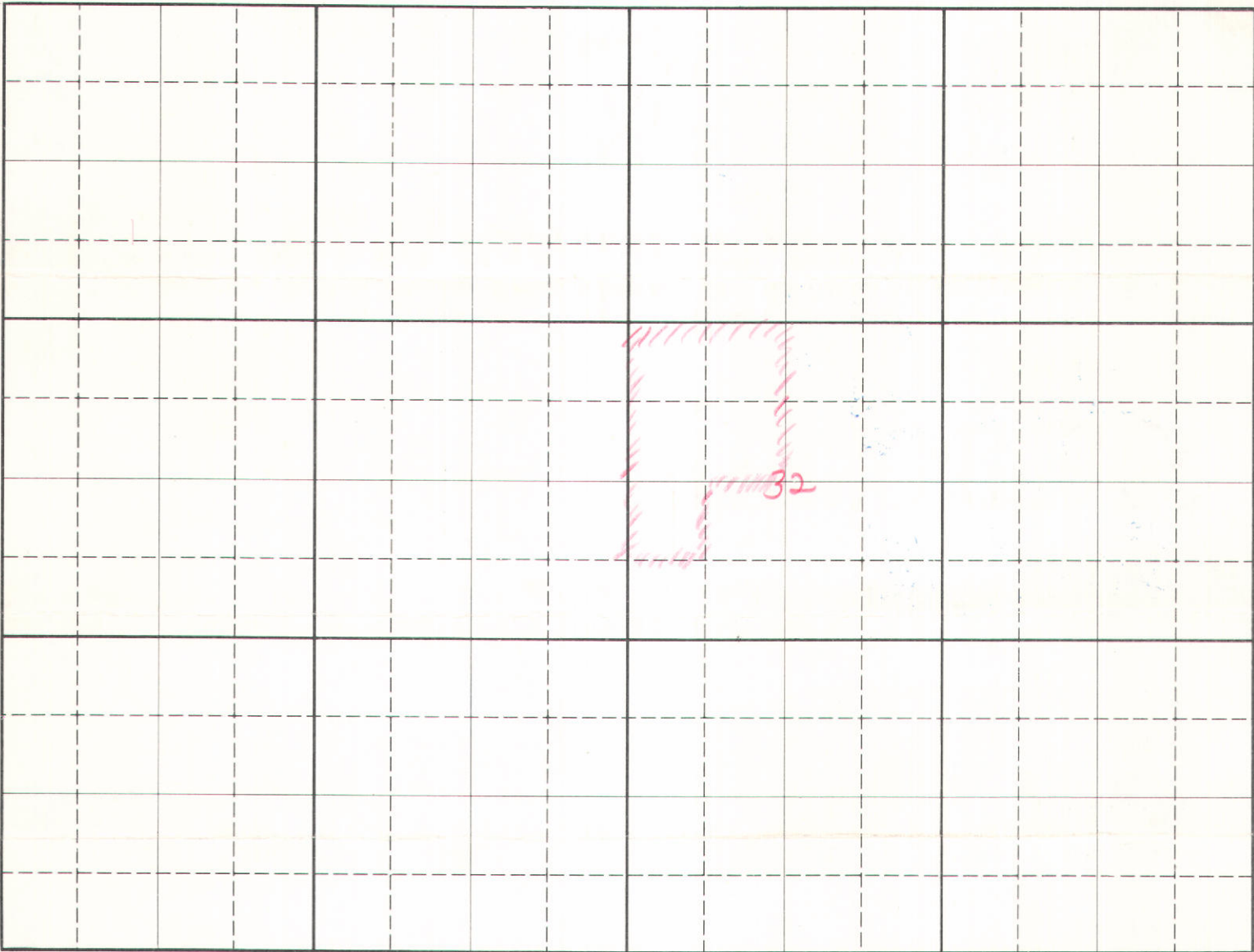


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

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

Signed at Sandpoint, Idaho, this 14th day of May, 1969.
John Zopf
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, JACK A. BARNETT, Deputy _____, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit No. 27390.

Witness my hand this 20th day of May, 1969

Jack A. Barnett
Deputy State Reclamation Engineer

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 Approved Application For

Water, John J. Fox, Sagle, Idaho

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 29th
day of May, 1969, and end-
ing on the 5th day of June,
1969, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

19th day of June, 1969.

Chas. B. Smith

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED
AUG 6 1969

Department of Reclamation

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that
John J. Fox, Route 1, Sagle,
Idaho has received an approved
permit No. 27390 to divert 1.0
cubic feet per second of water
from Pend Oreille River tribu-
tary of Columbia River. The
priority to be established under
this permit is May 19, 1958. Water
will be diverted by pump, pipe
and sprinklers within the SW $\frac{1}{4}$ -
NW $\frac{1}{4}$ Sec. 32, T. 56 N, R. 3W,
B. M., Bonner County and is to
be used for irrigation in the
NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T.

