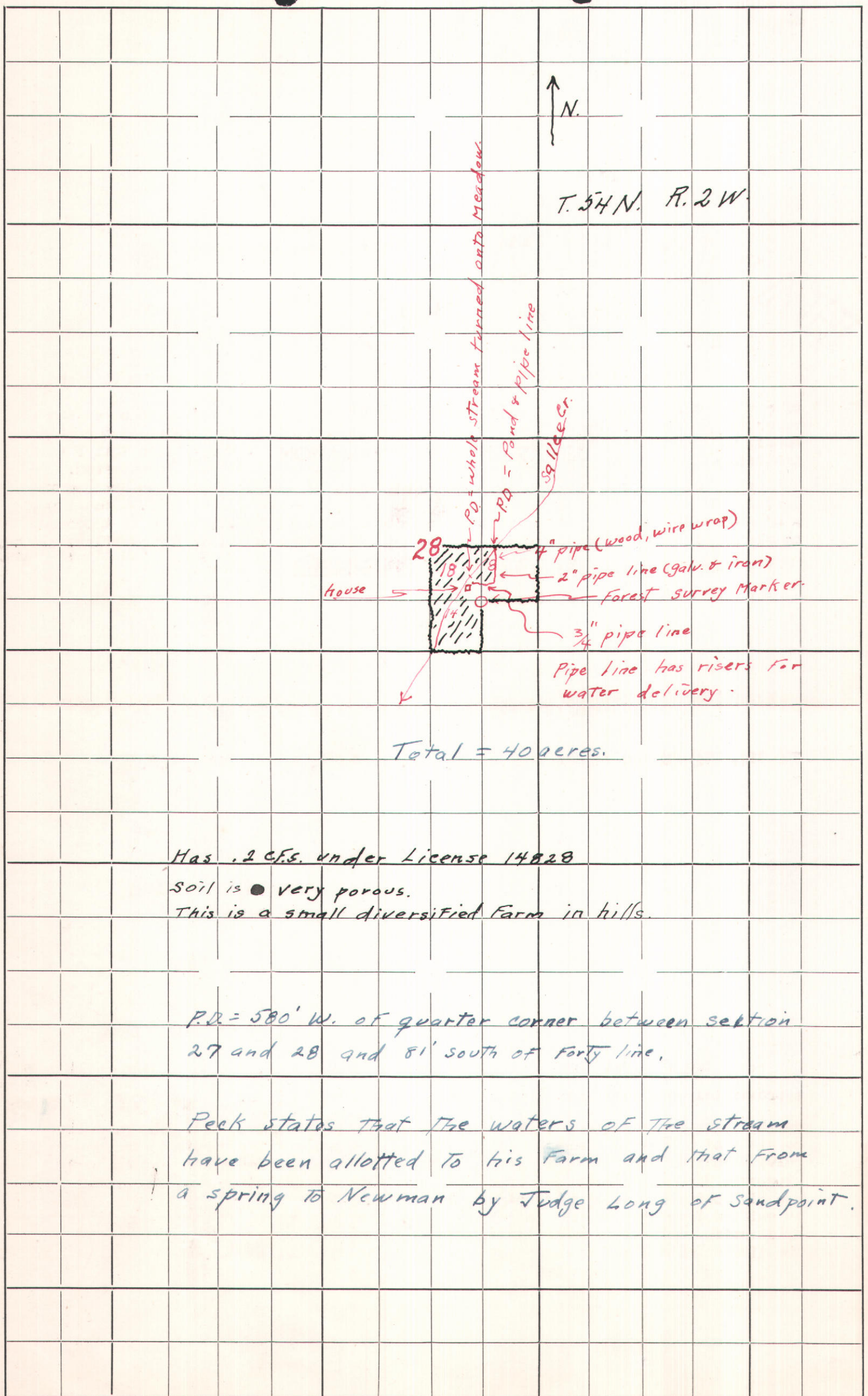




Has .2 CFS. under License 14828

Soil is • very porous.

This is a small diversified farm in hills.

P.D. = 580' W. of quarter corner between section 27 and 28 and 81' south of forty line.

Peck states that the waters of the stream have been allotted to his farm and that from a spring to Newman by Judge Long of Sandpoint.

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; Wesley Walter Peck

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 4th
day of August, 19 49, and end-
ing on the 25th day of August,
19 49, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

26th day of August, 1949.

Jo Ann La Moreaux

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00
A. M. on the 27th day of August,
1949, at Sandpoint, County of Bonner,
State of Idaho, before J. Alfred May,
Notary Public, proof will be submit-
ted of the application to beneficial
use of 0.8 cubic feet per second of
waters of Salee Creek in accordance
with the terms and conditions of Per-

mit No. 19523 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 Wesley Walter Peck, Bay-
view, Idaho.

The use to which said water has
been applied is irrigation and do-
mestic.

The amount applied to beneficial use
is 0.8.

The place where said water is used:
NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$
SE $\frac{1}{4}$ Section 28, Twp. 54 North, Range
2 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 5/8
mile conduit.

The right to take water from such
works is based upon Permit No. 19523.

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

The date of priority which said user
is prepared to establish is June 5, 1944.

MARK R. KULP,

State Reclamation Engineer.

a4-11-18-25

19523

Wesley W. Peck

TWP. 54. N. R. 2 W.

