

State of Idaho
License and Certificate of Water Right

Water License No. 21665

Amount .3 second foot

Water District No.

Priority August 17, 1950

THIS IS TO CERTIFY that CLARK and DAWSON, Partners
of Sagle, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 17, 1950; that Permit No. 21665
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.3 second foot, was issued thereunder on June 15, 1955, showing that said works
were completed on the 11th day of June, 1955; and that on the 15th
day of August, 1956, CLARK and DAWSON, Partners

of Sagle, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Tanner Creek
, a tributary of Pend Oreille River, for the purpose of irrigation
, under Use Permit No. 21665 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
9 of Licenses at page 5868, on the 21st day of November, 1956;

The right hereby confirmed dates from August 17, 1950;

The Point of Diversion is located

in the NE 1/4 SW 1/4, Sec. 33, Tp. 36 N., R. 3 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 .3 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
56 N.	3 W.	33	SW 1/4 NW 1/4	10	15
			SE 1/4 NW 1/4	10	10
			Total Number of Acres Actually Irrigated - -		
					25

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

21st day of November, 1956.

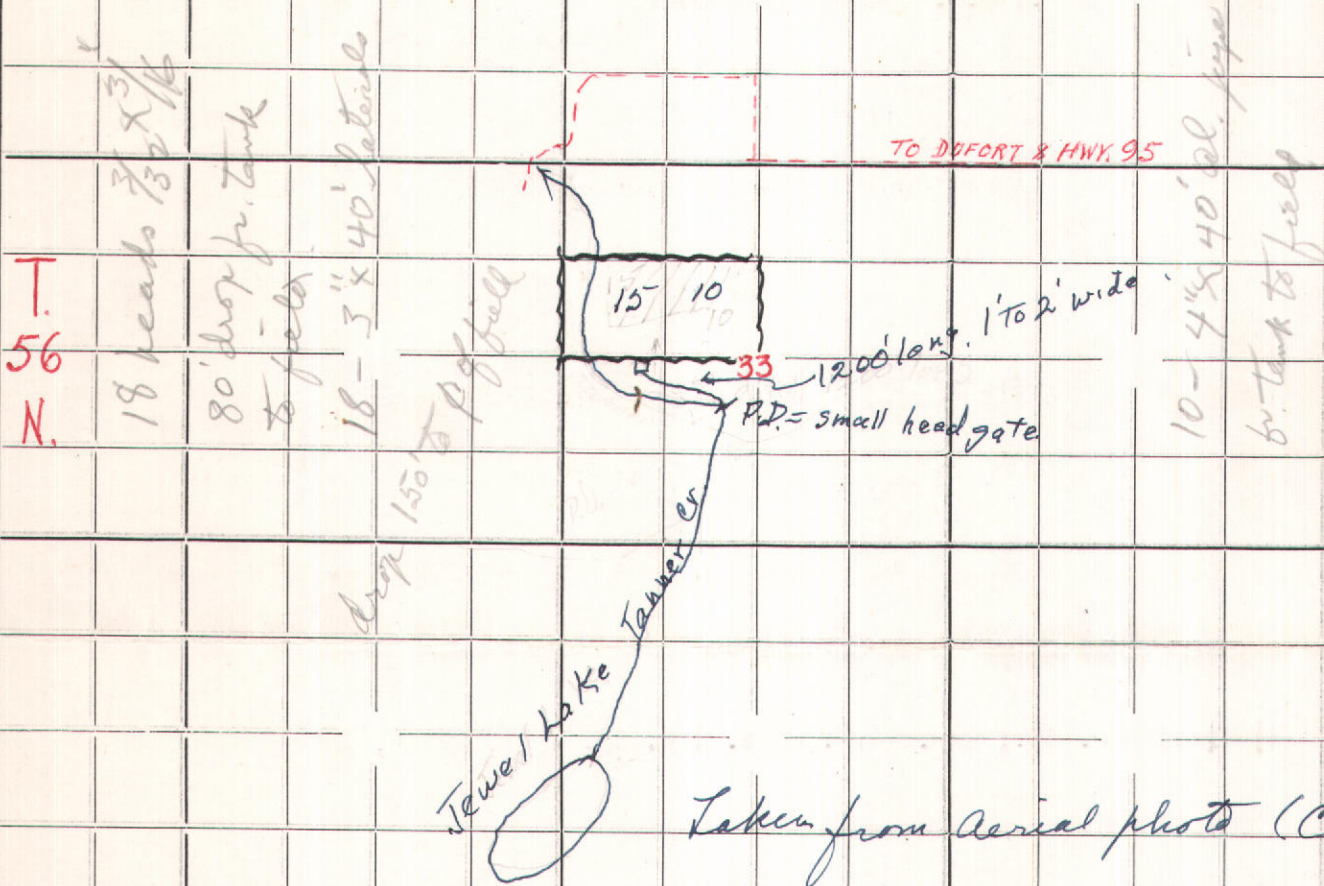
MARK R. KULP

State Reclamation Engineer

(SEAL)

96 2178

R-3W.



