

Airial View
Dan Bouse
Property

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AUG 18 2003

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IDWR/North

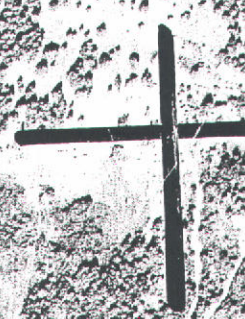
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AUG 20 2003

Department of Water Resources

X - Placement
of Pump
Area to be
irrigated

COPY

9





36	31
1	6

40

10

PD

A-546

C66

A-1192(2-3)

Turner

Small Tr

A-1088

Bloom

A-559

EJ E

A-544

Donald

-1- 26.12

757A

-2- 18.33

-1- 18.00

24.70

A-526

C639

Reg. 1 W. B.M.

Top 57N.

Kootenai
Reg. 199



40
10
50

-16

To Sand point

$$10 - \frac{2}{16} = 6.06 \times 10 = 60.60$$

25
35

$$23 - \frac{1}{16} \times \frac{1}{16} = 666 \times 23 = 15318$$

$$\frac{21378}{458.8} = .48 \text{ cfs}$$

38
45

$$\frac{14370}{3575} = 36 \text{ acres}$$

Subdivisions

✓

AREA

50 acres

9

.48 cfs or 24 inches

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 Proof Application of Water

to Beneficial Use

as it was published in the regular and entire issue
of the said paper for a period of four
consecutive weeks, commencing on the 3rd
day of February, 1966, and end-
ing on the 24th day of February,
1966, and that said notice was published in said
newspaper, and not in supplemental form.

L.E. Pietsch

Subscribed and sworn to before me this

7th day of March, 1966.

Phyllis Borall

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

RECEIVED
MAR 10 1966

Department of Reclamation

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at
11:00 A.M. on the 7th day of
March, 1966, at FHA office, Fed-
eral Bldg., Sandpoint, County of
Bonner, State of Idaho, before
Dorothy Norlen, proof will be sub-
mitted of the application to bene-
ficial use of 1.6 cubic feet per
second of the waters of Boyer
Slough, tributary of Pend Oreille
Lake in accordance with the terms
and conditions of Permit No. 24021
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

The name and post office address
of the person or corporation hold-
ing said permit: Mr. Horace Weng-
er, Box 96, Kootenai, Idaho 83840.

The use to which said water has
been applied is irrigation.

The amount applied to beneficial
use is .5 cfs.

The point of diversion of said
water is SE 1/4 NW 1/4 Section 6, T.
57N., R. 1 W., B.M.

The place where said water is
used (legal description): W 1/2 NW 1/4
of Section 6, T. 57N., R. 1 W.,
B.M.

The date of priority which said
user is prepared to establish is
February 18, 1955.

CARL E. TAPPAN,
State Reclamation Engineer.
F3-10-17-24

24021

RECEIVED
JAN 5 1966

Department of Reclamation

A S S I G N M E N T

For value received, I hereby assign all of my right, title and
interest in and to Permit to Appropriate the Public Waters of the State of Idaho,
No. 24021 to Horace W. Wenger of
Box 96 Kootenai, Idaho 83840

Blaine B Marks
Permit Holder Blaine B. Marks

Elsie O. Marks
Wife of Permit Holder Elsie O. Marks

STATE OF IDAHO)
: ss
County of Bonner)

On this 19 day of October, 19 65, before me, a Notary Public
for the State of Idaho, residing at Sandpoint, Idaho
personally appeared Blaine B. Marks and Elsie O. Marks
are
known to me to be the person s whose name is subscribed to the within instrument
and duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial
Seal, the day and year in this certificate first above written.

Dorothy M. Norton
Notary Public
Residing at Notary Public in & for State of Idaho
Residing at Sandpoint, Idaho
My Commission Expires July 6, 1968

My commission expires: _____

* If fractional part of permit is to be assigned, the fractional part of the land to
which the assigned fraction is appurtenant should be described by legal subdivisions

24021 DW

24

19

20

25

30

29

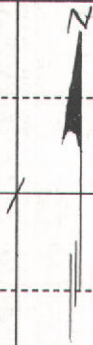
36

31

32

T58N

T57N



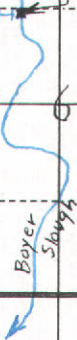
R2W.

R1W

40

40

Point of Diversion



12

7

8

13

18

Permit Map No. 24021
As Approved
APR 23 1953
MARK R. KULP
State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 24021 Priority February 28, 1955 Amount 0.48 c.f.s.
(late proof)

THIS IS TO CERTIFY that BLAINE B. MARKS - Assignee - HORACE W. WENGER

of Kootenai, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 14, 1953; that Permit No. 24021 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.62 second feet, was issued thereunder on February 17, 1958, showing that said works were completed on the 10th day of February, 1958; and that on the 7th day of March, 1966, HORACE W. WENGER

of Kootenai, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Boyer Slough,

a tributary of Lake Pend Oreille, for the purpose of irrigation, under Use Permit No. 24021 of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8806, on the 1st day of May, 1967.

The right hereby confirmed dates from February 28, 1955.

The Point of Diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Twp. 57 N, R. 1 W, B.M., Bonner County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.48 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
57 N	1 W	6	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	10
			Total number of acres to be irrigated:		50

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 1st day of May, 1967.

R. Keith Higgins
State Reclamation Engineer.

24021

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. 24021

To Horace W. Wenger

Kootenai, Idaho

Source of Supply Boyer Slough,
tributary of Lake Pend Oreille

Bonner County

Amount 0.48 Sec. Ft.

Point of Diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6,

T. 57 N, R. 1 W, B.M.

Place of Use W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 57 N,
R. 1 W, B.M.

Purpose Irrigation

Date of Priority February 28, 1955

Recorded May 1, 1967

in Book 14 of Licenses, Page 8806

24021

State of Idaho License and Certificate of Water Right

Water License No. 24021

Amount 0.48 c.f.s.

Water District No.

