

Affidavit of Publication

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

L.E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of

~~NOTICE OF EXISTING WATER PERMIT in the~~
~~matter of MONTY L. RICH, Box 234,~~
~~Asotin, Washington.~~

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 1
day of April, 19 71, and end-
ing on the 8 day of April,
19 71, and that said notice was published in said
newspaper, and not in supplemental form.

L.E. Pietsch

Subscribed and sworn to before me this

8th day of April, 19 71.

Glynn Coatt

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Monty L. Rich, Box 234, Asotin, Washington, has received an approved Permit No. R-1080/96-2322 issued by the Idaho Department of Water Administration authorizing the storage of 12 acre feet per annum of water from an unnamed tributary of Dry Creek. The priority to be established under this permit is February 10, 1965, and the permit was approved November 28, 1960.

Water is to be diverted by pipe from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 55N, R. 3E, B.M., Bonner County, to be used for stock water in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 55N, R. 3E, B. M.

Proof of the application of the water to beneficial use was submitted to the Department on March 3, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON,
Director.

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho, on April 1st and April 8th, 1971.
A1-8

RECEIVED

APR 14 1971

Department of Water Administration

96 2322

96-2322

APPLICATION FOR PERMIT

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Application No. R 37117
Permit No. R 1080

1. Name of Applicant: Monty L. Rich
Star Route
Post office address: Clark Fork

County Bonner

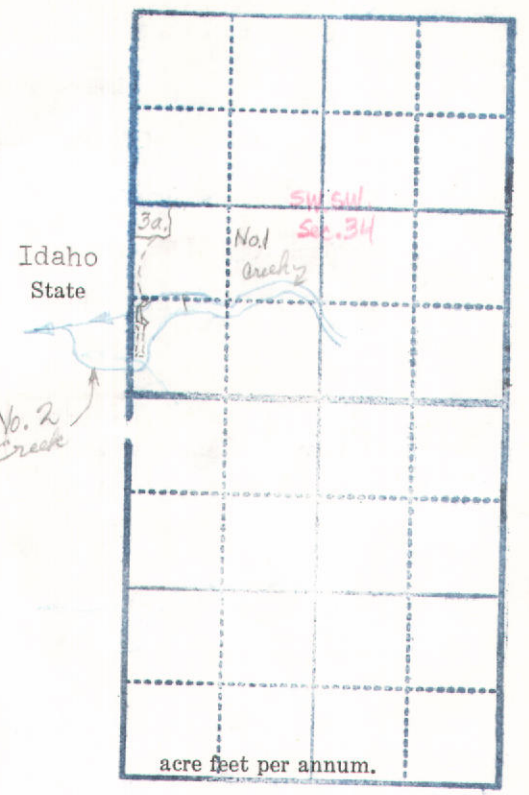
I. If applicant is a corporation, give:

- (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 corporation are:

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

2. Quantity of water to be stored: 12 ac. ft. Dry Cr.
3. Source of water supply is Unnamed tributary of (Creek) (River) (Spring), a tributary of Clark Fork River.
4. The outlet of the proposed reservoir is located N 1° 20' 00" (bearing) feet, distant from the SW corner of Section 34, Township 55 N, Range 3 E., B.M. and is in the SW 1/4 of SW 1/4 of Section 34, Township 55 N, Range 3 E., B.M. County of Bonner
5. Fill out either (a) or (b).
- (a) The reservoir is located in the channel of Unnamed No. 1 (Creek) (River).
- (b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet distant from the corner of Section, Township, Range, B.M., and is in the 1/4 of 1/4 of Section, Township, Range, B.M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second
6. (a) The area of the high water line of the reservoir is Three (3) acres.
- (b) The reservoir capacity is 12 Ac.Ft. acre feet.
7. Height of reservoir dam 12 feet, length at top 270 feet, length at bottom 100 feet, size of outlet 11 feet by 3 feet. The dam is to be constructed of materials as follows: Earth
- (If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)
8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of No-1 (Creek) (River)? Yes
- (b) Water stored in reservoir will be carried in the channel of (Creek) (River) a distance of miles to point of diversion located (bearing) feet, distant from the corner of Section Township, Range, B.M., and in the 1/4 of 1/4 of Section Township, Range, B.M.
9. (a) Area of watershed above dam site 40 acres square miles.
- (b) Estimated maximum flow of stream 1 1/2 cubic feet per second.
10. Water is to be used for stock & irrigation purposes.
11. If for mining, milling, power or manufacturing purposes give:
- (a) Point of use of water feet, distant from Corner of Section, Township, Range, (bearing) B.M., and is in the 1/4 of 1/4 of Section, Township, Range, B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to (Creek) (River) (Spring) at a point feet distant from the corner of Section, Township, Range, (bearing) B.M. in the 1/4 of 1/4 of Section, Township, Range, B.M.
12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. which is hereby referred to and made a part hereof.
13. Kind of diversion works: Floating surface unit - pipe (Dam, canal, flume, pipe, etc.)
14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:
- (If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)



ROBERT E. SMYLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

July 9, 1965

RECEIVED
JUL 16 1965

Department of Reclamation

RE: Permt. No. R-1080

Monty L. Rich
Moyie Springs, Idaho

Dear Mr. Rich:

The report of the field examiner shows your reservoir in the
TWAHA, Sec. 34, T. 55 N., R. 3 E., B.M. has a capacity of 3
acre feet per annum.

Upon receipt of the statutory fee of \$3.00 we will issue the
Certificate of Completion of works for 3 acre feet per annum
for stock water and proposed irrigation use.

Very truly yours,

RALPH W. THOMAS

Deputy State Reclamation Engineer

RWY:mr

July 14th 65
Only order inclosed. Thank
you very much

Monty L. Rich

R-1080

Office Memorandum • UNITED STATES GOVERNMENT

TO : Meader Wilkins, State Conservation Engineer
SCS, Boise, Idaho

DATE: 10/12/62

FROM : Tom Wilson, SCS, Sandpoint, Idaho

SUBJECT: ENGINEERING: Monty Rich Pond near Cabinet

mxco

The original request for assistance to build this pond came in 1958 when Mr. Rich signed a District application October 21, 1958. According to records a partial fill was in place when Ed Narmi and Don Stewart looked over the area. The notes indicate that Mr. Rich was informed that it would not meet ASC specifications and recommendations were made to him at that time. Nothing further was done until 1960.

In 1960 the SCS received an ACP-247 for re-construction of the pond to ASC standards. Dale Smelcer, Engineering Technician, made the prior August 1960 and staked the pond. The old fill was removed and a proper cut-off excavated before the new fill was placed. I helped Mr. Rich complete his applications to the State Engineer for construction of the pond and for his water right. He planned to irrigate from the pond by sprinkling. The pond was built by a neighbor who used his farm dozer and a wheel tractor for compaction. It was finalized by Smelcer and myself November 15, 1960. At that time it was a pretty good looking fill with fair compaction and an adequate spillway. The pond is located in a low hazard area with woodland below and no improvements. It was in good shape the following spring and had filled with considerable water going through the spillway.

On July 16, Harry Vogt and I were making farm contacts in the area and stopped to look at the Rich pond. The pond was full and we noted that water had been over the fill at some time. It was then we noticed the sandbags in the spillway. There was no one at home but we commented that it should be called to his attention that he could lose his pond and that he could be liable for repayment of the ASC cost sharing for improper maintenance. Since I had never been back to see these people this had not been done. I hope the State Engineer's representative had an opportunity to talk to these people at the time of his visit.

The ASC committee has been notified and they probably will notify Mr. Rich he is in violation of proper maintenance if he continues to block the spillway.

I doubt if any plans were submitted to the State Reclamations Engineers' office unless Dale sent them from Coeur d'Alene. There is nothing in the file to indicate a plan of that type.

