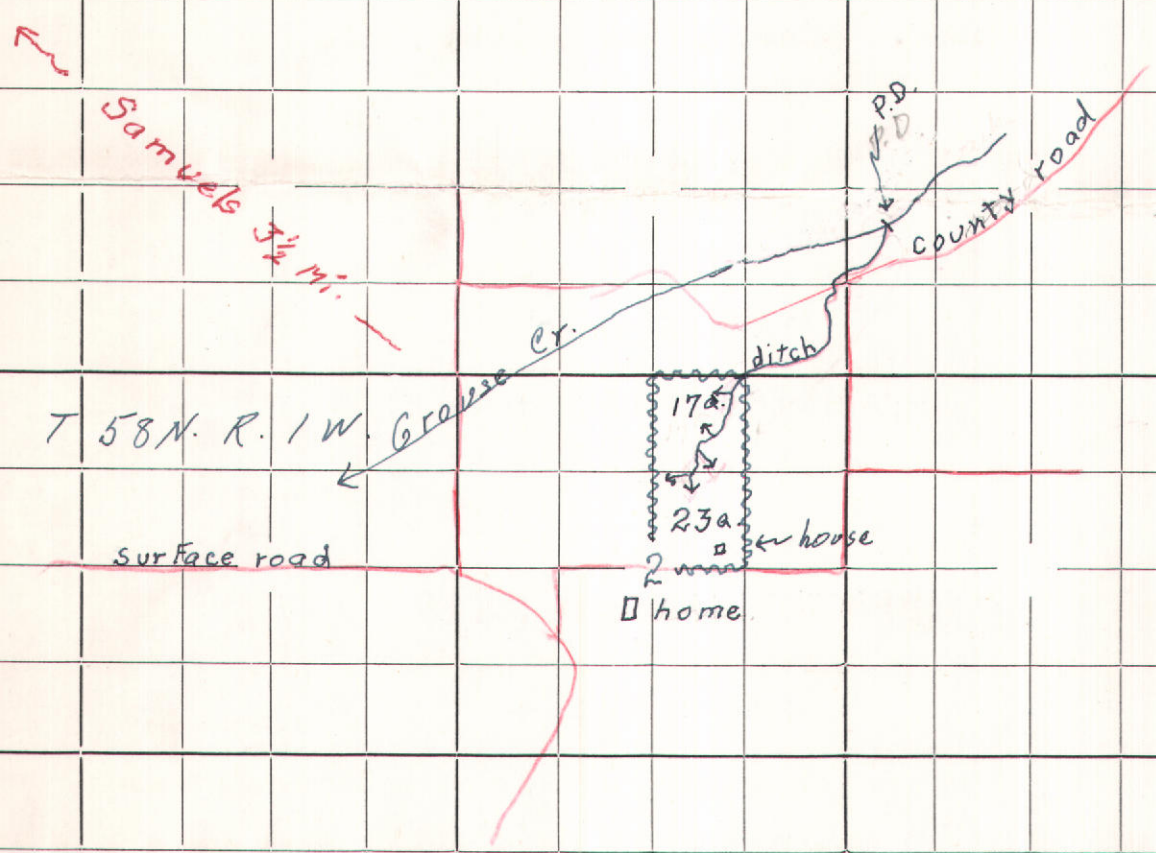
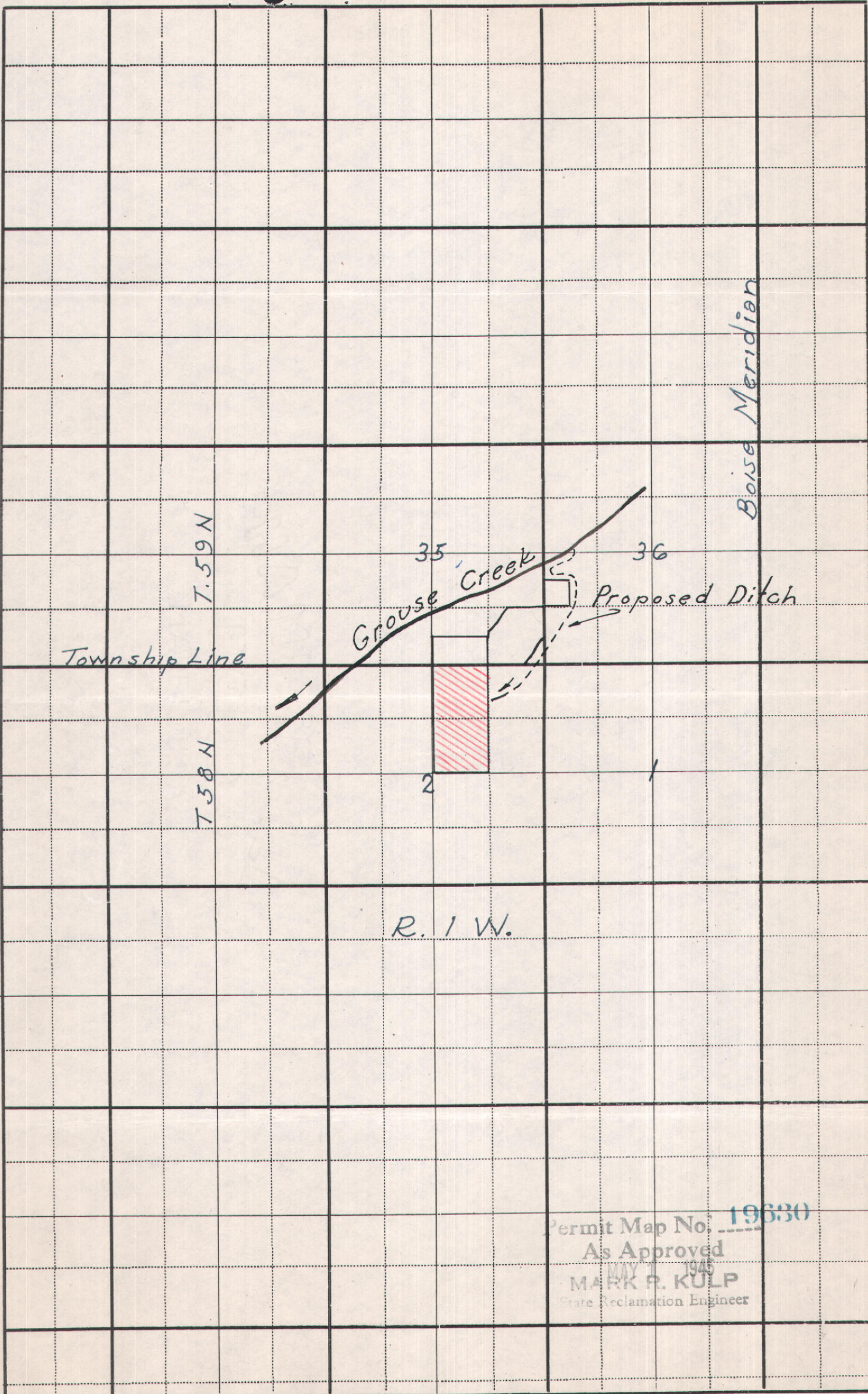


P.D. = NW SW. S 36.



