

1" 64 x 3/32 @ 30" =	6.07	0
	5462	9155 gpm

R. zw

3 89
30

55

N

Westmond

05 10A 25

County Road

15

Subdivisions

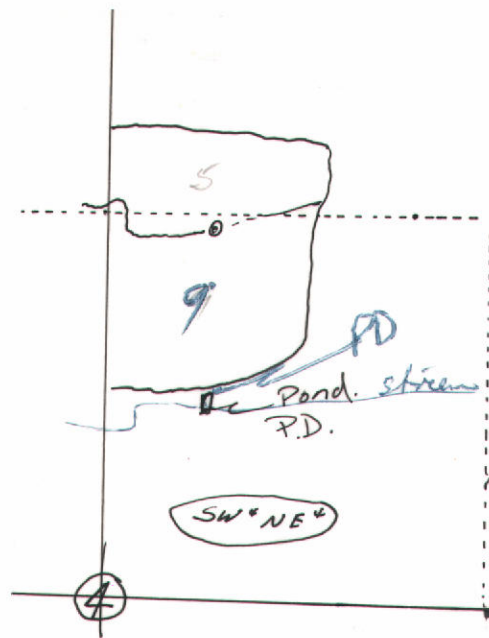
AREA

Q 2

1

9

12 extra 6 inches



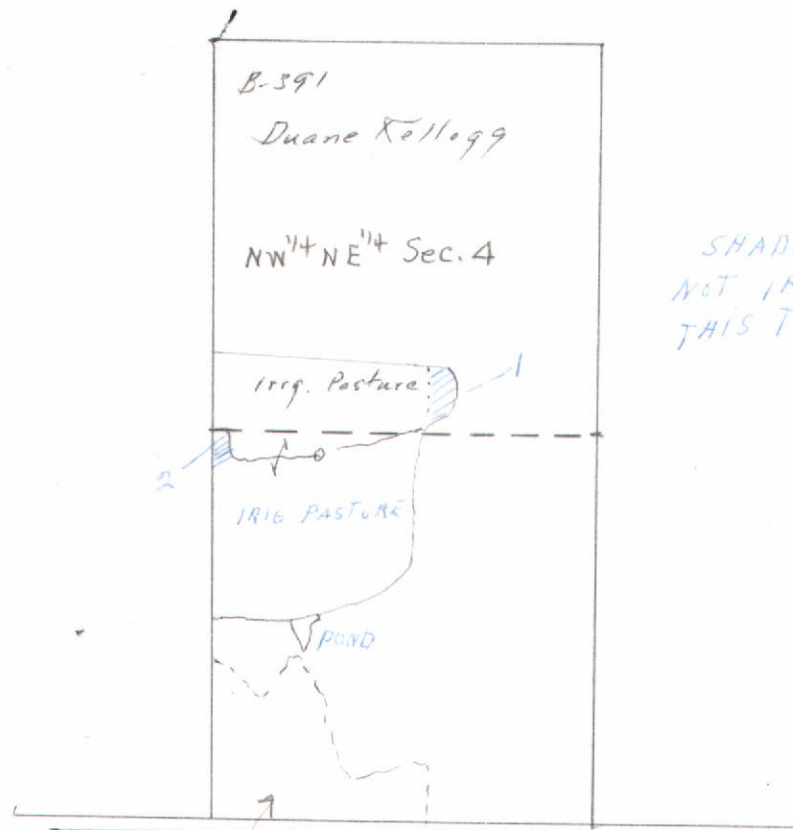
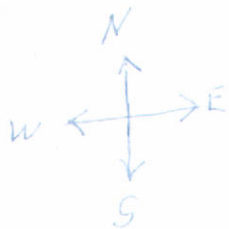
Logan, Idaho
Sept 17, 1964

Carl E. Tappan
State Reclamation Engineer

Dear Mr. Tappan

I wish to point out an error in your field
engineers measurement of irrigated pasture acreage.
This is a scale tracing made by Mr. Harold Kiebert of
the local ASC Office, from his aerial survey. My
present system has irrigated this for the past 5 years
and by Mr Kieberts calculations is approximately 12.25
acres.

Very truly yours
Duane Kellogg
Permit No. 23530



SHADED AREAS 1 & 2
NOT IRRIGATED AT
THIS TIME.

