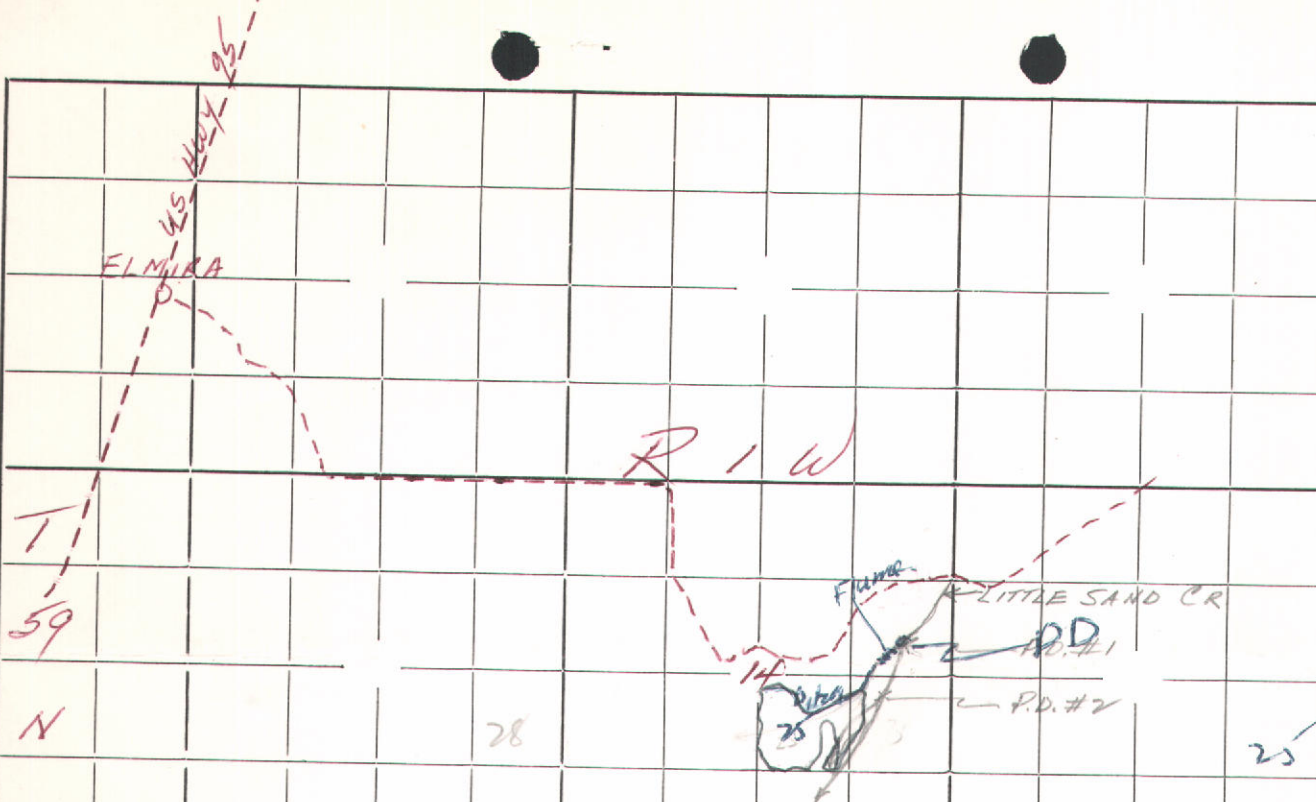




Subdivisions 1

Area 25

Allow 9 50 cfs or 25 inches



State of Idaho
License and Certificate of Water Right

Water License No. 23988

Amount 0.50 c.f.s.

Water District No.

Priority April 6, 1953

THIS IS TO CERTIFY that LYTTAL E. BRISTOW
of Elmira, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 6, 1953; that Permit No. 23988
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.60 second feet, was issued thereunder on April 15, 1958, showing that said works
were completed on the 5th day of April, 1958; and that on the 17th
day of April, 1964,

LYTTAL E. BRISTOW

of Samuels, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Little Sand
Creek, a tributary of Pack River & Pond, Oreille Lake, for the purpose of irrigation
, under Use Permit No. 23988 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
13 of Licenses at page 7986, on the 11 day of September, 1964;
The right hereby confirmed dates from April 6, 1953;

The Point of Diversion is located

in the SE 1/4 NE 1/4, Sec. 14, Tp. 59 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 0.50 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
59 N.	1 W.	14	NW 1/4 SE 1/4	28	25

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
11th day of September, 1964.