Subdivisions = Two.
Area = 40 acres.
Q = 40 inches.



Permit Map No. 19630
As Approved
MAY 1 1945
MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 19630

Amount 0.8 second foot

Water District No.

Priority April 30, 1945

THIS IS TO CERTIFY that MIKE F. HARRINGTON
 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. 19630
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1.6 second feet, was issued thereunder on October 10, 1950, showing that said works
 were completed on the 23rd day of September, 1950; and that on the 8th
 day of December, 1954,

JACK M. POPPLEWELL and GRACE W. POPPLEWELL, Assignees,
 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. 19630 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
 9 of Licenses at page 5501, on the 3rd day of June, 1955;
 The right hereby confirmed dates from April 30, 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 0.8 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
58 N.	1 W.	2	NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	17
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	<u>23</u>
			Number of Acres Actually Irrigated		

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
 3rd day of June, 1955.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 18400Amount 80 second feet

Water District No. _____

Priority March 14, 1948

THIS IS TO CERTIFY that TETON VALLEY POWER & MILLING COMPANY
of Driggs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 17, 1936; that Permit No. 18400
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
150 second feet, was issued thereunder on September 10, 1940, showing that said works
were completed on the 10th day of January, 1939; and that on the 23rd
day of May, 1955,

TETON VALLEY POWER & MILLING COMPANY
of Driggs, State of Idaho, supplemental
State Reclamation Engineer of Idaho, of the right to use the waters of Teton River
, a tributary of Snake River, for the purpose of generation of electric
power, under Use Permit No. 18400 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
9 of Licenses at page 5502, on the 3rd day of June, 1955;

The right hereby confirmed dates from March 14, 1948;

The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 29, Tp. 7 N, R. 44 E, B. M. Teton 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 80 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Plant of the Teton Valley Power & Milling Company, located in the NW 1/4 NE 1/4 Section 29, Township 7 North, Range 44 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

3rd day of June, 1955.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

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

Application No. 27154
Permit No. 19630
District No.

*Jack M. Luce w.
Poppelmell - Rt #1
Samuels -
Idaho*

1. Name of Applicant: MIKE F. HARRINGTON

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:

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

2. Quantity of water claimed: One and six-tenths (1.6) cubic feet per second.

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

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

MIKE F. HARRINGTON 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 19630

Recorded in Book 71 Page 19630 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, 1945.

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 head gate and waste gate will be installed at the lower end of the wing dam. (Cont'd. be)

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	
58 N.	1 W.	2		40	40													80	
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 amount of water to be used due to being constructed in material where a heavy transmission loss is expected.																
			A S S I G N M E N T																
			For value received, I hereby assign all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 19630, to Valley C. and Lillian B. Mitchell, of Samuels, Idaho, Rt. 1																
			MIKE HARRINGTON Permit Holder.																
			Wife of Permit Holder (See attached certified copy of deed)																
STATE OF IDAHO) COUNTY OF BONNER)			ss. On this 23 day of Sept. 1950, before me, a Notary Public in and for the State of Idaho, residing at Sandpoint, R. 1, personally appeared Mike F. Harrington, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.																
			In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.																
			(SEAL)																
			Received and filed for record in the Department of Reclamation of the State of Idaho, at 9:00 A.M. Sept. 25, 1950																
			MARK R. KULP State Reclamation Engineer (A)																
			ALEX T. RUSSELL Notary Public for the State of Idaho Sandpoint, Idaho My commission expires April 20, 1953																

(The Deed referred to in the above assignment is a deed from Josephine H. Harrington to Mike F. Harrington, dated October 25, 1945, quit-claiming the $W\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Township 58 N., Range 1 W., B.M., to be his sole and separate property. Said deed being recorded in Bonner County, in Book 73 of Deeds, at page 234.)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement of Permit)
No. 19630, Under the provisions of Section) ORDER REINSTATING PERMIT
42-311, Idaho Code.)

WHEREAS, Permit No. 19630 lapsed through failure of the holder to make proof of completion of works of diversion within the time specified in the Permit, to-wit: May 1, 1950; and,

WHEREAS, On the 7th day of August, 1950, 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 11th of September, 1950, 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 2nd day of October, 1950, 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. 19630, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 19630 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 10th day of October, 1950.

(SEAL)

MARK R. KULP
State Reclamation Engineer

PERMIT NO. 19630
Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that Valley C. and Lillian B. Mitchell, of Samuels, County of Bonner, and State of Idaho, the holders of Permit No. 19630, issued upon Application No. 27154, bearing date of priority of April 30, 1945, authorizing the diversion of 1.6 second feet of the waters of Grouse Creek, a tributary of Pack River, thence Lake Pend Oreille, 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 1.6 second feet 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, Township 59 North, Range 1 West, B.M.; and that the lands proposed to be irrigated by the use of said waters are described as follows, to-wit: West Half of the Northeast Quarter, Section 2, Township 58 North, Range 1 West, B. M.

Witness my hand this 10th day of October, 1950

Proof of completion of works made September 23, 1950
Certificate of Completion of Works issued October 10, 1950

MARK R. KULP
State Reclamation Engineer

ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 19630 to Jack M. and Grace W. Popplewell of Samuels, Idaho., Route 1.

V. C. MITCHELL
Permit holder.

LILLIAN B. MITCHELL
Wife of Permit holder.

State of Idaho)
) ss
County of Bonner)

On this 13th day of September, 1952, before me, a Notary Public for the State of Idaho, residing at Sandpoint, Idaho, personally appeared V. C. Mitchell and Lillian B. Mitchell, known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

My commission expires 2-20-55.

C. W. SPEALMAN
Notary Public, residing at Sandpoint, Idaho.

(SEAL)

Received and filed for record in State Department of Reclamation, at Boise, Idaho, September 19, 1952.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 0.8 SEC. FT.
P. 5501

June 3, 1955

RE: Permit No. 19630

Mr. Jack M. Popplewell
Route 1
Samuels, Idaho

Dear Mr. Popplewell:

We enclose License and Certificate of Water Right issued under Permit No. 19630 confirming the right of yourself and Grace W. Popplewell to the use of .8 second foot of water from Grouse Creek with priority of April 30, 1945 and 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 W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Township 58 North, Range 1 West, B.M.

