

T.
55
N.

6.5 gpm

16"

R-4W

TO PRIEST RIVER
via LACLEDE FERRY

12

Hooded Cr.
RD

SAN YER.

TO COEUR D'ALENE

Subdivisions = Two

Area = 60 acres.

Q = 16 inches.

February 5, 1957

RE: Permit No. 22333

Mr. Patrick H. Kenny
Vay, Idaho

Dear Mr. Kenny:

We acknowledge receipt of the affidavit of publication in the Sandpoint News-Bulletin which completes the file and appreciate your prompt attention in this matter.

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,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

22333

October 26, 1956

RE: Permit No. 22333

Sandpoint New-Bulletin
Sandpoint
Idaho

Gentlemen:

We received acknowledgment of the publication of Permit No. 22333, which was to appear in you paper October 11, 18, November 1st and 8th issues.

To date we have not received a copy of your paper containing same. We would appreciate receiving a copy of your paper containing this Notice in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

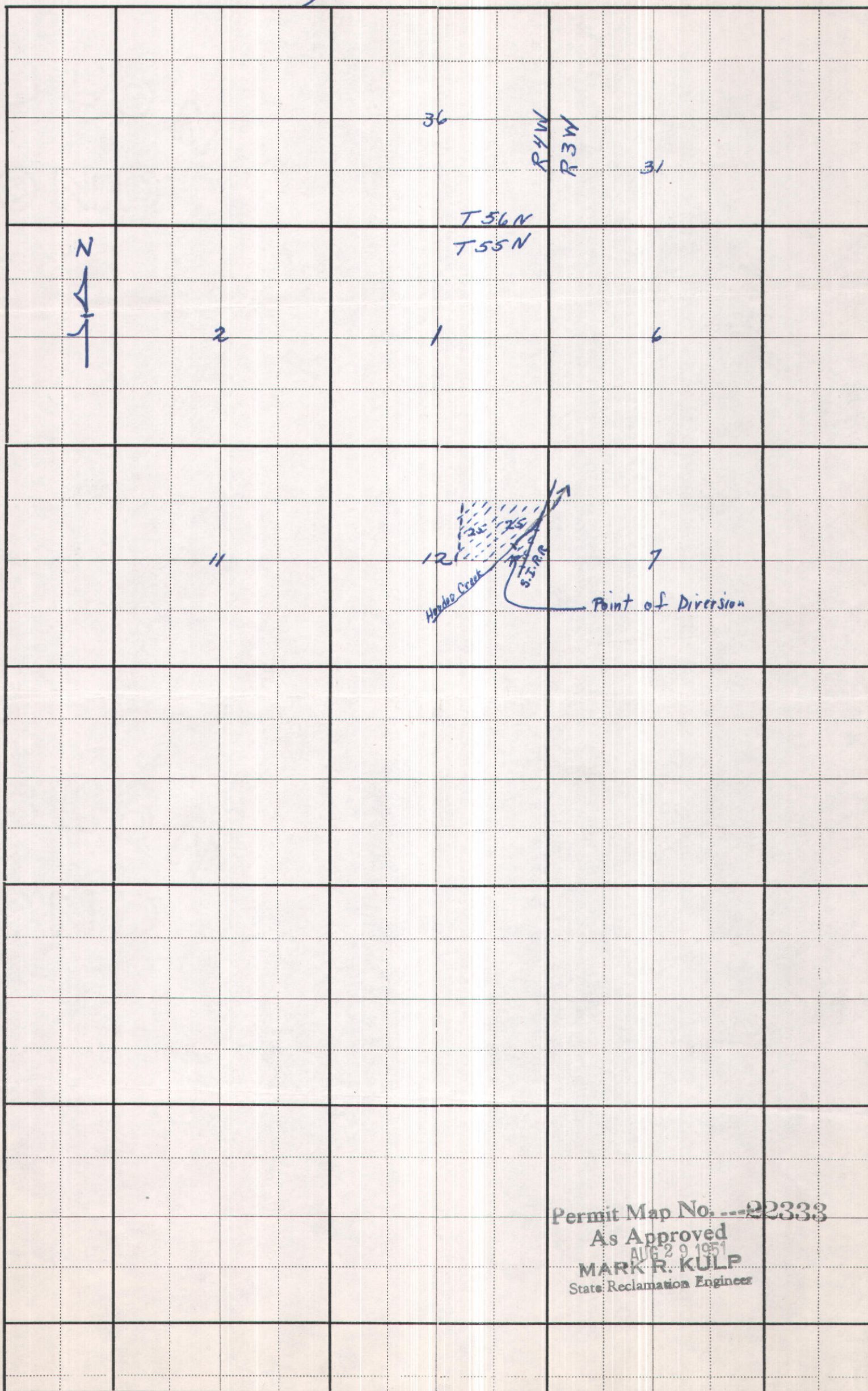
Chief Clerk

R:vm

22333

NAME OF APPLICANT P.H. Kenney

Form No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

223 33

August 6, 1951

Mr. Patrick H. Kenny
Vay
Idaho

Dear Mr. Kenny:

In reply to your letter of August 3, 1951, we enclose a form of Application for Permit to Appropriate Unappropriated Public Waters of the State of Idaho, together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22333

State of Idaho License and Certificate of Water Right

Water License No. 22333

Amount .32 c.f.s.

Water District No.

Priority August 23, 1951

THIS IS TO CERTIFY that P. H. KENNY of Vay, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 23, 1951; that Permit No. 22333 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .43 second feet, was issued thereunder on August 30, 1956, showing that said works were completed on the 27th day of August, 1956; and that on the 28th day of November, 1956, PATRICK H. KENNY

of Vay, 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. 22333 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 10 of Licenses at page 6125, on the 16th day of October, 1957; The right hereby confirmed dates from August 23, 1951;

The Point of Diversion is located in the SE 1/4 NE 1/4, Sec. 12, Tp. 55 N., R. 4 W., B. M. County Bonner 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 .32 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.	12	SE 1/4 NE 1/4	25	30
			SW 1/4 NE 1/4	25	30
			Total number of acres irrigated	- - -	60

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 16th day of October, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

N^o 22333
96-2188

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

APPLICATION No 30063
PERMIT No. 22333
DISTRICT No.

1. Name of Applicant: P. H. KENNY

Postoffice address: Vay

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: One (1) 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: 2400 feet distant from the Northeast

