

#1 Runny Permanent

30	37	108.75	$183.66 \div 450 = .408 \text{ cfs}$	$.41 \text{ cfs}$	$20 \frac{1}{2} \text{ min}$
29	34	74.91		53	$20 \frac{1}{2}$
28	33	$183.66 \div 6 \text{ AM.}$		$.94 \text{ cfs}$ or 47 inches	
87	104				
29	35				

11X 6.816m 7256m X 15

74.91	108.75
-------	--------

#2 Portable

43	$241.6 \text{ GPM} \div 450 = .53$	$26 \frac{1}{2} \text{ min}$
39		
41		
40		
35		
3116		
39		

7.96 GPM X 10 = 79.60

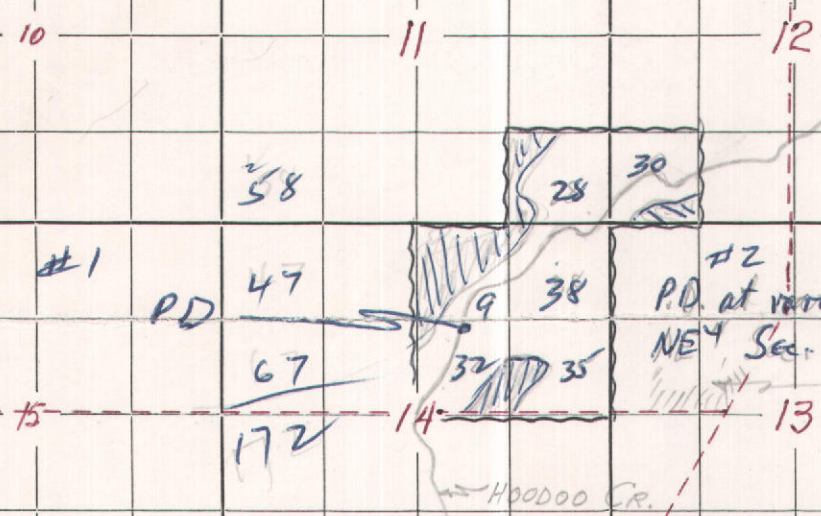
$240 = 8.07 \times 20 = 161.40$

79.60
241.00

R-4W.

TO PRIEST RIVER

T.
55
N.



Subdivisions 6

AREA 172 acres

Q .94 cfs or 47 inches

May 28, 1962

Re: Permit No. 22410 - Roy McClure
Permit No. 22429 - W. L. Reinhardt

Greene and Hunt
Attorneys at Law
323 N. 2nd St.
Sandpoint, Idaho

Attn: Raymond T. Greene, Jr.

Dear Mr. Greene:

Your letter of May 25th has been received.

Enclosed are forms, with instructions.

Permit No. 22410, in the name of Roy McClure, Proof of Beneficial Use of the Water is due on or before October 10, 1962.

Permit No. 22429, in the name of W. L. Reinhardt, Proof of Beneficial Use of the Water is due on or before October 30, 1962.

Mr. Reinhardt will have to assign his permit to Mr. McClure.

The proofs of use of the water can be made at a later date with priority advanced the same length of time the proofs are late.

The date for making the proofs may be the same for both permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

22410
RT:ew
Enc. forms with
instructions

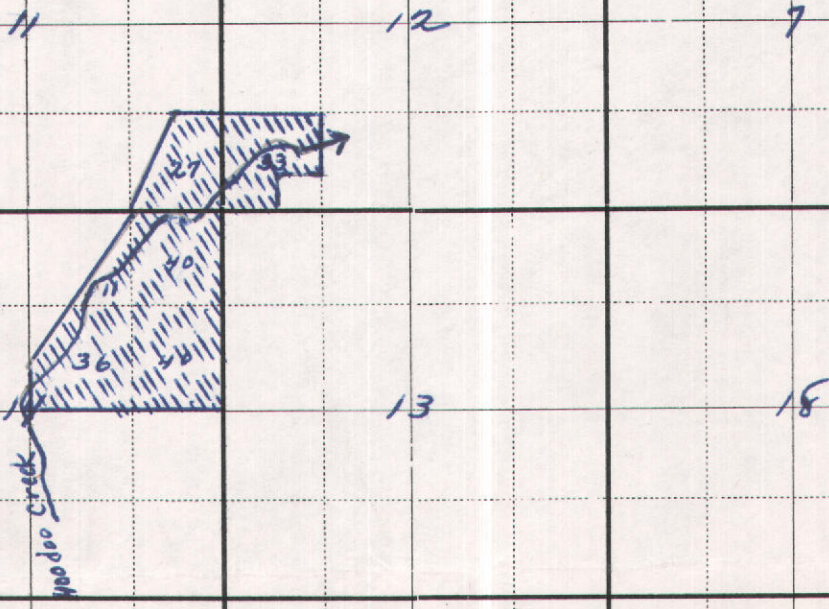
NAME OF APPLICANT Roy McClure

Form No. 0

35 36 31

T56N
T55N

2 1 R4W R3W 4



22410
Permit Map No. 22410
As Approved
OCT 10 1951
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 22410

Amount 0.94 c.f.s.

Water District No.

Priority October 8, 1951

THIS IS TO CERTIFY that ROY McCLURE
of Priest River, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 8, 19 51; that Permit No. 22410
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.74 second feet, was issued thereunder on August 24, 19 56, showing that said works
were completed on the 20th day of August, 19 56; and that on the 8th
day of October, 19 62, ROY McCLURE

of Priest River, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Hoodoo Creek
, a tributary of Pend Oreille River, for the purpose of irrigation
, under Use Permit No. 22410 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7746, on the 8 day of October, 19 63;
The right hereby confirmed dates from October 8, 19 51;
The Point of Diversion is located various points in the NE¹/₄,
in the -- 1/4 -- 1/4, Sec. 14, Tp. 55 N., R. 4 W., B. M. Bonner County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.94 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
55 N.	4 W.	11	SE ¹ / ₄ SE ¹ / ₄	27	28
		12	SW ¹ / ₄ SW ¹ / ₄	33	30
		14	NE ¹ / ₄ NE ¹ / ₄	40	38
			NW ¹ / ₄ NE ¹ / ₄	11	9
			SW ¹ / ₄ NE ¹ / ₄	36	32
			SE ¹ / ₄ NE ¹ / ₄	40	35
			Total number of acres to be irrigated:		172

The right to the use of the water aforesaid 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

8th day of October, 19 63.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 22429 Amount .89 c.f.s.
Water District No. Priority October 22, 1951

THIS IS TO CERTIFY that W. L. REINHARDT - Assignee - ROY McCLURE
of Vay, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 22, 1951; that Permit No. 22429
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.0 second feet, was issued thereunder on August 30, 1956, showing that said works
were completed on the 24th day of August, 1956; and that on the 8th
day of October, 1962,
ROY McCLURE

of Priest River, State of Idaho, made proof to the satisfaction of the
Department of Reclamation of Idaho, of the right to use the waters of Hoodoo Creek
, a tributary of Pend Oreille River, for the purpose of Irrigation
, under Use Permit No. 22429 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7745, on the 8 day of October, 1963;
The right hereby confirmed dates from October 22, 1951;

The Point of Diversion is located Various points in W₂SE₄
in the -- 1/4 -- 1/4, Sec. 14, Tp. 55 N., R. 4 W., B. M. Bonner County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .89 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
55 N.	4 W.	14	NE ₄ SE ₄	40	30
			NW ₄ SE ₄	34	36
			SW ₄ SE ₄	16	40
			SE ₄ SE ₄	10	14
			Total number of acres to be irrigated:		120

The right to the use of the water aforesaid 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
8th day of October, 1963.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

N^o ~~22410~~ 22410
96-2192

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 30147
PERMIT No. 22410
DISTRICT No.

