

April 26, 1956

RE: Permit No. 21273

Messrs. J. F. McNall & W. W. McNall
Samuels
Idaho

Gentlemen:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 21273, which shows that you have irrigated 26 acres of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35; and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Township 59 North, Range 1 West, B.M., with the waters of Grouse Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35.

A License can, therefore, be issued for .34 cubic foot per second of water upon receipt of the statutory license fee of \$6.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hll

P. S. Since the original permit describes the point of diversion as being in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, the enclosed application for amendment should be completed and signed by you and returned to this department for record.

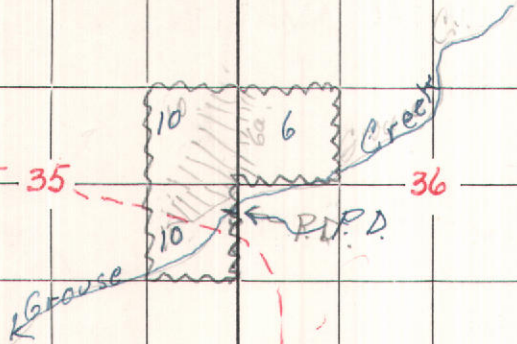
21273

19 6 1/2
11 + 9 3/4
9 1/2 2 3/4
1 1/4 1 1/4
min.

1/2 mi. to Brown Cr.
b/c of line to edge
of field

R-1W.

T.
59
N.



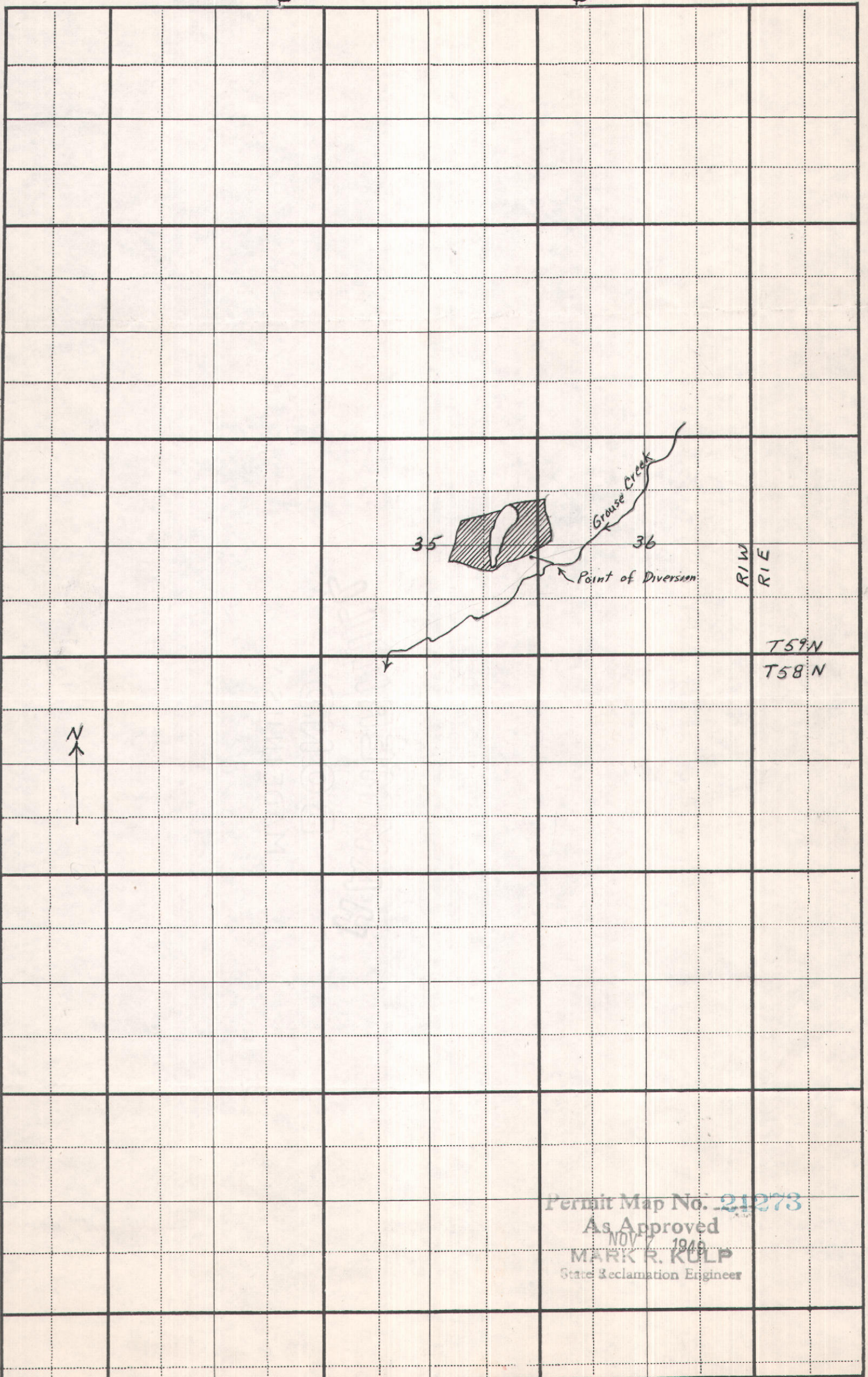
TO SAND POINT - North & South HWY.

