

State of Idaho
License and Certificate of Water Right

Water License No. 19809

Amount 3 second feet

Water District No.

Priority April 17, 1946

THIS IS TO CERTIFY that STATE FISH AND GAME DEPARTMENT
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 17, 1946; that Permit No. 19809
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3 second feet, was issued thereunder on August 15, 1947, showing that said works
were completed on the 14th day of May, 1947; and that on the 5th
day of May, 1947,

STATE FISH AND GAME DEPARTMENT

of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Spring Creek
Clark Fork River
, a tributary of Lightning Creek and/ , for the purpose of fish hatchery
, under Use Permit No. 19809 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
of Licenses at page 4388, on the 23rd day of February, 1948;
The right hereby confirmed dates from April 17, 1946;

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 27, Tp. 56 N., R. 2 E., B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, Township 56 North, Range 2 East, B.M.		

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
23rd day of February, 1948.

MARK R. KULP

State Reclamation Engineer

(SEAL)

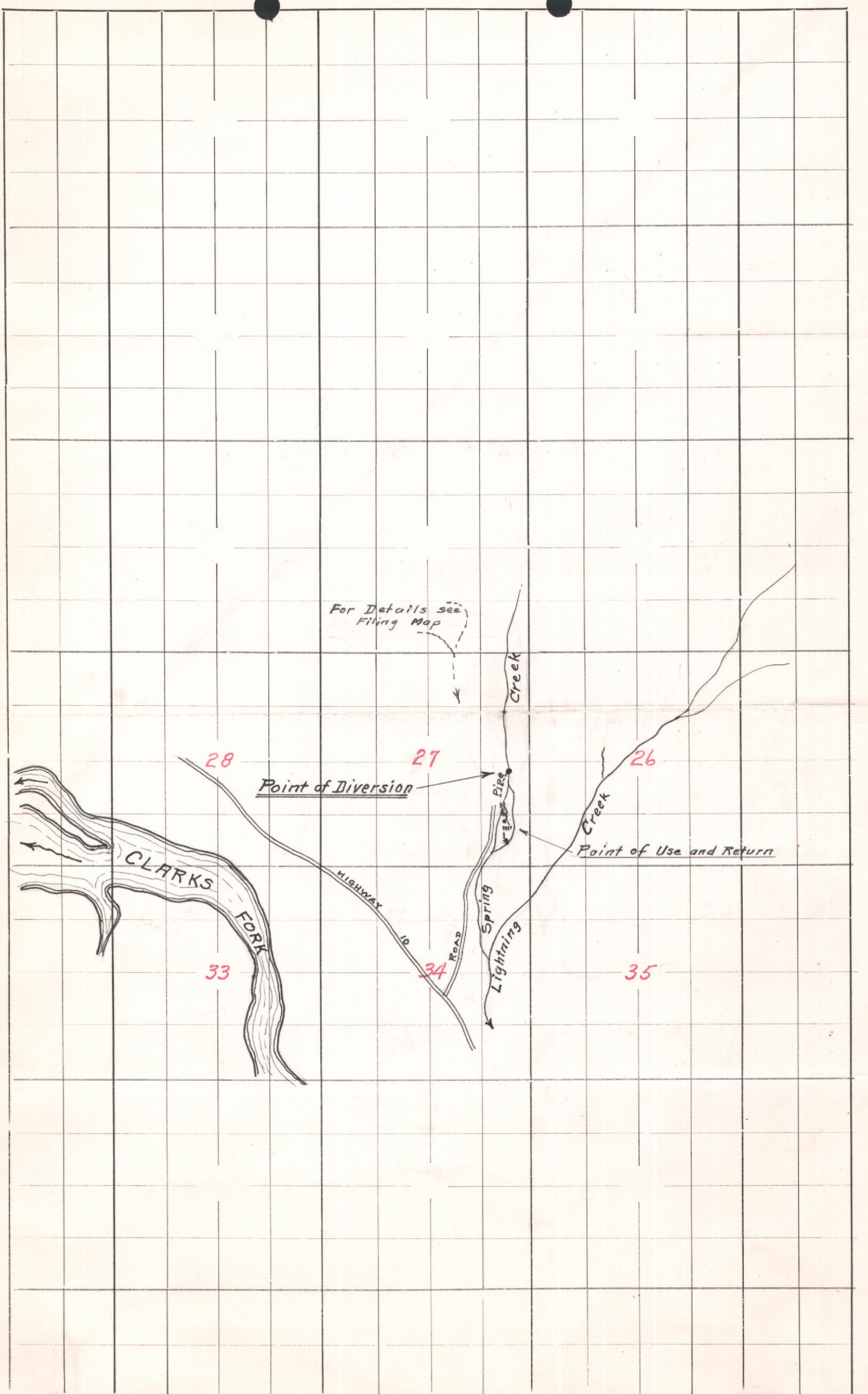
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19809