corner of Section 12, T. 55 N., R. 4 W., B. M., and is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 12, T. 55 N., R. 4 W., 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: \$ 3,000.00

8. Kind of works: Pipe for sprinkler system.

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 5 inches; length of conduit 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 One (1) 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.

P. H. KENNY *Applicant.*

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. August 23, 1951

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22333

Recorded in Book 80

Page 22333

Approved August 29, 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 October 29, 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 February 28, 1954

The whole of said work to be completed on or before August 29, 1956

Beneficial use of water appropriated in accordance herewith, to be made on or before August 29, 1957

WITNESS My hand this 29th day of August, 1951

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN

, 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 29th

day of August 1951

STATE OF IDAHO

Countersigned:

(SEAL)

By _____ IRA H. MASTERS

By LEN JORDAN

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
55 N.	4 W.	12			25	25												50	
Permit No. 22333 CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that P. H. Kenny of Vay, County of Bonner, and State of Idaho, the holder of Permit No. 22333, issued upon Application No. 30063 bearing date of priority of August 23, 1951, authorizing the diversion of 1 second foot 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 .43 second foot of the waters of Hoodoo Creek; that the point of diversion of said waters is in the SE ¹ / ₄ NE ¹ / ₄ Section 12, Township 55 North, Range 4 West, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S ¹ / ₂ NE ¹ / ₄ Section 12, Township 55 North, Range 4 West, B.M.																			
Witness my hand this 30th day of August, A. D. 1956.																			
MARK R. KULP State Reclamation Engineer																			
Proof of completion of works made August 27, 1956 Certificate of Completion of works issued August 30, 1956.																			
COPIES ISSUED FOR 32 Page 6/25																			

October 16, 1957

Re: Permit No. 22333

Mr. Patrick H. Kenny
Vay,
Idaho

Dear Mr. Kenny:

Enclosed is the License and Certificate of Water Right issued under Permit No. 22333 confirming the right with priority of August 23, 1951, to your use of .32 second foot of water from Hoodoo Creek with the point of diversion in the SE $\frac{1}{4}$ of Section 12, for irrigation of 60 acres in the SE $\frac{1}{4}$ of Section 12, Township 55 North, Range 4 West, B.M.

Enclosed also is departmental receipt #28772 for \$1.00, issued as receipt of the fee for the License.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPE:mls
Enc.