Taken from aerial photo (Clarke)

Sub divisions = Two

Area = 25 acres

Q = 15 inches.

Small rock & earth
dam
head box 4' x 1 1/2' w.
x 1 1/2' h. (planks)

Clark and Dawson
Route #1, Sagle, Idaho

Permit No. 21665

Examination for Beneficial Use

County Bonner

33-56 N.-3W.

Q = 0.3 c.f.s.

S = Tanner Cr.

P.D. = NE. SW. Sec. 33, T. 56 N. - R. 3 W.

Use = Irrigation

Filed = Aug. 17, 1950

Dir = Aug. 21, 1950

Q/W = 6-15-55

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
OCT 16 1956

Department of Reclamation

Cove, tank

3' x 4' x 5' h. 6" to wall

old bed spring screen

To strain leaves and

trash fr. water to

Keep pipes clean

allow 15"

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

Notice is hereby given that at 11:00 A. M. on the 15th day of August, 1956, at Sandpoint, County of Bonner, State of Idaho, before Billy Bond, Probate Judge, proof will be submitted of the application to beneficial use of 0.3 cubic foot per second of the waters of Tanner Creek, Trib. of Pend Oreille River in accordance with the terms and conditions of Permit No. 21665 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Clark and Dawson, Route 1, Sagle, Idaho.

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

The amount applied to beneficial use is 0.3 second foot.

The place where said water is used: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 56 North, Range 3 West, B. M.

The right to take water from such works is based upon Permit No. 21665.

The source of supply from which such water is diverted is Tanner Creek, tributary of Pend Oreille River.

The date of priority which said user is prepared to establish is August 17, 1950.

MARK R. KULP,
State Reclamation Engineer.

Statement of License and Certificate of Water Right

Water License No. 22665

Amount 1/2 second foot

Water District No.

Priority August 17

That to-wit: CLARK and DAWSON, Partners
made application for a permit to appropriate
waters of the State of Idaho, to-wit: August 17, 1950; that Permit No. 22665
was issued under said application, and that the construction of works, with a carrying capacity of
1/2 second foot, was completed on the 17th day of August, 1955, showing that said works
were completed on the 17th day of August, 1955; and that on the 17th day of August, 1955, CLARK and DAWSON, Partners

of Eagle, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Tanner Creek,
a tributary of Fond Oreille River, for the purpose of irrigation,
under Use Permit No. 21665 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
9 of Licenses at page 5868, on the 21st day of November, 1956;
The right hereby confirmed dates from August 17, 1950;

The Point of Diversion is located
in the NE 1/4, SW 1/4, Sec. 33, Tp. 36 N., R. 3 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 .5 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
56 N.	3 W.	33	SW 1/4	10	15
			SE 1/4	10	10
Total number of Acres Actually Irrigated - -					25

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
21st day of November, 1956.

MARK R. KULP

State Reclamation Engineer

(SEAL)

96-2173

N^o 21665
96-2178

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

APPLICATION No. 29375
PERMIT No. 21665
DISTRICT No.

1. Name of Applicant: CLARK and DAWSON, Partners

Postoffice address: Sagle - Route 1

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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.3

cubic feet per second.

3. Source of water supply: Tanner Creek

which is a tributary of Pend Oreille River

4. Location of point of diversion: 2500

feet distant from the Southwest

corner of Section 33, T. 56 N., R. 3 W., B. M., and is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 33, T. 56 N., R. 3 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: \$ 2,000.00

8. Kind of works: Ditch and pipe

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 $\frac{2}{3}$ feet; width at water line $1\frac{2}{3}$ feet; depth of water $\frac{1}{2}$ feet;
dimensions of flume:

Diameter of pipe inches; length of conduit 0.25 miles.

Average grade per mile 10.6 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 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.

CLARK & DAWSON

Applicant.

By

Millard Clark,

Agent.

Pard.

Date of first receipt at Department of Reclamation: 9:00 A. M. August 17, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21665

Recorded in Book 77 Page 21665 Approved August 21, 1950

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 21, 1950 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 21, 1953**

The whole of said work to be completed on or before **August 21, 1955**

Beneficial use of water appropriated in accordance herewith, to be made on or before August 21, 1956

WITNESS My hand this 21st day of August, 1950

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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 21st.....

day of August, 19 50

STATE OF IDAHO

Countersigned:

(SEAL)

By _____

Governor.

