

State of Idaho

License and Certificate of Water Right

Water License No. 19631Amount 0.2 c.f.s.

Water District No. _____

Priority June 7, 1945

THIS IS TO CERTIFY that

JEN NICKERSON

of Samuels, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 30, 19 45; that Permit No. 19631 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.6 second feet, was issued thereunder on July 31, 19 50, showing that said works were completed on the 22nd day of July, 19 50; and that on the 8th day of June, 19 55,

JEN NICKERSON

of Samuels, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Grouse Creek, a tributary of Pack River, for the purpose of irrigation, under Use Permit No. 19631 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 11 of Licenses at page 6912, on the 7 day of July, 19 60;

The right hereby confirmed dates from June 7, 19 45;

The Point of Diversion is located

in the NW 1/4 SW 1/4, Sec. 36, Tp. 59 N.R. 1 W., B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>59 N.</u>	<u>1 W.</u>	<u>35</u>	<u>SE 1/4 SE 1/4</u>	<u>30</u>	<u>10</u>
			Total number of acres to be irrigated:		<u>10</u>

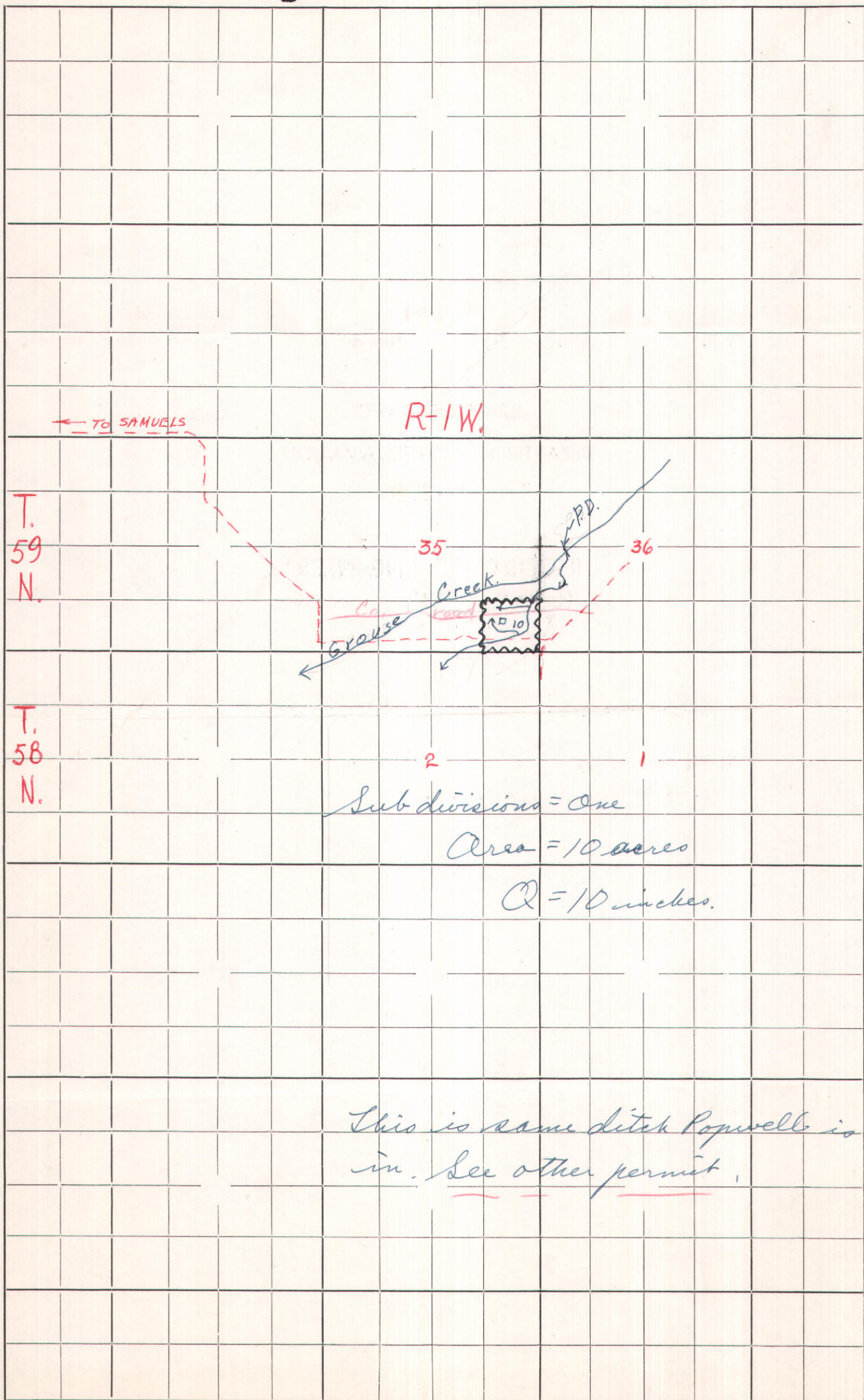
The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 7th day of July, 19 60.

s/ GEO. M. CARTER

State Reclamation Engineer.