56 N, R. 3 W, B. M.

Any protests against the in-
tent of the permit must be filed
with the Department of Recla-
mation within ten days from the
last date of publication of this
notice.

R. KEITH HIGGINSON,
State Reclamation Engi-
neer.

Published in the Sandpoint
News-Bulletin, Sandpoint, Idaho
on May 29, 1969 and June 5,
1969.

PT 11-165

96-2257
24390

PETRO O'REILLY RIVER

River
Hwy
PD

3 W

56
N
Lower Lake

Q measured .49
Q recommended .49
Volume 35 acres X 3 AF = 105 AF
Acreage Found 35 acres
recommended 35 acres
Subdv. 5
Amendments
☒ None
☐ P.D.
☐ Place of use
☐

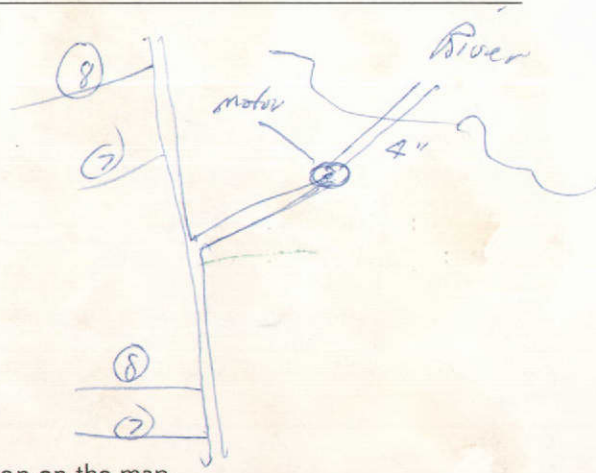
Source of supply Pond Oreille River
a tributary of _____
Location of P.D.(s) SW NW Sec 32 56 N-3 W

Water is used for irrigation
Quantity of water found _____
How was the measurement made? pressure gauge
Measurement calculations _____

$$\frac{11}{164} \times \frac{3}{32} \times 40 \text{ lbs } 15 \text{ sprinklers}$$
$$\frac{11}{164} \times \frac{3}{32} \times 40 \text{ lbs } 15 \text{ sprinklers}$$
$$\frac{30 \times 7.03}{450} = .49 \text{ cfs}$$

Diversion works description and diagram

Westinghouse Motor
7 1/2 H.P
Ser: 1508637
Gaults Pump
Ser: 289A283



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?

Mr. Fox

Recommended allowance for licensing _____

Description of required amendments. Comments. _____

Report checked? _____

Examination date 8/10/71

Signature Fred Eisenhardt

96-2257

96-2257

B-485

C-555

C-550

C-551

C-552

96-2257

B-415

B-414

B-413

31.5
32.5

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 27390/96-2257 Priority May 19, 1958 Amount 0.49 cfs

THIS IS TO CERTIFY, that JOHN J. FOX
of Sagle, Idaho, has complied with the terms and conditions of Permit
No. 27390/96-2257 issued pursuant to Application for Permit dated May 19, 1958
and has submitted proof to the Department of Water Administration on March 17, 1969
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.49 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Pend Oreille River
tributary of Columbia River, is hereby confirmed in the following amounts:

Amount 0.49 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 0.49 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW¹/₄NW¹/₄ of Sec. 32, Twp. 56 N, Rge. 3 W, B. M.

in the county of Bonner; 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 105 acre feet per year or _____
3.0 acre feet per acre.

Description and location of place of use:

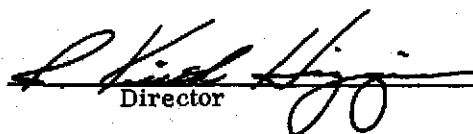
TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
56 N	3 W	32					5	5	10	5		10							35

Total number of acres irrigated 35

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 10 day of

April, 19 72.


Director

96 2257

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 27390)

in the name of John F. Fox)

Route 1, Sagle, Idaho)

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,

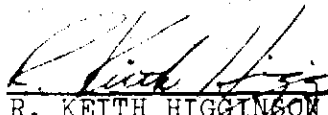
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 27390 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 Procedures 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 28th day of February 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

