

# State of Idaho

## License and Certificate of Water Right

Water License No. 18074

Amount 2.5 second feet

Water District No.

Priority March 2, 1935

THIS IS TO CERTIFY that JOHN P. CLAUSSEN

of Samuels, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 27, 1935; that Permit No. 18074 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.5 second feet, was issued thereunder on February 28, 1940, showing that said works were completed on the 19th day of February, 1940; and that on the 2nd day of April, 1946,

JOHN P. CLAUSSEN

of Samuels, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation 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. 18074 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 5092, on the 22nd day of June, 1953;

The right hereby confirmed dates from March 2, 1935;

The Point of Diversion is located

in the SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec. 30, Tp. 59 N., R. 1 E., B. M. corner

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 2.5 cubic feet per second.

Description and location of use:

| Twp.  | Range | Sec. | Forty-acre Tract                      | No. Acres Described in Permit | No. Acres Actually Irrigated |
|-------|-------|------|---------------------------------------|-------------------------------|------------------------------|
| 59 N. | 1 E.  | 36   | NW $\frac{1}{4}$ NE $\frac{1}{4}$     | 40                            | 30                           |
|       |       |      | SW $\frac{1}{4}$ NE $\frac{1}{4}$     | 40                            | 30                           |
|       |       |      | NE $\frac{1}{4}$ SW $\frac{1}{4}$     | 40                            | 30                           |
|       |       |      | SE $\frac{1}{4}$ SW $\frac{1}{4}$     | 25                            | 20                           |
|       |       |      | NW $\frac{1}{4}$ SE $\frac{1}{4}$     | 20                            | 20                           |
|       |       |      | Total Number of Acres Irrigated - - - | - - -                         | 130                          |

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

22nd day of June, 1953.

MARK R. KULP

State Reclamation Engineer

(SEAL)

✓  
August 19, 1948

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

In checking over your filings on Grouse Creek we find that Permit No. 18074 has not been completed.

On March 12, 1947, we advised you that upon receipt of the statutory fee of \$10.00 a license would be issued for 2.5 cubic feet per second from Grouse Creek for the irrigation of land in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, Twp. 39 N., Range 1 W., B.M. We have had no reply to this letter and the license can not be issued until this fee is paid.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A/gt

18074

March 12, 1947

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

We now have on file the report of our Field Engineer on examination for Beneficial Use under your Permit No. 18074. This report shows that you are irrigating 130 acres of land located in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 36, Township 59 North, Range 1 West, E. M.

Therefore, upon receipt of a statutory fee of \$10.00 being at the rate of \$2.00 for each 40-acre subdivision, in which the land is located, a license will be issued for 2.50 cubic feet per second of water of Grouse Creek.

Very truly yours,

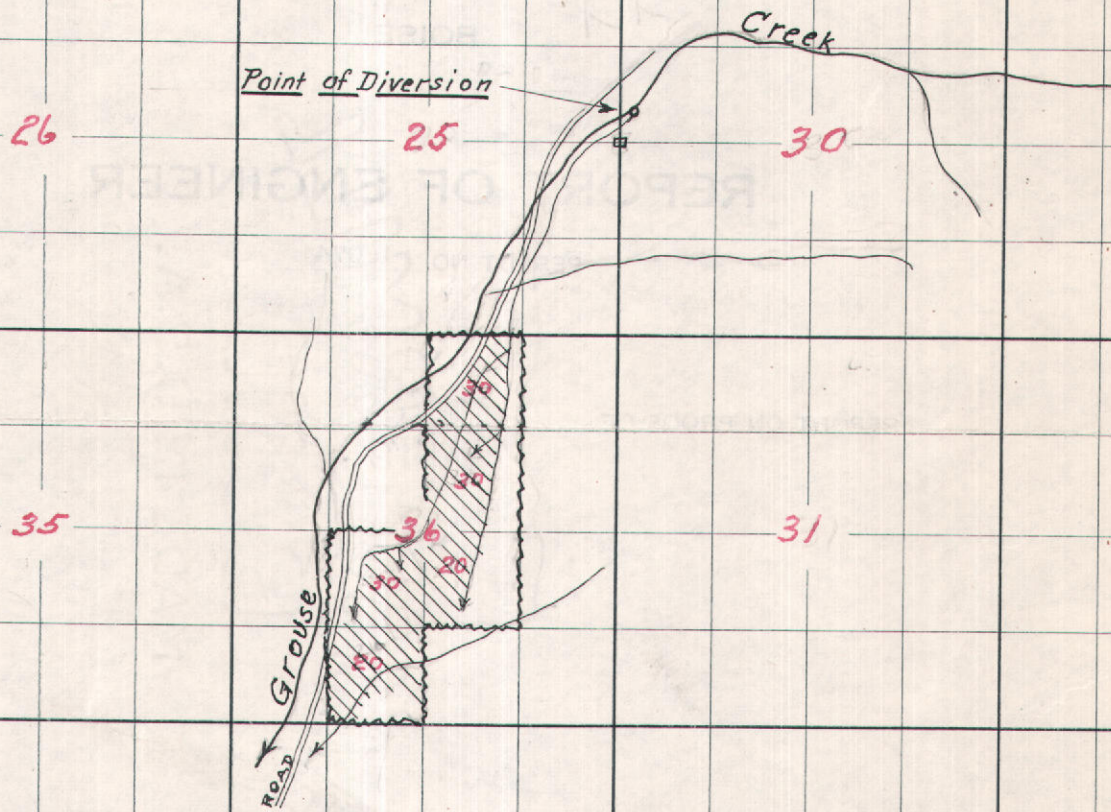
MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:FA

18074

T59N-R1E  
" R2E.



# Affidavit of Publication

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

L. E. Pietsch being first duly sworn on oath deposes and says that he is Printer of The Sandpoint News-Bulletin, a weekly newspaper printed and published at Sandpoint, Bonner County, Idaho; that the said Sandpoint News-Bulletin succeeds The Northern Idaho News and The Sandpoint Bulletin, both of which have been continuously and uninterruptedly 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; John P. Claussen, Samuels

as it was published in the regular and entire issue of the said paper for a period of Four consecutive weeks, commencing on the 7th day of March, 1946, and ending on the 28th day of March, 1946, and that said notice was published in said newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this 28 day of March, 1946.

Vivian E. Shoemaker

Notary Public for Idaho,  
Residing at Sandpoint, Idaho.

## NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P. M. on the 2nd day of March, 1946, at the Courthouse, Sandpoint, County of Bonner, State of Idaho, before Alex T. Russell, County Auditor, proof will be submitted of the application to beneficial use of 2.5 cubic feet per second of the waters of Grouse Creek in accordance with the terms and conditions of Permit No. 18074 heretofore

issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is John P. Claussen, Samuels, Idaho.

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

The amount applied to beneficial use is 2.5 cubic feet.

The place where said water is used: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 36, Township 59 North, Range 1 West, B. M.

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

The right to take water from such works is based upon Permit No. 18074.

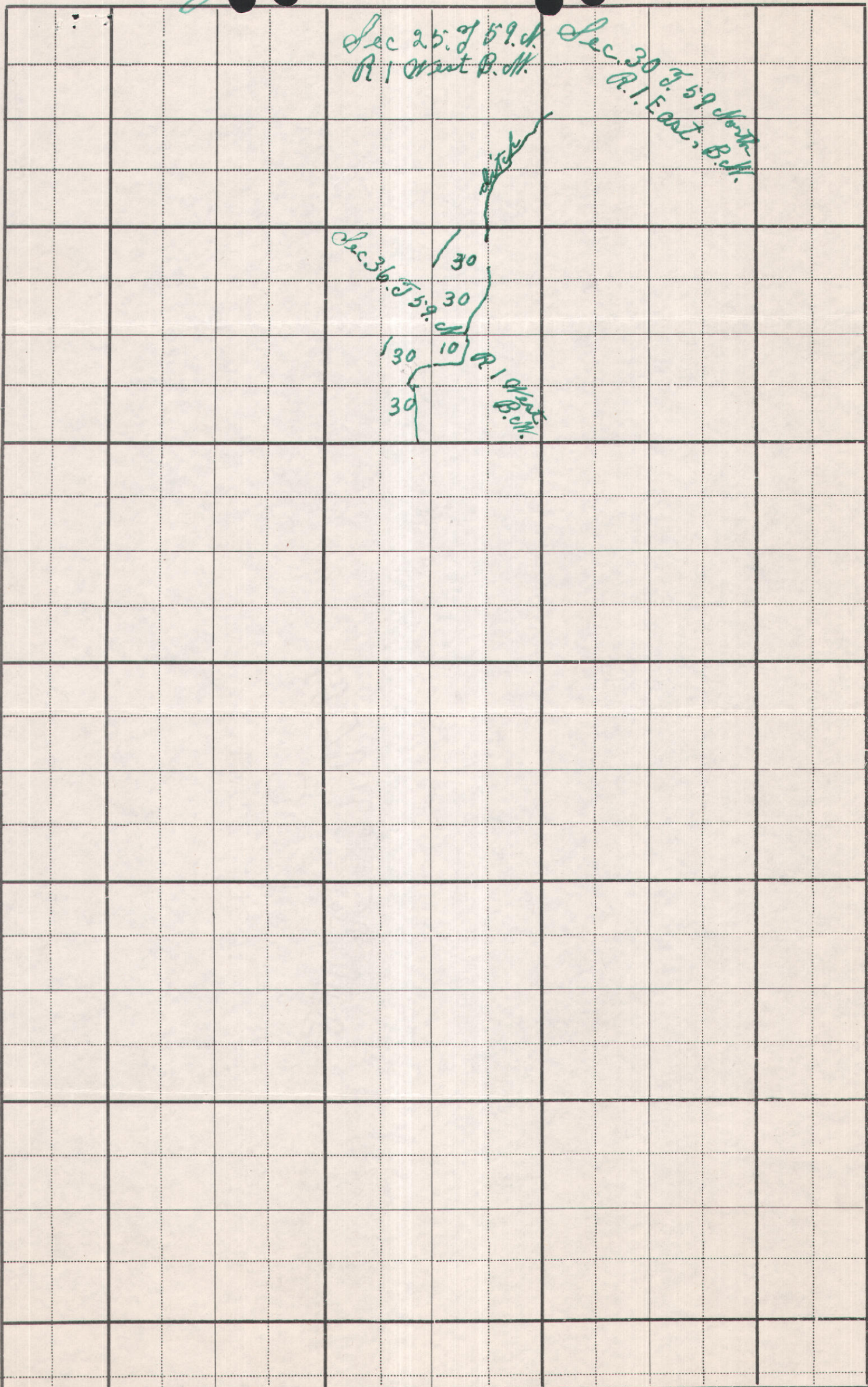
The source of supply from which such water is diverted is Grouse Creek.

The date of priority which said user is prepared to establish is March 2, 1935.