(SEAL)



May 5, 1945

Re: Permits Nos. 19630-19631-19632

Mr. Mike F. Harrington
Samuels, Idaho

Dear Mr. Harrington:

We enclose herewith the following permits. Be sure and note limitations and conditions of same as given under the approval of the State Reclamation Engineer, on the fourth page:

No. 19630- Mike F. Harrington

No. 19631- Ben Nickerson

No. 19632- J. F. McNall

We also enclose Departmental Receipt No. 13859, for \$15.25, covering the fees paid by you on these several applications.

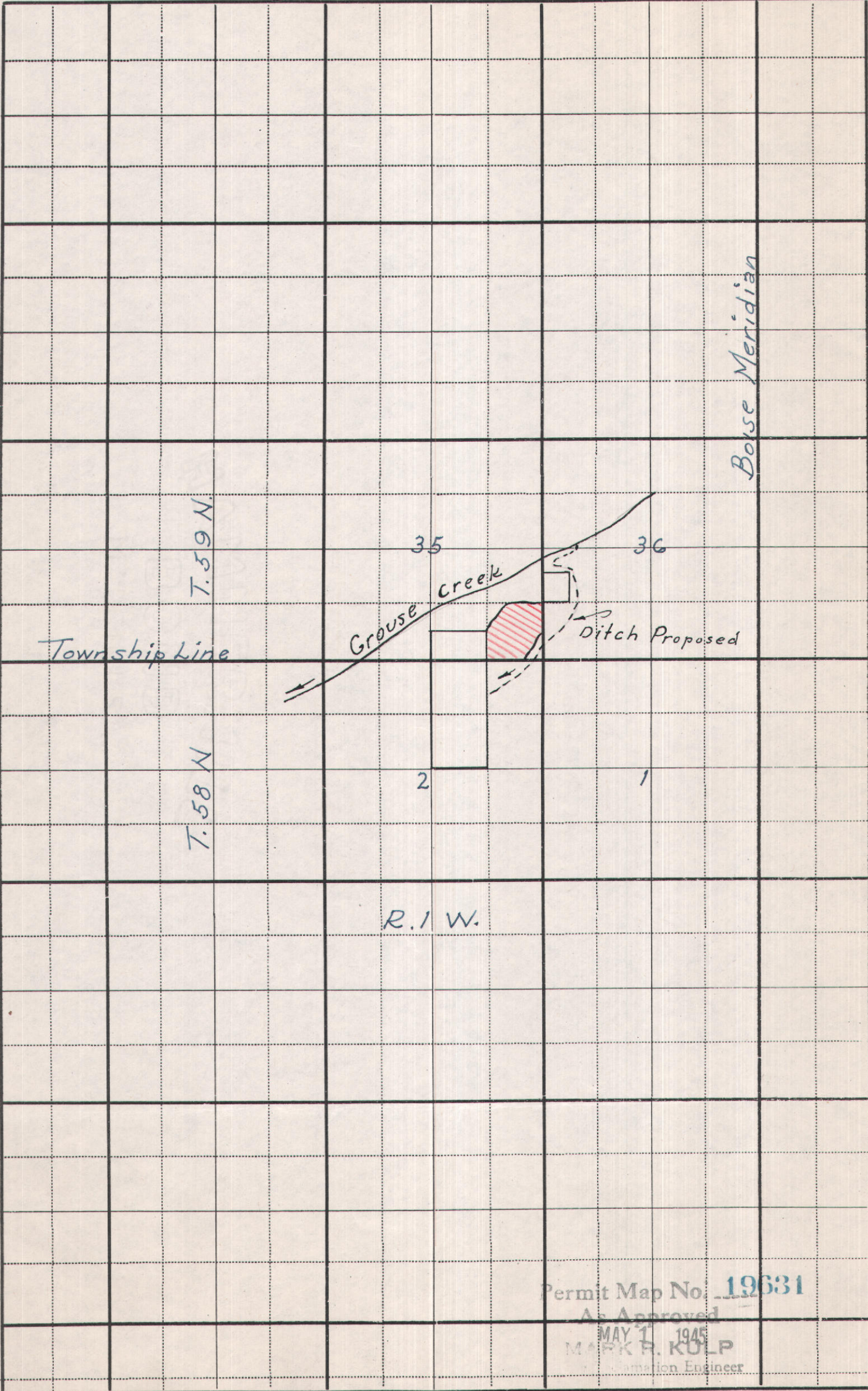
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19631



19631

State of Idaho License and Certificate of Water Right

Water License No. 19631

Amount 0.2 c.f.s.

Water District No.