29

28

27

Point of Diversion

Ditch

Sallee Creek

32

33

34

Lake Pend. O'Reille

Permit Map No. 19523
As Approved
JUL 20 1944
MARK R. KULP
State Reclamation Engineer

RECEIVED
JUL 19 1944
Department of Reclamation

*Decreed st.
prior same
96-2154*

State of Idaho
License and Certificate of Water Right

Water License No. 19523

Amount 0.8 second foot

Water District No. _____

Priority June 5, 1944

THIS IS TO CERTIFY that WESLEY WALTER PECK
of Bayview, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 5,, 1944; that Permit No. 19523
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.8 second foot, was issued thereunder on July 31, 1946, showing that said works
were completed on the 27th day of July, 1946; and that on the 27th
day of August, 1946,

WESLEY WALTER PECK

of Bayview, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Selee
Creek, ~~for the purpose of~~ for the purpose of irrigation and
domestic use, under Use Permit No. 19523 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
8 of Licenses at page 4635, on the 4th day of December, 1950;
The right hereby confirmed dates from June 5,, 1944;

The Point of Diversion is located
in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, Tp. 54 N., R. 2 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
54 N.	2 W.	28	NE $\frac{1}{4}$ SE $\frac{1}{4}$	10	8
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	20	18
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	20	14
			Number of Acres Actually Irrigated	- -	40

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
4th day of December, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

No. 19523

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

96-2154

Application No. 27021
Permit No. 19523
District No.

1. Name of Applicant: WESLEY WALTER PECK

Postoffice address: Bay View

County: Bonner

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.8

cubic feet per second.

3. Source of water supply: Salee Creek

which is a tributary of no other stream

4. Location of point of diversion: 580' South, 81° W.

feet distant from the 1/4

between

corner of Section 27 & 28, 54 N., R. 2 W., B. M., and is in the NE 1/4 SE 1/4

of Section 28, T. 54 N., R. 2 W., B. M., County of Bonner

5. Water is to be used for irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B. M., in the 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: \$ 500.00

8. Kind of works: Dam and ditch

9. Height of dam 6 feet; length of dam at top 66 feet; length of dam at bottom 23

feet; material used in dam: Logs, rock and dirt

10. Size of headgate: Width 16 " feet; height 20 " feet;

11. Ditch: Width at bottom 16 " feet; width at water line 16 " feet; depth of water 4 " feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 5/8 miles.

Average grade per mile 40 feet.

12. The time required for the completion of such work is Two (2) years.

13. The time required for the complete application of the water to the proposed use is Three (3) additional years.

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

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

WESLEY W. PECK *Applicant.*

By _____ Agent.

Date of first receipt at Department of Reclamation: 3:30 P. M. June 5, 1944

Returned to applicant for correction: June 5, 1944

Corrected application received: July 19, 1944

Approval of State Reclamation Engineer

The number of this permit is 19523
Recorded in Book 70 Page 19523 Approved July 20, 1944

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 September 20, 1944 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 July 20, 1945

The whole of said work to be completed on or before July 20, 1946

Beneficial use of water appropriated in accordance herewith, to be made on or before July 20, 1949

Witness my hand this 20th day of July, 1944

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSEN, Governor of the State of Idaho,
and GEO. H. CURTIS, 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 20th
day of July, 1944.
Countersigned: STATE OF IDAHO

(SEAL) By GEO. H. CURTIS *Secretary of State.* By C. A. BOTTOLFSSEN *Governor*

Remarks:

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
54 N.	2 W.	28													10 20 20				50
PERMIT NO. 19523 Certificate of Completion of Works To All Whom it May Concern: This is to certify that WESLEY WALTER PECK, of Bay View, County of Bonner, and State of Idaho, the holder of Permit No. 19523, issued upon Application No. 27021, bearing date of priority of June 5, 1944, authorizing the diversion of 0.8 second foot of the waters of Salee Creek, County of Bonner, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to 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 0.8 second foot of the waters of Salee Creek; that the point of diversion of said waters is 580' South, 81° West from the quarter corner between Sections 27 and 28, Township 54 North, Range 2 West, and in the NE¹/₄ SE¹/₄ Section 28, same township and range; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE¹/₄ SE¹/₄, NW¹/₄ SE¹/₄ and SW¹/₄ SE¹/₄ Section 28, Township 54 North, Range 2 West, B.M. Witness my hand this 31st day of July, A. D. 1946. Proof of completion of works made July 27, 1946 Certificate of completion of works issued July 31, 1946 MARK R. KULP State Reclamation Engineer																			
LICENSE NO. 0-8 SEC. FT. Page 4635																			

October 14, 1971

Mr. Harold H. Sharrow
526 Redhill Ave.
San Anselmo, California 94960

Dear Mr. Sharrow:

In answer to your letter of October 6, 1971, we are enclosing a copy of our letter dated April 20, 1970. As this letter was not returned to our office, the Department was not aware that you did not receive said correspondence.

We are sorry for any inconvenience caused you, but we cannot be responsible for the mail service.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:DR
Enclosure

96 2154

526 Redhill Ave.
San Anselmo, Calif. 94960
October 6, 1971

RECEIVED

Mr. M. Russell Bosch
State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Sir,

Department of Water Administration

On April 20, 1970 your office supposedly mailed me a letter addressed to my Bayview, Idaho address. This letter was in regards to and was meant to warn me of Mr. Wesley Leck's water rights on Salee Creek. I never received this letter and only learned of its existence from a Court file. I would like an answer as to what happened to this letter. Was it returned to you unclaimed, and was it not therefore put in a file in your office? Also, is it not customary in cases of letters warning a person of a water rights, where it is known that 2 parties are using the water from the same creek or source, to send such letters registered mail with return receipt?

Please advise me as to the whereabouts of this letter. It is important to me to have an early answer.

Thanking you in advance for your help in this matter.