MARK R. KULP,  
State Reclamation Engineer.  
m7-14-21-28

18074

*John P. Claussen*



[illegible]

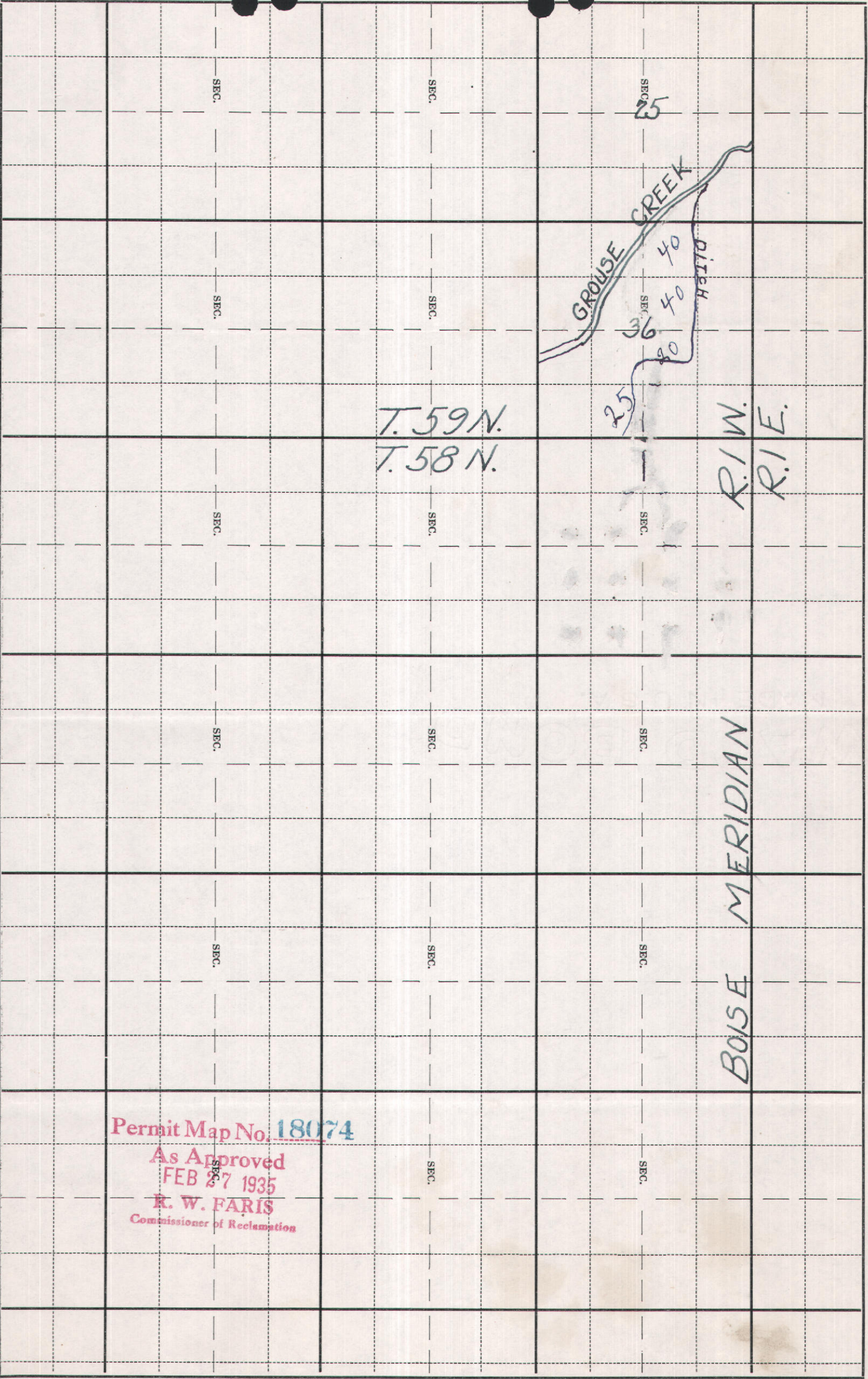
RECEIVED  
MAR 18 1944  
Department of Reclamation

Yours Very Truly  
John P. Haussen  
Samuel's  
Idaho

*Idaho*

R 7

Better on  
back



# State of Idaho

## License and Certificate of Water Right

Water License No. 18074

Amount 2.5 second feet

Water District No.

Priority March 2, 1935

THIS IS TO CERTIFY that JOHN P. CLAUSSEN  
 of Samuels, Idaho, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated February 27, 1935; that Permit No. 18074  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
 2.5 second feet, was issued thereunder on February 28, 1940, showing that said works  
 were completed on the 19th day of February, 1940; and that on the 2nd  
 day of April, 1946,

JOHN P. CLAUSSEN

of Samuels, State of Idaho, made proof to the satisfaction of the  
 Commissioner of Reclamation of Idaho, of the right to use the waters of Grouse Creek  
 a tributary of Mack River, for the purpose of irrigation

under Use Permit No. 18074 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,  
 DALE R. and ALICE ZUELKE, Assignees of John P. Clausen,  
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

8 of Licenses at page 5092, on the 22nd day of June, 1953;

The right hereby confirmed dates from March 2, 1935;

The Point of Diversion is located

in the SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Sec. 36, Tp. 59 N., R. 1 E., B. M. corner

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 2.5 cubic feet per second.

Description and location of use:

| Twp.                                  | Range | Sec. | Forty-acre Tract                  | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|---------------------------------------|-------|------|-----------------------------------|----------------------------------|---------------------------------|
| 59 N.                                 | 1 E.  | 36   | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                               | 30                              |
|                                       |       |      | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 40                               | 30                              |
|                                       |       |      | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 40                               | 30                              |
|                                       |       |      | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 25                               | 20                              |
|                                       |       |      | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 20                               | 20                              |
| Total Number of Acres Irrigated - - - |       |      |                                   | - - -                            | 130                             |

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

22nd day of June, 1953.

MARK R. KILP

State Reclamation Engineer

(SEAL)

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 25290  
Permit No. 18074  
District No.

1. Name of Applicant: JOHN P. CLAUSSEN

Postoffice address: R.F.D. 1, Samuels

County: Bonner

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

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

2. Quantity of water claimed: 2.5 cubic feet per second.

3. Source of water supply: Grouse Creek which is a tributary of Pack River

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 25 , 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: \$ 50.0

8. Kind of works: Dam and ditch and headgate

9. Height of dam 2 to 4 feet; length of dam at top 20 feet; length of dam at bottom 20

feet; material used in dam: Timber and rock

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

11. Ditch: Width at bottom 4 feet; width at water line 5 feet; depth of water 1

feet; dimensions of flume: 4 ft. wide, 4 ft. deep

Diameter of pipe inches; length of conduit  $\frac{1}{2}$  to the place or land miles.

Average grade per mile 2 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 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.

John P. Claussen Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. February 27, 1935

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18074  
Recorded in Book 65 Page 18074 Approved February 27, 1935  
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 April 28, 1935 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 August 27, 1937  
The whole of said work to be completed on or before February 27, 1940  
Beneficial use of water appropriated in accordance herewith, to be made on or before February 27, 1946.

Witness my hand this 27th day of February, 1935.

R. W. FARIS  
Commissioner of Reclamation.

Remarks:

14.

| Twp.                                       | Range | Sec. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | Totals |
|--------------------------------------------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|                                            |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 59 N                                       | 1 W   | 36   |     | 40  | 40  |     |     |     |     |     |     |     | 25  |     |     | 20  |     |     | 125    |
| Total Number of Acres to be Irrigated..... |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     | 125    |

PERMIT NO. 18074  
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that JOHN P. CLAUSSEN, of Samuels, County of Bonner, and State of Idaho, the holder of Permit No. 18074, issued upon Application No. 25290, bearing date of priority of February 27, 1935, authorizing the diversion of 2.5 second feet of the waters of Grouse Creek, a tributary of Pack River, County of Bonner, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the place of intended use 2.5 second feet of the waters of Grouse Creek; that the point of diversion of said waters is in the SE¼ SR¼ of Section 25, Township 59 North, Range 1 West, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW¼ NE¼, SW¼ NE¼, SE¼ SW¼, and NW¼ SE¼ of Section 36, Township 59 North, Range 1 West, B. M.

Witness my hand this 28th day of February, A. D. 1940.

JAMES SPOFFORD  
Commissioner of Reclamation

Proof of completion of works made February 19, 1940  
Certificate of Completion of Works issued February 28, 1940

QUIT CLAIM DEED

THIS INDENTURE, Made this 7th day of October, A. D. 1949 BETWEEN John P. Claussen and Ruth Claussen, husband and wife, the parties of the first part, and Dale R. Zuelke and Alice Zuelke, his wife the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration ----- DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, remise, release, convey and forever quit claim unto the said parties of the second part, and to their heirs and assigns, all that certain real property situate and being in the County of Boundary, State of Idaho, described as follows, to-wit:

The Northeast Quarter of the Southwest Quarter ( $NE\frac{1}{4}SW\frac{1}{4}$ ); the Southeast Quarter of the Southwest Quarter ( $SE\frac{1}{4}SW\frac{1}{4}$ ); the West Half of the Northeast Quarter ( $W\frac{1}{2}NE\frac{1}{4}$ ); the Northwest Quarter of the Southeast Quarter ( $NW\frac{1}{4}SE\frac{1}{4}$ ); the Southwest Quarter of the Southeast Quarter ( $SW\frac{1}{4}SE\frac{1}{4}$ ), and the East Half of the East Half ( $E\frac{1}{2}E\frac{1}{2}$ ), ALL in Section Thirty-six (36), Township Fifty-nine (59) North, Range One (1) West Boise Meridian, containing Four Hundred (400) acres, more or less; together with all Water Rights and Ditch Easement.

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof unto said parties of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seals the day and year first above written.

Executed in the presence of:

John P. Claussen (SEAL)  
V. Ruth Claussen (SEAL)

STATE OF IDAHO )  
County of Boundary ) ss.

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that on this 7th day of October A. D. 1949, personally appeared before me John P. Claussen and Ruth Claussen to me personally known to be the individuals described in and who executed the within instrument, and acknowledged that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal, this 7th day of October A. D. 1949.

J. H. McNally  
Residing at \_\_\_\_\_, Idaho.  
Notary Public for the State of Idaho  
residing at Bonners Ferry, Idaho,  
My Commission Expires Aug. 1, 1951

STATE OF IDAHO )  
County of Bonner ) ss.

I hereby certify that the within instrument was filed for record in the office of the Ex-Officio Recorder of said County on the 23rd day of May A. D. 1950, at 11 o'clock and 10 minutes A.M., at the request of Everett E. Hunt and recorded on page 353 of Book 80 of Deeds.