Subdivisions = Three
Area = 26 acres

134 cfs Q = 17 inches

V = 78 AC. 7 1/2

7.2 10-20



Permit Map No. **21273**
 As Approved
 NOV 7 1949
 MARK R. KULP
 State Reclamation Engineer

WATER LICENSE

Water License No. 21273/96-2173 Priority March 16, 1950 Amount 0.34 c.f.s.
(late proof)

THIS IS TO CERTIFY, that W. W. McNall and J. F. McNall
of Samuels, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated November 1, 1949; that Permit 21273/96-2173 was issued pursuant
to said application; that the proposed works were completed on or about June 1954,
with a storage/or carrying capacity of 0.34 c.f.s., said works consisting of
pump, motor, and sprinklers; and that on March 22, 1956,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 78
acre feet per season, with a maximum rate of diversion of 0.34 cubic feet per second of the waters
of Grouse Creek, tributary of Pack River,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35, T. 59 N, R. 1 W, B.M., and
other additional points _____, in the County of
Bonner; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 78 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
59 N	1 W	35				10									10				20
		36							6										6

Total number of acres irrigated 26

The right to the use of the water 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,

23rd day of February, 1970.

[Signature]
State Reclamation Engineer

96 2173 21273
96 2173

21273
96-2173

40 acre subdivisions, sections, townships, ranges, and ditches.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own

Signed at San Jose, Costa Rica, this 30th day of January, 1970.

(signature)

ACTION OF STATE RECLAMATION ENGINEER

R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,

_____ hereby approve the above Application for Amendment to Permit No. 96-2173.

Witness my hand this 16th day of February, 1970

State Reclamation/Engineer

75522
75523

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

96-2173

APPLICATION No. 28955
PERMIT No. 21273
DISTRICT No.

J. F. McNall
Samuels, Idaho

1. Name of Applicant: W. W. McNALL and J. F. McNALL

Postoffice address: Samuels

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: 0.9

cubic feet per second.

3. Source of water supply: Grouse Creek

which is a tributary of Pack River

4. Location of point of diversion: 211

feet distant from the Southwest

corner of Section 36, T. 59 N., R. 1 W., B.M., and is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 36, T. 59 N., R. 1 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: \$ 5,000.00

8. Kind of works: Pipe for sprinkler system irrigation

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe 6 inches; length of conduit 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:

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.

W. W. McNALL
J. F. McNALL
Applicant.s

By Agent.

Date of first receipt at Department of Reclamation: 2:00 P. M. November 1, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21273

Recorded in Book 76 Page 21273 Approved November 7, 1949

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 January 7, 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 May 7, 1952

The whole of said work to be completed on or before November 7, 1954

Beneficial use of water appropriated in accordance herewith, to be made on or before November 7, 1955

WITNESS My hand this 7th day of November, 1949

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 7th

day of November, 1949

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
59 N.	1 W.	35			10	15									10	9			44
		36							6										6
Total Number of Acres to be Irrigated -																			50

Permit No. 21273
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. H. McNALL and J. F. McNALL of Samuels, County of Bonner, and State of Idaho, the holders of Permit No. 21273, issued upon Application No. 28955 bearing date of priority of November 1, 1949, authorizing the diversion of 0.9 second foot of the waters of Grouse Creek, a tributary of Pack 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 0.45 second foot of the waters of Grouse Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, Twp. 59 North, Range 1 West, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 35; SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34; Township 59 North, Range 1 West, B. M.

Witness my hand this 16th day of May, A. D. 1955.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works was made March 23, 1955.

Certificate of Completion of Works was issued May 16, 1955.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. 21273 Under the) ORDER REINSTATING PERMIT
Provisions of Section 42-311, Idaho)
Code)

WHEREAS, Permit No. 21273 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: November 7, 1954; and,

WHEREAS, On the 14th day of January, 1955, notice to show cause why said permit should not be canceled, under the provisions of Section 42-311, Idaho Code, was duly served on the holder of said Permit; and,

WHEREAS, On the 24th day of January, 1955, the holder filed notice of appearance to offer proof to show that the works of diversion under said Permit were fully completed within the time required; and,

WHEREAS, On the 26th day of March, 1955, depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the Permit; and,

WHEREAS, After examination of the said depositions, the State Reclamation Engineer of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 21273, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 21273 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 16th day of May, 1955.

MARK R. KULP
State Reclamation Engineer

(SEAL)

21 PAGE 1 USED FOR 2.34 SEC. FI,
 ATTACHED PAGE NO. _____

February 24, 1970

Re: Permit No. 96-2173

Mr. J. F. McNall
Samuels,
Idaho 83862

Dear Mr. McNall:

Enclosed herewith is your Water License issued on the above numbered permit. Also enclosed is a copy of the approved application for amendment and departmental receipts Nos. 4218 in the amount of \$5 and 4081 in the amount of \$6.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

96-2173
31273

February 4, 1970

Re: Permit No. 21273 / 96-2173

Mr. J. F. McNall
Samuels,
Idaho 83862

Dear Mr. McNall:

On January 21, 1970, an amendment form was sent to you with a request to sign the amendment and return it with a \$5 fee. As of this date, we have not received this completed amendment. Since we can not issue your Water License until we are in receipt of this amendment, we would appreciate your attending to this matter as soon as possible. We would like to finalize the requirements of your permit.

