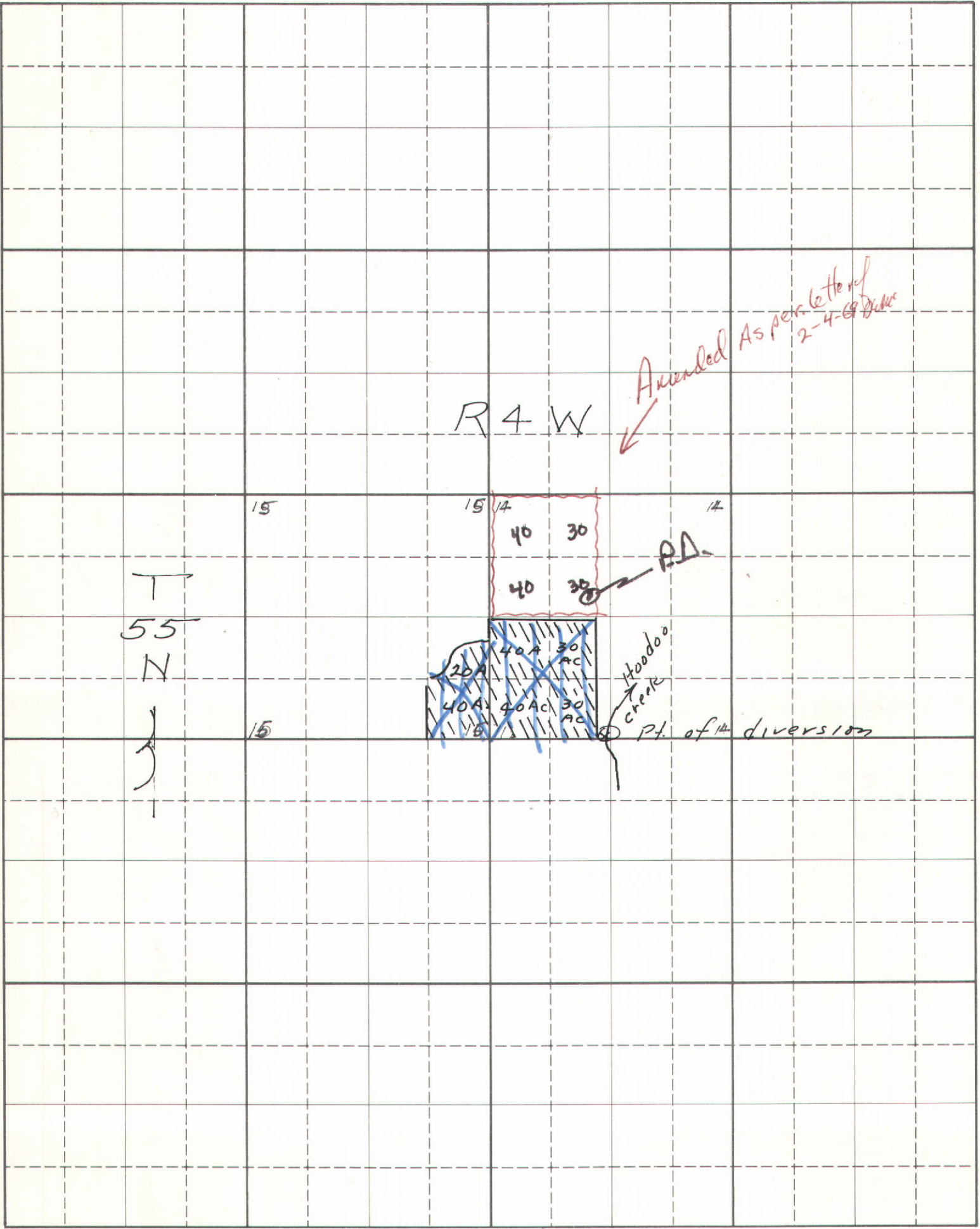


11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.

William E. Kendall  
(Applicant)

96-7017

# AFFIDAVIT OF PUBLICATION

RECEIVED

MAR 13 1969

Department of Reclamation

STATE OF IDAHO

County of Bonner,

ss.

Marie Woods,  
being duly sworn, says that he is the Publisher  
of the PRIEST RIVER TIMES, a weekly newspaper printed and  
published at Priest River, Bonner County, Idaho, and has been  
continuously and uninterruptedly published in said County during  
a period of 78 consecutive weeks prior to the first publication of  
the annexed notice for publication, is a newspaper of general cir-  
culation made up of at least eight pages of at least seven columns  
each, printed from typematter or stereotyped forms of at least  
nineteen and three-fourths inches depth, has at least 1250 bona fide  
subscribers living within said Bonner County, and is published at  
regular weekly intervals. That the annexed is a true copy of the  
notice for publication in the case of

## Notice of Correction for Application for Water Permit

as it was published in the regular and entire issue of said paper  
for a period of two consecutive weeks, commencing on  
the 6th day of March, 1969,  
and

ending on the 13th day of March, 1969,  
and that said notice was published in said newspaper proper, and  
not in supplement form.

Marie Woods

Subscribed and sworn to before me this

13th day of March, 1969.

George Coudly  
Notary Public for Idaho,  
Residing at Priest River, Idaho.

### NOTICE OF CORRECTION FOR APPLICATION FOR WATER PERMIT

Notice is hereby given that Ap-  
plication No. 96-7017 in the name  
of William E. Kendall has been  
amended. The original application  
requested that the point of diver-  
sion be located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
sec. 11, T. 55 N, R. 4 W, B.M.;  
whereas the actual point of diver-  
sion will be located in the SE $\frac{1}{4}$   
NW $\frac{1}{4}$ , sec. 14, T. 55 N, R. 4 W.  
B.M., Bonner County. The place of  
use was requested to be located  
in the E $\frac{1}{2}$ SE $\frac{1}{4}$ , sec. 10; and the  
SW $\frac{1}{4}$ , sec. 11, T. 55 N, R. 4 W,  
B.M., whereas, the place of use is  
now located in the NW $\frac{1}{4}$ , sec. 14,  
T. 55 N, R. 4 W, B.M.

Any protest against this applica-  
tion must be filed with the De-  
partment of Reclamation within  
ten days from the last date of  
publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

10-2t

96-7017

# AFFIDAVIT OF PUBLICATION

RECEIVED

OCT 3 1968

Department of Reclamation

STATE OF IDAHO

County of Bonner,

ss.

Marie Woods,  
being duly sworn, says that he is the Publisher  
of the PRIEST RIVER TIMES, a weekly newspaper printed and  
published at Priest River, Bonner County, Idaho, and has been  
continuously and uninterruptedly published in said County during  
a period of 78 consecutive weeks prior to the first publication of  
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culation made up of at least eight pages of at least seven columns  
each, printed from typematter or stereotyped forms of at least  
nineteen and three-fourths inches depth, has at least 1250 bona fide  
subscribers living within said Bonner County, and is published at  
regular weekly intervals. That the annexed is a true copy of the  
notice for publication in the case of

## Notice of Application for Water

as it was published in the regular and entire issue of said paper  
for a period of two consecutive weeks, commencing on  
the 26th day of September, 1968,  
and \_\_\_\_\_  
\_\_\_\_\_ ending on the 3rd day of October, 1968,  
and that said notice was published in said newspaper proper, and  
not in supplement form.