1. Name of Applicant: ROY McCLURE

Postoffice address: ~~Veg~~ *Home #1, Bonner*

County: Bonner

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 3.74 cubic feet per second.

3. Source of water supply: Hoodoo Creek which is a tributary of Pend Oreille River

4. Location of point of diversion: See Remarks feet distant from the

corner of Section , T. , R. , B. M., and is in the
of Section , T. , R. , B.M., County of Bonner

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 4,200.00

8. Kind of works: Pump and pipe for sprinkler irrigation

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 feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe 6 inches; length of conduit 0.4 miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) 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: None

16. (a) Is reservoir to be used? **No** 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.

ROY McCLURE

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. October 8, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22410

Recorded in Book 80 Page 22410 Approved October 10, 1951

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 10, 1951** 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 10, 1954**

The whole of said work to be completed on or before **October 10, 1956**

Beneficial use of water appropriated in accordance herewith, to be made on or before **October 10, 1962**

WITNESS My hand this 10th day of October, 1951

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, EDSON H. DEAL, Acting, Governor of the State of Idaho,

and IRA H. MASTERS, 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 10th.....

day of **October** 19 51

STATE OF IDAHO

Countersigned:

(SEAL)

By EDSON H. DEAL

Acting Governor.

By IRA H. MASTERS

Secretary of State.

REMARKS: (4) Point of Diversion: I plan to use a portable system and take water from many points along Hoodoo Creek.

14.

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 $\frac{1}{4}$	
55 N.	4 W.	11 12 14	40	11	36	40							33				27	27 33 127	
Total Number of Acres to be Irrigated -																		187	
Permit No. 22410 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that ROY McCLOURE of Vay, County of Bonner, and State of Idaho, the holder of Permit No. 22410, issued upon Application No. 30147 bearing date of priority of October 8, 1951, authorizing the diversion of 3.74 second feet of the waters of Hoodoo Creek, County of Bonner, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3.74 second feet of the waters of Hoodoo Creek; that the point of diversion of said waters is in Township 55 North, Range 4 West, B.M., NE $\frac{1}{4}$ Section 14; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SE $\frac{1}{2}$ Section 11; SW $\frac{1}{4}$ SW $\frac{1}{2}$ Section 12; NE $\frac{1}{4}$ Section 14; All in Township 55 North, Range 4 West, B.M.																			
Witness my hand this 24th day of August, A.D. 1956.																			
MARK R. KULP State Reclamation Engineer																			
Proof of completion of works made August 20, 1956 Certificate of Completion of Works issued August 24, 1956.																			
LICENSE ISSUED FOR 0.94 SEC. FT. page 7746																			



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

December 8, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

DANIEL A O'NEILL
AGRICULTURAL INVESTMENTS
7100 N FINANCIAL DR STE 105
FRESNO CA 93720-2900

RE: Water Right Nos. 96-02191, 96-02192, & 96-07553

Dear Mr. O'Neill:

I recently received documentation of the assignments of ownership on the above referenced licensed water rights.

In Idaho, decreed, licensed, and claimed water rights are considered real property; therefore, proof of owning the land is proof of owning the water rights unless extenuating circumstances exist. Water right statute does not provide a means for changing owner of record for licensed water rights; although, I have placed your correspondence in each of the water right files.

If you have any questions, please feel free to contact me directly at 327-7944.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Zimmerman".

Cindy Zimmerman
Water Resource Agent

DEC 22 1994

Agricultural Investments
Western Branch Office
Santa Cruz Building
7100 N. Financial Dr., Suite 105, Fresno, CA 93720-2900
(209) 435-0206
(209) 435-0210 (Fax)



Daniel A. O'Neill
Manager

David A. Hyatt
Manager, Special Projects

Daniel J. Seger
Assistant Manager

RECEIVED
NOV 29 1994
Department of Water Resources

November 22, 1994

Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706-2237

Re: X 16 95 41 - Hofstee
Tulare Co., CA and Bonner Co., ID

Gentlemen

In connection with a real estate loan made by Metropolitan Life to Gerrit Hofstee, et al., and a first mortgage recorded as Document No. 438783 in Bonner Co., Idaho on January 13, 1994, Metropolitan Life Insurance Company has obtained an assignment of water license numbers 96-7553, 96-2191 and 96-2192. A copy of this assignment is enclosed for your records.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Daniel A. O'Neill".

Daniel A. O'Neill
Manager

DAO:cmk

Enclosure

cc WBO File
Jack Jensen

VIA: Certified Mail, Return Receipt Requested

RECEIVED
NOV 29 1994
Department of Water Resources

ASSIGNMENT OF WATER RIGHT

THIS ASSIGNMENT entered into as of the 11th day of November, 1993, by and between GERRIT HOFSTEE AND JOHANNA HOFSTEE, HUSBAND AND WIFE AND EVERETT HOFSTEE, A SINGLE PERSON, collectively "Assignor"), and METROPOLITAN LIFE INSURANCE COMPANY, a corporation (hereinafter "Assignee"),

WITNESSETH:

WHEREAS, Assignor desires to assign all of their right, title and interest in, to and under the water and water rights set forth and described on Exhibit "A" attached hereto and by this reference made a part hereof, together with all applications, permits, shares of stock in water and canal companies, and all licenses, permits, applications and all rights to appropriate the public waters of the State of Idaho now owned by Assignor or hereafter perfected in the water adjudication matters now in process, appurtenant to or used in connection with the real property described on EXHIBIT "B" attached hereto, and Assignee is desirous of accepting same;

NOW, THEREFORE, for good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, Assignor have assigned, unto Assignee all of Assignor's right, title and interest in, to and under all applications, permits, shares of stock in water and canal companies and all licenses, permits, applications and rights to appropriate the public waters of the State of Idaho now owned by Assignee or hereafter perfected in the water adjudication matters now in process, including but not limited to those items set forth and described on Exhibit "A" attached hereto.

**

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

ASSIGNOR:

**This Assignment is given as additional security for the obligations of Assignor arising pursuant to a loan made by Assignee to Assignor on or about the date hereof secured by the above described real property. Assignor may continue to receive and exercise all of the rights, benefits and privileges arising from the rights and interests assigned hereunder so long as no default shall exist upon said loan, and until Assignee shall exercise its rights hereunder, Assignee does not assume any of Assignor's obligations or duties in connection with any of the rights and interests so assigned hereunder.

E. H. JH A. H. JH
Gerrit Hofstee
Gerrit Hofstee
Johanna Hofstee
Johanna Hofstee
Everett Hofstee
Everett Hofstee

E. H. JH
ASSIGNEE:

METROPOLITAN LIFE INSURANCE COMPANY

BY Darrell J. Smith
DARRELL J. SMITH ASSISTANT VICE-PRESIDENT

DEC 22 1994

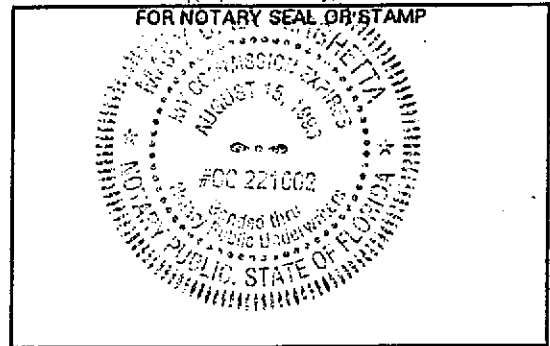
X16 95 41

FLORIDA
STATE OF ~~CALIFORNIA~~
County of PALM BEACH } S.S.

