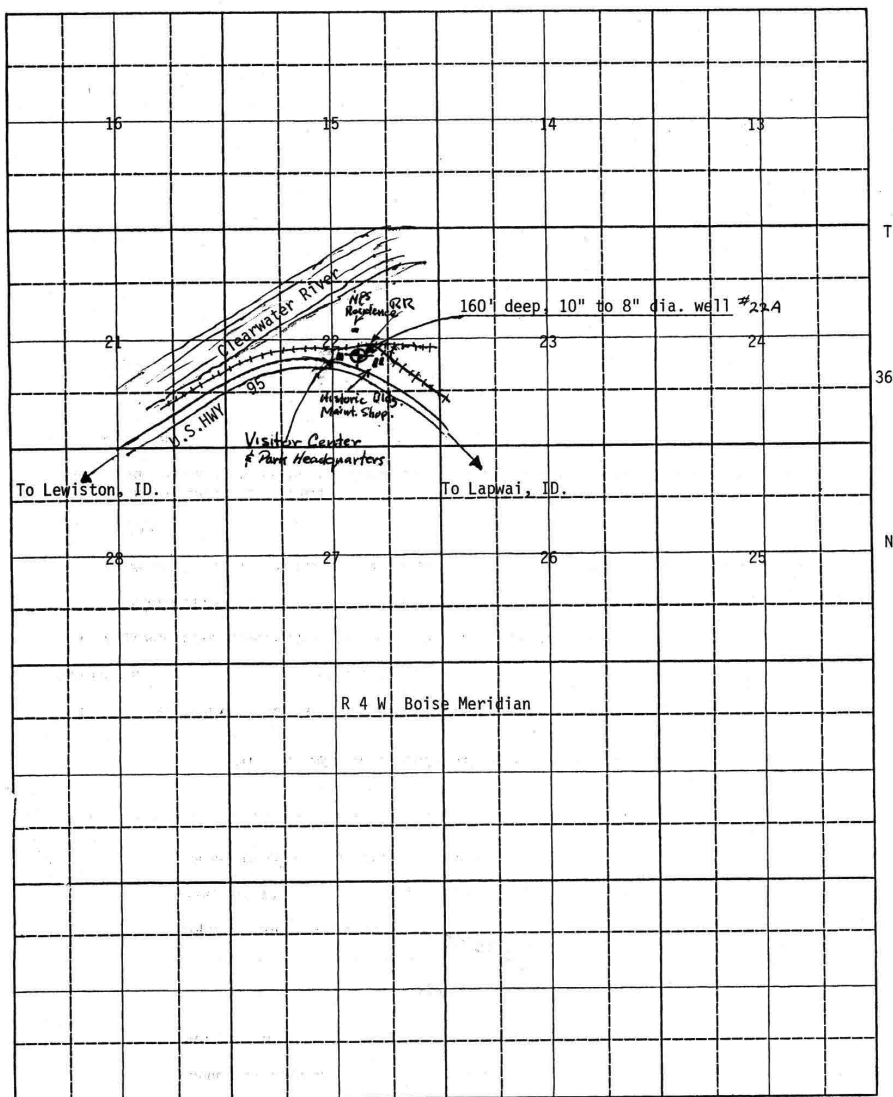
9. a. Who owns the property at the point of diversion United States, Department of Interior, NPS

b. Who owns the land to be irrigated or place of use United States, Department of Interior, NPS

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing The park superintendent, an employee of the National Park Service is acting as an agent of the government.

The existing well #22A was drilled in 1978 as a test well. In 1981 it was put into production to serve two single family residences, a park maintenance building, an historic store and the park HQ/ visitor center. With the exception of the HQ/ visitor center building the new well replaces old wells, presumably drilled before March 25, 1963, which are no longer considered safe. By making this filing the U.S. does not waive any ground or surface rights which were acquired or inferred from the historic use of water in any of these older buildings.

11. 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.