Marie Woods

Subscribed and sworn to before me this

3rd day of October, 1968.

George C. Connolly  
Notary Public for Idaho,

Residing at Priest River, Idaho.

### NOTICE OF APPLICATION FOR WATER

Notice is hereby given that William E. Kendall, Route No. 1, Box 48, Priest River, Idaho has on August 29, 1968 applied for permit under application No. 96-7017 to divert 2.67 cubic feet per second of water from Hoodoo Creek, tributary of Pend Oreille River. Water will be diverted by an electric motor, pump, buried pipe, and sprinklers within the SE 1/4 SW 1/4, sec. 11, T. 55 N, R. 4 W, B.M., Bonner County and is to be used from May 1 to October 1 for irrigation in the E 1/2 SE 1/4, sec. 10; SW 1/4, sec. 11, T. 55 N, R. 4 W, B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

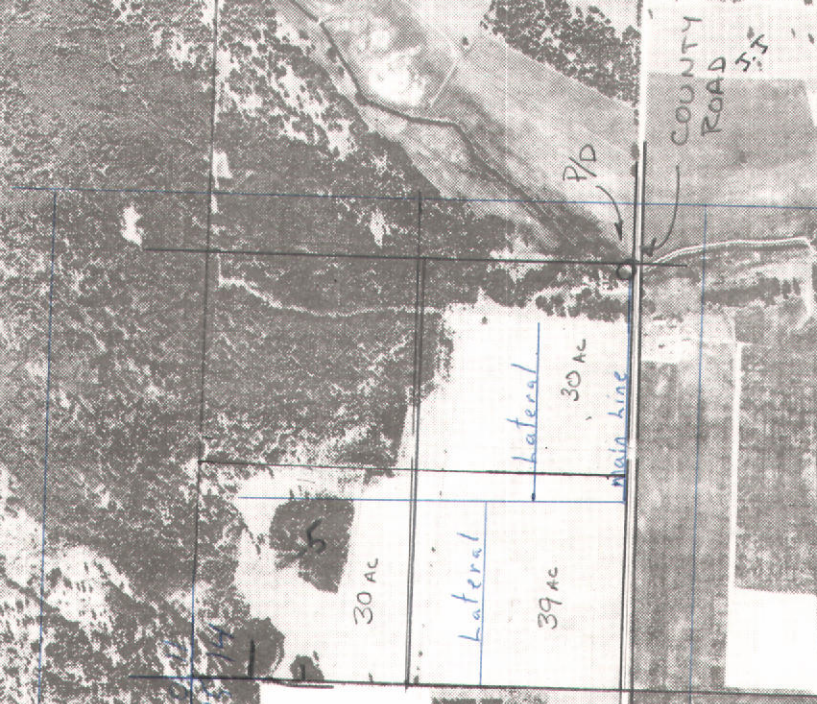
State Reclamation Engineer  
Published in the Priest River  
Times, Priest River, Idaho, on  
September 26 and October 3.

39-2t

96-7017

2878

MICROFILMED



State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 96-7017 Priority August 29, 1968 Amount 0.76 cfs

THIS IS TO CERTIFY, that William E. Kendall  
of Priest River, Idaho, has complied with the terms and conditions of Permit  
No. 96-7017 issued pursuant to Application for Permit dated August 29, 1968,  
and has submitted proof to the Department of Water Resources on February 27, 1979,  
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a  
capacity for the diversion of 0.76 cfs of water from Hoodoo Creek,  
tributary to Pend Oreille River, and that the permit holder has applied to a beneficial use and  
established a right to use water as follows:

| Beneficial Use         | Period of Use                         | Rate of Diversion      | Annual Volume          |
|------------------------|---------------------------------------|------------------------|------------------------|
| <u>Irrigation</u>      | from <u>May 1</u> to <u>October 1</u> | at <u>0.76</u> cfs and | <u>230.6</u> acre feet |
|                        | from _____ to _____                   | at _____ cfs and       | _____                  |
|                        | from _____ to _____                   | at _____ cfs and       | _____                  |
| (both dates inclusive) |                                       |                        |                        |

Subject, however, to the condition that no more than 0.76 cfs of water be diverted at any one time, and  
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose  
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed  
230.6 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 14,  
Twp. 55N, Rge. 4W in the County of Bonner

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 55N  | 4W    | 14   |                  |                  |                  |                  | 10               | 30               | 39               | 30               |                  |                  |                  |                  |                  |                  |                  |                  | 109    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 109

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31<sup>ST</sup> day of  
October, 19 81.

Acting for the Director

Norman C Young

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

RECEIVED  
FEB 28 1974  
Department of Water Administration

State of Idaho )  
County of Bonner )

Permit No. 96-7017

William E. Kendall of Rt. 1 Box 48 Priest River, Idaho  
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder \*, of Permit to Appropriate the Public Waters of the State of Idaho No. 96-7017.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 1, 19 74.

That he has heretofore performed the following work described under said permit:

Irrigated System - Materials have been partially purchased with  
Balance on order.

Costing \$ 4000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Waiting For Delivery of Pump and Pipe.

Also may wish To Expand System involving Additional Clearing  
of Land which will necessitate An Extension beyond The  
Current Completed Date.

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to March 1, 19 77.

x William E. Kendall  
(signature) \*

Subscribed and sworn before me this 13<sup>th</sup> day of February, 19 74.

seal

Frank L. Chapin  
(notary public)

My commission expires 2-25-1975

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. Keith Higginson, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. 96-7017 to March 1, 1979.

Witness my hand this 19 day of February, 19 74.