If you have misplaced the amendment form which we forwarded to you, please advise us and we will send you another one.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

96-2173
21273

January 21, 1970

Re: Permit No. 21273/96-2173

Mr. J. F. McNall
Samuels,
Idaho 83862

Dear Mr. McNall:

We are in receipt of your check for \$6, in payment of licensing fees on the above numbered permit. It will not be necessary to have this permit only in your name. A water license is appurtenant to the land on which it is issued, so all that is necessary is that you own the land.

We are again enclosing a copy of our fee letter, dated April 26, 1956. If you will note on the bottom of this letter, we requested an amendment to the point of diversion. In order that the water license is issued correctly, the point of diversion must be amended. We are enclosing a partially completed amendment form for your signature. Please return the signed amendment and a \$5 amendment fee to this office and we will promptly issue your Water License.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh
Enclosure

96-2173
21273

Samuels, Idaho 83862
Jan. 12, 1970

Dept. of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

RECEIVED
JAN 14 1970
Department of Reclamation

Dear Sir:

Enclosed is check for \$6⁰⁰ license fee.

I suppose this permit should be charged to my name since W. W. McHall (my father) passed away several years ago. I have since borrowed money from Farmers Home Administration and bought the home farm so now I own both of them. Will you let us know what should be done in this matter? Thank you.

Sincerely,
J. W. McHall

21273
96-2173

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 8, 1970

Re: Permit No. 21273/96-2173

W. W. McNall & J. F. McNall
Samuels, Idaho 83862

Gentlemen:

Enclosed please find a copy of the fee letter which the department mailed to you on April 26, 1956.

Please be advised that if the department does not receive the required licensing fees within 10 days from the date of this letter, we shall proceed to cancel the above referenced permit.

Please contact us if you need any further assistance.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Fee letter

cc. Kenneth E. Oliason, Supervisor
Farmers Home Administration
Sandpoint, Idaho 83864

Fees Received
1-20-70
D

96-2173
21273

March 29, 1963

Re: Permit No. 21273
W. W. McNall & J. F. McNall

Kenneth E. Oliason, Supervisor
Farmers Home Administration
Sandpoint, Idaho

Dear Mr. Oliason:

Enclosed is a small supply of forms to assign a permit. One completed form is required for each transfer in ownership. There is a fee of \$0.50 for recording each assignment.

In case of death of a holder of a permit, we must have a certified or photo copy of the court order of administrator or final distribution to accompany the assignment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. assignment form

21273

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

Sandpoint, Idaho

March 21, 1963

Department of Reclamation

Idaho State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

This agency recently closed a real estate loan to J. Francis McNall for land purchase. Mr. McNall is now the record owner of all land covered by License No. 21273 and we understand the permit should be so transferred.

The Farmers Home Administration now holds a real estate mortgage on all land covered by said permit.

Sincerely yours,


Kenneth E. Oliason
County Supervisor

WW and J.F. McNall

21273

April 26, 1956

RE: Permit No. 21273

Messrs. J. F. McCall & W. W. McCall
Samuels
Idaho

Gentlemen:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 21273, which shows that you have irrigated 26 acres of land in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35; and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Township 59 North, Range 1 West, B.M., with the waters of Grouse Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35.

A License can, therefore, be issued for .34 cubic foot per second of water upon receipt of the statutory license fee of \$6.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hl1

P. S. Since the original permit describes the point of diversion as being in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, the enclosed application for amendment should be completed and signed by you and returned to this department for record.

21273

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

Permit No. 21273This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant J. F. and W. W. McNall2. Source of water supply: Grouse Creek3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36T. 59 N. R. 1 W. B.M. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: Sprinkler diversion -
7 $\frac{1}{2}$ hp. hor. motor and blwing centrifugal 2 $\frac{3}{4}$ " x 2" pump mtd on portable
wood sled on N bank of Grouse Cr. 4" main line (A1 portable)
up over bank and to field. 3" al. laterals. 19 sprinklers
3/32 x 1/64.

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):

44 acres in part of the E $\frac{1}{2}$ of Section 35 and 6 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of
Section 36, all in Twp. 59 N., Rge. 1 W., B.M.

Approx. 50 acres

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

8. What large stream would the water here appropriated finally reach? Ponderay LakeRemarks: Crops are hay & pastureRaise pure blood Shorthorn cattle.This examination was made on the 19 day of Apr, 1956(Signed) E. H. Humphrey Examiner.

21273

J. F. McNall & W. W. McNall
Samuels, Idaho

Permit No. 21273

Examination for Beneficial Use

County Bonner

36-59N.-1W.

Q. 0.9 cfs.

Sz. Grouse Creek

P.D. = NW. SW., Sec. 36, T. 59 N. - R. 1 W.

Use = Irrigation

19 sprinklers

Filed = Nov. 1, 1949

Due = Nov. 7, 1955

QW = May 16, 1955

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
APR 25 1956

Department of Reclamation

40' left $3\frac{1}{32} \times \frac{15}{64}$ "
19 sprinklers

18 - 3" x 40' Port. Al.
plus 2 - 3" x 20'

13 T valves

Originally for 22 ac
70 to 80' at pump.