22333



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 7, 1957

RECEIVED
SEP 20 1957
Department of Reclamation

Re: Permit No. 22333

Mr. Patrick H. Kenny
Vey,
Idaho

Dear Mr. Kenny:

We have our field engineer's report on the inspection of proof of application of water to beneficial use under Permit No. 22333 which shows your works are capable of pumping 16 miner's inches (.32 c.f.s.) of water from Hoodoo Creek for irrigation of 60 acres. This permit is now entitled to a License and Certificate of Water Right.

Upon receipt of the statutory fee of \$4.00, we will issue the License confirming the priority of August 23, 1951, to your use of .32 second foot of water from Hoodoo Creek with the point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, for irrigation of 60 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12, Township 55 North, Range 4 West, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge
Chief Clerk

EPR:nls

Pay Idaho.

Sept. 17. 1957.

Dear Sir: I am enclosing a check for
\$4.00 to pay for above.
yours Truly.

Patrick H. Kenny

22333

August 7, 1957

Re: Permit No. 22333

Mr. Patrick H. Kenny
Vey,
Idaho

Dear Mr. Kenny:

We have our field engineer's report on the inspection of proof of application of water to beneficial use under Permit No. 22333 which shows your works are capable of pumping 16 miner's inches (.32 c.f.s.) of water from Hoodoo Creek for irrigation of 60 acres. This permit is now entitled to a License and Certificate of Water Right.

Upon receipt of the statutory fee of \$4.00, we will issue the License confirming the priority of August 23, 1951, to your use of .32 second foot of water from Hoodoo Creek with the point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, for irrigation of 60 acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12, Township 55 North, Range 4 West, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls

22333

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22333

REPORT ON PROOF OF Beneficial Use

Patrick H. Kenny, Vay, Idaho

37 efs
over

app
efw
Sub
acres

1. efs
43 efs
2
60

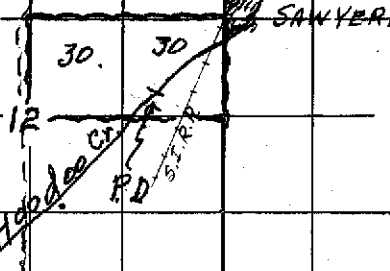
T.
55
N.

6.5 gpm

16"

R-4W

TO PRIEST RIVER
Via LAKE DE BERRY



Subdivisions = Two

Area = 60 acres.

Q = 16 inches.

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

Permit No. 22333This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Patrick H. Kerry2. Source of water supply: Hoodoo Creek3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12T. 55 N R. 4 W., B.M. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: 7 1/2 hp. Wagner
Electric Motor Pencing 2 1/2" x 2" Pump.
20 sprinklers. 3/4" x 1 1/4" @ 7 gal. 40+ pounds at
sprinklers 1180 feet 4" al. main.
800 feet of 3" al. lateral.

5. Water is used for: Irrigation6. 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 $\frac{1}{4}$ of Sec. 12., Twp. 55 N., Rge. 4 W., B.M.

See map

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

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

Remarks: _____

Crops are hay and grain.

Stock Ranch - Hereford Cattle

This examination was made on the 31 day of July, 1957

(Signed)

E. M. Humphrey
Examiner.

22333

Patrick H. Kenny
Vay, Idaho

Permit No. 22333

Examination for Beneficial Use

County Bonner

12-55N.-4W.

B = 1.0 a.c.s.

S = Hoodoo Creek.

P.D. = SE. NE. Sec. 12, T. 55 N. R. 4 W.

Use = Irrigation

Open 4 c.d.A.

Filed = Aug. 23, 1951

Rece = Aug. 29, 1957

W. = 8-30-56

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
AUG 2 1957

Department of Reclamation

Wagner Electric Motor
7 1/2 hp. 220V 1729
3 Ph. 3500-rpm
K 7 E 14284.

Cleaning Centr. Pump.
2 1/2" x 2"

Nett on the table frame

Pump house. 8' x 10' x 7' h.
Wood. Shed type

4" steel pipe 20' into
Hoodoo Cr.

1180' x 4" al. main.

800 x 3" lateral

(800)

20 sprinklers

July 22, 1957

Re: Permit # 22333

Patrick H. Kenny
Vay, Idaho

Dear Mr. Kenny:

Statutes requires a field inspection in connection with the proofs on Permit # 22333 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Wednesday,

July 31st.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey.
E. N. Humphrey
Deputy

ENH:lw

February 2, 1957

RE: Permit No. 22333

Mr. Patrick H. Kenny
Vay, Idaho

Dear Mr. Kenny:

We acknowledge receipt of your letter of application in the Sandpoint Water-Bulletin. We appreciate your prompt attention to this matter.