REPORT ON PROOF OF Beneficial use

Permit 3.7p.
3 cfs
inlet



✓
August 19, 1947

Re: Permits Nos. 19807, 19808 and 19809

State Fish and Game Department
B U I L D I N G

Gentlemen:

We enclose herewith certificates of Completion of Works issued under the following permits.

Permit No. 19807, for 2.0 second feet of water from John's Creek with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, Township 29 North, Range 2 East, B. M.

Permit No. 19808 for 2 second feet of water from a spring, tributary to Lake Pend Oreille, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 36 North, Range 2 West, B. M.

Permit No. 19809, for 3 second feet of water from Spring Creek, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Township 36 North, Range 2 East, B. M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FS
Encl.

19809

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 Printer
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin succeeds The Northern Idaho
News and the Sandpoint Bulletin, both of
which have been continuously and uninter-
ruptedly 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.

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 20th
day of March, 1947, and end-
ing on the 10th day of April,
1947, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

29 day of May, 1947.

Carl G. Rupp

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00
A. M. on the 5th day of May, 1947, at
Boise, County of Ada, State of Idaho,
before Anna Mastro, Notary Public,
proof will be submitted of the appli-
cation to beneficial use of 3.0 cubic
feet per second of the waters of Spring
Creek in accordance with the terms
and conditions of Permit No. 19809
heretofore issued by the State Rec-
lamation Department of the State of
Idaho.

The name and postoffice address of
the person or corporation holding said
permit are State Fish and Game De-
partment, Boise, Idaho.

The use to which said water has
been applied is Fish Hatchery pur-
poses.

The amount applied to beneficial
use is 3.0 cu. ft. per second.

The place where said water is used
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 T 56 N R 2E.

The name of the canal or ditch or
other works by which said water is
conducted to such place of use is
Wooden Stave Pipe line.

The right to take water from such
works is based upon Permit No. 19809.

The source of supply from which
said water is diverted is from Spring
Creek.

The date of priority which said user
is prepared to establish is April 17,
1946.

19809 MARK R. KULP
State Reclamation Engineer.
m29-27-a3-10

RECEIVED

JUN 2 1947

STATE FISH & GAME COMM.
BOISE, IDAHO

19809

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19809

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Idaho State Fish and Game Department - Boise, 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. Thomas B. Murray, Director

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

Ans. 19809 - May 4, 1946

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

Ans. Spring Creek # 1-S 36°-34' W 230 feet from the E $\frac{1}{4}$ corner Sec. 27 T. 56 N. R. 2 E
#2 - N. 20°-30' W 1512 feet from the SE corner Sec. 27 T. 56 N. R. 2 E

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.

Ans. #1 - Dam 6' high, 10' long on top, 8' long on bottom with 1600' 8" wooden stave pipe
#2 - Dam 8' high, 400' long on top, 400' long on bottom with 500' of 12" wooden stave pipe.

All water used in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 T. 56 N. R. 2 E

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. Fish hatchery purposes

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

Ans. Fish hatchery purposes

date of priority?