**MICROFILMED**

*Andy C. Whitaker*  
(Applicant)  
by Superintendent Nez Perce National Historical Park



Proposed Priority 6/8/80

Received by [Signature] Date 4/8/83 Time 3:30 PM

Preliminary check by TR Fee \$ 30.00

Receipted by [Signature] Date 11/7/83 (31385)

Publication prepared by [Signature] Date 11/10/83

Published in Lewiston Tribune

Publication dates 11/17-24/83

Publication approved [Signature] Date 11/30/83

Protests filed by: none

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date [Signature]

Recommended for approval denial by [Signature] kw

## 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. 85-7408, and said application is hereby APPROVED.

## 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 January 1, 19 88.
- 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. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.  
Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

Witness my hand this 19<sup>th</sup> day of December, 1983.

J. Glen Sayton  
Chief, Operations Bureau

Form No. 202a  
3/79State of Idaho  
Department of Water Resources

## APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: JK APPLICATION NUMBER: 85-7408

## CHECK:

- ☒ Source.  
☒ Point of diversion.  
☒ County.  
☒ Quantity of water and period of use.  
☒ Description of diverting works.  
☒ Time required for beneficial use of water.  
☒ Place of use or acres irrigated.  
☒ Map.  
☒ Signature.  
☐ Fee.  
☐ Yes ☒ No Field check required.  
☐ Yes ☒ No Critical groundwater area.  
☐ Yes ☒ No Request dam safety information. Sent by: \_\_\_\_\_ Date: \_\_\_\_\_  
☒ Yes ☐ No\* In form to receipt.

Field check by: \_\_\_\_\_

Date: \_\_\_\_\_

Comments: \_\_\_\_\_

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: \_\_\_\_\_

Fee - received - receipt 11/7/83

## SEND COPIES TO:

- ☐ Idaho State Health Department.  
☐ Idaho Fish and Game Department.  
☐ Idaho Department of Lands.  
☐ U.S. Bureau of Land Management.  
☐ U.S. Forest Service.  
☐ Other \_\_\_\_\_

Copies sent by: \_\_\_\_\_ Date: \_\_\_\_\_

## PROCESSING:

- ☐ Yes ☐ No Platted by: \_\_\_\_\_ Map No. \_\_\_\_\_  
☐ Yes ☐ No Other rights on same place of use. \_\_\_\_\_  
☒ Yes ☐ No\* In form for advertising.  
☐ Yes ☒ No Final date for protests: 12/1/83  
☐ Yes ☒ No Protests received. If yes, record information on 4th page of application.

## FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: 11/30/83  
☒ Application published correctly. If not, record action taken: \_\_\_\_\_  
☒ Fee amount, receipt date & number, recorded on application.  
☒ Publication dates and paper, recorded on application.  
☒ Protests, dates, withdrawal, etc., recorded on application.  
☒ Recommendation & initial, recorded on application.  
☐ Yes ☐ No Measuring device required.  
☐ Yes ☐ No Access port required.  
☐ Yes ☐ No Will water be delivered by watermaster? If yes, what district? \_\_\_\_\_  
☒ 6/8/83 Date of priority recommended.  
☐ Special conditions of approval or cover letter. \_\_\_\_\_

By: RAA Date: 12/6/83

## STATE OFFICE REVIEW:

217 26 09C

- ☐ See attached sheet for more information.

By: EW Date: 12/9/83

MICROFILMED

Department of Water Resources

## 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 APPLICATION FOR WATER RIGHT

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 publication thereof being on the 23rd day of November, A.D. 19 83, and said NOTICE OF APPLICATION FOR WATER RIGHT 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.

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

NOTICE OF APPLICATION FOR WATER RIGHT  
The following applications have been filed to appropriate the public waters of the State of Idaho:  
U.S. DEPT. OF INTERIOR  
NATIONAL PARK SERVICE, NEZ PERCE NATIONAL HIST. PARK, P.O. BOX 93, SPALDING, ID 83551  
Source: GROUNDWATER  
Date Filed: 06/08/1983  
Division: NWSE Sec 22 T 36 N R 04W  
Use: IRRIGATION (0.03 CFS)  
HEATING (0.0730 CFS)  
COOLING (0.0730 CFS)  
DOMESTIC (0.03 CFS)  
In: NWSE Sec 22 T 36 N R 04W FOR 2 ACRES  
\* The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dep. of Water Resources, 4055 Gov't. Way, Coeur d'Alene, Id. 83814, on or before DECEMBER 5, 1983.  
KEN DUNN, Dir.