On JAN. 3RD. 1994 before me,
MARY C. LAVERGHETTA
a Notary Public in and for said County and State, personally appeared
GERRIT HOFSTEE

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Signature Mary C. Laverghetta

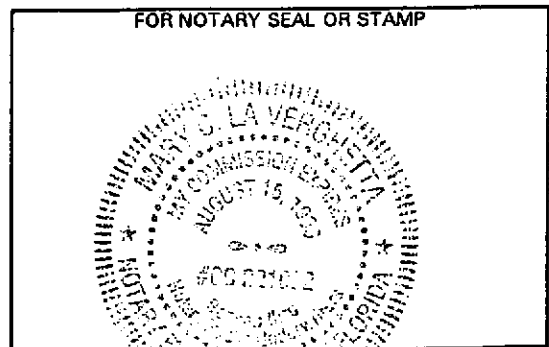
CERTIFICATE OF ACKNOWLEDGEMENT

FLORIDA
STATE OF ~~CALIFORNIA~~
County of PALM BEACH } S.S.

On JAN. 3RD. 1994 before me,
MARY C. LAVERGHETTA
a Notary Public in and for said County and State, personally appeared
JOHANNA HOFSTEE

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal



Signature Mary C. Laverghetta

STATE OF KANSAS
County of Johnson

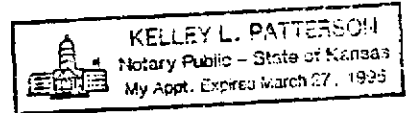
} S.S.:

Be it remembered, that on this 13th day of October, 1994, before me,
the undersigned, a Notary Public in and for the County and State aforesaid,
personally appeared DARRELL J. SMITH ASSISTANT VICE-PRESIDENT
of Metropolitan Life Insurance Company, a New York Corporation, who is
personally known to me to be the ASSISTANT VICE-PRESIDENT of
said corporation, and the same person who executed the foregoing instrument,
and he duly acknowledged the execution of the same for and on behalf of
and as the act and deed of said corporation.

In witness whereof, I have hereunto set my hand and affixed my
official seal the day and year last above written.

Kelley L. Patterson
Notary Public

FOR NOTARY SEAL OR STAMP



OCT 12 1994

EXHIBIT "A"

1. State of Idaho, Department of Water Resources Water Right License No. 96-7553; dated April 17, 1979, Priority May 20, 1977, 0.04 cfs.
2. State of Idaho License and Certificate of Water Right No. 96-2191 (original issued as No. 22429) dated October 8, 1963, Priority October 22, 1951, .89 cfs.
3. State of Idaho License and Certificate of Water Right No. 96-2192 (originally issued as No. 22410) dated October 8, 1963, Priority October 8, 1951, 0.94 cfs.

STATE OF CALIFORNIA
COUNTY OF Tulare } S.S.

On January 4, 1994 before me,

the undersigned

a Notary Public in and for said County and State, personally appeared
Everett Hofstee

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

F 2492 (5-91)

Marilyn Searcy
Marilyn Searcy

FOR NOTARY SEAL OR STAMP

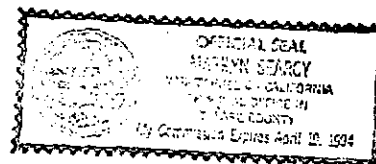


EXHIBIT "B"

PARCEL I:

Commencing at the Southeast corner of Section 14, Township 55 North, Range 4 West, Boise Meridian, Boner County, Idaho, thence North along the East section line 550 feet to the True Point of Beginning; thence South $89^{\circ}34'46''$ West 1836.72 feet to Hoodoo Creek; thence in a Northwesterly direction along Hoodoo Creek to an intersection with the County Road; thence East along the County Road right of way to the East Quarter corner; thence South along the East section line to the True Point of Beginning.

PARCEL II:

The Northeast Quarter of Section 14, Township 55 North, Range 4 West, Boise Meridian, lying South and East of the center of Hoodoo Creek in Bonner County, State of Idaho.

DEC 22 1934

Agricultural Investments
Western Branch Office
7100 N. Financial Dr., Suite 105, Fresno, CA 93720-2800



REGD TR2

CERTIFIED

CA 93720-2800

MAIL

1994

072294

U.S. POSTAGE

IDAHO DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD
BOISE, IDAHO 83706-2237

VIA: CERTIFIED MAIL - RETURN RECEIPT REQUESTED

83706-2237



DEC 8 2 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 13, 1992

RE: Water Right Nos. 96-07553/02191/02192

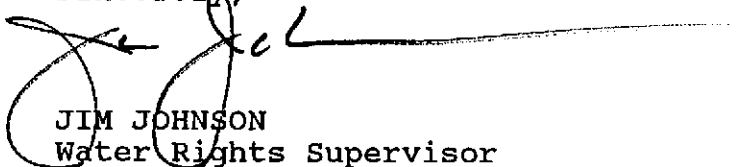
Marilyn Searcy
Chicago Title
P.O. Box 1278
Tulare, CA 93275-1278

Dear Ms. Searcy:

In follow-up to our telephone conversation earlier today, I have received your FAX concerning the transfer of water rights. The rights in question are licensed rights. In Idaho, a license is considered real property. Therefore, proof of owning the water right is evidenced by proof of owning the lands to which the right is appurtenant.

I have placed a copy of your documentation in each of the files for future reference. If I can be of further assistance, feel free to give me a call at (208)327-7947.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

SENT BY FAX

11/13
SC

RECORDED
DEC 16 1992

TO: STATE OFFICE

NOV-13-'92 FRI 12:26 ID:IDWR NORTHERN REGION TEL NO:208-765-2088

#586 P01



CHICAGO TITLE

133 NORTH "L" ST., P.O. BOX 1278, TULARE, CA 93275-1278 • (209) 686-8684 FAX (209) 686-5490

FACSIMILE TRANSMITTAL

TO: LORETTA JIM JOHNSON
Stacy Dept. of Water Resources, State of Idaho

DATE: 11/13/92 11/13/92

FAX NO.: 208-327-7866 208-765-2088

FROM: Marilyn Searcy
CHICAGO TITLE - TULARE, CA.

RE: GERRIT HOFSTEE

OUR ORDER NO.: 415304 MS

MESSAGE: PURSUANT TO YOUR REQUEST, WE FAX HERewith COPY OF GRANT DEED CONVEYING
PROPERTY LOCATED IN BONNER COUNTY, IDAHO. PLEASE CHANGE YOUR RECORDS ACCORDINGLY,
TRANSFERRING THE EXISTING WATER RIGHTS AS REFLECTED ON EXHIBIT "A" FAXED HERewith.
TO GERRIT HOFSTEE AND JOHANNA HOFSTEE.

THE LENDER INVOLVED WITH MY ESCROW REQUIRES THAT WE OBTAIN EVIDENCE INDICATING
THAT THE WATER RIGHTS HAVE BEEN ASSIGNED TO MR. AND MRS. HOFSTEE. COULD YOU PLEASE
PROVIDE ME WITH A LETTER WHICH CONFIRMS THIS? A FAX CONFIRMATION WOULD BE GREAT,
AS MR. HOFSTEE IS ANXIOUS FOR ME TO CLOSE MY ESCROW.