Priority February 28, 1955
(late proof)

THIS IS TO CERTIFY that BLAINE B. MARKS - Assignee - HORACE W. WENGER
of Kootenai, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 14, 1953; that Permit No. 24021
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.62 second feet, was issued thereunder on February 17, 1958, showing that said works
were completed on the 10th day of February, 1958; and that on the 7th
day of March, 1966, HORACE W. WENGER

of Kootenai, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Boyer Slough,
a tributary of Lake Pend Oreille, for the purpose of irrigation
under Use Permit No. 24021 of the Department of Reclamation,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page 8806, on the 1st day of May, 1967;
The right hereby confirmed dates from February 28, 1955;

The Point of Diversion is located
in the SE 1/4 NW 1/4, Sec. 6, Tp. 57 N, R. 1 W, B. M., County of Bonner.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.48 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
57 N	1 W	6	NW 1/4 NW 1/4 SW 1/4 NW 1/4	40 40	40 10
			Total number of acres to be irrigated:		50

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
1st day of May, 1967.

s/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

copy in
new folder

State of Idaho License and Certificate of Water Right

Water License No. G-23512

Amount 1.04 c.f.s.

Water District No.

Priority January 2, 1953

THIS IS TO CERTIFY that GLEN C. KNAPP
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 2, 1953; that Permit No. G-23512
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.04 second feet, was issued thereunder on April 27, 1967, showing that said works
were completed on the 8th day of January, 1958; and that on the 8th
day of January, 1958, GLEN C. KNAPP

of Caldwell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well,
a tributary of subterranean flow, for the purpose of irrigation and
domestic use under Use Permit No. G-23512 of the Department of Reclamation,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page 8805, on the 27 day of April, 1967;

The right hereby confirmed dates from January 2, 1953;

The Point of Diversion is located

in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, Tp. 2 N, R. 3 W, B. M., County of Canyon.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N	3 W	9	NW $\frac{1}{4}$ NW $\frac{1}{4}$	11	10
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	14	14
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	35	35
			Total number of acres to be irrigated:		59

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

27th day of April, 1967.

s/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho 96-2224

APPLICATION No. 31798
 PERMIT No. 24021
 DISTRICT No.

1. Name of Applicant: BLAINE B. MARKS

Postoffice address: Sandpoint, Rt. 1

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:

Assigned to

Sarase W. Wenger
Box 96 -
Heater
Idaho

II. The financial resources of the applicant are:

- (b) Treasury stock:
 (d) Other resources:

- (a) Cash on hand:
 (c) Bonds to be issued:

2. Quantity of water claimed: 1.6

cubic feet per second.

Falls Dam)

3. Source of water supply: Boyer Slough (back water of Alberni/which is a tributary of Lake Pend Oreille

4. Location of point of diversion: 850

feet distant from the East NE

of Lot 9
 corner of Section 6, T. 57 N, R. 1 W, B.M., and is in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$

of Section 6, T. 57 N, R. 1 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 , 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: \$ 4,000

8. Kind of works: Sprinkler system

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 5 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 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.

BLAINE B. MARKS

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 1:30 p.m. April 14, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 24021

Recorded in Book 85 Page 24021 Approved April 23, 1953

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 June 23, 1953 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 **October 23, 1955**

The whole of said work to be completed on or before April 23, 1958

Beneficial use of water appropriated in accordance herewith, to be made on or before April 23, 1964

WITNESS My hand this 23rd day of April, 1953

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, LEN JORDAN, Governor of the State of Idaho,

and IRA H. MASTERS, 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 23rd

day of April, 19 53.

STATE OF IDAHO

Countersigned:

(SEAL)

By **LEN JORDAN**

Governor.

By IRA H. MASTERS

Secretary of State.

By Paula L. Fleenor

REMARKS: Acting Secretary of State

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 $\frac{1}{4}$	
57 N.	1 W	6					40	40										80	

+

Permit No. 24021

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that BLAINE B. MARKS of Sandpoint, County of Bonner, and State of Idaho the holder of Permit No. 24021, issued upon Application No. 31798 bearing date of priority of April 14, 1953, authorizing the diversion of 1.6 second feet of the waters of Boyer Slough (back waters of Albeni Falls Dam) tributary of Lake Pend Oreille 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 0.62 second feet of the waters of Boyer Slough that the point of diversion of said waters SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 57 North, Range 1 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 80 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6, Township 57 North, Range 1 West, B.M. Proof of Completion of Works made: February 10, 1958.

Witness my hand this 17th day of February, A.D. 1958.

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: February 10, 1958
Certificate of Completion of Works issued: February 17, 1958.

LICENSE ISSUED FOR 0.48 SEC. FT.
LICENSE PAGE NO. 8806

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 24021 to Horace W. Wenger of Box 96, Kootenai, Idaho 83840

/s/ Blaine B. Marks
Permit Holder
/s/ Elsie O. Marks
Wife of Permit Holder

STATE OF IDAHO)
 : ss
County of Bonner)

On this 19 day of October, 1965, before me, a Notary Public for the State of Idaho, residing at Sandpoint, Idaho personally appeared Blaine B. Marks and Elsie O. Marks known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

/s/ Dorothy M. Norlen
Notary Public Residing at Sandpoint, Idaho

My commission expires: July 6, 1966

http://wenet/apps/appsWorkflow/Framebuild.asp - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print Mail News RSS Feeds

Address http://wenet/apps/appsWorkflow/Framebuild.asp Go

Links Customize Links Free Hotmail Windows Media Windows

Information Search (WR/AJ)

B	Se...	S	Source Table	Base	Status	Priority	Date	Di...	Source List	Water Use ...	Owner List
96	2224		wiWaterRight	License	Active		1955-02-28	0.48	BOYER SLOUGH	IRRIGATION	WENGER, HORACE W (Current)
96	2224		wiWaterApplication		Closed		1955-02-28	0.48	BOYER SLOUGH	IRRIGATION	WENGER, HORACE W (Current)
96	2224		wiWaterPermit		Closed		1955-02-28	0.48	BOYER SLOUGH	IRRIGATION	WENGER, HORACE W (Current)

Show References Next Step Previous Steps Screen ID 446

Done Start Inbox - Microsoft Outlook http://wenet/apps/ap... Local intranet 1:35 PM

\$25 Paid

Deficiency letter mailed - Kari Lynn - 8.20.03

Deed sent shows GENW - same as last notice.