23530

SW 1/2 NE 1/4 SEC 4 T 55 R 2 W

NAME OF APPLICANT Duane Irving Kellogg

FORM No. 0

R 2 W



32 33
5 4

33 34
4 3



Point of
Diversion

T
55
N

5 4
8 9

4 3
9 10

Permit Map No. 23530
As Approved
JAN 14 1953
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 23530

Amount .12 c.f.s.

Water District No.

Priority January 10, 1953

THIS IS TO CERTIFY that DUANE IRVING KELLOGG
of Sagle, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 10, 1953; that Permit No. 23530
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.30 second feet, was issued thereunder on June 15, 1956, showing that said works
were completed on the 26 day of May, 1956; and that on the 20th
day of December, 1963,

DUANE IRVING KELLOGG
of Sagle, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a spring
, a tributary of Westmond Creek, for the purpose of irrigation
, under Use Permit No. 23530 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 7999, on the 22 day of September, 1964;
The right hereby confirmed dates from January 10, 1953;

The Point of Diversion is located
in the SW 1/4 NE 1/4, Sec. 4, Tp. 55 N R. 2 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 .12 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
55 N	2 W	4	SW 1/4 NE 1/4	19	9

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
22nd day of September, 1964.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

Trans # 1042 P.D. & Land **State of Idaho** **License and Certificate of Water Right**

Water License No. G-22355

Amount 3.2 c.f.s.

Water District No.

Priority Sept. 4, 1951.

THIS IS TO CERTIFY that HERMAN E. BEDKE - Assignee - FAYE HARSHBARGER - Assignee
of Burley, Idaho Anderson Brothers, a co-partnership, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 4, 1951; that Permit No. G-22355
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.2 second feet, was issued thereunder on September 23, 1964, showing that said works
were completed on the 22nd day of June, 1959; and that on the 22nd
day of June, 1959,
HERMAN E. BEDKE - Assignee - FAYE HARSHBARGER - Assignee - ANDERSON BROTHERS, a
co-partnership
of Burley, 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 & domestic
use, under Use Permit No. G-22355 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 8000, on the 23 day of September, 1964;
The right hereby confirmed dates from September 4, 1951;
The Point of Diversion is located
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Tp. 12 S, R. 22 E, B. M. Cassia 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 3.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S	22 E	13	E $\frac{1}{2}$	320	320
12 S	23 E	18	NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 1)	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 2)	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 3)	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 4)	40	40
Total number of acres to be irrigated:					480

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

23rd day of September, 1964.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

96-2219

APPLICATION No. 31307
 PERMIT No. 23530
 DISTRICT No.

1. Name of Applicant: DUANE IRVING KELLOGG

Postoffice address: Route 1, Sagle

County: Bonner

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

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

2. Quantity of water claimed: 0.38

cubic feet per second.

3. Source of water supply: A spring on my property

which is a tributary of Westmond Creek

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 4 , T.55 N. , R.2 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: \$ 1,900.00

8. Kind of works: Pump and pipe

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam:

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

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is Six (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: Not known

16. (a) Is reservoir to be used? 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.

DUANE IRVING KELLOGG Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. January 10, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 23530

Recorded in Book 84

Page 23530

Approved January 14, 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 March 14, 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 July 14, 1955

The whole of said work to be completed on or before January 14, 1958

Beneficial use of water appropriated in accordance herewith, to be made on or before January 14, 1964

WITNESS My hand this 14th day of January, 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 14th

day of January, 1953.

STATE OF IDAHO

Countersigned:

(SEAL)

By

LEN JORDAN

Governor.

By IRA H. MASTERS

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
55 N.	2 W.	4	19																19
							Permit No. 23530												
							CERTIFICATE OF COMPLETION OF WORKS												
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that DUANE IRVING KELLOGG of Sagle, County of Bonner, and State of Idaho, the holder of Permit No. 23530, issued upon Application No. 31307 bearing date of priority of January 10, 1953, authorizing the diversion of 0.38 second foot of the waters of a spring, tributary of Westmond Creek; 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 0.30 second foot of the waters of said spring; that the point of diversion of said waters is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, Township 55 North, Range 2 West, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit; SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, Township 55 North, Range 2 West, B. M.																
			Witness my hand this 15th day of June, A. D. 1956.																
			Proof of Completion of Works made May 26, 1956.																
			Certificate of Completion of Works issued June 15, 1956.																
											MARK R. KULP								
											State Reclamation Engineer								

