

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 30359 716-2270

REPORT ON PROOF OF Completion of Works & Beneficial Use

33.5
215
198
170

(Figure 2)

Pacific Pumping Co.
Model: 3C-LC
Ser: DIP 15319

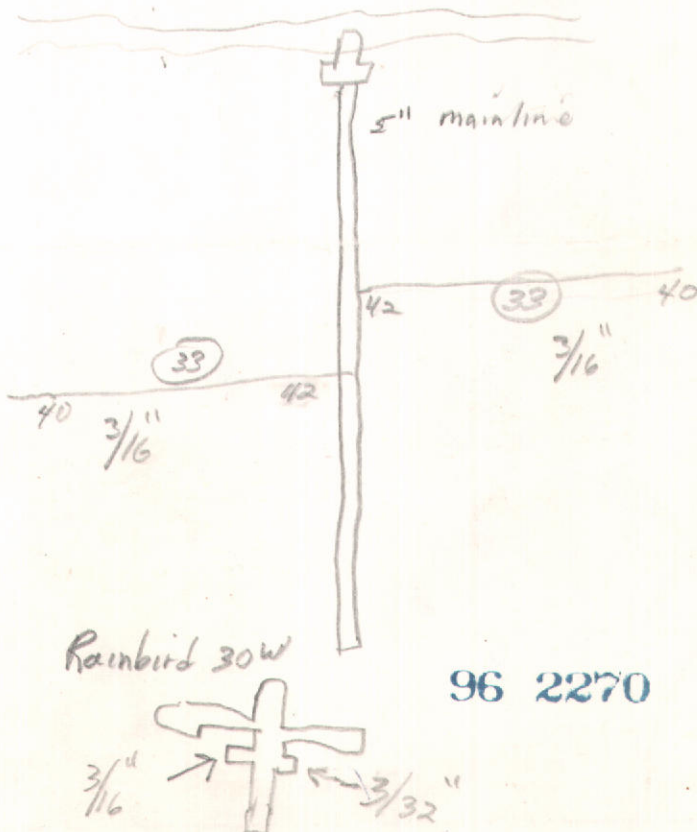
Hercules Diesel Motor
40 H.P.
Ser: 2200671

Model: 108-4P4

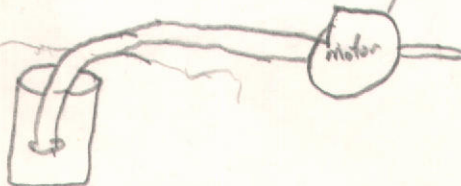
6" rubber intake
5" exhaust

Puts intake into a 50 gal
barrel with a screen on top

215 gpm per lateral.



Sage
Creek



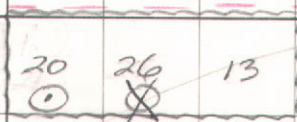
Age 2 W

To (Gibbons)

Belmont

Top 53N

P.D



31

Q measured 1.03 c.f.s

Q recommended 1.03 c.f.s

Volume 3.5 AF / X 59 acres = 206.5 AF / 59 acres

Acreage =

Found 59 acres

recommended 59 acres

Subdv. 3

Amendments

☒ None

☐ P.D.

☐ Place of use

☐

Later Proof

Nunn.

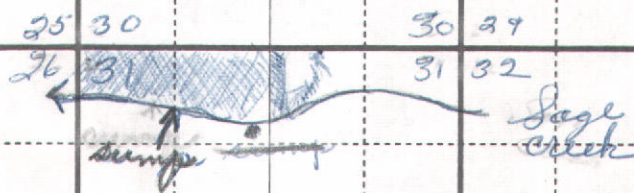


NAME OF APPLICANT

Donald G. Funn

↑ north

Form No. 0



Turn 53 N

Turn 52 N

R3 W

R2 WBM

Permit Map No. 30359

As Approved

JAN 19 1962

GEO. N. CARTER

State Registration Engineer

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 30359/96-2270 Priority April 17, 1962 Amount 1.03 cfs
(late proof)

THIS IS TO CERTIFY, that Donald A. Nunn
of Athol, Idaho, has complied with the terms and conditions of Permit
No. 30359/96-2270 issued pursuant to Application for Permit dated January 5, 1962,
and has submitted proof to the Department of Water Administration on May 1, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 1.03 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Sage Creek
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.03 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.03 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31, Twp. 53 N, Rgc. 2 W, B.M.

in the county of Kootenai; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 206.5 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

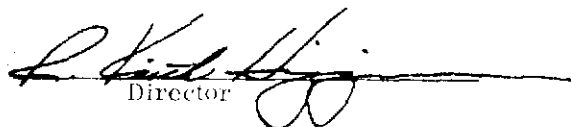
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
53N	2W	31		13			26	20											59

Total number of acres irrigated 59

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 24 day of

January, 19 72.