/s/ CARL E. TAPPAN

State Reclamation Engineer.

(SEAL)

96-2223 23988

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 31768
PERMIT No. 23988
DISTRICT No.

1. Name of Applicant: Lyttal E. Bristow

Postoffice address: Elmira *Samuels*

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:

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

2. Quantity of water claimed: 0.60 cubic feet per second.

3. Source of water supply: Little Sand Creek which is a tributary of
Pack River & Pend Oreille Lake

4. Location of point of diversion: #1 - 2325 feet distant from the #1 - NE
#2 - 2450 #2 - SE
corner of Section 14, T. 59N, R. 1W, B.M., and is in the #1 - SE $\frac{1}{4}$ of NE $\frac{1}{4}$
#2 - NE $\frac{1}{4}$ of SE $\frac{1}{4}$
of Section 14, T. 59N, R. 1W, 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: \$ 100.00

8. Kind of works: Irrigation ditch

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 2 feet; width at water line $2\frac{1}{2}$ feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile 11 feet.

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

13. The time required for the complete application of the water to the proposed use is six 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 known

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

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

Lyttal E. Bristow Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M., April 6, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 23988
Recorded in Book 85 Page 23988 Approved Apr. 17, 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 he 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 17, 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 17, 1955
The whole of said work to be completed on or before April 17, 1958
Beneficial use of water appropriated in accordance herewith, to be made on or before April 17, 1964

WITNESS My hand this 17th 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 17th day of April, 1953.
STATE OF IDAHO
Countersigned: By LEN JORDAN Governor.
(SEAL) By IRA H. MASTERS Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
59 N	1 W	14													2	28			30
Permit No. 23988 Certificate of Completion of Works																			
TO ALL WHOM IT MAY CONCERN: This is to certify that LYTTAL E. BRISTOW of Elmira (Samuels), County of Bonner, and State of Idaho, the holder of Permit No. 23988, issued upon Application No. 31768 bearing date of priority of April 6, 1953, authorizing the diversion of .60 second feet of the waters of Little Sand Creek, tributary to Pack River & Pend Oreille Lake 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 .60 second feet of the waters of Little Sand Creek that the points of diversion of said waters are in the SE1/4NE1/4 & NE1/4SE1/4 of Section 14, Township 59 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: 2 acres in the NE1/4SE1/4 and 28 acres in the NW1/4SE1/4 of Section 14, Township 59 North, Range 1 West, B.M. Proof of Completion of Works made: April 5, 1958 Witness my hand this 15th day of April, A.D. 1958 /s/ Mark R. Kulp State Reclamation Engineer Proof of Completion of Works made: April 5, 1958 Certificate of Completion of Works issued: April 15, 1958.																			
																LICENSE ISSUED FOR 0.50 SEC. FT. LICENSE PAGE NO. 7986			

September 11, 1964

RE: Permit No. 23988

Lyttal E. Bristow
Samuels, Idaho

Dear Mr. Bristow:

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

Also enclosed is departmental receipt No. 32426 in the
amount of \$2.00 covering the fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. license
receipt

23988

SEP 8 1964

Department of Reclamation

L. E. Bristow
Samuels Idaho
Permit No. 23788

Carl E. Kappan
State Reclamation Eng-
Baise, Idaho

Dear Sir:

\$2.00 is enclosed for Water
Right. on permit No 23988.

Thank you for everything

L. E. Bristow
Samuels, Idaho

23988

August 26, 1964

Re: Permit No. 23988

Lyttal E. Bristow
Sawdels, Idaho

Dear Mr. Bristow:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. shows the dam, flume & pipe ~~are~~ capable of conveying 25 miner's inches, or 0.50 c.f.s. of water for the irrigation of 25 acres.