6 1/2 gpm heads

1/3 Hor. motor

240V 7 1/2 hp. 20 amp

3600 rpm 2040652

Clearing Cent. Pump -
2 3/4" x 2" (mid on wood)
#179087 (slit 3 x 5'
no protect)

Henry Phen Converter

AB Switch

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21273

REPORT ON PROOF OF Beneficial Use

app. 0.9 cfs

*sub. 5
acres - 50*

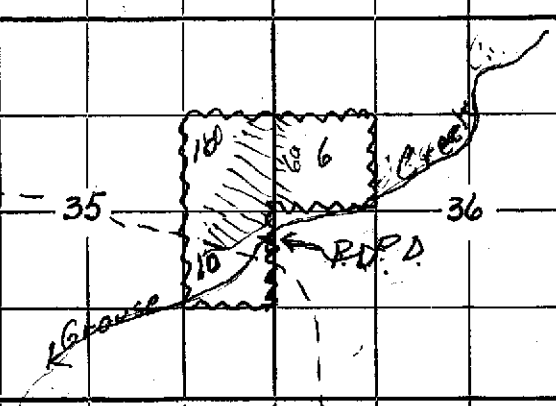
*• 34 cfs
mark*

$19 \frac{6 1/2}{11} + 9 \frac{23}{14} = 31 \frac{1}{2}$ min.

1/2 mi. fr. Brown Cr.
 on E. line to edge
 of field

R+IW.

T.
 59
 N.



TO SAND POINT - North & South HWY.

Subdivisions = Three
 Area = 26 acres
 134 cfs Q = 17 inches
 V = 78 AC. 74 yr
 2.2-2.0

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

Notice is hereby given that at 1:30 P. M. on the 1st day of March, 1956, at Sandpoint, County of Bonner, State of Idaho, before Robt. E. McFarland, a Notary Public, proof will be submitted of the application to beneficial use of 0.9 cubic feet per second of the waters of Grouse Creek in accordance with the terms and conditions of Permit No. 21273 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 W. W. McNall and J. F. McNall, Samuels, Idaho.

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

The amount applied to beneficial use is 0.5 cubic foot per second.

The place where said waters is used: Part in the E $\frac{1}{4}$ of Section 35 and part in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ in Section 36, all in Township 59 North, Range 1, W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is no name is applied.

The right to take water from such works is based upon Permit No. 21273.

The source of supply from which such water is diverted is Grouse Creek, which is a tributary of Pack River.

The date of priority which said user is prepared to establish is November 7, 1949.

MARK R. KULP,
State Reclamation Engineer

April 9, 1956

RE: Permit No. 21273

Mr. J. P. McNall & W. W. McNall
Samuels
Idaho

Gentlemen:

Inspection is required by law on any Permit being brought to license in the State of Idaho. If weather and roads permit I intend to make inspection in connection with your Permit on Wednesday, April 18.

Please be prepared to accompany me on the inspection. I will try and contact you when I arrive in that area or if I fail to find you I will drive to the farm where the water is used.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

21273

March 29, 1956

Re: Permit No. 21273

Mr. J. F. McNall
Samuels, Idaho

Dear Mr. McNall:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in The Sandpoint News-Bulletin, all submitted in proof of Beneficial Use on the above captioned Permit.

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

21273

Sandpoint, Idaho
February 26, 1956

Gentlemen:

We have received Permit No. 21273 for W. W. & J. F. McNall of Samuels, Idaho. Publication dates will be Feb. 23 and March 1, 8 and 15.

Yours very truly,

SANDPOINT NEWS-BULLETIN

21273



State of Idaho
Department of Reclamation
Boise, Idaho

21273

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 Application of Water
to Beneficial Use; W. W. McNall and
J. F. McNall

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 23rd
day of February, 1956, and end-
ing on the 15th day of March,
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
15th day of March, 1956.

Phyllis Borath

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 1:30
P. M. on the 22nd day of March, 1956,
at Sandpoint, County of Bonner, State
of Idaho, before Robt. E. McFarland,
a Notary Public, proof will be sub-
mitted of the application to beneficial
use of 0.9 cubic feet per second of
the waters of Grouse Creek in accord-
ance with the terms and conditions of
Permit No. 21273 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 W. W. McNall and J. F.
McNall, Samuels, Idaho.

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

The amount applied to beneficial use
is 0.5 cubic foot per second.

The place where said waters is used:
Part in the E $\frac{1}{4}$ of Section 35 and
part in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ in
Section 36, all in Township 59 North,
Range 1, W. B. M.

The name of the canal or ditch or
other works by which said water is
conducted to such place of use is
no name is applied.

The right to take water from such
works is based upon Permit No. 21273.

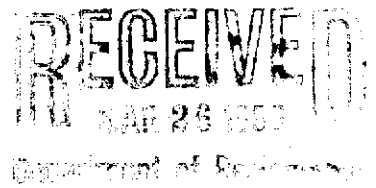
The source of supply from which such
water is diverted is Grouse Creek,
which is a tributary of Pack River.

The date of priority which said user
is prepared to establish is November
7, 1949.

MARK R. KULP,
State Reclamation Engineer
f23-m1-8-15

21273

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 21273

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. J. F. McNall, Samuels, Idaho & W.W. McNall

occupation- farmer Samuels, 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. No. 21273, date of permit, November 7, 1949, date of priority November 7, 1949

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

Ans. Grouse Creek The Northeast Quarter of the Southeast Quarter of Section 35

Township 59 North, Range 1, 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. Seven and one-half horse power motor pump, four inch main line and three inch aluminum lateral; 5/10ths cubic feet per second. No name to the canal or ditch.