NUMBER OF PAGES INCLUDING THIS TRANSMITTAL: 2 (p)

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT THE UNDERSIGNED

PHONE NO.: 209-686-8684
FAX NO.: 209-686-5490

CONFIDENTIALITY NOTICE: "The materials enclosed with this facsimile transmission are private and confidential and are the property of the sender. The information contained in the material is privileged and is intended only for the use of the individuals or entities named above. If you are not the intended recipient, be advised that any unauthorized disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this facsimile transmission in error, please immediately notify us by telephone to arrange for return of the forwarded documents to us."

RECEIVED

DEC 16 1992

TO: STATE OFFICE

NOV-13-'92 FRI 12:20 ID:IDWR NORTHERN REGION TEL NO:208 722-2088

#586 P02

11/13/92

11:12

CHICAGO TITLE TULARE 686-5490

002

EXHIBIT "A"

1. State of Idaho, Department of Water Resources Water Right License No. 96-7553, dated April 17, 1979, Priority May 20, 1977, 0.04 cfs.
2. State of Idaho License and Certificate of Water Right No. 96-2191 (original issued as No. 22429) dated October 8, 1963, Priority October 22, 1951, .89 cfs.
3. State of Idaho License and Certificate of Water Right No. 96-2192 (originally issued as No. 22410) dated October 8, 1963, Priority October 8, 1951, 0.84 cfs.

RECEIVED

DEC 16 1992

920414 Mail To Grantees

400055

WARRANTY DEED

FOR VALUE RECEIVED, VERNON M. HOLLETT, JR. and LURA L. HOLLETT, husband and wife, the Grantors, does hereby grant, bargain, sell and convey unto GERRIT ROFSTER and JOHANNA ROFSTER, husband and wife, as Joint Tenants with the Right of Survivorship, and not as tenants in common, the grantees, whose address is 5505 W. Tulare Ave., Space 407, Visalia, CA 93277, the following described premises, in Bonner County Idaho, to wit:

The Northeast Quarter of Section 14, Township 55 North, Range 4 West of the Boise Meridian, Lying South and East of the Center of Hoodoo Creek in Bonner County, State of Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances except:

1. 1992 taxes and subsequent years taxes;
2. Easement in favor of Northern Lights, Inc., recorded October 20, 1980, instrument No. 243867;
3. Assessments for the Drainage District #7, if any;
4. Any question that may arise due to the shifting and changing in the course of Hoodoo Creek;

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated Jan 1, 1992

Vernon M. Hollett Jr.
VERNON M. HOLLETT, JR.

Lura L. Hollett
LURA L. HOLLETT

1

... Warranty Deed

RECORDED

DEC 16 1992

FILED
92 JAN 8 PM 3 11
SCOTT
RECORDED
BONNER
COUNTY
IDAHO

110055

The Grantees hereby acknowledge that they are taking title to the real property conveyed as JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP, AND NOT AS TENANTS IN COMMON.

Gerrit Hofstee
GERRIT HOFSTEE

Johanna Hofstee
JOHANNA HOFSTEE

STATE OF WASHINGTON

COUNTY OF SPOKANE

ss.

On this 2nd day of January, 1992, before me, a Notary Public in and for said State, personally appeared **VERNON M. HOLLETT, JR.** and **LURA L. HOLLETT**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they signed the same.

[Signature]

Notary Public for Washington

Residing at Spokane

Commission Expires September 1, 1995



RECORDED

DEC 16 1992

4727545
Mailed to Grantee

WARRANTY DEED

402374

For VALUE RECEIVED, VERNON M. HOLLETT, JR. and LYNN L. HOLLETT, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto GERRIT HOFSTEE and JOHANNA HOFSTEE, husband and wife, as Joint TENANTS WITH THE RIGHT OF SURVIVORSHIP, and not as tenants in common, the grantees, whose address is 5505 N. Tulare Ave., Space 107, Visalia, CA 93277, the following described premises, in Bonner County Idaho, to wit:

Commencing at the Southeast corner of Section 21, Township 55 North, Range 4 West, Boise Meridian, Bonner County, Idaho, thence North along the East Section line 550 feet to the True Point of Beginning; thence South 89° 34' 46" West 1836.72 feet to Hoodoo Creek; thence in a Northwesternly direction along HOODOO CREEK to an intersection with the said; thence East along the County road right of way to the East Quarter corner; thence South along the East section line to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances except:

1. 1992 taxes and subsequent years taxes;
2. Easements of record;
3. Assessments for the Drainage District #7, if any.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated February 19, 1992

Vernon M. Hollett, Jr.
VERNON M. HOLLETT, JR.

Lynn L. Hollett
LYNN L. HOLLETT

1

...Warranty Deed

FILED BY First American Title
DATE 6-9-92 TIME 12:12 PM
MARIE SCOTT,
REG. CLERK, BONNER COUNTY
BY [Signature] DEPUTY
FEES 6.00

DEC 16 1992

402394

The Grantees hereby acknowledge that they are taking title to the real property conveyed as JOINT TENANTS WITH THE RIGHT OF SURVIVORSHIP, AND NOT AS TENANTS IN COMMON.

Gerrit Hofstee
GERRIT HOFSTEE

Johanna Hofstee
JOHANNA HOFSTEE

STATE OF WASHINGTON

COUNTY OF SPOKANE

ss.

On this 19 day of February, 1992, before me, a Notary Public in and for said State, personally appeared VERNON M. VOLLETT, JR. and LURA L. VOLLETT, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they signed the same.

[Signature]
Notary Public for Washington

Residing at Spokane

Commission Expires September 1, 1995



DEC 16 1992

**NOTICE FOR PUBLICATION
NOTICE OF PROOF.
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 2:00 P.M. on the 8th day of October, 1962, at Sandpoint, County of Bonner, State of Idaho, before Raymond T. Green, Jr., proof will be submitted of the application to beneficial use of 3.74 cubic feet per second of the waters of Hoodoo Creek in accordance with the terms and conditions of Permit No. 22410 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit Roy McClure, Vay, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 3.74 cubic feet per second.

The point of diversion of said water is at many points along Hoodoo Creek on applicant's property, by use of a portable pump, in NE $\frac{1}{4}$, Sec. 14, T55N, R4 WBM.

The place where said water is used (LEGAL DESCRIPTION) Southeast Quarter of Southeast Quarter of Section 11, Southwest Quarter of Southwest Quarter of Section 12; and the Northeast Quarter of Section 14, all in Township 55 North of Range 4, West of the Boise Meridian.

The date of priority which said user is prepared to establish is October 8, 1951.

GEO. N. CARTER

State Reclamation Engineer

34-4t

October 8, 1963

RE: Permit Nos. 22410, 22429

Roy McClure
Rt 1
Priest River, Idaho

Dear Mr. McClure:

Enclosed are the License and Certificate of Water Right on each of the two above numbered permits, and the Amendment to the Point of Diversion on Permit No. 22429.

Also enclosed is departmental receipt No. 31840 in the amount of \$21.00 covering the fees for the certificates and for recording the amendment.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna F. Rule
Chief Clerk

EPR:mr

Enc. licenses 2
amendment to the land list
receipt

22410

400 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

September 25, 1963

Re: Permit No. 22410

Roy McClure
Rt 1
Priest River, Idaho

Dear Mr. McClure:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 22410 shows the pumps and sprinklers are ~~not~~ capable of conveying 47 miner's inches, or 0.94 c.f.s. of water for irrigation of 172 acres.