Upon receipt of the statutory fee of \$ 2.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of April 6, 1953 to the use of 0.50 second feet of surface water with the point of diversion in the SE¹/₄NE¹/₄, Sec. 14, from Little Sand Creek for irrigation of 25 acres in the NW¹/₄SE¹/₄, Sec. 14, T. 59 N., R. 1 W., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

23988

R1

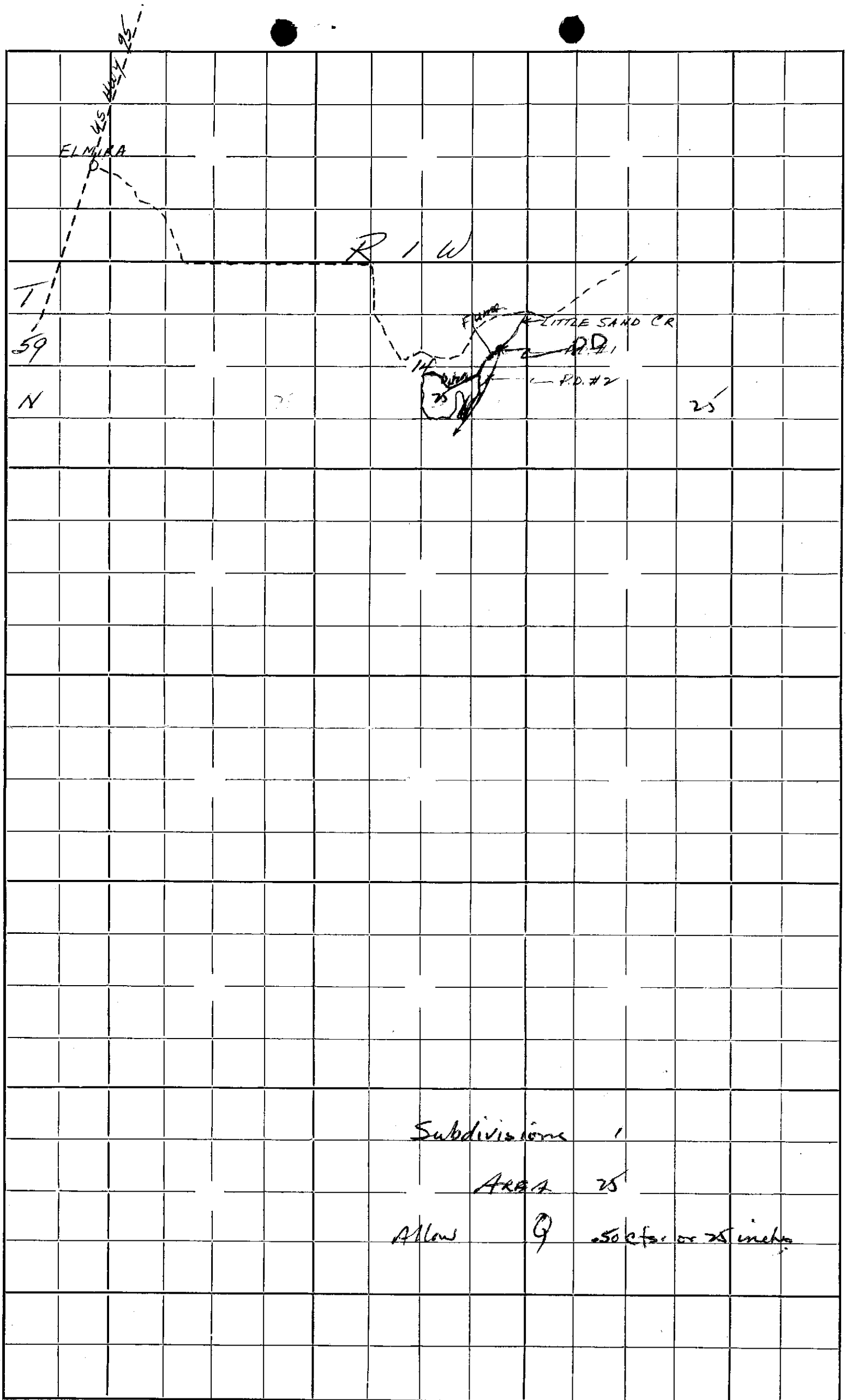
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