Director

96 2270

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 38400
PERMIT No. 30359
DISTRICT No.

1. Name of Applicant: Donald A. Nurn

Postoffice address: Rt. 1, Box 90, Athol

County: Kootenai

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bond to be issued:
- (d) Other resources:

2. Quantity of water claimed: 1.2 cubic feet per second.

3. Source of water supply: Sage Creek which is a tributary of Sinks

4. Location of point of diversion: 400 North feet distant from the SE Corner NW $\frac{1}{4}$ of NW $\frac{1}{4}$ corner of Section 31, T. , R. , B.M., and is in the N $\frac{1}{2}$ NW $\frac{1}{4}$ of section 31, T. 53 N, R. 2 W, B. M., County of Kootenai

5. Water is to be used for Irrigation & livestock

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

- (a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section of , T. , R. , B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 2000.00

8. Kind of works: Sump, pump and pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

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

11. Ditch: Width at bottom fee; width at water line feet; depth of water feet; dimensions of ^{sump}~~sump~~: 10'x10'

Diameter of pipe 5" main 3" lateral inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is 0 additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

16. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

s/ Donald A. Nunn Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 2:45 P.M. January 5, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30359

Recorded in Book 106 Page 30359 Approved January 19, 1962

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **March 19, 1962** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **July 19, 1964**

The whole of said work to be completed on or before **January 19, 1967**

Beneficial use of water appropriated in accordance herewith, to be made on or before **January 19, 1967**

WITNESS My hand this 19th day of January, 1962

s/ RALPH W. THOMAS

Deputy *State Reclamation Engineer.*

IN TESTIMONY WHEREOF, WE, _____ ROBERT E. SMYLIE

., 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 19th

day of January, 19 62.

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS: Ownership of these lands are vested in me Donald A. Numm

14.

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 $\frac{1}{4}$	
53N	2 W	31	6				29 25								LICENSE ISSUED FOR 1.03 SEC. FT. LICENSE PAGE NO.				60

January 26, 1972

Re: Permit No. 30359/96-2270

Mr. Donald A. Nunn
Route 1, Box 90
Athol, Idaho 83801

Dear Mr. Nunn:

Enclosed herewith is your Water License issued on the above referenced permit.

Also enclosed is departmental receipt No. 8731 in the amount of \$11.00 covering the fee.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License
Receipt #8731

96 2270

RECEIVED

JAN 21 1972

Department of Water Administration

Athol, Idaho
January 20, 1972

Eoby D. Fleenor
Assistant Director
Department of Water Administration
Boise, Idaho

Dear Mr. Fleenor:

Enclosed herewith find my check for \$11.00 for the license on our Permit No. 30359/96-2270, as per your letter dated December 20, 1972.

In regard to our Permit No. 33556, which completion date is April 19, 1972. We have irrigated this acreage in the past five years. Please inform us of procedure and send the necessary papers for completion of this Permit.

Sincerely,

Donald A. Nunn

Donald A. Nunn

96 2270

December 20, 1971

Mr. Donald A. Nunn
Route 1, Box 90
Athol, Idaho 83801

Dear Mr. Nunn:

A representative of this department has made an examination of the works covered by your Permit No. 30359/96-2270 and has found the following:

Quantity of water diverted: 1.03 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.03 cfs

The maximum quantity of water diverted shall not exceed 206.5 acre feet per season.

Beneficial Use: Irrigation of 59 acres within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ (13).

NE $\frac{1}{4}$ NW $\frac{1}{4}$ (26), NW $\frac{1}{4}$ NW $\frac{1}{4}$ (20), Sec. 31, Twp. 53N, Rge. 2W, B.M.

Point of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, Twp. 53N, Rge. 2W, B.M.

The priority date established is : April 17, 1962

A fee totaling \$ 11.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

96 2270

LICENSING DATA ANALYSIS

- Permit No. 96-2270
- Name license is to be issued in Donald A. Nunn
Assignment required - Yes ☐ No ☒
- Date of first receipt 1-5-62 Date proof due 1-19-67 Made 5-1-67
- Priority ☐ Late proof - Yes ☒ No ☐
- Source Sage Creek tributary Sinks
- Point of diversion:
Twp. 53 N/S, Rge. 2 E/W B.M., Sec. 31, NE $\frac{1}{4}$ NW $\frac{1}{4}$
Twp. 53 N/S, Rge. 2 E/W B.M., Sec. 31, NW $\frac{1}{4}$ NW $\frac{1}{4}$
Twp. N/S, Rge. E/W, B.M., Sec. , $\frac{1}{4}$ $\frac{1}{4}$
Amendment required - Yes ☐ No ☒
- Beneficial use for license:
Amt. 1.03 for irrigation from Mar 15 to Nov 15 AF 206.5
Amt. for from to AF
Amt. for from to AF
Amount not to exceed at any one time 1.03 c.f.s. or 206.5 acre feet per season or 3.5 acre feet per acre
Amendment required - Yes ☐ No ☒
- Permitted Amount: 1.2 c.f.s. Volume for season AF
- Measured Amount: 1.03 Reason for reduction Maximum output of system
- Description and location of place of use:

Twp	Rge	Sec	NE 160				NW 160				SW 160				SE 160				Total
			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 $\frac{1}{4}$	
<u>53</u>	<u>NW</u>	<u>31</u>		<u>13</u>			<u>26</u>	<u>20</u>											<u>59</u>

Total No. of acres 59

Supplemental acreage - Yes ☐ No ☒
Total permitted acres 60
Amendment required - Yes ☐ No ☒

11. Remarks: No livestock watered on this permit

12. Measuring device required - Yes ☐ No ☒

13. Type of letter required: Fee ☒ Notice ☐

14. Analysis by JEBaker Date 5 Nov 70 Checked by D Date 5-71

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 30359 116-2270

REPORT ON PROOF OF Completion of Works & Beneficial Use

(Figure Q)

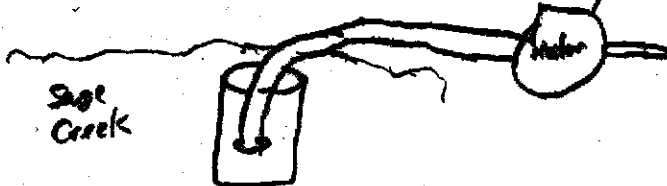
Pacific Pumping Co.
Models 3C-LC
Ser: DIP 15319

Hercules Diesel Motor
40 H.P.
Ser: 2200671

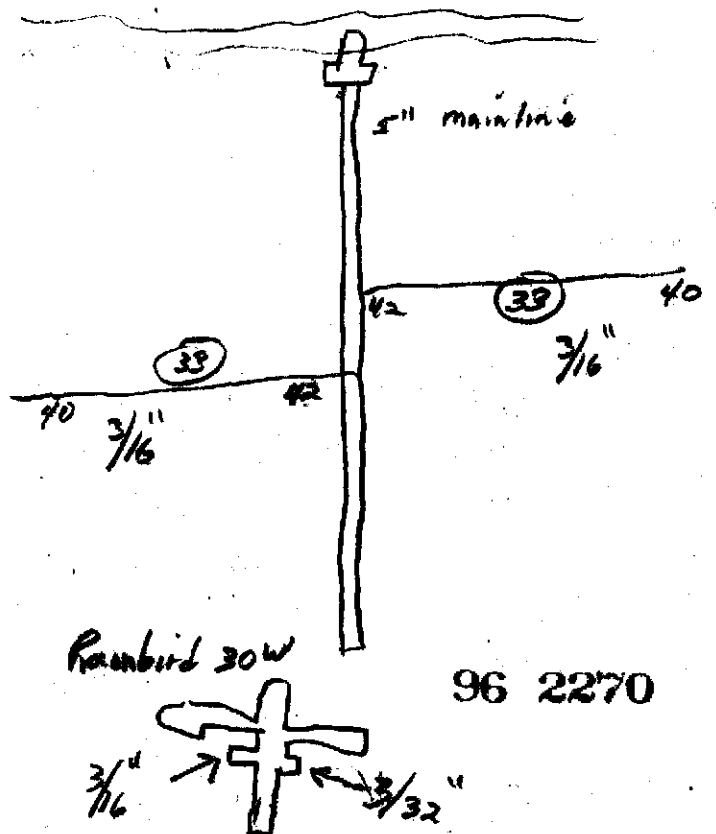
Model: 108-AP4

6" rubber intake
5' exhaust

Puts intake into a 50 gal
tunnel with a screen on top



215 gpm per lateral.



Ry. 2 W.

Belmont

Twp. 53 N.

P.D.

31



Q measured 1.03 cfs

Q recommended 1.03 cfs

Volume 3.5 ac/ X 59 ac/in = 206.5 AF/500pm

Acreage *

Found 59 acres

recommended 59 acres

Subdiv. 3

Amendments

☒ None

☐ P.D.