Priority June 7, 1945

THIS IS TO CERTIFY that JEN NICKERSON
of Samuels, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 30, 1945; that Permit No. 19631
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.6 second feet, was issued thereunder on July 31, 1950, showing that said works
were completed on the 22nd day of July, 1950; and that on the 8th
day of June, 1945,

JEN NICKERSON
of Samuels, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Grouse Creek
, a tributary of Pack River, for the purpose of irrigation
, under Use Permit No. 19631 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
11 of Licenses at page 6912, on the 7 day of July, 1960;
The right hereby confirmed dates from June 7, 1945;

The Point of Diversion is located
in the NW 1/4 SW 1/4, Sec. 36, Tp. 59 N.R. 1 W., B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
59 N.	1 W.	35	SE 1/4 SE 1/4	30	10
			Total number of acres to be irrigated:		10

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
7th day of July, 1960.

s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Application No. 27155
Permit No. 19631
District No.

1. Name of Applicant: BEN NICKERSON

Postoffice address: Samuels Route 1 County: Bonner State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: Six-tenths (0.6) cubic feet per second.

3. Source of water supply: Grouse Creek which is a tributary of Pack River, thence
Lake Pend Oreille
westerly

4. Location of point of diversion: 495 feet distant from the N E
of NW $\frac{1}{4}$ SW $\frac{1}{4}$
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: \$ 600.00

8. Kind of works: Loose rock wing dam - Wood headgate and waste gate- $1\frac{1}{4}$ mile ditch

9. Height of dam 4 feet; length of dam at top 90 feet; length of dam at bottom 90
feet; material used in dam: Loose boulder rock- straw, etc.

10. Size of headgate: Width 4 feet; height 6 feet;

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 1 feet;
dimensions of flume:

Diameter of pipe inches; length of conduit 1.25 miles.

Average grade per mile 10 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 Five (5) additional years.

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

15. (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 waters of the State of Idaho as herein set forth.

BEN NICKERSON

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 10:15 A. M. April 30, 1945

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 19631

Recorded in Book 71 Page 19631 Approved May 1, 1945

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 1, 1945 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 1, 1947

The whole of said work to be completed on or before May 1, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before May 1, 1955

Witness my hand this 1st day of May, 1945

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, CHARLES C. GOSSETT, 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 1st

day of May, 19 45

STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

Secretary of State.

By CHARLES C. GOSSETT

Governor

Remarks: Mike F. Harrington - Ben Nickerson- J. F. McNall propose to construct and use a single diversion for diverting water from Grouse Creek for irrigation. Priority of filing to be equal as between each individual filing.

A small low wing dam constructed of loose boulders will be laid out into the stream for a diversion. Grouse 14. Creek has considerable fall. A combination headgate and waste gate will be installed at the lower end of the wing dam. (Cont't. below)

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																30	30

14-A: Existing water rights and/or valid permits appurtenant to the lands to be irrigated are - None

REMARKS (Continued) The wing dam will not be a permanent structure but will be repaired, replaced and packed with straw each year so as to obtain the required diversion. The proposed ditch design is large as compared to the amount of water to be used due to being constructed in material where a heavy transmission loss is expected.

Permit No. 19631
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that BEN NICKERSON of Samuels, County of Bonner, and State of Idaho, the holder of Permit No. 19631, issued upon Application No. 27115 bearing date of priority of April 30, 1945, authorizing the diversion of 0.6 second foot of the waters of Grouse Creek, a tributary of Pack River, thence Lake Pend Oreille, County of Bonner, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.6 second foot of the waters of Grouse Creek; that the point of diversion of said waters is 495 feet Westerly from the Northeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, Township 59 North, Range 1 West, B.M., and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 36; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 59 North, Range 1 West, B.M.

Witness my hand this 31st day of July, A. D. 1950.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made July 22, 1950.
Certificate of Completion of Works issued July 31, 1950.

LICENSE ISSUED FOR 0.2 SEC FT.

Page 69/2

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

Notice is hereby given at 11:00 A. M. on the 8th day of 1955, at Sandpoint, County of Bonanza, State of Idaho, before Mrs. Lowaya Erickson, Notary Public, proof will be submitted of the application to beneficial use of 0.6 cubic foot per second of the waters of Grouse Creek in accordance with the terms and conditions of Permit No. 19631 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Ben A. Nickerson, Samuels, Idaho.

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

The amount applied to beneficial use is 0.6 second foot.

The place where said water is used: SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 35, Township 59 North, Range 1 West B. M.

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

The right to take water from such works is based upon Permit No. 19631.

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

The date of priority which said user is prepared to establish is April 30, 1945.

MARK R. KULP,

State Reclamation Engineer.

July 7, 1960

Re: Permit No. 19631

Mr. Ben Nickerson
1109 Cedar Street
Sandpoint, Idaho

Dear Mr. Nickerson:

We enclose License and Certificate of Water
Right issued on Permit No. 19631.