Bv.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
56 N.	3 W.	33					10 10												20
							Permit No. 21665												
							CERTIFICATE OF COMPLETION OF WORKS												
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that CLARK & DAWSON of Sagle, County of Bonner, and State of Idaho, the holders of Permit No. 21665, issued upon Application No. 29375 bearing date of priority of August 17, 1950, authorizing the diversion of 0.3 second foot of the waters of Tanner Creek, a tributary of Pend Oreille River, County of Bonner, State of Idaho, for irrigation purposes, have 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 0.3 second foot of the waters of Tanner Creek; that the point of diversion of said waters is in the NE1/4 SW1/4 Section 33, Township 56 N., Range 3 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE1/4 NW1/4 Section 33, Township 56 North, Range 3 West, B. M.																			
Witness my hand this 15th day of June, A. D. 1955.																			
MARK R. KULP State Reclamation Engineer																			
Proof of Completion of Works made June 11, 1955. Certificate of Completion of Works issued June 15, 1955.																			
Page 5868																			

INTER-DEPARTMENT MEMO — 1

FROM

Pat

DATE 5/26/83

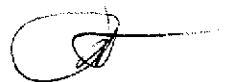
TO

Rita

SUBJECT

96-2178

This water right is now owned by Gene Clark and Ruth Stockdale
Rt. 1 Box 224B
Sagle, Id.

A handwritten signature, possibly reading "G. Clark", is written above a horizontal line.

SIGNATURE

November 30, 1956

RE: Permit No. 21665

Messrs. Clark & Dawson
Sagle
Idaho

Gentlemen:

We enclose License and Certificate of Water Right issued under Permit No. 21665 confirming your right to the use of .3 second foot of water from Tanner Creek a tributary of Pend Oreille River with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33, Township 56 N., Range 3 W., B.M., with priority of August 17, 1950, for irrigation of land in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33.

We also enclose departmental receipt No. 28270 for the \$4.00 License fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

R.T:nls

Encl:

21665

RECEIVED
NOV 19 1956
Department of Reclamation

Sage, Ida.

Nov 17/56

Department of Reclamation

Enclose find check for
four dollars 4.00 to cover
completion of permit No 21665.

Yours Truly

Millard E. Clark
Sage Ida.

For - Clark & Dawson
Sage,
Ida.

21665-

October 18, 1956

RE: Permit No. 21665

Messrs. Clark & Dawson
Route 1
Sagle, Idaho

Gentlemen:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 21665 which shows that you have irrigated 25 acres of land in the S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 33 Township 56 North, Range 3 West, B.M. with the waters of Tanner Creek with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33.

A License can be issued for .3 second foot of the waters of Tanner Creek upon receipt of the license fee of \$4.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1