19809

B-71-21

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

Notice is hereby given that at 10:00 A. M. on the 5th day of May, 1947,
at Boise, County of Ada, State of Idaho, before
Anna Mastro, Notary Public, proof will be submitted of the
application to beneficial use of 3.0 cubic feet per second of the waters of Spring Creek
in accordance with the terms and conditions of Permit No. 19809
heretofore issued by the State Reclamation Department of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
State Fish and Game Department, Boise, Idaho

The use to which said water has been applied is Fish Hatchery purposes

The amount applied to beneficial use is 3.0 cu.ft. per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) NE 1/4 SE 1/4 Sec. 27 T 56 N R 2E

The name of the canal or ditch or other works by which said water is conducted to such place of
use is Wooden Stave Pipe line

The right to take water from such works is based upon Permit No. 19809

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

The date of priority which said user is prepared to establish is April 17, 1946

MARK R. KULP

State Reclamation Engineer.

19809

State of Idaho

Water License No. 19809

Amount 3 second feet

Water District No.

Priority April 17, 1946

THIS IS TO CERTIFY that STATE FISH AND GAME DEPARTMENT

STATE FISH AND GAME DEPARTMENT

The Point of Diversion is located

in the NE 1/4 SE 1/4, Sec. 27, Tp. 56 N., R. 2 E., B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, Township 56 North, Range 2 East, B.M.		

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
23rd day of February, 1948.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Application No. 27350
Permit No. 19809
District No.

1. Name of Applicant: IDAHO STATE FISH AND GAME DEPARTMENT

Postoffice address: Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: 3.0

cubic feet per second.

3. Source of water supply: Spring Creek

which is a tributary of Lightning Creek and
Clark Fork River

4. Location of point of diversion: # 1- S. 36° 34' W. 230 feet distant from the E $\frac{1}{4}$ corner of Section 27,
Twp. 56 N., Range 2 E., B.M., and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, Twp. 56 N., Range 2 E., B.M. # 2-20° 30' W. 1512 ft.
from the SE corner of Section 27, T. 56 N., R. 2 E., B. M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 27, T. 56 N., R. 2 E., B. M., County of Bonner

5. Water is to be used for Fish Hatchery purposes.

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 SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T. 56 N., R. 2 E., B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to Spring Creek at a point feet

distant from the corner of Section , T. , R. , B. M., in the
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, T. 56 N., R. 2 E., B. M.

7. Estimated cost of works: \$ 3,000.00

8. Kind of works: An 8" pipe line from dam on Spring Creek to Fish Hatchery; A 12" pipe line from pond
to rearing ponds.

#1- 6' 10' 8'
9. Height of dam 2- 8' feet; length of dam at top 400' feet; length of dam at bottom 400'
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 #1- 8" # 1- 1600 ft.
#2- 12" inches; length of conduit # 2- 500 ft. miles.

Average grade per mile feet.

12. The time required for the completion of such work is One years.

13. The time required for the complete application of the water to the proposed use is - additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? 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 waters of the State of Idaho as herein set forth.

IDAHO STATE FISH AND GAME DEPARTMENT

Applicant.

By

James O. Beck
Director

Agent.

Date of first receipt at Department of Reclamation: 4:45 P. M. April 17, 1946

Returned to applicant for correction: April 25, 1946

Corrected application received: April 29, 1946

Approval of State Reclamation Engineer

The number of this permit is 19809

Recorded in Book 71 Page 19809 Approved May 4, 1946

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 July 5, 1946 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 November 5, 1946

The whole of said work to be completed on or before May 5, 1947

Beneficial use of water appropriated in accordance herewith, to be made on or before May 5, 1947

Witness my hand this 4th day of May, 1946

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ARNOLD WILLIAMS, Governor of the State of Idaho,

and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 4th

day of May 19 46

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

Secretary of State.