R. Keith Higginson  
Director

\* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

96-7017

Identification No. 96-7017  
Application No. 42790

**STATE OF IDAHO**  
**DEPARTMENT OF RECLAMATION**  
**APPLICATION FOR PERMIT**  
**To Appropriate the Public Waters of the State of Idaho**  
(TYPE OR PRINT IN INK)

**APPROVED**

1. Name of applicant William E. Kendall  
post office address Rt. 1, Box 48, Priest River, Idaho 83856
2. Source of water supply Hoodoo creek which is a tributary of Pend Oreille River
3. a. Location of point of diversion is SE  $\frac{1}{4}$  of SW NW <sup>CSA\*</sup>  $\frac{1}{4}$  of Section 14 <sup>\*</sup> Township 55N  
Range 4W B.M. Bonner County; additional points of diversion if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
b. If water is not consumed, it will be discharged into point of diversion at a point in \_\_\_\_\_  $\frac{1}{4}$   
of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ B.M. \_\_\_\_\_
4. Water will be used for the following purposes:  
Amount 2.67 cfs for irrigation purpose from 5/1 to 10/1 (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)  
Amount \_\_\_\_\_ for \_\_\_\_\_ purpose from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:  
a. 2.67 cubic feet per second and/or  
b. \_\_\_\_\_ acre feet per annum.
6. Proposed diverting works:  
a. Description of ditches, flumes, pumps, headgates, etc. electric motor, pump, buried  
mainline, sprinkler laterals, with 150 heads.  
\_\_\_\_\_  
\_\_\_\_\_  
b. Height of storage dam \_\_\_\_\_ feet, active reservoir capacity \_\_\_\_\_ acre feet; total reservoir  
capacity \_\_\_\_\_ acre feet, materials used in storage dam: \_\_\_\_\_  
Period of year during which storage will occur \_\_\_\_\_ to \_\_\_\_\_ inclusive.  
(Mo. Day) (Mo. Day)  
c. Proposed well diameter is \_\_\_\_\_ inches; proposed depth of well is \_\_\_\_\_ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use  
is 5 years.  
b. Estimated construction cost is \$ 20,000 <sup>00</sup> <sub>00</sub>.
8. Description of proposed uses:  
a. If water is **not** for irrigation:  
(1) Give the place of use of water: \_\_\_\_\_  $\frac{1}{4}$  of \_\_\_\_\_  $\frac{1}{4}$  of Section \_\_\_\_\_ Township \_\_\_\_\_  
Range \_\_\_\_\_ B.M. \_\_\_\_\_  
(2) Amount of power to be generated: \_\_\_\_\_ hp under \_\_\_\_\_ feet of head.  
(3) List number of each kind of livestock to be watered \_\_\_\_\_  
\_\_\_\_\_  
(4) Name of municipality to be served \_\_\_\_\_, or number of families to be  
supplied with domestic water \_\_\_\_\_.  
(5) If water is to be used for other purposes describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* Amended by applicant by letter 2/4/69

96-7017

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated-

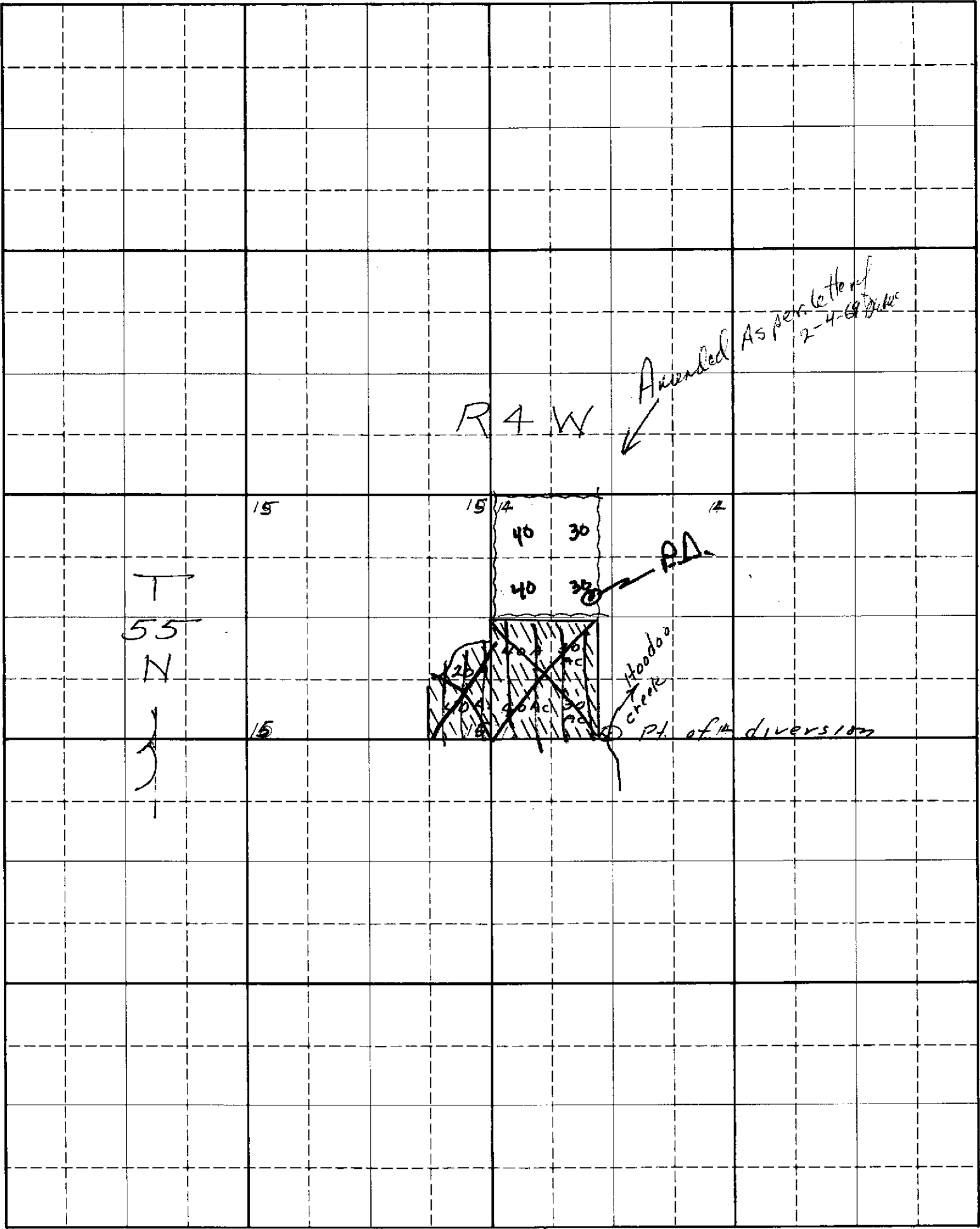
c. Describe any other water rights used for the same purposes. None

9. a. Who owns the property at the point of diversion Mrs. Gladys Kent  
 b. Who owns the land to be irrigated or place of use applicant  
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing  easement secured for point of diversion.

~~\_\_\_\_\_~~ applicant to make this filing \_\_\_\_\_  
~~\_\_\_\_\_~~ easement secured for point of diversion.

10. Remarks \* Amended pursuant to applicant's letter of 2/4/69. cm

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.

William E. Kendall  
(Applicant)

96-7017

State Reclamation Engineer

Witness my hand this 27th day of March 1969.

2. Denial of said application is for the following reasons:

type approved by the department as part of the diverting works.

c. Other: The applicant shall permanently install and maintain a measuring device of a

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1974.