Alex T. Russell Ex-Officio Auditor and Recorder, By Dorothy Campbell Deputy. Fee. \$1.50

LICENSE ISSUED FOR 2.5 SEC. FT.  
pg 5092

APPLICATION FOR CHANGE OF POINT OF DIVERSION  
OF WATER RIGHT  
PERMIT NO. 18074

STATE OF IDAHO        )  
                          (     ss  
County of Bonner     )

JOHN P. CLAUSSEN, being first duly sworn, deposes and says: That his postoffice address is Samuels, Idaho (R. # 1). That he is the owner of and using a certain water right, for 2.5 cubic feet per second of the water of Grouse Creek, County of Bonner, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 18074, issued by the Reclamation Engineer, dated ....., 19...., bearing date of priority of ..... for the purpose of irrigating the following described lands, situate, lying and being in Water District No...., in the County of Bonner and State of Idaho, to-wit:..... and is the person to whom such right was so issued.

That said waters are now diverted from said stream in the SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 25, Twp. 59 N., Range 1 West, B. M., and conducted to the above described lands through the Lone Pine Ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion from the point above described to a point located in SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 30, Twp. 59 N., Range 1 East, and thereafter conduct same to the above described land through the Lone Pine ditch, as per map above referred to.

That his reasons for desiring to make such change are as follows: Whereas a survey by the Forest Service shows an error was made in the Application Permit No. 18074 on the point of diversion.

That no one will be injured by such change and that such change will be made at affiant's own risk.

/s/ JOHN P. CLAUSSEN

Subscribed and sworn to before me this 17th day of April, 1944.

(SEAL)

/s/ Arthur K. Bowden  
Notary Public

Received and filed for record in the Department  
of Reclamation at Boise, Idaho, at  
9:00 A. M. April 19, 1944  
Mark R. Kulp  
State Reclamation Engineer

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. 18074

Comes now John P. Claussen, and represents to the State Reclamation 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. 18074, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  AND NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 36, Township 59 North, Range 1 West, B.M., being an addition of 30 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of this section to the land originally described in application for permit, making a total of 155 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 Samuels, this 14th day of August, 1944.

/s/ JOHN P. CLAUSSEN

Date of receipt at Office of Department of Reclamation  
Aug. 17, 1944.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer 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. 18074. 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.

/s/ MARK R. KULP  
State Reclamation Engineer

December 3, 1968

RE: License 96-2136 (18074)

T. W. Hunt  
Realtor  
Sandpoint Realty Company  
407 North 2nd Avenue  
Sandpoint, Idaho 83864

Dear Mr. Hunt:

Once a water license is issued it becomes appurtenant to the lands and remains in perpetual status as long as the water is used on said land. Therefore, the above numbered license is still in effect and the priority date remains the same as well as the amount, which in this case is 2.5 cubic feet per second.

Very truly yours,

M. RUSSELL BOSCH  
Administrative Assistant

MRB:ejw

96-2136  
18074

96-2136

# **Sandpoint Realty Company**

407 North 2nd Avenue  
SANDPOINT, IDAHO 83864

RECEIVED

NOV 27 1968

**T. W. HUNT**  
FARMS - RANCHES - LAKESHORE  
Phone CO 3-2135

November 26, 1968

Mr. Keith Higginson  
State Reclamation Engineer  
Reclamation Department  
State House,  
Boise, Idaho

Dear Mr. Higginson:

Could you please advise me as to the status of: State of Idaho License and Certificate of Water Right #18074 - executed by the State Reclamation Engineer with a priority date of March 2, 1935 for 2.5 C.F.S. from Grouse Creek in Bonner County, Idaho.

Is this a perpetual water right or a use permit?

I would appreciate your advice as soon as possible.

Sincerely yours,

SANDPOINT REALTY COMPANY,

T. W. Hunt,  
Realtor



TWH/kc

18074  
96-2136

March 8, 1963

Re: License No. 18074  
John P. Claussen

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

Dear Mr. Oliason:

Water License No. 18074 was issued to John P. Claussen for 2.5 c.f.s., priority March 2, 1935, out of Grouse Creek in SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 30, to irrigate 130 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , Sec. 36, T. 59 N., R. 1 E.

The water right is appurtenant to the land and transfers with ownership of the land unless previously transferred to other land. We find no record of this water right being transferred.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy  
State Reclamation Engineer

RT:ew

18074

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

Sandpoint, Idaho

March 6, 1963

RECEIVED  
MAR 11 1963  
DEPARTMENT OF RECLAMATION

Reclamation Engineer  
Department of Reclamation  
Boise, Idaho

Dear Sir:

Please advise the current status of Water Permit No. 18074 issued to Dale R. Zuelke.

Also, what procedure should be followed to have the permit transferred to a Robert E. Wood who has purchased the farm?

Sincerely yours,

*Kenneth E. Oliason*

Kenneth E. Oliason  
County Supervisor

18074

November 19, 1958

Re: Water License No. 18074

Mr. Raymond T. Greene, Jr.  
Attorney At Law  
323 North Second Avenue  
Sandpoint, Idaho

Dear Mr. Greene:

In answer to your letter of November 17, 1958, in which you would like to be advised if the Department of Reclamation keeps a record of transfers of water license rights.

After license has been issued for a water right, the department keeps no record of the rights, for a water right is an appurtenance to certain lands shown in the license and can be transferred as real estate with the land.

Kind regards to yourself and family.

Very truly yours,

GEO. N. CARTER  
State Reclamation Engineer  
By

Roy W. Thompson  
Supervisor of Water Distribution

RWT/lw

18074

RAYMOND T. GREENE, JR.

JAMES E. HUNT

GREENE & HUNT

ATTORNEYS AT LAW

323 NORTH SECOND AVENUE

SANDPOINT, IDAHO

TELEPHONE CONGRESS 3-2109

RECEIVED  
NOV 19 1958

Department of Reclamation

November 17, 1958

Department of Reclamation  
Boise, Idaho

Re: Water License No. 18074

Gentlemen:

Will you please advise me as to whether or not your office keeps or desires a record of transfers of water license rights. The above matter is presently being transferred upon a conditional sales contract from one Dale R. Zuelke to Art Sphar and others. If there is a record which you desire, please send me the necessary information so that we might have it taken care of at this time.

Very truly yours,

GREENE & HUNT

By:

*Raymond T. Greene, Jr.*  
Raymond T. Greene, Jr.

18074

May 20, 1954

RE: Permit No. 18074

Mr. Dale R. Sanner  
County Supervisor  
Farmers Home Administration  
Sandpoint, Idaho

Dear Mr. Sanner:

We have your letter of May 18 advising as to an assignment of Permit No. 18074 by Mr. and Mrs. Dale R. Zuelke to the United States of America, through the Farmers Home Administration.

Our records show that license issued under the Permit on June 22, 1953, which completes the water right so far as the records in this department are concerned.

Any future transfer of interest would not be made through an assignment recorded in this department but by deed the same as real property, of which this department would probably have no information.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

18074

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARMERS HOME ADMINISTRATION

Sandpoint, Idaho  
May 18, 1954

RECEIVED  
MAY 20 1954  
Department of Reclamation

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

SUBJECT: Dale R. Zuelke  
Water Permit No. 18074

Dear Mr. Kulp:

This is to advise that under date of April 23, 1953, Mr and Mrs. Dale R. Zuelke assigned Water Permit No. 18074 to the United States, acting through the Farmers Home Administration, as collateral security for a loan.

We understand that you will make a notation on your records of this assignment so that the Farmers Home Administration will be notified in the event of any other assignment.

Sincerely yours,

*Dale R. Sanner*  
Dale R. Sanner  
County Supervisor

*License 5092 John P. Clausen 6-22-53*  
*20 deer 10- Dale + Aline Z - 10-7-49*

*18074*

Sandpoint, Idaho  
May 18, 1954

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

SUBJECT: Dale R. Zuelke  
Water Permit No. 18074

Dear Mr. Kulp:

This is to advise that under date of April 23, 1953, Mr and Mrs. Dale R. Zuelke assigned Water Permit No. 18074 to the United States, acting through the Farmers Home Administration, as collateral security for a loan.

We understand that you will make a notation on your records of this assignment so that the Farmers Home Administration will be notified in the event of any other assignment.

Sincerely yours,

Dale R. Sanner  
County Supervisor

18074

✓  
June 23, 1953

RE: Permit No. 18074

Mr. D. R. Zuelke  
Samuels  
Idaho

Dear Mr. Zuelke:

We have recorded the photo-static copy of deed from John P. Claussen and wife to yourself and wife in connection with the above numbered permit and we enclose License and Certificate of Water Right issued under said permit confirming your right to the use of 2.5 second feet of water from Grouse Creek with point of diversion in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 30, Township 59 North, Range 1 East, B.M., and priority of March 2, 1935, for irrigation of 130 acres in the W $\frac{1}{2}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, Township 59 North, Range 1 East, B.M.

We also enclose departmental receipt No. 25980 for the \$10.50 license fee.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

18074

STATE OF IDAHO

County of Bonner

} ss.

Stanley L. Wolfe

I, ~~XXXXXXXXXX~~ County Recorder in and for the County and State aforesaid, do hereby certify

the within and foregoing to be a full, true and correct copy of the whole thereof, of

QUIT CLAIM DEED, Instrument No. 34665

JOHN P. CLAUSSEN, et ux -to- DALE R. ZUELKE, et ux

as the same appears on record in my office in Book 80 of deeds at Page 353.

In testimony whereof I have hereunto set my hand and affixed my official seal

this 27th day of May, 1953.

Stanley L. Wolfe

County Recorder, Bonner County, Idaho

By Marie Thomas Deputy

INDEXED  
2000  
COMPARED

NO. 3 4 6 6 5

QUIT CLAIM DEED

THIS INDENTURE, Made this 7th day of October, A. D. 1949 BETWEEN John P. Claussen and Ruth Claussen, husband and wife, the parties of the first part, and Dale R. Zuelke and Alice Zuelke, his wife the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One (\$1.00) Dollar and other good and valuable consideration ----- DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, remise, release, convey and forever quit claim unto the said parties of the second part, and to their heirs and assigns, all that certain real property situate and being in the County of Boundary, State of Idaho, described as follows, to-wit:

The Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ); the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$  SW $\frac{1}{4}$ ); the West Half of the Northeast Quarter (W $\frac{1}{2}$  NE $\frac{1}{4}$ ); the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$ ); the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ), and the East Half of the East Half (E $\frac{1}{2}$  E $\frac{1}{2}$ ), ALL in Section Thirty-six (36), Township Fifty-nine (59) North, Range One (1) West Boise Meridian, containing Four Hundred (400) acres, more or less; together with all Water Rights and Ditch Easement.

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof unto said parties of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seals the day and year first above written.

Executed in the presence of:

John P. Claussen (SEAL)

V. Ruth Claussen (SEAL)

STATE OF IDAHO )  
 ) ss.  
County of Boundary )

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that on this 7th day of October A. D. 1949, personally appeared before me John P. Claussen and Ruth Claussen to me personally known to be the individuals described in and who executed the within instrument, and acknowledged that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal, this 7th day of October A. D. 1949.