By ARNOLD WILLIAMS

Governor

Remarks: From Point of Diversion # 1- an 8" wooden stave pipe-line is laid to the Fish Hatchery
From " " # 2- a 12" wooden stave pipe line 350' long conveys the waters from the settling pond to the rearing pond
All waters are returned to the two branches of Spring Creek. Completed.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
			PERMIT NO. 19809 To All Whom it May Concern: This is to certify that IDAHO STATE FISH AND GAME DEPARTMENT, of Boise, County of Ada, and State of Idaho, holder of Permit No. 19809, issued upon Application No. 27350, bearing date of priority of April 17, 1946, authorizing the diversion of Three (3) second feet of the waters of Spring Creek, a tributary of Lightning Creek and Clark Fork River, County of Bonner, State of Idaho, for Fish Hatchery purposes, has fully complied with the provisions 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 Three (3) second feet of the waters of Spring Creek; that the point of diversion of said waters is in the NE¹/₄ SE¹/₄ Section 27, Township 56 North, Range 2 East, B.M.; and that the place of use of said water is in the SE¹/₄ SE¹/₄ Section 27, Township 56 North, Range 2 East, B.M. MARK R. KULP State Reclamation Engineer Witness my hand this 15th day of August, A. D. 1947. Proof of completion of works made May 14, 1947 Certificate of completion of works issued August 15, 1947																
PERMIT ISSUED FOR 3 SEC. FT. 7.4388																			

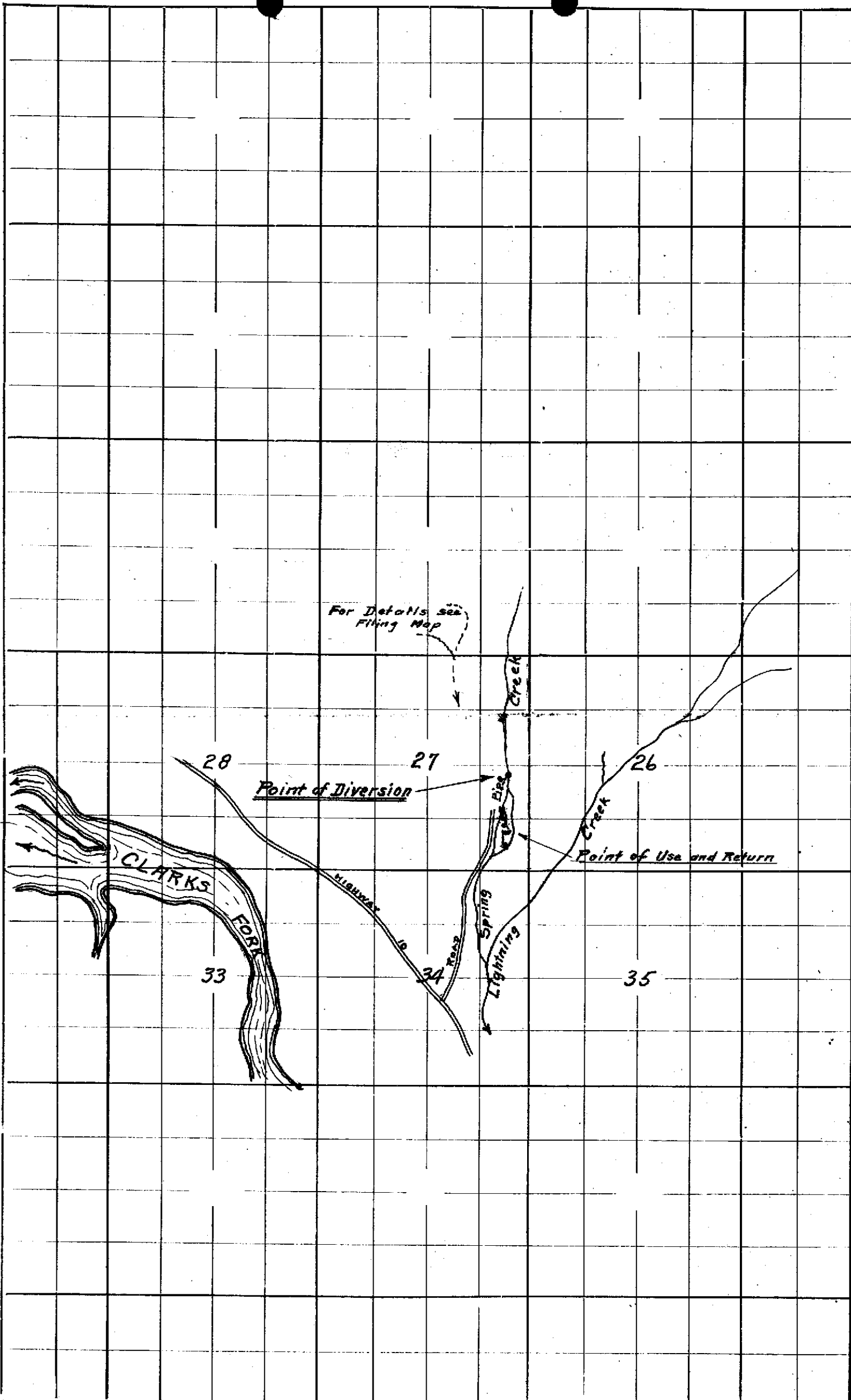
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER

PERMIT NO. 19809

REPORT ON PROOF OF Beneficial use

Permit 3 of 1

3 cfs
inlet



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

19809

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19809

This proof is for Beneficial use

In Water District No.

1. Name of applicant Idaho State Fish and Game Department, Boise, Idaho

2. Source of water supply: A spring

3. Location of point of diversion: Is in the NE¹/₄ SE¹/₄ of Section 27

T. 56 N. R. 2 E. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same:

Diversion works include earth and concrete dam 250 ft. long X 7 ft. high- concrete outlet control- 3380 lin. ft. of pipe of 12", 8", 4", 1¹/₂" and 3.4" diameters, leading to and serving the fish hatchery, plus eight concrete and one earth rearing ponds.

5. Water is used for: Fish hatchery purposes

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

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

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

8. What large stream would the water here appropriated finally reach? Clark's Fork River

Remarks: The average annual supply of trout of planting size is about 800,000, of the Rainbow, Cutthroat, and Eastern Brook varieties.

This examination was made on the 24th day of May 1946
19th day of October 1947

(Signed)



Examiner.

19809

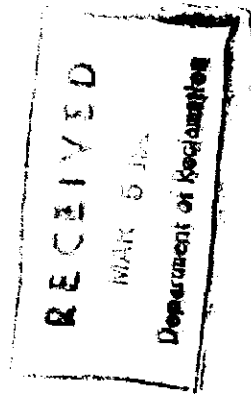
92
Fish and Game Department
Boise, Idaho
Permit No. 19809

Examination for Beneficial use

County Bonner

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.



✓
February 24, 1948

Re: Permit No. 19809

State Fish and Game Department
State House
Boise, Idaho

Attn: Mr. George E. Tucker

Dear Mr. Tucker:

We enclose License and Certificate of Water Right issued under Permit No. 19809, confirming your right to the use of three second feet of water from Spring Creek, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, Township 56 N., Range 2 E. B.M. with priority of April 17, 1946 for the purpose of a Fish Hatchery in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

19809

✓
August 19, 1947

Re: Permits Nos. 19807, 19808 and 19809

State Fish and Game Department
B U I L D I N G

Gentlemen:

We enclose herewith certificates of Completion of Works issued under the following permits.

Permit No. 19807, for 2.0 second feet of water from John's Creek with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, Township 29 North, Range 2 East, B. M.

Permit No. 19808 for 2 second feet of water from a spring, tributary to Lake Pend Oreille, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 56 North, Range 2 West, B. M.

Permit No. 19809, for 3 second feet of water from Spring Creek, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Township 58 North, Range 2 East, B. M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FS
Encl.

19809

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 Printer
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin succeeds The Northern Idaho
News and the Sandpoint Bulletin, both of
which have been continuously and uninter-
ruptedly 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.

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 20th
day of March, 1947, and end-
ing on the 10th day of April,
1947, and that said notice was published in said
newspaper, and not in supplemental form.

Subscribed and sworn to before me this

29 day of May, 1947.

Carl R. Kulp

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00
A. M. on the 5th day of May, 1947, at
Boise, County of Ada, State of Idaho,
before Anna Mastro, Notary Public,
proof will be submitted of the appli-
cation to beneficial use of 3.0 cubic
feet per second of the waters of Spring
Creek in accordance with the terms
and conditions of Permit No. 19809
heretofore issued by the State Rec-
lamation Department of the State of
Idaho.