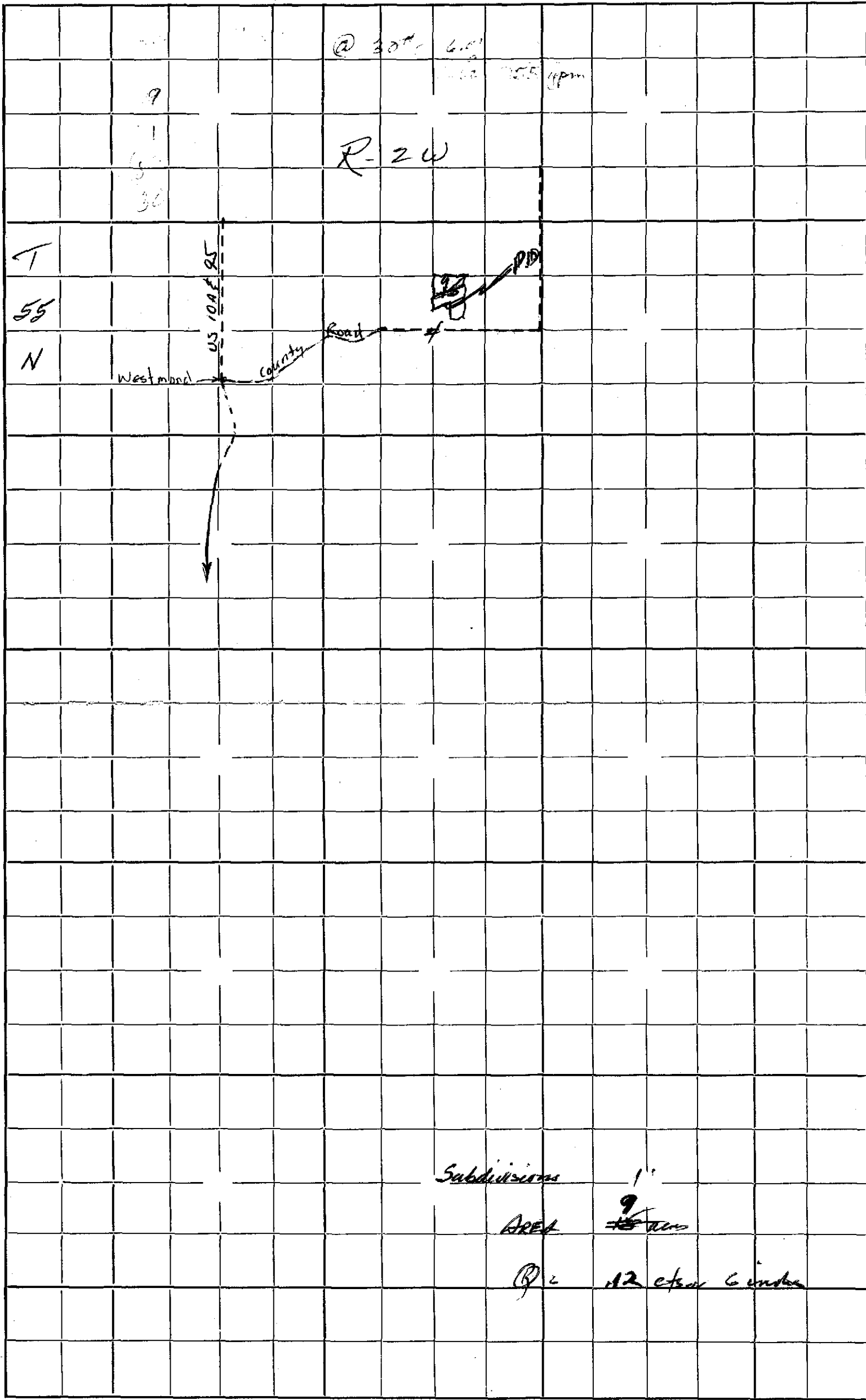
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 23530

