

Oct. 6.

Oct. 9.

Oct. 11.

Oct. 12.

Sec. 7.

Sec. 8.

Sec. 9.

Sec. 10.

Mountainous L.

Not Surveyed

Sec. 18.

Sec. 17.

Sec. 16.

Sec. 15.

Sec. 19.

Sec. 20.

Sec. 21.

Sec. 22.

Sec. 30.

Sec. 29.

Sec. 28.

Sec. 27.

PEND D'OREILLE

P. H. E. T.

Kootenai County *
Smith Creek, *
Irrigation & Domestic *
1.35 second-feet *
Priority 12/17/1906 *

S T A T E O F I D A H O
Water License No. 2472.

WHEREAS, On the 17th day of December, A.D. 1906, J. L. McDONELL, of Spokane, County of Spokane, State of Washington, duly made application (No. 3462) to me for a permit to use 2 cubic feet per second of the waters of Smith Creek, County of Kootenai, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 29th day of December, A.D. 1906, Permit No. 2472 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 29th day of December, A.D. 1908, and for the application to beneficial use of said water on or before the 29th day of December, A.D. 1911, and,

WHEREAS, On the 29th day of December, A.D. 1908, J. L. McDONELL, the holder of said permit duly made proof of the completion of adequate works for the diversion of 2 cubic feet per second of said waters, as evidenced by my Certificate No. 2472, dated January 11th, 1909, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2 cubic feet per second of water, with date of priority of December 17th, 1906, and,

WHEREAS, On the 29th day of December, A.D. 1911, J. L. McDONELL, the holder of said permit duly made proof of the application to beneficial use of 1.6 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to J. L. McDONELL, of Spokane, County of Spokane, State of Washington, the holder and owner of said Permit No. 2472, a perpetual right, dating from December 17th, 1906, to the use of 1.6 cubic feet per second of the waters of Smith Creek, in the County of Kootenai and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point N.40° E.748 ft. from the Southwest Corner of the Northwest quarter of the Southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 28, Township 56 North, Range 5, West of the Boise Meridian, and conducted to and upon 80 acres, divided as follows: (15 acres in Lot 1, 5 acres in Lot 2, 15 acres in Lot 3, and 45 acres in the N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 28, Township 56 North, Range 5, West of the Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 11th day of January,

A.D. Nineteen hundred and twelve.

(SEAL)

A. E. Robinson
State Engineer.

No. 3462

A P P L I C A T I O N F O R P E R M I T

To appropriate the Public Waters of the State of Idaho.

1. Name of applicant - J. L. MCDOWELL.

Postoffice address: P. O. - Spokane, 26 W. 4th Ave.

County - Spokane Co.

II. The financial resources of the applicant are:

(a) Cash on hand - \$400

2. The quantity of water claimed is (2) two cubic feet per second.

3. Source of water supply - Smith Creek.

County of Kootenai.

4. Location of point of diversion is N. 40° E. 748' feet from the S. W. Cor.
of NW4 of SW4 of Sec. 28, Twp. 56 N., Range 5 West B. M.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 100 acres.

(b) In the following legal subdivisions - Lots 1 - 2 - 3 & part of the
N½ of SW4 of Sec. 28, Twp. 56 N., Range 5 West Boise Meridian.

6. Estimated cost of works - \$300

7. Description of Works for Diversion:

I. Kinds of works - Small Dam about 6' high and 32' long made of earth
to throw water into ditch.

II. Dimensions of Works:

(a) Height of dam 6 feet, length of dam at top 32' feet, length of
dam at bottom.....feet, material used in construction earth.(d) Ditch, width at bottom 1 ft., width at water line.....feet,
depth of water 0.9 feet. Average grade per mile is 22.0 feet.
Length of ditch is 4000', and it crosses the following quarter
sections - SW4 Sec. 28, and part of SE4, to.....which is the
point of intended use.

8. Time required for the completion of the construction of such work is 4 years.

9. Time required for the complete application of the water to the proposed use is 3 years.

Remarks:

Smith Creek is a small creek flowing in the spring approx 5 sec. feet.
In the fall the flow is reduced to in some seasons ½ sec. feet. The ditch is to be
tapped at intervals by small laterals and is not to be returned to the creek, but
if any overflow will be turned into the Pend de Orrilla river at a point 50 feet east
from where the line hits the river.

Surveyed by C. Goodsell, Eng.

Time in paragraph 8 being excessive it is hereby reduced to two years.

Jas. Stephenson, Jr.

State Engineer.

Approval of State Engineer

The number of this permit is 2472.

Date of first receipt of application 9:00 A. M. December 17, 1906.

Returned to applicant for correction December 18, 1906.

Corrected application received December 24, 1906.

Recorded in Book 7, page 2472. Approved December 29, 1906.

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before February 27, 1907, 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 December 29, 1907.

The whole of said work to be completed on or before December 29, 1908.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to December 29, 1911.

Witness my hand this 29 day of December, 1906.

Jas. Stephenson, Jr.

State Engineer.

Blank notice for proof of completion mailed applicant September 1, 1908.

Notice received October 28, 1908, fixing December 29, 1908, as date, and Sandpoint as place of proof.

Notice for publication mailed Bendigo Review, at Sandpoint, November 6, 1908.

Deposition blanks mailed applicant November 4, 1908.

Frank H. Feller, authorized, November 6, 1908, to make examination of works:

His report received November 14, 1908.

Depositions, affidavit of publication, and fees received, January 2, 1909.

Certificate of Completion of works. Issued January 11, 1909.

Permit No. 2472

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that J.L. MC DONELL of Spokane, County of Spokane, and State of Washington, the holder of Permit No. 2472, issued upon Application No. 3462, bearing date of priority of December 17, 1906, authorizing the diversion of 2 second feet of the waters of Smith Creek, County of Kootenai, State of Idaho, for irrigation and domestic 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 second feet of the waters of Smith Creek, that the point of Diversion of said waters is at a point in the northwest quarter of southwest quarter of section 28, township 56 north, range 5 west of the Boise meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lots 1, 2 and 3 and part of the north half of southwest quarter of section 28, township 56 north, range 5 west of the Boise meridian.

Witness my hand this 11th day of January A.D. 1909.

Jas. Stephenson, Jr.

State Engineer,

License issued on 1/6 second feet

P. 997

MT. 6.

MT. 5.

MT. 4.

MT. 3.

Sec. 7.

Sec. 8.

Sec. 9.

Sec. 10.

Mountainous Tr.

Not Surveyed

Sec. 18.

Sec. 17.

Sec. 16.

Sec. 15.

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Sec. 27.

PEND D'OREILLE

H E T T

Alt. 1 B.C. 58
Pleist River, Idaho
83856
April 24, 1982

Mr. C. Stephen Allred
Idaho State Water resources
Boise, Idaho

RECEIVED

APR 26 1982

Department of Water Resources

Dear Mr. Allred,

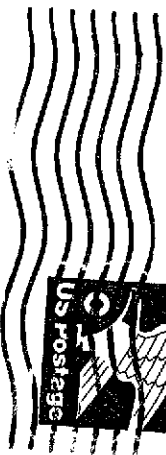
Would you please send me
a copy of the license issued to
J. L. McQuinn # 96-2014 for
domestic use and irrigation of
80 acres dated 12/19/1906.

Located within the

N. W. S. W. Sec. 28 - T 56 N, R 5 W,
Bonner County.

Thank you,
Harold W. Wachten

H. Wayne Machter
Rt. 7 Box 58
Priest River, ID 83856



Mr. C. Stephens Albrecht
State State Water Insurance
State House
Boise, Idaho 83702?