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

1. Approval of said application is subject to the following limitations and conditions:

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 96-7017, and said application is hereby APPROVED

ACTION OF STATE RECLAMATION ENGINEER

Recommended for approval denial by Date

Copies of protests forwarded by 10-31-69

Protests filed by: Mr. [Signature] [Signature]

Priority reduced to Reason

Publication approved Date 9-21-68

Publication dates 9-26 & 10-3-68

Published in [Signature]

Publication prepared by [Signature] Date 9-13-68

Received by [Signature] Date 8-29-68

Preliminary check by [Signature] Fee \$ 50.00

Received by [Signature] Date 8-29-68 Time 9:00 am

3-6-69  
18-3-69

RECEIVED

OCT 11 1968

Department of Reclamation  
Oct. 9, 1968

R. Keith Higginson  
State Reclamation Engineer  
State Capitol  
Boise, Idaho

Dear Sir;

I wish to enter a protest in reference to William E. Kendall  
Route 1, Box 48, Preist River, Idaho, application on 96-7017 to  
divert 2.67 cubic feet per second of water from Hoodo Creek.

In my opinion all the water available in Hoodo Creek is  
allotted in previous permits.

I am protesting this to get a hearing date set. There will be  
other neighbors at the hearing to do their protesting then.

Yours truly,

*Roy Mc Clure*  
Roy Mc Clure

*Preist River Idaho*  
*Rt. 1.*

96-7017

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Bonner,

ss.

Marie Woods,  
being duly sworn, says that he is the Publisher  
of the PRIEST RIVER TIMES, a weekly newspaper printed and  
published at Priest River, Bonner County, Idaho, and has been  
continuously and uninterruptedly published in said County during  
a period of 78 consecutive weeks prior to the first publication of  
the annexed notice for publication, is a newspaper of general cir-  
culation made up of at least eight pages of at least seven columns  
each, printed from typematter or stereotyped forms of at least  
nineteen and three-fourths inches depth, has at least 1250 bona fide  
subscribers living within said Bonner County, and is published at  
regular weekly intervals. That the annexed is a true copy of the  
notice for publication in the case of

## Notice of Correction for Application for Water Permit

as it was published in the regular and entire issue of said paper  
for a period of two consecutive weeks, commencing on  
the 6th day of March, 1969,  
and

ending on the 13th day of March, 1969,  
and that said notice was published in said newspaper proper, and  
not in supplement form.

Marie Woods

Subscribed and sworn to before me this

13th day of March, 1969.

George Connelly  
Notary Public for Idaho,

Residing at Priest River, Idaho.

## NOTICE OF CORRECTION FOR APPLICATION FOR WATER PERMIT

Notice is hereby given that application No. 96-7017 in the name of William E. Kendall has been amended. The original application requested that the point of diversion be located in the SE 1/4 SW 1/4, sec. 11, T. 55 N, R. 4 W, B.M.; whereas the actual point of diversion will be located in the SE 1/4 NW 1/4, sec. 14, T. 55 N, R. 4 W, B.M., Bonner County. The place of use was requested to be located in the E 1/2 SE 1/4, sec. 10, and the SW 1/4, sec. 14, T. 55 N, R. 4 W, B.M., whereas, the place of use is now located in the NW 1/4, sec. 14, T. 55 N, R. 4 W, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

10-2t

96-7017

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Bonner,

ss.

Marie Woods,  
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## Notice of Application for Water

as it was published in the regular and entire issue of said paper for a period of two consecutive weeks, commencing on the 26th day of September, 1968, and \_\_\_\_\_  
\_\_\_\_\_ ending on the 3rd day of October, 1968, and that said notice was published in said newspaper proper, and not in supplement form.

Marie Woods

Subscribed and sworn to before me this

3rd day of October, 1968.

George C. Connelly  
Notary Public for Idaho,  
Residing at Priest River, Idaho.

## NOTICE OF APPLICATION FOR WATER

Notice is hereby given that William E. Kendall, Route No. 1, Box 48, Priest River, Idaho has on August 29, 1968 applied for permit under application No. 96-7017 to divert 2.57 cubic feet per second of water from Hooden Creek, tributary of Snake River. Water will be diverted by an electric motor, buried pipe, and sprinklers on the SE 1/4, sec. 11, T. 33 N. R. 4 W. B.M., Bonner County, and is to be used from May 1 to October 1 for irrigation in the E 1/4, sec. 10; SW 1/4, sec. 11, T. 33 N. R. 4 W. B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer  
Published in the Priest River Times, Priest River, Idaho, on September 28 and October 3.

39-2t

96-7017

# PRIEST RIVER TIMES

Phone HI 8-5291

PRIEST RIVER, IDAHO 83856

Printers Publishers Office Supplies

DATE October 3 19 68

State of Idaho  
Department of Reclamation  
Statehouse - Annex 2  
Boise, Idaho 83707

## NOTICE OF APPLICATION FOR WATER

|              |             |
|--------------|-------------|
| 1 issue      |             |
| 28 li @ .13  | 3.64        |
| 1 sub. issue |             |
| 28 li @ .10  | <u>2.80</u> |
| Total        | 6.44        |

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.



Publisher

96-7017



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

November 19, 1981

RE: Permit No. 96-7017

William E. Kendall  
Route #1, Box 133  
Priest River, ID 83856

Dear Mr. Kendall:

Enclosed is a copy of the Water Right License issued on the above  
referenced Permit.

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

Enclosure

NOTIFIED



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

October 14, 1981

RE: Permit No. 96-7017

William E. Kendall  
Route #1, Box 133  
Priest River, ID 83856

Dear Mr. Kendall:

A representative of this Department has made an examination of the works covered by your Permit No. 96-7017, and has found the following:

Amount of water that can be recognized as beneficially used under  
Idaho law: 0.76 cfs Source: Hoodoo Creek trib. to Pend Oreille River

The maximum quantity diverted shall not exceed 230.6 acre feet per year.

Point(s) of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 14, Twp. 55N, Rge. 4W, Bonner County

Beneficial use: Irrigation of <sup>109 changed original 10/15 kw</sup> ~~110~~ acres within the NW $\frac{1}{4}$ , Sec. 14, Twp. 55N, Rge. 4W

Priority date established: August 29, 1968

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON  
Water Distribution Supervisor

MICROFILMED

June 16, 1980

Mr. William E. Kendall  
Rt. 1 Box 133  
Priest River, Idaho 83856

Re: 96-7017

Dear Mr. Kendall:

I would like to examine your irrigation system during the 1980 irrigation season. Please inform this office of the date you plant to irrigate so that I can be present.

If you have any questions, concerning this matter, please contact me at this office.