Had till call up late. Kari Lynn - 9.5.03

Phoned Janet Bause. She asked that we return all paperwork. They will redo the request & resubmit.

Kari Lynn 10.22.03 - mailed as requested

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**AUG 18 2003****IDWR/North**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
96-2224					

RECEIVED**AUG 20 2003**

Department of Water Resources

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

HOBACE W. WENGER
PO BOX 96 HOOTENAI ID 83840

4. New Owner/Claimant(s)

DAN J. BOUSE 975 ELM PONDERAY ID.
 Name Connector (Check one): [] and, [] or, [] and/or 83852

New Mailing Address

31322 HWY 200 E

City, State and ZIP Code

PONDERAY ID. 83852

New Telephone Number

(208) 263-4660

5. Date you acquired the property

7-11-88

COPY

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

RECEIVED
AUG 18 2003
IDWR/North

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

RECEIVED

AUG 20 2003

Department of Water Resources

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Dan J. Bouse
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by db Date 8/18/03 Fee \$25.00
 Received by db Date 8/18/03 Receipt No. N015847
 Processed by _____ AJ Date _____ WR _____ Date _____

JAMES L. BOATWRIGHT
BONNER COUNTY ASSESSOR
127 S FIRST AVE
SANDPOINT ID 83864

RETURN SERVICE REQUESTED

CATEGORY DESCRIPTION

18 OTHER LAND

ASSESSMENT NOTICE

2000

Tax Code 21-00
LOTS/ACRES

40.000 AC

MARKET VALUE

105,000

Taxes are based on the valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

RECEIVED

AUG 20 2003

JUNE 26, 2000

TOTAL: 40,000
Department of Water Resources

105,000

PARCEL #
RP 57N01W064200 A

S-57N-1W *
SE NW *

PROPERTY ADDRESS

VALUE:

105,000

TAX:

963.66

See back for details.

PRIOR YEAR

CURRENT YEAR

105,000

ESTIMATED

963.66

DO NOT PAY ESTIMATE

Mail To:

BOUSE DANIEL J & JANET M

31322 HWY 200 E
SANDPOINT

ID 83864

23264+2276

|||||

Per Mrs. Gross @ Bonner County Assessors
Office on 8.20.03:
RP 57N01W064200 A = T57N, R1W, S6, NESE NW

Aerial View
Dan Bouse
Property

RECEIVED
AUG 18 2003
IDWR

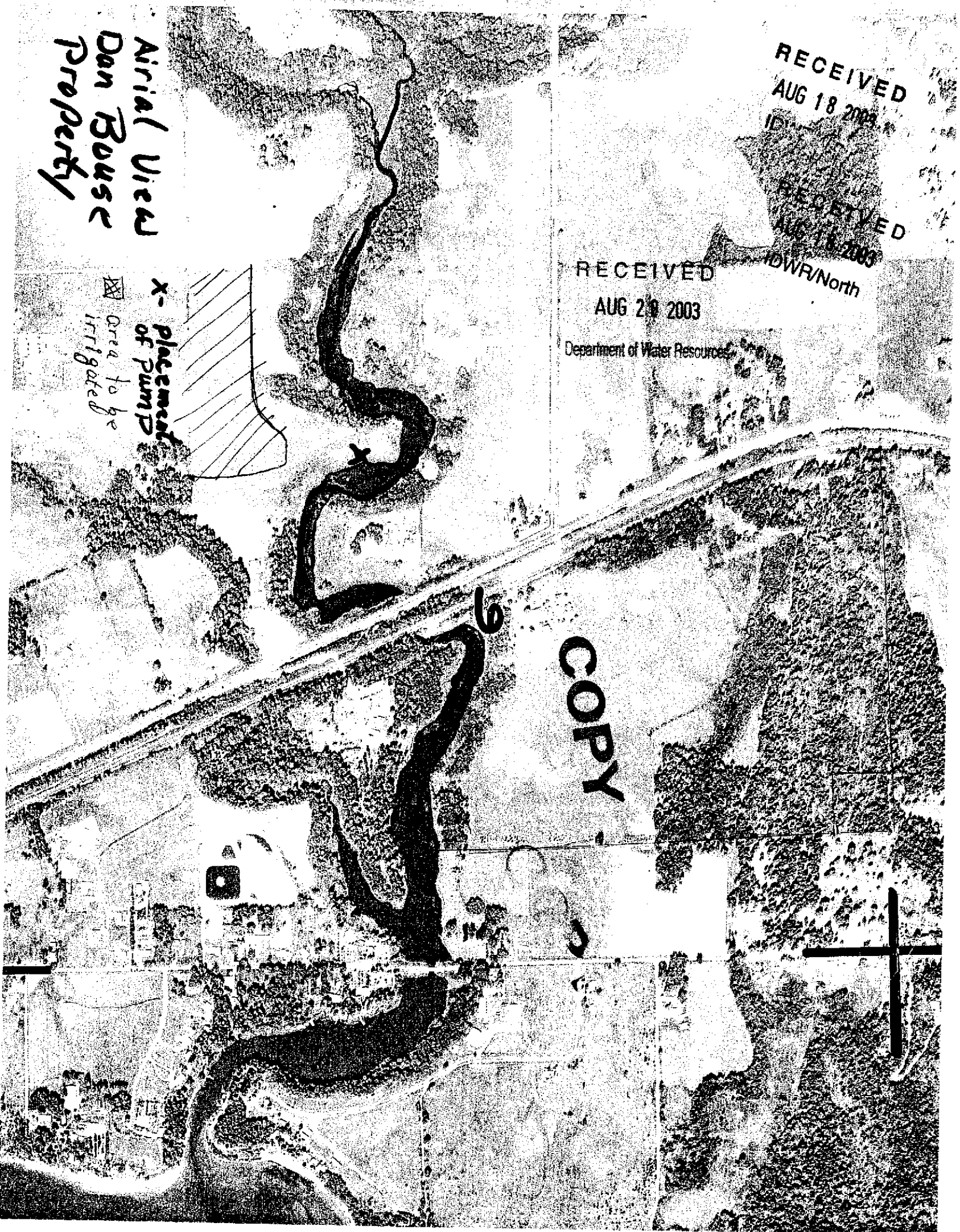
RECEIVED
AUG 18 2003
IDWR/North

RECEIVED
AUG 29 2003

Department of Water Resources

X - Placement
of pump
Area to be
irrigated

COPY



COPY

351094

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That Grantors, GEORGE C. BOYER and BONNIE M. BOYER, husband and wife, for value and consideration received, do hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantees, DANIEL J. BOUSE and JANET M. BOUSE, husband and wife, of 1200 Highway 200 East, Sandpoint, Idaho 83864, the following real property situate in the County of Bonner, State of Idaho, to-wit:

The Southeast Quarter of the Northwest Quarter of Section 6 of Township 57 North, Range 1 West, Boise Meridian, Bonner County, Idaho.