We also enclose departmental receipt No.
30178 in the amount of \$2.00 covering the fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. license
receipt

19631

RT

1109 Cedar St
Sandpoint Id
Ben Nickerson
of Samuels Ida

July 1960
RECEIVED
JUL 5 1960
Department of Reclamation

Mr Mark R. Kulp
State Reclamation Engineer

Dear Sir

I find in looking thro my
Papers, that I never sent
you the two dollars \$2.00 for a
Licence for irrigation, for benefid
use of water, to irrigate 10 acres, in
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35 Township 39
North Range 1. West. B.M

I have been sick and living away.

So please forgive this in,

I might have sent the \$2.00, but

I can not find no account in my papers

Thanking you in Advance

Mr Ben Nickerson

1109 Cedar St Sandpoint Id
Formaly of Samuels Ida
1963/

October 12, 1955

RE: Permit No. 19631

Mr. Ben Nickerson
Samuels 1109 Cedar St.,
Idaho Sandpoint, Ida

Dear Mr. Nickerson:

We now have the report of our field engineer on examination for beneficial use on your Permit No. 19631.

This report shows that you have irrigated 10 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 59 North, Range 1 West, B.M. with water from Grouse Creek.

A License can, therefore, be issued for 10 inches or .2 second foot of water upon receipt of the statutory fee of \$2.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

19631

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19631

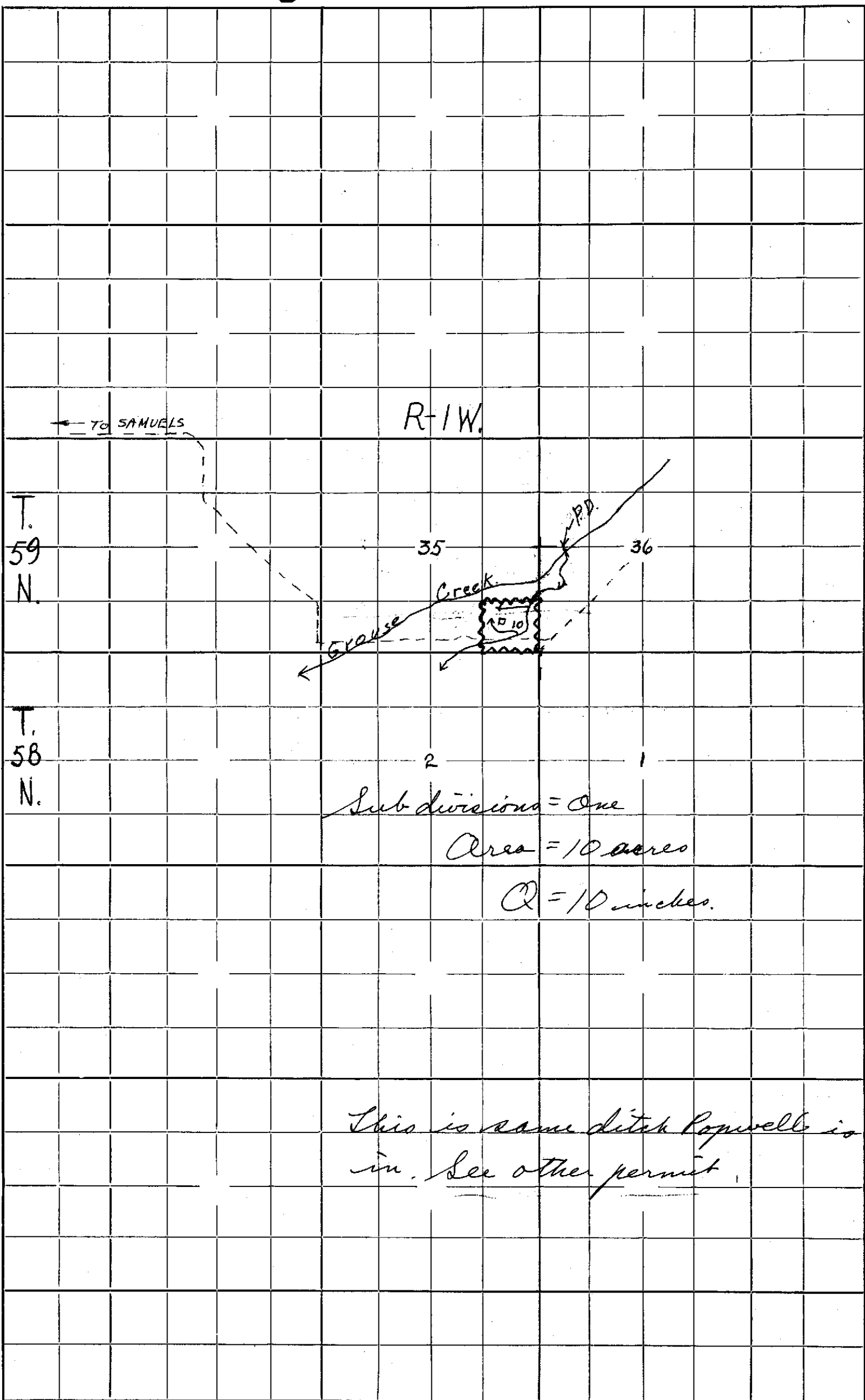
REPORT ON PROOF OF Beneficial Use

BEN NICKERSON, Samuels, Idaho

*.2 cfs
max*

app .0.6 cfs

10 acres



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

Permit No. 19631

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Ben Nickerson2. Source of water supply: Grouse Creek3. Location of point of diversion: Is in the NW¹/₄ SW¹/₄ of Section 36T. 59 N. R. 1 W. County of Bonner

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

This is a large ditch 4' w. in bottom passing thru the place. He has an interest in it. Takes water by gravity - cuts the sodded bank and puts in rocks to prevent washing.