24390
96-2257

Identification No. _____

Permit No. _____

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

RECEIVED

MAY 17 1959

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder John J. Fox
 b) Post Office Address Route 1, Sagle, Idaho 83860
2. Permit Number 27390
3. Date of Priority that you are prepared to establish May 19, 1958
4. a) Source from which water was appropriated Pend Oreille river - tributary of Columbia river
 b) Location of the point of diversion: SW 1/4 NW 1/4, Section 32
 Township 56 N., Range 3W Boise Meridian, Other points of diversion: None
5. a) The amount of water and use to which the water has been applied:
 amount .31 cfs for irrigation purposes from 5/15 to 10/15 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 .31 cfs (140 gal/min.) 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: 20 sprinkler heads rated 7 gal/min.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
 a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
 b) Describe the agreement or understanding by which you take water from the works: _____
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) 7 1/2 HP electric pump and motor, 4 inch mainline pipe, 3 inch laterals for 20 sprinkler heads; pumping directly from river bank.
 b) Describe the type and size of measuring device which you have installed at your point of diversion: NA
 c) Give well drillers name and address and date the well was completed NA

96-2257
27390

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

NA

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

TWP.	RANGE	SEC.	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	NE 1/4	NW 1/4	SW 1/4	SE 1/4
56 N	3W	32					5	5	10	5			10					35
			NE 1/4				NW 1/4				SW 1/4				SE 1/4			
TOTALS																		

10. Remarks:

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

March 11, 1969
(Date)

(Signature)

State of Idaho
County of Bonner
ss.

On this 11 day of March, 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at
My commission expires July 7, 1970

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR AMENDMENT

Permit No. 27390

Comes now John J. Fox of (address) _____

Route 1, Sagle, Idaho, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 27390, and requests that the permit and permit map be changed as follows:

1. Point of diversion: Same as permit $\frac{1}{4}$ Sec. T.

R. _____, B.M. Other points of diversion _____

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

For Same as permit purposes from _____ to _____ (both dates incl.)
 For _____ purposes from _____ to _____ (both dates incl.)
 For _____ purposes from _____ to _____ (both dates incl.)
 For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

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 $\frac{1}{4}$	
56 N	3 W	32					5	5	10	5		10							35

Total number of acres to be irrigated

*96-22575
27390*

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

[illegible]

Scale: 2 inches equal 1 mile

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

risk.

Signed at Stamford, Conn., this 14th day of May, 1969.

(signature)

ACTION OF STATE RECLAMATION ENGINEER

1, JACK A. BARNETT, Deputy, State Reclamation Engineer of the State of Idaho,

hereby approve the above application for amendment for Permit No. 27390.

Witness my hand this 20th day of May

State Reclamation Engineer

John A. Bennett
State Reclamation Engineer

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 Approved Application For

Water, John J. Fox, Sagle, Idaho

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 29th
day of May, 19 69, and end-
ing on the 5th day of June,
19 69, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

19th day of June, 1969.

By: [Signature]

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that
John J. Fox, Route 1, Sagle,
Idaho has received an approved
permit No. 27390 to divert 1.0
cubic feet per second of water
from Pend Oreille River tribu-
tary of Columbia River. The
priority to be established under
this permit is May 19, 1958. Water
will be diverted by pump, pipe
and sprinklers within the SW $\frac{1}{4}$ -
NW $\frac{1}{4}$ Sec. 32, T. 56 N, R. 3W,
E. M. Bonner County and is to
be used for irrigation in the
SW $\frac{1}{4}$ Sec. 32, T. 56 N, R. 3W,
E. M. Bonner County.

J. J. W. B. M.
Protests against the
content of the permit must be filed
with the Department of Recla-
mation within ten days from the
last date of publication of this
notice.

R. KEITH HIGGINSON,
State Reclamation Engi-
neer.

Published in the Sandpoint
News-Bulletin, Sandpoint, Idaho
on May 29, 1969 and June 5,
1969.
RTH: [Signature]

RECEIVED
AUG 6 1969
Department of Reclamation

96-2254
27390

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

96-2257

APPLICATION No. 35318
PERMIT No. 27390
DISTRICT No.

John J. Fox
Route 1,
Sagle, Idaho

1. Name of Applicant: JOHN J. FOX

Postoffice address: Rt. # 1, Sagle

County: Bonner

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: 1.0 cubic feet per second.

3. Source of water supply: Pend Oreille River which is a tributary of Columbia River

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

corner of Section , T. , R. , B.M., and is in the SW¹/₄ NW¹/₄

of section 32 , T. 56 N. , R. 3 W. , B. M., County of Bonner

5. Water is to be used for Irrigation

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

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section 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: \$ 3600.-00

8. Kind of works: Pump, pipe for sprinkler irrigation

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 feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe 4 inches; length of conduit 0.5 miles.

Average grade per mile 80 feet.