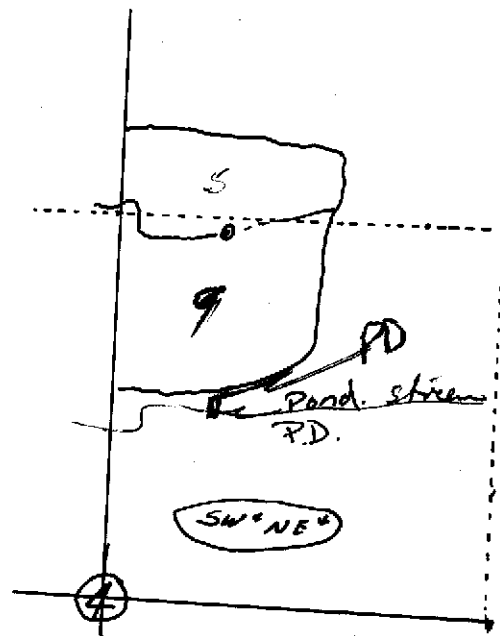
REPORT ON PROOF OF B enefcial Use

Duane Irving Kellogg
Route # 1
Sagle, Idaho



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

23530



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

Permit No. 235 30

This proof is for Beneficial Use In Water District No. _____1. Name of applicant Duane Irving Kellogg Route # 1 Sagle, Idaho2. Source of water supply: A Spring on my Property3. Location of point of diversion: Is in the SW 1/4 NE 1/4 of Section 4T. 55 North R. 2 West B. M. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: 3 HP A.O. Smith
Motor - CO-OP Centrifugal pump #480 2" x 1 1/2" - 3" inlet reduced
to 2" - 1 1/2" Outlet increased to 3" aluminum main line and lateral
1 1/2" valve in outlet side - partially restricted

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):

SW 1/4 NE 1/4 Section 4 Township 55 North Range 2 West 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. Duane Kellogg alongMeasured by taking pressure readingsThis examination was made on the 15th day of August, 19 64

(Signed) _____

Examiner.

23530

9185
18
S. Unit
Duane Irving Kellogg
3rd Party Route #1
Sagle, Idaho
Permit No. 23530

Examination for Beneficial Use

County Bonner

Sec. 4 T. 55N R. 2N, B. M.

Quantity: 0.38 CFS.

Source: Spring

P.D.: SWNE, 4-55N-2W

Use: Irrigation

Filed: 1-10-53

Due: 1-12-64

Extension:

Completion of Works: 6-15-56

Other Rights: None

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
AUG 25 1964

Department of Reclamation

September 22, 1964

Re: Permit No. 23530

Duane I. Kellogg
Route #1
Sagle, Idaho

Dear Mr. Kellogg:

Enclosed is License and Certificate of Water Right, together with departmental receipt No. 32440, in the amount of \$2.00 covering the fees.

Also, returned is your letter of September 17th with map of your irrigated field.

Your permit and deposition of beneficial use of water shows all of your field in SW¹/₄NE¹/₄, Sec. 4. The field examination showed your field as on your letter.

The water license cannot show land irrigated which is not on your permit.

The amount of water allowed was full capacity of your system so the amount of water shown on the water license will be full amount you are using.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. license and receipt

23530

B-391

Duane Kellogg

NW^{1/4} NE^{1/4} Sec. 4

Irreg. Pasture

23530

B-391

Duane X511699

NW¹/₄ NE¹/₄ Sec. 4

(orig. Pasture)

23530

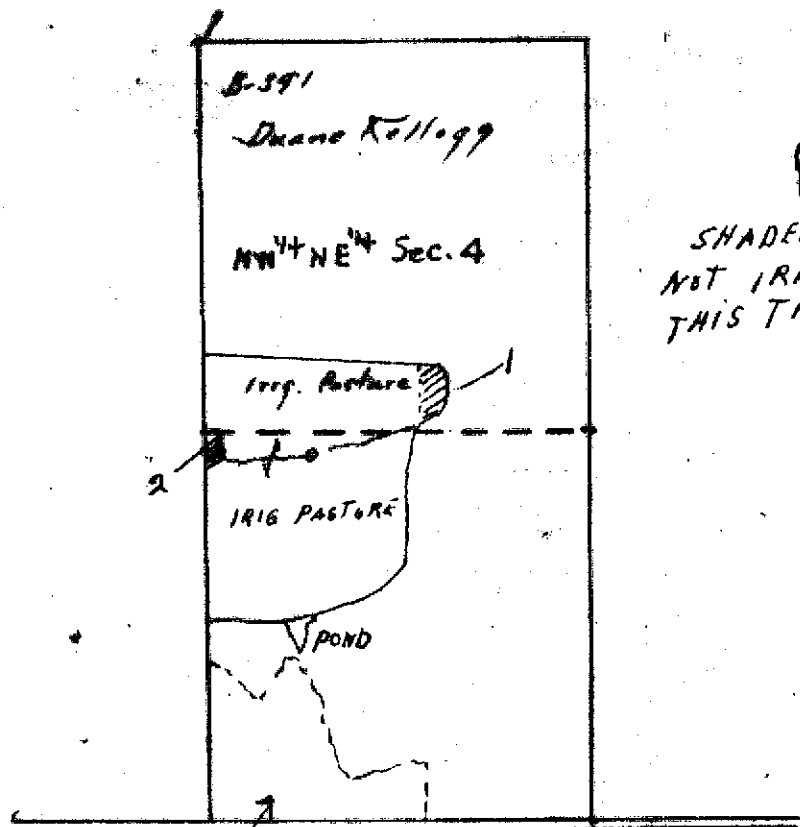
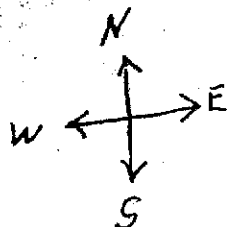
Sagle, Idaho
Sept 17, 1964