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):

SE¹/₄ SE¹/₄ Section 35,Twp. 59 North, Range 1 West, B. M.

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

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

Remarks: _____

*Irrigation is of a haphard nature by wild flooding and some subbing.
Nothing but pasture and a garden.*

This examination was made on the 29 day of Sept, 1933

(Signed)

E. M. Humphrey

Examiner.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

RECEIVED
OCT 12 1955

Department of Reclamation

Ben Nickerson
Samuels, Idaho

Permit No. 19631

Examination for Beneficial Use

County Bonner

36-59N.-1W.

Q. 0.6 c.f.s.

S. = Grange Creek

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

Inc. Irrigation

Priority - April 30, 1945
Due - May 1, 1955

C/W. 7-31-50

September 16, 1955

RE: Permit No. 19631

Mr. Ben Nickerson
Samuel's
Idaho

Dear Mr. Nickerson:

An inspection is required by law on all Permits being brought to license in the State of Idaho.

I intend to make inspection in connection with your Permit No. 19631 either Thursday afternoon, September 29 or Saturday morning, October 1st.

Please be prepared to accompany me on this inspection.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

19631

✓
June 24, 1955

RE: Permit No. 19631

Mr. Ben Nickerson
Samuels
Idaho

Dear Mr. Nickerson:

We have your letter of June 23 enclosing affidavit of publication in the Sandpoint News Bulletin which completes your proof of beneficial use on Permit No. 19631.

The newspaper probably misunderstood when they told you to keep the affidavit. The affidavit is a part of the proof and must be filed in this Department.

However, we return your receipted bill for cost of publication which you will, of course, wish to keep in your own files.

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

A:hl1
Enc.

19631



ROBERT E. SMYLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

June 20, 1955

RECEIVED
JUN 24 1955
Department of Reclamation

RE: Permit No. 19631

Mr. Ben Nickerson
Samuels
Idaho

Dear Mr. Nickerson:

We have your reply to our letter of June 15th advising that you have received the affidavit of publication from the Sandpoint News Bulletin in connection with the proof of beneficial use on your Permit No. 19631.

This affidavit should be transmitted to this Department to be filed along with the depositions of yourself and two witnesses as part of your proof of beneficial use on said Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeannette L. Anderson

Chief Clerk

A:hll

Samuels Ida
6-23-55-19631

*I ask at News office if I
was to keep this affidavit or
was to send it on to state house
and was told I was to keep it,
Respectfully
Ben Nickerson*

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. Ben A. Nickerson.

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 12th
day of May, 19 55, and end-
ing on the 2nd day of June,
1955, and that said notice was published in said
newspaper, and not in supplemental form.

Subscribed and sworn to before me this

day of June, 19 55

Phix W. Hunt
Notary Public for Idaho,
Residing at Sandpoint, Idaho.

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

Notice is hereby given that at 11:00
A. M. on the 8th day of June, 1955, at
Sandpoint, County of Bonner, State of
Idaho, before Mrs. Lowava Erickson,
Notary Public, proof will be submitted
of the application to beneficial use of
0.6 cubic foot per second of the waters
of Grouse Creek in accordance with
the terms and conditions of Permit No.
19631 heretofore issued by the Depart-
ment of Reclamation of the State of
Idaho.

The name and postoffice address of
the person or corporation holding said
permit are Ben A. Nickerson, Samuels,
Idaho.

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

The amount applied to beneficial use
is 0.6 second foot.

The place where said water is used:
SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 35, Township 59
North, Range 1 West B. M.

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

The right to take water from such
works is based upon Permit No. 19631.

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

The date of priority which said user
is prepared to establish is April 30, 1945.

MARK R. KULP
State Reclamation Engineer.
m12-19-26-je2.

19631

✓
June 20, 1955

RE: Permit No. 19631

Mr. Ben Nickerson
Samuels
Idaho

Dear Mr. Nickerson:

We have your reply to our letter of June 15th advising that you have received the affidavit of publication from the Sandpoint News Bulletin in connection with the proof of beneficial use on your Permit No. 19631.