Sincerely,

TOM D. KING  
Senior Water Resource Agent

TDK/pms

UNRECORDED

RECEIVED

INTER-DEPARTMENTAL

DATE 3-6-79

FROM

Rita Fleck

APR 5 1979

TO

Field Examiner

Department of Water Resources  
Northern District Office

SUBJECT

Exam - 96-7017

The proof indicates the permit holder has added another use - stockwater - than what is shown on the permit. Also the amount of water and land is less on the proof than on the permit. Therefore, this permit may need to be amended to properly reflect the right ✓

96-7017

SIGNATURE



Diagram of System

MICROFILMED

DATE OF EXAM 8-22-80

ACREAGE 109  
Found 46 ✓  
Recommended 109

Irrigation Requirement 3.0 ✓ Ac Ft/Ac

USE  
Irrigation Q = 0.76 c.f.s. V = 230.6 AF/Ann. from May 1 to Oct 1  
Domestic Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_  
Livestock Q = \_\_\_\_\_ c.f.s. V = \_\_\_\_\_ AF/Ann. from \_\_\_\_\_ to \_\_\_\_\_

Is water co-mingled? yes \_\_\_\_\_ no ✓

Name source: \_\_\_\_\_  
tpw. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Exchange? yes \_\_\_\_\_ no ✓

Name source exchanged with: \_\_\_\_\_  
tpw. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Point of injection: \_\_\_\_\_  
tpw. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Point of exchange: \_\_\_\_\_  
tpw. \_\_\_\_\_ N/S, Rge \_\_\_\_\_ E/W, B.M., Sec. \_\_\_\_\_, Sub. \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ County

Total Q measured 0.76 cfs Method of measurement Pressure/meter

Total Q recommended 0.76 cfs Meter No. Badge Type \_\_\_\_\_ Condition \_\_\_\_\_

Total V recommended 230.23 AF/Ann  
230.6 ✓

Recommended Amendment \_\_\_\_\_

P.D. \_\_\_\_\_  
Place of Use \_\_\_\_\_  
Other \_\_\_\_\_  
None \_\_\_\_\_

MEASUREMENT CALCULATION: 63 Rainbird - 30 X 1/4 @ 38 psi  
(5.37)(63) = 338.31 gpm (0.76 cfs) (1.48 days) 1.98 = 227.21 AF/Ann  
448.8 340 gpm CAPACITY  
448.8 = 6758 = 0.76 cfs (103) 1.98 = 230.23 230.6  
Acreage =  $\frac{134665(16)}{4.432} = \frac{2144}{19.6} = 109.393$  112 Acres x 3 = 330 AF/Ann

SYSTEM DESCRIPTION:  
30hp GEMotor Ser <sup>DEK</sup> with Cornell pump # 16744-2 1/2  
1 badge meter # M064797 to irrigation  
AK

REMARKS:  
Informed Mrs Kendall must apply for stock water  
to develop right. Sent App

Examiner's Signature [Signature] Date 8-3-80  
Checked by Bob Haynes Date 9/9/80  
Approved by [Signature] Date 9/23/81

No Overlapping rights

MICROFILMED

2878



35  
RB30  
11/64@38

27  
28



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

March 6, 1979

William E. Kendall  
Route 1, Box 133  
Priest River, ID 83856

Dear Mr. Kendall:

Re: Permit No. 96-7017

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our regional office in Coeur d'Alene.

Sincerely,

RITA FLECK  
Water Rights

RECEIVED  
MAR 10 1979

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 27 1979

Department of Water Resources

PROOF OF APPLICATION  
OF WATER TO BENEFICIAL USE

1. a) Name of permit holder William E. Kendall

b) Post office address Route 1 Box 133 Priest River, Idaho 83856

2. Permit number 96-7017

3. Date of priority that you are prepared to establish Aug 29, 1968

4. a) Source from which water was appropriated Hoodoo Creek

b) Location of the point of diversion: SE  $\frac{1}{4}$  NW  $\frac{1}{4}$ , Section 14

Township 55N, Range 4W Boise Meridian. Other points of diversion: \_\_\_\_\_

5. a) The amount of water and use to which the water has been applied:

Amount .75 .85 cfs for irrigation purposes from May 1 to 10/1 incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount .02 cfs for stock water purposes from May 1 to Dec 1 incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ incl.  
(cfs &/or acre-feet per annum) (month-day) (month-day)

b) Total amount appropriated .85 cfs and/or acre-feet per annum.

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement:

Badger water meter self read

6. If the means of diversion and conveyance are owned by someone other than the permit holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

b) Describe the agreement of understanding by which you take water from the works: \_\_\_\_\_

have easement for pump setting and first short section of pipe line

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch):

30 hp. electric pump 6" buried and aluminum main line  
with 3" aluminum lateral lines

b) Describe the provision for making a measurement which you have at your point of diversion: (i.e., installed measuring device, access port, other)

Badger water meter

Exam typed 3-16-79 by [signature]

*Thy*

and Thomas  
and young Duke

On this 20th day of February, 1979, personally appeared before me the

Adalberto  
Torres

SS.

(Date) 7-28-79

x William E. Kendall

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total number of acres irrigated

011

[illegible]

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision:

stock watering along main line

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use:

c) Give well driller's name and address and the date the well was completed:

Rits

Dear Sirs,

76-7017

RECEIVED

FEB 27 1979

Department of Water Resources

As I understand it, you will now come and actually measure the amount of water I am using.

If it would be possible, I would like to be notified in advance of the field examination as I am employed off the farm.

I would like to be present at the field exam and advance notice would let me make the necessary plans.

Sincerely yours,

William E. Kendall

RECEIVED

William Kendall

Rt 1 Box 133

Paist River, Ida

83856

RETURN RECEIPT  
REQUESTED

CERTIFIED

No. 281913

MAIL

Dept. of Water Resources

Statehouse

Boise, Idaho

83720



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

CERTIFIED MAIL

December 29, 1978

100591

Re: Permit No. 96-7017

William E. Kendall  
Route 1, Box 48  
Priest River, ID83856

Dear Mr. Kendall:

One of the conditions of approval of your water Permit No. 96-7017 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 1, 1979. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.

  
RITA FLECK  
Water Rights

Encl: Proof affidavit



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS  
Governor

C. STEPHEN ALLRED  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

*Nov. 7, 1978*

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition should be less restrictive and provide more flexibility to you in the development of your water right system. The specifications related to the size and location of the access port will be available upon request from the Department, as soon as the Department's measuring equipment is obtained.

If you have questions regarding this matter, please contact this office or our regional offices.

Sincerely,

*L. Glen Saxton*

L. GLEN SAXTON  
Chief, Operations Bureau

LGS:JG:kw

Enclosure

BEFORE THE DEPARTMENT OF WATER RESOURCES  
OF THE  
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING  
DEVICE REQUIREMENT FOR PERMIT NO. 96-7017

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

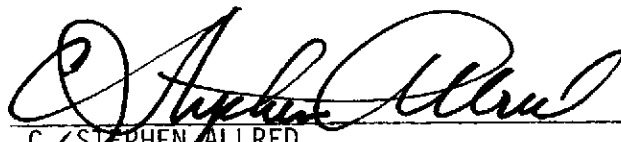
WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18<sup>th</sup> day of August, 1978.

  
C. STEPHEN ALLRED  
Director

February 20, 1974

Re: Permit No. 96-7017

William E. Kendall  
Route #1, Box 88  
Priest River, ID 83856

Dear Mr. Kendall:

Enclosed is a copy of the approved application for extension of time submitted in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to March 1, 1979.