21665

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21665

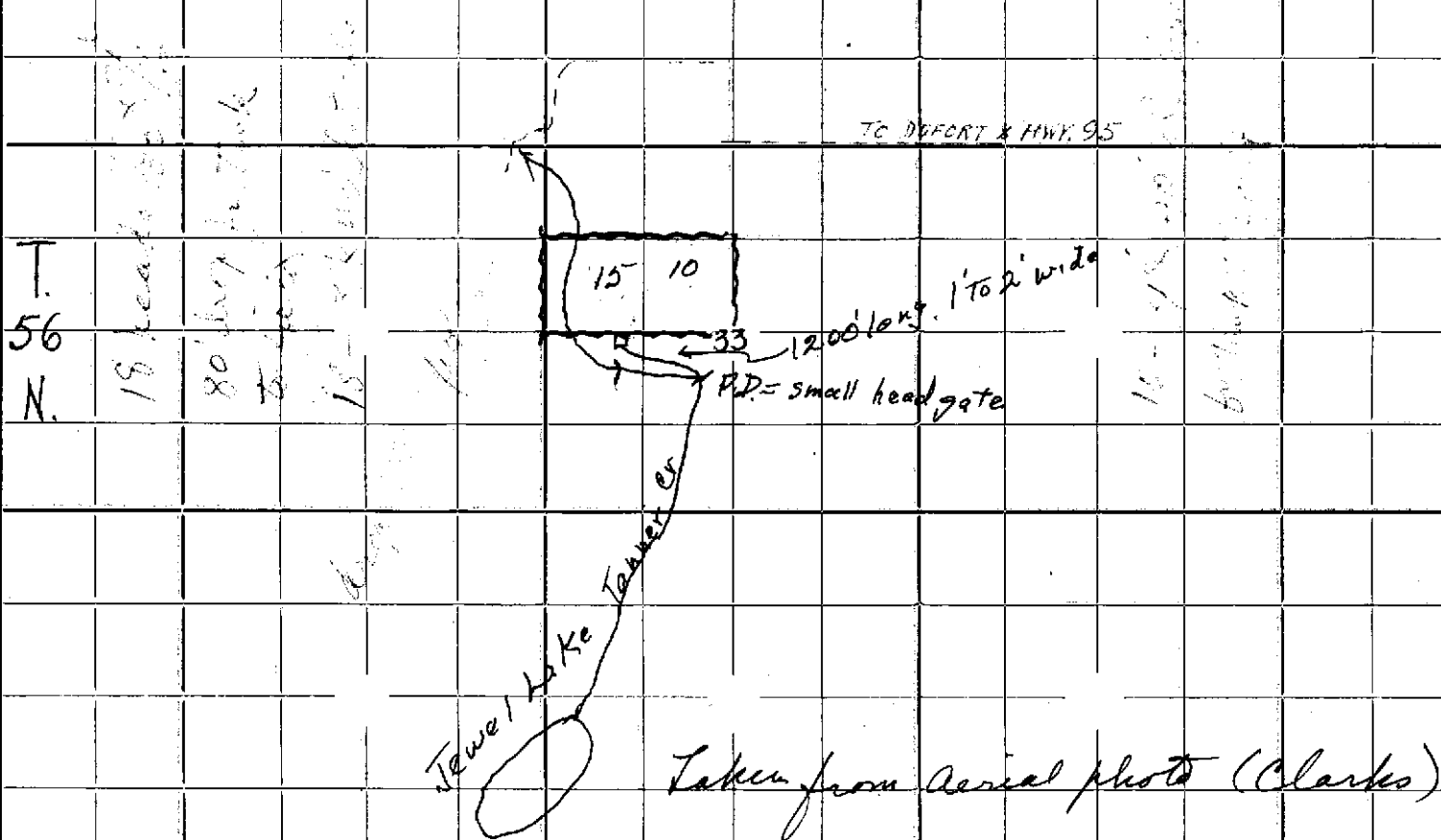
REPORT ON PROOF OF Beneficial Use

Clark and Dawson, Route #1, Sagle, Idaho

app. 0.3 cfs
dw — 0.3 cfs
Sub - 2
acres - 25

• 3 cfs
mark

R-3W



Sub divisions = Two

Area = 25 acres

Q = 15 inches.

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

Permit No. 21665

This proof is for Beneficial Use In Water District No.

1. Name of applicant Clark & Dawson

2. Source of water supply: Tanner Creek

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33

T. 56 N. R. 3 W., B.M., County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: *Ditch leads to a concrete head box 3' x 4' x 5'-6" pipe line fr. box to fields. 4" x 400' portable al. 18- 3" x 40' al. laterals. 18 - 3/32" x 1 1/4" nozzles 80' of head to top of field. 150' head to lower center of field. Sprinkler system.*

5. Water is used for: Irrigation

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

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):

S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 33., Twp. 56 N., Rge. 3 W., B.M.

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

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

Remarks: *Pasture and hay crops. Dairy herd.*

Jewel Lake owned by Halquist (parents of Mrs. Clark) Mrs. Lawson is Clark's sister.

This examination was made on the 11 day of October, 19 56

(Signed) E. M. Humphrey Examiner.

21665

Small rock & earth
dam
head box 4' x 1 1/2' x 1 1/2' h. (plank)

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
OCT 26 1956

Department of Reclamation

Route #1, Eagle, Idaho

Permit No. 21655

Examination for Beneficial Use

County Bonner

33-56 N.-3W.

D = 0.3 c.f.s.

S = Tanner Cr.

P.D. = NE. SW. Sec. 33, T.56 N. - R. 3 W.

No = Irrigation

Filed = Aug. 17, 1950

Dir = Aug. 21, 1956

W = 6-15-55

Cove, Tank

3' x 4' x 5' h. 6" x walls

old bed spring screen

To strain leaves and

trash fr. water to

Keep pipes clean

allow 15" //

September 21, 1956

RE: Permit No. 21665

Messrs. Clark & Dawson
Route 1
Sagle, Idaho

Gentlemen:

Inspection is required by State Statute in connection with any Permit being brought to license in the State of Idaho.

I intend to make inspection in connection with your Permit on Thursday morning, October 11, as soon as I can drive to your place from Coeur d'Alene.

Please be prepared to accompany me on this inspection or have someone represent you. I will try to contact you when I arrive in this area but in case I do not, I will drive to the place where the irrigation is.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

21665

21665

August 21, 1956

Messrs. Clark and Dawson
Route #1
Sagle, Idaho

Gentlemen:

We acknowledge receipt of the depositions of yourselves and two witnesses, also affidavit of publication in The Sandpoint News-Bulletin, all submitted in proof of beneficial use on Permit No. 21665.

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 one or both of 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

21665

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 20 1956
Department of Reclamation

Permit No. 21665

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Clark and Dawson Sagle, Rt. 1, Idaho. Farmers.

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. 21665 August 21, 1950 Priority date August 17, 1956

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

Ans. Tanner Creek, tributary of Pend Oreille River. 2500 Ft. from the Southwest
corner of sec. 33, T. 56^N, R. 3W. and is in the N.E. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ of Sec. 33 Bonner Co.