We also enclose departmental receipt No. 27372 for the \$4.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

19630

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 19630

Comes now JACK M. POPFLEWELL, and represents to the ~~Commissioner~~ ^{State Reclamation}
~~Engineer~~ ^{Engineer} of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19630, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Township 58 North, Range 1 West, B.M.

making a total of _____ acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 1st day of June, 1955

Subscribed and sworn to before me,
a notary public, this 1st day of
June, 1955.

June 3-1955
Date of receipt at Office of Department of Reclamation

STATE RECLAMATION ENGINEER

APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

State Reclamation Engineer

I, Mark R. Kulp, ~~Commissioner of Reclamation~~ of the State of Idaho, hereby approve

the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 19630. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R. Kulp
~~Commissioner of Reclamation~~
State Reclamation Engineer

(Over)

*Not recorded - sent in error - Permit was OK -
Publication wrong - 19630*

Effective April 10, 1911

Department of Reclamation

REGULATIONS AS TO AMENDED APPLICATION AND PERMIT.

Section 3255 of the Revised Codes, provides for the amendment of a permit as to lands upon which the water is to be used. The permit holder, to avail himself of the provisions of this section, should fill out and file with the Commissioner of Reclamation the application blank found upon the reverse side of the sheet. If there is not sufficient room in such blank for the legal description of the amended list of lands, this may be submitted as an exhibit, proper reference thereto being made in the application.

Before amended permit will be granted applicant must file with the application two maps, showing the following details:

- (a) Name of applicant.
- (b) Section, town and range numbers, where public survey has been made.
- (c) Source or sources of supply.
- (d) Point or points of diversion.
- (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
- (f) Lands to be irrigated to be shown by cross-hatching, outlining, or coloring.

If original permit called for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me.....
19..... and correctly shows position of points indicated thereon.

Engineer.

P. O.

Date.....19.....

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

Permit No. 19630

This proof is for Beneficial use In Water District No.

1. Name of applicant Jack M. Popplewell, Route 1, Samuels, Idaho

2. Source of water supply: Grouse Creek

3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36

T. 59 N. R. 1 W. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: Wing dam made of rocks extends into stream. Ditch is 6' wide on bottom 18" to 2' deep. Slitch 4' wide on bottom after it reaches farm. Part of irrigation is by wild flooding and subbing.

5. Water is used for: Irrigation

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):

W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Township 59 North, Range 1 West, B. M.

See map

South forty is a field North forty is pasture and brush.

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

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

Remarks:

Former owner did not develop irrigation system as it should have been and Mr. P. has not yet had time to get it all done.

He wants to get a supplemental license as soon as he gets the ground all prepared for irrigation.

This examination was made on the 10th day of May, 1955

(Signed) E. M. Humphrey Examiner.

Jack M. Popplewell
Rt. 1, Samuels, Idaho
Permit No. 19630

Examination for Beneficial use

County Bonner
36 59N. 1W.

1.6 cfs for House Cr.

Spring

P.D. = NW SW 36

There is an error
in land description.

Apr 30 - 45
C/W - Sept 23 - 50
B/W - May 1 - 55

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
MAY 16 1955

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19630

REPORT ON PROOF OF Beneficial use

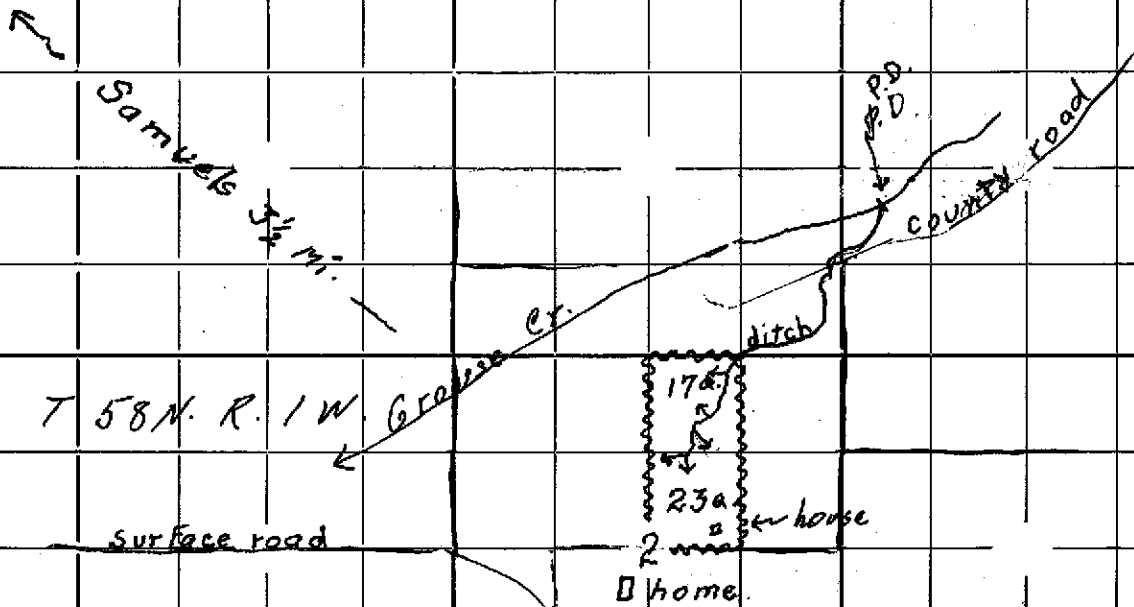
JACK M. POPPLEWELL, Route 1, Samuels, Idaho

*.8 cfs
max*

*app. 1.6 cfs.
C/W 1.6 cfs.*

*40 acres
2-40's*

P.D. = NW SW. S 36.



Subdivisions = Two.

Area = 40 acres.

Q = 40 inches.

May 18, 1955

RE: Permit No. 19630

Mr. Jack M. Popplewell
Route 1
Samuels, Idaho

Dear Mr. Popplewell:

The report of our field engineer on examination for beneficial use on Permit No. 19630 shows that you have used 40 inches of water from Grouse Creek to irrigate 40 acres in the ~~WANE~~ Section 2, Township 58 North, Range 1 West B.M.

However, your permit describes the land as being in Township 59 North, Range 1 West B.M., so it will be necessary to amend the permit and we enclose a form of application for amendment herewith.

This should be signed by you and returned to this department for approval and record.

Thereafter, a License can be issued for 40 inches or .8 of a second foot of water from Grouse Creek, upon receipt of the statutory fee amounting to \$4.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

19630

April 29, 1955

RE: Permit No. 19630

Mr. Jack M. Popplewell
Route 1
Samuels, Idaho

Dear Mr. Popplewell:

Weather and roads permitting, I intend to make inspection,
as required by law, in connection with your Permit No. 19360 on
Tuesday, May 10.