There are 19 sprinkler heads and the size nozzles are 3/16ths inches and 11/64ths in. 40 lbs. per sq. inch.

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. For irrigation. The Southeast Quarter of the Northeast Quarter there are 15

acres, and in the Northeast Quarter of the Southeast Quarter there are 10 acres, both in Section 35, Township 59 North, Range 1, West B. M. In the Southwest Quarter of North-west Quarter, Section 36, Township 59 North Range 1, West, there are six acres.

It is cultivated and has been cleared of stumps and timber and is now pasture.

21273

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 June, 1954; sprinkler irrigation system above described.

5/10ths cubic feet per second; 31 acres

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

Ans. No other waters have been used or diverted.

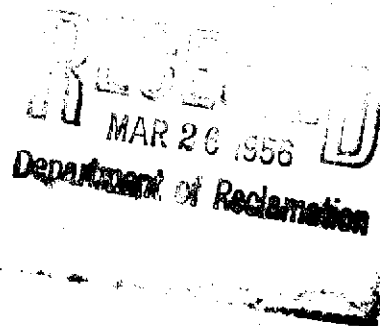
(Sign) *J. P. McCall*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sandpoint, County of Bonner, State of Idaho, on this 22nd day of March, A. D. 1956.

Roll. E. McCall
Notary Public in and for the State of Idaho,
residing at Sandpoint.

My commission expires March 3, 1960

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21273**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. Paul Westfall, age 32, Samuels, Idaho.

Farmer ; Samuels, Idaho

Ques. 2. Are you acquainted with J. F. McNall, the holder of Permit No. 21273? How long have you known him and where does he reside?

Ans. Yes Twenty years and he resides in Samuels, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21273, 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. Grouse Creek. The Northeast Quarter of the Southeast Quarter of Section 35, Township 59 North, Range 1, West B. M.

Seven and one-half horse power motor pump, four inch main line and three inch aluminum lateral.

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. 0.5 cubic feet per second. I have seen that much conveyed.

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. For irrigation. The Southeast Quarter of the Northeast Quarter there are 15 acres, and in the Northeast Quarter of the Southeast Quarter there are 10 acres, both in Section 35, Township 59 North, Range 1, West B. M., and in the Southwest Quarter of the Northwest Quarter of Section 36, Township 59 North, Range 1, W. B. M., there are six acres. It is cultivated and has been cleared of stumps and timber and is now pasture.

21273

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. Sandy top soil and rocky sub-soil.
0.5 cubic feet per second.

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. Our property adjoins , and in July, 1954, I saw the works in operation
and for numerous times I have seen the water diverted and used for beneficial use.

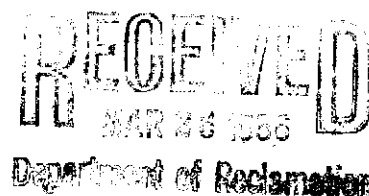
(Signed) Paul Westfall

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 22 day of March,
A. D. 19 56.

Robert E. McFarland
Notary Public.

My commission expires March 3, 1960.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 21273

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. Ben A. Nickerson, age 70, Samuels, Idaho

Retired; Samuels, Idaho

Ques. 2. Are you acquainted with J. F. McNall, the holder of Permit No. 21273? How long have you known him and where does he reside?

Ans. Yes. For nineteen years and he resides in Samuels, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21273, 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. Grouse Creek. The Northeast Quarter of the Southeast Quarter of Section 35, Township 59 North, Range 1, West B. M.

Seven and one-half horse power motor pump, four inch main line and three inch aluminum lateral.

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. 0.5 cubic feet per second. I have seen that much conveyed.

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. For irrigation. The Southeast Quarter of the Northeast Quarter there are 15 acres, and in the Northeast quarter of the Southeast Quarter there are 10 acres, both in Section 35, Township 59 North, Range 1, West B. M., and in the Southwest Quarter of the Northwest Quarter of Section 36, Township 59 North, Range 1, W. B. M. there are six acres. It is cultivated and has been cleared of stumps and timber and is now pasture.

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. Sandy top soil and rocky sub-soil.
0.5 cubic feet per second.

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. Our property adjoins, and in July, 1954, I saw the works in operation and
for numerous times I have seen the water diverted and used for beneficial use.

(Signed) Bernard Nickerson

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 22nd day of March,
A. D. 19 56.

Robert E. McFarland
Notary Public.

My commission expires March 3, 1960.

STATEMENT

SANDPOINT NEWS-BULLETIN

COMPLETE COVERAGE OF THE SANDPOINT TRADE AREA

SANDPOINT, IDAHO

February 29, 1956

J. F. McNall
Samuels, Idaho

1956

February 23 45-line legal "Notice of Proof Application
of Water To Beneficial Use"
Four Issues

20.25

PAID
MAR 22 1956
P.P.