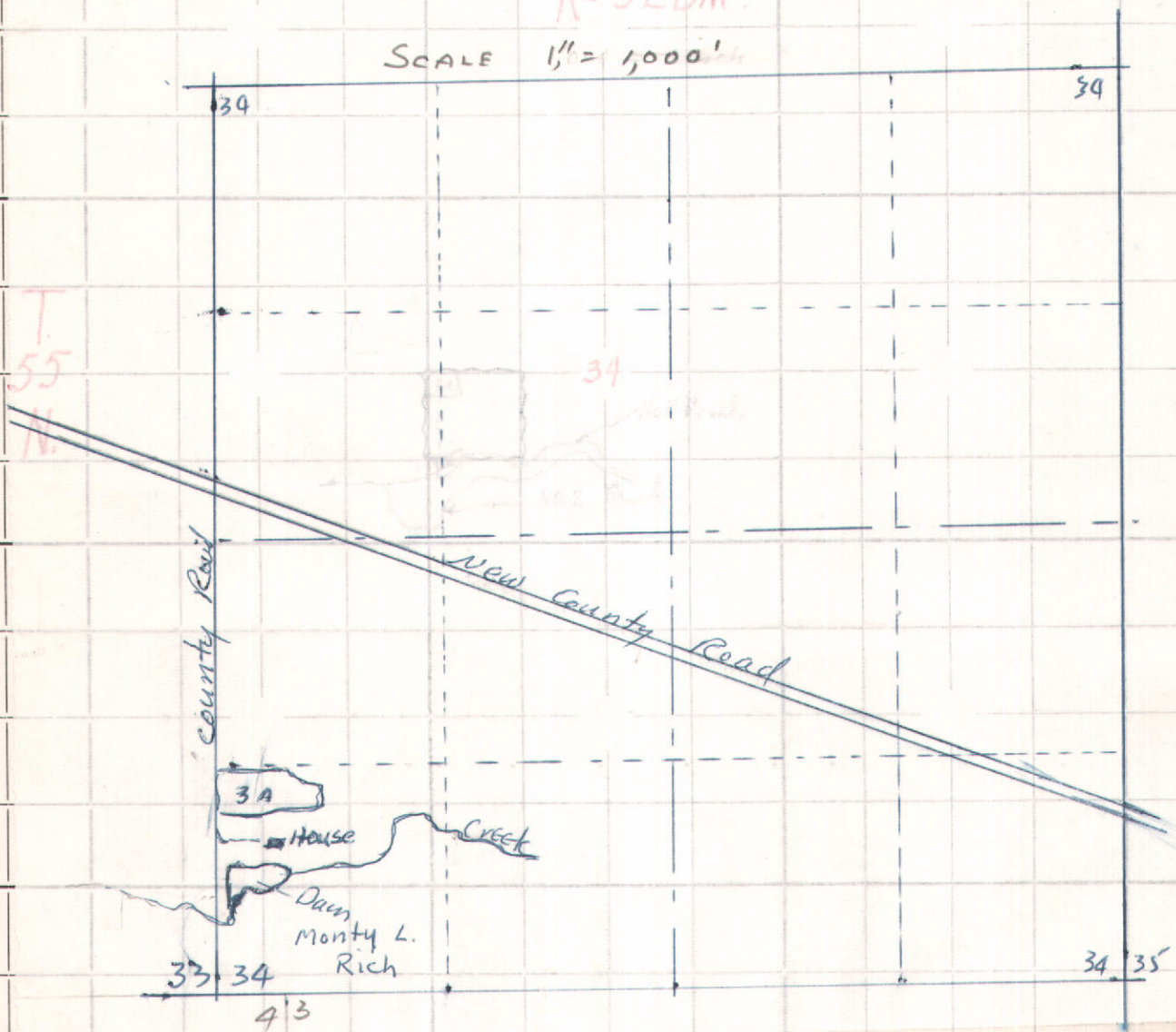
About the only thing we can do to prevent such blocking of the spillway is point out to the farmer the hazards and liability involved.

cc: Area Office

R-1080

R-3EBM.

SCALE 1" = 1,000'



Stock Water

Allow 3 Acre feet

NAME OF APPLICANT Mandy L. Rich

Form No. 0

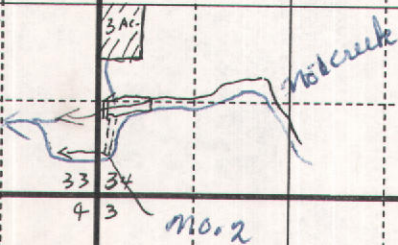
R 3 E

34

34

34

T
55
N



34

Permit Map No. R-1080
As Approved
GEO. N. CARTER
Reclamation Engineer
NOV 28 1960

State of Idaho
Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. R-1080/96-2322 Priority February 10, 1965 Amount 12 acre feet

THIS IS TO CERTIFY, that MONTY L. RICH
of Asotin, Washington, has complied with the terms and conditions of Permit
No. R-1080/96-2322 issued pursuant to Application for Permit dated November 7, 1960,
and has submitted proof to the Department of Water Administration on March 3, 1971 (late proof),
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 12 acre feet of water from an unnamed stream,
tributary to Dry Creek, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use		Rate of Diversion		Annual Volume
Irrigation	from	March 15 to Nov. 15	at	0.02 cfs and	3 acre feet
Stockwater	from	Jan. 1 to Dec. 31	at	0.01 cfs and	0.1 acre feet
Domestic	from	Jan. 1 to Dec. 31	at	0.03 cfs and	0.6 acre feet
Fish Propagation	from	Jan. 1 to Dec. 31	at	0.03 cfs and	12 acre feet
(both dates inclusive)					

Subject, however, to the condition that no more than 0.03 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
12 acre feet per year, said waters to be diverted within the SW¹/₄SW¹/₄ of Sec. 34,
Twp. 55 N, Rge. 3 E, B. M. in the County of Bonner

Description and location of place of use:

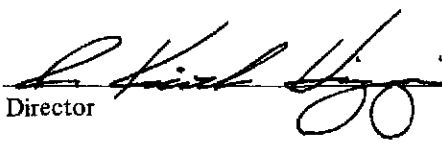
Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
55 N	3 E	34										1							1
		34										X	(other uses)						

Total number of acres irrigated One

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 20 day of
November, 19 73.

Director 
96-2322

Receipt # 13298

APPLICATION FOR AMENDMENT

RECEIVED
NOV 3

NOV 17 1975

Permit No. R-1080/96-2322

Comes now Monty L. Rich of (address) _____

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. R-1080/96-2322, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NO CHANGE $\frac{1}{4}$ $\frac{1}{4}$, Sec. Twp.

Rge. _____, B. M., County of _____. Other points of diversion:

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

* Amount	<u>0.02</u>	for	<u>Irrigation</u>	purposes from	<u>Mar. 15</u>	to	<u>Nov. 15</u>	(both dates inclusive)
Amount	<u>0.01</u>	for	<u>Stockwater</u>	purposes from	<u>Jan. 1</u>	to	<u>Dec. 31</u>	(both dates inclusive)
Amount	<u>0.03</u>	for	<u>Domestic</u>	purposes from	<u>Jan. 1</u>	to	<u>Dec. 31</u>	(both dates inclusive)
Amount	<u>0.03</u>	for	<u>Fish Prop.</u>	purposes from	<u>Jan. 1</u>	to	<u>Dec. 31</u>	(both dates inclusive)

(cfs or acre feet per annum) TOTAL: 12 acre feet

* rates of diversion

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated One

96-2322

228296

Scale: 2 inches equal 1 mile

Signed at North York, this 12th Day of November, 19 78

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

approve the above application for amendment for Permit No. R-1080/96-2322.

Director

Director

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
JUN 1 1967
late

1. a) Name of Permit Holder Monty L. Rich
b) Post Office Address Box 234 Asotin, Washington 99402
2. Permit Number R-1080/96-2322
3. Date of Priority that you are prepared to establish June 1, 1967
4. a) Source from which water was appropriated Surface Run-off (seasonal)
b) Location of the point of diversion: _____ 1/4 _____ 1/4, Section _____
Township _____, Range _____ Boise Meridian, Other points of diversion: _____
None - Pond is located as shown under Item 9.
5. a) The amount of water and use to which the water has been applied: None
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 12 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: Estimated storage capacity by SES when pond was built.
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: No
b) Describe the agreement or understanding by which you take water from the works: None
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) Has a filter arrangement at the South-East end of the pond for pumping water for Domestic and Stock Water. Motor size is 1hp.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well drillers name and address and date the well was completed None

Exam typed 5-10-71. (CR)

• If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use. *Fish Pond, Stock Water, Domestic water and wildlife.*

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

trois

[illegible]

~~None~~ Total number of acres irrigated

10. Remarks: Please refer to my letter to "Department of Water Administration" dated January 26, 1971.

The above information is a true statement of the extent to which the above numbered permit has been developed.

March 1, 1971 (Date)

(Signature)

State of Idaho)
County of Nez Perce) ss.