Sincerely,

Harold A. Starnes

February 23, 1971

Raymond T. Greene, Jr.
Attorney at Law
320 North Second Avenue
Sandpoint, Idaho 83864

Dear Mr. Greene:

Attached herewith is Departmental Receipt No. 5667 in the amount of
\$6.00 for certified copies,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

GREENE & HUNT
ATTORNEYS-AT-LAW
320 NORTH SECOND AVENUE
SANDPOINT, IDAHO 83864
TELEPHONE 283-5121

February 18, 1971

Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attention: M. Russell Bosch

Re: Permit no. 14828/96-2093
19523/96-2154

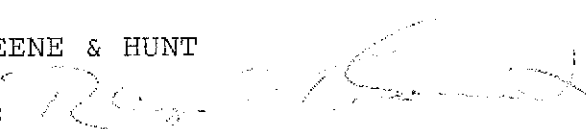
Dear Sir:

Pursuant to yours of February 17th, 1971, we enclose herewith our check for \$6.00.

Please accept our apologies for not having paid this prior to this time. It was completely overlooked.

Very truly yours,

GREENE & HUNT

By: 
Raymond T. Greene, Jr.

February 17, 1971

RE: Permit No. 14828/96-2093
19523/96-2154

Mr. Raymond T. Greene, Jr.
GREENE and HUNT
Attorneys at Law
320 N. Second Avenue
Sandpoint, Idaho 83864

Dear Mr. Greene:

Per your request of September 15, 1970, copies of the above permit and license was mailed to you. These copies were certified.

To date we have not received the \$6.00 fee. Would you please check your records and remit promptly?

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

September 15, 1970

Re: Permit Nos. 14828/96-2093
19523/96-2154

Mr. Raymond T. Greene, Jr.
GREENE & HUNT
320 N. Second Avenue
Sandpoint, Idaho 83864

Dear Mr. Greene:

Pursuant to your request, we are enclosing certified copies of permit and license no. 14828/96-2093 and water license no. 19523/96-2154.

The charge for the copies will \$6.00, based on \$1.00 per certification plus \$.50 per folio for the copies.

If we may be of any further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
ENCLOSURES

96 2154

4 19523

April 20, 1970

C
O
P
Y

Harold H. Sharrow
Bayview,
Idaho 83803

Dear Mr. Sharrow:

We have just recently been informed by Mr. Wesley Peck that he no longer can obtain the water he is entitled to by reason of his water license. It seems that when you applied for the water it has interfered with his senior right. Since all water permits are issued with the understanding that they will not interfere with any senior rights, you should be sure that Mr. Peck receives his 40 inches of water before you take water from the same source.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

cc: Mr. and Mrs. Peck

Everett D. Hofmeister, Attorney

96-2154
19523

LYONS AND HOFMEISTER

ATTORNEYS AT LAW

P. O. BOX C

SANDPOINT, IDAHO 83864

April 16, 1970

HARDY G. LYONS
EVERETT D. HOFMEISTER

CO 3-3115

State Reclamation Engineer
Department of Reclamation
Stathouse Annex 2
Boise, Idaho / 83707

Dear Sir;

Enclosed please find a copy of a license and certificate of water right issued to Mr. Wesley Peck, together with a copy of a letter from your office dated April 7, 1970.

The property owned by Mr. Peck has been using the water involved for a period exceeding forty (40) years. However, during the last two (2) years there has not been an ample supply of water for the Peck property and their neighbor, Mr. Harold H. Sharrow, has, during the critical portion of the summer, used three-fourths (3/4) of the water available. The water left to seek its way to the Peck property is quickly evaporated during the summer months and finds its way into the ground rather than to availability to Mr. Peck.

This letter is, therefor, to request your assistance in resolving this critical situation and in restoring to Mr. and Mrs. Peck the amount of water that they are entitled to and have been using and entitled to for a period exceeding thirty-five (35) years.

Yours prompt attention to this matter is appreciated.

Yours very truly,

LYONS AND HOFMEISTER

BY:
EDH/pt

cc: Mr. & Mrs. Alfred Peck

96-2154
MSA

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

Permit No. 19523

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Wesley Walter Peck, Bayview, Idaho

2. Source of water supply: Salas Creek

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28

T. 54 N. R. 2 W. County of Bonner

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

of a very small holding pond in the bed of the stream and a pipe system to carry the water to the fields. Pipes have been used because the soil is so porous that the water supply is insufficient for irrigation otherwise. In fact, Mr. Peck states that there is insufficient water for the whole place even though he uses pipes for transmission. The small holding pond is approximately 50' by 60' by 4' deep. A concrete box approximately 30" by 30" by 30" with 6" side walls is in the bottom of the pond. From this, a 4" wooden pipe wrapped with wire leads from this concrete box. The dam is approximately 4' high by 40' long, has a large culvert pipe 24" by 16" long for overflow. It has
(continued below)

5. Water is used for: irrigation and domestic purposes.

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

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

NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Twp. 54 North, Range 2 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? Pend Oreille Lake

Remarks: two 4" steel pipes through the bottom for draining. It also has a spillway approximately one foot wide running around the dam to the side. The center of the dam has been washed out. The present freeboard is approximately 12". The pipe line consists of 4" wooden pipe for a distant of approximately 160 yards, then reduces to 2" galvanized iron pipe for a distant of 290 yards. The remainder of the system is 3/4" pipe extending underground as far as the house, then on the surface of the ground to the high point on the opposite side of the field. The pipe on the surface of the ground is shifted from time to time to get coverage. The bottom part of the meadow is irrigated by diverting water into the ditches, point of diversion being just below the barnyard. The ditches extend on both sides of the stream to cover the meadow.