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

P. S. If for any reason I am unable to be there on Tuesday, I will
be there on Wednesday.

19630

December 20, 1954

RE: Permit No. 19630

Mr. Jack M. Popplewell
Route # 1
Samuels, Idaho

Dear Mr. Popplewell:

This mornings mail brings us an affidavit of publication from the Sandpoint News-Bulletin which completes your proof of Beneficial Use on Permit No. 19630.

Before final action is taken the law requires that a field examination be made by an engineer from this Department.

We cannot say just when this examination will be made, but our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

We return your receipt of bill for cost of publication which you will doubtless wish to keep in your own file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:ou

19630

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; Jack M. Popplewell,
Samuels, Idaho.

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 11th
day of November, 19 54, and end-
ing on the 2nd day of December,
19 54, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

3rd day of December, 19 54

Glenn L. Lissner
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 A.
M. on the 8th day of December, 1954,
at Sandpoint, County of Bonner, State
of Idaho, before Lowava Erickson, Not-
ary Public, proof will be submitted of
the application to beneficial use of 1.6
cubic feet per second of the waters
of Grouse Creek in accordance with
the terms and conditions of Permit No.
19639 heretofore issued by the State Re-
clamation Engineer of the State of
Idaho.

The name and postoffice address of
the person or corporation holding said
permit are Jack M. and Grace W. Pop-
plewell, Samuels, Idaho.

The use to which said water has
been applied is Irrigation of crop land
and pasture.

The amount applied to beneficial use
is 1.6 cubic feet per second.

The place where said water is used:
W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Township 59 North,
Range 1 West B. M., a total of 80 acres.

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

The right to take water from such
works is based upon Permit No. 19639.

The source of supply from which such
water is diverted is Grouse Creek, Trib-
utary of Pack River.

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

MARK R. KULP,
State Reclamation Engineer
N11-18-25-D2.

RECEIVED
DEC 20 1954
Department of Reclamation

19630

December 14, 1954

RE: Permit No. 19630

Mr. Jack M. Popplewell
Route # 1
Samuels, Idaho

Dear Mr. Popplewell:

We acknowledge receipt of the depositions of yourself and 2 witnesses in proof of Beneficial Use on Permit No. 19630.

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

Very truly yours,

MARK A. HULF
State Reclamation Engineer
By

Chief Clerk

A:cu

19630

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
DEC 10 1954
Department of Reclamation

Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans.

*Jack M. Popplewell, Farmer
Samuels Idaho, R. #1*

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

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

Ans.

Permit no. 19630. April 30. 1945.

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

Ans.

*Grass Creek, 495 ft. W. side from the
N.E. corner of the N.W. 1/4 S.W. 1/4 of Section 36 T89N. R. 1W.
County of Bonner.*

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.

*Loose rock wing dam. Wood head gate & waste gate - 1 1/4 mile
ab ditch. Capacity of ditch 3.0 cubic ft per second
Canal name. no name.*

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.

*Stock water and irrigation place ab use - W 1/2, N.E. 1/4
Section 2, T 59 N. R 1 W. B. M. No 1 - 10 acres - No 2
30 acres. Partly Cultivated Part Pasture land*

19630

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. 1.6 cusec ft per second

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. Purchased

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

Ans. 1953 and 1954 Stock water and irrigation
used 1.6 cusec ft per second

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) Jack M. Applewell

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 December, A. D. 1954.

Lavera Erickson

My commission expires June 15, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

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. F. F. McHale. age 36. Rancher. Samuels
Idaho. B#1

Ques. 2. Are you acquainted with Jack M. Pappewell, the holder of Permit No. 19630? How long have you known him and where does he reside?

Ans. Yes. 11 years. Samuels Idaho B#1

Ques. 3. Have you read or heard read said Permit No. 19630, 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. Ghouse Creek, 495 ft westerly from the N.E. corner of the N.W. 1/4 of Section 36 T. 59 N. R. 1 W. County of Bonner.

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. 3.0 Cuhic ft per second

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 & stock use. Subdivision No 1 10 acres No 2, 30 acres

19630

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. Cultivated & pasture land 1.6 cubic ft
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. Owns land in which ditch runs through

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. 1953 - 1954 Water was used for stock use
& irrigation amount 1.6 cubic ft per second.

(Signed) J. F. 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 Sandpoint

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

A. D. 1954

Louanna Erickson

Notary Public.

My commission expires June 15, 1958

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

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 Nickerson Farmer and Laborer
Samuels Idaho B#1 Age 69

Ques. 2. Are you acquainted with Jack M. Pappbush, the holder of Permit No. 19630? How long have you known him and where does he reside?

Ans. 10 years. Samuels Idaho B#1

Ques. 3. Have you read or heard read said Permit No. 19630, 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, 495 ft westerly from the N.E. corner
at the N.W. 1/4 of Section 36 T59N. R.1W. County
of Bonne

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. 3.0 cubic ft per second

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 use, Subdivision No. 1
10 acres No. 2. 30 acres

19630

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. Cultivated and Pasture land. amount of
water required 1.6

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

Ans. interest in works. Part owner in ditch. No interest
in land

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. In 1953 & 1954, water was used for irrigation
and stock water. amount 1.6 cubic ft per second.

(Signed) Ben Nicolson

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 December
A. D. 19 54.

My commission expires June 15, 1958

Levada Erickson
Notary Public.

Sandpoint, Idaho
November 8, 1954

Gentlemen:

We have received the Notice for Proof Application of Water to Beneficial Use for Jack M. Popplewell of Samuels, Idaho. Publication dates will be November 11, 18, 25 and Dec. 2.

RECEIVED

Yours very truly,

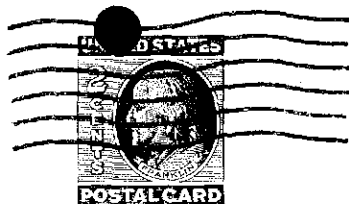
NOV 10 1954 SANDPOINT NEWS-BULLETIN

Department of Reclamation

19630



THIS SIDE OF CARD IS FOR ADDRESS



State of Idaho
Department of Reclamation
Boise, Idaho

✓
November 5, 1954

RE: Permit No. 19630

Mr. Jack M. Popplewell
Samuels
Idaho

Dear Mr. Popplewell:

Notice for beneficial use proof on Permit No. 19630 reached us in September, and since the proof was not to be made until December 1, we put it aside to send to the paper at a later date at the latter part of October which would allow four weeks publication prior to December 1.

For that reason the matter was overlooked and it is now too late for four weeks publication prior to December 1 so we have changed the date to December 8 and have sent a copy of the notice to the Sandpoint News-Bulletin with instructions to publish 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 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:hl1
Enc.