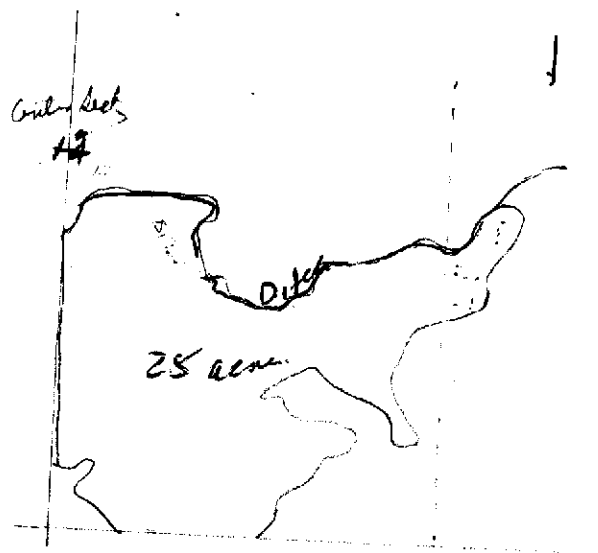
PERMIT NO. 23988

REPORT ON PROOF OF Beneficial Use

Lyttal E. Bristow, Samuels, Idaho



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.



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

Permit No. 23988

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Lyttal E. Bristow2. Source of water supply: Little Sand Creek3. Location of point of diversion: Is in the #1-SE $\frac{1}{4}$ NE $\frac{1}{4}$ & #2-NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14T. 59 N R. 1 W.B.M. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: Back dam diverting
into a wood flume 12" x 8' deep x 64' to a 8" x 500' steel pipe flume to
a open ditch 1' x 3' x 2 1/2' deep.

5. Water is used for: irrigation6. 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):

30 acres in N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 14., Twp. 59 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: Rodney Bristow, son, contacted, Father works
nights and was asleep.

Only one P.D. used.

No water being used at time of examination.

This examination was made on the 18th day of August, 1964

(Signed)

Loyd Johnson

Examiner.

INSTRUCTIONS TO EXAMINERS

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

RECEIVED

AUG 25 1964

Department of Reclamation

Lyttal E. Bristow
Samuels, Idaho

Permit No. 23988

Examination for Beneficial Use

County Bonner

Sec. 14 T59N R. 1 WEM

Quantity: .6 cfs

Source: Little Sand Cr.

P. D. #1 - SENE } 14-59N-14W
#2 - NESE }

Use: Irrigation

Filed: 4-6-53

Due: 4-17-64

Extension:

Protest:

Completion of Works: 4-15-58

Other Rights: None

500' X 8" steel pipe flume
64' X 12" 8" wood flume and
2 1/2' dia 2' X 10'

1M April 1962

April 22, 1964

Re: Permit ~~23988~~

Lyttal E. Bristow
Samuels, Idaho

Dear Mr. Bristow:

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 ~~WORKS~~ ~~and beneficial use on Permit NO. 23988.~~

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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
We are enclosing your statement as it is not needed in our file
Chief Clerk

cc: EPP
Raymond T. Greens, Jr.
Attorney at Law
323 North Second Avenue
Sandpoint, Idaho

23988

RAYMOND T. GREENE, JR.

JAMES E. HUNT

GREENE & HUNT

ATTORNEYS AT LAW

323 NORTH SECOND AVENUE

SANDPOINT, IDAHO

TELEPHONE CONGRESS 3-2109

RECEIVED
APR 20 1964
DEPARTMENT OF RECLAMATION

April 17, 1964

Department of Reclamation
107 State House
Boise, Idaho

Attention: Carl E. Tappan
State Reclamation Engineer

Re: Mr. Lyttal E. Bristow
Permit No. 23988

Dear Mr. Tappan:

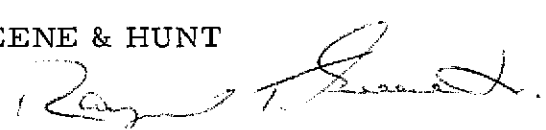
Pursuant to yours of March 2, 1964, enclosed
please find completed Deposition of Holder, Deposition of
Witness Claude Hoekema, Deposition of Witness Bonita
A. Cullison, and Affidavit of Publication.

We trust all is in order to complete this matter.

Very truly yours,

GREENE & HUNT

By:


Raymond T. Greene, Jr.