21273

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: February 14, 1956

RE: Permit No. 21273

Sandpoint News Bulletin
Sandpoint
Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 22, 1956** the date set for proof, the expense of the publication to be paid by the applicant, **W. W. & J. F. McCall** of **Samuels, 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

21273

February 14, 1956

RE: Permit No. 21273

Mr. J. F. McNall
Samuels
Idaho

Dear Mr. McNall:

We have your notices for beneficial use proof on Permit No. 21273 in the name of yourself and W. W. McNall, to be made March 22, 1956, before Mr. Robert E. McFarland, Notary Public.

We shall send a copy of the notice to the Sandpoint News Bulletin 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. McFarland together with two disinterested witnesses who are familiar with the terms of the Permit and the works done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1
Enc.
cc - Mr. Robert E. McFarland
Sandpoint
Idaho

21273

RECEIVED
FEB 13 1956
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 10, 1955

(P. O.) Sandpoint, 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 News Bulletin of Sandpoint, Idaho published in

the county in which the works are situated.

J. P. McNeil

(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.

21273

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

Notice is hereby given that at 1:30 P M. on the 22nd day of March, 1956,
 at Sandpoint, County of Bonner, State of Idaho, before
Robt. E. McFarland, a Notary Public, proof will be submitted of the
 application to beneficial use of 0.9 cubic feet per second of the waters of Grouse Creek
 in accordance with the terms and conditions of Permit No. 21273
 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 W. W. McNall
and J. F. McNall, Samuels, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 0.5 cubic feet per second

The place where said water is used (~~irrigation~~) give full and accurate description of the lands irrigated)
Part in the E $\frac{1}{2}$ of Section 35 and part in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ in Section 36, all in
Township 59 North, Range 1, W. B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is
no name is applied

The right to take water from such works is based upon Permit No. 21273

The source of supply from which such water is diverted is Grouse Creek, which is a tributary
of Pack River

The date of priority which said user is prepared to establish is November 7, 1949

MARK R. KULP

State Reclamation Engineer.

21273

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

DEPARTMENT OF RECLAMATION

Boise, Idaho
September 1, 1955

Messrs. W. W. McNall & J. F. McNall
Samuels, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 21273. 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 November 7, 1955, 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

21273

May 18, 1955

RE: Permit No. 21273

Mr. J. F. McNall
Samuels
Idaho

Dear Mr. McNall:

We enclose Certificate of Completion of Works issued on Permit No. 21273 in the name of yourself and W. H. McNall for the diversion of 0.45 second foot of water from Grouse Creek with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, Township 59 North, Range 1 West, B.M. for irrigation of land in the S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 35 and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, same Township and Range.

We also enclose departmental receipt No. 27343 for the \$5.00 fee in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

21273

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement
of Permit No. 21273 Under the
Provisions of Section ~~5504, Idaho~~
~~Compiled Statutes~~ 42-311, Idaho Code

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 21273 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: November 7, 1954; and,

WHEREAS, On the 11th day of January, 1955, ~~1952~~ notice to show cause why said permit should not be canceled, under the provisions of Section ~~5504~~, 42-311 ~~Code~~ ~~Compiled Statutes of Idaho~~ was duly served on the holder of said permit; and,

WHEREAS, On the 24th day of January, 1955, ~~1952~~ the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, On the 26th day of March, 1955, ~~1952~~ depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and,

WHEREAS, After examination of the said depositions, the ~~Commissioner of State~~ ~~Engineer~~ Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 21273, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 21273 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 16th day of May, 1955, ~~1952~~.

Mark R. Kulp
Commissioner of Reclamation
State Reclamation Engineer

By _____

~~Assistant~~

21273



ROBERT E. SMYLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

May 10, 1955

RECEIVED
MAY 16 1955

Department of Reclamation

RE: Permit No. 21273

Mr. J. F. McNall
Samuels
Idaho

Dear Mr. McNall:

We have had no reply to office letter addressed you on March 28 informing you that a Certificate of Completion of Works could be issued on Permit No. 21273 for 0.45 second foot of water from Grouse Creek upon receipt of the statutory fee of \$5.00.

If you are interested in having this Permit reinstated and Certificate of Completion of Works issued, it is important that you give the matter your early attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeanne L. Anderson

Chief Clerk

A:hll

Thank you for your letter. I am enclosing check for \$5.00.

*Sincerely yours,
J. F. McNall*

21273

March 28, 1955

RE: Permit No. 21273

Mr. J. F. McNall
Samuels
Idaho

Dear Mr. McNall:

We acknowledge receipt of the depositions of yourself and two witnesses in proof of Completion of Works on Permit No. 21273 in the name of yourself and W. W. McNall.

These proofs are acceptable and a Certificate of Completion of Works can be issued for 0.45 second foot of water from Grouse Creek upon receipt of the statutory fee of \$5.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

21273

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

January 11, 1955, 194.....

Re: Permit No. 21273.....

To W.W. McNall and J.F. McNall
C/o J. F. McNall
Samuels, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 21273
to appropriate the Public Waters of the State of Idaho, have not been complied with as to.....

Completion of works November 7, 1954

you are hereby notified in compliance with Sec. 42-311, Idaho Code annotated that said Permit No. 21273
is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from
date of this notice why said Permit should not be cancelled.

Said Permit No. 21273 claims the use of 0.9 cubic feet per second of the
waters of Grouse Creek with point of diversion located
in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, Twp. 59 North, Range 1 West, B. M., and
was approved November 7, 1949

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the
14th day of January, 1955, 194.....