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. 2000 Ft. of ditch capable of conveying 0.3 cubic Ft. per second and 450 ft.
of 4 in. Alum. pipe. Using Irrigation sprinkler with 18 heads with
nozzles 3/16 and 3/32 with 40 Lbs. pressure.

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. Used for irrigation on 10 Acres on the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and 10 acres on the
SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 33 Twp. 56^N Range 3W of Bonner Co..

Cultivated pasture. 7 acres irrigated then 13 acres cleared for irrigation
pasture, making the 20 acres under irrigation.

21665

R+P

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

Ans. _____

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

Ans. _____

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. _____

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

Ans. In 1951 seven acres were irrigated and in 52, 53, 54, 55, and 56 the full
20 acres have been irrigated from about July 1 until the first of October of
each year.

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. In 1951 seven acres were irrigated and in 52, 53, 54, 55, and 56 the full
20 acres have been irrigated from about July 1 until the first of October of each
year.

(Sign)

Walter E. Clark, Jr.

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 Boonville, Sandpoint, County of Bozeman, State of Idaho, on this 15th day of August, A. D. 1956

Billie Bond

My commission expires _____

PROBATE JUDGE
CONNER COUNTY, IDAHO

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
AUG 20 1956
Department of Reclamation

PERMIT NO. 21665

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. Walt M^r Pher son residence Box 174
Ponderay, Idaho Occupation - County Extension Agent

Ques. 2. Are you acquainted with M. Clark and L. Dawson, the holder of Permit No. 21665? How long have you known him and where does he reside?

Ans. I have known Mr. Clark and Mr. Dawson
for approximately 4 1/2 years

Ques. 3. Have you read or heard read said Permit No. 21665, 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. Source - Tanner Creek Approximately
2500' from the Southwest corner of Sec 33 Twp
56N Range 3WBM water is carried to the Clark
and Dawson farm by a ditch 2000' and 450' of 4"
aluminum pipe

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. Approximately 1/2 cubic foot per second. Supplies enough
water for 20 sprinkler heads.

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 to sprinkle irrigate pasture
hay and grain. 20 acres are irrigated at present and
the system can be enlarged. The irrigated land is cultivated.
Irrigation double or triples the crop yields.

10 acres in SW 1/4 of the NW 1/4 and 10 acres in the SE 1/4
of the NW 1/4 of Sec. 33 Twp 56N Range 3WBM are
irrigated at the present time

21665

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. Forest land cleared for cultivation and needed to irrigated
pasture for a dairy herd. 1/3 cubic ft per sec continuous flow
required.

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. I have seen the sprinkler irrigation in operation
on several farm visits and on a dairy farm
near the farm. The water has been well used
and properly applied.

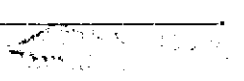
(Signed) Walt McPherson

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 16th day of August,
A. D. 19 56.

Billye Bond

Notary Public.

My commission expires _____


STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 20 1965
DEPARTMENT OF RECLAMATION

PERMIT NO. 21665

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. Dale R. Sanner Age 40; Residence 624 North Beyer
Sandpoint Idaho; Occupation - County Supervisor, Farmers Home Admin; Sandpoint, Ida

Ques. 2. Are you acquainted with Mr. M. Clark & L. Dawson, the holder of Permit No. 21665? How long have you known him and where does he reside?

Ans. I have known both Mr. Clark & Mr. Dawson for
Approximately 5 years.

Ques. 3. Have you read or heard read said Permit No. 21665, 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. Source of Water Supply - Tanner Creek, Approximately
2500' from the Southwest corner of Sec. 33, Twp 56W, Range 3W B.M.
Water is conveyed to the Clark & Dawson farm by means
of a ditch 2000' and 450' of 4" Aluminum Pipe

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. Approximately $\frac{1}{3}$ cubic foot per second. Sufficient for 20 sprinkler
heads

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 for Sprinkler Irrigation to Irrigate
hay, Grain & Pasture Crops. Approximately 20 Acres are Irrigated,
& More could be. All land irrigated is Cultivated. Irrigation
makes possible an intensive use of 20 Acres of tillable
land.

Water is Used to irrigate 10 acres in SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and 10 Acres
in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 33 Twp 56W, Range 3 W B.M.

21665

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. Land irrigated is cut over timber land that has been
cleared. 20 acres require approximately $\frac{1}{2}$ cubic foot per second
of continuous flow.

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. On several field trips during the past five
years I have observed the use of the water for
irrigation of crops on the Clark & Dawson Farm

(Signed) Val A. Sanner

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 15th day of August,
A. D. 19 56.

Billye Bond

Notary Public.