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

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

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

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

16. (a) Is reservoir to be used? None 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/ John J. Fox
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 1:00 P. M. May 19, 1958

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 27390

Recorded in Book 96 Page 27390 Approved May 22, 1958

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 July 22, 1958

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 November 22, 1960

The whole of said work to be completed on or before May 22, 1963

Beneficial use of water appropriated in accordance herewith, to be made on or before May 22, 1969

WITNESS My hand this 22nd day of May, 1958

/s/ MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho, and JAS. H. YOUNG, 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 22nd

day of May, 1958

STATE OF IDAHO

Countersigned:

(SEAL)

By /s/ JAS. H. YOUNG

By /s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS:

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 $\frac{1}{4}$	
56 N	3 W.	32		12 12 26	See amend. of 5-20-69		50
			Permit No. 27390 CERTIFICATE OF COMPLETION OF WORKS				
TO ALL WHOM IT MAY CONCERN:							
This is to certify that JOHN J. FOX of Sagle, County of Bonner, and State of Idaho, the holder of Permit No. 27390, issued upon Application No. 35318, bearing date of priority of May 19, 1958, authorizing the diversion of 1.0 second feet of waters of Pend Oreille River, County of Bonner, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.0 second feet of the waters of Pend Oreille River, tributary of Columbia River, that the point of diversion of said waters SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 56 N., R. 3 W., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to wit:							
NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, Twp. 56 N., Rge. 3 W., B. M.							
Witness my hand this 1st day of May, A. D. 1963.							
s/ RALPH W. THOMAS Deputy State Reclamation Engineer							
Proof of Completion of Works Made: April 26, 1963							
LICENSE ISSUED FOR 0.49 SEC. FT. LICENSE PAGE NO. _____							

April 11, 1972

Re: Permit No. 27390/96-2257

Mr. John J. Fox
Route # 1
Sagle, Idaho 83860

Dear Mr. Fox:

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: License

96 2257

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 31, 1972

Mr. John J. Fox
Route # 1
Sagle, Idaho 83860

Dear Mr. Fox:

A representative of this Department has made an examination of the works covered by your Permit No. 27390/96-2257 and has found the following:

Quantity of water diverted: 0.49 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.49 cfs

The maximum quantity diverted shall not exceed 105 acre feet per season.

Beneficial use: Irrigation of 35 acres within the NW $\frac{1}{4}$ (25), NW $\frac{1}{4}$ SW $\frac{1}{4}$ (10), Sec. 32, Twp. 56 N. Rge. 3 W. B. M.

Point of diversion: SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 32

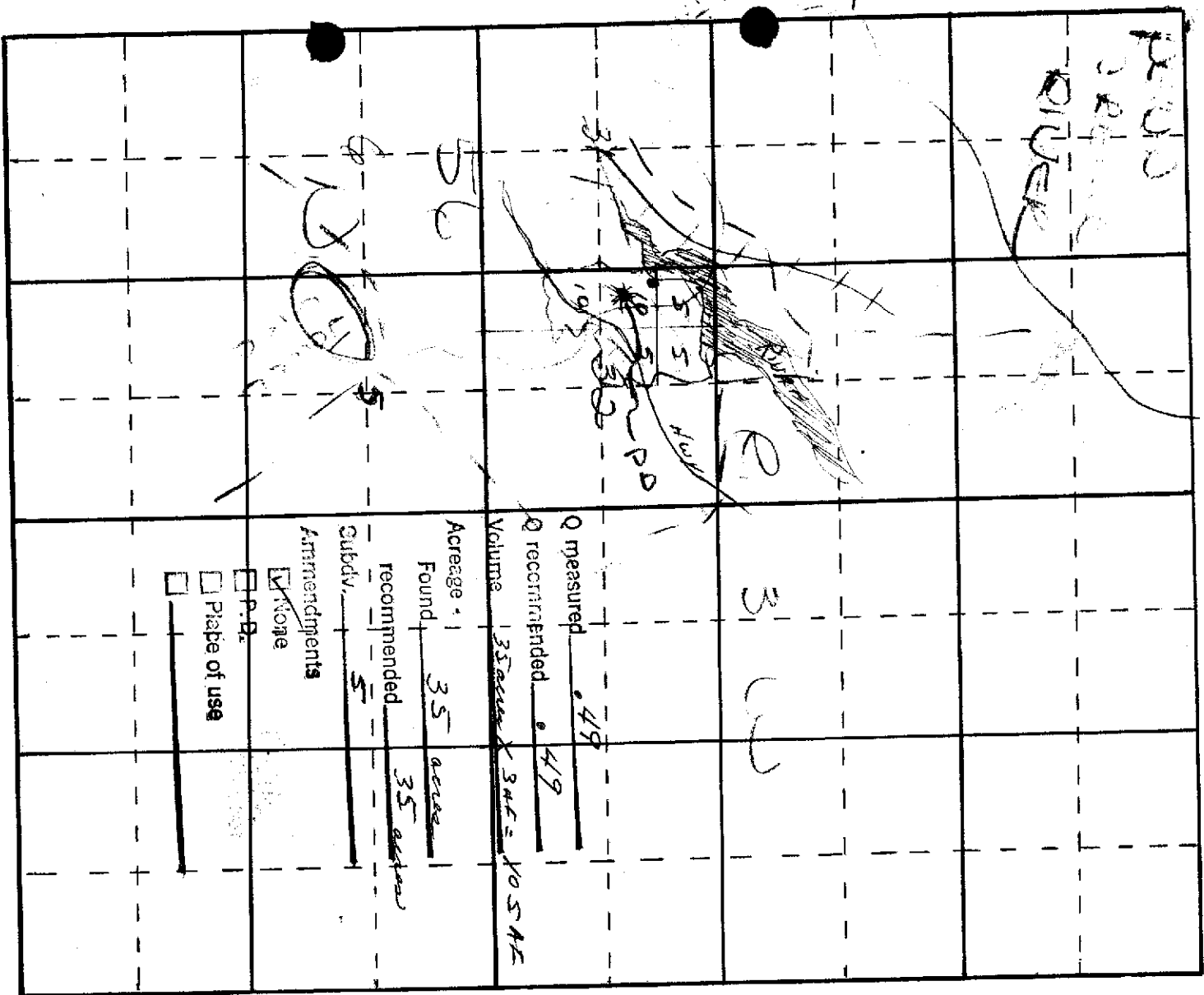
The priority date established is: May 19, 1958