23988

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 20 1964
Department of Reclamation

Permit No. 23988

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

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

Lyttal E. Bristow, Samuels, Idaho Farmer Samuels, Idaho

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a 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 you propose to establish under the permit; #23988 - 17 April 1953 - 6 April 1958

Ques. 4. State source of water supply: Little Sand Creek

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

No. 1 SE $\frac{1}{4}$ NE $\frac{1}{4}$; No. 2 NE $\frac{1}{4}$ SE $\frac{1}{4}$, both in Section 14, Township 59 North, Range 1, West B.M.

Ques. 5. Describe your works of diversion: No. 1 - pipe and ditch; No. 2 - ditch

_____ ; state amount of water they are capable of conveying from point of diversion to place of use .60 second ft. Give name of canal or ditch or other works by which water is conducted to such place of use: no name given

_____ ; 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: _____

Ques. 6. State for what purpose water is used: stock and 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 : Re irrigation -

2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 28 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14,

Township 59 North, Range 1, West B.M.

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

Better ability places to water stock. Much better production of crops, i.e.,

2 cuttings on hay crop rather than 1 cutting.

23988

RG

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, state purpose and how used:
stock

Ques. 8. What is the minimum amount of water required for the purpose specified above:
.60 second feet

Ques. 9. 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:
--

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: 5 April 1958, full ditch .60 s.ft. Time used since first use:

All during growing seasons each year since and lesser amounts for stock during winter and other periods.

Ques. 11. Describe all other water rights appurtenant to same place of use:
None

(sign) Lyttel E. Bristow

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

Sandpoint, County of Bonner

State of Idaho, on this 17th day of April, A.D. 19 64.

Raymond T. Bland

My Commission expires: 1/20/68

23988

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUN 27 1938
Department of Reclamation

PERMIT NO. _____

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. Claude Hoekema 67 Samuels, Idaho Farmer

Samuels, Idaho

Ques. 2. Are you acquainted with Lyttal E. Bristow, the holder of Permit No. 23988? How long have you known him and where does he reside?

Ans. I have known him 14 years, and he resides on a neighboring farm at

Samuels, Idaho

Ques. 3. Have you read or heard read said Permit No. 23988, 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. Little Sand Creek ; No. 1 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, No. 2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, both in Section
14, Township 59 North, Range 1, West B.M. No. 1 - pipe and ditch and
No. 2 - ditch.

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. At least .60 second feet and I have often seen water so conveyed through
the ditches and pipe.

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. For stock and irrigation purposes. 2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 28 acres in
NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 59 North, Range 1, West B.M.

Cultivated land. Mr. Bristow has been able to raise 2 crops of hay
and was able to raise only 1 crop before using irrigation. Also, he
has much better production on other crops which he wished to raise.

23988

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

Ans. Used for stock purposes, and so used throughout the year.

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. Not new land but the use is for increasing production of crops raised,
which it has. The amount presently used has doubled production.

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. From 1958 on each year I have been over his farm lands and have observed
the irrigation of said lands through the ditches and pipe and also the watering
of his stock, at full capacity.

(Signed) Claude Hoekema

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 17th day of April,
A. D. 19 64.

Raymond T. [Signature]

Notary Public.

My commission expires 1/20/68

23788

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
APR 20 1964
Department of Reclamation

PERMIT NO. _____

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. Bonita A. Cullison, 43 yrs. Samuels, Idaho Housewife
Samuels, Idaho

Ques. 2. Are you acquainted with Lyttal E. Bristow, the holder of Permit No. 23988? How long have you known him and where does he reside?

Ans. I have known Mr. Bristow for 25 years and he is a neighbor at Samuels.

Ques. 3. Have you read or heard read said Permit No. 23988, 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. Little Sand Creek. No. 1 - SE $\frac{1}{4}$ NE $\frac{1}{4}$, No. 2 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, both in Section 14, Township 59 North, Range 1, West B.M. Works for conveying water are for No. 1, pipe and ditch, and for No. 2, a ditch.

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. At least .60 second feet, and I have seen that much water being conveyed.

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. Water is used for stock and irrigation. Used for irrigating 2 acres in the Northeast Quarter of Southeast Quarter and for irrigating 28 acres in the Northwest Quarter of Southeast Quarter of said Section 14. This is cultivated land, and owner has been able to raise 2 crops of hay instead of 1 crop which he raised before using the irrigation, and also has increased production on other crops which he wished to raise.