~~My commission expires~~ _____

PROCLATE JUDGE
BONNER COUNTY, IDAHO

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 for Publication of Proof

Application of Water to Beneficial
Use; Clark & Dawson

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 28th
day of June, 1956, and end-
ing on the 19th day of July,
1956, and that said notice was published in said
newspaper, and not in supplemental form.

Subscribed and sworn to before me this
23rd day of July, 1956.

Charles Pratt
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 15th day of August, 1956,
at Sandpoint, County of Bonner, State
of Idaho, before Billy Bond, Probate
Judge, proof will be submitted of the
application to beneficial use, of 0.3
cubic foot per second of the waters
of Tanner Creek, Trib. of Pend Oreille
River in accordance with the terms
and conditions of Permit No. 21665
heretofore issued by the Department
of Reclamation of the State of Idaho.
The name and postoffice address of
the person or corporation holding said
permit are Clark and Dawson, Route
1, Sagle, Idaho.

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

The amount applied to beneficial use
is 0.3 second foot.

The place where said water is used:
SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33,
Township 56 North, Range 3 West, B. M.

The right to take water from such
works is based upon Permit No. 21665.
The source of supply from which
such water is diverted is Tanner Creek,
tributary of Pend Oreille River.

The date of priority which said user
is prepared to establish is August 17,

1950.

MARK R. KULP,
State Reclamation Engineer.
je28-jv5-12-19.

RECEIVED
AUG 20 1956
Department of Reclamation

21 miles

1818.90

July 23, 1956

RE: Permit No. 21665

Sandpoint News-Bulletin
Sandpoint
Idaho

Gentlemen:

On June 20, 1956, we mailed you a Notice of Proof of Application of Water to Beneficial Use on Permit No. 21665 in the name of Clark and Dawson, Route 1, Sagle, Idaho, with the request that you publish same once a week for four weeks prior to August 15, 1956, and to send Clark and Dawson the Affidavit of Publication together with statement of costs.

To date we have not received acknowledgment of this Notice nor 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:cu

21665

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 21665

Date: June 20, 1956

Sandpoint News-Bulletin
Sandpoint
Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **August 15, 1956** the date set for proof, the expense of the publication to be paid by the applicant, **Clark & Dawson** of **Rt. 1, Sagle, 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

21665

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

Notice is hereby given that at 11:00 A. M. on the 15th day of August, 1956,
 at Sandpoint, County of Bonner, State of Idaho, before
Billy Bond, Probate Judge, proof will be submitted of the
 application to beneficial use of 0.3 cubic foot per second of the waters of Tanner Creek
Trib. of Pend Oreille River in accordance with the terms and conditions of Permit No. 21665
 heretofore issued by the Department of Reclamation of the State of Idaho.

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

Clark and Dawson, Route 1, Sagle, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 0.3 second foot

The place where said water is used (~~has been used, and is to be used, for the purpose of the land irrigated~~)

SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 33, Township 56 North, Range 3 West, B.M.

~~The name of the person or corporation holding said permit is _____~~

The right to take water from such works is based upon Permit No. 21665

The source of supply from which such water is diverted is Tanner Creek, tributary of
Pend Oreille River.

The date of priority which said user is prepared to establish is August 22 17, 1950

MARK B. KULP

State Reclamation Engineer.

21665

June 20, 1956

RE: Permit No. 21665

Messrs. Clark & Dawson
Route 1
Sagle, Idaho

Gentlemen:

We have your notice for beneficial use proof on Permit No. 21665 to be made August 15, 1956, before Billy Pond, Probate Judge, at Sandpoint, Idaho.

We are, today sending to the Sandpoint News-Bulletin copy of notice 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. Pond, 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:hll
Enc.
cc - Mr. Billy Pond,
Probate Judge
Sandpoint, Idaho

21665

RECEIVED
JUN 26 1956
DEPARTMENT OF RECLAMATION

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 18, 1956

(P. O.) Sagle, Route 1

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at ^{our} ~~my~~ expense in the
Sandpoint News-Bulletin of Sandpoint published in
the county in which the works are situated.

Mark & Dawson
Millard & Clark Port.

(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.

21665

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

Boise, Idaho
June 1, 1956

Messrs. Clark & Dawson
Route 1
Sagle, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 21665. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than August 21, 1956, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

21665

✓
June 15, 1955

RE: Permit No. 21665

Clark & Dawson
Route # 1
Sagle, Idaho

Gentlemen:

We enclose Certificate of Completion of Works issued on Permit No. 21665 for the diversion of 0.3 of a second foot of water from Tanner Creek with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, Township 56 North, Range 3 West, B. M., for irrigation of land in the SW $\frac{1}{4}$ of said Section.

We also enclose departmental receipt No. 27393 for the \$5.00 fee in connection with proof of Completion of Works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:ou
Enc.