TOGETHER WITH a non-exclusive easement acquired from James A. and Betty J. Kubecka for ingress, egress and utilities in, to, upon, and over all that portion of a certain roadway lying within the South 20 feet of Government Lot 5 and the South 20 feet of the West 40 feet of Government Lot 6, Section 6, Township 57 North, Range 1 West, Boise Meridian, Bonner County, Idaho, and said easement further requires the Grantees, their heirs and assigns to at all times at the joint expense of the Grantees and said Kubeckas to jointly maintain and make necessary repairs should the roadway require the same for its proper upkeep maintenance.

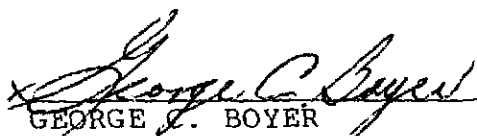
SUBJECT TO a perpetual right of way and easement granted to the United States of America, granting the right to overflow, flood and submerge a portion of said land with water of Lake Pend Oreille, the Pend Oreille River and their tributaries (Albeni flowage easement) by instrument recorded December 24, 1952, in Book 19 of Miscellaneous, Page 309, records of Bonner County, Idaho. (Tract HQ-1708 E)

SUBJECT TO an easement for a five (5) inch irrigation water pipeline with right and privilege to place and maintain a motor and pump on property for purpose of conveying waters from Boyer Slough to land of grantee, as granted by Jess Boling and Ruby Boling, husband and wife, to Blaine B. Marks his heirs and assigns; filed November 2, 1960, and recorded under Document No. 78059 in Book 27 of Miscellaneous, Page 574, records of Bonner County, Idaho.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

AND the above named Grantors hereby covenant that the above described premises are free from all encumbrances, and that they, and their heirs, executors, and assigns will warrant and defend the above premises against all lawful claims and demands whatsoever, EXCEPT easements and rights of way existing of record.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands on this 11 day of July, 1988.


GEORGE C. BOYER


BONNIE M. BOYER

WARRANTY DEED

License and Certificate of Water Right

State of Idaho

Water License No. 24021 Priority February 28, 1955 Amount 0.48 c.f.s.
(late proof)
THIS IS TO CERTIFY that BLAINE B. MARKS - Assignee - HORACE W. WENGER

of Kootenai, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated April 14, 1953; that Permit No. 24021 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 0.62 second feet, was issued thereunder on February 17, 1958, showing that said works were completed on the 10th day of February 17, 1958; and that on the 7th day of March, 1956, HORACE W. WENGER, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Boyer Slough, a tributary of Lake Pend Oreille, for the purpose of irrigation of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 14 of Licenses, at Page 8806, on the 1st day of February 28, 1955.

The right hereby confirmed dates from February 28, 1955. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.48 cubic feet per second. Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
57 N	1 W	6	NW 1/4 NW 1/4 SW 1/4 NW 1/4	40	40
Total number of acres to be irrigated:				40	10
					50

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 1st day of May, 1967.

State Reclamation Engineer.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

August 20, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DANIEL J BOUSE
JANET M BOUSE
31322 HWY 200 E
SANDPOINT ID 83864

RE: Change in Ownership of Water Right 96-2224

Dear Mr. & Mrs. Bouse:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

✓ **Legal Description of Property**

During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right(s) indicated in your notice. Your tax notice and map shows land in **T57N, R1W, S6, SENW** and the water right license covers lands in **T57N, R1W, S6, NWNW and SWNW**.

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information within 30 days we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please call me at **208-327-7941** if you have any questions regarding this matter.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 18, 2003

RECEIVED

AUG 20 2003

Department of Water Resources

DAN J BOUSE
31322 HWY 200 E
PONDERAY ID 83852

Re: Water Right 96-2224

Dear Mr. Bouse:

This acknowledges receipt of the Notice of Change in Water Right Ownership papers for the above referenced water right, changing the ownership to you. Enclosed is receipt No. N015847, for your records.

We are forwarding the paperwork to the State Office for processing.

If you have any questions, please contact KariLynn Townsend in our State Office, at 208-327-7941.

Sincerely,

Dianne Ball
Administrative Assistant

Enc.

db

cc: IDWR State Office

May 1, 1967

Re: Permit 24021

Horace W. Wenger
Box 96
Kootenai, Idaho 83840

Dear Mr. Wenger:

Enclosed is your License and Certificate of Water Right
on the above numbered permit.

Also enclosed is departmental receipt No. 33758 in the
amount of \$4.00 covering the fees.

Thank you.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Enclosures: License
Receipt

24021

C
O
P
Y

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

check
No 33758

Boise, Idaho, *April 28,* 19*67*

RECEIVED

FROM

Amos H. Winger of Pootersai, Ida. \$ 4⁰⁰
Four Dollars and no/100 DOLLARS

FOR

Carey Act Trust Fund - - -	\$	
Application for Permit No. - -	\$	
Proofs <i>exp. 10/14, 24021</i> - - -	\$	<i>4⁰⁰</i>
Certified Copy - - - - -	\$	
Recording Deed - - - - -	\$	
Certificate - - - - -	\$	
TOTAL - - - - -	\$	<i>4⁰⁰</i>

D. Keith Harrison
State Reclamation Engineer

By

Mary Leader

Kootenai Idaho
April 25, 1967

Department of Reclamation
107 State House
Boise, Idaho

RECEIVED
APR 28 1967

Department of Reclamation

Dear Sirs

I have inclosed a check for \$4.00
for the fees for permit No. 24021.