This examination was made on the 17th day of October, 1950

(Signed) E. M. Humphrey Examiner.

Wesley Walter Peck
Bayview, Idaho

Permit No. 19523

Examination for Beneficial use

County Bonner

RECEIVED
NOV 16 1950

Department of Reclamation

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.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

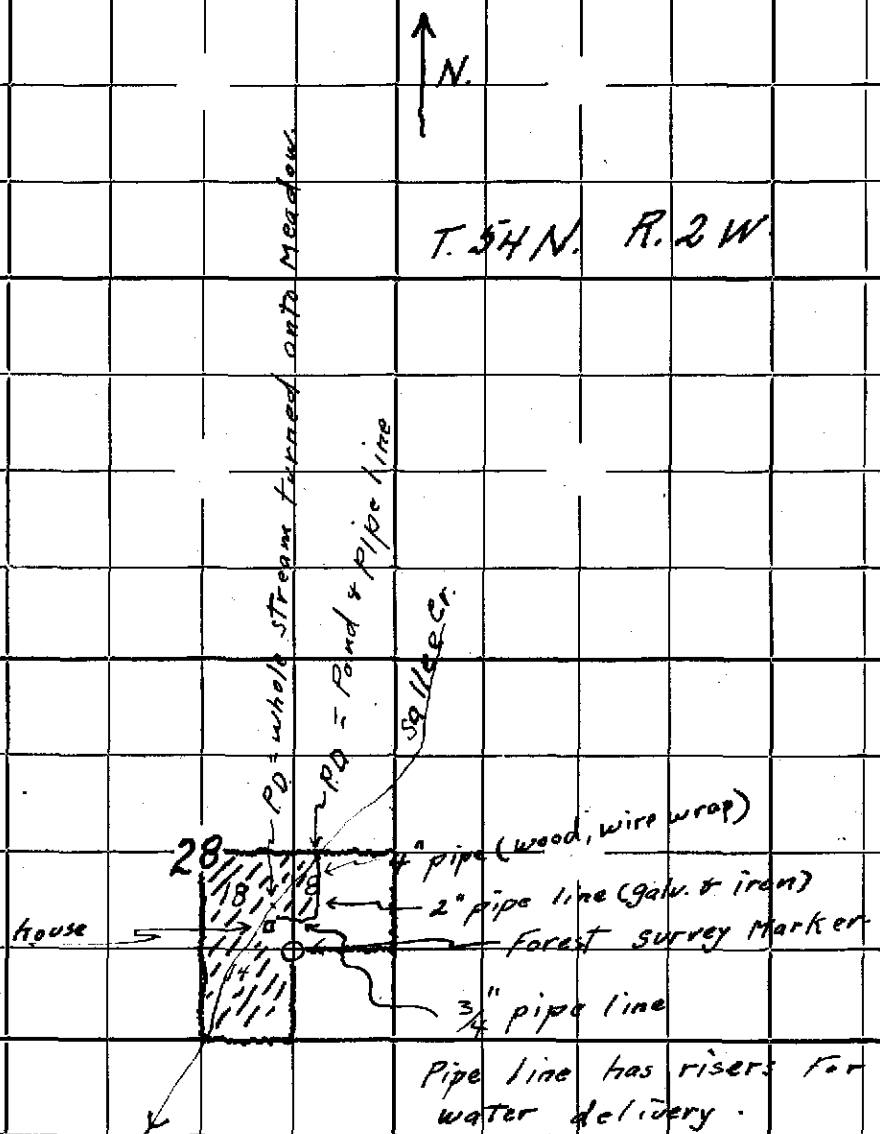
PERMIT NO. 19523

REPORT ON PROOF OF Beneficial Use

*.8 cfs
max*

app 0.8 c.f.s.

*40 acres
3-40's*



Total = 40 acres.

Has .2 C.F.S. under License 14828

Soil is • very porous.

This is a small diversified farm in hills.

P.D. = 580' W. of quarter corner between section 27 and 28 and 81' south of forty line.

Peck states that the waters of the stream have been allotted to his farm and that from a spring to Newman by Judge Long of Sandpoint.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse -- Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

September 15, 1970

Re: Permit Nos. 14828/96-2093
19523/96-2154

Mr. Raymond T. Greene, Jr.
GREENE & HUNT
320 N. Second Avenue
Sandpoint, Idaho 83864

Dear Mr. Greene:

Pursuant to your request, we are enclosing certified copies of permit and license no. 14828/96-2093 and water license no. 19523/96-2154.

The charge for the copies will \$6.00, based on \$1.00 per certification plus \$.50 per folio for the copies.

If we may be of any further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
ENCLOSURES

19523
96-2154

April 12, 1967

Re: Water License # 19523

Mr. Alfred C. Peck
Box 73
Bayview, Idaho 83803

Dear Mr. Peck:

In reply to your letter of April 4, 1967 we believe that the Forest Service could probably be of help to you in this matter. The ranger for the Coeur d'Alene National Forest would be concerned with any misuse of timber resources.

Unless you are prevented from obtaining a normal supply of water, this department has no specific interest in the matter.

Very truly yours,

Don Watts
Field Engineer

19523

Bayview, Idaho

April 4, 1967

PMA

State Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Sir,

I would like to report some trouble I am having with logging operations in the area on which we have the water license. The head-waters are situated on Forest Service land, S.W. $\frac{1}{4}$ Section 22.