☐ Place of use

☐

Lot 1200

An aerial photograph of a coastal area, likely a bay or inlet, with a map overlay. The map shows several land parcels, some of which are labeled with numbers and letters. The parcels are outlined in black, and some have handwritten or printed text. The map is overlaid on a dark, textured background that appears to be an aerial photograph. The map shows a complex coastline with several small islands and peninsulas. The parcels are labeled with numbers such as 10.7, 10.6, 10.5, 10.4, 10.3, 10.2, 10.1, 10.0, 9.9, 9.8, 9.7, 9.6, 9.5, 9.4, 9.3, 9.2, 9.1, 9.0, 8.9, 8.8, 8.7, 8.6, 8.5, 8.4, 8.3, 8.2, 8.1, 8.0, 7.9, 7.8, 7.7, 7.6, 7.5, 7.4, 7.3, 7.2, 7.1, 7.0, 6.9, 6.8, 6.7, 6.6, 6.5, 6.4, 6.3, 6.2, 6.1, 6.0, 5.9, 5.8, 5.7, 5.6, 5.5, 5.4, 5.3, 5.2, 5.1, 5.0, 4.9, 4.8, 4.7, 4.6, 4.5, 4.4, 4.3, 4.2, 4.1, 4.0, 3.9, 3.8, 3.7, 3.6, 3.5, 3.4, 3.3, 3.2, 3.1, 3.0, 2.9, 2.8, 2.7, 2.6, 2.5, 2.4, 2.3, 2.2, 2.1, 2.0, 1.9, 1.8, 1.7, 1.6, 1.5, 1.4, 1.3, 1.2, 1.1, 1.0, 0.9, 0.8, 0.7, 0.6, 0.5, 0.4, 0.3, 0.2, 0.1, 0.0. Some parcels are also labeled with letters such as A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z. The map is oriented with the coastline on the left and the open water on the right. The map is a technical drawing, likely a cadastral or land ownership map, showing the boundaries and areas of various land parcels. 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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 30359

This proof is for Comp. of Works & Beneficial Use In Water District No. _____

1. Name of applicant Donald A. Nunn

2. Source of water supply: Sage Creek

3. Location of point of diversion: Is in the N¹/₂ NW¹/₄ of Section 31

T. 53 N R. 2 W County of Kootenai

4. Describe works as they exist, giving dimensions and capacities of same: _____

(See front page)

5. Water is used for: Irrigation and livestock

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

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

NW¹/₄ NE¹/₄, NW¹/₄, Sec. 31, T. 53 N, R. 2 W, B.M.

(60 acres)

There is only one P.D. located NW NW Sec 31, 53N-2W
78

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

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

66 Nozzles 3/16" x 3/32" 40 lbs pressure

$$\frac{7.03 \times 66}{448.8} = 1.03 \text{ cfs}$$

This examination was made on the 2 day of Sept, 19 70

(Signed) Paul E. Embert Examiner

ml
9-16-70

Dona ld A. Nunn
Rt. 1, Box 90
Athol, Idaho
Permit No. 30359/96-2270

40 h.p. Hercules Diesel Motor & pump & sprinkler pipe
Q-12 c.f.s. 66 ft. 38 ft. ← 6 gal/min

Examination for Comp. of Works & Beneficial Use

County Keootenai

Quantity: 1.2 c.f.s. 96-
Sec. 31 T. 53 N. R. 2 W

Source: Sage Creek

P.D.: N¹/₂ W¹/₄, Sec. 31, T. 53 N, R. 2 W, B.M.

Use: Irrigation and livestock

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: January 5, 1962

Due: January 19, 1967

Made: May 1, 1967

Priority: April 17, 1962

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.

96 2270

NAME OF APPLICANT

Donald G. Funn

↑ north

Form No. 0

25 30

30 29

26 31

31 32

camp

Sage
creek

Turn 53 N

26 31

31 32

16

65

Turn 52 N

R3 W

R2 W/BM

Permit Map No. 30359

As Approved

GEO. N. CARTER

State Registered Engineer

JAN 19 1962

May 3, 1967

Re: Permit No. 30359

Donald A. Nunn
Rt. 1, Box 90
Athol, Idaho 83801

Dear Mr. Nunn:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~Coeur d'Alene Press~~ all submitted in proof of completion of works and beneficial use on Permit No. ~~30359~~.

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

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

Donald W. McElDowney
Water Rights Clerk

DWM:dj

30359

Athol, Idaho
May 1, 1967

RECEIVED
MAY 3 1967
Department of Reclamation

Re: Permit No 30359

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

Dear Mr. Higginson:

Enclosed herewith are the following papers relative to the
Proof of Completion of the above mentioned Permit:

One Disposition of holder - executed by myself

Two Disposition of Witness & executed by:
Harold B. Johnston,
County Ext. Agricultural Agent
Box 878
Coeur d'Alene, Idaho

and by:

Lyle B. Morris, Owner
Morris Excavating
Rt. 2 Box 94
Mayden Lake, Idaho

One Affidavit of Publication - executed by the Coeur d'Alene
Press, Coeur d'Alene, Ide.