On this 1st day of March, 1971, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My Commission Expires 9-1-73

My commission expires 9-1-73

Affidavit of Publication

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

L.E. Pietsch being first duly sworn on oath deposes and says that he is Publisher of The Sandpoint News-Bulletin, a weekly newspaper printed and published at Sandpoint, Bonner County, Idaho; that the said Sandpoint News-Bulletin has been continuously and 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 EXISTING WATER PERMIT in the matter of MONTY L. RICH, Box 234, Asotin, Washington.~~

as it was published in the regular and entire issue of the said paper for a period of two consecutive weeks, commencing on the 1 day of April, 19 71, and ending on the 8 day of April, 19 71, and that said notice was published in said newspaper, and not in supplemental form.

L.E. Pietsch

Subscribed and sworn to before me this

9th day of April, 19 71.

Clifford Coats

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Monty L. Rich, Box 234, Asotin, Washington, has received an approved Permit No. R-1080/96-2322 issued by the Idaho Department of Water Administration authorizing the storage of 12 acre feet per annum of water from an unnamed tributary of Dry Creek. The priority to be established under this permit is February 10, 1968, and the permit was approved November 28, 1960.

Water is to be diverted by pipe from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 56N, R. 3E, B.M., Bonner County, to be used for stock water in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34, T. 56N, R. 3E, B. M.

Proof of the application of the water to beneficial use was submitted to the Department on March 3, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, within ten (10) days of the last date of publication of this notice.

R. KEITH HIGGINSON,
Director.

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho, on April 1st and April 6th, 1971.
ALS

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of Idaho

Idaho
State

(d) Names and addresses of directors:

(d) Other resources:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width	feet, Height	feet.	
16. Diversion Canal: Width at bottom	feet, width at water line	feet, depth of water	feet, Dimensions of Flume
Diameter of Pipe	inches; Length of Conduit	miles. Average grade per mile	feet.
17. Estimated Cost of Works: Storage Works: \$ 1000.00		Diversion Works: \$	
18. Time required for completion of work	1	years.	
19. Time required for complete application of water to proposed beneficial use is		5	years.
20. The land to be irrigated is described in the following tabulation:			

(Give Irrigable acreage in each 40-acre subdivision.)

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 $\frac{1}{4}$	
55 N	3 E	34									3 AC.								

Total Number of Acres to Be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described above are None

REMARKS:

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and appropriate and store the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

s/ Monty L. Rich Applicant.

By _____, Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. November 7, 1960

Returned to applicant for correction: November 8, 1960

Corrected application received: November 25, 1960

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1080

Recorded in book R 5, page 1080. Approved November 28, 1960

This is to certify that I have examined the within application for a permit to construct a reservoir and appropriate and store 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 January 28, 1961 and to continue diligently and uninterrupted to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before May 28, 1961

The whole of said work to be completed on or before November 28, 1961

Beneficial use of water stored in accordance herewith, to be made on or before November 28, 1966

Witness my hand this 28th day of November, 19 60.

s/ RALPH W. THOMAS
DEPUTY *State Reclamation Engineer.*

IN TESTIMONY WHEREOF, We, W. E. DREVLLOW, Acting Governor of the State of Idaho, and ARNOLD WILLIAMS

Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 28th day of November, 19 60.

COUNTERSIGNED

STATE OF IDAHO

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ W. E. DREYLOW
Acting Governor.

(SEAL)

Permit No. R1080

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that MONTY L. RICH of Clark Fork, County of Bonner and State of Idaho, the holder of Permit No. R-1080, issued upon Application No. 37117, bearing date of priority of November 7, 1960 authorizing the construction of a reservoir, with the right to appropriate and store 12 acre feet per annum of the waters of unnamed tributary of Dry Creek a tributary of Clark Fork, in the County of Bonner, State of Idaho, for irrigation and stock water purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works set out and described in said Permit; that said works include a dam and reservoir adequate for the storage of 3 acre feet of water per annum, with adequate diversion works and conduit to the reservoir, and a conduit capable of conducting said water to the place of intended use; that the point of outlet of said reservoir is located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 55N., Range 3 E. B. M., and that the place of use, or the lands proposed to be irrigated by the use of said water, are described as follows, to-wit: stock water only SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 55 N., R. 3 E., B. M.

Witness my hand this 20th day of July, 1965.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works made December 2, 1961.

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse — Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 20, 1973

Re: Permit No. R-1080/96-2322

Monty L. Rich
Box 234
Asotin, Washington 99402

Dear Mr. Rich:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

We are also enclosing a copy of the approved amendment along with Receipt #13298 in the amount of \$10.00.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosures

96-2322

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 7, 1973

Re: Permit No. R-1080/96-2322

Mr. Monty L. Rich
Box 234
Asotin, Washington 99402

Dear Mr. Rich:

On September 5, 1973, we forwarded an application for amendment to you, and requested that you amend your permit prior to issuance of a license.

As of this date, we have not heard from you concerning this matter.

Please submit the application for amendment, along with the \$10.00 filing fee, within 10 days, so that we may issue a water license on this permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JC

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 5, 1973

Mr. Monty L. Rich
Box 234
Asotin, Washington 99402

Dear Mr. Rich:

A representative of this Department has made an examination of the works covered by your Permit No. R-1080/96-2322 and has found the following:

Quantity of water diverted: 12 acre feet

Amount of water that can be recognized as beneficially used under Idaho law: 12 acre feet

The maximum quantity diverted shall not exceed 12 acre feet per year.

Beneficial use: Irrigation of 1 acre, stockwater, domestic, and fish propagation within the SW1/4SW1/4 Sec. 34, Twp. 55 N, Rge. 3 E, B.M.

Point of diversion: SW1/4SW1/4 Sec. 34, Twp. 55 N, Rge. 3 E, B.M. Source: Unnamed stream

Priority date established: February 10, 1965

Your permit lists the use of water as being for stockwater and irrigation purposes whereas our field examiner found the water also being used for domestic purposes and fish propagation, therefore it will be necessary for you to amend the permit before a Water License can be issued. We are enclosing a partially completed application for amendment for your use. Please sign the application and return it to this office with a \$10.00 filing fee within 10 days of the date of this letter in order that we may issue a water license as set forth above.

If you do not concur with these findings or have any questions, please contact us within the 10 day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

96 2322

3. Enclosure

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Monty L. Rich
Post office address Star Route, Clark Fork, Idaho Phone _____
Person to contact _____ Phone _____
2. Source of water supply: Groundwater ☐ Surface water ☒ Unnamed tributary of Dry Creek
(name spring, stream, etc.)
Tributary to Clark Fork River

3. Water will be used for the following purposes:

Amount _____ c.f.s. for Stock
12 AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for Irrigation
12 AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion _____ cubic feet per second and annual volume 12 AF/Annum.

5. Location of Point(s) of Diversion:

Township 55 N N/S, Range 3 E E/W, B.M., Section 34, Subdivision SW $\frac{1}{4}$ SW $\frac{1}{4}$, Bonner County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County
Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____ County

Other Points of Diversions: _____

Description of diverting works: Has a filter arrangement at the south-east end of the pond for pumping water for domestic and stock water. Motor size is 1 h.p.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or 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 $\frac{1}{4}$	
55 N	3 E	34											3						3