23988

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

Ans. Used for watering stock throughout the year.

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. This is not new land and the use is to increase production of crops.

The amount required is .60 second feet, which is being used and has doubled crops raised.

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. Have visited the farm over the years since 1958 and have seen the irrigation of the lands through the pipe and ditches, at full capacity, and the watering of his stock.

(Signed) Mrs. Bonita A. Cullison

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 17th day of April, A. D. 1964.

Raymond H. [Signature]

Notary Public.

My commission expires 1/20/68.

23988

Affidavit of Publication

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

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 Publication notice of Proof
Application of Water to Beneficial Use
Permit No. 23988; Lyttal E. Bristow

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 12th
day of March, 1964, and end-
ing on the 2nd day of April,
1964, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

15th day of April, 1964.

Chylin Peratt

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

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

Notice is hereby given that at 10:00 A.M. on the 17th day of April, 1964, at Sandpoint, County of Bonner, State of Idaho, before Raymond T. Greene, Jr., proof will be submitted of the application to be beneficial use of 0.60 cubic feet per second of the waters of Little Sand Creek in accordance with the terms and conditions of Permit No. 23988 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 No. 23988 is Lyttal E. Bristow, Samuels, Idaho.

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

The amount applied to beneficial use is 0.60 cu. ft. per second.

The points of diversion of said water are in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 59 North, Range 1, West B.M.

The place where said water is used (legal description): 2 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 28 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 59 North, Range 1, West B.M.

The date of priority which said user is prepared to establish is April 6, 1953.

CARL E. TAPPAN,
State Reclamation Engineer
m12-19-26-a2

APR 20 1964

Department of Reclamation

23988

Re: Permit No. 23988
Iyttal E. Bristow

March 2, 1964

Mr. Raymond T. Greene, Jr.,
Attorney at Law,
323 North Second Ave.,
Sandpoint, Idaho.

Dear Mr. Greene:

This acknowledges the Notice of Proof of ~~Application~~ Application
of Water to Beneficial Use under Permit No. 23988, in the name of
Iyttal E. Bristow. Final Proof is to be made before you,
as Notary on the 17th day of April, 19 64, at 10:00 o'clock A.M.,
at Sandpoint, Idaho.

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 five consecutive
weeks prior to the date set for final proof and then mail the Affidavit of Publica-
tion and statement of costs to you.

It is important that the enclosed depositions be executed by the permit holder
and two disinterested witnesses who are familiar with the terms of the permit and
the work done thereunder, at the time, on the date and before you, as Notary, as
stated in the publication notice. 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, that your Notary's seal has been placed on each and that all deposi-
tions, (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: Applicant

23988

Re: Permit No. 23988
Lyttal E. Bristow

Date ~~Mar.~~ 2, 1964

Sandpoint News Bulletin,
Sandpoint, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to April 17, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant 's attorney, Raymond T. Greene, Jr.
of 323 North Second Ave., Sandpoint, Idaho, to whom you should
furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this
office with a copy or tear sheet of the first publication. **

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

** If the first copy is not received in this office for checking
purposes and errors appear in subsequent issues, it is possible
that re-publication of corrected copy will be at your own expense

23988

RAYMOND T. GREENE, JR.

JAMES E. HUNT

GREENE & HUNT

ATTORNEYS AT LAW

323 NORTH SECOND AVENUE

SANDPOINT, IDAHO

TELEPHONE CONGRESS 3-2109

February 28, 1964

State of Idaho
Department of Reclamation
Room 107, State House
Boise, Idaho

Re: Permit No. 23988
Lyttal E. Bristow, Samuels, Idaho

Gentlemen:

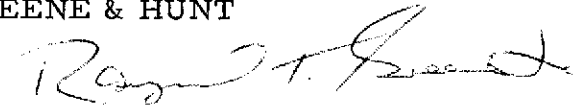
As the request of Mr. Bristow, enclosed
please find two copies of your Form 10 of Notice of Proof
and copy of Form 11, authorization, which has been signed
by Mr. Bristow.

Will you please proceed in this matter.

Very truly yours,

GREENE & HUNT

By:


Raymond T. Greene, Jr.

23988

.....