Yours truly

Horace Wenger

24021

April 13, 1967

Re: Permit No. 24021

Horace W. Wenger
Box 96
Kootenai, Idaho 83840

Dear Mr. Wenger:

Our field examiner's report on his inspection of water to beneficial use under the terms of Permit No. 24021 shows the pump and pipelines are capable of conveying 24 miner's inches, or 0.48 c.f.s. However, due to the limitations of your permit, we can only allow the amount of water used beneficially, or 1 (one) miner's inch per irrigated acre.

Upon receipt of the statutory fees, totaling \$4.00, we will issue the License and Certificate of Water Right for 0.48 c.f.s. confirming the right, with priority of April 28, 1955 (late proof) to the use of surface water from Boyer Slough with the point of diversion in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, T. 57 N, R. 1 W, B.M. for irrigation of 50 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 6, T. 57 N, R. 1 W, B.M.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:mw

24021

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 24021

This proof is for Beneficial Use In Water District No.

1. Name of applicant Horace W. Wenger

2. Source of water supply: Boyer Slough

3. Location of point of diversion: Is in the SE 1/4 NW 1/4 of Section 6

T. 57 N R. 1 W.B.M. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: 15 HP Wagner Motor # A7F94, Denning centrifugal pump # 195764 5" suction pipe reduced to 2 1/2" inlet, 2" outlet increased to 5" and 4" main line 33 1/4 x 3/4 and 3/4" nozzles.

5. Water is used for: 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):

W 1/2 NW 1/4 Sec. 6., Twp. 57 N., Rge. 1 W.B.M.

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

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

Remarks: Mr. Wenger along

Measured by taking pressure readings along lateral

This examination was made on the 16 day of August, 1966

(Signed) Lorne Johnson Examiner.

24021

plat

3/ Herace W. Wanger / *Excludes p.m.*
Box 96 / *35-1/2, 1/2, 1/2, 1/2*
Keetenai ~~Id~~ Idaho / *CO3-4510*
Permit No. 24021

Examination for Beneficial Use

County Bonner

Quantity: 1.6 cfs Sec. 6 T.57N R.1 WBM

Source: Beyer Slough (back water of
Albend Falls Dam)

P.D.: SE 1/4 NW 1/4 Sec. 6; T.57N; R.1 WBM

Use: Irrigation

Extension:

Protest:

Completion of Works: Made Feb. 10, 1958

Other Rights: None

Filed: April 14, 1953

Due: Ben. Use - April 23, 1964

Made: March 7, 1966

Priority: February 28, 1955

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.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 24021

REPORT ON PROOF OF Beneficial Use

Rey. 1 W. B.M.

Top 57N.

Section 194

48

48

10

58

16

To Sand point

$$10 - \frac{3}{4} = 6.06 \times 10 = 60.60$$

2/5

$$23 - \frac{1}{4} \times \frac{3}{4} = 6.66 \times 23 = 153.18$$

35

21378

480

38

45

14370

3575

36 average

Subdivisions

✓

AREA

50 acres

Q

48 cfs or 24' inches



559
ED B

1- 20.96

1- 20.96

1- 22.63

1- 26.12

100

12.13

1- 14.00

24.70



March 11, 1966

Re: Permit No. 24021

Horace W. Wenger
P. O. Box 96
Kootenai, Idaho

Dear Mr. Wenger:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the SANDPOINT NEWS-BULLETIN, all submitted in proof of ~~completion of work~~ and beneficial use on Permit No. 24021.

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 and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

24021

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 Proof Application of Water

to Beneficial Use

as it was published in the regular and entire issue
of the said paper for a period of four
consecutive weeks, commencing on the 3rd
day of February, 1966, and end-
ing on the 24th day of February,
1966, and that said notice was published in said
newspaper, and not in supplemental form.

L.E. Pietsch

Subscribed and sworn to before me this

7th day of March, 1966

Oliver Powell

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 11:00 A.M. on the 7th day of March, 1966, at FIA office, Federal Bldg., Sandpoint, County of Bonner, State of Idaho, before Dorothy Norlen, proof will be submitted of the application to beneficial use of 1.6 cubic feet per second of the waters of Bover Slough, tributary of Pend Oreille Lake in accordance with the terms and conditions of Permit No. 24021 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit: Mr. Horace Wenger, Box 96, Kootenai, Idaho 83840.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is .5 cfs.

The point of diversion of said water is SE 1/4 NW 1/4 Section 6, T. 57N., R. 1 W., B.M.

The place where said water is used (legal description): W 1/2 NW 1/4 of Section 6, T. 57N., R. 1 W., B.M.

The date of priority which said user is prepared to establish is February 18, 1955.

CARL E. TAPPAN,
State Reclamation Engineer.
13-10-17-24

24021

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 24021

RECEIVED
MAR 10 1966
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

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

Horace W. Wenger Box 96, Kootenai, Idaho 83840

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: _____

24021; April 23, 1953; April 14, 1953

Ques. 4. State source of water supply: Boyer Slough

Give location of point of diversion, showing subdivision, section, township and range
850 feet distant East from the NE corner of Lot 9, Sec. 6, T. 57N, R. 1W, B.M. in the
Boyer Slough - SE 1/4 of NW 1/4 Sec. 6, T. 57N., R. 1W. B.M.

Ques. 5. Describe your works of diversion: Electric pump and sprinkler irrigation

system; state amount of water they are capable of conveying from point of diversion to place of use: _____; Give name of canal or ditch or other works by which water is conducted to such place of use: _____

_____; 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: 33 nozzles 11/64 x 3/32 at 40 lbs. pressure

Ques. 6. State for what purpose water is used: irrigation

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

40 acres in Gov. Lot 5; North 10 acres of Gov. Lot 9 in Sec. 6, T. 57N. R. 1W.B.M.

24021

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

Irrigated pasture and hay

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:

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:

Purchased from Blaine B. Marks & Elsie O. Marks and assignment executed.

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: 1953 - .5 c.f.s. - Time used since first use:

Periodically the last 12 years.