Sincerely,

D. Darlene Reich  
Water Rights Supervisor

DDR:JC  
Enclosure

96-7017

**SENDER:** Be sure to follow instructions on other side

**PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)**

*(Additional charges required for these services)*

☐ Show address  
where delivered

☐ Deliver ONLY  
to addressee

**RECEIPT**

**Received the numbered article described below**

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

*Wm E Kendall*

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

3

*1-2-74*

*96-7017*

U.S. POSTAL SERVICE  
OFFICIAL BUSINESS

Postmark of Delivering Office

**SENDER INSTRUCTIONS**

- Print in the space below your name, address, including ZIP Code.
- If special services are desired, check block(s) on other side.
  - Weisten gummed ends and attach to back of article.



**RETURN TO**



DEPARTMENT OF WATER ADMINISTRATION  
STATE HOUSE - BOILER ROOM  
BOILER, IDAHO 83707

96-7017

PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300



December 31, 1973

CERTIFIED MAIL

#25092

Re: Permit No. 96-7017

William E. Kendall  
Route #1, Box 48  
Priest River, Idaho 83856

Dear Mr. Kendall:

One of the conditions of approval of your water Permit No. 96-7017 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON  
Director

Enc: Proof affidavit

96-7017

March 31, 1969

Re: Permit No. 96-7017

Mr. William E. Kendall  
Rt. 1, Box 48  
Priest River, Idaho 83856

Dear Mr. Kendall:

We enclose a copy of your approved application for permit 96-7017 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant  
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application  
Receipt No. 2732 for \$10.00  
Receipt No. W-493 for \$30.00  
1 informational letter

96-7017

February 26, 1969

Re: Application No. 96-7017 - Correction notice  
William E. Kendall

Priest River Times  
Priest River,  
Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

\_\_\_\_\_  
Signature of claimant

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:ks

enclosure: legal notice

96-7017

Re: Application No. 96-7017

RECEIVED

FEB 24 1969

Feb. 24, 1969

Donald W. McElDowney, Approp. Examiner  
Dept. of Reclamation  
Boise, Idaho 83707

✓

Dear Sir:

Reference your letter of Feb. 18 concerning my application for water and the quantity of water requested.

In accordance with your letter this is to advise that I desire to leave the quantity of water at 2.67 cubic feet per second as requested in the original application dated August 29, 1968.

Sincerely

William E. Kendall  
Rt. 1 Box 48

Priest River, Idaho 83856

96-7017

February 13, 1969

Re: Application No. 9607017

Mr. William E. Kendall  
Route #1, Box 48  
Priest River, Idaho 83856

Dear Mr. Kendall:

We wish to thank you for your letter of February 4, 1969 and your personal check in the amount of \$10.00. We have made the necessary amendment to your application concerning the point of diversion, however, we have not amended the quantity of water for your application. We can change the quantity of water to the 2.8 cubic feet per second which you have requested, however, you should be advised that the priority date of August 29, 1968 which was proposed under your application would be reduced to the date on which we received your amendment request. This date will be February 6, 1969.

You should be further advised that there have been other filings made on Hoodoo Creek since your application was originally submitted. This would mean that if you changed the quantity of water, your filing would be a junior to these more recent filings.

Please instruct the department as to your intent and wish in this matter.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:ks

96-7017

NOTICE OF CORRECTION FOR APPLICATION FOR WATER PERMIT

C  
O  
P  
Y

Notice is hereby given that Application No. 96-7017 in the name of William E. Kendall has been amended. The original application requested that the point of diversion be located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 11, T. 55 N, R. 4 W, B.M.; whereas the actual point of diversion will be located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , sec. 14, T. 55 N, R. 4 W, B.M., Bonner County. The place of use was requested to be located in the E $\frac{1}{2}$ SE $\frac{1}{4}$ , sec. 10; and the SW $\frac{1}{4}$ , sec. 11, T. 55 N, R. 4 W, B.M.; whereas, the place of use is now located in the NW $\frac{1}{4}$ , sec. 14, T. 55 N, R. 4 W, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. ALLEN MCCOINSON  
State Reclamation Engineer

Published in the Priest River Times, Priest River, Idaho on March 6 and March 13, 1969.

96-7017

**NOTICE OF CORRECTION FOR  
APPLICATION FOR  
WATER PERMIT**

Notice is hereby given that Application No. 96-7017 in the name of William E. Kendall has been amended. The original application requested that the point of diversion be located in the ~~SE 1/4 SW 1/4~~, sec. ~~11~~, T. ~~55~~ N, R. ~~4~~ W, B.M.; whereas the actual point of diversion will be located in the ~~SE 1/4 NW 1/4~~, sec. ~~14~~, T. ~~55~~ N, R. ~~4~~ W, B.M., Bonner County. The place of use was requested to be located in the ~~E 1/4 SE 1/4~~, sec. ~~10~~; and the ~~SW 1/4~~, sec. ~~11~~, T. ~~55~~ N, R. ~~4~~ W, B.M., whereas, the place of use is now located in the ~~NW 1/4~~, sec. ~~14~~, T. ~~55~~ N, R. ~~4~~ W, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer

10-2t

PRIEST RIVER TIMES  
PRIEST RIVER, IDAHO

96-7017

RECEIVED

FEB 6 1969

Department of Reclamation

February 4, 1969

R. Keith Heggins, State Reclamation Eng.  
Statehouse Annex 2  
Boise, Idaho 83707

✓  
Date from  
CSA

Dear Sir:

Application is hereby made under permit  
No. 96-7017 to divert 2.8 cubic feet of water  
from Hordas Creek, tributary of Pend Oreille  
River to NW  $\frac{1}{4}$  Sec 14 T55N R4W from the  
point of diversion SE  $\frac{1}{4}$  - NW  $\frac{1}{4}$  Sec 14 T55N R4W.

This reapplication for readvertisement  
is made in accordance with hearing  
held on Jan 8, 1969 in the Bonner  
County Courthouse, Sandpoint, Idaho.

Sincerely

William E. Kendall

96-7017

BEFORE THE STATE RECLAMATION ENGINEER  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION )  
FOR PERMIT NO. 96-7017 in the name ) STIPULATION  
of WILLIAM E. KENDALL )  
-----

Come now WILLIAM E. KENDALL and ROY McCLURE who  
enter into and make the following Stipulation:

For and in consideration of Mr. McClure withdrawing his Protest  
in the above matter, filed October 11, 1968, Mr. Kendall hereby agrees  
to limit his irrigation activities under this Permit to One Hundred Forty  
(140) acres in Section 14.

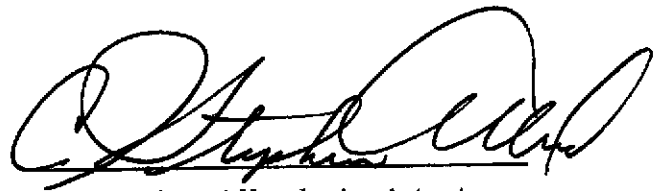
DATED This        day of January, 1969.