The timber on this land has been sold to William Rainier, Sandpoint, Idaho. (Sallee Creek sale)

I was told the springs would not be disturbed. Upon personal inspection on April 1, 1967, I found logging operations were being carried on in the center of the springs. Young timber was being needlessly destroyed, thereby exposing the ground to sun and wind.

Since our water license is registered with your department, I am bringing it to your attention and would like to know what can be done.

The water license, Number 19523, is registered in the name of Wesley Walter Peck, my father.

Yours truly,

Alfred C. Peck

Box 73

Bayview, Idaho

19523

August 6, 1959

Re: Permit No. 19523

Mr. Wesley Walter Peck
Box 52
Bayview, Idaho

Dear Mr. Peck:

On our records, your water license is for 0.8 cubic feet per second with priority of June 5, 1944, for irrigation of 40 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, T. 54 N., R. 2 W. Your right is the latest on record.

You should be able to use your water if the prior water rights do not require the full flow of Salee Creek.

You mention a farm in Section 27 which is apparently not using water this year. If your question is in regard to the water normally used on that farm, the water cannot be moved from one farm to another and back again, without making application for transfer of water right which requires considerable time. Part of the requirements for transfer of water right is to place a legal notice in a local paper of the proposed transfer.

In case there is surplus water in the creek, the users along the creek will often use a certain percentage of the surplus water, if they have land on which it can be used beneficially.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

RT:
EP:lew

19523

RT

RECEIVED

AUG 5 1959

Department of Reclamation

Box 22

Bay View Ida
Aug 2, 1959

Department of Reclamation
Dear Sir:

Top, R.R. I live in section 28
54-2. and have a water right
on sage creek.

There is another place
in Sec 27-^{Top 4.} 54-2 that has
a water right on sage creek.

There is no one living
on this place and not using
the water.

I would like to know
what I should do to use
the water.

Yours Truly
Wesley Walter Peck
19523

✓
December 5, 1950

Re: Permit No. 19523

Mr. Wesley Walter Peck
Box 52
Bayview, Idaho

Dear Mr. Peck:

We enclose License and Certificate of Water Right issued under Permit No. 19523, confirming your right to the use of 0.8 of a second foot of water from Salee Creek, with priority of June 5, 1944, and point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 54 North, Range 2 West, B.M., for irrigation and domestic use in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 28.

We also enclose Departmental Receipt No. 22861 for the \$6.00 fee paid in connection with final proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

19523

Boysen Idaho
Nov 27, 1950.

Mark R. Keelp
Boise Idaho

I am enclosing \$6.00
money order for the
statutory fee
beneficial use
water permit 19523

Sincerely Yours

Wesley W. Peck
Boysen
Idaho

RECEIVED

NOV 30 1950

Department of Reclamation

Box 32

19523

✓
November 21, 1950

Re: Permit No. 19523

Mr. Wesley Welter Peck
Bayview, Idaho

Dear Mr. Peck:

We have on file the report of our Field Engineer on examination for beneficial use under Permit No. 19523.

His report shows that you have irrigated 40 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 54 North, Range 2 West, B.M.

Therefore, upon receipt of the statutory fee of \$6.00, being at the rate of \$2.00 for each 40 acre subdivision in which the land is located, a License will be issued for 0.8 of a second foot (or 40 inches) of water from Salee Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

19523

Bay view Ida.
Oct. 24, 1950

Dept. of Reclamation

Dear Sir:

I checked the
location of our Point
of Diversion, and
it is right. it is.

580' West and 81'
South of quarter corner
between Sec. 27 & 28.
and is in N.E. of S.E. Quarter

Yours truly
Wesley W. Peck.

19523

V
September 30, 1950

Re: Permit No. 19523

Mr. Wesley Walter Peck
Bayview, Idaho

Dear Mr. Peck:

I intend to be in North Idaho during the middle of the month, making inspections in connection with Water Permits.

I hope that you can check with me on your Water Permit No. 19523, probably on October 17.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

ENH:bh

19523

September 2, 1949

Re: Permit No. 19523

Mr. Wesley Walter Peck
Bayview, Idaho

Dear Mr. Peck:

We have received from Mr. J. Alfred May, the depositions of yourself and two witnesses; also Affidavit of Publication in the Sandpoint News-Bulletin, all in proof of beneficial use under your Permit No. 19523.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

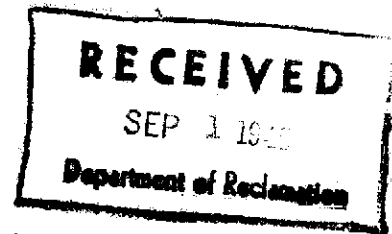
A:dh

CC: Mr. J. Alfred May

19523

J. ALFRED MAY
ATTORNEY AND COUNSELOR
SANDPOINT, IDAHO
PHONE 20

August 29, 1949



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

Dear Sir:

In accordance with the instructions contained in your letter of August 17, 1949, I am enclosing herewith the completed deposition of the holder of permit No. 19523, together with the two supporting depositions of witnesses as in such cases provided.

I am also enclosing herewith a Affidavit of Publication of Notice of Proof.

Yours truly,

J. Alfred May
J. Alfred May

m-w

Enc. (3)

19523

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

L. M. 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; Wesley Walter Peck

as it was published in the regular and entire issue
of the said paper for a period of four
consecutive weeks, commencing on the 14th
day of August, 1942, and end-
ing on the 25th day of August,
1942, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Lideoch

Subscribed and sworn to before me this
26th day of August, 1949

Jo Ann La Moreaux
Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE
Notice is hereby given that at 10:00
A. M. on the 27th day of August,
1949, at Sandpoint, County of Bonner,
~~State of Idaho~~, before J. Alfred May,
~~Notary Public~~, proof will be submit-
ted of ~~the~~ application to beneficial
use of 0.8 cubic feet per second of
waters of Salee Creek in accordance
with the terms and conditions of Per-

mit No. 19523 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 Wesley Walter Peck, Bay-
view, Idaho.