96 2322

TOTAL ACREAGE 3

Permit No. R-1080/96-2322
Examination for B/U

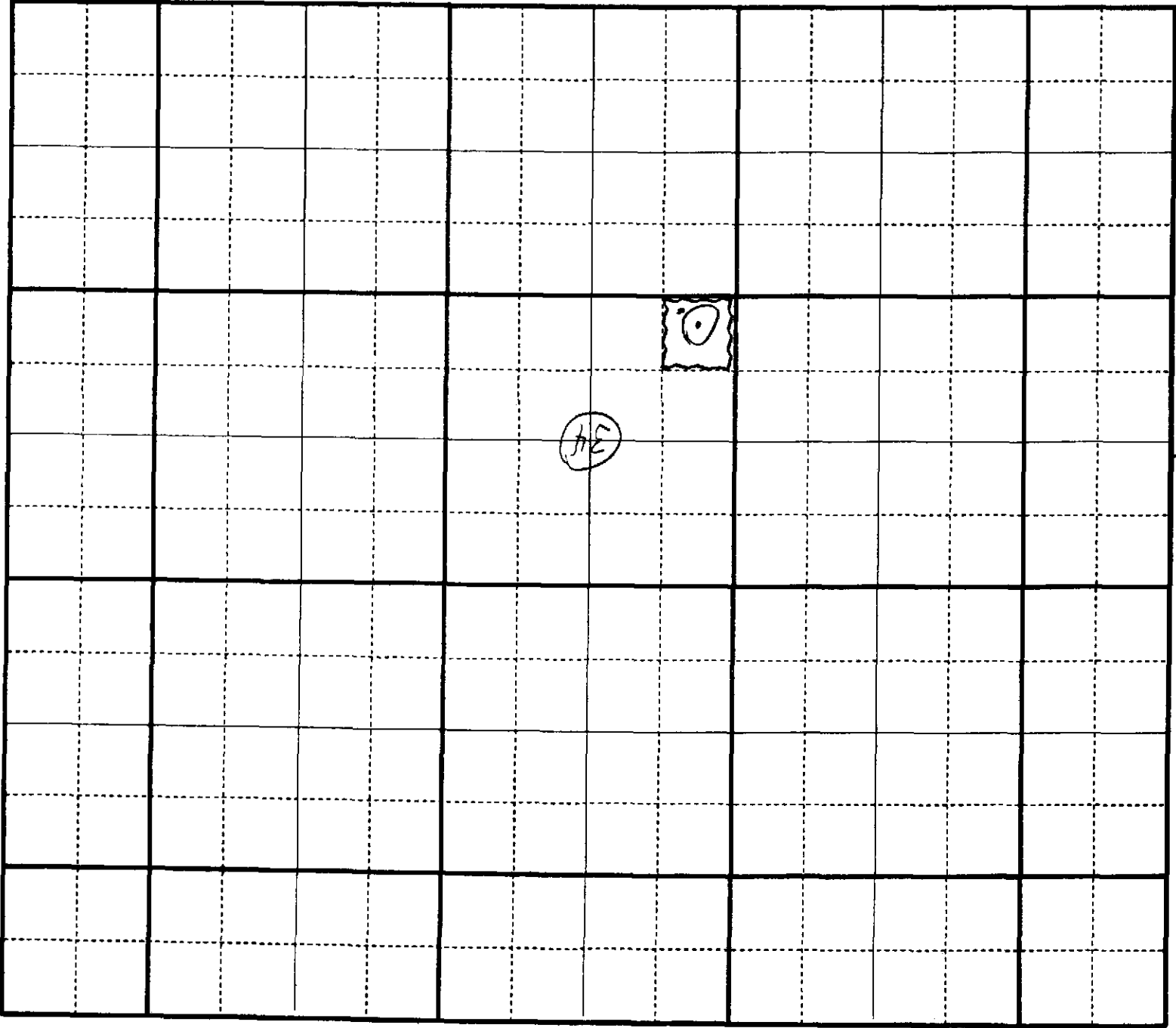


Diagram of System

Indicate with arrows

to pump

EXAMINATION RECORDS

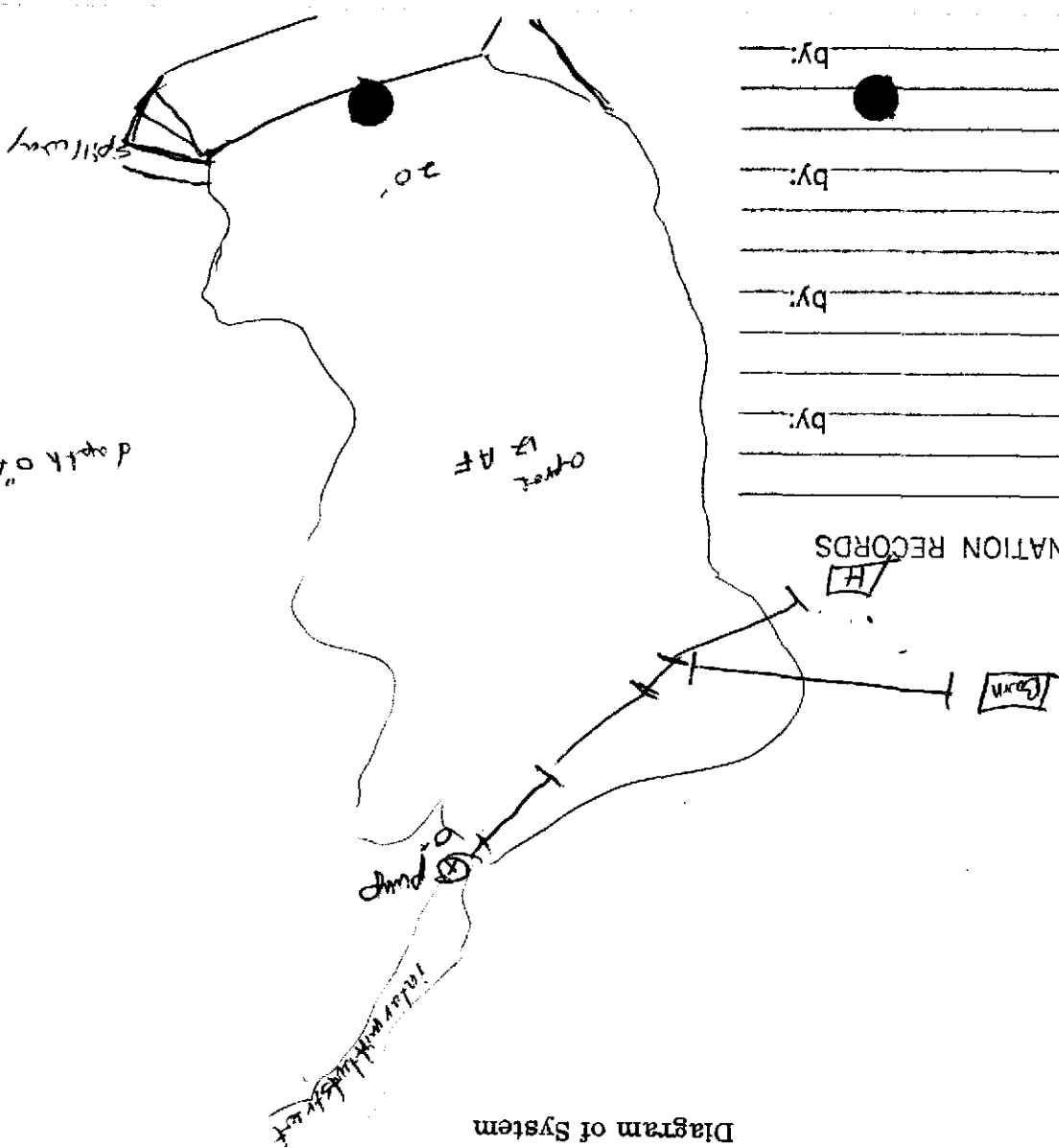
DATE

by:

by:

by:

by:



DATE OF EXAM 8-28-1972

ACREAGE

Found 1.0
Recommended 1.0

Irrigation Requirement 3.0 Ac Ft/Ac

USE

Irrigation Q = .03 c.f.s. V = 3.0 AF/Ann. from 3-1 to 22-1
Domestic Q = .03 c.f.s. V = .6 AF/Ann. from 1-1 to 12-31
Livestock Q = .03 c.f.s. V = .6 AF/Ann. from 1-1 to 12-31
Fish propagation with V = 12 AF/Ann 1-1 to 12-31

Is water co-mingled? yes _____ no ✓

Name source: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no _____

Name source exchanged with: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____

twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured .03 cfs Method of measurement calculated eqn. 14 gpm

Total Q recommended .03 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 12 AF/Ann.

Recommended Amendments: _____

P.D. _____

Place of Use _____

Other nature of use to fish propagation & domestic,
None stock & irrigation

MEASUREMENT CALCULATION: _____

SYSTEM DESCRIPTION:

Pressure applied with 1 HP water pump & motor for domestic & large water tanks. Also water from pond. Water pump is surface water 25' deep with 3' diameter hole in water table N. end of head.

REMARKS:

Primarily storage of 12 AF collected as runoff water in spring domestic and irrigation pumped from sump as described above

Examiner's Signature Thom E Ballou

Date 8-28-72

Checked by Lud Embert Jr.

Date 11/14/72

Approved by Lud Embert Jr.

Date 11/14/72

April 21, 1971

Re: Permit No. R-1080/96-2322

Mr. Monty L. Rich
Box 234
Asotin, Washington

Dear Mr. Rich:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued a field examination must be made by a representative from 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.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

March 23, 1971

Re: Permit No. R-1080/96-2322

Mr. Monty L. Rich
Box 234
Asotin, Wash.

Dear Mr. Rich:

The legal notice for the above-referenced permit is being published in the
Sandpoint News-Bulletin, Sandpoint, Idaho on April 1st

and April 8th.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

96 2322

March 23, 1971

Re: Permit No. R-1080/96-2322 - Monty L. Rich

Sandpoint News-Bulletin
P.O. Box 218
Sandpoint, Idaho 83864

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our 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 the Department of Water Administration immediately.