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

(sign) Horace W. Kenger

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

Federal Bldg., Sandpoint, County of Bonner

State of Idaho, on this 7th day of March, A. D. 1966.

Dorothy M. Hardin

My commission expires: _____

Notary Public in & for State of Idaho
Residing at Sandpoint, Idaho
My Commission Expires July 6, 1966

24021

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 10 1966
Department of Reclamation

PERMIT NO. 24021

Proof of Application of Water to Beneficial Use
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.

Ans. Blaine B. Marks; 52; Kootenai; millworker & private business; Rt. 1, Sandpoint

Ques. 2. Are you acquainted with Horace W. Wenger, the holder of Permit No. 24021? How long have you known him and where does he reside?

Ans. 15 years; Kootenai

Ques. 3. Have you read or heard read said Permit No. 24021, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Boyer Slough; 850 feet distant East from the NE corner of Lot 9, Sec. 6, T57N,
RLW. B.M. in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 6, T.57N, RLW.B.M.
Sprinkler irrigation system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. .5 c.f.s.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation; 40 acres in Gov. Lot 5; 10 acres North 330' of Gov. Lot 9 in
Sec. 6, T57N, RLW.B.M. - Irrigated pasture and hay - Cultivated

24021

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

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.

Ans. Dry land now under irrigation - .5 c.f.s

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. We used this system for the last 12 years until sold to Mr. Wenger.

Blaine B Marks

(Signed)

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 Sandpoint, County of Bonner, State of Idaho, on this 7th day of March, A. D. 1966.

Donnelly M. Norden
Notary Public.

My commission expires

Notary Public in & for State of Idaho
Residing at Sandpoint, Idaho
My Commission Expires July 6, 1966

24021

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED

MAR 10 1966

Department of Reclamation

PERMIT NO. 24021**Proof of Application of Water to Beneficial Use**
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.

Ans. Elsie O. Marks; 45; Kootenai; housewife; Rt. 1, SandpointQues. 2. Are you acquainted with Horace W. Wenger, the holder of Permit No. 24021? How long have you known him and where does he reside?Ans. 15 years; KootenaiQues. 3. Have you read or heard read said Permit No. 24021, and are you familiar with its provisions and conditions?Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Boyer Slough; 850 feet distant East from the NE corner of Lot 9, Sec. 6, T57N, R1W, B.M. in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 6, T.57N, R1W.B.M.
Sprinkler irrigation system

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. .5 c.f.s.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation; 40 acres in Gov. Lot 5; 10 acres North 330' of Gov. Lot 9 in
Sec. 6, T57N, R1W.B.M. - irrigated pasture and hay - cultivated

24021

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

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.

Ans. Dry land now under irrigation - .5 c.f.s.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. We used this sytem for the last 12 years until sold to Mr. Wenger.

(Signed) *Elric O Marks*

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 Sand point, County of Bonner, State of Idaho, on this 7th day of March, A. D. 1966.

Donnelly M. Holden

Notary Public.
Notary Public is & for State of Idaho
Residing at Sandpoint, Idaho
My Commission Expires July 6, 1966

My commission expires _____

24021

February 10, 1966

Re: Permit No. 24021
Horace Wenger

Sandpoint News Bulletin
Sandpoint, Idaho

Gentlemen:

On January 24th we mailed you a Notice of Publication on the above numbered permit requesting a copy or tear sheet for checking purposes of the first publication.

To date we have not received such copy and ask that one be mailed to this office as soon as possible for checking.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:ew

24021

C
O
P
Y

Re: Permit No. 24021
Horace Wenger

January 24, 1966

Sandpoint News Bulletin,
Sandpoint, Idaho.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to March 7, 1966. The expense of the publication is to be paid by Horace Wenger of Box 96, Kootenai, Idaho 83840 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,

CARL E. TAPPAN
State Reclamation Engineer

24021

RECEIVED
JAN 24 1966

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 21, 1966

(P. O.) Box 96, Kootenai, Idaho 83840

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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.

Horace W. Wenger

(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

24021

RECEIVED

JAN 24 1966

NOTICE FOR PUBLICATION
 NOTICE OF PROOF APPLICATION OF WATER
 TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that at 11:00 A.M. on the 7th day of March, 1966,
 at FHA office, Federal Bldg. ^{Sandpoint}, County of Bonner, State of Idaho, before
Dorothy Morlen, proof will be submitted of the
 application to beneficial use of 1.6 cubic feet per second of the waters of _____
Boyer Slough, tributary of Pond Oreille lake in accordance with the terms and conditions of
 Permit No. 24021 heretofore issued by the Department of Reclamation of the State of
 Idaho.

The name and post office address of the person or corporation holding said permit _____

Mr. Horace Wenger, Box 96, Keetonai, Idaho 83840

The use to which said water has been applied is irrigation

The amount applied to beneficial use is .5 cfs

The point of diversion of said water is SE1/4 Section 6, T 57 N, R 1 W, B.M.

The place where said water is used (LEGAL DESCRIPTION) Government Lot 5, except the
south 20 feet thereof, and the north 230 feet of Government Lot 5, in the NW1/4
of Section 6, T 57 N, R 1 W, B.M.

The date of priority which said user is prepared to establish is original date
of April 23, 1964 delayed by late filing February 18, 1965

CARL E. TAPPAN
 State Reclamation Engineer

24021

D

January 6, 1966

RE: Permit No. 24021
Elaine B. Marks

Randall Johnson
County Supervisor
Farmers Home Administration
Sandpoint, Idaho

Dear Mr. Johnson:

Enclosed is the assignment of the above numbered permit to Horace W. Wenger, and departmental receipt No. 33064 in the amount of \$0.50 covering the recording fee.

Also enclosed are Forms 10 and 11, Notice for Publication Proof of Application of Water to Beneficial Use, and Authority to Publish. Proof of Beneficial Use on this Permit was due April 23, 1964, and the longer the proofs are delayed the later the priority of the license will be.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. assignment, receipt, forms 10, 11

24021

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

Sandpoint, Idaho
January 4, 1966

RECEIVED
JAN 5 1966
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

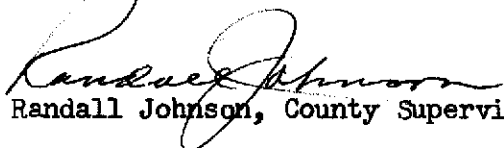
Re: Permit No. 24021
Blaine B. Marks

Gentlemen:

Enclosed is an assignment of the subject water permit from Blaine B. Marks and Elsie O. Marks to Horace W. Wenger. Also enclosed is the 50¢ transfer fee.