19630

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 19630

Date: November 5, 1954

Sandpoint News-Bulletin

Sandpoint, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 8, 1954 the date set for proof, the expense of the publication to be paid by the applicant, Jack M. Popplewell 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

19630

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

Notice is hereby given that at 11 A. M. on the 8th day of December, 1954,
 at Sandpoint, County of Bonner, State of Idaho, before
Lowava Erickson, Notary Public,, proof will be submitted of the
 application to beneficial use of 1.6 cubic feet per second of the waters of Grouse Creek
 in accordance with the terms and conditions of Permit No. 19630
 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 _____

Jack M. and Grace W. Popplewell - Samuels, Idaho

The use to which said water has been applied is Irrigation of crop land and pasture

The amount applied to beneficial use is 1.6 cubic feet per second.

The place where said water is used ~~is for irrigation of crop land and pasture as described in the land ownership~~

W¹ NE¹ Section 2, Township 59 North, Range 1 West B.M., a total of

80 acres.

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

No Name

The right to take water from such works is based upon Permit No. 19630

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

Pack River

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

MARK R. KULF

State Reclamation Engineer.

19630

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

(P. O.)

Sept. 30, 1954
Samuel 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.

Jack Popplewell

(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.

19630

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

Notice is hereby given that at 11 A. M. on the 8th day of December, 1954,
at Sandpoint, County of Bonner, State of Idaho, before
Lowava Erickson, Notary Public, proof will be submitted of the
application to beneficial use of 1.6 cubic feet per second of the waters of Grouse Creek
(Tributary of Pack River) in accordance with the terms and conditions of Permit No. 19630
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 Mike F. Harrington
Samuels, Idaho. (Sale and transfer of property and permit to Jack Popplewell of Samuels,
Idaho, on or about August 1952.) M - + Grouse IV R1

The use to which said water has been applied is Irrigation of cropland and pasture

The amount applied to beneficial use is 1.6 cubic feet per second pasture

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

The NW¹/₄ and SW¹/₄ of NE¹/₄ Section 2, T 59N, R 1W BM a total of 80 acres

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

No name

The right to take water from such works is based upon Permit No. 19630

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

Pack River

The date of priority which said user is prepared to establish is May 1953

4-30-45

State Reclamation Engineer.

19630

✓
September 22, 1954

RE: Permit No. 19630

Mr. Jack Popplewell
Samuels
Idaho

Dear Mr. Popplewell:

We have your letter of September 15 requesting the forms for making final proof on your Permit No. 19630.

Before this proof is made the statutes require publication of a notice once a week for four weeks in a county newspaper and we enclose the form for such notice herewith.

Form 10 should be executed in duplicate, setting the time and place and naming the Notary Public before whom the proof is to be made.

The time must be set far enough ahead to allow for four weeks publication and the proof may be made at Samuels or any place convenient for you and your two witnesses.

Both copies of Form 10 to be returned to this department together with Form 11 which is your 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 necessary forms of deposition to be used in making the proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

19630

A:hll
Enc.

Samuels Idaho
Sept. 15, 1954

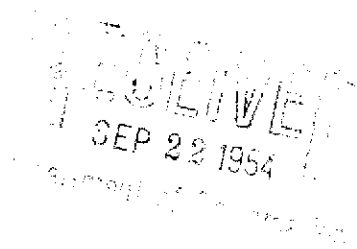
Mark R. Rulph
State Reclamation Engineer
Boise Idaho.

Dear Sir.

I would like to ~~prove~~ prove up
on my water right from Grouse
creek in Bonner County my permit
no is 19630

Very truly Yours
Jack Popplewell
Samuels
Idaho.

B/W



19630

September 22, 1932

RE: Permit No. 19630

Mr. Jack M. Popplewell
Route 1
Samsels, Idaho

Dear Mr. Popplewell:

We return the assignment of Permit No. 19630 from Valley C. Mitchell and Lillian B. Mitchell to Jack M. and Grace W. Popplewell which has been recorded in this department.

We also enclose departmental receipt No. 24899 for the 50 cents recording fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.
cc: Mr. Valley C. Mitchell

19630

✓
September 15, 1952

RE: Permit No. 19630

Mr. Jack M. Popplewell
Route 1
Samuels, Idaho

Dear Mr. Popplewell:

We acknowledge receipt of the assignment of Permit No. 19630 from V. C. Mitchell and Lillian B. Mitchell to Jack M. and Grace W. Popplewell.

This assignment will be recorded upon receipt of the recording fee of 50 cents, as mentioned in office letter written Mrs. Mitchell on August 15, 1952.

When this has been done, you may proceed to make the proof of beneficial use required to complete the water right. This proof is due on or before May 1, 1951, and may be made at any time prior thereto that you are prepared to make such proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
cc: Mr. V. C. Mitchell

19630

September 15, 1952

RE: Permit No. 19630

Mr. Jack M. Popplewell
Route 1
Samuels, Idaho

Dear Mr. Popplewell:

We acknowledge receipt of the assignment of Permit No. 19630 from V. C. Mitchell and Lillian B. Mitchell to Jack M. and Grace W. Popplewell.

This assignment will be recorded upon receipt of the recording fee of 50 cents, as mentioned in office letter written Mrs. Mitchell on August 15, 1952.

When this has been done, you may proceed to make the proof of beneficial use required to complete the water right. This proof is due on or before May 1, 1951, and may be made at any time prior thereto that you are prepared to make such proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
cc: Mr. V. C. Mitchell

19630

✓
August 15, 1952

Re: Permit No. 19630

Mrs. V. C. Mitchell
Box # 623
Sandpoint, Idaho

Dear Mrs. Mitchell:

In reply to your memo on office letter addressed you on August 8th in regard to the above numbered permit in the name of Valley C. Mitchell and Lillian B. Mitchell:

I have "looked again", and while I find the records as you state, and that a Certificate of Completion of Works was issued on October 10, 1950, for which you paid the statutory fee of \$5.00, it is nevertheless true that the final proof of beneficial use which is necessary to complete the water right and obtain a license has not been made.

If you will refer to the permit, you will note that on the fourth page, under the approval of the State Reclamation Engineer it states that proof of beneficial use will be due on or before May 1, 1955. This proof can be made at any time that you are prepared to make it, but a license cannot be issued until such proof has been made, and a field inspection made by an engineer from this department.

After a license has been issued, a transfer of interest is made by deed, the same as real estate, but while in the permit form an assignment should be executed on the form enclosed, and returned to this department for record- the fee for which is 50 cents. Thereafter, the final proof may be made in the name of the new owner, and license issued to him.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Encl.

Chief Clerk

19630



LEN JORDAN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 8, 1952

Re: Permit No. 19630

Mrs. V. C. Mitchell
Box # 623
Sandpoint, Idaho

Dear Mrs. Mitchell:

Reference is made to your letter of August 6th in regard to transfer of a water right.