The expense of the publication is to be paid by Monty L. Rich, Box 234,
Asotin, Washington, to whom you should furnish
an affidavit of publication.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM/BB
Enc: legal notice

96 2322

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Monty L. Rich, Box 234, Asotin, Washington,

has received an approved Permit No.

R-1080/96-2322 issued by the Idaho Department of Water Administration authorizing the ~~diversion~~ storage of 12 ~~cubic feet per second~~ acre feet per annum of water from an unnamed tributary of Dry Creek

The priority to be established under this permit is February 10, 1965,
and the permit was approved November 28, 1960.

Water is to be diverted by pipe

from a point within the ~~SW¹/₄~~ Sec. 34, T. 55N, R. 3E, B.M., Bonner
County,

to be used for stock water & Domestic water
in the SW¹SW¹ Sec. 34, T. 55N, R. 3E, B.M.

Proof of the application of the water to beneficial use ~~is to be sub-~~^{was}
mitted to the Department on ~~or before~~ March 3, 1971. Any protests
against the issuance of the license for the above referenced permit should
be filed with the Idaho Department of Water Administration within ten (10)
days of the last date of publication of this notice. ~~on or prior to the licensing~~
~~of the permit to the licensing agency, on or before the date that the license is issued~~
~~is due without further notice.~~

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Sandpoint News Bulletin, Sandpoint, Idaho,
on April 1st and April 8th, 1971

Permit No. 96-2322

Director:

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

96 2342

(Signature) Marty L Rich

Bd 234
(Address)

(Date) March 16th 1971

Asateri Washington

V 99402

March 16, 1971

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

Gentlemen:

I was a neighbor of Mr. & Mrs. Monty Rich for several years on the Cabinet Flats in Bonner County, Idaho. I lived there during the time that Monty constructed the dam for his pond. This pond started to wash out later and Monty added about five feet more to the dam. This was all completed by June 1, 1967.

This pond is a small pond and would be an excellent nesting ground for ducks or geese. Domestic animals & wild life both water from this pond. Also it has provided Monty and his family with drinking water and water for household use. He has planted fish in the pond.

This pond maintains water on Monty's property the entire year when otherwise all the water that would be present would be in the spring and fall.

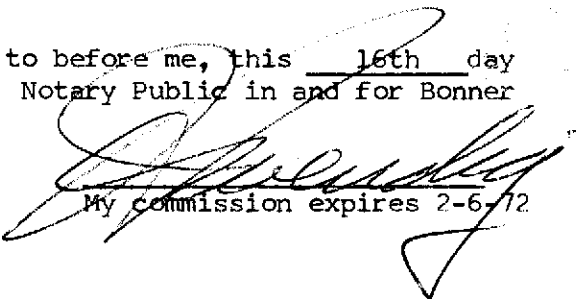
Very truly yours,


Lois Moore

STATE OF Idaho }
COUNTY OF Bonner)

On this day personally appeared before me Lois Moore, to me known to be the individual who signed the above letter.

Suscribed and sworn to before me, this 16th day of March 1971. Notary Public in and for Bonner County, Idaho.


My commission expires 2-6-72

Water Permit No. 96-2322 96 2322

no reply necessary
Re
3-18-71

March 12, 1971

Re: Permit No. R-1080/96-2322

Mr. Monty L. Rich
Box 234
Asotin, Washington 99402

Dear Mr. Rich:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order which advances the priority under this permit to February 10, 1965.

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a permit holder to make proof of beneficial use.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a newspaper as prescribed by the department. If you will complete the enclosed form and return it to this office, we will cause the notice to be published.

If you have any questions or if we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

Enc: Orders (2)

Adv. authorization

96 2322

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1080/96-2322)
in the name of MONTY L. RICH)

ORDER

WHEREAS, on November 7, 1960, Monty L. Rich applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to store 12 acre feet per annum of water from an unnamed tributary of Dry Creek from a point within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 34, T. 55N, R. 3E, B.M., Bonner County, to be used for stock water and irrigation; and,

WHEREAS, on November 28, 1960, the Department approved the application and issued Permit No. R-1080 with the condition that one-fifth of the work be completed on or before May 28, 1961; and that the whole of said work be completed on or before November 28, 1961; and that the water be appropriated to a beneficial use on or before November 28, 1966; and,

WHEREAS, proof of completion of works was made on December 2, 1961; and,

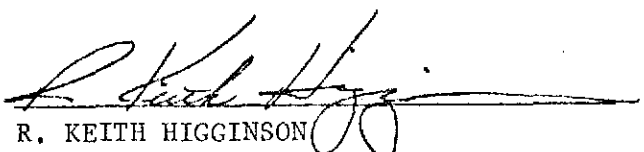
WHEREAS, on December 30, 1970, the Department notified the permit holder that Permit No. R-1080/96-2322 was subject to cancellation for failure to submit proof of beneficial use of water due on or before November 28, 1966; and,

WHEREAS, proof of beneficial use of water was received by the Department on March 3, 1971; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

THEREFORE, IT IS HEREBY ORDERED that the priority under Permit No. R-1080/96-2322 be advanced to February 10, 1965.

Dated this 10th day of March, 1971.


R. KEITH HIGGINSON
Director

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1080/96-2322)

in the name of MONTY L. RICH)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

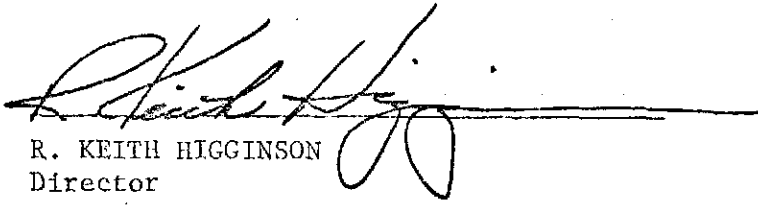
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. R-1080 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 10TH day of March, 1971.


R. KEITH HIGGINSON
Director

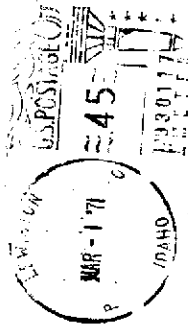
BDF:DR

Rich
Box 234
Asotin, Wash
'99402



RETURN RECEIPT REQUESTED

96 2322



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

February 8, 1971

Re: Permit No. 96-2322 (R-1080)

Monty L. Rich
Box 234
Asotin, Washington 99402

Dear Mr. Rich:

We have received your letter of January 26, 1971 stating the use you are now making of your pond. I have enclosed a Proof of Application of Water to Beneficial Use form which you should complete and return before March 8, 1971. After we receive the required proof, our field examiner will visit your project to verify the use that you are making of the water.

Thank you for your letter and if there are any questions concerning this matter, please contact
us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosure

96 2322

RECEIVED

JAN 28 1971

Department of Water Administration

Box 234
Asotin, Washington 99402
January 26, 1971

State of Idaho
Department of Water Administration
Statehouse--Annex 2
Boise, Idaho 83707
Director, Mr. R. Keith Higginson

Dear Sir:

In reply to your letter of December 30, 1970, pertaining to permit #R-1080/96-2322.

Shortly after completion of the small pond on our ranch, I had a very serious accident resulting in my total disability.

The next major catastrophe to hit our family was a very disastrous fire in which we lost our home and all its contents; the only things left standing were the barn and a small bunkhouse.

If my memory serves me correctly, the pond was to be a source of water for stock and irrigation for a small berry patch. I am afraid that our pond has been grossly over rated. It could not possibly provide water for irrigation.

As a result of the fire and my total disability, we were financially bankrupt. We had to go where the wife could seek employment.

We have been building toward the day when we could return to the ranch, and if God is willing, we shall attempt a start this coming Spring.

The following numbered facts are pertinent to our pond:

1. Our pond is not large enough to support irrigation, but it is being utilized to the utmost in the following manner:
 - a) We have planted the pond with edible fish and it has been serving as a source of food supply.
 - b) It has been in use continually since its construction for stock watering.
 - c) The pond is supporting a filtering system that provides the domestic water for the house and milking barn.

96 2322

- d) The pond also provides food and nesting sights for ducks and other wild birds. We have high hopes that the Canadian geese that have had use of the pond will start nesting.