RECEIVED

NOV 30 1983

Department of Water Resources  
Northern District Office

MICROFILMED

85-7408-

U.S. DEPT. OF INTERIOR

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

Source: GROUNDWATER

Date Filed: 06/08/1983

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

|                 |              |
|-----------------|--------------|
| Use: IRRIGATION | (0.03 CFS)   |
| HEATING         | (0.0730 CFS) |
| COOLING         | (0.0730 CFS) |
| DOMESTIC        | (0.08 CFS)   |

In: NWSE Sec 22 T 36N R 04W FOR 2 ACRES

Form 202  
3/78

Ident. No. \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR PERMIT**

To appropriate the public waters of the State of Idaho

1. Name of applicant United States of America, Nat. Park Service Phone (208) 843 2261

Post office address C/O Nez Perce Nat'l Historic Park, P.O.Box 93, Spaulding, ID 83551

2. Source of water supply Ground water which is a tributary of \_\_\_\_\_

3. Location of point of diversion is NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 22 Township 36 N

Range 4 W B.M. Nez Perce County, additional points of diversion if any: \_\_\_\_\_

4. Water will be used for the following purposes:

Amount 0.073 cfs for heating/cooling purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 0.08 cfs for domestic purposes from 1/1 to 12/31 (both dates inclusive)  
(cfs or acre-feet per annum)

Amount 0.03 cfs for irrigation purposes from 5/1 to 9/30 (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:

a. 0.20 cfs cubic feet per second and/or b. 20 acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Multi casing well-10" dia. to 118' &

8" dia. to 160', with water lines to visitor center/ park headquarters building  
which houses a storage tank and water treatment plant and then to two residential  
buildings, a shop maintenance building and an historical building open to the  
public.

b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre-feet; total reservoir  
 capacity \_\_\_\_\_ acre-feet, materials used in storage dam: \_\_\_\_\_

Period of year when water will be diverted to storage \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Month/Day) (Month/Day)

c. ~~Proposed~~ Well diameter is 10 & 8 inches; ~~proposed~~ depth of well is 160 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial  
 use ~~is~~ was 4 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 22 Township 36 N

Range 4 W B.M. Boise Meridian

(2) Amount of power to be generated: none horsepower under \_\_\_\_\_ feet of head.

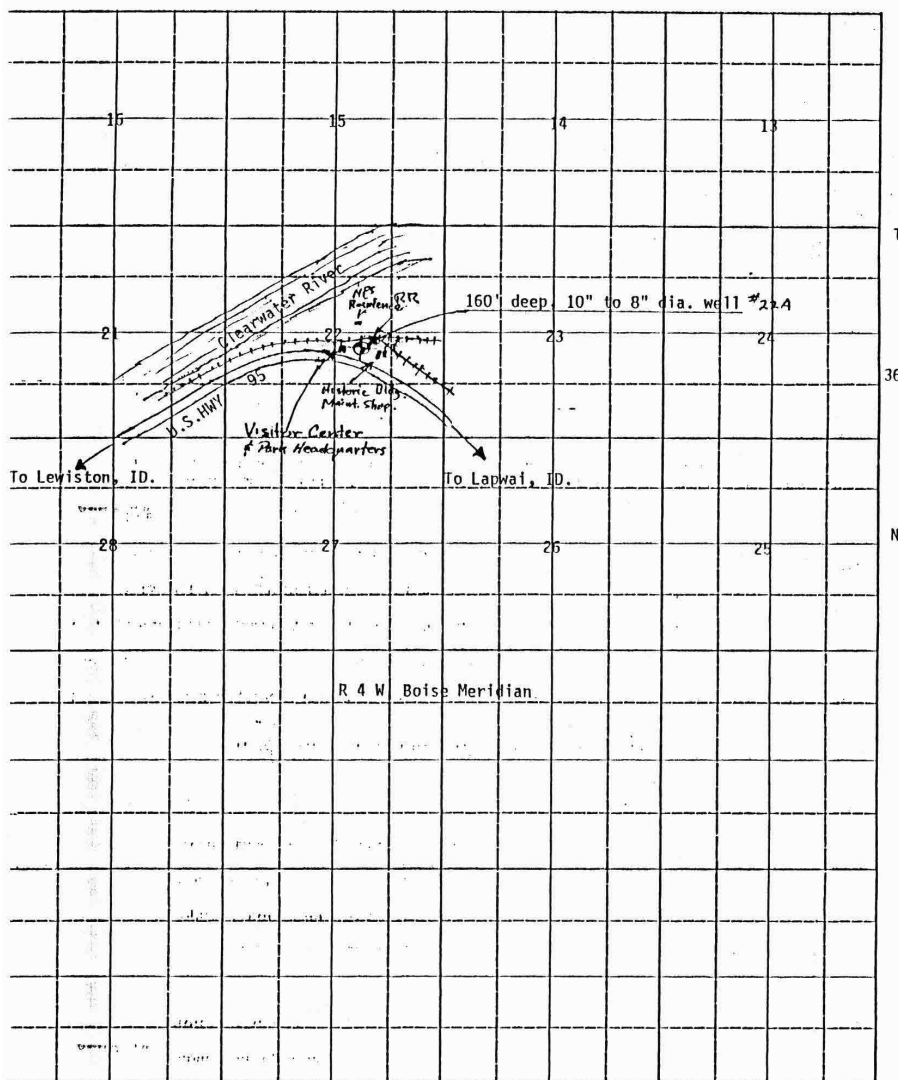
(3) List number of each kind of livestock to be watered none