(NOTARIAL SEAL)

J H McNally  
Residing at \_\_\_\_\_, Idaho.  
Notary Public for the State of Idaho  
residing at Bonners Ferry, Idaho,  
My Commission Expires Aug. 1, 1951

STATE OF IDAHO )  
 ) ss.  
County of Bonner )

I hereby certify that the within instrument was filed for record in the office of the Ex-Officio-Recorder of said County on the 23rd day of May A. D. 1950, at 11 o'clock and 10 minutes A. M, at the request of Everett E. Hunt and recorded on page 353 of Book 80 of Deeds.

Alex T. Russell Ex-Officio Auditor and Recorder. By Dorothy Campbell Deputy. Fee, \$1.50

18074

June 12, 1953  
Samuels  
Idaho

RECEIVED  
JUN 15 1953  
Department of Reclamation

Mark R. Kulp  
Dept. of Reclamation  
State of Idaho

Ref: Water Permit No. 18074

Dear Sir,

Your letter of January 6, 1953 stated in effect;  
"If his Deed to you includes Permit No 18074 and a  
copy of the deed is sent to the Dept. of Reclamation  
for record that will be sufficient to have the license  
issued in your name without additional assignment of  
the permit."

Enclosed you will find a copy of Claussen's Quit  
Claim deed. This deed includes Quit Claim to "All Water  
Rights and Ditch Easements", which includes Permit No  
18074.

Also enclosed you will find our check for \$10.60  
covering the ten (\$10.00) dollars for the license and  
fifty (\$0.50) cents for the recording of the license.

I hope the enclosed deed and check fulfill the  
requirements for the license.

Respectfully,

*D. R. Zuelke*  
D. R. Zuelke

18074

✓  
January 6, 1953

RE: Permit No. 18074

Mr. D. R. Zuelke  
Samuels  
Idaho

Dear Mr. Zuelke:

In reply to your inquiry of January 2, 1953, as to whether or not the license fee had been paid on Permit No. 18074 in the name of John P. Claussen.

The records in this department show that this fee has not been paid.

Upon receipt of the fee, a license can be issued, but it will have to be to Mr. John P. Claussen, the record holder of the permit, unless an assignment of his interest in this permit to you is sent to this department for record. A form of assignment is enclosed, and there is a fee of 50 cents for recording.

However, if his deed to you includes Permit No. 18074, and a copy of the deed is sent to this department for record, that will be sufficient to have the license issued in your own name without an additional assignment of the permit.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

18074



C. A. ROBINS  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

August 19, 1948

RECEIVED  
JAN 5 1953  
Department of Reclamation

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

In checking over your filings on Grouse Creek we find that Permit No. 18074 has not been completed.

On March 12, 1947, we advised you that upon receipt of the statutory fee of \$10.00 a license would be issued for 2.5 cubic feet per second from Grouse Creek for the irrigation of land in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36, Twp. 39 N., Range 1 W., B.M. We have had no reply to this letter and the license can not be issued until this fee is paid.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

*Jeannie L. Anderson*  
Chief Clerk

A/gt

Samuels, Idaho  
January 2, 1953

Mr. Mark Kulp  
Boise, Idaho

18074

Dear Mr. Kulp;

We would like to know if this \$10.00 license fee was ever paid by Mr. Claussen. Would you please advise us. We are the owners of this property now.

We would appreciate if you would let us know.

Thanks a lot,  
D.R. Zuelke Sincerely,

March 12, 1947

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

We now have on file the report of our Field Engineer on examination for Beneficial Use under your Permit No. 18074. This report shows that you are irrigating 130 acres of land located in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 36, Township 59 North, Range 1 West, B. M.

Therefore, upon receipt of a statutory fee of \$10.00 being at the rate of \$2.00 for each 40-acre subdivision, in which the land is located, a license will be issued for 2.50 cubic feet per second of water of Grouse Creek.

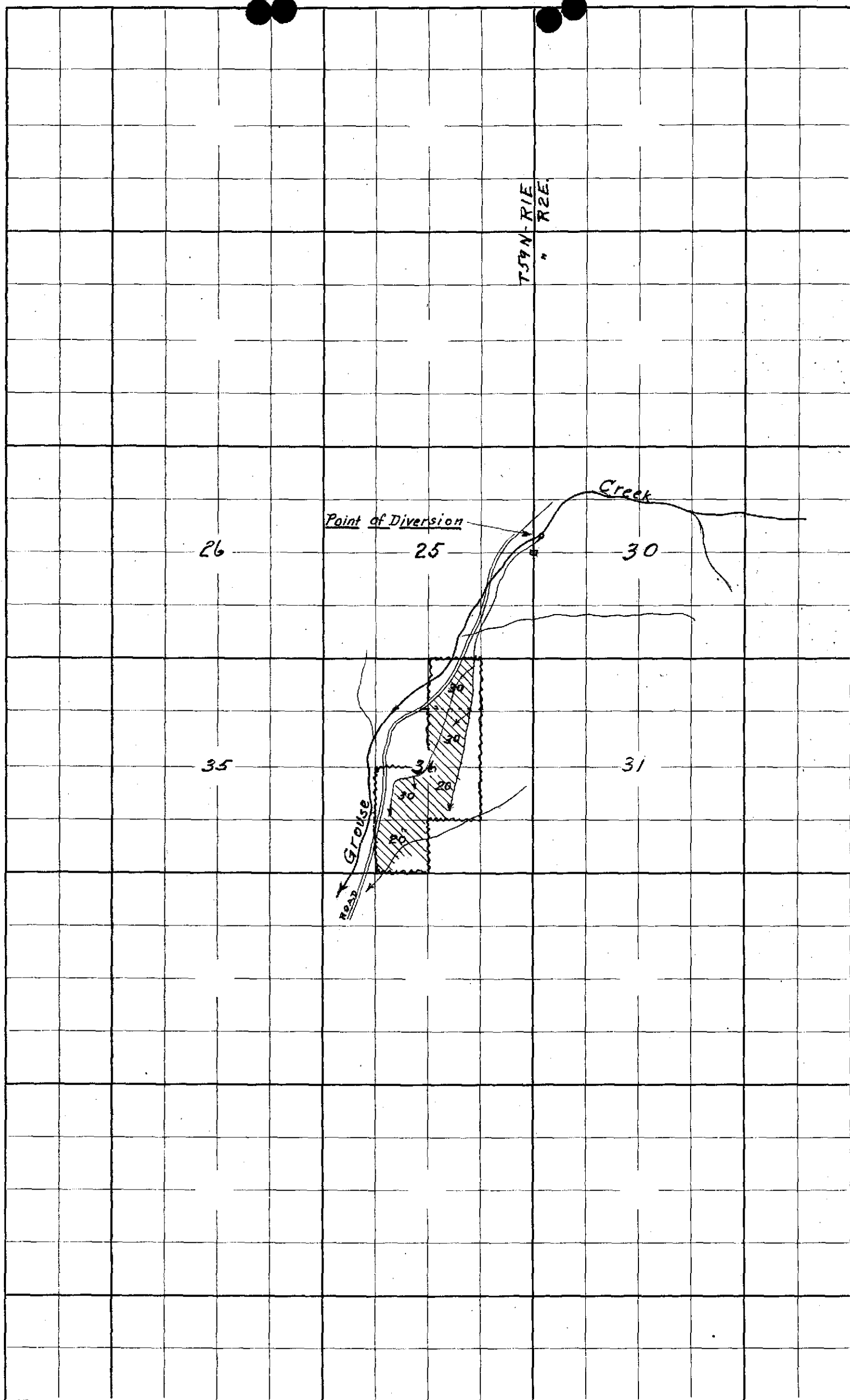
Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:FA

18074



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 18074

REPORT ON PROOF OF Beneficial use

*app. 2.5 c.f.s.*

*2.5 cfs  
OK*

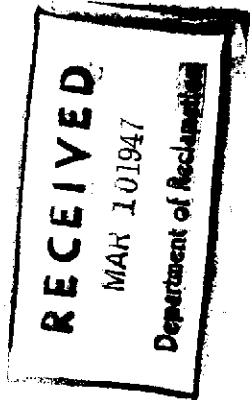
*130 acres*

*5-40's*

John P. Claussen  
Samuels, Idaho  
Permit No. 18074

Examination for Beneficial use

County Bonner



#### INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make a 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.

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 18074

This proof is for Beneficial use

In Water District No.

1. Name of applicant John P. Claussen, Samuels, Idaho
2. Source of water supply: Grouse Creek
3. Location of point of diversion: Is in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 30  
T. 59 N. R. 1 E. County of Bonner
4. Describe works as they exist, giving dimensions and capacities of same: Diversion is made with a seasonal rock wing dam; a headgate 2 feet wide X 3 feet high, and a culvert 2 feet wide, 2 feet high, and 16 feet long. and a ditch 3 to 4 feet wide, and 1 foot deep.
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 for other than irrigation): NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 36,  
Township 59 North, Range 1 West, B.M.

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

8. What large stream would the water here appropriated finally reach? Lake Pend O'Reille
- Remarks: Sandy soil

This examination was made on the 11th day of October, 1946

(Signed)

*Frederick J. Dolman*  
Examiner.

✓  
April, 12, 1946

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

We are in receipt of your memorandum of April 9th, in reply to letter addressed you on April 6th.

You are correct, and the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 36, Township 59 North, Range 1 West, is included in your Reservoir Permit, and was also added to Permit No. 18074, in an amendment to this permit received on July 20, 1944; and since this is also described in the published notice we will add it to the proofs submitted.

Before final action can be taken in the matter, 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, since this department has but one field engineer, who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will try to contact you at the time set for the examination, so that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A

18074



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

CHARLES C. GOSSETT  
GOVERNOR

ARNOLD WILLIAMS  
GOVERNOR

April 6, 1946

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

We acknowledge receipt of the depositions of yourself and two witnesses, also the affidavit of publication from the Sandpoint News-Bulletin, all in connection with proof of beneficial use under the above numbered permit.

Attached to the affidavit of publication was the receipted bill for same, which we return herewith for your own files.

In checking the land description in these depositions we find that all three have omitted the 30 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 36, Twp. 59 N. Range 1 W. In a letter from you received on July 20, 1944, you stated that you had purchased this forty after making your original filing, and your permit was accordingly amended to include it; and it is also included in the affidavit of publication. *I included this*  
*40 acres under my Reservoir filling July 20 - 1944 if I am*  
Please advise if it was intentionally left out of the proofs, *not mistaken* or if the omission was an oversight- and the water has been used on this 40 as well as the rest of the land described in the proofs.

RECEIVED

APR 11 1946

Department of Reclamation

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

*Jeannie L. Anderson*  
Chief Clerk

18074

Encls.

*April 9 - 46 Apparently was an oversight. on  
our part as I had never taken out a water filling  
for this N.E. 1/4 S.W. 1/4 Sec 36 T. 59 N. R. 1 W.  
But I have been irrigating this land with my  
water I am offering in this proof. It would be  
well to include it if possible. John P. Claussen.*

April 6, 1946

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

We acknowledge receipt of the depositions of yourself and two witnesses, also the affidavit of publication from the Sandpoint News-Bulletin, all in connection with proof of beneficial use under the above numbered permit.