2. Some facts about the source of water for our pond:

- a) The water is seasonal. It does not flow continuous, the year around. When the water is needed most (the early summer through the late fall), the flow has stopped.
- b) The only times that water will flow through our property is during the spring runoff and again in the early winter.
- c) The same amount of water still leaves our property that left it before the pond's construction.

With the realization that it would be jeopardizing a very valuable resource for our property if we used the pond for irrigation, we have no intention of using it for this purpose.

As explained in the forgoing letter, our pond is providing for us in the following manner.

- a) A source of drinking water--domestic
- b) A source of food, fish, etc.
- c) It provides water for stock
- d) Provides for recreation; fishing and swimming
- e) A sanctuary for wild birds; we do not hunt them

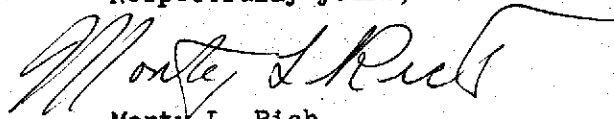
We are hopeful that the pond will be the nucleus(providing us with an income) when we return to the ranch full time.

We have been experimenting with smoked fish; they are delicious. The pond is now producing enough fish for this purpose. This is just one of the many things that we have in mind, and without the pond we could do none of them.

Having children that must be provided for; food, clothing, and a college education, etc., one must keep trying even if you are totally disabled.

If there are special forms to fill out pertinent to our usage of the pond, please send them to this listed address.

Respectfully yours,



Monty L. Rich
Box 234
Asotin, Washington 99402

96 2322

ACKNOWLEDGMENT

(Individual)

STATE OF WASHINGTON

County of Asotin } ss.

I, Kent C. Jones, Notary Public in and for the State of Washington,
residing at Asotin do hereby certify that on this 27th
day of Jan, 1971, personally appeared before me

Marty L. Rich
to me known to be the individual described in and who executed the within instrument and
acknowledged that he signed and sealed the same as his free and
voluntary act and deed for the uses and purposes herein mentioned.

Given under my hand and official seal this 27th day of Jan, 1971.

Kent C. Jones
Notary Public in and for the State of Washington,
residing at Asotin, Wash.

Monty L. Rich
Box 234,
Asotin, Washington
99402

AIR MAIL



RETURN RECEIPT REQUESTED

Department of Water Administration
Mr. R. Keith Higginson, Director
Statehouse--Annex 2
Boise, Idaho
83707

CERTIFIED

No 165320

MAIL

96 2322

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.

1

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

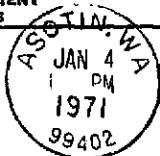
3

96 2322

96-2322

**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 WATER ADMINISTRATION

STREET AND NO. OR P.O. BOX

STATEHOUSE

BOISE, IDAHO 83727

2282 96

POST OFFICE, STATE, AND ZIP CODE

655-16-7154B-20

POD Form 3811 Apr. 1967

December 30, 1970

CERTIFIED MAIL #30519

Re: Permit No. R-1080 (New No. 96-2322)

Monty L. Rich
Star Route
Clark Fork, Idaho 83811

Dear Mr. Rich:

It appearing to the Department of Water Administration that the terms and conditions of Permit R-1080/96-2322 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit proof of beneficial use of water due on November 28, 1966 *See letter of Oct 27, 1966 for one yr. extension of time.* 3DF

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before February 8, 1971, why said permit should not be cancelled.

Permit R-1080/96-2322 claims the use of 12 acre feet per annum ~~cubic feet per second~~ of water, the point of diversion was to be located within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 55N, R. 3E, B.M. and the permit was approved November 28, 1960.


R. KEITH HIGGINSON
Director

ROBERT E. SMYLIE
Governor



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

October 27, 1966

R-1080

RECEIVED
NOV 2 1966

Department of Reclamation

File
Re: Permit No. 1080

Mr. Monty L. Rich
Rural Route
Moyie Springs, Ida. 83845

Dear Mr. Rich:

Your permit shows stock water and irrigation in reference to making beneficial use proofs on the above numbered permit. If you do not intend to go ahead with irrigation you may make your proof for stock water only, and forms are enclosed for your use.

If you should wish to use the water for irrigation within the next year, you may have a one year extension of time for the beneficial use proof. If not, I would advise that you go ahead and make proof for stock water only at this time, and these forms should be made up and mailed into the office immediately.

Very truly yours,

M. Russell Bosch
M. RUSSELL BOSCH
Manager

MRB:ew

10-31-66

Mr. Russell Bosch

*Due to unforeseen circumstances, I
am not completing the final steps, on Prog
on beneficial use of water. Thank you
(over) Monty Rich*

since the starting of this Project
our home burned, we were forced to leave
the ranch, because of financial difficulties.

It will probably be some time before
I shall be able to continue due to a
health & financial crisis.

Please deal with me
sincerely

Marty J. Rich

October 27, 1966

Re: Permit No. 1080

Mr. Monty L. Rich
Rural Route
Moyie Springs, Ida. 83845

Dear Mr. Rich:

Your permit shows stock water and irrigation in reference to making beneficial use proofs on the above numbered permit. If you do not intend to go ahead with irrigation you may make your proof for stock water only, and forms are enclosed for your use.

If you should wish to use the water for irrigation within the next year, you may have a one year extension of time for the beneficial use proof. If not, I would advise that you go ahead and make proof for stock water only at this time, and these forms should be made up and mailed into the office immediately.

Very truly yours,

M. RUSSELL BOSCH
Manager

MRB:ew

R. 1080

Rural Route
Moyie Springs
Idaho 83845

RECEIVED
OCT 25 1966

Department of Reclamation

R. Keith Higginson
State Reclamation Engineer
Room 107 State House
Boise, Idaho 83701

Dear Mr. Higginson:

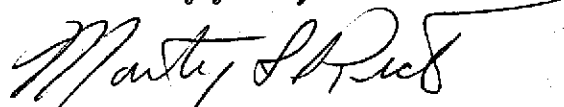
I have your letter of September 1, 1966 regarding proof of beneficial use of water in my reservoir under permit #1080.

I am not prepared to complete this since I have not used this water for irrigation and do not plan to do so in the near future.

We are using it for domestic use and stock water and have stocked it with fish for recreational use.

If anything further is required please let me know.

Sincerely yours,


Monty L. Rich

Stock + irrigation

B. 1080

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. **R-1080**

Date:

Sept. 1, 1966

Monty L. Rich
Star Route
Clark Fork, Idaho

Dear **Mr. Rich**:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. **R 1080** is due not later than **Nov. 28, 1966**. If by this date you are not prepared to make this proof, you may make it at a later date, however, your priority will be advanced the same length of time for which the proof is late.

Before this proof can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county.

We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the Notary Public before whom you will appear to make the depositions of proof (this may be at any place that is convenient for you and two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated -- by legal land description. Descriptions should be taken from your Permit, including any amendments thereto, as recorded in this department. If changes have been made and no amendments are on record, we advise that you request a form for this purpose before your notice is published, or you may have to readvertise and complete another set of proof forms.

Also enclosed is Form 11, which is authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 10.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, and at the place named, before the Notary Public, as advertised in the publication notice.

The amount of water allowed in a license cannot be more than is actually produced and measured and put to beneficial use, and cannot be more than the statutory amount allowable per acre of land actually found by field inspection to have been irrigated at the time of proof.

Very truly yours,


R. Keith Higginson
State Reclamation Engineer

Enc. Form 10 and 11

R-1080

July 20, 1965

Re: Permit No. R-1080

Monty L. Rich
Moyie Springs, Idaho

Dear Mr. Rich:

The Certificate of Completion of Works is enclosed herewith on your Permit No. R-1080, which has been recorded in this office.

Departmental Receipt No. 32840, in the amount of \$5.00 is also enclosed.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

R-1080

ROBERT E. SAYLIS
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

July 14, 1965

RECEIVED
JUL 16 1965

Department of Reclamation

Re: Permit No. R-1080

Mary L. Rich
M. L. Rich, Idaho

Dear Mr. Rich:

The report of the file examiner shows your reservoir in the
Kootenai River Basin, No. 1, E., P.M., has a capacity of 1
Acre feet of water.

You are required to pay a fee of \$5.00 per acre for the
certificate of title of water for 3 acre feet per acre
of storage and proper storage for use.

Very truly yours,

RALPH W. THOMAS

Deputy State Reclamation Engineer

RWR:mr

Only order enclosed. *July 14th 65*
Thank
You very much

M. L. Rich

R-1080

July 9, 1965

RE: Permt No. R-1080

Monty L. Rich
Moyle Springs, Idaho

Dear Mr. Rich:

The report of the field examiner shows your reservoir in the SW/4, Sec. 34, T. 55 N., R. 3 E., B.M. has a capacity of 3 acre feet per annum.