The use to which said water has
been applied is irrigation and do-
mestic.

The amount applied to beneficial use
is 0.8.

The place where said water is used:
NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$
Section 28, Twp. 34 North, Range
2 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 5/8
mile conduit.

The right to take water from such
works is based upon Permit No. 19523.

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

The date of priority which said user
is prepared to establish is June 5, 1944.

MARK R. KULP,
State Reclamation Engineer.
a4-11-18-25

19523

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19523

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Wesley Walter Peck, Bayview, Idaho, Farmer

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. None

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

Ans. #19523, July 20, 1944; priority date, June 5, 1944

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

Ans. Sales Creek; 580' South, 81° West from the quarter corner between Sections 27 and 28, Twp. 54 North, Range 2 West, B.M., and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, same township and range;

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Dam made of logs, rock and dirt, 6' high, 66' long at top, 23' at bottom, commencing 4 inch pipe ending two inch, 5/8 miles long; 1.5 cu. ft. per second;

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. Irrigation and

~~Ans.~~ Domestic; Ten acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; Twenty acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$; Twenty acres in the Southwest Quarter Southeast Quarter of Township 54 North, Range 2 West, Section 28; cultivated land; pipes ready for diversion of water over the land;

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

Ans. None except domestic

19523

1947

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

Ans. 0.8 cu. feet 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. -----

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

Ans. All water has been used to irrigate the above described land as indicated, and for domestic purposes.

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

Ans. None

(Sign)

Wesley Walter Reed

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 27th day of August, A. D. 1949.

My commission expires November 1, 1949.

Notary Public for the State of Idaho.
Residing at Sandpoint therein.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19523

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. Jacob Mahannah, 31 years, Bayview, Idaho, farmer;

Ques. 2. Are you acquainted with Wesley Walter Peck, the holder of Permit No. 19523? How long have you known him and where does he reside?

Ans. Yes; three years.

Ques. 3. Have you read or heard read said Permit No. 19523, 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. Sales Creek; 580' South, 81° West from the quarter corner between Sections 27 and 28, Twp. 54 North, Range 2 West, B.M., and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, same township and range; Dam made of logs, rock and dirt, 6' high, 66' long at top, 23' at bottom, commencing 4 inch pipe ending two inch, 5/8 miles long; 1.5 cu. ft. per second;

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. Will conduct 1.5 second feet of water and in my estimation I have seen that much being conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic; ten acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; Twenty acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$; Twenty acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Township 54 North, Range 2 West, Section 28, cultivated land; pipes ready for diversion of water over the land;

19523

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

Ans. None except domestic

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. Gently sloping lands, estimate water required for profitable cultivation
would be Two second feet.

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

Ans. No

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

Ans. On numerous occasions I have looked over the application to beneficial use
of the water so diverted, to irrigate said lands. There is water in the house and
in the yard.

(Signed) Jacob Mahannah

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 27th day of August,
A. D. 1949.

My commission expires November 1, 1949.

Herbert May
Notary Public.
for the State of Idaho, residing at
Sandpoint therein.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19523

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. Wallace F. Young, 75, near Payview, Idaho; Athol, Idaho, R.F.D.; Farmer

Ques. 2. Are you acquainted with Wesley Walter Peck, the holder of Permit No. 19523? How long have you known him and where does he reside?

Ans. Yes. Fifteen years

Ques. 3. Have you read or heard read said Permit No. 19523, 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. Salas Creek; 580' South, 81° West from the quarter corner between Sections 27 and 28, Twp. 54 North, Range 2 West, R.M., and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, same township and range; Dam made of logs, rock and dirt, 6' high, 66' long at top, 23' at bottom, commencing 4 inch pipe ending 2 inch conveys water, 5/8 miles long; 1.5 cu. ft. per second

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. Should average at least 1.5 second feet the year around. I have seen this amount so conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic; ten acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; Twenty acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$; Twenty acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Township 54 North, Range 2 West, Section 28, cultivated land; pipes ready for diversion of water over the land.

19523

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

Ans. None except domestic

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. Partly level, partly rolling or sloping, Two cubic feet of water per second
would be required for profitable cultivation.

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

Ans. None.

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

Ans. I have known the place for a good many years and have been over and looked
the application of the water over, although I have never been in attendance at actual
time of irrigation; Water is used in irrigating the above described lands and for
domestic use; there being water in the home and in the yard.

(Signed)

Wallace R. Young

I hereby certify that the foregoing testimony, was read to the above subscriber

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 27th day of August, A.D. 1949.

My Commission expires November 1, 1949.

Raymond May
Notary Public.
for the State of Idaho, residing at
Sandpoint therein.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, August 17, 1949

Re: Permit No. 19523

Wesley . Peck

Mr. J. Alfred May

Notary Public

Sandpoint, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 19523

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On August 27, 1949, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Sandpoint, Idaho before J. Alfred May, Notary Public,

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

MARK R. KUIP

Commissioner of Reclamation,
State Reclamation Engineer

19523

✓
August 2, 1949

Re: Permit No. 19523

Mr. Wesley Walter Peck
Bayview, Idaho - Box 52

Dear Mr. Peck:

We have sent to the Sandpoint News-Bulletin a copy of notice of beneficial use proof to be made under your permit No. 19523, at 10:00 o'clock A. M., August 27, 1949, with instructions to publish it once a week for four consecutive weeks prior to that date, and to send you the affidavit of publication, together with statement of costs.