(4) Name of municipality to be served none, or number of families to be  
 supplied with domestic water two.

(5) If water is to be used for other purposes park HQ & visitor center, park  
maintenance shop and irrigation for landscaping around visitor center.



11. 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.

(Applicant)  
by Superintendent Nez Perce National Historical Park



Received by \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

Preliminary check by \_\_\_\_\_ Fee \$ \_\_\_\_\_

Receipted by \_\_\_\_\_ Date \_\_\_\_\_

Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_

Publication dates \_\_\_\_\_

Publication approved \_\_\_\_\_ Date \_\_\_\_\_

Protests filed by: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Copies of protests forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for approval denial by \_\_\_\_\_

---

**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. Other**

Other Supporting Information

# REPORT OF TELEPHONE CONVERSATION

DATE 4 Aug 92 TIME 9:10 AM/PMPROJECT ~~CAED~~ NEPENPS PERSON ON CALL Jeff Hughes ☒ I CALLED ☐ S/HE CALLEDPERSON Frank WalkerORGANIZATION NEPEADDRESS Spalding, IDTELEPHONE NUMBER (208) 843-2261DISCUSSION claim # 7408 - ground water

re: the letters from IP requesting a change in the permit  
Go ahead & sign it and send it in  
also, send them the \$ 22.00

He said great, he'll do it

# REPORT OF TELEPHONE CONVERSATION

DATE 3 Aug 92 TIME 11:30 AM/PMPROJECT CERO- NEPENPS PERSON ON CALL Jeff Hughes ☐ I CALLED ☐ S/HE CALLEDPERSON Frank Walker (Supt) Gene RasmussenORGANIZATION NEPE

ADDRESS \_\_\_\_\_

TELEPHONE NUMBER (208)DISCUSSION Questionnaire - 3/4 months agoshould be 3 & 3.5 acres moved.no  
have islandsGene Rasmussen irregular shaped areas  
may be overestimatedCounty name is wrong



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.

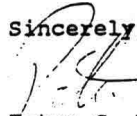
Water rights for Yellowstone are reserved rights and are described in a separate document and enclosures which include a map. I am informed by the Park Service that there are no state appropriative rights for Yellowstone in the area under adjudication.

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.