Before final action can be taken, the Bureau requires that a field examination be made by an engineer from this department.

We cannot tell you exactly when the examination will be made, but our field engineer will be in the area at that time. He makes the examination so that you can see him and show him over the grounds.

Sincerely,
J. H. H.

State Engineer, Idaho

WPH

22333

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice of Proof of Application

of Water to Beneficial Use; P. H.
Kenny

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 11th
day of October, 1956, and end-
ing on the 1st day of November,
1956, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this
6th day of November, 1956

Phyllis Benth

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

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

Notice is hereby given that at 11:00
A. M. on the 23th day of November,
1956, at Sandpoint, County of Bonner,
State of Idaho, before (Carl R. Tiffe)
Notary Public, proof will be submitted
of the application to beneficial use of
3.43 cubic feet per second of the waters
of Hoodoo Creek in accordance with
the terms and conditions of Permit No.
22333 heretofore issued by the State
Reclamation Engineer of the State of
Idaho.

The name and postoffice address of
the person or corporation holding said
permit are Mr. P. H. Kenny, Vay, Idaho.
The use to which said water has been
applied is irrigation.

The amount applied to beneficial use
is 0.43 cubic feet per second.

The place where said water is used
(if for irrigation, give full and accurate
description of the lands irrigated) S $\frac{1}{2}$ -
NE $\frac{1}{4}$, Section 12, Township 55 North,
Range 4 West, B. M.

The right to take water from such
works is based upon Permit No. 22333.

The source of supply from which such
water is diverted is Hoodoo Creek.

The date of priority which said user
is prepared to establish is August 23,
1951.

22333 MARK R. KULP,
State Reclamation Engineer
611-18-25-n1

RECEIVED
FEB 1 1957
Department of Reclamation

22333

January 16, 1957

RE: Permit No. 22333

Mr. Patrick H. Kenny
Vay, Idaho

Dear Mr. Kenny:

We acknowledge receipt of the depositions of yourself, the holder of the Permit and also the two witnesses, but to date we have not received the affidavit of publication from the Sandpoint News-Bulletin. If you have not already received it will you please get it and forward to us as we need it to complete this file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

MR

22333

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 21 1956
Department of Reclamation

RECEIVED
DEC 24 1956
Department of Reclamation

Permit No. 22333

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans.

~~Patrick H. Kenny, Vay Idaho, former address Vay Idaho.~~
Patrick H. Kenny, Vay Idaho, former address Vay 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.

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

Ans.

Permit No. 22333 Aug 27 1951 Exp. 1951

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

Ans.

diversion point sec 4 ne 1/4 section 12. 53rd north range 4 west 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.

Water pumped from Harder Creek 7 1/2 HP motor thru 4 in pipe ~~2000 ft~~

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.

water used for irrigation of 60 acres cultivated land sec 4 ne 1/4 section 12 53rd north range 4 west B. M.

S 1/2 NE 1/4 Sect. 12 53rd North R 4 W B M.

22333

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

Ans. I only use for irrigation purpose for irrigating my land.

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

Ans. none

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. I am the person. Permit was given to

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

Ans. From Spring till fall I use sprinkler system. I use all the water a 7 1/2 H.P. Motor can pump. To irrigate my land. 43 second feet of water.

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. Have only used for irrigation of my land.

(Sign) Patrick H. Kenney

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 Landpoint, County of Bonne

State of Idaho, on this 28th day of November, A. D. 1956

Ward B. Tapp

My commission expires Feb. 10, 1960

22333

Re: Permit No. 22333

Mr. Patrick H. Kenny
Vay
Idaho

Dear Mr. Kenny:

We are in receipt of your Proofs of Application of Water to Beneficial Use relative to the above captioned Permit. However, we are returning the deposition of the holder for the following additional information: Please answer 8, 9, 10, and 11 on the back of your own deposition.

It is necessary that these answers be given before approval of your Proofs can be obtained in this Department.

Very truly yours,

MARK R. KULP
By

Roy W. Thompson
Office Manager

RWT:nls
Encl:

22333

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 3 1956
Department of Reclamation

PERMIT NO. 22333

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. Richard Morse 56 yrs Vay, Farmer Vay, Ida.