Upon receipt of the statutory fees of \$ 12.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of October 8, 1951 to the use of 0.94 second feet of surface water with the point of diversion in various points in the NE $\frac{1}{4}$, Sec. 14, T. 55 N., R. 4 W., B. 1 from Hoodoo Creek for irrigation of 172 acres in the SE $\frac{1}{4}$, Sec. 11; SW $\frac{1}{4}$, Sec. 12; NE $\frac{1}{4}$, Sec. 14, T. 55 N., R. 4 W., B. 1.

Very truly yours,

CARL E. TAMPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

WPR:mr

9-22410

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 22410

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Roy McClure, Route #1, Priest River, Idaho

2. Source of water supply: Hoodoo Creek

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ of Section 14

T. 55 N R. 4 W. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: #1 - stationary P.D. 10 HP Wagner Motor Model # 73E 574 554S, Deming Pump # 229423 3" x 2" - 4" suction reduced to 3" at pump. 2" discharge to 2" gate valve increased to 1200' x 4" Mainline to 26 3" laterals with 3/16 x 3/32 nozzles. #2 - Portable system placed at various places along Creek. #2 24 HP AC Gas Engine # PU 65261-B with 6" 4 V belt Pulley - Deming Pump # 259255 (3" x 2")

5. Water is used for: irrigation

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):

SE $\frac{1}{4}$ Sec. 11; SW $\frac{1}{4}$ Sec. 12; NE $\frac{1}{4}$ Sec. 14, T. 55 N., R. 4 W., B. M.

4" suction reduced to 3" - 2" discharge increased to 4"
4" suction 1000' x 4" Mainline with 30 3" x 40' laterals 3/16 x 3/32 nozzles
this is a portable system mounted on skids and is used in conjunction with the permanent installation (also used with permit # 22429)

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

8. What large stream would the water here appropriated finally reach? PEND OXILLER RIVER

Remarks: Mrs. Roy McClure along

Measured by taking pressure reading along laterals.

This examination was made on the 12th day of September, 1963

(Signed)

Leah Johnson

Examiner.

22410

S
40-160m
40-160m
1200
Roy McClure
Route #1
Priest River, Idaho
Permit No. 22410

Examination for Beneficial Use

County Bonner

Quantity: 3.74 c.f.s. Sec. 14 T. 55N R. 4W

Source: Hordos Creek

P. D.: NE⁴, Sec. 14, T. 55N. - R. 4W B.M.

Use: Irrigation

Filed: Oct. 8, 1951

Due: Oct. 10, 1962

Extension:

Protest:

Completion of Works: 8-24-56

Other Rights: none

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.

RECEIVED
SEP 24 1963

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22410

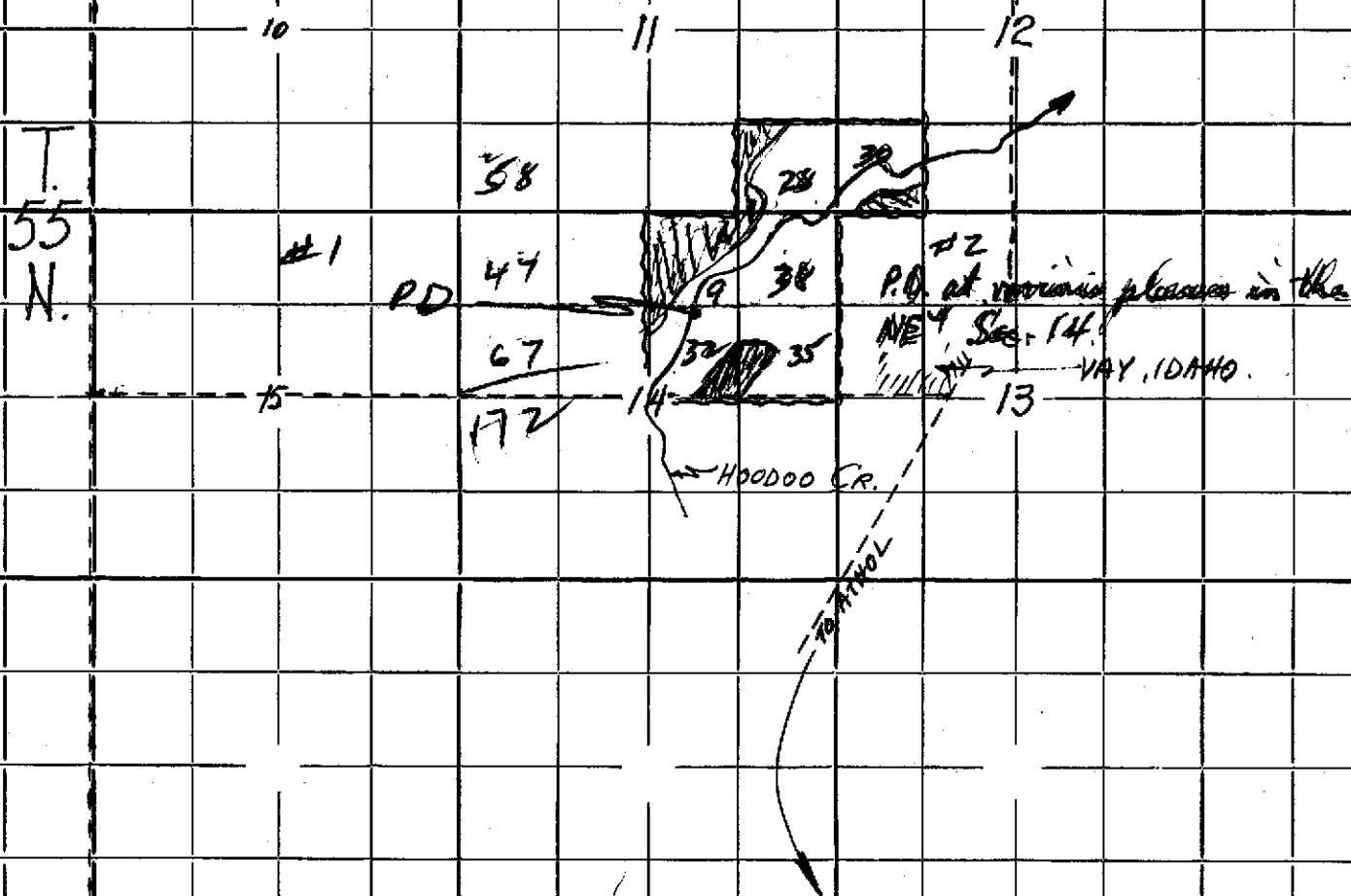
REPORT ON PROOF OF Beneficial Use

Roy McClure
Route #1
Priest River, Idaho

11X	6.816m	7256m X 15
	74.91	108.75

R-4W

→ TO PRIEST RIVER 7.966m X 10 = 79.60



Subdivisions 6

AREA 172 acres

Q .94 cfs or 47 inches

1M April 1962

October 23, 1962

Re: Permit No.

22410; 22429

Roy McClure
Route #1
Priest River, Idaho

Dear Mr. McClure:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Priest River~~ Times, all submitted in proof of completion of works and beneficial use on Permit No.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours ,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

Greene & Hunt
Attorneys at Law
323 North Second Ave.
Sandpoint, Idaho

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

RECEIVED
OCT 15 1951
Department of Reclamation

✓
Permit No. 22410

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Roy McClure, age 66, Vay, Idaho.