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Please advise if it was intentionally left out of the proofs, or if the omission was an oversight-- and the water has been used on this 40 as well as the rest of the land described in the proofs.

Very truly yours,

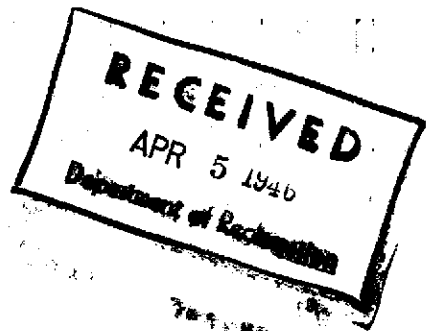
MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A  
Encls.

18074

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO



Permit No. 18074

# Proof of Application of Water to Beneficial Use

## Deposition of Holder

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

Ans.

John P. Clausen, Samuel's Idaho  
Stock and Dairy ranch.

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

Ans.

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

Ans.

No. 25290 Permit No 18074 Febur 27, 1935

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

Ans.

Grouse Creek 100 feet N.E. of S.W. corner  
of the N.W. 1/4 of Sec 30 T. 59. N. 1 East Ditch

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.

The Lone Pine ditch. 2.5 feet per sec.

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

Ans.

For Irrigation Located in Sec 36 T. 59 N  
B. 1 West. 40 acres in N.W. 1/4 & 40 acres in  
S.W. 1/4 in N.E. 1/4 = 25 acres in S.E. 1/4 of S.W. 1/4  
and 20 acres in N.W. 1/4 of the S.E. 1/4 of Sec  
Sec. 65 but area to hay Balance irrigated. Pasture

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

Ans.

none

18074

also NE 1/4 - see letter 4-6-46

Ques. 8. What is the minimum amount of water required for the purpose specified above? 2.5<sup>-</sup>  
Ans. not sufficient amount

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. about 1938. the use of water was made available.

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. I am the party that has application for permit No 270 & Permit No 730 Reservoir as I find that I do not have enough water to irrigate this sandy land without more water. I also irrigate some of the N. E. 1/4 of the S. W. 1/4 of Sec 36. (Sign) John P. Clausen

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 2 day of April, A. D. 1946.

Alex. T. Russell

My commission expires

April 26, 1949

NOTARY PUBLIC FOR THE STATE OF IDAHO  
SANDPOINT, IDAHO  
MY COMMISSION EXPIRES APRIL 26, 1949

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 18074

## Proof of Application of Water to Beneficial Use

### Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

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

Ans. George O. Broadwood, 59 years of age  
R. 1, Samuels, Idaho

Ques. 2. Are you acquainted with John L. Claussen, the holder of Permit No. 18074? How long have you known him and where does he reside?

Ans. 30 years, R. 1, Samuels, Idaho

Ques. 3. Have you read or heard read said Permit No. 18074, and are you familiar with its provisions and conditions?

Ans. yes; I am familiar

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, 100 feet N.E. of S.W. <sup>corner</sup> of the NW  $\frac{1}{4}$   
of Sec. 30, 59. E.E. ditch,

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 2.5 second feet; The same amount

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; NE  $\frac{1}{4}$ , 40 acres in the NW  $\frac{1}{4}$   
also SW  $\frac{1}{4}$ , 40 acres; 25 acres in the SE  $\frac{1}{4}$  of  
the SW  $\frac{1}{4}$  and 200 NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  all in  
Sec. 36, 59 North 1 W.B.M. Cultivated and pasture,  
3 cutting of alfalfa, which required adequate barns  
and outbuilding.

18074

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

Ans.

*Just Irrigation*

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.

*Good Sandy-Loam Soil  
2.5 Second feet. Inefficient.*

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

Ans.

*None*

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

Ans.

*3 cuttings of Alfalfa <sup>per year</sup> and the difference  
of high production with the use of water, compared  
to one crop per year of Alfalfa without water*

(Signed) *George C. Broadword*

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 *2* day of *April*, A. D. 19*46*

My commission expires.

*April 26, 1949*

*Alex T. Russell*  
Notary Public.

NOTARY PUBLIC FOR THE STATE OF IDAHO  
SANDPOINT, IDAHO  
MY COMMISSION EXPIRES APRIL 26, 1949

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT NO. 18074

## 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. Francis M. Hall, 28 years of age  
R. 1, Samuels, Idaho

Ques. 2. Are you acquainted with John T. Claussen, the holder of Permit No. 18074? How long have you known him and where does he reside?

Ans. 15 years, R. 1, Samuels, Idaho

Ques. 3. Have you read or heard read said Permit No. 18074, and are you familiar with its provisions and conditions?

Ans. yes; 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, 100 feet NE of SW Corner  
of the NW 1/4 of Sec. 30, 59 N 1 E,  
"Ditch"

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 2.5 second feet; The same amount

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; NE 1/4, 40 acres in the NW 1/4  
also SW 1/4, 40 acres; 25 acres in the SE 1/4 of  
the SW 1/4 and 20 acres NW 1/4 of the SE 1/4 all in  
Sec. 36, 59 North 1 W 6 m. Cultivated and pasture  
3 cuttings of Alfalfa, which required more building  
and housing.

18074

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

Ans.

*Irrigation only*

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.

*2.5 Second feet, Insufficient.*

*Good Sandy Loam Soil*

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

Ans.

*None*

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

Ans.

*3 cuttings of Alfalfa per year and the difference of high production with the use of water compared to one crop per year of Alfalfa without water.*

(Signed) *Francis McCall*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in *Sandpoint*, County of *Bonner*, State of Idaho, on this *2* day of *April*, A. D. 19*46*.

*Allen T. Russell*

Notary Public.

My commission expires

*April 26, 1949*

NOTARY PUBLIC FOR THE STATE OF IDAHO  
SANDPOINT, IDAHO  
MY COMMISSION EXPIRES APRIL 26, 1949

# Affidavit of Publication

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

L. E. Pietsch being first duly sworn on oath deposes and says that he is Printer of The Sandpoint News-Bulletin, a weekly newspaper printed and published at Sandpoint, Bonner County, Idaho; that the said Sandpoint News-Bulletin succeeds The Northern Idaho News and The Sandpoint Bulletin, both of which have been continuously and uninterruptedly 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; John P. Claussen, Samuels

as it was published in the regular and entire issue of the said paper for a period of Four consecutive weeks, commencing on the 7th day of March, 1946, and ending on the 28th day of March, 1946, and that said notice was published in said newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this 28 day of March, 1946.

Vivian E. Shoemaker

Notary Public for Idaho,  
Residing at Sandpoint, Idaho.

## NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P. M. on the 2nd day of March, 1946, at the Courthouse, Sandpoint, County of Bonner, State of Idaho, before Alex T. Russell, County Auditor, proof will be submitted of the application to beneficial use of 2.5 cubic feet per second of the waters of Grouse Creek in accordance with the terms and conditions of Permit No. 18074 heretofore

issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is John P. Claussen, Samuels, Idaho.

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

The amount applied to beneficial use is 2.5 cubic feet.

The place where said water is used: NW 1/4 NE 1/4, SW 1/4 NE 1/4, NE 1/4 SW 1/4 SE 1/4 SW 1/4, NW 1/4 SE 1/4, Section 36, Township 59 North, Range 1 West, B. M.

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

The right to take water from such works is based upon Permit No. 18074.

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

The date of priority of said water is March 2, 1934.

W. J. P. JLP,  
State Reclamation Engineer.  
m7-14-21-28

18074

Sandpoint News-Bulletin

A COMPLETE PRINTING SERVICE

Sandpoint, Idaho

March 21, 1946

Re: Permit No. 18074

Department of Reclamation,  
Boise, Idaho.

Gentlemen:

Your letter of March 18 arrived here too late for us to add the NE $\frac{1}{4}$  SW $\frac{1}{4}$  to the description contained in the notice for John P. Claussen. The correction, however, will be made and run in our issue of March 28. Our affidavit of publication will be furnished showing the complete correct description.

I trust this will be satisfactory.

Yours very truly,

SANDPOINT NEWS-BULLETIN

*L. E. Pietsch*  
L. E. Pietsch



18074

# State of Idaho

## DEPARTMENT OF RECLAMATION

BOISE

### INSTRUCTIONS

#### PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, March 22, 1946

Re: Permit No. 18074  
John P. Claussen

Mr. Alex T. Russell  
County Auditor  
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. 18074

#### 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 April 2, 1946, 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 Alex T. Russell, County Auditor

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. KULP

Commissioner of Reclamation.  
State Reclamation Engineer

18074

Sandpoint News-Bulletin

A COMPLETE PRINTING SERVICE  
Sandpoint, Idaho

March 18, 1946

Re: Permit No. 18074

Department of Reclamation  
Boise,  
Idaho

Gentlemen:

In reply to your letter of March 15 please be advised that publication of a notice of beneficial use for John P. Claussen, of Samuels, Idaho, permit No. 10874, was commenced on March 7 and will be completed prior to April 2.

A tear sheet showing the notice as published is attached hereto.

Yours very truly,

SANDPOINT NEWS-BULLETIN

*L. E. Pietsch*  
L. E. Pietsch, Editor

LEP:p

18074

RECEIVED  
March  
Department of Reclamation

March 18, 1946

Re: Permit No. 18074  
John P. Claussen

Sandpoint Bulletin  
Sandpoint, Idaho

Gentlemen:

We are writing you again in regard to publication of notice of beneficial use proof to be made on April 2nd, on Permit No. 18074, by John P. Claussen, of Samuels, Idaho.

Since we have not received a copy of the paper containing this notice, we have had no way of checking the land description; but in looking over our copy of the notice we believe that there may have been an omission of one 40-acre tract from the land to be irrigated.

This should be- as follows-

NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$   
and NW $\frac{1}{4}$  SE $\frac{1}{4}$

Section 36, Township 59 North, Range 1  
West, B.M.

If this does not correspond with the description in the notice being published, please correct same in your issue of March 22nd, and publish an additional time- on March 29th.

We shall appreciate having you advise us in regard to this matter.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

18074

in Spokane visit relatives and friends.

## NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P. M. on the 2nd day of April, 1946, at the Courthouse, Sandpoint, County of Bonner, State of Idaho, before Alex T. Russell, County Auditor, proof will be submitted of the application to beneficial use of 2.5 cubic feet per second of the waters of Grouse Creek in accordance with the terms and conditions of Permit No. 18074 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is John P. Claussen, Samuels, Idaho.

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

The amount applied to beneficial use is 2.5 cubic feet.

The place where said water is used: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 36, Township 59 North, Range 1 West, B. M.

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

The right to take water from such works is based upon Permit No. 18074.