Upon receipt of the statutory fee of \$5.00 we will issue the Certificate of Completion of Works for 3 acre feet per annum for stock water and proposed irrigation use.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

R-1080

P.E. Permit # R. 1080

Monty Rich.
Mojave Springs,
Idaho
June 4th 1965

Department of Reclamation
107 State House.
Boise Idaho.

RECEIVED
JUN 7 1965

Department of Reclamation

Ralph W. Thomas.
State Reclamation Engineer
Dear Mr. Thomas

In reply to your letter dated
May 19th 65. The plug has been
removed, and the crest of the
dam raised and repaired. The
crest of the dam is now several
feet above the water elevation.

Very truly yours
Monty Rich

R-1080

May 19, 1965

Re: Permit No. R-1080

Monty L. Rich
Star Route
Clark Fork, Idaho

Dear Mr. Rich:

We wrote to you October 4, 1962, in regard to the plug you placed in the spillway, the crack through the top of the dam and a pipe below level of the spillway. You have never answered the letter.

We realize that damage downstream from your dam in case of failure is slight, however loss of the dam could cause considerable more loss than the repairs suggested.

Kindly advise concerning any action you have taken in this matter.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

R-1080

October 24, 1962

Re: Permit No. R-1080

Mr. Meader H. Wilkins
State Conservation Engineer
U. S. Dept. of Agriculture
P. O. Box 1247, Boise, Idaho

Dear Mr. Wilkins:

Thank you for the report on the Monty Rich Pond near Cabinet, Permit No. R-1080. Mr. Wilson's memo contains the information we wanted to receive.

Our letter to Mr. Rich asked for a 12-in. diameter pipe through the dam at some elevation below the spillway floor to provide a "safety valve" in case the spillway should be plugged with ice and debris. This pipe of course should be provided with a gate for control. Our concern is to save the dam and avoid some possible critical situation should it be lost.

In view of the fact that an outlet pipe is optional with your department, in cases like this, possibly we should have your further comments before issuing a certificate.

Very truly yours,

CARL E. TAPPAN, Assistant
State Reclamation Engineer

CET:ew

R-1080

UNITED STATES DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

P. O. Box 1247
Boise, Idaho

OCT 24 1962

Reclamation

October 23, 1962

Mr. Carl E. Tappen
Acting State Reclamation Engineer
Room 107, Statehouse
Boise, Idaho

Dear Mr. Tappen:

You called some time ago about a small pond in north Idaho near Cabinet. Attached is a copy of a letter from Tom Wilson, our work unit conservationist at Sandpoint, with the information we have. I hope this will answer your questions. This blocking of spillways is rather common in Idaho and something we have been fighting for years.

Sincerely yours,

Meader H. Wilkins

Meader H. Wilkins
State Conservation Engineer

R-1080

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson, Mr. E. A. Tamm, Mr. Clegg, Mr. Glavin, Mr. Ladd, Mr. Nichols, Mr. Rosen, Mr. Tracy, Mr. Carson, Mr. Egan, Mr. Gurnea, Mr. Harbo, Mr. Hendon, Mr. Pennington, Mr. Quinn, Mr. Nease, Mr. Gandy

FROM : Mr. [Name], [Title]

SUBJECT: [Subject]

[Faint body text paragraph 1]

[Faint body text paragraph 2]

[Faint body text paragraph 3]

[Faint body text paragraph 4]

[Faint body text paragraph 5]

[Faint body text paragraph 6]

[Faint body text paragraph 7]

October 4, 1962

RE: Permit No. R-1080

Monty L. Rich
Star Route
Clark Fork, Idaho

Dear Mr. Rich:

We have the report of our field examiner on your storage of water on an unnamed tributary of Dry Creek.

The report shows that the spillway is 10 feet wide by 3 feet deep; however you have a dirt plug in the bottom about 1.5 feet high. That plug should be removed and never replaced. There are cracks in the top of the dam. The fill should be removed to the bottom of the cracks, or lower if necessary to remove to get a solid base. The material replaced in the excavation should be thoroughly compacted. There is no pipe through the dam for use in case the spillway is plugged with ice or debris. We believe you should have a 12 inch pipe with gate to be used in case of emergency. The pipe need not be in the bottom of the dam but should be laid on a solid footing at not less than five feet below the bottom of the spillway. The pipe should discharge into a ditch 4 or 5 feet wide and 2 feet deep, excavated on a grade not exceeding 6 inches per 100 feet around the slope to a natural waterway, or over a rock formation so there is no danger of under cutting the toe of the dam.

Kindly advise this office when the above work has been completed.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

R-1080

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

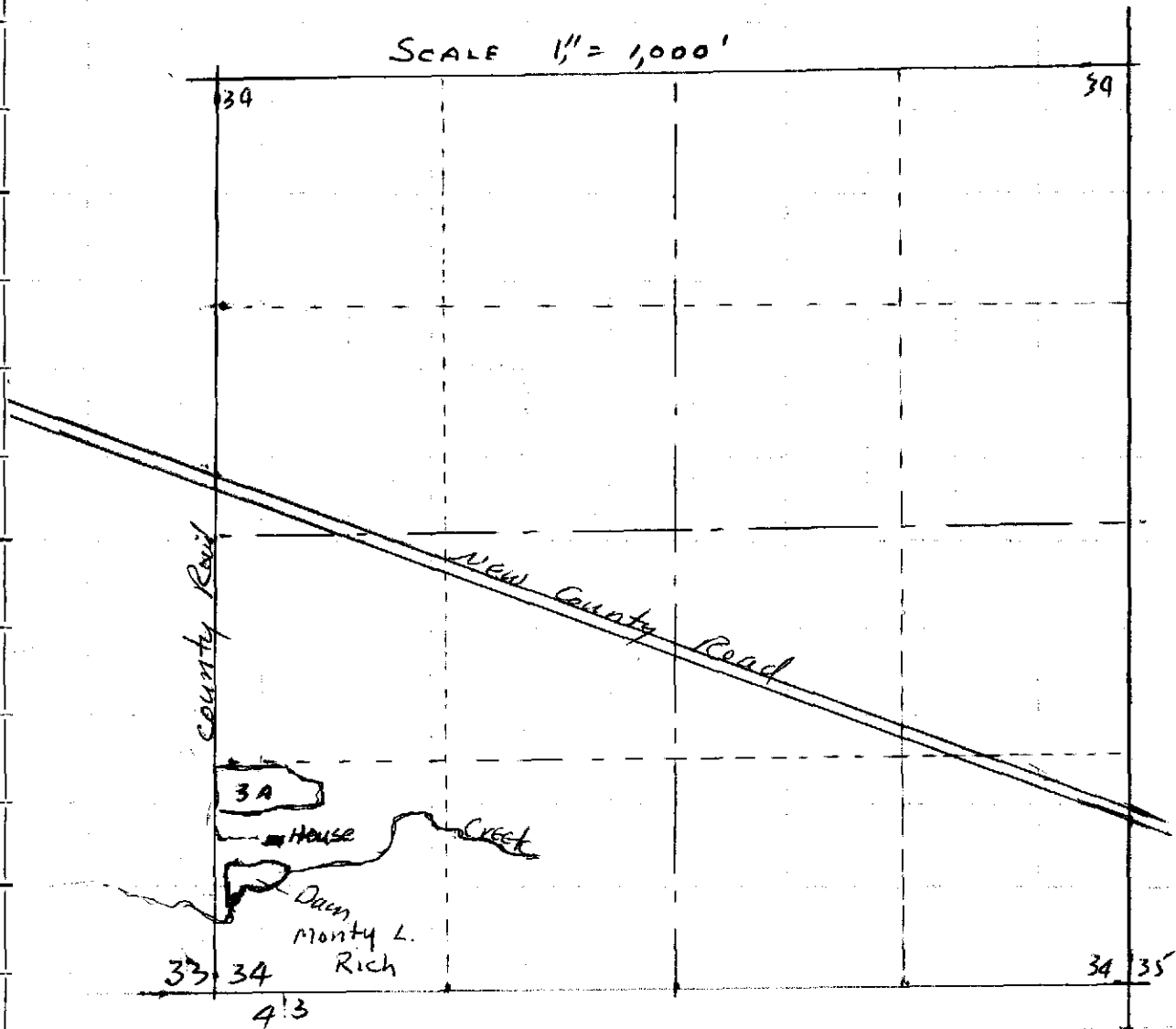
PERMIT NO. R-1080

REPORT ON PROOF OF Completion of Works

Monty L. Rich, Star Route, Clark Fork, Idaho

R-1080

SCALE 1" = 1,000'