Route 1, Priest River, Idaho

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

Ans. Not applicable

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 22410. Priority date: October 8, 1951

10-10-51

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Hoodoo Creek, NE $\frac{1}{4}$ Section 14; Township 55 North; Range 4 W.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and 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, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Irrigating electric and gas portable sprinkling system. Electric

pump: 2 inches at discharge. Portable pump: 2 inches at discharge

Number and size of nozzles: #40 Rainbirds, 7 gallon heads. Have 75

altogether, but do not generally operate all at one time.

Operating pressure: 40 lb at 1200 ft and 37 ft elevation

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Growing hay and pasture and some grain. Is cultivated land.

Improved by making more hay and pasture. If did not have would

not have economic farm. Acres appr. 187, but time to time extended

to over 200 acres

Located in: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12;

NE $\frac{1}{4}$ Section 14; all in Township 55 North, Range 4 W.B.M.

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

Ans. Not applicable

22410

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Not applicable

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 3.74 second feet

Ques. 9. 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.

Ans. Not applicable

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During growing season, through sprinkling system. Run through season continuous 90--120 days depending upon year, over the entire farm

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other

(Sign)

Roy Mc Clure

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 Sandpoint, County of Bonner,

State of Idaho, on this 8 day of October, A. D. 1962.

Raymond J. Smith

My commission expires 1-20-64

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 22410

Proof of Application of Water to Beneficial Use
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.

Ans. Jim E. Seufert, age 66, Vay, Idaho. Farmer.

Route 1, Priest River, Idaho

Ques. 2. Are you acquainted with Roy McClure, the holder of Permit No. 22410? How long have you known him and where does he reside?

Ans. Yes. 10 years. Vay; Idaho

Ques. 3. Have you read or heard read said Permit No. 22410, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Hoodoo Creek. NE $\frac{1}{4}$ Section 14; Township 55 North; Range 4 W.B.M.

Electric pump, portable gas pump, sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. At least 3.74 and believe have seen that conveyed many times during irrig. season

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Growing hay and pasture and some grain. Is cultivated land.

Improved by making more hay and pasture. If did not have would not have economic farm. Acres appr. 187, but time to time extended to over

200 acres. Located in: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12; NE $\frac{1}{4}$ Section 14; all in Township 55 North. Range 4 W.B.M.

22410

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not applicable

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.

Ans. Soil gravel loam, some peat, but it needs irrigating during growing season. Would take at least 3.74 second feet for profitable use.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Next door neighbor, observed all times during season, been on place many times and observe and discuss water and farming problems each have.

(Signed)

Jim L. Seufert

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 Sandpoint, County of Bonner, State of Idaho, on this 8 day of October, A. D. 19 62.

Raymond T. Green

Notary Public.

My commission expires 1-20--64.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 22 1962

PERMIT NO. 22410

Proof of Application of Water to Beneficial Use
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.

Ans. Gladys H. Kerl. age 57; Vay; Idaho. Housewife.

Route 1, Priest River; Idaho

Ques. 2. Are you acquainted with Roy McClure, the holder of Permit No. 22410? How long have you known him and where does he reside?

Ans. Yes. 13 years. Vay; Idaho

Ques. 3. Have you read or heard read said Permit No. 22410, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Hoodoo Creek. NE $\frac{1}{4}$ Section 14; Township 55 North; Range 4 W.B.M.

Electric pump, portable gas pump, sprinkler system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Appr. 3.74 which I have seen while system was in operation.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigating crop land. SE $\frac{1}{4}$ Section 11; SW $\frac{1}{4}$ Section 12; NE $\frac{1}{4}$ Section 14;
all in Township 55 North, Range 4 W.B.M.

Cultivated appr. 187 acres. Made farm economic unit which it would
not otherwise be.

22410

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Not applicable

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.

Ans. Part was cleared, some was crop land . Believe that 3.74 second feet
is necessary for good cultivation

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Approximately 11 years have observed the operation of the irrigation
system. We own adjoining property and have seen his operation
during sprinkling season.

(Signed)

Gladys H. Kerl

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 Sandpoint,
County of Bonner, State of Idaho, on this 8 day of October,
A. D. 1962.

Raymond T. Shumaker

Notary Public.

My commission expires 1-20-64.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Bonner,

ss.

..... P. K. Woods
being duly sworn, says that he is the Publisher
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been
continuously and uninterruptedly published in said County during
a period of 78 consecutive weeks prior to the first publication of
the annexed notice for publication, is a newspaper of general cir-
culation made up of at least eight pages of at least seven columns
each, printed from typematter or stereotyped forms of at least
nineteen and three-fourths inches depth, has at least 1250 bona fide
subscribers living within said Bonner County, and is published at
regular weekly intervals. That the annexed is a true copy of the
notice for publication in the case of

#22410
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

as it was published in the regular and entire issue of said paper
for a period of FOUR consecutive weeks, commencing on
the 23rd day of August, 19 62,
and
ending on the 13th day of September, 19 62,
and that said notice was published in said newspaper proper, and
not in supplement form.

P. K. Woods

Subscribed and sworn to before me this
13th day of September, 19 62.

George C. Connolly
Notary Public for Idaho,
Residing at Priest River, Idaho.

NOTICE FOR PUBLICATION NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
2:00 P.M. on the 8th day of
October, 1962, at Sandpoint,
County of Bonner, State of Idaho,
before Raymond T. Green, Jr.,
proof will be submitted of the
application to beneficial use of
3.74 cubic feet per second of the
waters of Hoodoo Creek in ac-
cordance with the terms and con-
ditions of Permit No. 22410 here-
tofore issued by the Department
of Reclamation of the State of
Idaho.

The name and post office ad-
dress of the person or corporation
holding said permit Roy McClure,
Vay, Idaho.

The use to which said water
has been applied is irrigation.

The amount applied to benefi-
cial use is 3.74 cubic feet per
second.

The point of diversion of said
water is at many points along
Hoodoo Creek on applicant's
property, by use of a portable
pump, in NE¼, Sec. 14, T55N,
R4 WBM.

The place where said water is
used (LEGAL DESCRIPTION)
Southeast Quarter of Southeast
Quarter of Section 11, Southwest
Quarter of Southwest Quarter of
Section 12; and the Northeast
Quarter of Section 14, all in
Township 55 North of Range 4,
West of the Boise Meridian.

The date of priority which
said user is prepared to establish
is October 8, 1951.

GEO. N. CARTER
State Reclamation Engineer
34-41

22410

October 15, 1962

Re: Permits No. 22410; 22429
Roy McClure

Greene & Hunt
Attorneys at Law
323 North Second Ave.
Sandpoint, Idaho

Attn: Raymond T. Greene, Jr.

Dear Mr. Greene:

Returned herewith are the depositions of beneficial use of the water and the affidavits of publication.

The holder has not described the land irrigated under either permit. His description of the two systems is identical, which is very possible.

Kindly have holder complete the depositions by showing the land description for both permits.

Enclosed are the two statements from the paper.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. depositions
statements

22410

October 2, 1962

Re: Permits No. 22410; 22429
Roy McClure

Greene & Hunt
Attorneys at Law
323 N. Second Ave.
Sandpoint, Idaho

Attn: Raymond T. Greene, Jr.