Since this is ^{not} still in the form of a permit, the title may be transferred by executing the enclosed form of assignment, and returning to this department for record, with the fee of fifty cents.

Our records will then show the name of the new owner of the permit, who can then proceed with the proofs necessary to obtain a license and complete the water right in his own name.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannette L. Anderson
Chief Clerk

Encl.

Dear Miss Anderson,
Please look again! Your records will show all communication leading up to our payment of \$5 and Certificate of Completion of works and final issuance of license and complete water right in our own name. Please send form its transfer same. 19630 V. C. Mitchell

Please rush
as soon as possible
complete to this
point

Sandpoint, Idaho
Aug 13

✓
August 8, 1952

Re: Permit No. 19630

Mrs. V. C. Mitchell
Box # 623
Sandpoint, Idaho

Dear Mrs. Mitchell:

Reference is made to your letter of August 6th in regard to transfer of a water right.

Since this is still in the form of a permit, the title may be transferred by executing the enclosed form of assignment, and returning to this department for record, with the fee of fifty cents.

Our records will then show the name of the new owner of the permit, who can then proceed with the proofs necessary to obtain a license and complete the water right in his own name.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Encl.

19690

and Mrs. V. C. Mitchell • Box 623

Sandpoint, Idaho

For Permit

No. 19630 from Grange Creek

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sept 30, 1959

Range 1 W

Mr. Mark R. Kuep, Dept. of Reclamation
Boise, Ida.

Aug. 6, 1952

Dear Sir,

Upon sale of real estate,
carrying a bona fide water
right, will you please
advise us the lawful
procedure of transfer of
that water right to
the new owner or as in
the case of cash sale
and issuance of the
abstract brought up
to date, is this automatically
taken care of?

19630

Please advise us at
once or send proper forms
Mrs. V. C. Mitchell

November 1, 1950

Re: Permit No. 19630

Mr. V. C. Mitchell
Box # 623
Sandpoint, Idaho

Dear Mr. Mitchell:

We enclose herewith Certificate of Completion of Works issued under Permit No. 19630, for the diversion of 1.6 second feet 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 the irrigation of land in the West half of the Northeast Quarter Section 2, Township 58 North, Range 1 West, B. M.

We also enclose Departmental Receipt No. 22771 for the \$5.00 fee paid by you in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk.

A
Encls.

19630



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

October 10, 1950

Re: Permit No. 19630

Mr. V. C. Mitchell
Box # 623
Sandpoint, Idaho

Dear Mr. Mitchell:

We acknowledge receipt of the corrected deposition in proof of completion of works under Permit No. 19630.

This completes the proof, and upon receipt of the statutory fee of \$5.00 referred to in our letter of September 11th, a Certificate of Completion of Works will be issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A

19630

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Reinstatement)
of Permit No. 19630 Under the)
Provisions of Section ~~5594, Idaho~~)
~~Compiled Statutes~~ 42-311, Idaho Code)
_____)

ORDER REINSTATING PERMIT

WHEREAS, Permit No. 19630 _____ 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: May 1, 1950 _____; and,

WHEREAS, On the 7th _____ day of August _____, 1950 _____ notice to show cause why said permit should not be canceled, under the provisions of Section 5594, Compiled Statutes of Idaho, was duly served on the holder of said permit; and,

WHEREAS, On the 11th _____ day of September _____, 1950 _____ 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 2nd _____ day of October _____, 1950 _____ 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~~ ^{Engineer} State 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. 19630 _____, and that the holder has acted in good faith;

IT IS, THEREFORE, Hereby Ordered that said Permit No. 19630 _____ 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 10th _____ day of October _____, 1950 _____.

Mark R Kulp

~~Commissioner of Reclamation~~
State Reclamation Engineer
By _____
Assistant

19630

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

Permit No. _____

RECEIVED
OCT 2 1950
Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Donald D. Sturges, Samuels, Ida Rt 1
Asst manager Farmers Union Co Op Creamery

Ques. 2. Are you acquainted with Valley C. Mitchell, the holder of Permit No. 19630, authorizing the diversion of 1.6 second-feet of the waters of Grouse Creek, at _____, for irrigation purposes? How long have you known him, and where does he reside?

Ans. Yes - 20 yrs. Five miles direct east of Colburn Ida

Ques. 3. Have you read or heard read said Permit No. 19630, and are you familiar with its terms and conditions?

Ans. Yes, I am

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 The land is very good for alfalfa but
needs additional water for second and
third cuttings. Pasture would benefit too. Full amount

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. They are and were done to May 1, 1950

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

Ans. There is a cement head gate at point
of diversion and nearly one and one
half mile of ditch and more ditching
will be built to distribute water.

(Sign here.)

Donald D. Sturges

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 Bonne, State of Idaho, on this 30th day of September, A. D. 1950.

Notary Public in and for the State of Idaho
residing at Sandpoint, Idaho
My Commission expires August 1, 1953

Franklin S. Harris

19630

PERMIT NO. 19630

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. V. C. Mitchell, Samuels, Ida. Rt. 1
farmer and truck driver.

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. 19630 one & six tenths (1.6) from Grouse Creek 495 ft. westerly from the NE corner NW 1/4 SW 1/4 Sec 36 T54 N R1 W13 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 of any or all parts of 80 A of
practically cleared land. Land is suitable
for alfalfa, medium heavy soil, some sandy

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 About May 1, 1946
full capacity

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. Yes, they are and do. The headgate is concrete
permit calls for wood.

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. _____

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

Ans. Cement head gate loose rock
wing dam cement culvert under
county road 1 1/4 mi ditch material 450
labor 450
(Sign here.) V. C. Mitchell 000 per year

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 23rd
day of September A. D. 1950

My Commission expires April 26, 1953

Notary Public.

NOTARY PUBLIC FOR THE STATE OF IDAHO
SANDPOINT, IDAHO
MY COMMISSION EXPIRES APRIL 26, 1953

19630

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

Permit No. 19630**Proof of Completion of Works****DEPOSITION OF WITNESS**

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

Ans. Mike F Harrington, handy man shop
1307 Superior, Sandpoint, IdahoQues. 2. Are you acquainted with Valley C. Mitchell, the holder of Permit No. 19630, authorizing the diversion of 1.6 second-feet of the waters of Grover Creek, at 44 S 24 W 1/4 NE 1/4 of Sec 36 T 54 N R 14 W for irrigation purposes? How long have you known him, and where does he reside?Ans. Yes, 10 yrs. On farm near Sandpoint, Ida. Pt.Ques. 3. Have you read or heard read said Permit No. 19630, 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. It is an average North Ida farm - mostly of sandy soil. 1.6 will do a great deal and more would help.