Ques. 2. Are you acquainted with yes, the holder of Permit No. 22333? How long have you known him and where does he reside?

Ans. I have known P.H. Kenney 35 yrs. His farm is about a quarter miles from mine.

Ques. 3. Have you read or heard read said Permit No. yes, 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. The source of water supply is the Hoodoo Creek. The point of diversion is SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12 township 55 North, Range 4 west, B.M.

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. One second feet of water

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. Water is used at S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 12, township 55 North, Range 4 West 5. For irrigation of cultivated lands

22333

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

Ans. _____

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. Dry - upland -

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. 5 yrs - from early spring until late fall -

(Signed) Richard Morse

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 28th day of November,
A. D. 19 56.

My commission expires Feb. 10, 1960

Ward B. Tiff
Notary Public.

22333

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 3 1956
Department of Reclamation

PERMIT NO. 22333

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. ~~Patricia M. Mored~~ 51 yrs. Hardscrabble, Day, Ida.
Mrs. Ann Mored

Ques. 2. Are you acquainted with yes, the holder of Permit No. 22333? How long have you known him and where does he reside?

Ans. I have known P.H. Henry forty years. He lives about one quarter miles from us - at Day, Ida.

Ques. 3. Have you read or heard read said Permit No. yes, 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. The source of water supply is the Hoodoo Creek. The point of diversion is S 1/4 NE 1/4 Section 12, Township 55 North, Range 4 West, B.M.

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. One second foot of water.

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. Water is used at S 1/2 NE 1/4 section 12, Township 55 North, Range 4 West B.M. For irrigation of cultivated lands.

22333

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

Ans. _____

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. Dry upland That has been irrigated

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. The land has been irrigated for the last 5 years

(Signed) Mrs. Ann Morse

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 28th day of November,
A. D. 1956.

Ward Briff

Notary Public.

My commission expires Feb. 10, 1960

October 26, 1956

RE: Permit No. 22333

Sandpoint New-Bulletin
Sandpoint
Idaho

Gentlemen:

We received acknowledgment of the publication of Permit No. 22333, which was to appear in your paper October 11, 18, November 1st and 8th issues.

To date we have not received a copy of your paper containing same. We would appreciate receiving a copy of your paper containing this Notice in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:vn

22333

Sandpoint, Idaho
Oct. 8, 1956

Gentlemen:

We received the notice of publication RE: Permit
22333 which will appear in our Oct. 11, 18, Nov. 1
and 8 issues.

Yours very truly,

SANDPOINT NEWS-BULLETIN

22333

THIS SIDE OF CARD IS FOR ADDRESS

State of Idaho
Department of Reclamation
Boise, Idaho

RECEIVED
OCT 8 1956
Department of Reclamation

22333

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit 22333

Date: October 1, 1956

Sandpoint New-Bulletin
Sandpoint, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **November 28th, 1956** the date set for proof, the expense of the publication to be paid by the applicant, **Mr. P.H. Kenny** 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 of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

22333

October 1, 1956

RE: Permit No. 22333

Mr. P.H. Kenny
Vay
Idaho

Dear Mr. Kenny:

We acknowledge receipt of Notice in proof of application for Beneficial Use proof on Permit No. 22333, to be made November 28th before Carl R. Tiff, Notary Public.

We shall send a copy of the Notice to the Sandpoint NewsBulletin with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Tiff, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

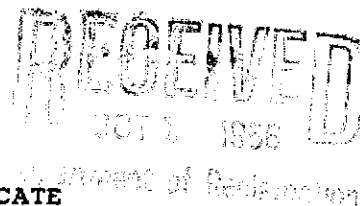
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:vm

22333



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) September 26, 1956

(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
Sandpoint New-Bulletin of Sandpoint, Idaho published in
the county in which the works are situated.

P. H. Kenny

(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.

22333

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

Notice is hereby given that at 11:00 A. M. on the 28th day of November, 1956,
at Sandpoint, County of Bonner, State of Idaho, before
~~The Verity Agency~~ (Carl R. Tifft) Notary Public, proof will be submitted of the
application to beneficial use of 0.43 cubic feet per second of the waters of Hoodoo Creek
in accordance with the terms and conditions of Permit No. 22333
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

Mr. P. H. Kenny, Vay, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 0.43 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

8 1/2 NE 1/4 Section 12, Township 55 North, Range 4 West, B.M.