Carl E Tappan
State Reclamation Engineer

Dear Mr Tappan

I wish to point out an error in your field
engineers measurement of irrigated pasture acreage.
This is a scale tracing made by Mr. Harold Kiebert of
the local ASC Office. from his aerial survey. My
present system has irrigated this for the past 5 years
and by Mr Kieberts calculations is approximately 12.25
acres.

Very truly yours
Duane Kellogg
Permit No. 23530



SHADED AREAS 1 & 2
NOT IRRIGATED AT
THIS TIME.

23530

SW 1/2 NE 1/4 SECH T55R2W

August 26, 1964

Re: Permit No. 23530

Duane I. Kellogg
Rt 1
Sagle, Idaho

Dear Mr. Kellogg:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 23530 shows the pump & pipe line ~~are~~ is capable of conveying 6 miner's inches, or 0.12 c.f.s. of water for the irrigation of 9 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 January 10, 1953 to the use of 0.12 second feet of surface water with the point of diversion in the SW 1/4, Sec. 4 from a spring for irrigation of 9 acres in the SW 1/4, Sec. 4, T. 55 N., R. 2 W., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

23530

1M April 1962

Re: Permit No. 23530
Duane Irving Kellogg
Route # 1
Sagle, Idaho

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.

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
Chief Clerk

EPR:

23530

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 23530

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Duane Irving Kellogg, Rt. 1, Sagle, Idaho, Farmer, Rt. 1, Sagle, 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.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 23530, June 15, 1953, date of priority January 10, 1953

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water supply is a spring on my property. Point of diversion is the SW 1/4 NE 1/4 Section 4, Township 55 North, Range 2 West, B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and 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 and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Aluminum irrigation system powered by 3 h.p. electric motor which is capable of delivering 80 gallon of water per minute (12 - 6 1/2 gal. per min. heads)

The water is stored in a reservoir at the site of the pump, and will hold approximately a million gallons.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) 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 to irrigate 18 acres of improved pasture land (cultivated).

Since irrigating the land it will carry three times as many head of livestock as it did before irrigation. SW 1/4 NE 1/4, SEC. 4, T. 55 N, R. 2 W B.M.

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

Ans. _____

23530

OK

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 2 1/2 to 3" every two weeks

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.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. I used 60% of the water in 1955 to 1958 when I enlarged the system. Since that time I have used it 100%.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. none

(Sign) Irone Irving Kellogg

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 Banner, State of Idaho, on this 20 day of December, A. D. 1963.

Ida C. Surby

My commission expires

7-15-63
7-15-66

23530

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

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. James G. Brockway, 38, Sandpoint, Idaho, assistant manager, Co-Op
Gas & Supply Co., Inc., P. O. Box 663, Sandpoint, Idaho

Ques. 2. Are you acquainted with Euane Kellogg, the
holder of Permit No. 23530? How long have you known him and where does
he reside?

Ans. I have known Mr. Kellogg about 17 years. He lives 10 miles south of
Sandpoint, and about a mile and a half east.

Ques. 3. Have you read or heard read said Permit No. 23530, 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. The source of water is a spring on Mr. Kellogg's property, and the water is
conveyed by an aluminum sprinkler irrigation system powered by a 3 h.p. electric
motor

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. I have seen 80 gal. ^{a minute} of water being pumped through this system, and the system
will safely deliver this amount of water.

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. The water is used for irrigating eighteen acres of improved pasture land
immediately adjacent to point of diversion.