These papers have been executed to the best of my knowledge.
Said irrigation system is in operation. I hope that this
fulfills all requirements for final approval of said water
rights.

Sincerely,

Donald A. Nunn
Donald A. Nunn

30359

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30359

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

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

Donald A. Gunn, Cattle Rancher, Rt 1 Box 90, Athol, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority: _____

Permit No. 30359, Jan. 19, 1962, Jan. 19, 1962

Ques. 4. State source of water supply: Boye Creek

Give location of point of diversion, showing subdivision, section, township and range

N² NW¹/₄ Sec. 31 TWP 53N - Rge. 2W

Ques. 5. Describe your works of diversion: 40 H.P. Hercules Diesel Motor & Pump &

Sprinkler pipes; state amount of water they are capable of con-

veying from point of diversion to place of use: 1.2 cft. per sec.; Give name of canal or ditch

or other works by which water is conducted to such place of use: None

_____; if a well, state depth of well _____; depth and size of

casing _____; depth to water _____; if pump is used,

state discharge of pump: _____; tell how it was measured or determined _____

_____; if sprinkler irrigation, give number and size

of nozzles and operating pressure: 66 - 6 gal. per minute - 38 to 40 pounds.

Ques. 6. State for what purpose water is used: Pasture and hay

(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

TWP 53N, Range 2W, Section 31

6A of NW¹/₄ NE¹/₄ - 29 A. of NE¹/₄ NW¹/₄

25A of NW¹/₄ NW¹/₄

30359

State nature of all improvements which have been made as a direct result of said use:

Greater amount of hay and pasture

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

N¹/₂ NW¹/₄ - Livestock water direct from creek.

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: April 30, 1967 1.2 cfs. per acre - Time used since first use:

24 hours

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

None

(sign) Donald A. Gunn

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Coeur d'Alene, County of Kootenai,

State of Idaho, on this 1st day of May, A. D. 1967.

Agus Redman

My commission expires: 2/12/71

30359

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 30359

RECEIVED
JUN 3 1965
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF WITNESS

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

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

LYLE D. MORRIS, 36, ROUTE 2, BOX 94, HAYDEN LAKE, IDAHO
OWNER MORRIS EXCAVATING, ROUTE 2, BOX 94, HAYDEN LAKE, IDAHO

Ques. 2 Are you acquainted with DONALD NUNN, the holder of
Permit No. 30359? How long have you known him and where does he reside?

15 years - ROUTE 1, ATHOL, IDAHO

Ques. 3. Have you read or heard said Permit No. 30359 read, and are you familiar
with its provisions and conditions: Yes ☒ No. ☐

Ques. 4. State source of water supply: SAGE CREEK

Give location of place of diversion, showing subdivision, section, township and range

400' No SE CORNER NW 1/4 of NW 1/4 Sec. 31 - Twp 53N - Rgc 2W
Kootenai County

Describe works for conveying water to place of use: _____

Sump - pump and pipe - 40 HORSE power HERCULES DIESEL

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.2 cubic feet How much water have you seen being so
conveyed? 1.2 cubic feet per second

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

60 acres Twp 53 N., Range 2W, Section 31
6A of the NW 1/4, 29A of NE 1/4, 25A of NW 1/4
of the NW 1/4.

30359

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

60A - 25A of NW 1/4 and 29A of NE 1/4 of NW 1/4 of SECTION 31 and
6A of NW 1/4 of NE 1/4 of Sec. 31, Range 2W, Twp 53N. and for watering
Livestock.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Water will be used on land cultivated for pasture and
hay. Will require 3Aft per year per Acre for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? NONE

Ques. 10. When did you first see this water used? April 30, 1967

Other times you have seen such use: May 1, 1967

(Signed):

Lyle D. Morris

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Coeur d'Alene

_____, County of Kootenai, State of Idaho, on
this 1st day of May, A. D. 1967

Agnes A. Redman

Notary Public for the State of Idaho

Residing Coeur d'Alene

My commission expires 2/12/71

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho
Permit No. 30359

RECEIVED
MAY 3 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

and Completion of Works
DEPOSITION OF WITNESS

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

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

Harold B Johnston, 37, Coeur d'Alene, Idaho
County Extension Agr Agt, Box 878 Coeur d'Alene

Ques. 2 Are you acquainted with Donald Nunn, the holder of
Permit No. 30359? How long have you known him and where does he reside?