~~The name of the canal or ditch or other works by which said water is conducted to such place of use is~~ _____

The right to take water from such works is based upon Permit No. 22333

The source of supply from which such water is diverted is Hoodoo Creek

The date of priority which said user is prepared to establish is August 23, 1951

MARK R. KULP

State Reclamation Engineer.

22333

August 31, 1956

RE: Permit No. 22333

Mr. P. H. Kenny
Vay
Idaho

Dear Mr. Kenny:

We enclose Certificate of Completion of Works issued on Permit No. 22333 for the diversion of .43 second foot of the waters of Hoodoo Creek, with point of diversion in the SE 1/4 NE 1/4 Section 12, Township 55 North, Range 4 West, B.M., with priority of August 23, 1951, for irrigation of land in the S 1/4 NE 1/4 Section 12, Township 55 North, Range 4 West, B.M.

We also enclose departmental receipt No. 28127 for the \$5.00 completion of works fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

2 2333

August 30, 1956

RE: Permit No. 22333

Mr. P. H. Kenny
Vay, Idaho

Dear Mr. Kenny:

We acknowledge receipt of your Proof of Completion of Works on Permit No. 22333 which was received today together with the statutory fee of \$5.00.

A Certificate of Completion of Works will be issued and sent you within a few days.

Meanwhile, in reply to your request for information and forms in regard to the final proof, 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

22333

- M. Kulp:

Val. Lake
May 27, 1956

The water has been fully
applied to a beneficial use and I
wish to get the final water right.

Very truly yours,

Permit No. 322

P. H. Kenney

Permit No. 22333STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
AUG 30 1956

Department of Reclamation

STATE OF IDAHO

County of Banner

ss.

P. H. Kenny, 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. 22333, and that his postoffice address is VayState of IdahoSecond: That the name of the stream from which said water is to be diverted is Hooded CreekThird: That the point of diversion of said water is in the SE 1/4 NE 1/4Sec. 12 T55N R4WFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 29, 1956Fifth: That the use for which said water is intended is sprinkler irrigationSixth: 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: Pipe for sprinkler irrigation

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ 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 4 inches, average grade per mile is 10 feet. Length of conduit is 0.2 miles.Seventh: That said works are capable of conducting to the place of intended use 0.43 second feet of water.Eighth: That water appropriated under said permit is available for 60 acres of land described as follows: 30 acres in SW 1/4 NE 1/4 Sec. 12 T55N R4W
and 30 acres in SW 1/4 NE 1/4 Sec. 12 T55N R4W

Ninth: Remarks: That _____

P. H. Kenny
(Sign Here)Subscribed and sworn to before me this 27th day of August, 1956

My commission expires _____

Belle Bond
Probate Judge

Notary Public.

22333

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

June 1, 1956

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. P. H. Kenny
Vay
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 22333 you are required to complete your diversion works on or before August 29, 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