(P. O.) Samuels, Idaho

Dear Sir:

Lyttal E. Brewster

23988

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 17th day of April, 1964,
at Sandpoint, County of Bonner, State of Idaho, before
Raymond T. Greene, Jr., proof will be submitted of the
application to beneficial use of 0.60 cubic feet per second of the waters of
Little Sand Creek in accordance with the terms and conditions of
Permit No. 23988 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
No. 23988 is Lyttal E. Bristow, Samuels, Idaho
The use to which said water has been applied is irrigation
The amount applied to beneficial use is 0.60 cb. ft. per second
The point of diversion of said water ~~is~~ are in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14,
Township 59 North, Range 1, West B. M.

The place where said water is used (LEGAL DESCRIPTION)
2 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 28 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township
59 North, Range 1, West B. M.

The date of priority which said user is prepared to establish is April 5, 1958

23988
CARL E. TAPPAN
State Reclamation Engineer



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 23988

Date:

Jan. 31, 1964

Lytal E. Bristow
Samuels, Idaho

Dear Mr. Bristow:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 23988 is due not later than April 17, 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

23988

April 15, 1958

Re: Permit No. 23988

Mr. Lyttal E. Bristow
Samuels
Idaho

Dear Mr. Bristow:

Enclosed is the Certificate of Completion of Works issued under Permit No. 23988 for the diversion of .60 second foot of water from Little Sand Creek, with the points of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, for irrigation of 30 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 59 North, Range 1 West, B.M.

Enclosed also is departmental receipt #29054 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
Enclosures (2)

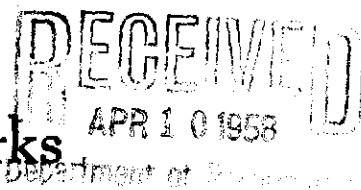
23988

Permit No. 23988 ✓

Kane # 568

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works



AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of BONNER

ss.

Lyttal E. Bristow ✓

, 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. 23988 ✓, and that his postoffice address is Elmira SamuelsState of Idaho

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

Third: That the point of diversion of said water is 2Little Sand Creek ✓ Sec. 26 1/4 - NE 1/4 - 14 - 59 N 1 WFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 17, 1958.Fifth: 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: 408 feet of pipe and 710 feet of ditch
(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.

2 (d) Conduit 24 inch width at bottom 1.2 feet, width at water line 1.2
(State whether ditch, flume or pipe)feet, depth of water 0.5 feet; diameter of pipe 8 inches, average grade per mile is 1.3 feet. Length of conduit is _____ miles.Seventh: That said works are capable of conducting to the place of intended use 0.60 ✓ second feet of water.Eighth: That water appropriated under said permit is available for 30 acres of land described as follows: 2 acres in the western part of Section 14, T 59 N, R 1 W, and in the NE 1/4 of the SE 1/4 of Sec. 14. 28 acres in the NW 1/4 of the SE 1/4 of Section 14, T 59 N, and R 1 W.

Ninth: Remarks: That _____

Lyttal E. Bristow
(Sign Here)

Subscribed and sworn to before me this 5th day of Apr, 1958My commission expires 4-10-61

Notary Public.

23988

Kane

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

RE: Permit No. 23988

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Lyttal E. Bristow
Elmira, Idaho

Boise, Idaho **February 3, 1958**

Dear Sir:-

Under the terms of your permit No. 23988 you are required to complete your diversion works on or before April 17, 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

23988

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 23988

Date April 30, 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.