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. Yes. They were completed prior to May 1, '50

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

Ans. There is a concrete headgate, loose rock wing dam, 1 1/4 mi ditch. Ample to carry full filing of 3.2 sec ft. which includes three fillings.

(Sign here.)

Mike F. Harrington

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 123rd day of September, A. D. 1950

Alex T. RussellNOTARY PUBLIC FOR THE STATE OF IDAHO
SANDPOINT, IDAHO

MY COMMISSION EXPIRES APRIL 30, 1953

19630

October 2, 1950

Re: Permit No. 19630

Mr. V. C. Mitchell
Box 623
Sandpoint, Idaho

Dear Mr. Mitchell:

We acknowledge receipt of the corrected depositions of yourself, ^{and Mike Harrington} and also the deposition of Donald A. Stueve, all submitted in proof of completion of works under Permit No. 19630.

However, Mr. Stueve's deposition does not state that the works were completed prior to May 1, 1950, the due date, and we return same for this correction.

You are correct in saying that this permit is for 1.6 cubic feet per second, and regret our error in referring to it as only 0.6 second foot in our previous letter.

Your own returned deposition still does not give the legal description of the land irrigated, as called for in Question 4, and referred to in our office letter of September 25, 1950, but as Mr. Harrington gives it as the W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 2, Twp. 58 N., Range 1 W., B.M., with your permission we will amend your own deposition accordingly.

We have recorded the deed and assignment of this permit from Mr. Harrington to yourself and wife, and return it herewith, together with Departmental Receipt No. 22707 for the 50 cent recording fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Chief Clerk

Encl.

19630

Sandpoint, Ida,
Sept. 28, '50

Dept. of Reclamation
State House
Boise
Ida.

RECEIVED
OCT 2 1950
Department of Reclamation

Dear Mr. Kulp,
Your correction letter
received, sorry about
stamps, am enclosing
coin.

The second deposition
by witness in Proof of
Completion of Works was
to have been notarized
and mailed to-day.

Correction.
feet¹. Surely 1.6 second²
is correct. Please
look up Paragraph 2 under
Quantity of water claimed.

If we may be of further
assistance please advise.

Yours Truly
V. C. Mitchell
19630

✓
September 25, 1950

Re: Permit No. 19630

Mr. V. C. Mitchell
Box 623
Sandpoint, Idaho

Dear Mr. Mitchell:

We acknowledge receipt of the Assignment of Permit No. 19630 from Mike F. Harrington to yourself and your wife; also certified copy of Deed from Josephine H. Harrington to Mike F. Harrington, accompanied by \$.50 in stamps for the recording fee.

The stamps are returned herewith, as we are not in a position to accept stamps in payment of fees, and we request that you send this in check or coin.

We have also received the depositions of yourself and one witness (Mike F. Harrington) in Proof of Completion of Works. As mentioned in office letter of September 21, 1950, depositions of two witnesses are required, and in case you have misplaced the other form, we enclose another herewith.

Your deposition is returned for correction as follows:

1. Under Question 3, the amount called for is .6 of a second foot instead of 1.6 second feet.
2. Question 4 should give the legal description of the land irrigated.

We return the deposition of Mr. Harrington in order that he may state under Question 5 whether or not the works were completed prior to May 1, 1950. Also, under Question 4, he should give the location of the land.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:bn
Enc.

Chief Clerk

196 30

September 21, 1950

Re: Permit No. 19630

Mr. V. C. Mitchell
Box 623
Sandpoint, Idaho

Dear Mr. Mitchell:

We are in receipt of your letter of September 18, 1950, in regard to proofs of completion of works on Permit No. 19630.

There is no protest in connection with this Permit, but in order to keep it in good standing, it is necessary to make the statutory proofs of completion of works and beneficial use.

In view of the conditions, we shall be glad to allow you a reasonable length of time within which to submit proofs of yourself and two witnesses that the works have been completed on this Permit prior to May 1, 1950.

In making such proof, it will also be necessary to show an assignment or transfer of this Permit from Mr. Herrington to you. This assignment can be made on the enclosed form, and there is a fee of \$.50 for recording same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

19630

Sandpoint, Ida.

Sept. 18, '50

Mr Mark R. Kulp,

Boise, Ida.

Dear Sir,

Conditions generally have prevented our submitting the necessary information to you on Completion of Works in Permit No. 19630.

The matter was sent to Mike F.

Harrington dated

Aug. 7 in your office giving forty days to show cause or said permit would be cancelled. The letter did not reach us until the first week in Sept. We immediately wrote you, on Sept. 11 - we received your answer

19630

and also formed to
be filled and notarized.
Mr. Ben Nickerson
is at present working
in Wash. He is our
most important witness
having an interest in
this ditch and worked
the entire length. Mr.
Mike Harrington has
been interviewed and
will aid. Another
neighbor is expected
back from a job of
logging tomorrow and
will witness.

This matter or
project was financed
thru the F.H.A. Admin.
and their engineer
was to be in Bonner
County Sept. 19 and
20th and we have
made arrangements.

19630

for him to check this matter.

May we ask your extension of time to complete these affidavits etc?

We are still very confused over Mr. Harrington's failure to advise us this proof was not in order and we had asked him to see all was in order.

Does this mean also our right is being contested by someone?

Truly yours
C. Mitchell.

RECEIVED
IN SEP 21 1930
Department of Reclamation

September 11, 1950

Re: Permit No. 19630

Mr. V. C. Mitchell
Box 623
Sandpoint, Idaho

Dear Mr. Mitchell:

Reference is made to your letter of September 7, 1950, in regard to notice addressed to Mr. Mike F. Harrington, that Permit No. 19630 is subject to cancellation for failure to make Proof of Completion of Works on or before May 1, 1950, as required under the conditions of said Permit.

If your purchase of the land from Mr. Harrington includes the water right from Grouse Creek included in Permit No. 19630, as it probably does, an assignment of Permit No. 19630 should have been sent to this Department to be recorded.

If the Permit has been given you by Mr. Harrington, you will note that it calls for the construction of a loose rock wing dam, wooden head gate and waste gate and a mile and quarter ditch, which, of course, were to be completed on or before May 1, 1950.

If the works were so completed prior to that date, you may submit proof of such completion on the forms enclosed, executed by yourself and two witnesses before a Notary Public. Upon approval of these proofs, the Permit may be reinstated, and upon the payment of the statutory fee of \$5.00, a Certificate of Completion of Works may be issued.

If the works were not so completed, your best course would be to file a new application for Permit in your own name on a form which we will furnish you. We shall await your further advice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

19630

RECEIVED

SEP 11 1950

Department of Reclamation

Sayspoint, Ida.
Sept. 7, 1950

Mark R. Kulp
Boise, Ida.