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR



Contact Next Year 7/3/69 203-3338

Permit No. 96-2257

Name of Applicant John J. Fox, Route #1, Sagle, Idaho

Source of Water Pend O'Reille River

a tributary of Columbia River

Location of P.D. SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 32, T. 56 N, R. 3 W, B. M.,

Bonner County

Water is used for Irrigation

Quantity of water claimed: Permit 1.0 cfs Depositions .31 cfs

Type of measuring device installed or method of measurement and general description of diversion works 7 $\frac{1}{2}$ HP electric pump and motor, 4" mainline pipe, 3" laterals for 20 sprinkler heads; pumping directly from river bank.

Land to be irrigated or place of use:			Description	
TWP.	RGE.	SEC.		
56 N	3 W	32	NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$	35 acres (Proof)
56 N	3 W	32	N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$	50 acres (Permit)
(Please check)				

Total acreage 35 acres

Filed: May 19, 1958 Made: March 17, 1969
Due: May 22, 1969 Priority: May 19, 1958

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

96 2257 35-2 7/3/69 203-3338

Source of supply Rand Overille River
a tributary of _____
Location of P.D.(s) SW NW Sec 32 56N-32W

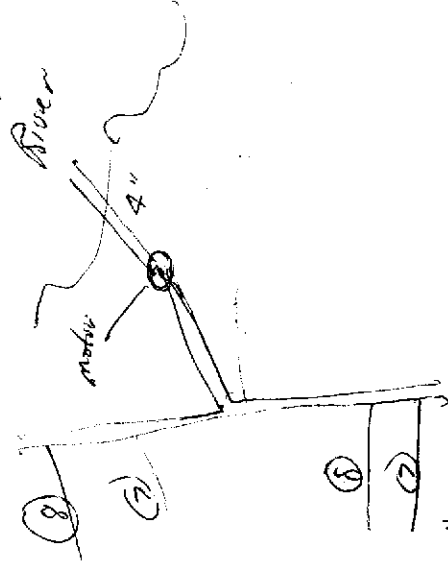
Water is used for irrigation
Quantity of water found _____

How was the measurement made? pressure gauge
Measurement calculations _____

Sampled 40
1/4 x 3/16 40 lbs 15 sprayers
64 132

1/4 x 3/16 40 lbs 15 sprayers
64 132
30 x 2.03 = .49 cfs
480

Diversion works description and diagram
Working house water
74' H.P.
Sec: 1508637
Gaults Pump
Sec: 2894283



Indicate area irrigated in each subdivision on the map.
Total acreage irrigated _____

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Who represented the permit holder at the examination?
Mr. Fox

Recommended allowance for licensing _____

Description of required amendments. Comments. _____

Report checked? _____

Examination date 8/10/21

Signature _____

Fred E. Kimbrell Jr.



August 8, 1969

Re: Permit No. 27390

John J. Fox
Route #1
Sagle, Idaho

Dear Mr. Fox:

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. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

*Exam made
9-9-69
JMS*

*27390
96-2257*

July 22, 1969

Re: Permit No. 27390

John J. Fox
Route # 1
Sagle, Idaho

Dear Mr. Fox:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with permit No. 27390. You should be aware that many newspapers do not keep copies of these advertisements for their files. We, therefore, recommend that you obtain this affidavit as soon as possible from the Sandpoint News-Bulletin, Sandpoint, Idaho, and submit it promptly to the Department. Please be advised that a license will not be issued until we are in receipt of this affidavit.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

96-2257
27390

May 20, 1969

Re: Permit No. 27390

John J. Fox
Route # 1
Sagle, Idaho

Dear Mr. Fox:

Please find enclosed a copy of the APPROVED application for amendment; the original has been placed in our files. You will also find enclosed receipt no. 3063 for your \$5.00 filing fee.