About ten days prior to the date set for proof we shall send to Mr. J. Alfred May, Notary Public, the necessary forms of deposition, consisting of one for yourself and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set you should appear before Mr. May, together with two disinterested witnesses, who are familiar with the terms of your permit, and the work done thereunder, for the purpose of executing the depositions.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Chief Clerk

19523

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: July 23, 1949

Re: Permit No. 19523

Sandpoint News-Bulletin

Sandpoint, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 27, 1949, the date set for proof, the expense of the publication to be paid by the applicant, Wesley Walter Peck of Bayview, 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.

Very truly yours,

MARK R. KUIP

State Reclamation Engineer

By

Chief Clerk

19523

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

Notice is hereby given that at 10:00 A. M. on the 27th day of August, 1949,
at Sandpoint, County of Bonner, State of Idaho, before
J. Alfred May, Notary Public, proof will be submitted of the
application to beneficial use of 0.8 cubic feet per second of the waters of
Salee Creek in accordance with the terms and conditions of Permit No. 19523
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

Wesley Walter Peck, Bayview, Idaho

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

The amount applied to beneficial use is 0.8

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Twp. 56 North, Range 2
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 5/8 mile conduit

The right to take water from such works is based upon Permit No. 19523

The source of supply from which such water is diverted is

Salee Creek

The date of priority which said user is prepared to establish is June 5, 1944

MARK R. KULP

State Reclamation Engineer.

19523

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 26, 1949

(P. O.) Bayview, 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.

Wesley Walter Teek

(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.

19523

July 20, 1949

Re: Permit No. 19523

Mr. Wesley Walter Peck
Box 52
Bay View, Idaho

Dear Mr. Peck:

We are in receipt of your letter of July 16, 1949, inquiring what else you have to do in order to obtain a License under your Permit No. 19523.

As you will note, the terms of this Permit call for Beneficial Use Proof to be made on or before July 20, 1949. In order to make this proof, a notice must be published in a county newspaper once a week for four weeks, prior to the date set for making the proof. This notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom the proof is to be made.

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 newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and at the time set for proof, you should appear before the Notary Public with two disinterested witnesses who are familiar with the terms of your Permit and the work done thereunder for the purpose of making the proof.

We return herewith, your Permit No. 19523.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

19523

A:bh
Enc.

Bay View 9da
July 16, 1949
State Reclamations Engineer

Dear Sir,

Would you Please let
me know what I have to do
in regard to this Permit in order
to get my water License.

is it true due to the fact
that I have Proved up once,
that all I have to do now
is have you check on it to
get my other water License

Or do I have to Prove up
again. if so Please let me know
when & how.

Yours truly

Wesley Walter Peck

Bay View 9da

Box 521



19523

July 31, 1946

Re: Permit No. 19523

Mr. Wesley Walter Peck
Bay View, Idaho

Dear Mr. Peck:

We enclose herewith Certificate of completion of works issued under the above numbered permit to appropriate 0.8 of a second foot of the waters of Salee Creek, Bonner County, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 54 North, Range 2 West, B.M., for irrigation and domestic use on the NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 28.

We also enclose Departmental Receipt No. 19560 for the \$5.00 fee in connection therewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

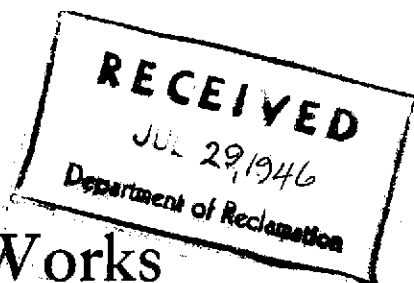
A
Encls.

Chief Clerk

19523

Permit No.

STATE OF IDAHO
Department of Reclamation



Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

SS.

County of Bonner

....., 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. 19523, and that his postoffice address is Bay View Idaho

State of Idaho, Bonner county

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

Third: That the point of diversion of said water is 580' South 81.9 W. from 1/4 corner between section 27 & 28 - 54 N. R. 2 W. N.E. 1/4 S.E. 1/4 Sec. 28 T. 54 N. R. 2 W.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 20, 1946

Fifth: That the use for which said water is intended is Irrigation & Domestic

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Rock & Grout Dam Pipe & ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 6 feet, length of dam at top 66 feet, length of dam at bottom 33 feet. Material used in construction Rock & dirt Pipe

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir..... acre feet.

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

(d) Conduit Pipe, ditch width at bottom 16" feet, width at water line 16" feet, depth of water 4" feet; diameter of pipe 2" inches, average grade per mile is 4.0 feet. Length of conduit is 5/8 miles.

Seventh: That said works are capable of conducting to the place of intended use 2 second feet of water.

Eighth: That water appropriated under said permit is available for 50 acres of land described as follows: N.E. 1/4 - 10 acres N.W. 1/4 20 acres S.W. 1/4 20 acres in the S.E. quarter Twp 54 N. R. 2 W. Sec. 28

Ninth: Remarks: That The dam can be made higher

Wesley W. Peck
(Sign here)

Subscribed and sworn to before me this 27 day of July, 1946

My commission expires July 11, 1947

Charles G. Baudin
Notary Public.