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

The date of priority which said user is prepared to establish is March 2, 1935.

MARK R. KULP,  
State Reclamation Engineer.

m7-14-21-28

March 15, 1946

Re: Permit No. 18074

Sandpoint Bulletin  
Sandpoint, Idaho

Gentlemen:

Reference is made to letters addressed to you by this Department, under dates of January 31, and February 7, 1946, in regard to publication of a notice of beneficial use proof to be made on April 2nd, by John P. Claussen, of Samuels, Idaho, under Permit No. 18074.

Please advise if this notice is being published, and if so please send us a copy of the first issue of your paper containing same.

Thanking you for your cooperation in this matter, we are,

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A

18074

✓  
February 7, 1946

Re: Permit No. 18074

Sandpoint Bulletin  
Sandpoint, Idaho

Gentlemen:

On January 31st we sent you a notice of beneficial use proof to be made by John P. Claussen, of Samuels, Idaho, under the above numbered permit, on March 2nd, 1946, with instructions to publish it once a week for four consecutive weeks, commencing with your issue of February 8th.

We are just in receipt of a letter from Mr. Claussen, dated February 4th, changing the date of proof to April 2nd instead of March 2nd- and he advises that he has notified you accordingly.

We hope that you received his letter in time to omit publication on February 8th- as with the later date for proof, the publication should be made a month later-

However, if publication has already been made in your February 8th issue, please discontinue temporarily, and publish March 1, 8, 15 and 22nd.

Very truly yours,

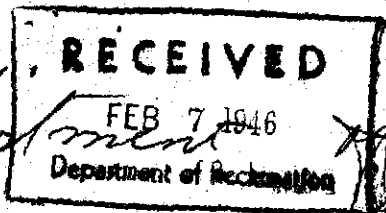
MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk.

A  
CC to John P. Claussen

18074

Samuel Idaho  
Febur. 7, 1946



Department

Reclamation  
Boise Idaho

Dear Sir

Your letter dated to me. of Jan. 31 - 70. in reply will say that I greatly appreciate this opportunity to change the time of final proof as the snow may be so deep the 2 of March that it would be impossible to get to Sandpoint Idaho with my witnesses to make proof I would like to set the date to April the 2nd - then I know that I can get to Sandpoint with the car & take my two witnesses with me. I am forwarding this notice to the Sandpoint Bulletin as to your Request & Oblige

Sincerely Yours

John P. Clausen 18074  
Samuel  
Idaho.

January 31, 1946

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

We are this morning in receipt of your reply to our letter of January 21st, and note that your proof of beneficial use under the above numbered permit is to be made before Mr. Alex T. Russell, County Auditor.

We have filled in the notice accordingly, but as it is now too late to have the notice published for the required four weeks prior to February 27th, we have changed the date to March 2nd. If for any reason that date is not convenient for you and your witnesses, or for Mr. Russell, please contact the Sandpoint Bulletin at once, and have it changed to another date- later than March 2nd- and advise this office accordingly.

A copy of the notice has been sent to the newspaper, with instructions to publish it once a week for four consecutive weeks prior to March 2nd- That would be in the issues of February 8, 15, 22, and March 1st. The affidavit of publication, together with statement of the cost of publication, to be sent to you.

About ten days prior to the date set we shall send to Mr. Russell the forms of deposition, consisting of one for you, as holder, 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. Russell, with two disinterested witnesses, who are familiar with the terms of your permit, and the works constructed thereunder, for the purpose of executing same.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A  
CC to Alex T. Russell

18074

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: January 31, 1946

Re: Permit No. 18074

**Sandpoint Bulletin**

**Sandpoint, Idaho**

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 2, 1946**, the date set for proof, the expense of the publication to be paid by the applicant, **John P. Claussen** 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.

Very truly yours,

**MARK R. KULP**  
State Reclamation Engineer

By

**Chief Clerk.**

Your issues of Feb. 8, 15, 22, and March 1, 1946

18074

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) .....

(P. O.) .....

STATE RECLAMATION ENGINEER :  
TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

*John P. Clausen*

(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.

18074

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

Notice is hereby given that at 2 <sup>2nd</sup> P. M. on the 27 day of Feb., 1946  
at the Court House <sup>Sandpoint</sup>, County of Bonner, State of Idaho, before  
Alex T. Russell, County Auditor, proof will be submitted of the  
application to beneficial use of 2.5 cubic feet per second of the waters of Grouse Creek  
in accordance with the terms and conditions of Permit No. 18074  
heretofore issued by the Department of Reclamation of the State of Idaho.

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

John T. Claussen, Samuels, Idaho

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 2.5 cubic feet

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Section 36, Township 59 North, Range 1 West, B. M.

|               |               |              |               |               |                   |
|---------------|---------------|--------------|---------------|---------------|-------------------|
| <u>NE 1/4</u> | <u>SW 1/4</u> | <u>S 1/4</u> | <u>SW 1/4</u> | <u>SE 1/4</u> | <u>Total</u>      |
| <u>1000</u>   | <u>1000</u>   | <u>2000</u>  | <u>1000</u>   | <u>1000</u>   | <u>6000 Acres</u> |

Section 36, Township 59 North, Range 1 West, B. M.

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

The right to take water from such works is based upon Permit No. 18074

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

The date of priority which said user is prepared to establish is March 8, 1935

MARK R. KULP

State Reclamation Engineer.

18074



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

~~CHARLES C. COOPER~~  
GOVERNOR  
ARNOLD WILLIAMS  
GOVERNOR

January 21, 1946

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho.

Dear Mr. Claussen:

We acknowledge receipt of duplicate notice of beneficial use proof to be made on February 27th, under the above numbered permit, and also your authorization to have the notice published in the Sandpoint Bulletin.

The notice states that the proof is to be made at the Courthouse, at Sandpoint, but does not name the person before whom the proof is to be made.

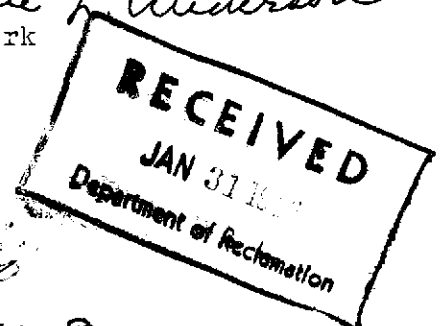
This should be a Notary Public, or other official authorized by law to administer oaths,-- possibly it is your intention to make the proof before the County Auditor, Alex T. Russell, as the notices were enclosed in his envelope.

Please let us know about this at once, so that the notice may be completed, and sent to the newspaper in time for the necessary four weeks' publication before February 27th.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

By *Jeane L. Anderson*  
Chief Clerk



*I want to use County Auditor at the Courthouse*  
*Mr. Alex T. Russell*  
*18074*

January 21, 1946

Re: Permit No. 18074

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

We acknowledge receipt of duplicate notice of beneficial use proof to be made on February 27th, under the above numbered permit, and also your authorization to have the notice published in the Sandpoint Bulletin.

The notice states that the proof is to be made at the Courthouse, at Sandpoint, but does not name the person before whom the proof is to be made.

This should be a Notary Public, or other official authorized by law to administer oaths, - possibly it is your intention to make the proof before the County Auditor, Alex T. Russell, as the notices were enclosed in his envelope.

Please let us know about this at once, so that the notice may be completed, and sent to the newspaper in time for the necessary four weeks' publication before February 27th.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A

S T A T E   O F   I D A H O

DEPARTMENT OF RECLAMATION

Mr. John P. Claussen  
R. F. D. 1  
Samuels, Idaho

December 1, 1945

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18074. This should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make proof, in order to allow time for the four weeks' publication required by law.

The proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is February 27, 1946 and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

18074

August 17, 1944

Re: Permit No. 18074

Mr. John P. Claussen  
Route 1  
Samuels, Idaho

Dear Mr. Claussen:

We acknowledge receipt of your application for amendment to the land list under the above numbered permit, by including 30 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 36, Township 59 North, Range 1 West, B. M.

This amendment has been approved, as has also your previous application to change the point of diversion from the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 25, Township 59 North, Range 1 West, as erroneously described, to the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 30, Township 59 North, Range 1 East, B. M.

Your permit as now of record in this Department shows the point of diversion in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 30, Township 59 North, Range 1 East, B.M.; and the land to be irrigated in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 36, Township 59 North, Range 1 West, B. M.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

18074

**Application for Amendment**  
**To Permit to Appropriate the Public Waters**  
**of the State of Idaho, No. 18074**

State Reclamation

Comes now John P. Claussen, and represents to the ~~Commissioner~~  
 Engineer  
~~of Reclamation~~ 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. 18074, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  and NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 36, Township 59 North, Range 1 West, B.M., being an addition of 30 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of this section to the land originally described in application for permit.

....., making a total of 155 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 Samuels, this 14<sup>th</sup> day of August, 1944

John P. Claussen

Date of receipt at Office of Department of Reclamation Aug. 17 - 1944

State Reclamation Engineer  
 APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~

I, Mark R. Kulp, State Reclamation Engineer, ~~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. 18074. 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)

18074

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.....

✓  
July 21, 1944

Re: Permit No. 18074

Mr. John P. Claussen  
Route 1  
Samuels, Idaho

Dear Mr. Claussen:

We acknowledge receipt of your reply to office letter addressed you on July 7th, and note that you are irrigating 30 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 36, Township 59 North, Range 1 West, B. M., in addition to the lands previously described in your Permit No. 18074.

We enclose a form of amendment to your permit to include this additional acreage, which you may sign and return to this Department for approval and recording.

We also enclose a form of application for your use if you wish to file on the reservoir site which you mention- and also pamphlet giving regulations and instructions in regard to filing same.

Since you state that this site is located on Forest Reserve land, please submit with your application written permission from the Forest Service to make this filing on Forest Reserve.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A  
Encis.

18074



C. A. BOTTOLFSSEN  
GOVERNOR

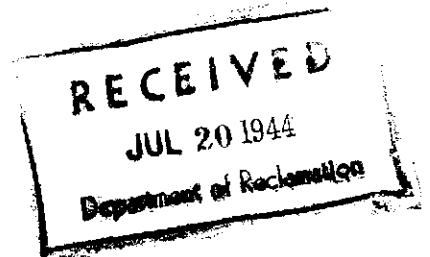
STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

July 7, 1944

Re: Permit No. 18074



Mr. John P. Claussen  
Route 1  
Samuels, Idaho

Dear Mr. Claussen:

We have received no reply to office letter addressed you under date of April 19, 1944, in which we requested more definite information as to the lands to be irrigated under your Permit No. 18074.

In the sketch map which accompanied your affidavit for change in point of diversion, you showed thirty (30) acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 36, Township 59 North, Range 1 West, in addition to the lands previously described in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$  and SE $\frac{1}{4}$  SW $\frac{1}{4}$  of this section.