We acknowledge receipt of your affidavit submitted as proof of beneficial use. Before a license can be issued you must submit an affidavit of publication to this department. The affidavit of publication may be obtained from the Sandpoint News-Bulletin, Sandpoint, Idaho upon payment of the bill of publication. (See copy of enclosed letter)

Prior to the issuance of the license a field examination must also be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of amendment

Receipt #3063

Copy of letter to newspaper

96-2257
27390

May 20, 1969

Re: Permit No. 27390
John J. Fox

Sandpoint News-Bulletin
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 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 can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by John J. Fox, Route # 1, Sagle, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice
cc: John J. Fox

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

27390
96-2257

Department of Reclamation:
enclosed find amendment
correct and full payment

John Fox

RECEIVED

MAY 16 1969

Department of Reclamation

96-2257
24390

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that John J. Fox, Route 1, Sagle, Idaho

has received an approved permit No. 27390 to divert approx

1.0 cubic feet per second approx of water from

Pond Oreille River tributary of Columbia River

. The priority to be established

under this permit is May 19, 1958.

Water will be diverted by pump, pipe and sprinklers

within the SW1/4NW1/4, Sec. 32,
T. 56 N, R. 3 W, B. M., Bonner County

and is to be used for irrigation

in the NW1/4, NW1/4, Sec. 32, T. 56 N, R. 3 W, B. M.

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

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho
on May 29, 1969 and June 5, 1969.

State Reclamation Engineer:

Permit No. 27390

You are hereby authorized to have the attached notice published at my expense

in the Sandpoint News-Bulletin of Sandpoint, Idaho;

published in the county in which the works are situated.

John J. Fox
(signature)

PT 1 Sagle
(address)

3/11/69
(date)

27390
96-2257

March 27, 1969

Re: Permit No. 27390

John J. Fox
Route 1
Sagle, Idaho

Dear Mr. Fox:

The Department has received your affidavit submitted as proof of beneficial use for the above referenced permit. On the affidavit you have indicated the lands irrigated to be located in the NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 56 N, R. 3 W, B. M. The permit indicated the land to be located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 56 N, R. 3 W, B. M.

If your affidavit is indeed correct, you will be required to file an application for amendment allowing you to irrigate these lands. We have enclosed a form partially filled out for your convenience in this matter if the affidavit is correct. There will be a fee of \$5.00 required.

If, however, the permit is correct, please advise the Department to note this on the affidavit. Please be sure to include the amount irrigated in each forty-acre tract of land.

We shall withhold publishing the legal notice concerning your permit until we are further advised in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: amendment

27390
96-2257

March 3, 1969

Re: Permit No. 27390

John F. Fox
Route 1
Sagle, Idaho

Dear Mr. Fox:

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 person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

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 paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: order
proof due notice
proof package
advertising package

96-2257
27390

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

John Jay

28872

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

by Mary Boothe

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

96-2237

055-15-71543-10 GPO

27390

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

PENALTY FOR PRIVATE USE TO \$300

PAID BY ADDRESSEE

POSTMARK OF

DELIVERING OFFICE

MAR 17 1969
AM 11:27

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.**

**RETURN
TO**

NAME OF SENDER

Department of Regulation

STREET AND NO. OR P.O. BOX

Ammon, N.M. 88407

Dorse, Idaho 83407

POST OFFICE STATE, AND ZIP CODE

March 3, 1969

Re: Permit No. 27390

John J. Fox
Route 1
Sagle, Idaho

Dear Mr. Fox:

27390 One of the conditions of the approval of your permit
was that proof of application of the water to
beneficial use be submitted to this office on or before May 22, 1969.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received
by this department on or before the above mentioned date, otherwise
the permit will lapse and be of no further force or effect.

R. Keith Harris

State Reclamation Engineer

Enclosure: Proof form

March 25, 1965

Re: Permit No. 27390

Mr. John J. Fox
Route #1
Sagle, Idaho

Dear Mr. Fox:

Enclosed are forms for legal notice of intention to make proof of beneficial use of water under your permit.

You made proof of completion of works April 26th, 1963 and the certificate was mailed to you.

Proof of beneficial use of the water completes your part of the permit until the works have been inspected and you are notified of the fees due this office for the water license.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

27390

Route 1
Sagle, Idaho
March 23, 1965

RECEIVED

MAR 25 1965

Department of Reclamation

State Reclamation Engineer
Idaho Reclamation Department
Boise, Idaho

Dear Sir:

In May 1958 I received permit #27390 to apply irrigation water to my farm from Pend Oreille river. In my original application I applied for the maximum amount to be applied to fifty acres.