19523

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. Wesley Walter Peck

Boise, Idaho May 1, 1946

Bay View, Idaho

Dear Sir:-

Under the terms of your permit No. 19523 you are required to complete your diversion works on or before July 20, 1946. 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

19523

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19523

Date July 22, 1944

Dear Sir:

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

Wesley W. Peck
Box # 52
Bay View, Idaho

MARK R. KULP
State Reclamation Engineer

19523

NAME OF APPLICANT Wesley W. Peck

FORM No. 0

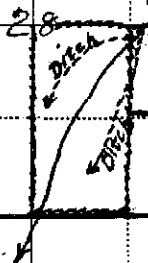
TWP. 54. N. R. 2 W.

29

28

27

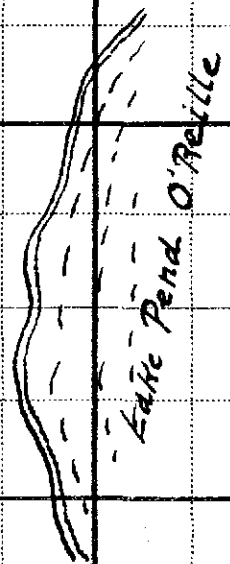
Point of Diversion



32

33

34



Permit Map No. 19523
As Approved
JUL 20 1944
MARK R. KULP
State Reclamation Engineer

RECEIVED
JUL 19 1944
Department of Reclamation

Bay View Ida

July 17, 1944

Mark R. Kulp

Boise Ida.

Dear Sir,

I received your letter
of June 12, in regard
to the point of
diversion.

The point of diversion
is the same as your
Plat or the same as
License No. 14828.

Yours Truly

Wesley W. Peck

RECEIVED

JUL 19 1944

Department of Reclamation

19523

July 12, 1944

Re: Application No. 27021

Mr. Wesley W. Peck
Box # 52
Bayview, Idaho

Dear Mr. Peck:

We do not seem to have received a reply to office letter addressed you under date of June 5, 1944, requesting more definite information as to the point of diversion in your above numbered application, and returning plats for you to indicate the exact point of diversion thereon.

Since your permit cannot be issued until these plats are returned with the correct information, it is important that this matter be given your prompt attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19523

Mark R. Kulp

June 5, 1944

Re: Application # 27021

Mr. Wesley W. Peck
Box 52
Dayview, Idaho

Dear Mr. Peck:

We acknowledge the return of your application for permit, with the several corrections made as indicated in office letter addressed you on April 21st; and enclosing your check for the \$5.00 filing fee, for which we enclose Departmental Receipt # 18586

However, there seems to be a little question as to the exact point of diversion. The application and the sketch map which accompanied same, and which was made out in this office, shows the same point of diversion as in your License No. 14828- namely the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Township 54 North, Range 2 East, B.M. But the plat enclosed with the application shows the point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of this section.

We are enclosing both plats, and will ask that you indicate plainly on same the exact point of diversion. This is important, in order that the permit when issued may be correct.

Please give this matter your prompt attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19523

Mark R. Kulp

April 21, 1944

Mr. Wesley A. Peck
Box 52
Bayview, Idaho

Dear Mr. Peck:

We acknowledge receipt of your letter of April 17th, enclosing application for permit, and also your check for \$5.50 filing fee.

We are returning the application for the following corrections:

1. The application should be signed on the line marked Applicant on the third page.
2. Answer question 7 as to the approximate cost of the works; and also questions 12 and 13, giving the length of time you will require for making your proofs of completion of works and beneficial use. If you expect to put the whole 40 acres under irrigation, we suggest that you allow plenty of time, as the examination by our field engineer last July only showed half of this land irrigated.
4. We note that you only apply for two-tenths (0.2) of a second foot which in addition to the 0.2 second foot covered by your License No. 14828 would only total 0.4 second foot, or 20 inches. You would be entitled to an inch to the acre for the 40 acres, or 0.8 second foot. So we wonder if you would not wish to make this filing for 0.6 second foot, in order to tal an inch to the acre for the entire 40 acres.
5. The filing fee is only \$5.00 up to one second foot, so we are returning your check for \$5.50, in order that you may send instead a check for \$5.00.

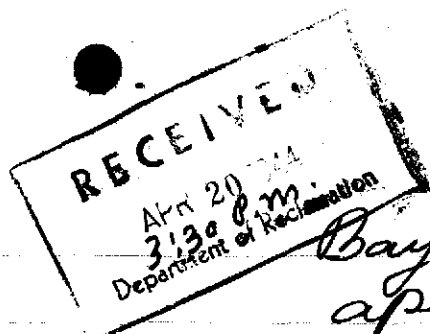
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19523



Bay View Idd

Apr. 17, 1944

Mr James Spofford

State Reclamation Engineer

Dear Sir:-

I am sending in
This permit for additional
Water. and it is the same
as the old permit. (14828)

If possible I don't
wish to change it any
from the Beneficial use
papers that you have.

Yours truly

Wesley W. Peck.

P.S. I wrote Mr Emerson
to send an assignment from him
to me to you. 19523

NOTICE OF PROOF APPLICATION OF WATER, TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 27th day of August, 1949, at Sandpoint, County of Bonner, State of Idaho, before J. Alfred May, Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic feet per second of waters of Salee Creek in accordance with the terms and conditions of Permit No. 19523 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 Wesley Walter Peck, Bayview, Idaho.

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

The amount applied to beneficial use is 0.8.

The place where said water is used: NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, Twp. 54 North, Range 2 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 $\frac{5}{8}$ mile conduit.

The right to take water from such works is based upon Permit No. 19523.

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

The date of priority which said user is prepared to establish is June 5, 1944.

MARK R. KULP,

State Reclamation Engineer.

a4-11-18-25 Aug. 4 1949