The name and postoffice address of
the person or corporation holding said
permit are State Fish and Game De-
partment, Boise, Idaho.

The use to which said water has
been applied is Fish Hatchery pur-
poses.

The amount applied to beneficial
use is 3.0 cu. ft. per second.

The place where said water is used
NE 1/4 SE 1/4 Sec. 27 T 56 N R 2E.

The name of the canal or ditch or
other works by which said water is
conducted to such place of use is
Wooden Stave Pipe line.

The right to take water from such
works is based upon Permit No. 19809.

The source of supply from which
said water is diverted is from Spring
Creek.

The date of priority which said user
is prepared to establish is April 17,
1946.

19809 MARK R. KULP
State Reclamation Engineer.
1946-47-48-49

19809

Permit No. 19809

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada

ss.

T. B. Murray, Director Fish & Game Dept., 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. 19809, and that his postoffice address is Boise, Idaho, State of Idaho

Second: That the name of the stream from which said water is to be directed is Spring Creek

Third: That the point of diversion of said water is S 36°-34'W. 230' from E 1/4 corner of Sec. 27 T 56 N R 2 E is in the NE 1/4 SE 1/4 Sec. 27 T 56 N R 2 E

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by was completed in 1938

Fifth: That the use for which said water is intended is Fish Hatchery Purposes

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: Dam and pipe line

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

II. Dimensions of work:

(a) Height of dam 6 feet, length of dam at top 10 feet, length of dam at bottom 8 feet. Material used in construction Concrete

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line

(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe 8 inches, average grade per mile is feet. Length of conduit is 1600' miles

Seventh: That said works are capable of conducting to the place of intended use 3.0 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows:

Ninth: Remarks: That

T. B. Murray
(Sign here)

Subscribed and sworn to before me this 14th day of May, 1947

My commission expires 6/3/1950

Anna Masto
Notary Public.

19809

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19809

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Idaho State Fish and Game Department - Boise, 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. Thomas B. Murray, Director

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

Ans. 19809 - May 4, 1946

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

Ans. Spring Creek #1-S 36°-34' W 230 feet from the E $\frac{1}{2}$ corner Sec. 27 T 56 N R 2E
#2 - N 20°-30' W 1512 feet from the SE corner Sec. 27 T 56 N R 2 E

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.

Ans. #1 - Dam 6' high, 10' long on top, 8' long on bottom with 1600' 8" wooden stave pipe
#2 - Dam 8' high, 400' long on top, 400' long on bottom with 500' of 12" wooden stave pipe.All water used in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 T 56 N R 2E

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. Fish hatchery purposes

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

Ans. Fish hatchery purposes

date of priority?

19809

B. H. H.

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

Ans. 3 second feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Thomas B. Murray, present Director Fish and Game Department

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

Ans. 3 second feet since June 1945

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. None

(Sign)

Thomas B. Murray

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 Boise, County of Ada, State of Idaho, on this 5th day of May, A. D. 19 47.

Anna Mastro

My commission expires

6/1/1950

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19809**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. Frank H. Oster, 55, 116 E. Idaho, Boise, Improvement
Supervisor.

Ques. 2. Are you acquainted with Thomas B. Murray, the holder of Permit No. 19809? How long have you known him and where does he reside?

Ans. 1 month.

Ques. 3. Have you read or heard read said Permit No. 19809, 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. Spring Creek #1-S 36°-34' W. 230 feet from the E $\frac{1}{4}$ corner Sec. 27 T 56 N R 2E

#2 - N.20° -30' W 1512 feet from the SE corner Sec. 27 T 56 N R 2 E

1 -Dam 6' high, 10' long on top, 8' long on bottom with 1600' wooden stave pipe

2- Dam 8' high, 400' long on top, 400' long on bottom with 500' of 12" wooden stave pipe. All water used in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 T 56 N R 2E

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. 3 second feet

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. Fish Hatchery purposes

19809

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

Ans. None

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. None

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

Ans. None

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

Ans. 3 second feet, since summer of 1943.

(Signed) Frank N. Oster

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 Boise, County of Ada, State of Idaho, on this 5th day of May, A. D. 1947.