Rt 1 Athol, Idaho

Ques. 3. Have you read or heard said Permit No. 30359 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Sage Creek

Give location of place of diversion, showing subdivision, section, township and range

N² NW¹/₄ Sec 31 Twp 53N Rge 2W County of Kootenai

Describe works for conveying water to place of use: Sump pump

40 Horse Hercules Diesel

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 1.2 cuft/sec How much water have you seen being so

conveyed? Yes 1.2 cuft/sec

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

60 acres 25 A of NW¹/₄ and 29 A of NE¹/₄ of NW¹/₄ of Sec 31
and 6 A of NW¹/₄ of NE¹/₄ of Sec 31 Range 2W
TWP 53N

30359

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Livestock water direct from creek for 175 hd of
Cows & calves

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Water will be used on Class IV land which is
seeded to pasture & hay. Requires additional 3 Aft./yr./Acre

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? None

Ques. 10. When did you first see this water used? April 30, 1967
Other times you have seen such use: May 1, 1967

(Signed):
Harold B. Johnston

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in ceda

ceda, County of Kootenai, State of Idaho, on this 1st day of May, A. D. 1967

Agnes Redman
Notary Public for the State of Idaho
Residing ceda

My commission expires 2/12/71

AFFIDAVIT OF PUBLICATION—COEUR D'ALENE PRESS

(WEEKLY)

STATE OF IDAHO, }

County of Kootenai, }

ss.

Callie Paintner, being first duly sworn,
deposes and says:

That affiant is now, and at all times herein mentioned has been, a citizen of the United States and a resident of Kootenai County, State of Idaho, over the age of 21 years and not a party to, nor interested in the event of, the above entitled matter, and the printer (principal clerk) of the "Coeur d'Alene Press", during all of the times herein mentioned being a legal daily newspaper, of Coeur d'Alene, Kootenai County, Idaho, as defined by Idaho Code Sec. 60-106 to Sec. 60-108 both inclusive, and Chapter 121 Idaho Session Laws of 1949, and acts amendatory thereof and correlated thereto, and qualified thereunder to publish to the same effect as a weekly

newspaper on Wednesdays; and that the

of which a printed copy is annexed hereto, was published in all the regular Wednesday weekly issues of said newspaper for

on the 5 day of April, 1967, and ending on the 26 day of April, 1967

Subscribed and sworn to, before me, this 26 day of April

1967

E. Patrick King
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

30359

NOTICE OF PROOF OF COM-
PLETION OF WORKS

and

APPLICATION OF WATER TO
BENNEFICIAL USE

NOTICE is hereby given that on the 1st day of May, 1967, at Coeur d'Alene, County of Kootenai, State of Idaho, before Roger A. Dedman or John F. Hunt, Notary Public, at First Security Bank of Idaho in Cd'A, Idaho, proof will be submitted of the completion of works for the diversion of 1.2 cubic feet per second of the waters of Sage Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30359, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Donald A. Nunn, Route 1, Box 90, Athol, Idaho, 83801.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 1.2 cubic feet per second.

3. The use to which said water has been applied is irrigation and livestock purposes, and the amount applied to beneficial use is 1.2 cubic feet per second.

4. The point of diversion of said water is N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 31, T. 53 N. R. 2 W., B.M.

5. The place where said water is used is NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 31, T. 53 N. R. 2 W., B.M.

6. The date of priority which said user is prepared to establish is January 5, 1962.

R. KEITH HIGGINSON

State Reclamation Engineer

April 5, 12, 19, 26, 1967

1

RECEIVED

Department of Reclamation

mu

NOTICE OF PROOF OF COM-
PLETION OF WORKS
and
APPLICATION OF WATER TO
BENNEFICIAL USE

NOTICE is hereby given that on the 1st day of May, 1967, at Coeur d'Alene, County of Kootenai, State of Idaho, before Roger A. Dedman or John F. Hunt, Notary Public, at First Security Bank of Idaho in Coeur d'Alene, Idaho, proof will be submitted of the completion of works for the diversion of 1.2 cubic feet per second of the waters of Sage Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30359, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Donald A. Nunn, Route 1, Box 90, Athol, Idaho, 83801.

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 1.2 cubic feet per second.

3. The use to which said water has been applied is irrigation and livestock purposes, and the amount applied to beneficial use is 1.2 cubic feet per second.

4. The point of diversion of said water is $N\frac{1}{2}NW\frac{1}{4}$, Sec. 31, T. 53 N. R. 2 W., B.M.

5. The place where said water is used is $NW\frac{1}{4}NE\frac{1}{4}, N\frac{1}{2}-NW\frac{1}{4}$, Sec. 31, T. 53 N, R. 2 W, B.M.