We recently closed a real estate loan for Mr. Wenger. The mortgage includes the subject water rights.

Sincerely yours,


Randall Johnson, County Supervisor

Encl.

24021

RECEIVED
JAN 5 1966

Department of Reclamation

ASSIGNMENT

For value received, I hereby assign all of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 24021 to Horace W. Wenger of Box #6 Kootenai, Idaho 83840

*

Blaine B. Marks
Permit Holder Blaine B. Marks

Elsie O. Marks
Wife of Permit Holder Elsie O. Marks

STATE OF IDAHO
County of Blaine

On this 19 day of October, 1965, before me, a Notary Public for the State of Idaho, residing at Sandpoint, Idaho, personally appeared Blaine B. Marks and Elsie O. Marks known to me to be the persons whose name is subscribed to the within instrument and all of whom acknowledged to me that they executed the same.

I, WITNESS HEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certificate first above written.

Notary Public
Residing at Notary Public in & for State of Idaho
Residing at Sandpoint, Idaho
My Commission Expires July 6, 1966

My Commission Expires: _____

* If the fractional part of permit is to be assigned, the fractional part of the land to which the assigned fraction is appurtenant should be described by legal subdivisions

24021

January 4, 1966

Re: Permit No. 24021

Mr. Horace Wenger,
Box 96,
Kootenai, Idaho.

Dear Mr. Wenger:

This acknowledges the Notice of Proof of ~~completion of work~~ Application of water to Beneficial Use under Permit No. 24021. The proofs are to be made at 11:00 o'clock A.M. on the 7th day of March, 1966, before Dorothy Norien, FHA OFFICE, Federal Bldg., Sandpoint, Idaho Notary Public.

As of this date, we have mailed the Notice to the Sandpoint News Bulletin Sandpoint, Idaho, 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,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

24021

December 6, 1965

RE: Permit No. 24021

Blaine B. Marks
Rt 1
Sandpoint, Idaho

Dear Mr. Marks:

Enclosed is departmental receipt No. 33021 in the amount of \$1.50 covering the fee for the copy of the above numbered permit which was mailed to you previously.
Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. receipt

24021

November 26, 1965

RE: Permit No. 24021

Blaine B. Marks
Rt 1
Sandpoint, Idaho

Dear Mr. Marks:

Enclosed is the copy of your permit you requested by letter dated November 22, 1965. Also enclosed is a form to assign a permit, in case you wish the new owner to make proof of beneficial use of the water and obtain the water license.

There is a fee of \$0.50 for recording an assignment.

There is a fee of \$1.75 for this copy of the permit which you may remit to this department.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. copy of permit
assignment form

24021

RECEIVED

NOV 24 1965

Nov 22, 1965

Dear Sir,

I recently sold a piece of land, & have lost the water permit under which I was irrigating it. I would like to get a duplicate if possible. The no. was 24021. I draw the water from Boyer Slough in Bonner County. North east of Sandpoint.

Yours truly
Blair B Marks
Sandpoint, Id
Rt. 1

24021

October 5, 1965

RE: Permit No. 24021
Blaine B. Marks

Randall Johnson, Supervisor
Farmers Home Administration
Sandpoint, Idaho

Dear Mr. Johnson:

Enclosed is a form to assign a permit, also Forms 10 and 11.
There is a \$0.50 fee for recording an assignment.

The proof of beneficial use of the water was due April 23, 1964,
and the longer the proof is delayed, the later the priority of
water right.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. amendment form
Forms 10, 11

24021

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Sandpoint, Idaho
October 4, 1965

RECEIVED
OCT 5 1965

Department of Reclamation
State House
Boise, Idaho

Department of Reclamation

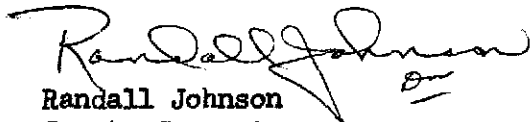
Dear Sir:

We are planning to close a loan involving the transfer of water rights.

The water right involved is Permit No. 24021 issued to Blaine B. Marks/and
will be transferred to Horace W. Wenger, Box 96, Kootenai, Idaho. R#1 Sandpoint, Idaho

Would you please forward the necessary transfer forms and instructions to complete this transfer.

Sincerely yours,


Randall Johnson
County Supervisor

Boise Apr. 23, 1964

24021

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 24021

Date:

Jan. 31, 1964

Blaine B. Marks
Route #1
Sandpoint, Idaho

Dear Mr. Marks:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 24021 is due not later than April 23, 1964. 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.

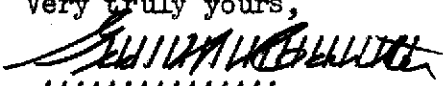
We enclose Form 10, in duplicate, which is to be filled in and returned to this department at least forty (40) days before the above mentioned date and/or before the time you intend to make proof. This form, in duplicate, is to include the time of day, the date, the name of the town, the address of the 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 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 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.

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 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,


CARL E. TAPPAN
State Reclamation Engineer

Enc. Form 10 and 11

24021

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Sandpoint, Idaho
February 6, 1963

RECEIVED
FEB 8 1963

Department of Reclamation

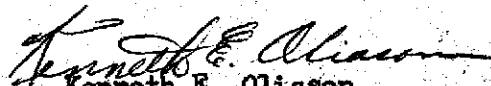
State Reclamation Engineer
State House
Boise, Idaho

Dear Sir:

Mr. Blaire B. Marks of R#1, Sandpoint, Idaho has paid in full his soil and water loan with this agency.

We no longer have an interest in Permit Number 24021 issued to Mr. Marks.