23530

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. Class 2 land, and it should have $2\frac{1}{2}$ to 3" of water every 14 days.

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. I installed the irrigation system, started it up, and have made several visits since. One of the trips was a conducted tour by the county agent to show the results of irrigated pasture land.

(Signed) James L. Brockway

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 20 day of December, A. D. 1963.

Ida C. Surby
Notary Public.

My commission expires 7-15-66.

23530

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

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. Jack D. Murray, 35, Sandpoint, Idaho, Route 1, Manager Co-Op Gas &
Supply Co., Inc.

Ques. 2. Are you acquainted with Duane Kellogg, the holder of Permit No. 23530? How long have you known him and where does he reside?

Ans. Yes.
19 years. Mr. Kellogg lives on Rt. 1, Sagle, Idaho

Ques. 3. Have you read or heard read said Permit No. 23530, 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. Source of water is a spring and seep which originates on Mr. Kellogg's property and then runs on to form a part of Westmond Creek. The point of diversion is in the SW¹NE¹ Section 4, Twp. 55, N. R2 WBM. Water is carried by aluminum sprinkler irrigation system powered by 3 h.p. electric motor.

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. This system will conduct 80 gal. of water per minute and I have seen it so operating.

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. The water is used for irrigating eighteen acres of improved pasture land at the point of diversion.

23530

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. The land is classed 2, and it should have approximately 3" of water every 14 days.

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. I helped install the irrigation system and start it. Mr. Kellogg's pasture land was included in a conducted tour by the County Agent to show how the pasture improved with irrigation.

(Signed) Jack D. Murray

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 20 day of December, A. D. 19 63.

Ida C. Surby
Notary Public.

My commission expires 7-15-66

23530

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 Publication; Notice of

Proof Application of Water to Bene-

ficial Use; Westmond Creek; Permit

No. 23530

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

Notice is hereby given that at
11 A.M. on the 20th day of Dec-
1963, at Sandpoint, County of Bon-
ner, State of Idaho, before Ida
Surby, Notary, Co-op Gas & Sup-
ply, proof will be submitted of the
application to beneficial use of .30
cubic feet per second of the waters

of a spring, tributary of Westmond
Creek in accordance with the terms
and conditions of Permit No. 23530
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: Duane-Irving Kel-
logg, Rt. 1, Sagle, Idaho.

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

The amount applied to beneficial
use is .30 cu. ft. per second.

The point of diversion of said
water is SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4,
Township 55 N., Range 2 W. B.M.

The place where said water is
used (legal description): SW $\frac{1}{4}$ NE $\frac{1}{4}$
Sec 4, Township 55 N., Range 2 W
B.M.

The date of priority which said
user is prepared to establish is
Jan. 10, 1953.

CARL E. TAPPAN,
State Reclamation Engineer
n21-28-d5-12

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 21st
day of November, 1963, and end-
ing on the 12th day of December,
1963, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

16th day of December, 1963.

By: B. B. B. B.

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

23530

November 12, 1963

Re: Permit No. 23530

Mr. Duane Irving Kellogg,
Route #1,
Sagle, Idaho.

Dear Mr. Kellogg:

This acknowledges the Notice of Proof of ~~Completion of Work and~~ Application of Water to Beneficial Use under Permit No. 23530. The proofs are to be made at 11:00 o'clock A.M., on the 20th day of December, 1963, before Ida Surber, Coop. Gas & Supply, 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,

~~XXXXXXXXXXXX~~
GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

23530

Re: Permit No. 23530
Duane Irving Kellogg

Date: November 12, 1963

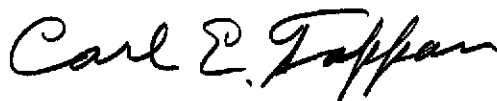
Sandpoint News Bulletin,
Sandpoint, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week for four consecutive weeks prior to December 20, 1963 the date set for proof; the expense of the publication is to be paid by the applicant Duane Irving Kellogg of Rt. 1, Sagla, 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
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.

CET:pmk

23530

RECEIVED
NOV 13 1963
Bureau of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Nov. 7, 1963
(P. O.) Sagle, Idaho

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.

Dwaine L. Kellogg

(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.