Dear Mr. Greene:

Enclosed are forms you requested in letter of
October 1st. Forms were sent to Mr. McClure August 15th.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

En.c Forms

22410

3200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. 22410
Roy McClure

Date: August 15, 1962

Priest River Times
Priest River, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **October 8, 1962** the date set for proof; the expense of the publication is to be paid by the applicant

Roy McClure of **Vay, Idaho**

to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

22-10

August 14, 1962

Re: Permit No. 22410

Mr. Roy McClure,
Vay, Idaho.

Dear Mr. McClure:

This acknowledges the Notice of Proof of ~~Completion of Works~~ and Application of Water to Beneficial Use under Permit No. 22410. The proofs are to be made at 2:00 o'clock P.M., on the 8th day of October, 19 62, before Raymond T. Greene, Jr., Sandpoint, Idaho, Notary Public.

As of this date we have mailed the Notice to the Priest River Times Priest River,, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

22410

Form No. 11
2M - 10/60

RECEIVED

AUG 8 1962

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 8, 1962

(P. O.) Vay, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Priest River Times of Priest River, Idaho published in
the county in which the works are situated. *Banner Co.*

Ray McElure

(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.)

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

Engineer.

22410

RECEIVED
AUG 9 1962

Department of Reclamation

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 2:00 P.M. on the 8th day of October, 1962,
at Sandpoint, County of Bonner, State of Idaho, before
Raymond T. Greene, Jr., proof will be submitted of the
application to beneficial use of 3.74 cubic feet per second of the waters of
Hoodoo Creek in accordance with the terms and conditions of
Permit No. 22410 heretofore issued by the Department of Reclamation of the State of
Idaho.

The name and post office address of the person or corporation holding said permit
Roy McClure, Vay, Idaho.

The use to which said water has been applied is irrigation purposes

The amount applied to beneficial use is 3.74 cubic feet per second

The point of diversion of said water is at many points along Hoodoo Creek

on applicant's property, by use of a portable pump, in NE⁴, Sec. 14, T. 55 N., R. 4 W. B.M.

The place where said water is used (LEGAL DESCRIPTION)
Southeast Quarter of Southeast Quarter; Southwest Quarter of Southwest Quarter; of
Section 12;
and the Northeast Quarter of Section 14, all in Township 55 North of Range 4,
West of the Boise Meridian.

The date of priority which said user is prepared to establish is October 10, 1951

[Signature]
State Reclamation Engineer

22410

JD

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 22410

Date:
Aug. 1, 1962Ray McClure
Vay, Idaho

Dear Mr. McClure:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 22410 is due not later than October 10, 1962. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

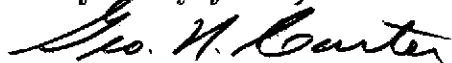
We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use or lands which are irrigated - by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published.

Also enclosed is Form 11, which is the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Enc. Form 10-11

22410

May 28, 1962

Re: Permit No. 22410 - Roy McClure
Permit No. 22429 - W. L. Reinhardt

Greene and Hunt
Attorneys at Law
323 N. 2nd St.
Sandpoint, Idaho

Attn: Raymond V. Greene, Jr.

Dear Mr. Greene:

Your letter of May 25th has been received.

Enclosed are forms, with instructions.

Permit No. 22410, in the name of Roy McClure, Proof of Beneficial Use of the Water is due on or before October 10, 1962.

Permit No. 22429, in the name of W. L. Reinhardt, Proof of Beneficial Use of the Water is due on or before October 30, 1962.

Mr. Reinhardt will have to assign his permit to Mr. McClure.

The proofs of use of the water can be made at a later date with priority advanced the same length of time the proofs are late.

The date for making the proofs may be the same for both permits.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer
By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

22410
RT:ew
Enc. forms with
instructions

October 5, 1956

Re: Permit No. 22410

Mr. Ray McClure
Box 7
Vay, Idaho

Dear Mr. McClure:

We acknowledge receipt of your letter of October 3, 1956, stating you would like an extension of time on your Permit No. 22410.

In checking over the Permit, we find you have made your Completion of Works Proof on August 20, 1956, and that your Beneficial Use Proof isn't due until October 10, 1962. Therefore you do not need an extension of time at this time.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:vm

22410

RECEIVED

OCT 5 1956

Department of Reclamation

Pay Idaho

Oct 3 - 1956

Mr. Kulp

Dear Sir:

In Regards to my application for
use of water from the
Hao-Do- Drainage District No 7
I would like to make application
for Extension of time on
Permit No 22410.

I am not ready to make final
Proof. would like the 6 years Extension
of time

Thanks.

Roy Mc Clure

day

Idaho

Box 7

applied made Aug. 20, 1956

Proof made Aug. 20, 1962

22410

August 28, 1956

RE: Permit No. 22410

Mr. Roy McClure
Box 7
Vay, Idaho

Dear Mr. McClure:

We enclose Certificate of Completion of Works issued on Your Permit No. 22410 for the diversion of 3.74 second feet of the waters of Hoodoo Creek, with point of diversion in the NE $\frac{1}{4}$ Section 14, Township 55 North, Range 4 West, B.M., with priority of October 8, 1951, for irrigation of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12; NE $\frac{1}{4}$ Section 14, all in Township 55 North, Range 4 West, B.M.

We also enclose departmental receipt No. 28119 for the \$5.00 completion of works fee.

In reply to your request of August 22, 1956, in regard to final proof on this Permit will state:

Proof of beneficial use requires publication once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the notary public before whom the proof is to be made.

The Proof may be made at Vay or any place convenient for you and your two witnesses and the time must be set far enough ahead to allow for four weeks publication.

Both copies of Form 10 to be returned to this department together with Form 11 which is authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the forms of deposition to be executed by yourself and two disinterested witnesses in making the proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

22410

Aug - 56

State of Idaho
Department of Reclamation

Mr. Knapp.

Dear Sir:

Will you send me
Information on the last
Proof of this Permit no 22410.

Thanks.

Roy McElhine

Way Ida

Box 7

RECEIVED
AUG 24 1956

Department of Reclamation

22410

Permit No. 22410STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
AUG 24 1956
Department of Reclamation

STATE OF IDAHO

County of Bonner

SS.

Roy McClure, being first duly sworn, upon his oath deposes and says:First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 22410, and that his postoffice address is Way State of Idaho.

Second: That the name of the stream from which said water is to be diverted is

Hoodoo creekThird: That the point of diversion of said water is in Two 55N, Range 4 W, of the Boise Meridian, North east 1/4 of Section 14.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 10, 1956.Fifth: That the use for which said water is intended is Sprinkler Irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of Works: Pump, pipe and overhead sprinkler from creek
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)II. Dimensions of work: 6 inch pipe(a) Height of dam none feet, length of dam at top none feet, length of dam at bottom none feet. Material used in construction none

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir none acre feet.(c) Size of headgate: Width one feet, height none feet.(d) Conduit width at bottom feet, width at water line

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use

3.74 second feet of water.Eighth: That water appropriated under said permit is available for 187 acres of land described as follows: The Southeast Quarter of the Southeast Quarter of Section Eleven (11), The Southwest Quarter of the Southwest Quarter of Section Twelve (12), and the Northeast Quarter (NE 1/4) and the Northwest 1/4 (NW 1/4), Southwest 1/4 (SW 1/4), of Section 14 (14) Southeast 1/4 (SE 1/4), All in Township Fifty-five (55) North, Range four (4) West of the Boise Meridian.Ninth: Remarks:—That the said above works is installed and in operation.x Roy McClure
(SIGN HERE)Subscribed and sworn to before me this 20th day of August, 1956James E. Blum
NOTARY PUBLICMy commission expires Oct. 19, 1956

22410

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

August 1, 1956

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Roy McClure
Vay
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 22410 you are required to complete your diversion works on or before October 10, 1956. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

22410

22410

October 4, 1952

Mr. Roy McClure, Chairman
Hoodoo Drainage District No. 7
Box 7
Vay, Idaho

Dear Mr. McClure:

We wish to acknowledge receipt of your letter of September 30, 1952, also the enclosed document, signed by the officials of the Hoodoo Drainage District No. 7, giving you permission to pump water from the district's ditch for which you have a filing in this office.