Stock Water

Allow 3 Acre feet

We show land list as
3 acres in SW. SW., S. 34-55N. 3E

Eng. Report
for
C/W on R-1080

Eng. Report made
Feb. 15-1962

R-1080

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-1080

This proof is for Completion of Works

In Water District No. _____

1. Name of applicant Monty L. Rich
2. Source of water supply: Un-named tributary of Dry Creek
3. Location of point of diversion: Is in the SW¹/₄SW¹/₄ of Section 34
T. 55 N R. 3 E.B.M. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: Dam - 12' high x 225' long and 10' wide crest. 3:1 upstream and 2:1 downstream, no outlet pipe. Spillway on SE 10' wide x 3' deep. has a 18" ^{high} plug across spillway leaving approximately 18" freeboard. No Rip Rap either side - Built with a dozer and compacted with the tracks. ~~at~~ Estimat. 1 1/2 acres flooded surface and will hold maybe 3 AF.
5. Water is used for: Stock & Irrigation

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

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

3 acres in SW¹/₄SW¹/₄ Sec. 34., Twp. 55 N., Rge. 3 E.B.M.

of the Cat. There is longitudinal crack in center of dam in the South 75' of dam. would guess it to be the space between the tracks not compacted. The plug is removed from spillway in fall giving 3' freeboard. The whole structure is of clay. No seepage at toe of Dam.

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

8. What large stream would the water here appropriated finally reach? Clerk Fork River

Remarks: Mrs. Rich along

Water at present time is used for stock water. no irrigation being done. They are planning a sprinkler system.

(No Plans submitted.) $\frac{350 \times 125 \times 10}{3 \times 43560} = 3.1 \text{ AF.}$

This examination was made on the 13th day of September, 1962

(Signed)

Lynne Jensen

Examiner.

North L. Rich - mch. 7
Star Maps 1-10-62
Clark Fork, Idaho
Permit No. B-1960

Examination for Completion of Works

County Bonner

Sec. 34 T. 55 N. R. 3 E. B.M.

Quantity: 12 Acre Fed

Sources: Un-raised stream

P.D.: SW. SW., Sec. 34, T. 55 N. R. 3 E. B.M.

Use: Stock & Irrigation

Filed: Nov. 7, 1960

Due: 9/11/28/61, 9/11/28/66

Extension: —

Completion of Works: —

Other Rights: none

INSTRUCTIONS TO EXAMINERS

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

RECEIVED

SEP 18 1962

Department of Reclamation

September 5, 1962

Re: Permit No. R-1080

Monty L. Rich
Star Route
Clark Fork, Idaho

Dear Mr. Rich:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about ~~the week of~~
~~September 10, 1962~~

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Field Engineer

LMJ:mr

R-1080

February 19, 1962

RE: Permit No. R-1080

Monty L. Rich
Star Route
Clark Fork, Idaho

Dear Mr. Rich:

We are returning your check in the amount of \$5.00 which was issued to cover the fee for the Certificate of Completion of Works on your Permit No. R-1080.

Inasmuch as you have not complied with our request in our letter of December 6, 1961, in regard to sending in plans and specifications, it will be necessary for our field engineer to make an inspection before the Certificate of Completion of Works can be issued. After this inspection is made you will be notified of the field engineer's findings.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. check

R-1080

December 6, 1961

RE: Permit No. R-1080

Monty L. Rich
Star Route
Clark Fork, Idaho

Dear Mr. Rich:

We received the completed form, proof of completion of works, with the check for \$5.00 fee.

We have not received the plans and specifications for your dam. See your permit on line below 7.

The Certificate of Completion of Works cannot be issued until you furnish this office with two sets of plans and specifications which we can approve. One set of plans and specifications will be returned to you.

Kindly send the plans and specifications at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

R-1080

Permit No.

R-1080

STATE OF IDAHO
Department of ReclamationRECEIVED
DEC 6 1961

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner

SS.

Monty L. Rich, 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. 1080, and that his postoffice address is Clark Fork State of IdahoSecond: That the name of the stream from which said water is to be diverted is UnnamedTributary of Dry Creek, a tributary of Clark Fork RiverThird: That the point of diversion of said water is Channel of unnamed (no 1) Creek in SW 4 SW 4, Sec 34, T. 55 N. - R. 3 E. B.M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by 11-28, 1961Fifth: That the use for which said water is intended is Stock Watering, Proposed 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:

I. Kind of Works: Dam, Reservoir, Floating surface unit - pipe

(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:

(a) Height of dam 12 feet, length of dam at top 270 feet, length of dam at bottom 100 feet. Material used in construction Earth

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir 12 acre feet.(c) Size of headgate: Width 11 feet, height 3 feet.(d) Conduit Ditch width at bottom 3 ft. feet, width at water line

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water _____ feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is _____ miles.

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

Eighth: That water appropriated under said permit is available for 40 acres of land described as follows: Fairly level hay ground, 2 acresto be diverted to strawberries later.Ninth: Remarks:—That Kind of diversion works, Floating surface unit.Monty L. Rich
(SIGN HERE)

Subscribed and sworn to before me this

I, day of

December, 1961Sylvia Bushman
NOTARY PUBLICMy commission expires Oct 29 - '62

R-1080

S T A T E O F I D A H O

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

B O I S E

I N S T R U C T I O N S
P R O O F O F C O M P L E T I O N O F W O R K S

Boise, Idaho

Sept. 1, 1961

Re: Permit No. R-1080

Monty L. Rich
Star Route
Clrk Fork, Idaho

Dear Sir:

Under the terms of your permit No. R-1080 you are required to complete your diversion works on or before November 28, 1961. I enclose 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 of Works 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.

Very truly yours,

STATE RECLAMATION ENGINEER

Enc. Form 6

R-1080

December 7, 1960

Re: Permit No. R-1080

Mr. Monty L. Rich,
Clark Fork, Idaho.

Dear Mr. Rich:

We enclose Permit No. R-1080 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental Receipt No. 30340, which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit, was mailed to you with our letter of November 7, 1960.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

R-1080

RECEIVED

NOV 2 51960

Department of Reclamation

Application No. R-37117

Star Route
Clark Fork, Ida

Dept. of Reclamation
State Reclamation Engineer
Gen. N. Carter

Dear Sir,

The water as noted in my map is not diverted from the Southerly stream (no. 2) to the Northerly stream (no. 1) but is stored by the Northerly stream (no. 1) & diverted into the Southerly stream (no. 2) as an over flow or sluice way.

I do not use any water from the southerly stream (#2)

which incidently does not run more than one & one half month's out of the year, & is a branch of stream no. 1.

The water does not Comingle with the natural flow of #1. after leaving the pond but will

R-1080

be pumped directly from the pond to the garden site, by a surface floating pump.

Thus utilizing only the warm water from the top of the pond.

It will be pumped thru a surface unit in the summer that can be taken up and moved or stored during the winter months. It will not be a fixed installation.

Thank you very much.

Sincerely

Monty L. Fisk

Monty L. Rich

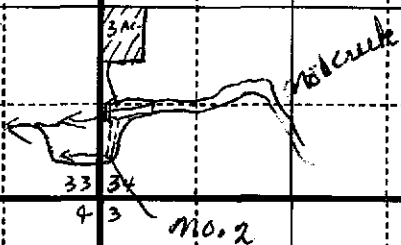
R 3 E

34

34

34

T
55
N



34

Permit Map No. 1080
As Approved
GEO. N. CARTER
NOV 28 1960
Professional Engineer

November 7, 1960

Re: Application No. R-37117

Mr. Monty L. Rich
Clark Fork, Idaho

Dear Mr. Rich:

Returned herewith is your application for permit with attached Receipt No. 30340 for the filing fee.

Your application is not entirely clear. It appears that water is diverted from the southerly stream noted on your map and the storage is in the northerly stream. That would mean the water is from two unnamed streams.

Under 8 you note that the water will be commingled with the natural flow of the stream before reaching the land to be irrigated; 8 (b) should be completed.

Answer 13, 14, 15 and 16 in regard to the water for irrigation of the 3 acres. Also show on map the conduit from the reservoir to the land. Identify the point of diversion.

In case of two unnamed streams, number them #1 and #2.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

Enc. application
Receipt 30340

R-1080

KT