Dear Sir,

In regard to Permit
No. 19630 issued to Mike F.
Harrington, etc. Aug 7, 1945
I seem to be very much
in the dark, so to speak.
I purchased this tract of
land serviced by said ditch
from Harrington and I do
not understand what
requirements I have not
fulfilled in Completion
of Works May 1, 1950.

Please advise. Yours truly

Box 623

19630

U. C. Mitchell

RECEIVED

AUG 28 1950

Department of Reclamation

8/26/50

Dept of Reclamation
Mr Mark R. Kulp

Dear Sir:

In regard to Permit No.
(19630).

I traded that Place
in 1947 to a Mr Clyde
Mitchell.

What he has
done I couldn't say
However I will
forward your letter
to me, on to him

Thanking you
I Remain Sincerely
Mike F. Harrington

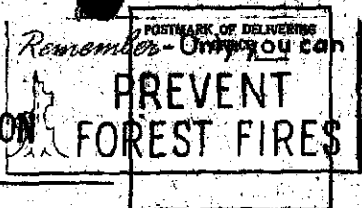
19630

Post Office Department

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE - VOID PAYMENT OF POSTAGE, \$300

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Return to

(NAME OF SENDER)

Street and Number,
or Post Office Box,

Room 107 State House

REGISTERED ARTICLE

No.

87970

INSURED PARCEL

No.

BOISE,

IDAHO.

19630

RETURN RECEIPT

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

1 *Walter F. Thompson*
(Signature or name of addressee)

2 *Walter F. Thompson*
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery

19

U. S. GOVERNMENT PRINTING OFFICE 16-12481-

19630

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

August 7

19 50

Re: Permit No. 19630

To Mr. Mike E. Harrington
Route 1
Samuels, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 19630 to appropriate the Public Waters of the State of Idaho, have not been complied with as to

Completion of works May 1, 1950

you are hereby notified in compliance with Sec. 42-311 Idaho Code ~~annexed~~ that said Permit No. 19630 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. 19630 claims the use of 1.6 cubic feet per second of the waters of Grouse Creek with point of diversion located in the NW 1/4 SW 1/4 Section 36, Twp. 59 N., Range 1 W., B.M. and was approved May 1, 1945

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 7th day of August 19 50

Mark R. Kulp

State Reclamation Engineer.

By Assistant.

19630

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Mike F. Harrington
Route 1
Samuels, Idaho

Boise, Idaho

March 1, 1950

Dear Sir:-

Under the terms of your permit No.-----~~19630~~---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

B/k - 5-1-55

19630

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. 18859, for \$15.25, covering the fees paid by you on these several applications.

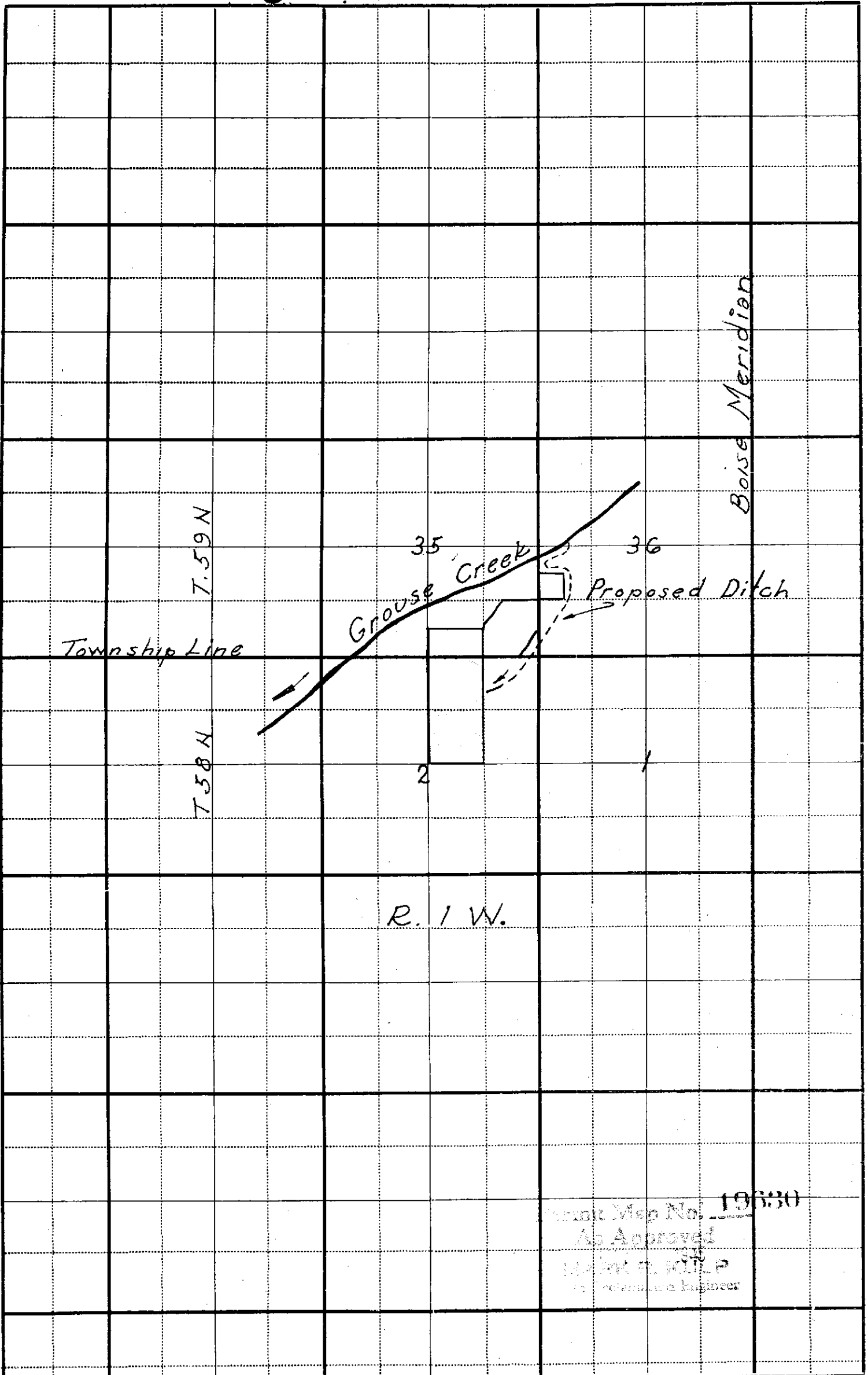
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19630



Samuel Haho
4/28/45

Mr. Kulp

Dear Sir:

Enclosed find filing
fees of J F Mc Hall
for \$5.00.

Ben Nickerson filing
fees for \$5.00

And Mike F Harrington
filing fees for \$5.25.

The 3 filings will
be handled in the
same ditch as Drawing
shows

Thanking You

Sincerely

Mike F Harrington
Samuel Haho.

19620