I have been using my system now for seven years but I have never filed a completion of works. My system is a $7\frac{1}{2}$ HP electric pump with six inch mains and 3 inch laterals with 24 sprinkler heads. This applies approximately 168 gallons per minute.

I would like to complete the steps necessary to establish my water right for this amount of water. Please send me the necessary papers and instructions to do this.

Sincerely yours,

John J. Fox

John J. Fox

Proof C/w 1.0 cfs made April 26, 1963

27390

May 1, 1963

Re: Permit No. 27390

John J. Fox
Route #1
Sagle, Idaho

Dear Mr. Fox:

Enclosed is the Certificate of Completion of Works
issued on your Permit No. 27390.

Also enclosed is departmental receipt No. 31536
in the amount of \$5.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. certificate
receipt

27390

OFFICE OF
FORREST D. WETTERBOW
~~BONNER COUNTY ASSESSOR~~
PERSONAL PROPERTY TAX COLLECTOR
STATE OF IDAHO
SANDPOINT

RECEIVED
JUN 21 1934
DEPARTMENT OF REVENUE

Mr. Geo. N. Carter

State Reclamation Engineer

Boise, Idaho

Dear Mr. Carter:

Enclosed Please find a check in the amount of \$5.00 that I forgot
to enclose with the proff of completion of works.

Yours.

John
Dop

27390

Permit No. _____

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner } ss.John J. Fox

, 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. 27390, and that his postoffice address is R.R. 1 Sagle, Idaho
State of Idaho.

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

Pend Oreille River

Third: That the point of diversion of said water is Section 32 Twp. 56N, Rge. 3W

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by May 22, 1963, 19____.

Fifth: That the use for which said water is intended is Irrigation

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

I. Kind of Works: Pipe

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

II. Dimensions of work: _____

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit Pipe width at bottom 4 in. ~~feet~~ width at water line _____

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water 3 Ft 4 feet; diameter of pipe 4 in inches, average grade per mile is 55 feet. Length of conduit is 3-4 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 30 acres of land described as follows: Lot 1-2 Sec. 32 Twp. 56N Rge. 3W

new, unused

Ninth: Remarks:—That This water is used from Pend Oreille river at the peak hight of the Albani Falls dam.

John J. Fox
(SIGN HERE)

Subscribed and sworn to before me this 26th day of April, 1963

Estelle Jacobson
NOTARY PUBLIC

My commission expires Sept. 4, 1963

27390 II

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Boise, Idaho

March 1, 1963

Re: Permit No. 27390

John J. Fox
Route #1
Sagle, Idaho

Dear Mr. Fox:

Under the terms of your Permit No. 27390 you are required to complete your diversion works on or before May 22, 1963. 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 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,

GEO. N. CARTER
State Reclamation Engineer

Enc. Form 6

27390

June 9, 1958

Re: Permit No. 27390

Mr. John J. Fox
Route # 1,
Sagle, Idaho

Dear Mr. Fox:

We enclose Permit No. 27390, 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. 29112, which was issued covering payment in the amount of \$5.00, for the filing fee of the above stated permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Mrs. Edna P. Rutledge
Chief Clerk