27665

Permit No. 21665STATE OF IDAHO
Department of ReclamationRECEIVED
JUN 15 1955
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Banner

SS.

Clark & Dawson Pard., 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. 21665, and that his postoffice address is Sagle
State of Idaho

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

Tanner CreekThird: That the point of diversion of said water is 2500 Ft. distance from S.W. corner of Section 33, T.56 R.3W. in the N.E. 1/4 of S.W. 1/4 of sameFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug, 21, 1955.Fifth: That the use for which said water is intended is 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: Ditch and Pipe
(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 Ditch width at bottom 2 1/3 feet, width at water line 2 2/3
(State whether ditch, flume or pipe)feet, depth of water 1/2 feet; diameter of pipe 4 inches, average grade per mile is _____ feet. Length of conduit is 0.25 miles.Seventh: That said works are capable of conducting to the place of intended use _____
0.3 second foot of water.Eighth: That water appropriated under said permit is available for 20
acres of land described as follows: 10 acres in S.W. 1/4 of N.W. 1/4 and 10 acres in S.E. 1/4 of N.W. 1/4 of Sec 33, TWP 56N Range 3WNinth: Remarks: That Four in. Pipe is 500' L with 80' drop to make pressure for sprinkler irrigationClark & Dawson
by Millard C. Clark Pard.
(Sign Here)Subscribed and sworn to before me this 11th day of June, 1955My commission expires April 15, 1956
L. J. M. Arthur
Notary Public.

21665

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

June 1, 1955

RE: Permit No. 21665

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Messrs. Clark & Dawson
c/o Millard Clark
Route 1
Sagle, Idaho
Dear Sir:-

Boise, Idaho

Under the terms of your permit No. 21665 you are required to complete your diversion works on or before August 21, 1955. 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

21665

21665

August 29, 1951

Mr. A. L. Sawhill
Sagle
Idaho

Dear Mr. Sawhill:

Clark and Dawson have a permit No. 21665 to appropriate 0.3 cubic foot per second of the waters of Tenner Creek, for the irrigation of 20 acres of land. Their permit is for the appropriation of unappropriated public water and does not give them the right to take water belonging to earlier appropriators. The question involved is whether or not you have acquired a right to have a certain amount of water run down the stream for stock water use. We do not know what the district court would decide if the matter should be brought before it. Probably the court would consider the amount that would have to be left in the stream at the irrigation diversion dam to allow enough water at your place for the stock and whether you had another source of water for your stock without an unreasonable expense in providing it. A diversion or storage dam in a stream channel is legal if operated so that it does not interfere with existing rights.

Clark and Dawson with Hulquist have applied for a permit to appropriate and store an additional 2 feet depth on Jewel Lake. This would be water that would run past your place during the high water period and would probably not affect you.

We do not know what rights of ownership or control Mr. Hulquist has over Jewel Lake.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

21665

RECEIVED
AUG 29 1951

Department of Reclamation

Seagle, Idaho
Aug. 27, 1951

Idaho State Water Commissioner
Boise, Idaho

Dear Sir:

I live southwest of Sandpoint, Idaho near Jewel Lake. The drainage from this lake flows through several places, finally through mine and then into the river.

My trouble is this: The neighbors about me - Clark and Dawson - have dammed the stream so they can irrigate. Not a trickle comes on down the stream bed. I have depended for years on that stream to water my stock. I have had to pump water since about the middle of July. Can they lawfully dam the stream?

The lake is on Mr. Hulquist's place and he claims he owns it. Is that possible? He has been charging people to go in there fishing altho, it is gov. stocked.

They are planning on damming the lake higher another year. That might be O.K. if they let water flow down stream. Mr. Hulquist is Mr. Clark's father in law. May I hear from you?

Sincerely,

A. L. Sawhill

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 21665

Date August 24, 1950

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.