Please advise if this additional 30 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  should be included in your permit.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

By *Jeane L. Anderson*  
Chief Clerk

A

*This is 30A that is irigateable of the 40A. I bought in near after making my filing in Feb of same year. I have been irrigating at the same as the other I have cleared,*

*Very truly yours  
18074 J. P. Claussen*

I would be allowed to file upon a  
Reservoir <sup>site</sup> located in the East  $\frac{1}{2}$  of West  $\frac{1}{2}$   
of Sec 30 T. 59. R 1 East. a long narrow  
Ravine that extends about  $\frac{1}{2}$  mile north  
& South Pratically on the level & would  
require a 5 am site of about 400 or 500 feet  
long on lower south end of Ravine This  
site is located upon Forest Service  
land

My reason for this Request is,  
I do not have enough water as is  
& there is no more water to file upon  
in grouse creek left as it does not  
any more then supply water for my  
Per mit 18074 & those owned by the  
Woble people & other filings out now.  
Also My Irrigation ditch is located  
along the N. W. slope of grouse creek & is  
so wet & springs prevent me from  
cleaning out the various dirt slides until  
so late about the first of this month  
annually so in that way I fail to  
get the water out in time to get my  
second cutting of alfalfa & so am in  
great need of this Reservoir for my  
first Irrigation & Domestic water for stock  
(see on map)

✓  
July 7, 1944

Re: Permit No. 18074

Mr. John P. Claussen  
Route 1  
Samuels, Idaho

Dear Mr. Claussen:

We have received no reply to office letter addressed you under date of April 19, 1944, in which we requested more definite information as to the lands to be irrigated under your Permit No. 18074.

In the sketch map which accompanied your affidavit for change in point of diversion, you showed thirty (30) acres in the NE<sub>1</sub> SW<sub>4</sub> Section 36, Township 59 North, Range 1 West, in addition to the lands previously described in the NW<sub>1</sub> NE<sub>1</sub>, SW<sub>1</sub> NE<sub>1</sub>, NW<sub>1</sub> SE<sub>1</sub> and SE<sub>1</sub> SW<sub>4</sub> of this section.

Please advise if this additional 30 acres in the NE<sub>1</sub> SW<sub>4</sub> should be included in your permit.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A

✓  
Mark R. Kulp

April 19, 1944

Re: Permit No. 18074

Mr. John P. Claussen  
Route 1  
Samuels, Idaho

Dear Mr. Claussen:

We acknowledge receipt of your affidavit for change of point of diversion of water right under your permit No. 18074, which will be duly recorded in this Department.

However, we note on the sketch map which accompanied this affidavit that it shows 30 acres of land to be irrigated in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 36, in addition to the lands previously described in the NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  and SE $\frac{1}{4}$  SW $\frac{1}{4}$  of this section.

Please advise if it is your intention to also include this additional acreage in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of the section. If so, we shall send you a form of application for amendment to be executed by you to show the correct acreage.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A

18074

# Affidavit for Change of Point of Diversion of Water Right

Permit No. 18074

STATE OF IDAHO,

County of Bonner

ss.

John P. Clausen, being first duly sworn, deposes and says: That his postoffice address is Samuel Idaho #R. 17. That he is the owner of and using a certain water right, for 2.5 cubic feet per second of the water of Shouse Creek, County of Bonner, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 18074, issued by the Reclamation Engineer, dated \_\_\_\_\_, 19\_\_\_\_, bearing date of priority of \_\_\_\_\_, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. \_\_\_\_\_, in the County of Bonner and State of Idaho, to-wit: \_\_\_\_\_

and is the person (or representative of the person or persons) to whom such right was so issued, ~~for~~ has become the owner thereof in the following manner:)

That said waters are now diverted from said stream in the SE 1/4 of SE 1/4 of Sec. 25, Twp. 59. N, Range 1. East B.M., and conducted to the above described lands through the Lone Pine ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said waters from the point above described to a point located in SW 1/4 of NW 1/4 of Sec. 30, Twp. 59. N, Range 1 East, and thereafter conduct same to the above described land through the Lone Pine ditch, as per map above referred to;

That his reasons for desiring to make such change are as follows: Whereas a survey by the Forest Service shows an error was made in the Application Permit No 18074 on the point of diversion

That no one will be injured by such change and that such change will be made at affiant's own risk.

John P. Clausen  
Affiant.

Subscribed and sworn to before me this 17<sup>th</sup> day of April, 1944

Arthur K. Bowden  
Notary Public

NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

Received and filed for record in the Department  
of Reclamation at Boise, Idaho, at

9:00 A. M. April 19, 1944  
Mark R. Kuep  
State Reclamation Engineer

18074

*John P. Claussen*

*Sec 25 of 59 of R. 1 West R. 11*

*Sec 30 of 59 of R. 1 East R. 11*

*Sec 36 of 59 of R. 1 West R. 11*  
30  
30  
30  
10  
30  
30

✓  
March 20, 1944

Re: Permit No. 18074

Mr. John P. Claussen  
Route 1  
Samuels, Idaho

Dear Mr. Claussen:

We acknowledge receipt of your letter of March 15th, in regard to an error in the description of your point of diversion as given in Permit No. 18074, which is shown as being in the SE<sub>1</sub> SE<sub>1</sub> Section 25, Township 59 North, Range 1 West, whereas a survey by the Forest Service shows it to be in the SW<sub>1</sub> SW<sub>1</sub> Section 30, Township 59 North, Range 1 East, B.M.

We enclose a form of Affidavit for Change of Point of Diversion, which you may execute; and also a map on which you may indicate the correct point of diversion, and the land to be irrigated by the use of this water- to take the place of the map originally filed with your permit application.

When this affidavit, properly executed before a Notary Public, and the map, are returned to this Department, the proper notation will be made on the permit record of this change in point of diversion.

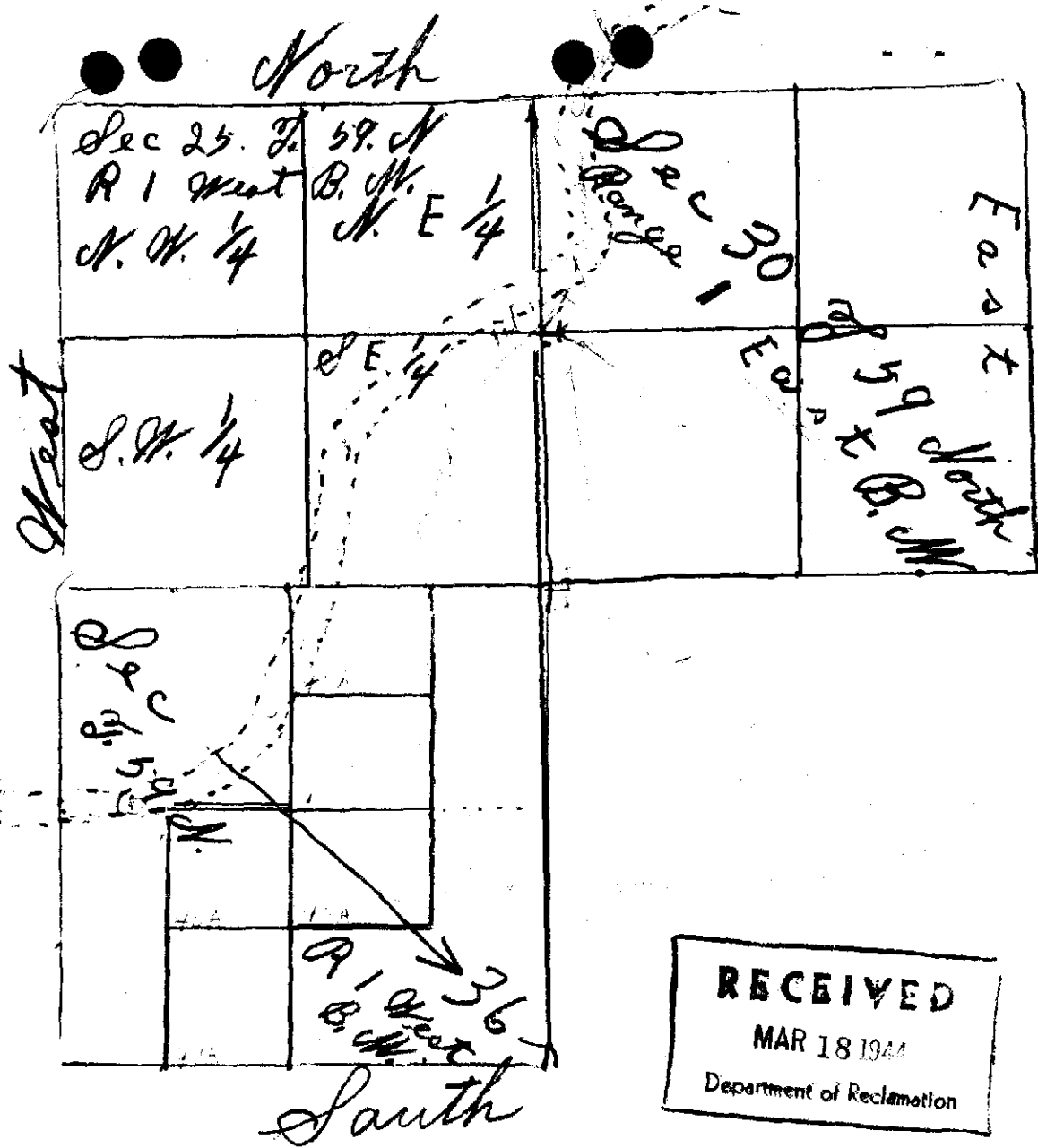
Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer  
By

Chief Clerk

▲  
Encls.

18074



Yours Very Truly  
 John P. Hansen  
 Samuel  
 Idaho

Letter on  
back

R 1

Samuel Idaho

Febr 15. 1944

Department of Reclamation

Dear Sir

Thanks for your  
Reply to my letter in reference to C.C.  
Rowley on Grouse creek.

I also notice a mistake in my  
Permit No 18074. The point Deversion  
The Forest Service have surveyed the  
land in this vicinity recently and  
I find that the point of Deversion is  
about 100 feet east & a little north of their  
 $\frac{1}{4}$  Poster. corner in Sec 30 T. 59. N  
R 1 East B.M. I had in mind at  
all times that I had filed in the  
N E  $\frac{1}{4}$ . & E  $\frac{1}{4}$  Sec 25 T. 59. N. Range 1 West  
But looking over my Permit 18074. Dated  
March 8. 1935 call for S. E  $\frac{1}{4}$  S. E  $\frac{1}{4}$  I had  
not given notice to this error before  
Sorry but the land was covered with  
Brush. & so forth & no chance to discover  
sec lines I guessed at the location  
What can be done about this mess  
I am sending a sketch of correction  
Please make note on your records  
or notify me if further action is  
necessary (over) 18074

18074

February 14, 1944

Mr. John P. Claussen  
Samuels, Idaho

Dear Mr. Claussen:

Reference is made to your letter dated January 17, 1944, but which reached us this morning, wherein you inquire as to the water right of C. C. Rowley, on Grouse Creek.