6. The date of priority which said user is prepared to establish is January 5, 1962.

R. KEITH HIGGINSON
State Reclamation Engineer
April 5, 12, 19, 26, 1967

30359

March 16, 1967

Re: Permit No. 30359

Donald A. Nunn
Route 1, Box 90
Athol, Idaho 83801

Dear Mr. Nunn:

In your letter of March 10, 1967, you asked about adding additional land to permit 30359. This is not possible at this late date. However, a new permit can be obtained; forms and instructions are enclosed.

Very truly yours,

Donald J. Watts
Engineer

DJW:nw

Enclosures: app. & instruct.

30359

March 18, 1967

Re: Permit No. 30359

Donald A. Nunn
Route 1, Box 90
Athol, Idaho 83801

Dear Mr. Nunn:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. 30359. The proofs are to be made ~~at~~ at, on the 1st day of May, 19 67, before Roger A. Dedman or John F. Hunt Coeur d'Alene, Idaho. Notary Public.

As of this date, we have mailed the Notice to the Coeur d'Alene Press, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the AFFIDAVIT OF PUBLICATION

Very truly yours,

MRB:nw

M. Russell Bosch
Office Manager

Encl.

cc: Notary

30359

March 16, 1967

Re: Permit No. 30359

Coeur d'Alene Press
Coeur d'Alene, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 1, 1967. The expense of the publication is to be paid by Donald A. Nunn of Route 1, Box 90, Athol, Idaho, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking at least one week prior to the first publication.

Very truly yours,

M. Russell Bosch
Office Manager

MRB:nw

30359

To attach to Notice
mailed to you on
March 10.

Harold A. Krumm
Rt. 1 Box 90
Athol, Idaho

RECEIVED
MAR 16 1967

Department of Reclamation

30359

RECEIVED
MAR 16 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 10, 1967

(P. O.) Athol, Idaho, 83801

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Coeur d' Alene Press of Coeur d' Alene, Idaho, 83814, Published in the county in which the works are situated.

Donald A. Turner

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer)

I hereby certify that the facts set forth in the attached notice are true.

Engineer

30359

RECEIVED

MAR 13 1967

Department of Reclamation

Athol, Idaho
March 10, 1967

Re: Permit 30359

M. Russell Bosch
Office Manager
Department of Reclamation
Boise, Idaho

Dear Mr. Bosch:

Enclosed herewith find form 36-A completed in compliance with your letter of March 6. I am not enclosing form 11 as Donald is away at present and I neglected to have him sign it before he left. I will forward it to you next Monday, March 13.

However, if time will permit, I would like to have you send me the necessary forms for amendments, as I would like to have additional rights to irrigate more acres. This is in accordance with your Form 5A. If time does not permit, I will go ahead and prove up on the Permit as is.

Would it be possible to show proof at a later date than April 7. For instances, May 1? If there are errors in the completion of form 36-A, please advise, sending new blanks.

Your cooperation is sincerely appreciated.

Sincerely,

Mrs. Donald A. Munn

Donald A. Munn
by Mrs. Donald A. Munn

30359

RECEIVED

MAR 13 1967

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

NOTICE is hereby given that ~~at 10 A.M.~~ on the ^{1st} ~~7th~~ day of ~~April~~ May 1967, at Coeur d'Alene, County of Kootenai, State of Idaho, before Roger A. Dedman or John F. Hunt, Notary Public, at (address) First Security Bank of Idaho in Coeur d'Alene, Idaho, proof will be submitted of the completion of works for the diversion of 1.2 cubic feet per second of the waters of Sage Creek, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 30359, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is: Donald A. Nunn, Rt. 1 Box 90, Athol, Idaho, 83801

2. Said works of diversion will be fully completed on the date set for such completion and the amount of water which said works are capable of conveying to the place of use is 1.2 cubic feet per second.

3. The use to which said water has been applied is irrigation + livestock purposes, and the amount applied to beneficial use is 1.2 cubic feet per second.

4. The point of diversion of said water is N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 31, T. 53 N. R. 2 W., B. M.

5. The place where said water is used is South from Athol on Hiway 95 - approx. 4 miles - then east on county road $\frac{1}{2}$ miles.

NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 31, T. 53 N, R. 2 W, B.M. ~~Total 80 acres.~~

6. The date of priority which said user is prepared to establish is January 5, 1962

State Reclamation Engineer

Jan. 11, 1967

30359

mw

make a new filing enclose app & instructions

March 6, 1967

RE: Permit 30359

Donald A. Nunn
Athol, Idaho

Dear Mr. Nunn:

This is in reply to your letter of March 2, 1967, regarding prior rights on Sage Creek. Our records indicate there is only one active permit or license filed prior to your permit. That right is a 1908 right and your right if completed would be a 1962 right. There is no way to guarantee water will be available from any stream, there are too many extenuating factors. In your part of the state there should be sufficient water for both rights in this stream.