Mark R. Kulp.
State Reclamation Engineer.

By _____ Assistant.

21273

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1. *W. A. McNamee - St. Michael*
(Signature or name of addressee)

2. *W. A. McNamee*
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery *1-18, 1955*

21273

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300.

(GPO)



Return to DEPARTMENT OF RECLAMATION
(NAME OF SENDER)

Street and Number, }
or Post Office Box, } 107 State House

REGISTERED ARTICLE

No. 8 7714

INSURED PARCEL

No. _____

BOISE,

21273

IDAHO.

PERMIT NO. 21273

Proof of Completion of Works

MAR 26 1955

DEPOSITION OF HOLDER

Department of Reclamation

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

Ans. J. P. McNall, Samuels, Idaho
Farmer

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. no. 21273 Nov. 7, 1949 9 cu ft per sec.
source - Grouse Creek. Point of Diversion in NW 1/4 of SW 1/4 sec 36 T59N R.1W B.M.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation 50 Acres 10 in SW 1/4 NE 1/4, 15 in SE 1/4 NE 1/4, 10 in NE 1/4 SE 1/4, 9 in NW 1/4 SE 1/4 sec 35, and 6 in SW 1/4 NW 1/4 sec 36 T59N R.1W B.M.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. yes. 1951-1954 19, 6 1/2 gal. per min. sprinkler heads on 3 inch aluminum lateral and 4 inch aluminum main line.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. not fully completed

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. This system irrigates about 25 acres which is only half stated on the permit. R.E.A. line limits motor size to 7 1/2 HP and an additional system the same size is needed.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. 7 1/2 HP motor pump, 1050' of 4" main line, 660' of 3" lateral 19 sprinkler heads with 1/4" x 3/8" nozzles. total cost \$2165.20. This system was installed before Nov. 7, 1954

(Sign here.)

J. P. McNall

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 Sendpoint,

County of Banner, State of Idaho, on this 23rd day of March A. D. 1955.

Notary Public.

My Commission expires Feb. 10, 1956

21273

Permit No. 21273**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Jack Popplewell Samuels, Idaho
FarmerQues. 2. Are you acquainted with J. F. McNally, the holder of Permit No. 21273, authorizing the diversion of 9 second-feet of the waters of Grouse Creek, at _____ for irrigation purposes? How long have you known him, and where does he reside?Ans. eight years - Samuels, IdahoQues. 3. Have you read or heard read said Permit No. 21273, and are you familiar with its terms and conditions?Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. yes light soil 9 second feet

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. not fully completed

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. 7 1/2 HP motor & pump, 1050' of 4" main line, 660' of 3" lateral, 19 sprinkler heads with 1/4" x 3/8" nozzles. This system was installed prior to Nov. 7, 1954.

(Sign here)

Jack PopplewellI 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, at my office in SandpointCounty of Bonner, State of Idaho, on this 23rd day of March, A. D. 1955.Ward B. Tiff
Notary Public in and for Bonner Co.,
Idaho, residing at Sandpoint, IdahoMy Commission Expires 28th Jan 1956

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 21273

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Ben Nickerson Samuels, Idaho
farmer

Ques. 2. Are you acquainted with J. F. McCall, the holder of Permit No. 21273, authorizing the diversion of 9 second-feet of the waters of Grouse Creek, at _____ for irrigation purposes? How long have you known him, and where does he reside?

Ans. 17 years Samuels, Idaho

Ques. 3. Have you read or heard read said Permit No. 21273, and are you familiar with its terms and conditions?

Ans. yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. yes. light soil needs irrigation

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. not fully Completed

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. 7 1/2 HP motor & pump, 1050' of 4" main line, 660' of 3" lateral. 19 sprinkler heads with 1/4 x 3/32 nozzles. This was installed prior to November 7, 1954.

(Sign here) Ben Nickerson

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, at my office in Sandpoint County of Bonner, State of Idaho, on this 23rd day of March, A. D. 1955.

Walter J. Tiff

Notary Public in and for Bonner Co.,
Idaho, residing at Sandpoint, Idaho

My Commission Expires Feb. 10, 1956

March 18, 1955

RE: Permit 21273

Mr. J. F. McNall
Samuels
Idaho

Dear Mr. McNall:

We have had no reply to office letter addressed you on January 24 in reply to registered notice that Permit No. 21273 was being held for cancellation for failure to make proof of completion of works when due on or before November 7, 1954.

In that letter we enclosed affidavits which could be executed by yourself and two witnesses in proof of the work that had been done prior to that date.

Unless we hear from you soon, we shall assume that you are not interested in making this partial proof and final order of cancellation will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

21273

January 24, 1955

RE: Permit No. 21273

Messrs. W. W. & J. F. McNall
C/o J. F. McNall
Samuels, Idaho

Dear Mr. McNall:

We have your letter of January 19 in reply to registered notice that Permit No. 21273 was subject to cancellation for failure to make proof of works when due on or before November 7, 1954.

We note your statement that you had part of the works completed prior to that time and we enclose affidavits to be executed by yourself and two witnesses describing what has been done and stating definitely that this was done prior to November 7, 1954.

Upon approval of these proofs the Permit may be reinstated and Certificate of Completion of Works issued.