This affidavit should be transmitted to this Department to be filed along with the depositions of yourself and two witnesses as part of your proof of beneficial use on said Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

19631



ROBERT E. SMYLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

June 15, 1955

RE: Permit No. 19631

RECEIVED
JUN 20 1955
Department of Reclamation

Mr. Ben Nickerson
Samuels
Idaho

Dear Mr. Nickerson:

We return the depositions of yourself and two witnesses submitted in proof of beneficial use on Permit No. 19631 for the following corrections:

Question 4 of all three depositions should give the point of diversion to a legal subdivision, section, township and range.

Question 6 of all three depositions should give the legal description of the land where the water has been used.

The affidavit of publication is a necessary part of the proof and the Sandpoint News-Bulletin was instructed to sent this to you. If you have not received it, we suggest that you take the matter up with them at once.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeanne L. Anderson
Chief Clerk

A:hll
Enc.

*I have received the affidavit from
The Sandpoint News Bulletin
Respectfully
Ben Nickerson*

19631

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 15 1955
Department of Reclamation

Permit No. 19631

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Ben Nickerson, Grouse Creek, Farmer,
Larnum 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. (19631) (2) (6-8-53)

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

Ans. Grouse Creek, is 495 ft westerly of corner
the NW corner of the SW 1/4 - SW 1/4, Sect 36, T35N, R1W, B1M
and in the SW 1/4 - SW 1/4 of 9 Sect 36.

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. Wing dam at logs, dirt, & straw into ditch,
2.8 ft ft on second, Canal no name,
State

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. Irrigation (3 subdivisions) No 1 - 4 acres - no
2 - 20 acres - no 3 - 6 acres (approx) Pasture
& meadow.
Land to irrigate is to wit SE 1/4, SE 1/4, Sect 35 Township 59
North Range 1 west, B 1 M 4

19631

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. .6

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. Irrigation and stock water, .6
from 1950 to 1955

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. _____

(Sign) Ben Nickerson

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 8th day of June, A. D. 1955.

Lewana Erickson

My commission expires June 15, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19631

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. J. F. McCall, Grouse Creek, Rancher,
Samuels Idaho.

Ques. 2. Are you acquainted with Ben Hickerson, the holder of Permit No. 19631? How long have you known him and where does he reside?

Ans. Yes, 15 years, Grouse Creek.

Ques. 3. Have you read or heard read said Permit No. 19631, 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, with
wing dam ab log ditch & share into
irrigation ditch, is 495 ft westerly from
the corner of the SW 1/4 SW 1/4 Sect 36. T. S. 59. North, R. 1 West B. M
and in the SW 1/4 & SW 1/4 of said sect 36

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. 2.8 cusec ft per sec.

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. Irrigation and stock water
3 Subdivisions. No 1 - Approx 4 acres
No 2 - 20 acres No 3 - 6 acres, for pasture
and meadow. Irrigation to be used to wit is on
SE 1/4, SE 1/4 Sect 35. T. S. 59 North Range 1 west B. M

19631

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. Pasture and meadow land 6
cu ft Per Sec

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. From 1950 to 1955, 6 cu ft Per
Sec. for irrigation and stock water

(Signed) J. P. McCall

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Sandpoint
County of Bonner, State of Idaho, on this 8 day of June,
A. D. 1955.

Sharon Erickson
Notary Public.

My commission expires June 15, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19631

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. Jack Pappewell, Farmer, ~~and~~
Samuels Idaho.

Ques. 2. Are you acquainted with Ben Nickerson, the holder of Permit No. 19631? How long have you known him and where does he reside?

Ans. Yes. - 6 Years. House Creek
Samuels Idaho

Ques. 3. Have you read or heard read said Permit No. 19631, 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. House Creek, with wing dam
ab. deep dirt and straw into irrigation
ditch 1/2 S 4 45 ft. Westerly from the corner
of the SW 1/4 SW 1/4 Sect 36, T8, S 9, North R 1 west B M
and in the 4 SW 1/4 SW 1/4 of Sect 36

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. 9.8

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. Irrigation and Stock Water
3 Subdivision - No 1 Approx 4 acres
No 2 - 20 acres - No 3 - 6 acres for Pasture
and Meadow. Land to be irrigated is to wit
SE 1/4, SE 1/4 Section 35 - T8, S 9, North, Range 1 West B M

19631

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. Pasture and meadow land .6
acres per sec

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

Ans. Yes. Part interest in ditch for
irrigation water

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. From 1950 to 1955. .6 acres per sec
for irrigation and stock water

(Signed)

Jack Sepplwell

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Sandpoint

County of Bonner, State of Idaho, on this 8 day of June

A. D. 1955

Twana Erickson

Notary Public.

My commission expires June 15, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 19631

Date: May 6, 1955

Sandpoint News-Bulletin

Sandpoint, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to June 8, 1955 the date set for proof, the expense of the publication to be paid by the applicant, Ben A. Nickerson 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

19631

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

Notice is hereby given that at 11:00 A. M. on the 8th day of June, 1955,
at Sandpoint, County of Bonner, State of Idaho, before
Mrs. Lowava Erickson, Notary Public, proof will be submitted of the
application to beneficial use of 0.6 cubic ~~feet~~ per second of the waters of Grouse Creek
in accordance with the terms and conditions of Permit No. 19631
heretofore issued by the Department of Reclamation of the State of Idaho.