In order to perfect your right you will have to complete the forms mailed to you on November 1, 1966.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

30359

RECEIVED
MAR 6 1967

Department of Reclamation

Athol, Idaho
March 2, 1967

Permit NO. 30359

Mr. A. Keith Higgenson
State Reclamation Engineer
Department of Reclamation
Boise, Idaho

Dear Mr. Higgenson:

In regard to the cancellation of the above referred to Permit, according to your notice as of February 27, 1967, there are a few questions we would like answers to before going ahead with this permit:

How many permits prior to this one have been issued on Sage Creek that are active at this time? we cannot afford to buy an irrigator unless we can be certain that there will be water available during the dry season.

If you can assure us that there will be adequate water for irrigation, please inform me what immediate steps will be necessary to hold this permit.

We do appreciate your consideration in this matter and will be hoping for a prompt reply.

Sincerely,

Donald A. Funn
Donald A. Funn

30359

30359

INSTRUCTIONS TO DELIVERING EMPLOYEE



Show to whom and when delivered



Show to whom, when, 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

Ronald Neuman

19215

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Mr. Ronald Neuman

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

2-28-67

30359

POST OFFICE DEPARTMENT
ON-TIME BUSINESS

RECEIVED
MAR 2 1967

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

Department of Reclamation

NAME OF SENDER

Idaho Dept. of Reclamation
STREET AND NO. OR P.O. BOX
Room 107, Statehouse

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83706

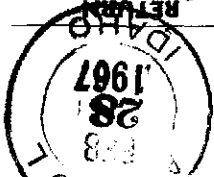
PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300

POSTMARK OF
DELIVERING OFFICE

28
1967

TO

RETURN



30359

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
Boise, Idaho

February 27 19 67

Re: Permit No. 30359

To: Donald A. Nunn
Route #1, Box 90
Athol, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 30359 to appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of Works and Beneficial Use due Jan. 19, 1967

you are hereby notified in compliance with Sec. 42-311, Idaho Code that said Permit No. 30359 is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 30359 claims the use of 1.2 cubic feet per second of the waters of Sage Creek with point of diversion located in N¹/₂ NW¹/₄, Sec. 31, T. 58 N. R 2. W., B.M.

Kootenai County of and was approved Jan. 19, 1967.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 27 day of February 19 67

State Reclamation Engineer

By: _____

Assistant

30359

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 30359

Date: Nov. 1, 1966

Donald A. Nunn
Route #1, Box 90
Athol, Idaho

Dear Mr. Nunn:

Under the terms of your Permit No. 30359 you are required to make proofs of completion of works and application of water to beneficial use on or before **Jan. 19, 1967**

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 in the county.

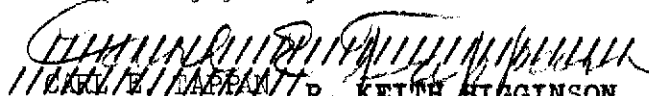
We enclose Form 36-A in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof (this may be at any place that is convenient for you and your two witnesses), the quantity of water, for what purpose it is used, the point or points of diversion and the location of use, or lands which are irrigated - - by legal 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 the authorization for us to have the notice published in the designated county newspaper, at your expense. This is to be returned with Forms 36-A

At the time we send the notice to the newspaper we will send 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 the field inspection to have been irrigated at the time of proof.

Very truly yours,


R. KEITH HIGGINSON
State Reclamation Engineer

Enc. Form 36A and 11
cc:

30359

January 24, 1962

Re: Permit No. 30359

Mr. Donald A. Nunn,
Rt. 1, Box 90,
Athol, Idaho.

Dear Mr. Nunn:

We enclose Permit No. 30359 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 30902 which was issued covering payment in the amount of \$5.25 for the filing fee of the above mentioned permit.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

30359

January 8, 1962

RE: Application for Permit

Donald A. Nunn
Rt 1, Box 90
Athol, Idaho

Returned herewith is your application for permit with attached check for \$5.00.

The first part of the location of the point of diversion shows the point is near the center of the NE $\frac{1}{4}$ of Section 31, whereas the map shows the sump near the east side of the NE $\frac{1}{4}$ of Section 31.

You should answer No. 7, and No. 8 probably includes a pump and pipe or ditch. Show ditch or pipe size under 11.

Show point of diversion on both maps. Sign the application on page 3.

The fee for 1.2 cubic feet per second is \$5.25, or for 1.0 cubic foot per second is \$5.00.

Kindly complete the application and return with the proper fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

Enc. application
check

30359