Anna Master
Notary Public.

My commission expires 6/1/1950

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19809

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. George E. Tucker, 57, 1912 State St., Boise, Idaho - Civil Engineer

Ques. 2. Are you acquainted with Thomas B. Murray, the holder of Permit No. 19809? How long have you known him and where does he reside?

Ans. 12 years - Boise Idaho

Ques. 3. Have you read or heard read said Permit No. 19809, 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. Spring Creek # 1 - S 36°-34' W. 230 feet from the E $\frac{1}{4}$ corner Sec. 27 T 56 N R 2E
#2 - N. 20°-30' W 1512 feet from the SE corner Sec. 27 T 56 N R 2 E
1 - Dam 6' high, 10' long on top, 8' long on bottom with 1600' 8" wooden stave pipe
2 - Dam 8' high, 400' long on top, 400' long on bottom with 500' of 12" wooden stave pipe. All water used in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27 T 56 N R 2E

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. 3 second feet

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. Fish hatchery purposes

19809

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

Ans. None.....

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. None.....

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

Ans. None.....

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

Ans. 3 second feet since June 1945.....

(Signed) George E. Tucker

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 Boise, County of Ada, State of Idaho, on this 5th day of May, A. D. 19 47.

Anna Mastro
Notary Public.

My commission expires 6/1/1950.

19809 ✓
C. A. Robins

April 11, 1947

Mr. Glenn E. Bandelin
Attorney at Law
Sandpoint, Idaho

Dear Mr. Bandelin:

Reference is made to your letter of April 9, in regard to water rights out of Spring Creek.

The records of this department show license No. 7459 in the name of the Village of Clarks Fork, with priority of September 1, 1921, for 3.5 second feet of water from Spring Creek, for domestic and irrigation use in the Village of Clark Fork with point of diversion located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27, Township 56 North, Range 2 East.

The records also show another Permit No. 8543 to the Village of Clarks Fork for 5 second feet of water from Spring Creek with filing date of July 19, 1912, for the purpose of "furnishing water for domestic and irrigation purposes to the inhabitants of the Village of Clarks Fork."

However, the statutory proofs necessary to complete this permit were never made and the permit was cancelled October 11, 1927.

No doubt, the first described permit and license was to take its place.

If you desire a copy of either of these permits, we shall be glad to furnish same at a cost of \$1.00 or \$1.50, if you wish the copy certified.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:FA

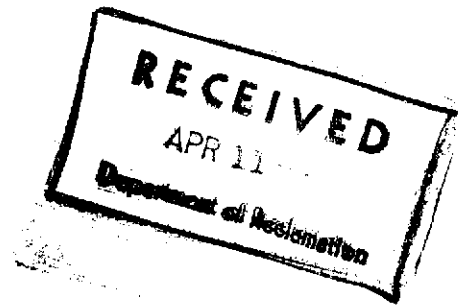
19809

BANDELIN & BANDELIN

ATTORNEYS-AT-LAW

SANDPOINT, IDAHO

April 9, 1947



Mr. Mark R. Kulp
Reclamation Engineer
State of Idaho
Boise, Idaho

Dear Mr. Kulp:

I am writing you on behalf of the Village of Clark Fork, which I represent as attorney.

There have lately appeared in our local paper two notices of Proof of Application for Water to Beneficial Use. The applications are made under permits 19808 and 19809 issued out of your office and would appropriate together a total of seven cubic feet per second. The Village of Clark Fork is interested as it acquires its water supply from Spring Creek. The point of diversion of the water to be taken by the fish hatchery is approximately one-half mile downstream from the point of diversion of the Village water.

The Village Clerk is certain that the Village has a water right, but we are unable to find any record of such in the records of the Village.

I should like to know whether the Village does have such a permit and would appreciate your sending me a copy of same. I should also like any other information that you might give relative to the issuance of the proposed permits. It, of course, is not the Village's desire to protest in any way the issuance of a license, but the members of the council feel they should know fully the details of the same.