The records in this Department show that on October 3, 1935, Mr. Rowley filed an application to appropriate 3 second feet of water from Grouse Creek, but the application was returned to him for correction and signature, but no permit was issued, as the corrected application was never returned to this Department.

Your Permit No. 18074 bears date of priority of February 28, 1935, and the records in this Department show that certificate of completion of works was issued thereunder for 2.5 second feet on February 28, 1940- your point of diversion being in the SE<sub>1</sub> SE<sub>1</sub> Section 25, Township 59 North, Range 1 West, B.M.

Mr. Rowley's permit No. 19208, filed September 22, 1941, gives the point of diversion as being in the NE<sub>1</sub> SE<sub>1</sub> of Section 25, Township 59 North, Range 1 West, B.M. He has not yet made his proof of completion of works- which is not actually due until September 25, 1946. In making such proof it will be necessary for him to show the construction of his own ditch, or else permission from you to use the ditch which you have constructed, as of course he has no right to use your ditch without your consent. We are sending a copy of this letter to Mr. Rowley for his information.

Very truly yours,

JAMES SPOFFORD  
State Reclamation Engineer  
By

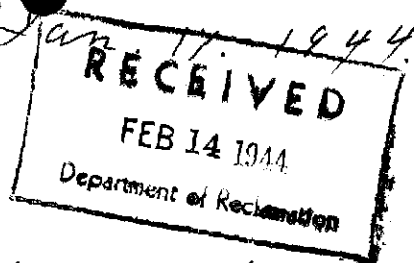
Chief Clerk

4  
C<sup>o</sup> to C.C. Rowley

18074

State Board of Reclamation  
Boise Idaho

Dear Sir



I wish to refer to  
the water filings of C. C. Rowley of  
Samuels Idaho

It seems to me that he filed on some  
water some where about 1936, but the water  
right was canceled & why? Please

Later about 1942 he claims to have  
taken out another filing

He now demands to run this water  
through my ditch not having done  
any work for me upon my ditch since  
the year 1938 for which I did run him  
some of my water to help him out  
on his crop, now what I would like  
to know how can this man, C. C. Rowley  
have a water filing on Llrouse creek

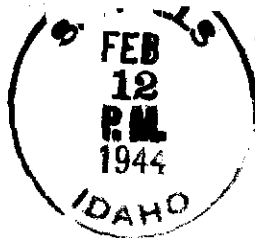
having no ditch to run same.

He would have to run this water through  
my ditch in order to get it upon his place

But I will not allow that for I have  
my Private ditch & must keep it so  
I would appreciate to hear from you as to  
his right also demand your reply

18074 John P. Blausen  
Samuels Idaho

after 5 days return  
to  
J. P. Clausen  
Idaho



State Board of Reclamation  
 Boise

Idaho 18074

February 29, 1940

Re: Permit No. 18074

Mr. John P. Claussen,  
R. F. D. 1,  
Sawada, Idaho.

Dear Sir:-

We are enclosing herewith Certificate of Completion of Works issued under the above numbered permit to appropriate 2.5 second feet of water from Grouse Creek, in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 25, Township 59 North, Range 1 West, B. M., Bonner County, for irrigation purposes.

The Department's Receipt No. 17323 for the \$5.00 fee which you paid in connection with your completion of works proof, is also enclosed.

Very truly yours,

JAMES SPOFFORD  
Commissioner of Reclamation

By

Chief Clerk

JLA  
Encs.

18074

February 21, 1940

Re: Permit No. 18074

Mr. John P. Claussen,  
R. F. D. No. 1,  
Sammals, Idaho.

Dear Mr. Claussen:

We are in receipt of your Completion of Works affidavit, which we are returning to you, because it is not quite clear whether the works have been completed substantially in accordance with the permit.

If it is possible for you to submit a new proof showing that the works have been completed, so indicate in Question 6, where you can either cross out were or were not

It would not be possible to give you an extension of time for three years, as you have used the statutory limit of five years in submitting your proof.

If you cannot complete your affidavit and show that the works have been completed, it will be necessary for you to make a new application for permit, necessary forms for which, and instructions, will be sent upon request.

If you can make this proof under your old permit, have it executed as soon as possible, as your last date is February 27th.

There is also a \$5.00 fee due in connection with this proof.

Very truly yours,

JAMES SPOFFORD  
Commissioner of Reclamation  
By

Deputy Commissioner

D:A  
Encs.

18074

Permit No. 18074

STATE OF IDAHO  
Department of Reclamation

# Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner

SS.

John P. Claussen

, 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. 18074, and that his postoffice address is R. F. D. 1, Samuels, Idaho State of Idaho

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

Grouse Creek

Third: That the point of diversion of said water is SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 25, Township 59, North Range 1, W. B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by February 27th, 1940.

Fifth: That the use for which said water is intended is irrigation.

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

1. Kind of works: dam, ditch and head-gate

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

II. Dimensions of work: ditch & head-gate

(a) Height of dam 18" feet, length of dam at top 100 feet, length of dam at bottom 100 feet. Material used in construction loose rocks

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width 6 feet, height 6 feet. material 3' planks

(d) Conduit ditch width at bottom 3 feet, width at water line 4 ft.  
(State whether ditch, flume or pipe.)  
feet, depth of water 2 feet; diameter of pipe inches, average grade per mile is 9 feet. Length of conduit is  $\frac{1}{2}$  miles.

Seventh: That said works are capable of conducting to the place of intended use 2.5 second feet of water.

Eighth: That water appropriated under said permit is available for 125 acres of land described as follows: 28 A. under cultivation and balance uncleared a this date using for pasture a present under irrigation

Ninth: Remarks: That water has run for 2 years in the ditch. The ditch is more or less subject to land slide and I have been unable to thoroughly complete it on that account and I find that I must clean out these slides every spring.

John P. Claussen

(Sign here)

Subscribed and sworn to before me this 19th day of February, 1940.

Arthur Bowden

Notary Public.

My commission expires Oct. 6, 1940

18074

OK 2.5 S.F.

MD 2-26-40

**State of Idaho**  
DEPARTMENT OF RECLAMATION  
BOISE

Re: Permit No. 18074

INSTRUCTIONS  
PROOF OF COMPLETION OF WORKS

John P. Claussen  
R. F. D. 1,  
Samuels, Idaho

Boise, Idaho, December 5, 1939

Dear Sir:—

Under the terms of your permit No. 18074 you are required to complete your diversion works on or before February 27, 1940. 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,

JAMES SPOTFORD  
Commissioner of Reclamation.

18074

State of Idaho  
DEPARTMENT OF RECLAMATION  
BOISE

Permit No. 18074

Boise, Idaho, March 3, 1935

Dear Sir:

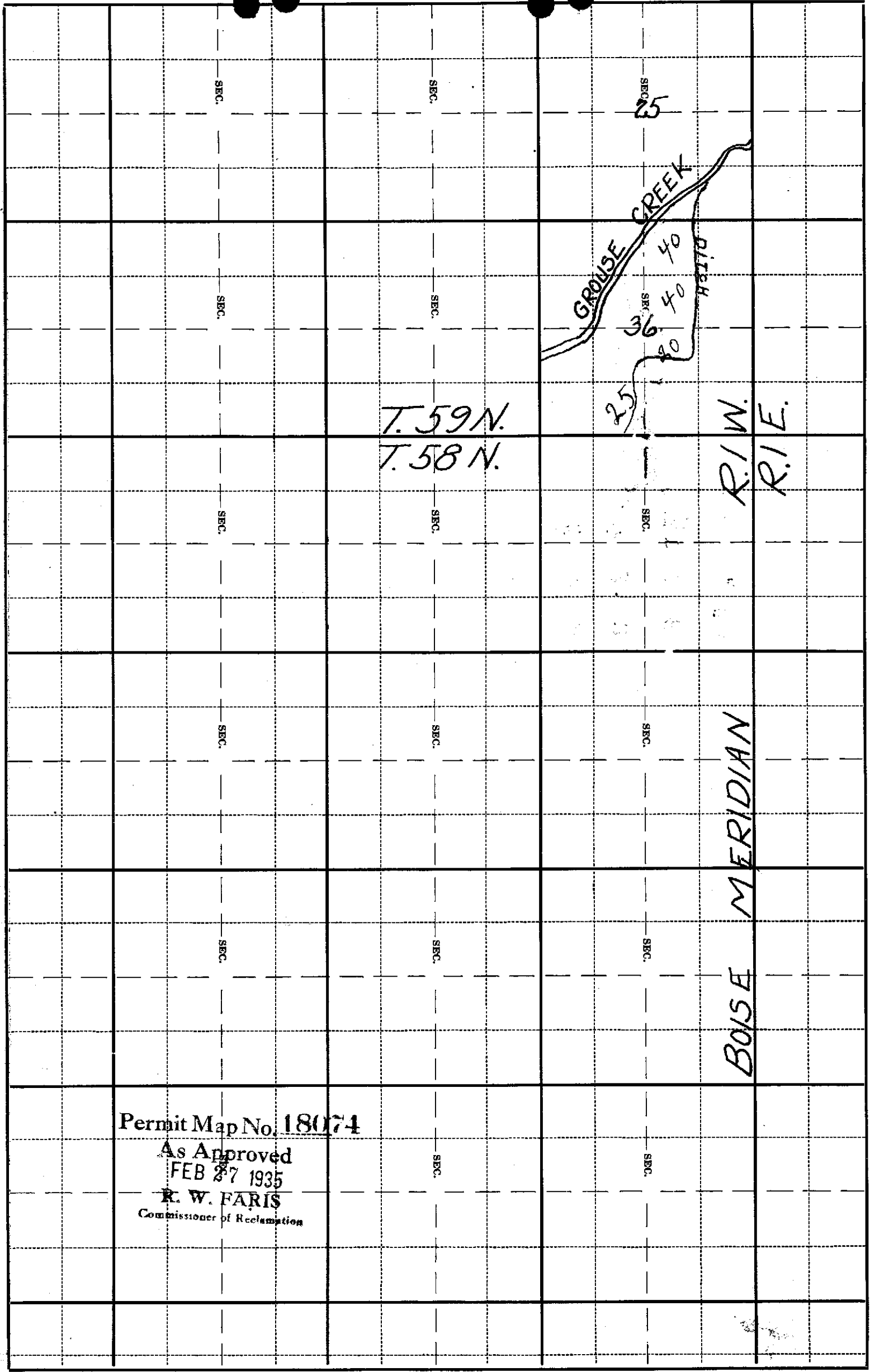
I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

MR. JOHN P. CLAUSSEN  
R. F. D. # 1, Samuels, Idaho

18074  
R. W. EARIS  
Commissioner of Reclamation.

NAME OF APPLICANT John P. Claussen

FORM NO. 0



Permit Map No. 18074

As Approved  
FEB 27 1935

R. W. FARIS  
Commissioner of Reclamation