23530

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

Notice is hereby given that at 11 A.M. on the 20 day of Dec, 1963,
at Sandpoint, County of Bonnet, State of Idaho, before
Ida Lumber Motory - Coop Gas & Supply, proof will be submitted of the
application to beneficial use of .30 cubic feet per second of the waters of spring
tributary of Westwood Creek in accordance with the terms and conditions of
Permit No. 23530 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 _____

Duane Irving Kellogg Rt. 1 Eagle, Idaho

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

The amount applied to beneficial use is .30 cfs per acre

The point of diversion of said water is _____

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, Township 55 N, Range 2 W B.M.

The place where said water is used (LEGAL DESCRIPTION) _____

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 4, Township 55 N, Range 2 W B.M.

above is also location of spring & water which
are used

The date of priority which said user is prepared to establish is Jan 10 1953

CARL E. TAPPAN
State Reclamation Engineer

23530

DR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 23530

Date:

Nov. 1, 1963

Duane Irving Kellogg
Route #1
Sagle, Idaho

Dear Mr. Kellogg:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 23530 is due not later than January 14, 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 EngineerEnc. Form 10 and 11
Attorney General's ruling

23530

June 18, 1956

RE: Permit No. 23530

Mr. Duane Irving Kellogg
Sagle
Idaho

Dear Mr. Kellogg:

We enclose Certificate of Completion of Works issued on Permit No. 23530 for the diversion of 0.30 second foot of the waters of a spring, tributary of Westmond Creek, with point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, Township 55 North, Range 2 West, B.M., for irrigation of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, Township 55 north, Range 2 West, B.M.

We also enclose departmental receipt No. 28013 for the \$5.00 completion of works fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

23530

Permit No. 23530

STATE OF IDAHO
Department of Reclamation

RECEIVED
JUN 15 1956
Department of Reclamation

RECEIVED
MAY 31 1956
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of Bonner

Duane Irving Kellogg, 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. 23530, and that his postoffice address is Sagle State of Idaho

Second: That the name of the stream from which said water is to be diverted is an unnamed spring tributary to Westmond Creek

Third: That the point of diversion of said water is in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4 T 55 N R 2 W. Unnamed tributary of Westmond Creek

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 11, 1958

Fifth: That the use for which said water is intended is sprinkler irrigation

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

I. Kind of works: Pipe for sprinkler irrigation
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe 3 inches, average grade per mile is feet. Length of conduit is 0.15 miles.

Seventh: That said works are capable of conducting to the place of intended use 0.30 second feet of water.

Eighth: That water appropriated under said permit is available for 15 acres of land described as follows: NW part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4 Township 55 North, Range 2 West.

Ninth: Remarks: That

Duane Irving Kellogg
(Sign Here)

Subscribed and sworn to before me this 26th day of May, 1956

My commission expires January 15, 1958

Lawrence M. Bishop
Notary Public.

23530

June 1, 1956

RE: Permit No. 23530

Mr. Duane Irving Kellogg
Sagle
Idaho

Dear Mr. Kellogg:

We are returning herewith your proof of Completion of Works on the above numbered Permit for the following corrections:

The second paragraph of the deposition should be answered by stating a spring tributary to Westmond Creek or an un-named tributary of Westmond Creek which ever is correct.

In answer to paragraph 3 (That the point of diversion of said water is) within a certain 40 acre subdivision, and according to your Permit this spring or un-named stream should be located in the SW¹/₄ NE¹/₂ Section 4, Township 55 North, Range 2 West.

We also wish to acknowledge receipt of your check for \$5.00 in payment as fees for said Completion of Works. We will hold this check until the return of your corrected proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:cu
Enc.

2 3530

2. 38

Jan 1, 1956

Mr. Mark R. Kulp
State Reclamation Engineer.

Dear Sir:

I would like the forms
to prove up on my irrigation
water. The application no 31307
and permit no 23530 for a
spring on my property.

RECEIVED
JAN 16 1956

Department of Reclamation

Sincerely
Duane J. Kellogg
Rt. #1
Sagle, Idaho.

Jan. 14 - 1958 C/W
Jan. 14 - 1964 B/W

1st recd - 9:00 AM Jan. 10. 1953

23530

January 17, 1956

Re: Permit No. 23530

Mr. Duane Irving Kellogg
Route # 1
Sagle, Idaho

Dear Mr. Kellogg:

We have your letter of January 11th stating that you are prepared to make proof of completion of works on the above numbered Permit.

Proof of completion of works should be made on Form 6 enclosed, executed before a Notary Public and returned to this department with the statutory fee of \$5.00.