22333

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 22333

Date September 8, 1951

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

Mr. P. H. Kenny
Vay
Idaho

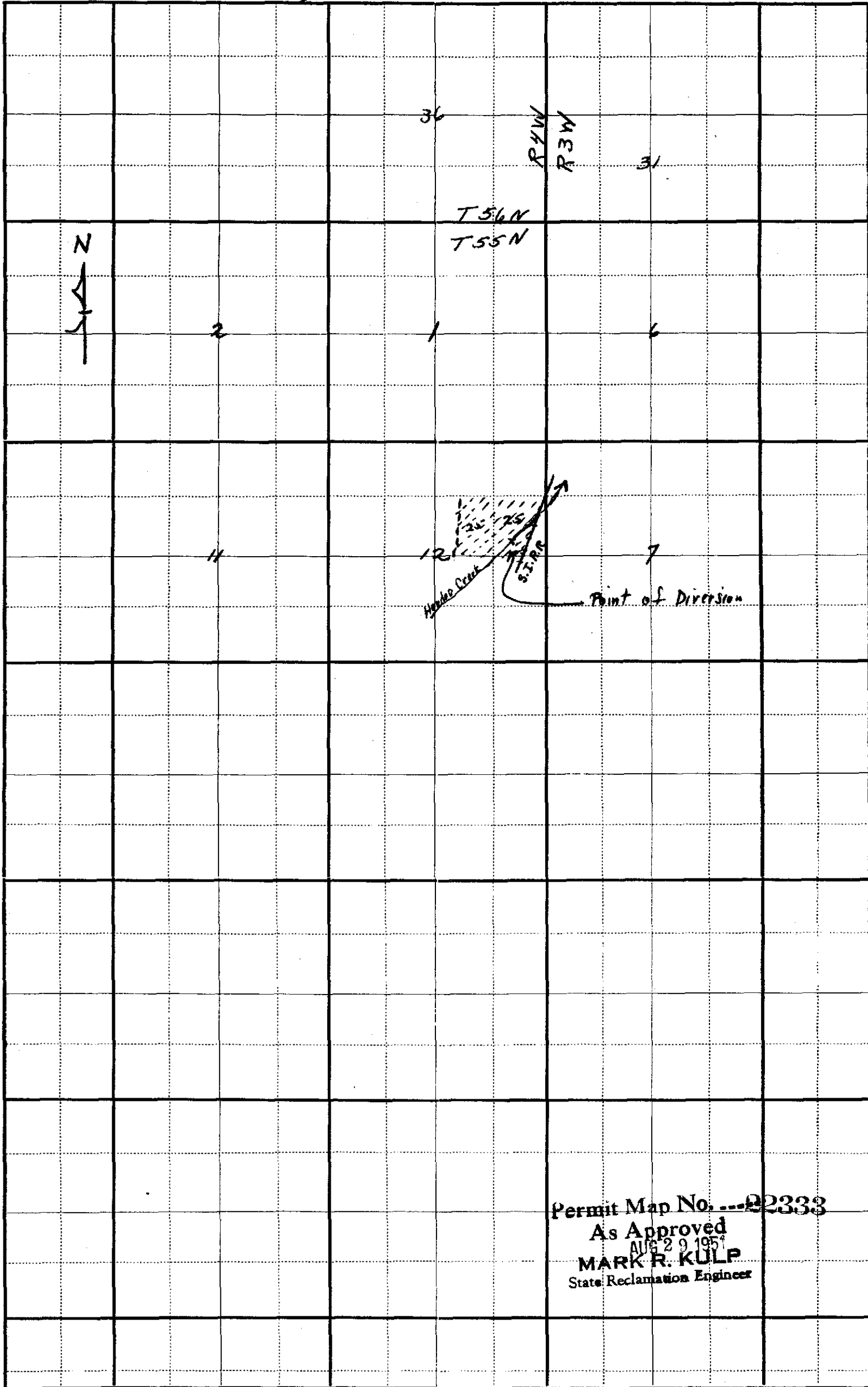
MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. 23696

22333

NAME OF APPLICANT P.H. Kenney

Form No. 0



Permit Map No. ---92333
As Approved
AUG 29 1951
MARK R. KULP
State Reclamation Engineer

August 6, 1951

Mr. Patrick H. Kenny
Vay
Idaho

Dear Mr. Kenny:

In reply to your letter of August 3, 1951, we enclose a form of Application for Permit to appropriate Unappropriated Public Waters of the State of Idaho, together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under question 13 of the application.

Very truly yours,

MARK R. KULL
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22333

Vay, Idaho
August 3, 1951

Mark Kulp
Reclamation Engineer,
State House,
Boise, Idaho

Re: Application for use of Public Water

Dear Sir:

I want to make application for Water Rights of water from Hoodoo Creek in Bonner County, which runs through my farm, for irrigation purposes.

I would appreciate your advices on how to make this application and any other information, forms and instructions, which may expedite the starting of this, as I would like to get started as soon as possible on construction of the necessary dam and laterals.

Yours very truly,

Patrick H. Kenny

Patrick H. Kenny
Vay, Idaho

RECEIVED
AUG 6 1951
Department of Reclamation

22333

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

Notice is hereby given that at 11:00 A. M. on the 28th day of November, 1956, at Sandpoint, County of Bonner, State of Idaho, before (Carl R. Tifft) Notary Public, proof will be submitted of the application to beneficial use of 0.43 cubic feet per second of the waters of Hoodoo Creek in accordance with the terms and conditions of Permit No. 22333 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Mr. P. H. Kenny, Vay, Idaho.

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

The amount applied to beneficial use is 0.43 cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S $\frac{1}{2}$ -NE $\frac{1}{4}$, Section 12, Township 55 North, Range 4 West, B. M.

The right to take water from such works is based upon Permit No. 22333.

The source of supply from which such water is diverted is Hoodoo Creek.

The date of priority which said user is prepared to establish is August 23, 1951.

MARK R. KULP,
State Reclamation Engineer