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

Ben A. Nickerson - Samuels, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 0.6 second foot

The place where said water is used (~~for irrigation, stock and domestic use, and for power~~) _____

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 59 North, Range 1 West B.M.

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

ditch

The right to take water from such works is based upon Permit No. 19631

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

The date of priority which said user is prepared to establish is April 30, 1945

MARK R. KULP

State Reclamation Engineer.

19631

✓
May 6, 1955

RE: Permit No. 19631

Mr. Ben A. Nickerson
Samuels
Idaho

Dear Mr. Nickerson:

We are sending to the Sandpoint News-Bulletin, notice for proof of beneficial use to be made June 8, 1955 on your Permit No. 19631 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 Mrs. Lowava Erickson, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

19631

Samuel D. Davis
5-4-55

Mr Mark R Kulp

I knew this lady's brother, Mr Cox
and did not know she was a married
woman, and she has promised to
materialize the paper on June 8th 1955-

Thanking you in advance
you will find her name on opposite
side of paper. Laura Erickson.

Thanking you in Advance
I remain

Samuel D. Davis

RECEIVED
MAY 6 1955
Department of Reclamation

19631



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER
BOISE

April 30, 1955

RE: Permit No. 19631

Mr. Ben A. Nickerson
Samuels
Idaho

Dear Mr. Nickerson:

We are in receipt of duplicate notice for proof of beneficial use on Permit No. 19631 to be made on June 1, 1955, before "Miss Cox".

We have checked the list of Notaries Public in the Secretary of State's Office and can find no one by that name at Sandpoint.

Please give us the name of the Notary Public before whom you will make the proof. But since we cannot receive your reply in time for four weeks publication prior to June 1, a later date will have to be set for making the proof.

Please let us hear from you by return mail.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeanne L. Anderson
Chief Clerk

A:hl1

Lovava

Samuels Dada
5-4-55

Lovava Erickson
this is the Dadya hand writing.
over

✓
April 30, 1955

RE: Permit No. 19631

Mr. Ben A. Nickerson
Samuels
Idaho

Dear Mr. Nickerson:

We are in receipt of duplicate notice for proof of beneficial use on Permit No. 19631 to be made on June 1, 1955, before "Miss Cox".

We have checked the list of Notaries Public in the Secretary of State's Office and can find no one by that name at Sandpoint.

Please give us the name of the Notary Public before whom you will make the proof. But since we cannot receive your reply in time for four weeks publication prior to June 1, a later date will have to be set for making the proof.

Please let us hear from you by return mail.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

19631

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

April 25 1965

(P. O.)

Samuels 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

News-Bulletin

of

Sandpoint

published in

the county in which the works are situated.

Ben A. Nickerson

(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.

1963/

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

Notice is hereby given that at 11 A. M. on the 7th day of June, 1955
 at Landpoint, County of Bonner, State of Idaho, before
Miss Kay Lowava Erickson, proof will be submitted of the
 application to beneficial use of 0.6 cubic feet per second of the waters of Grouse Creek
~~Rock River Land~~ in accordance with the terms and conditions of Permit No. 19631
 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Samuel
Ben A. Nickerson

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 0.6 feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
SE 1/4 SE 1/4 of section 35 same Range & Township
54 21 1 W

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

The right to take water from such works is based upon Permit No. 19631

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

The date of priority which said user is prepared to establish is June 1st 1955
4-30-45

State Reclamation Engineer.

19631

April 18, 1955

RE: Permit No. 19631

Mr. Ben A. Nickerson
Samuels
Idaho

Dear Mr. Nickerson:

We have your letter of April 16 requesting papers for making final proof on Permit No. 19631.

Before this proof is made the statutes require publication once a week for four weeks in a county newspaper. This notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. The proof may be made at Samuels or any place convenient for you and your two witnesses and the time must be set far enough ahead to allow for four weeks publication.

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

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the forms of deposition to be used in making the proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

19631

Samuel Idaho
4-16-55

State of Idaho
Department of Reclamation
State Reclamation Engineer
Dear Sir

Please send me my final papers
So as to prove up on permit 178.19631
For division of water - 06
SW $\frac{1}{4}$ - SW $\frac{1}{4}$ Sect 36 Township 59 North
Range 1 West B.M. for irrigation
of land in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sect 35
Same Township 4 and Range

Respectfully
Bert A. Nickerson

Samuel Idaho

RECEIVED
APR 18 1955
Department of Reclamation

521-55

19631

August 15, 1950

Re: Permit No. 19631

Mr. Ben Nickerson
General Delivery
Electric City, Washington

Dear Mr. Nickerson:

We are in receipt of your letter of August 11, asking if there is anything further that you have to do to complete your Water Right under Permit No. 19631.