Sincerely yours,


Kenneth E. Oliason
County Supervisor

24021

February 18, 1958

RE: Permit No. 24021

Mr. Blaine B. Marks
Route #1
Sandpoint, Idaho

Dear Mr. Marks:

We have your letter of February 11th, stating that you are prepared to make proof of application of water to beneficial use on Permit No. 24021.

Herewith enclosed, form 10 & 11, and instructions as to completing them.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

R:vm
Encl. 3

24021

February 17, 1958

Re: Permit No. 24021

Mr. Blaine B. Marks
Route #1
Sandpoint, Idaho

Dear Mr. Marks:

Enclosed is the Certificate of Completion of Works issued under Permit No. 24021 for the diversion of 0.62 second foot of water from Boyer Slough, with the point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, for irrigation of 80 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 6, Township 57 North, Range 1 West, B.M.

Enclosed also is departmental receipt #28980 for \$5.00, issued as receipt of the fee for the Certificate of Completion of Works.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc.

24021

2-11-1958

Dept of Reclamation,

Dear Sir,

I would like to have the information in regards to the last proof, on a perpetual water right, for my place

Yours truly

Blaine B Marks

Rt #1 -

Sandpoint, Ida

Form 10 x 11

Permit No. 24021

RECEIVED
FEB 14 1958

Department of Reclamation

24021

Permit No. 24021STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
FEB 14 1958
Department of Reclamation

STATE OF IDAHO

County of Bonner

ss.

Blaine B. Marks

, 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. 24021, and that his postoffice address is _____
State of _____

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

✓ BOYER SLOUGHThird: That the point of diversion of said water is NORTH LINE✓ SEC. 6 - T5N-57 R1E-1W NW 1/4 (SE. NW. 1/4)Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 23, +, 1958Fifth: That the use for which said water is intended is IrrigationSixth: 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: Pumps + Pipe line

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: 8" pipe

(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 _____ feet, width at water line _____

(State whether ditch, flume or pipe)

feet, depth of water _____ feet; diameter of pipe 8" inches, average grade per mile is _____ feet. Length of conduit is 1 1/4 miles.

0.62 c.f.s.

Seventh: That said works are capable of conducting to the place of intended use 2.85 g.p.s.
per min. second feet of water.Eighth: That water appropriated under said permit is available for 80 acres
acres of land described as follows: Sec. 6 T5N-57 R1E-1W
in NW 1/4

Ninth: Remarks: That _____

Blaine B. Marks
(Sign Here)Subscribed and sworn to before me this 10 day of Feb., 1958My commission expires July 15, 1958Ida C. Lusk

Notary Public.

24021

AMT

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

RE: Permit No. 24021

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Blaine B. Marks
Route #1
Sandpoint, Idaho
Dear Sir:-

Boise, Idaho **February 3, 1958**

Under the terms of your permit No. 24021 you are required to complete your diversion works on or before April 23, 1958 I enclose herewith 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.

Yours truly,

MARK R. KULP
State Reclamation Engineer

24021

✓
December 7, 1953

RE: Permit No. 24021

Mr. Dale R. Sanner, County Supervisor
Farmers Home Administration
Sandpoint, Idaho

Dear Mr. Sanner:

We acknowledge receipt of your letter of December 3, 1953, by Mr. Walter Klundt, Assistant County Supervisor, in connection with a tentative assignment of Permit No. 24021 from Blaine B. and Elsie O. Marks, to the Farmers Home Administration.

We have made the necessary notation on our permit record so that you will be notified in the event of other attempted assignments.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

24021

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

December 3, 1953

RECEIVED
DEC 7 1953
Department of Reclamation

Mr. Mark Kulp, Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Mr. Kulp:

Subject: Blaine B. & Elsie O. Marks
Permit No. 24021

This is to advise that under date of August 6, 1953, Mr. and Mrs. Blaine B. Marks assigned Water Permit No. 24021 to the United States, acting through the Farmers Home Administration, as collateral security for a loan.

We understand that you will make a notation on your records of this assignment so that the Farmers Home Administration will be notified in the event of any other assignment.

Sincerely yours,
DALE R. SANNER

Walter A. Klundt
by Walter Klundt,
Asst. County Supervisor

cc: Saum

24021

December 3, 1953

Mr. Mark Kulp, Reclamation Engineer
Department of Reclamation
State House
Boise, Idaho

Dear Mr. Kulp:

Subject: Blaine B. & Elsie O. Marks
Permit No. 24021

This is to advise that under date of August 6, 1953, Mr. and Mrs. Blaine B. Marks assigned Water Permit No. 24021 to the United States, acting through the Farmers Home Administration, as collateral security for a loan.

We understand that you will make a notation on your records of this assignment so that the Farmers Home Administration will be notified in the event of any other assignment.

Sincerely yours,
DALE R. SANNER

by Walter Klundt,
Asst. County Supervisor

cc: Saum

✓
August 10, 1953

RE: Permit No. 24021

Mr. Dale R. Sanner
Farmers Home Administration
P.O. Box 228
Sandpoint, Idaho

Dear Mr. Sanner:

We have your letter of August 6, 1953, enclosing duplicate copies of an assignment of Permit No. 24021 from Blain S. Marks and wife to the Farmers Home Administration.

It is not the custom of this Department to record conditional assignments, but only when an actual transfer of interest has been made. We therefore, return these instruments with the suggestion that you keep them in your own files.

If in the future, assignment is completed, it can be recorded in this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.

24021

UNITED STATES DEPARTMENT OF AGRICULTURE

FARMERS HOME ADMINISTRATION

August 6, 1953

RECEIVED
AUG 10 1953
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State of Idaho
Boise, Idaho

Dear Mr. Kulp:

The Farmers Home Administration recently made
Mr. Blaine B. Marks of Route #1, Sandpoint, Idaho
a loan to install a sprinkler irrigation system.

Among the security requirements is an assignment of
Permit No. 24021 which was issued to Mr. Marks through
you office.

Please execute the attached assignment and return the
two copies to our office, Box 228, Sandpoint, Idaho.

Sincerely yours,



Dale R. Sanner
County Supervisor

24021

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

Permit No. 24021

Date May 8, 1953

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. Blaine B. Marks
Route 1
Sandpoint, Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 25806 for \$5.25 filing fee.

24021