Very truly yours,

MARK R. Kulp
State Reclamation Engineer
By:

Chief clerk

ER
Encl.

23530

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 23530

Date January 16, 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. Duane Irving Kellogg
Route 1
Sagle, Idaho

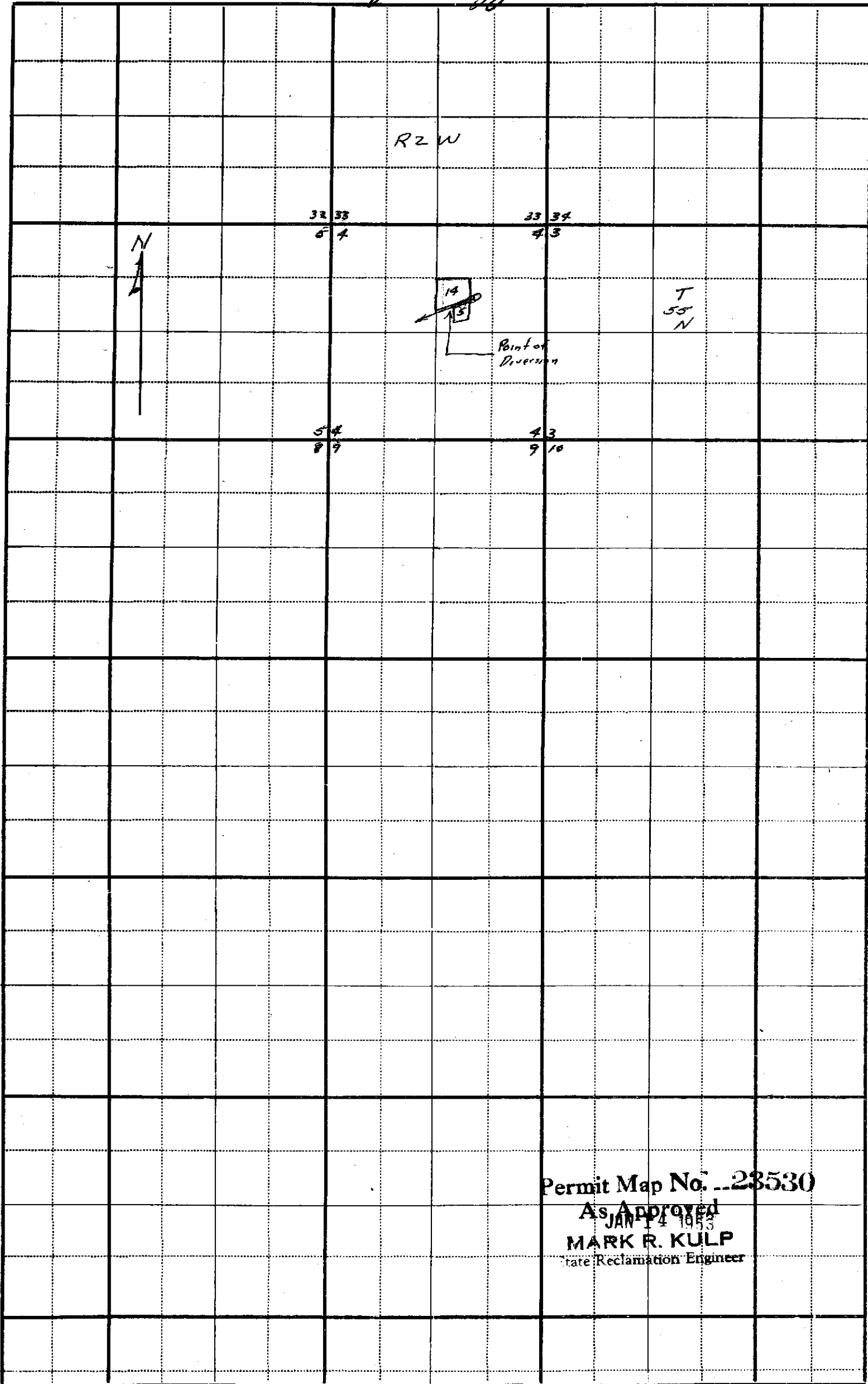
MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 25377 for \$5.00 filing fee.

23530

NAME OF APPLICANT Duane Irving Kellogg

FORM No. 0



SCALE: 2 INCHES EQUAL 1 MILE. DRAW PLAN IN INK.

23530