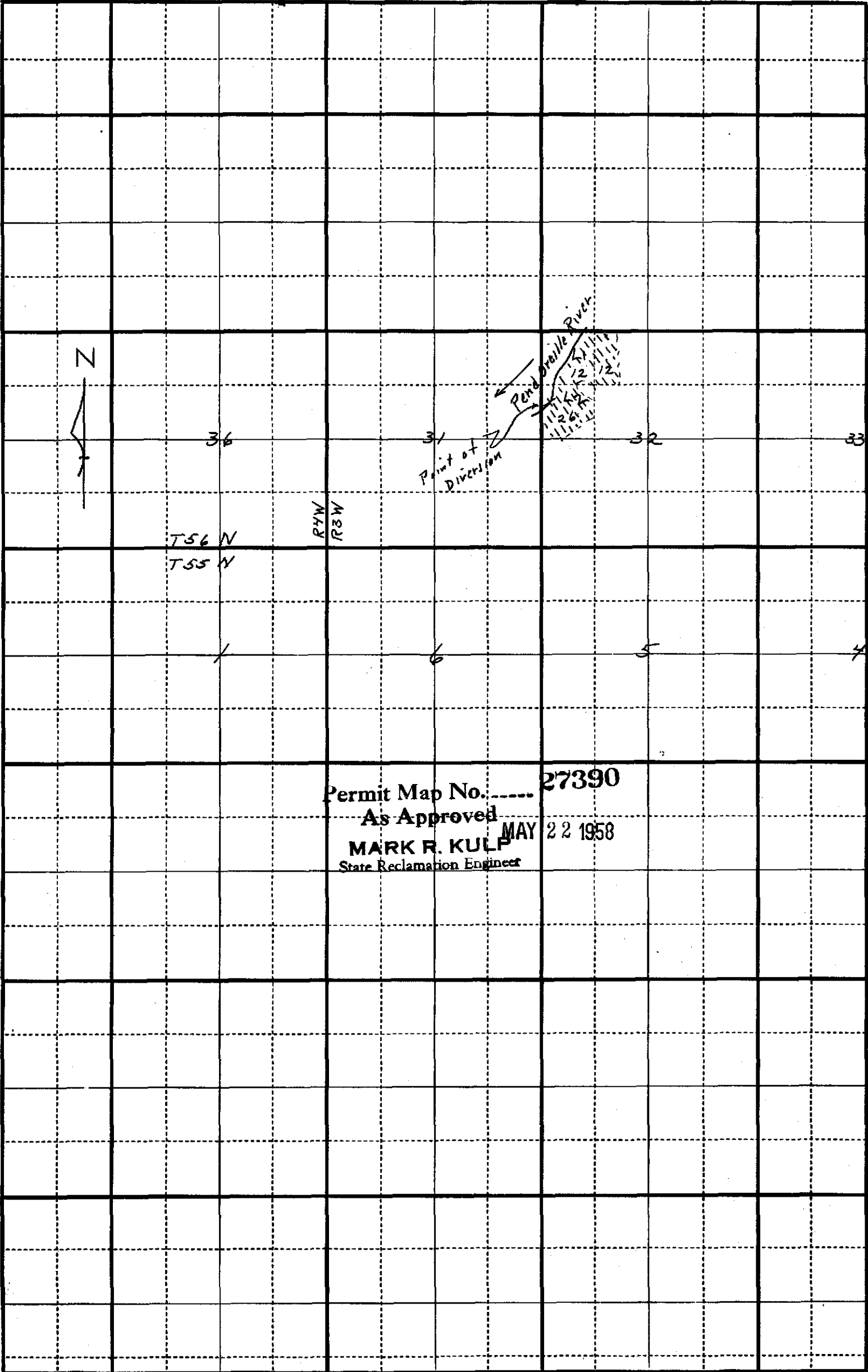
EPR:lw
Encls. (2)

27390

NAME OF APPLICANT

John J. Fox

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

27390

May 7, 1958

RE: Application for Permit

Mr. John J. Fox
Route #1
Sagle, Idaho

Dear Mr. Fox:

In reply to your request, we enclose "Application for Permit to Appropriate the Public Waters of the State of Idaho", together with a pamphlet which gives regulations and instructions, also sketch maps in duplicate, which are required to accompany the application. The map is to be drawn by "cross-hatch or color showing the lands to be irrigated by 40-acre sub-divisions, section number, township, range and clearly show the point of diversion (the point where the water is taken from the stream, spring & etc.).

After this application is approved and signed by the Governor and Secretary of State, it will be returned to you as a "Use Permit".

To complete the water right, two proofs are required: First, proof of completion of Works. The time necessary for making this proof is to be indicated under Question 12. The maximum time is five years. Second, proof of beneficial use, which is the final proof, is made when the water has been completely applied to irrigation or to what ever purpose it is used. The time required for making this proof is in addition to the time required for completion of works and is to be indicated under Question 13. The maximum time allowed is six years.

When returning the application to this office, be sure to enclose the sketch maps in duplicate, and the filing fee, also, make sure you have your complete address on the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

(Mrs.) Edna P. Rutledge
Chief Clerk

EPR:vm
Enclosures 4

27390

RECEIVED
MAY 5 1958

Department of Reclamation

City P.L. Sagle

Date May 1, 1958

Mr. Mark R. Kulp
State Reclamation Engineer
Capitol Building
Boise, Idaho

Dear Sir:

The Bannock Soil Conservation District suggests that I contact you regarding water permits within the State of Idaho. I would like to apply for a permit to appropriate waters from one of the following sources:

Check one

- ☒ 1. Public waters (river, stream, etc.)
- ☐ 2. Subterranean waters (dug or drilled well)
- ☐ 3. Spring flow (develop springs or seeps)
- ☐ 4. Stored water (dam and pond construction)

Approximately 1 ac.; or 400 gals or ac.ft.,
will be required for lands in Bannock County, Section 32,
Township 56N, Range 3W.

Please send the proper application blank to:

(Name) John J. Fox

(Street, box, RFD) Route 1

(City, State) Sagle, Idaho

It is understood that when the proper application blank has been completed it will be returned to your office with a \$5.00 filing fee and that your office will then issue a use permit.

Very truly yours,

John J. Fox

27390