MARK R. KULP
State Reclamation Engineer

Mr. Lyttal E. Bristow
Elmira, Idaho

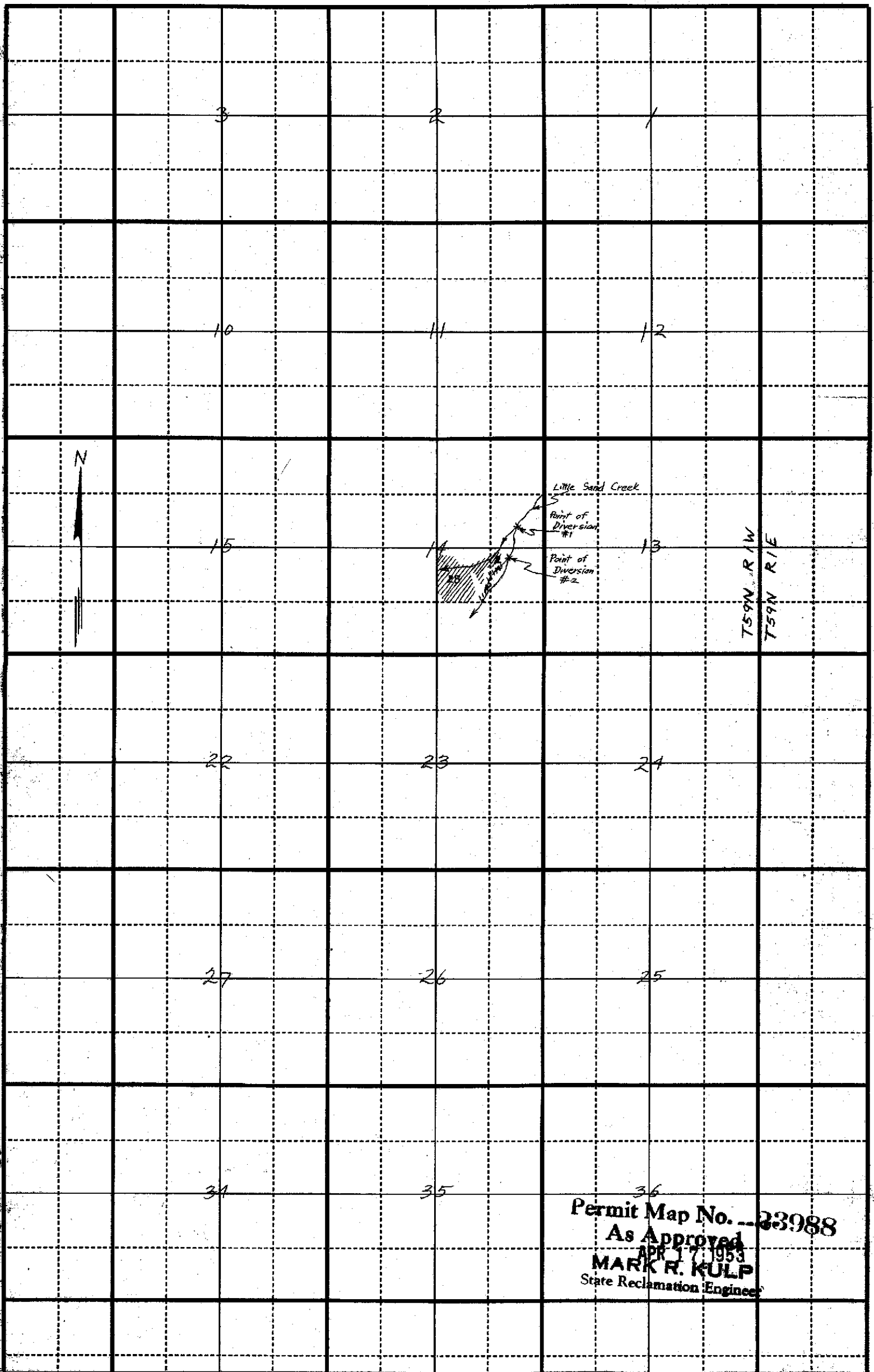
Enc: Receipt No. 25760 for the \$5.00 filing fee

23988

NAME OF APPLICANT

Lyttel Bristow

Form No. 0



Permit Map No. 23988
As Approved
APR 17 1953
MARK R. KULP
State Reclamation Engineer

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

23988

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

Notice is hereby given that at 10:00 A.M. on the 1st day of April, 1964, at Sandpoint, County of Bonner, State of Idaho, before Raymond T. Greene, Jr., proof will be submitted of the application to beneficial use of 0.60 cubic feet per second of the waters of Little Sand Creek in accordance with the terms and conditions of Permit No. 23988 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 No. 23988 is Lyttal E. Bristow, Samuels, Idaho.

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

The amount applied to beneficial use is 0.60 cu. ft. per second.

The points of diversion of said water are in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 59 North, Range 1, West B.M.

The place where said water is used (legal description) 2 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 28 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 59 North, Range 1, West B.M.

The date of priority which said user is prepared to establish is April 6, 1953.

CARL E. TAPPAN,
State Reclamation Engineer
ml2-19-26-a2