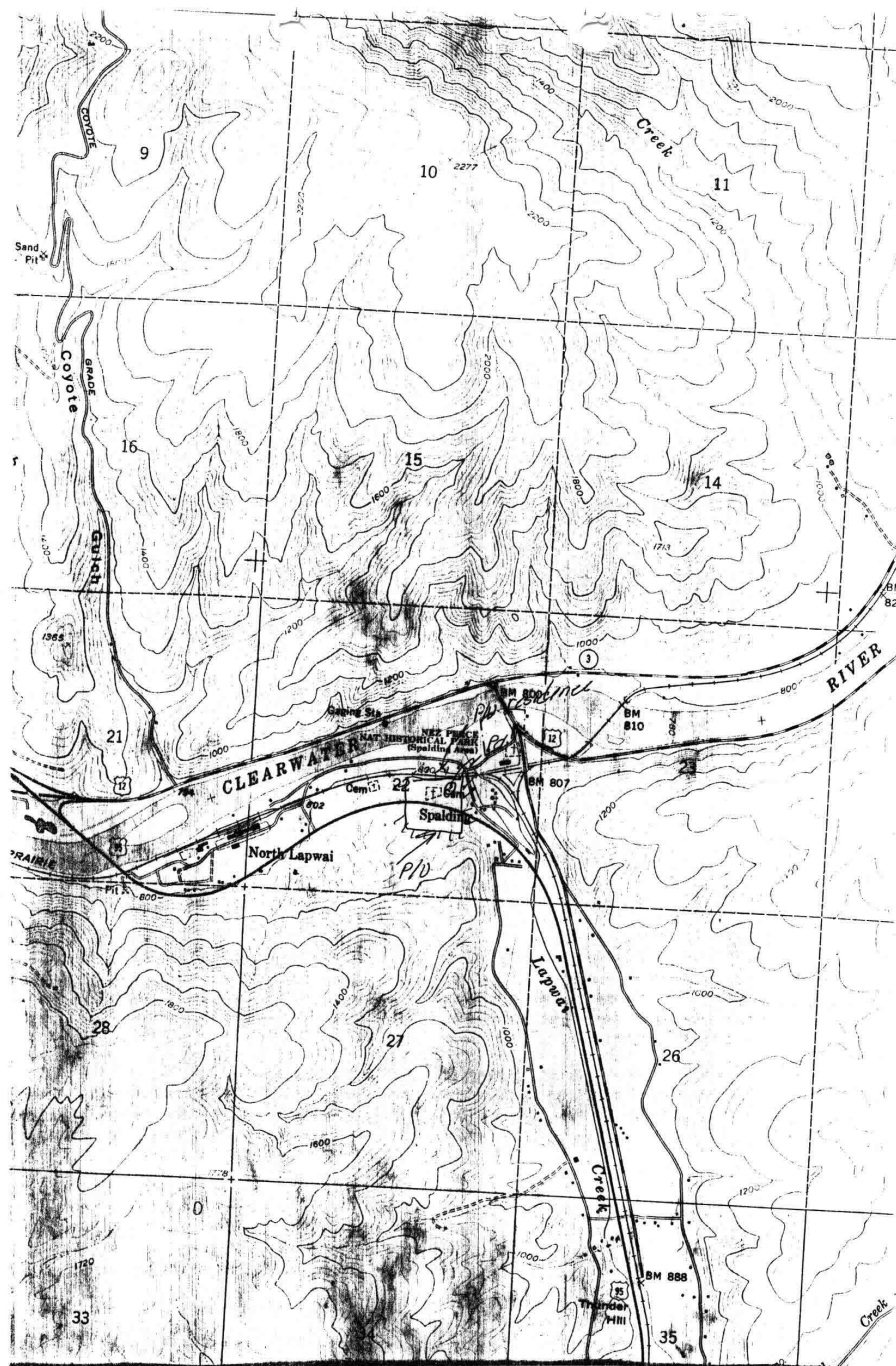
By memorandum of January 12, 1989 from the Chief, Water Rights  
Branch, Water Resources Division (WRD), you were informed of two  
new park units in Idaho -- City of Rocks National Reserve and  
Hagerman Fossil Beds National Monument -- which were recently  
established by Congressional Act. It is my 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

Maps and Miscellaneous Information



TWP. 36 N RGE. 4 W SEC. 22 MAP # 2-4 MAP SCALE 1/2  
 DATE OF FIELD EXAM \_\_\_\_\_ FIELD REPORT MAP PERMIT # 85-7408

### Docket Information

Number of Documents in Docket 43  
 Documents Dated from 6/8/1983 to 8/4/1992  
 Docket Compiled: 6/2/2011