Roy McClure  
Roy McClure

William E. Kendall  
William E. Kendall

MEMORANDUM

A conference was held on January 8, 1969, at the Bonner County Court House, Sandpoint, Idaho, to discuss application for permit 96-7017. The primary point of contention appeared to be whether or not there was water available for the permit. From discussion at the conference it appeared that large quantities of water were dumped from the creek into Pend Oreille River. The parties agreed to a stipulated agreement whereby the applicant would reduce the permit to cover only 140 acres rather than 200 acres and that as a result the protestant would withdraw his protest.



C. Stephen Allred, Assistant  
State Reclamation Engineer

*William E. Kendall - No phone at Priest River, Idaho.  
2-11-69*

96-7017

96-7017 - William E. Kendall  
 Sandpoint Probate Court Conference Room  
 January 8, 1969 at 9:00 a.m.

ROSTER OF ATTENDANCE

| Name              | Address                   | Representing |
|-------------------|---------------------------|--------------|
| Nancy Kenney      | Rt 1 Priest River Ida     |              |
| Robert M Bondy    | " " Idaho water board     |              |
| Leona Bondy       | Rt 1 Priest River Ida     |              |
| Dayra Deeter      | Rt. 1 Priest River, Idaho |              |
| John A. Deeter    | Rt #1 Priest River Idaho  |              |
| Tom Wilson        | Rt 1 Sandpoint.           |              |
| Stark Wilbur      | Rt 1 Sandpoint Idaho      |              |
| Alvin W Rademaker | Rt 1 Priest River         |              |
| Harland E Lee     | Rt 1 Priest River         |              |
| William E Kendall | Rt 1 Priest River         |              |
| Roy McClure       | Rt. " "                   |              |

Sterling Williver

116 W 2nd Ave.

Box 517 Sandpoint.

P.D.

SE  $\frac{1}{4}$  NW  $\frac{1}{4}$  sec 14, T55N R4W

## LAND LIST

NW  $\frac{1}{4}$  sec 14 T55N R4W 140  
 E  $\frac{1}{2}$  NE  $\frac{1}{4}$  sec 15 60

1. Not sufficient water.
2. DIST Dist. System
3. Not permission from district

# INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and  
address where delivered

☐ Deliver ONLY  
to addressee

*(Additional charges required for these services)*

## RECEIPT

*Received the numbered article described below.*

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

20589

INSURED NO.

1

2

*William Kendall*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

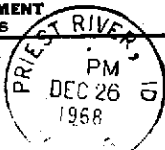
3

12-26-68

7017  
96-7017

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300



POSTMARK OF  
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

**RETURN  
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex # 2 Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

96-7017

# INSTRUCTIONS TO DELIVERING EMPLOYEE

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address where delivered

☐ Deliver ONLY  
to addressee

*(Additional charges required for these services)*

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| REGISTERED NO.             | <div>1</div> <div>2</div> | SIGNATURE OR NAME OF ADDRESSEE <i>(Must always be filled in)</i>                   |
| CERTIFIED NO.<br>20588     |                           |  |
| INSURED NO.                |                           |                                                                                    |
| DATE DELIVERED<br>12-26-68 | 3                         | SHOW WHERE DELIVERED <i>(only if requested)</i>                                    |

96-7017

**POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS**

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300

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**NAME OF SENDER**

**STREET AND NO. OR P.O. BOX**

**POST OFFICE, STATE, AND ZIP CODE**

Boise, Idaho 83707

355-16-71548-10

POD Form 3811 Apr. 1967

12-31-68

RECEIVED

JAN 2 1969

Mr:

Department of Reclamation

C. Seppien allied

I have your notice of a Hearing  
Jan 8 - 9, a.m. in Sandpoint Court  
House. in The Matter ~~of~~ a Water Permit

NO 96-7017 William & Kendall

I like to file a ~~an~~ Extension of  
time as I have not as yet got  
all the protestant together and the  
weather is all most impossible to  
move a car or truck from cold of  
46 below + a Blizard today

I hope this will meet your approval

Roy Mc Clure

RM

Priest River Idaho

83856

96-7017

Answered by Phone

1-2-68 - Hearing to be  
held as scheduled

Sandpoint

263-2786

7101-96

| NAME AND ADDRESS OF SENDER            |                  | NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS |        | Indicate type of mail<br><input type="checkbox"/> INSURED <input type="checkbox"/> C. O. D.<br><input checked="" type="checkbox"/> CERTIFIED |     | Affix stamp here if issued as certificate of mailing or for additional copies of this bill.                                                                                                                                                                                                        |               |           |           |           | POSTMARK AND DATE OF RECEIPT |  | RESTRICTED DELIVERY FEE |          |
|---------------------------------------|------------------|----------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-----------|-----------|-----------|------------------------------|--|-------------------------|----------|
| NUMBER OF ARTICLE                     |                  |                                                    |        | POSTAGE                                                                                                                                      | FEE | DUE SENDER IF C. O. D.                                                                                                                                                                                                                                                                             | ENDORSEMENT 1 | R. R. FEE | S. D. FEE | S. H. FEE |                              |  |                         | REMARKS  |
| 1                                     | 20588            | Mr. Roy Mc Clure Priest River                      | Rt 11  | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 96-7017  |
| 2                                     | 20589            | Mr. William E. Kendall Priest River                |        | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 96-7017  |
| 3                                     | 20590            | Elizabeth A. Kueger Rt 11 Box 33                   |        |                                                                                                                                              |     |                                                                                                                                                                                                                                                                                                    |               |           |           |           |                              |  |                         |          |
| 4                                     |                  | Lapwai, Idaho                                      |        | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 85-7005  |
| 5                                     | 20591            | Mr. E. D. King 1220 5th St. Lewiston               |        | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 85-7005  |
| 6                                     | 20592            | Clements + Clements Box 338 Lewiston               | Ida    | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 85-7005  |
| 7                                     | 20593            | London Rembowski Box 113 Lacide                    | Ida    | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 96-7018  |
| 8                                     | 20594            | Harvey C. Lyons - Sandpoint                        |        | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 96-7018  |
| 9                                     | 20595            | Emmie E. Belwood Box 88 Lacide                     | Ida    | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 96-7018  |
| 10                                    | 20596            | Lacide Cooperative Water Club, Inc.                |        | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 96-7018  |
| 11                                    |                  | Dan Moore, President - Lacide                      | Ida    |                                                                                                                                              |     |                                                                                                                                                                                                                                                                                                    |               |           |           |           |                              |  |                         |          |
| 12                                    | 20597            | David A. Goodwin - Crestview Springs               | Rt 11  | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 95-70305 |
| 13                                    | <del>20598</del> | <del>East</del> Rathburn                           | Ida    |                                                                                                                                              |     |                                                                                                                                                                                                                                                                                                    |               |           |           |           |                              |  |                         |          |
| 14                                    | 20598            | East Shennecos Irrigation Dist.                    | Post   | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 95-70305 |
| 15                                    |                  | Lacide, Ida                                        |        |                                                                                                                                              |     |                                                                                                                                                                                                                                                                                                    |               |           |           |           |                              |  |                         |          |
| 16                                    | 20599            | Thomas A. Mitchell - attorney at law               | at law | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 95-70305 |
| 17                                    |                  | 316 Eldon Bldg. Corcoran's                         | Idaho  |                                                                                                                                              |     |                                                                                                                                                                                                                                                                                                    |               |           |           |           |                              |  |                         |          |
| 18                                    | 20600            | Otto Meyer Rt. 2 Box 237 Corcoran                  | Idaho  | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 95-70305 |
| 19                                    | 20601            | Idaho Fish + Game Dept. Box 25                     |        | .06                                                                                                                                          | 30  |                                                                                                                                                                                                                                                                                                    |               | 10        |           |           |                              |  |                         | 95-7016  |
| 20                                    |                  | Boise, Idaho                                       |        |                                                                                                                                              |     |                                                                                                                                                                                                                                                                                                    |               |           |           |           |                              |  |                         |          |
| TOTAL NUMBER OF PIECES USED BY SENDER |                  | TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE     |        | POSTMASTER, PER (Name of receiving employee)                                                                                                 |     | <p>1 Mark "P" if "Perishable," "E" if "Eggs," "H" if "Hatching," "B" if "Butter," "FL" if "Fragile-Liquid," and "FLU" if "Fragile-Liquid-This Side Up."</p> <p>2 Special-handling charges apply only to fourth-class parcels. Special-delivery service also includes special-handling service.</p> |               |           |           |           |                              |  |                         |          |