If you will refer to the Permit, you will note that the conditions are set out on the fourth page. These conditions include Proof of Completion of Works which you have already made, and Proof of Beneficial Use which may be made at any time on or before May 1, 1955.

This Beneficial Use Proof requires publication once a week for four consecutive weeks prior to time of making proof. If you are prepared to make the final proof now, we will send you the necessary forms, but it can be made at any time between now and May 1, 1955.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

19631

Electric City Washington

8-11-50

Department of Reclamation
Boise Idaho

I am in receipt of Permit No. 19631
stating it is Certificate of Completion
of work, now will you please
inform me if this is all the
papers I have to make out or
do I still have to prove up or
rather advertise the project in
the county paper so as to get
a deed to same
please inform me as I just do
not know what I am sposed to
do now.

Yours Respectfully

Ben Hickerson
Electric City Wash
Gen Del

B/W 5-1-55

RECEIVED
AUG 14 1950
Department of Reclamation

19631

✓
August 2, 1950

Re: Permit No. 19631

Mr. Ben Nickerson
Electric City, Washington

Dear Mr. Nickerson:

We enclose Certificate of Completion of Works issued under Permit No. 19631 for the diversion of 0.6 of a second foot of water from Grouse Creek, with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, Township 59 North, Range 1 West, B.M., for the irrigation of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, same Township and Range.

We also enclose Departmental Receipt No. 22552 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

19631

Permit No. 19631STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

RECEIVED
JUL 24 1950

Department of Reclamation

AFFIDAVIT OF HOLDER
STATE OF ^{Washington} ~~IDAHO~~

SS.

County of BonnerBen Nickerson ~~Idaho~~, 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. 19631, and that his postoffice address is Samuels
State of IdahoSecond: That the name of the stream which said water is to be directed is Grouse CreekThird: That the point of diversion of said water is 495- Westerbly
From the NE-corner NW 1/4 SW 1/4 of Section 36 T39R1WFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 1, 1950.Fifth: That the use for which said water is intended is IrrigationSixth: That on the date above mentioned, the works constructed under said permit were (~~or were not~~) fully completed and consisted of the following:I. Kind of works: wing Dam, concrete headgate EURE EARTH ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)II. Dimensions of work: Wing dam(a) Height of dam 3 feet, length of dam at top 60 feet, length of dam at bottom 60 feet. Material used in construction Earth & RockRock & Earth and were completed
(State whether wood, earth, stone or concrete)(b) Capacity of reservoir X acre feet.(c) Size of headgate: Width 4 feet, height 6 feet.(d) Conduit ~~flume~~ width at bottom 2 feet, width at water line 4
(State whether ditch, flume or pipe)feet, depth of water 1 feet; diameter of pipe 12 inches, average grade per mile is 10.0 feet. Length of conduit is 1.25 miles.Seventh: That said works are capable of conducting to the place of intended use (4.5)
in 2nd second feet of water.Eighth: That water appropriated under said permit is available for Irrigation
acres of land described as follows: 6 cubic feet per secondSE 1 of SE 1 Sect 35 Township 59
Range 1 W 4Ninth: Remarks: That Please note this letter was
miss sent, so it did not reach me at
the required timeX Ben Nickerson
(Sign Here)Subscribed and sworn to before me this 22^d day of July, 1950.My commission expires June 12, 1954Ernest R. Whitmore Jr.
Notary Public for
the State of Washington residing
at Grand Coulee.

19631

July 25, 1950

✓ Re: Permit No. 19631

Mr. Ben Nickerson
Electric City, Washington

Dear Mr. Nickerson:

We acknowledge receipt of the Affidavit in Proof of Completion of Works under Permit No. 19631, accompanied by money order for the \$5.00 fee. *encl 1*

We are sorry to have to return the Affidavit for the following corrections:

1. Question 6 should state whether the works were or were not completed, and should describe the works, which your application states consist of a dam, headgate, and ditch.

2. Question 8 should give the legal description of the land by subdivision, Section, Township and Range.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

19631

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Ben Nickerson
Route 1
Samuels, Idaho

Boise, Idaho **March 1, 1950**

Dear Sir:-

Under the terms of your permit No. ~~19631~~-----you are required to complete your diversion works on or before ~~May 1, 1950~~----- 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

19631

May 3, 1945

Re: Permits Nos. 19630-19631-19632

Mr. Mike F. Harrington
Samuels, Idaho

Dear Mr. Harrington:

We enclose herewith the following permits. Be sure and note limitations and conditions of same as given under the approval of the State Reclamation Engineer, on the fourth page:

No. 19630- Mike F. Harrington

No. 19631- Ben Mickerson

No. 19632- J. F. McCall

We also enclose Departmental Receipt No. 18359, for \$15.25, covering the fees paid by you on these several applications.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19631