Very truly yours,

GLENN E. BANDELIN

geb e

19809

C. A. Robins

March 18, 1947

Re: Permits Nos. 19807-19808 and 19809

State Fish & Game Department
Boise, Idaho

Dear Sirs:

We acknowledge receipt of duplicate notices of beneficial use proof to be made under the above numbered permits on May 5th, 1947.

A copy of the notice has been sent to the designated newspapers- The Idaho County Free Press, of Grangeville, for Permit No. 19807- and the News-Bulletin, of Sandpoint, for the other two- with instructions to publish the notices once a week for four consecutive weeks prior to the date set for proof, and to send you the affidavits of publication, together with the statement of publication costs.

We enclose three sets of deposition- one for the permit holder and one for each of two witnesses- for each permit- so that the Notary Public, Anna Castro, may have them in ample time for the proof.

At the time set, an authorized representative of the department, together with two disinterested witnesses, who are familiar with the terms of the permits, and the works constructed thereon or, should appear before the Notary, for the purpose of executing the depositions.

Very truly yours,

MARK N. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19809

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Re: Permit No. 19809

Date: March 17, 1947

The News-Bulletin

Sandpoint, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to May 5, 1947 the date set for proof, the expense of the publication to be paid by the applicant, State Fish & Game Department of Boise, Idaho, to whom you should furnish affidavit 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.

Very truly yours,

MARK N. KULP

State Reclamation Engineer

By

Chief Clerk

19809

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

Notice is hereby given that at 10:00 A. M. on the 5th day of May, 19 47,
at Boise, County of Ada, State of Idaho, before
Anna Mastre, Notary Public, proof will be submitted of the
application to beneficial use of 3.0 cubic feet per second of the waters of Spring Creek
in accordance with the terms and conditions of Permit No. 19809
heretofore issued by the State Reclamation Department of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
State Fish and Game Department, Boise, Idaho

The use to which said water has been applied is Fish Hatchery purposes

The amount applied to beneficial use is 3.0 cu.ft. per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) N¹/₄ S¹/₄ Sec. 27 T 56 N R 2E

The name of the canal or ditch or other works by which said water is conducted to such place of
use is Wooden Stave Pipe line

The right to take water from such works is based upon Permit No. 19809

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

The date of priority which said user is prepared to establish is April 17, 1946

MARK R. KULP

State Reclamation Engineer.

19809

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 12, 1947

(P. O.) Boise, Idaho

STATE RECLAMATION ENGINEER

~~TO THE COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
News-Bulletin of Sandpoint, Idaho, published in
the county in which the works are situated.

Cedric d'Easum

IDAHO FISH AND GAME DEPT.

Cedric d'Easum, Acting Director

(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.

19809

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE

March 3, 1947

State Fish and Game Department
Boise, Idaho

Dear Sir:

Under the terms of your permit No. 19809 you are required to complete your diversion works and make proof of beneficial use on or before May 5, 1947.

We enclose herewith a blank affidavit to be filled out, sworn to by you before a Notary Public of 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 of Works will be issued to you.

We also enclose blank notice for proof of application of water to Beneficial Use under this permit, which should be filled out and returned to this office at least forty (40) days before the date upon which you wish to make proof. The 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 May 5, 1947, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

19809

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

Notice is hereby given that at 10:00 A. M. on the 5th day of _____, 1947, at Boise, County of Ada, State of Idaho, before Anna Mastro, Notary Public, proof will be submitted of the application to beneficial use of 3.0 cubic feet per second of the waters of Spring Creek in accordance with the terms and conditions of Permit No. 19809 heretofore issued by the State Reclamation Department of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are State Fish and Game Department, Boise, Idaho.

The use to which said water has been applied is Fish Hatchery purposes.

The amount applied to beneficial use is 3.0 cu. ft. per second.

The place where said water is used NE¼ SE¼ Sec. 27 T 56 N R 2E.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Wooden Stave Pipe line.

The right to take water from such works is based upon Permit No. 19809.

The source of supply from which said water is diverted is from Spring Creek.

The date of priority which said user is prepared to establish is April 17, 1946.

MARK R. KULP

State Reclamation Engineer

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Mar. 20 - 47