CAB-16-72940-2

U. S. GOVERNMENT PRINTING OFFICE

BEFORE THE STATE RECLAMATION ENGINEER  
OF THE  
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT  
NO. 96-7017 in the name of WILLIAM E. KENDALL

NOTICE OF CONFERENCE  
AND/OR HEARING FOR PROTEST

On August 29, 1968, William E. Kendall filed with the Department of Reclamation an application to appropriate the public waters of the State of Idaho. On October 11, 1968, the Department of Reclamation received a protest filed by Mr. Roy McClure, Priest River, Idaho.

The Department of Reclamation has set the matter of protest for conference and possibly a hearing on January 8, 1969 at 9:00 a.m. in the Sandpoint Probate Court conference room, Bonner County, Sandpoint, Idaho.

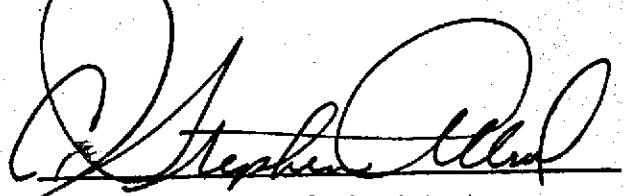
Any hearing will be held in accordance with the rules and regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Reclamation.

Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. The burden of proof is with the protestant.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department of Reclamation without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

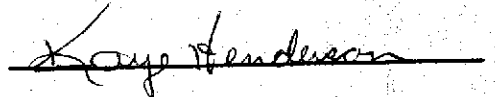
Dated this 20 day of December, 1968.

  
C. Stephen Allred, Assistant  
State Reclamation Engineer

Mailed this 23rd day of December, 19 68 to \_\_\_\_\_

Roy Mc Clure, Rte. 1, Priest River, Idaho certified no. 20588; William E. Kendall,

Rte. 1, Box 48, Priest River, Idaho certified no. 20589



96-7017

October 31, 1968

Re: Application No. 96-7017  
William E. Kendall

Mr. Roy McClure  
Priest River,  
Idaho

Dear Mr. McClure:

Please be advised that the Department of Reclamation is in receipt of the protest filed in opposition to the issuance of a permit for application No. 96-7017. A copy of your protest has been forwarded to the applicant, Mr. William E. Kendall.

Please be advised that the department will schedule a conference and/or hearing to review the matters of the protest. The Department of Reclamation will advise you at a later date as to the time, place, and date of a conference and/or hearing.

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:ks  
enclosure: none

96-7017

October 31, 1968

Re: Application No. 96-7017

Mr. William E. Kendall  
Route #1, Box 48  
Priest River, Idaho 83856

Dear Mr. Kendall:

Please be advised that the Department of Reclamation is in receipt of a protest filed in connection with the above reference application. Enclosed is a copy of this protest.

The Department will schedule a conference and/or a hearing to review the matters of protest. We will advise you at a later date as to the time, place, and date of the conference or hearing.

Please contact us if we may be of further assistance.

Very truly yours,

Donald W. McElowny  
Appropriation Examiner

DWM:ks  
enclosure: Copy of protest

96-7017

RECEIVED

SEP 24 1968

Department of Reclamation

**NOTICE OF APPLICATION  
FOR WATER**

Notice is hereby given that William E. Kendall, Route No. 1, Box 48, Priest River, Idaho has on August 29, 1968 applied for permit under application No. 96-7017 to divert 2.67 cubic feet per second of water from Hoodoo Creek, tributary of Pend Oreille River. Water will be diverted by an electric motor, pump, buried pipe, and sprinklers within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ , sec. 11, T. 55 N, R. 4 W, B.M., Bonner County and is to be used from May 1 to October 1 for irrigation in the E $\frac{1}{4}$ SE $\frac{1}{4}$ , sec. 10; SW $\frac{1}{4}$ , sec. 11, T. 55 N, R. 4 W, B.M. Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Priest River Times, Priest River, Idaho, on September 26 and October 3.

39-2t

96-7017

September 13, 1968

Re: Application No. 96-7017  
William E. Kendall

Priest River Times  
Priest River  
Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

-----  
Signature of claimant

Very truly yours,

Donald W. McEldowney  
Appropriation Examiner

DWM:ks

enclosure; legal notice

96-7017

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that William E. Kendall, Route #1, Box 48,  
Priest River, Idaho has on August 29, 1968  
applied for permit under application No. 96-7017 to divert ~~from~~  
2.67 cubic feet per second ~~about 100%~~ of water from Hoodoo Creek,  
tributary of Pend Oreille River. Water will be diverted by an electric  
motor, pump, buried pipe, and sprinklers within the ~~SE 1/4~~  
sec. 11, T. 55 N, R. 4 W, B.M., Bonner County  
and is to be used from May 1 to October 1 for irrigation

in the E 1/2 SE 1/4, sec. 10; SW 1/4, sec. 11, T. 55 N, R. 4 W, B.M.

Any protest against this application must be filed with the Department of  
Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON  
State Reclamation Engineer

Published in the Priest River Times, Priest River, Idaho,  
on September 26 and October 3  
September 26

96-7017