As per your request, we are sending you a copy (including names and amounts) of all filings recorded in this office filing on the waters of Hoodoo Creek & Drainage.

Hoping this answers your inquiry.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:fg

22410

RECEIVED
OCT 4 1952
Department of Reclamation

Way Ida
Sept 30 - 1952

Department of Reclamation
Boise Idaho

Dear Sir:

Inclosed in a Permit
to Pump water from the Hoodoo Drainage
District No 7. Which you asked for in
connection with my water Filings

Mr Kulp would you please give me
or rather the Drainage District a copy of
all the water rights filed on the Hoodoo
Creek & Drainage. We would like to
know just about how much water there has
been filed on & by whom filed.

We would like this for our Record if it
would be possible for you to give it to us
Yours Truly

Roy Mc Clure Chairman
Hoodoo Drainage Dist No 7
Way Idaho
Bot 7

22410

PERMIT

Drainage District No. 7 of Bonner County, Idaho does hereby grant permission to Roy McClure Idaho to extract and pump water from a drainage district ditch at any such places that said person may have permission of the adjoining and abutting land owners and holders to do so; provided, however, that said person or his agents and employees shall not at any time allow said equipment used to extract or pump water from said ditch to interfere with or obstruct the flowage of the water in said ditch at any time.

Date: May 1 - 1952

DRAINAGE DISTRICT No. 7

BY Ethan V. Janner, Secy

BY Roy McClure Chairman

22410

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

22410

BOISE

October 11, 1951

Permit No. _____

Date _____

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

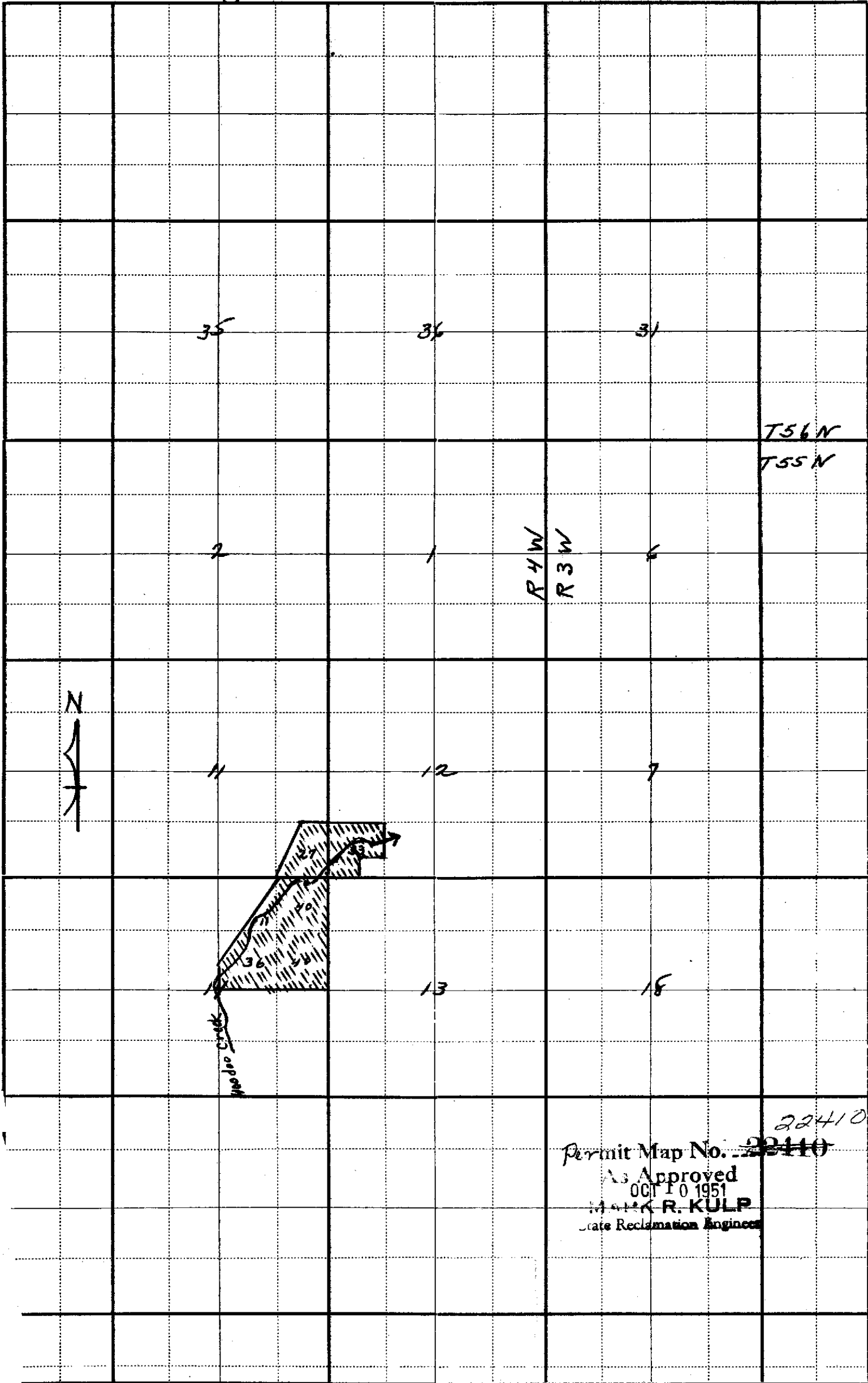
Mr. Roy McClure
Vay
Idaho

MARK R. KULP
Enc. Departmental receipt No. 23835 for \$5575.00 Reclamation Engineer

22410

NAME OF APPLICANT Roy McClure

Form No. 0



September 29, 1951

Mr. Roy McClure
Box 7
Vay, Idaho

22410

Dear Mr. McClure:

We have your letter of September 4, 1951, in regard to filing for water right on Hodo Drainage District No. 7.

We enclose a form of application for permit, together with the pamphlet giving regulations and instructions in regard to filing same.

While it may not be actually necessary it might be better for you to obtain permission from the district to pump out of this drainage ditch.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

RECEIVED

SEP 28 1951

Department of Reclamation

Woy McClure
Way Leuko
Sept 24 1951

Mr Mark Kulp.

22410

Dear Sir:

Mr Kulp what will I have to do to file for a Water Right. I am on Hodo Drainage District No 7. And I want to file a Pumping right. I had a Dry Year & I want to Install a sprinkling system. I have about a Mile of this Drainage ditch that runs throu my farm And I want to Install a Portable Outfit. Have you any application Blanks or what Procedure do I have to go throu to file a right. You are after a Man farm in Big Lost River as long as I did you begin to see the Value of water

2

Will you Please advise me as to
the Procedure I must take.

We had a dry year up here
But there are abundance of water
that flows thru my farm -
Well that about all for now.

Tell Roy Thompson Hello for me
Hope to hear from you

as Ever Roy McClure

Vay Ida

Box 7

22410