Clark and Dawson
C/o Millard Clark
Rt. 1
Sagle, Idaho

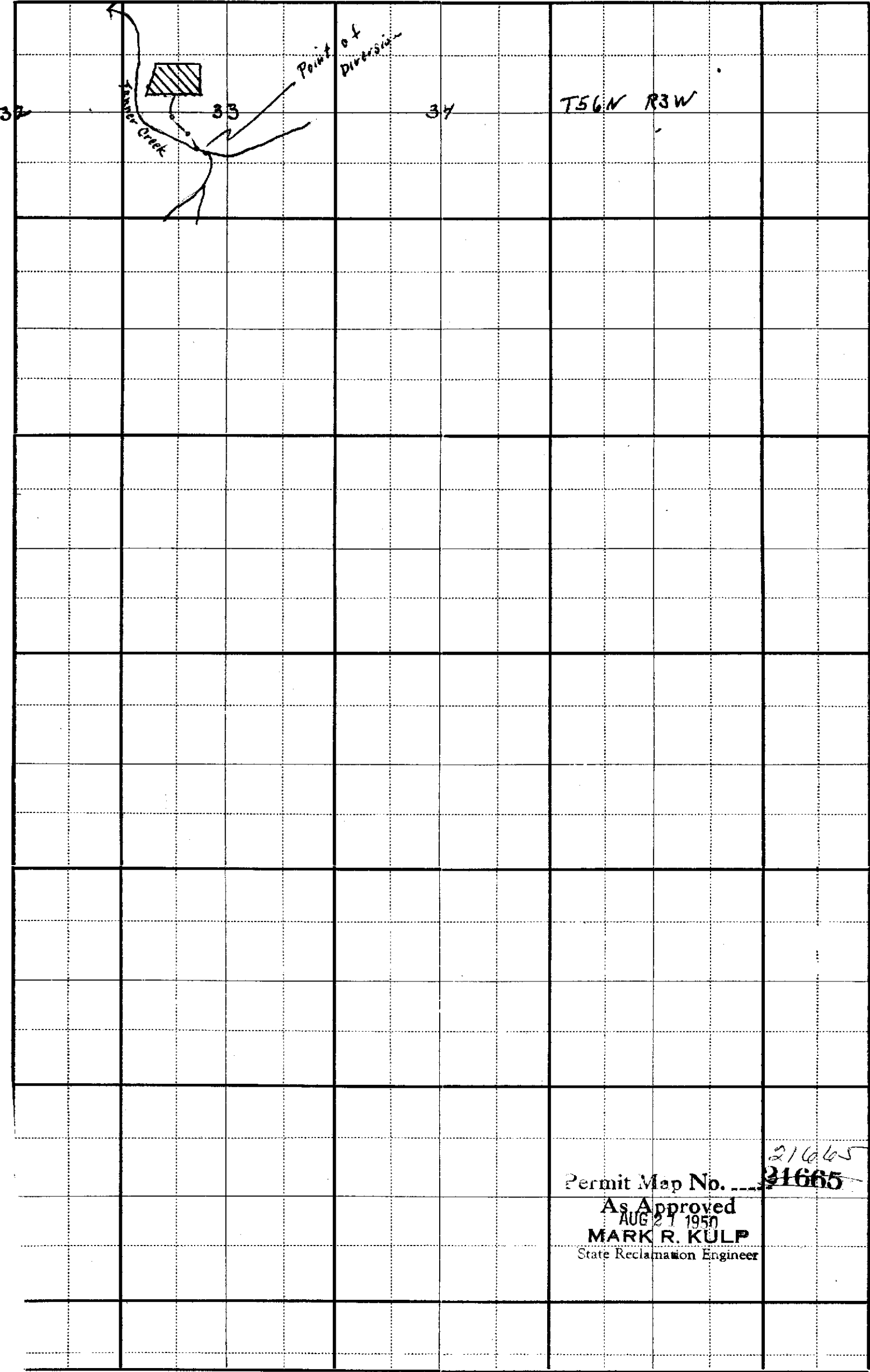
MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. 22595.

21665

NAME OF APPLICANT Clark and Dawson Pard.

Form No. 0



Permit Map No. 21665
As Approved
AUG 27 1950
MARK R. KULP
State Reclamation Engineer

21665
August 3, 1950

Clerk and Dawson
Route 1
Segle, Idaho

ATT: Mr. M. E. Clark

Dear Mr. Clark:

In reply to your letter of August 2, 1950, we enclose a form of application for permit to appropriate the public waters of the State of Idaho, together with 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:bn
Enc.

21665

CLARK AND DAWSON
ROUTE 1
SAGLE, IDAHO

Aug 2/50

Mr. Mark Kulp.

RECEIVED
AUG 3 1950
Department of Reclamation

Dear Sir:—

Would like to have a application
form for a water right. if you
have them. If you havent the forms
could you tell us where we could
get them.

Thanking you for your trouble.

Yours Truly

Clark & Dawson
by M. E. Clark.

Sagle, Ida.

21665

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

Notice is hereby given that at 11:00 A. M. on the 15th day of August, 1956, at Sandpoint, County of Bonner, State of Idaho, before Billy Bond, Probate Judge, proof will be submitted of the application to beneficial use of 0.3 cubic foot per second of the waters of Tanner Creek, Trib. of Pend Oreille River in accordance with the terms and conditions of Permit No. 21665 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Clark and Dawson, Route 1, Sagle, Idaho.

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

The amount applied to beneficial use is 0.3 second foot.

The place where said water is used: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 56 North, Range 3 West, B. M.

The right to take water from such works is based upon Permit No. 21665.

The source of supply from which such water is diverted is Tanner Creek, tributary of Pend Oreille River.

The date of priority which said user prepared to establish is August 17,

1956.

MARK R. KULP,
State Reclamation Engineer

8-jy5-12-19.