Otherwise, you may file a new application for permit to take the place of Permit No. 21273, but this, of course, will carry the current priority rather than the original priority of November, 1949.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

21273

A:hl1
Enc.

RECEIVED
JAN 22 1955

Department of Reclamation
Samuels, Idaho
January 19, 1955

Mr. Mark R. Kulp
Department of Reclamation
State House
Boise, Idaho

Dear Sir:

We have your letter of January 14, regarding cancellation of water permit No. 21273. We certainly do not want the permit to be cancelled. The reason we haven't completed the works is lack of finances. We did get part of the works installed in 1951. We have a $7\frac{1}{2}$ H P motor and pump with a 19 head sprinkler system. Size of motor was limited by our single phase R.E.A. line, but we hoped to be able to put in another system at a later date.

If there is any way we can keep this water permit, will you please advise us? Thank you.

Sincerely yours,

W. W. & J. F. McNall

J. F. McNall

by J. F. McNall

21273

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

September 1, 1954

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. W. W. McNall
C/o J. F. McNall
Samuels, Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your Permit No. 21273 you are required to complete your diversion works on or before November 7, 1954. 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

21273

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 21273

Date November 16, 1949

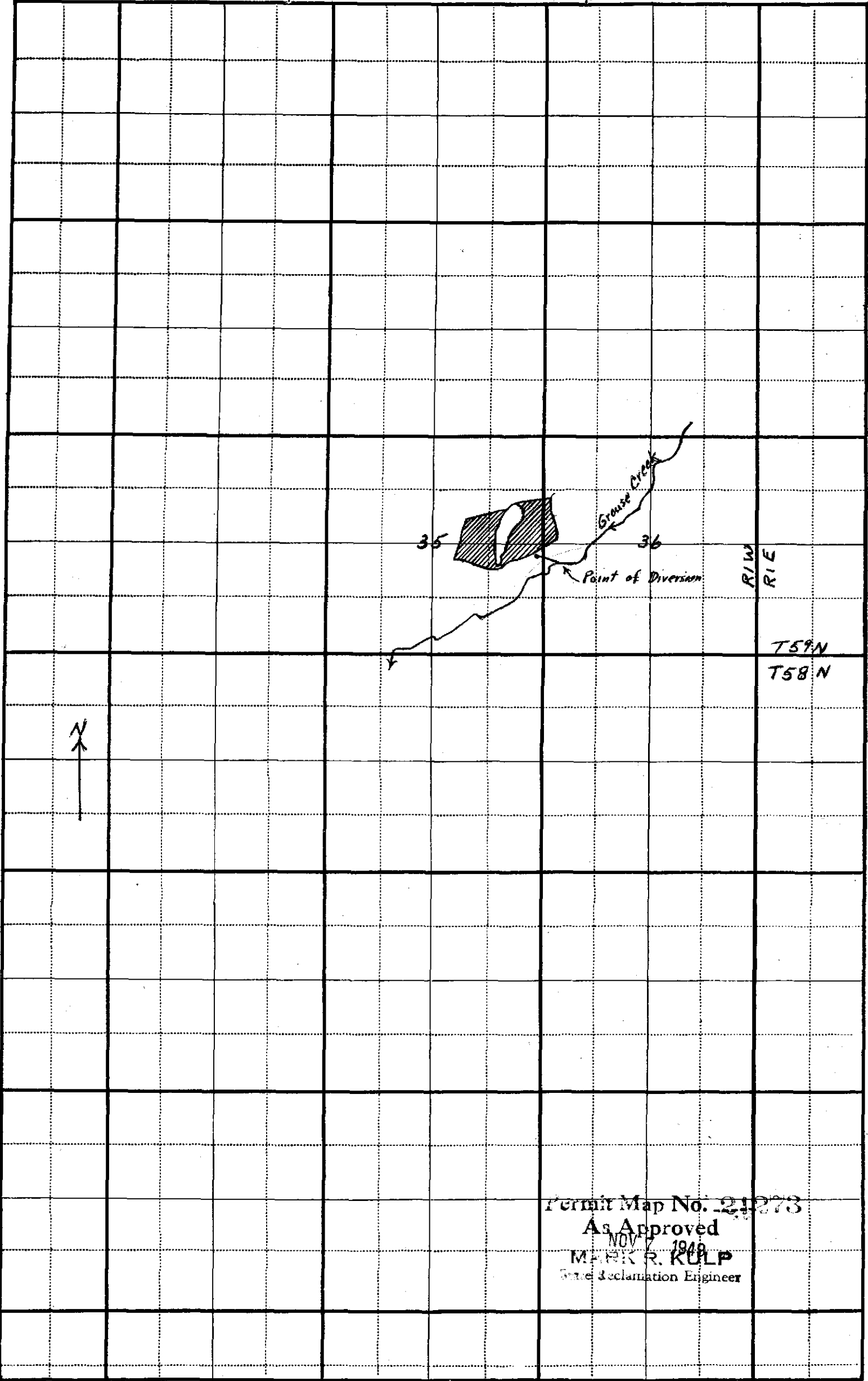
We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SALE as given under approval of the
State Reclamation Engineer, on the fourth page.

Messrs. W. W. and J. F. McNall
C/o J. F. McNall
Samuels, Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental Receipt No. 21886

21273



Permit Map No. 21273
As Approved
NOV 7 1948
MARK R. KULP
State Declaration Engineer