

27

37

31

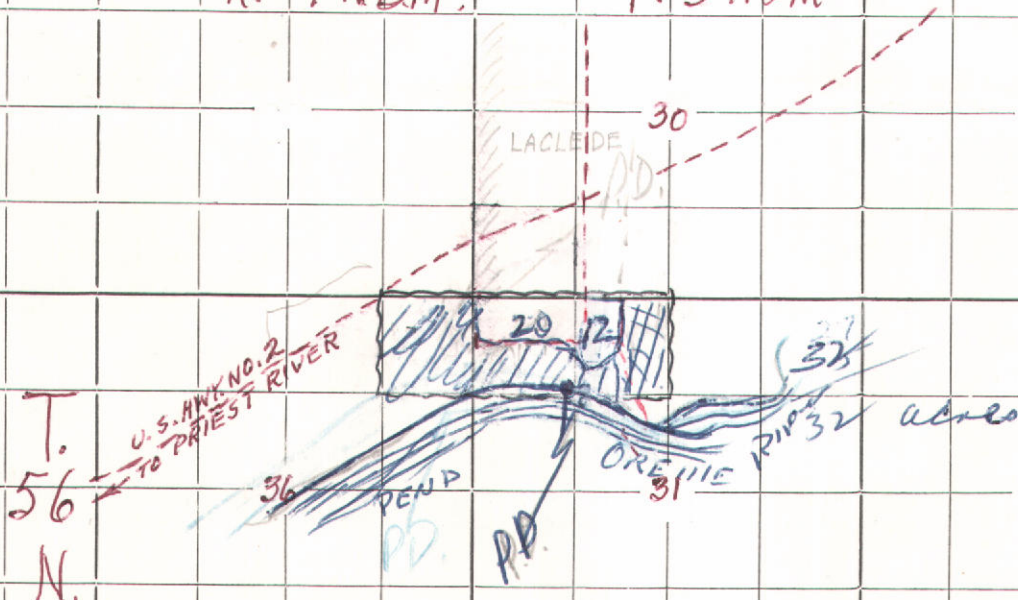
29

4 144
36 = 6.62 fpm

$$\frac{6.62 \times 21}{450} = .31 \text{ cfs or } 15 \frac{1}{2} \text{ inches}$$

R-4 WBM.

R-3 WBM.



Subdivisions

2

c/w & B/D sub AREA 32 ac
Q .27 14
.31 cfs or 15 1/2 inches

Application for Amendment

POINT OF DIVERSION

Permit No. 22851

RECEIVED
OCT 9 1963

Department of Reclamation

Comes now J. W. Fisher and Hazel Alberts and represent to the State Reclamation Engineer of the State of Idaho:

That they ix (are) the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 22851.

That the point of diversion is described in said Permit as being located:

NE NE, Sec. 30, T. 50 N., R. 4 W., B. 1.

That he now requests that the point of diversion be changed to a point

located: SW NE, Sec. 31, T. 50 N., R. 3 W., B. 1.

That the reason for desiring to make such change is as follows:

Point of diversion had to be moved when Army Engineers acquired that portion of land for recreation and camping facilities.

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

Signed at Laclede, Idaho, this 7 day of October, 1963.

J. W. Fisher
Hazel Alberts

Date of Receipt at Department of Reclamation October 9, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

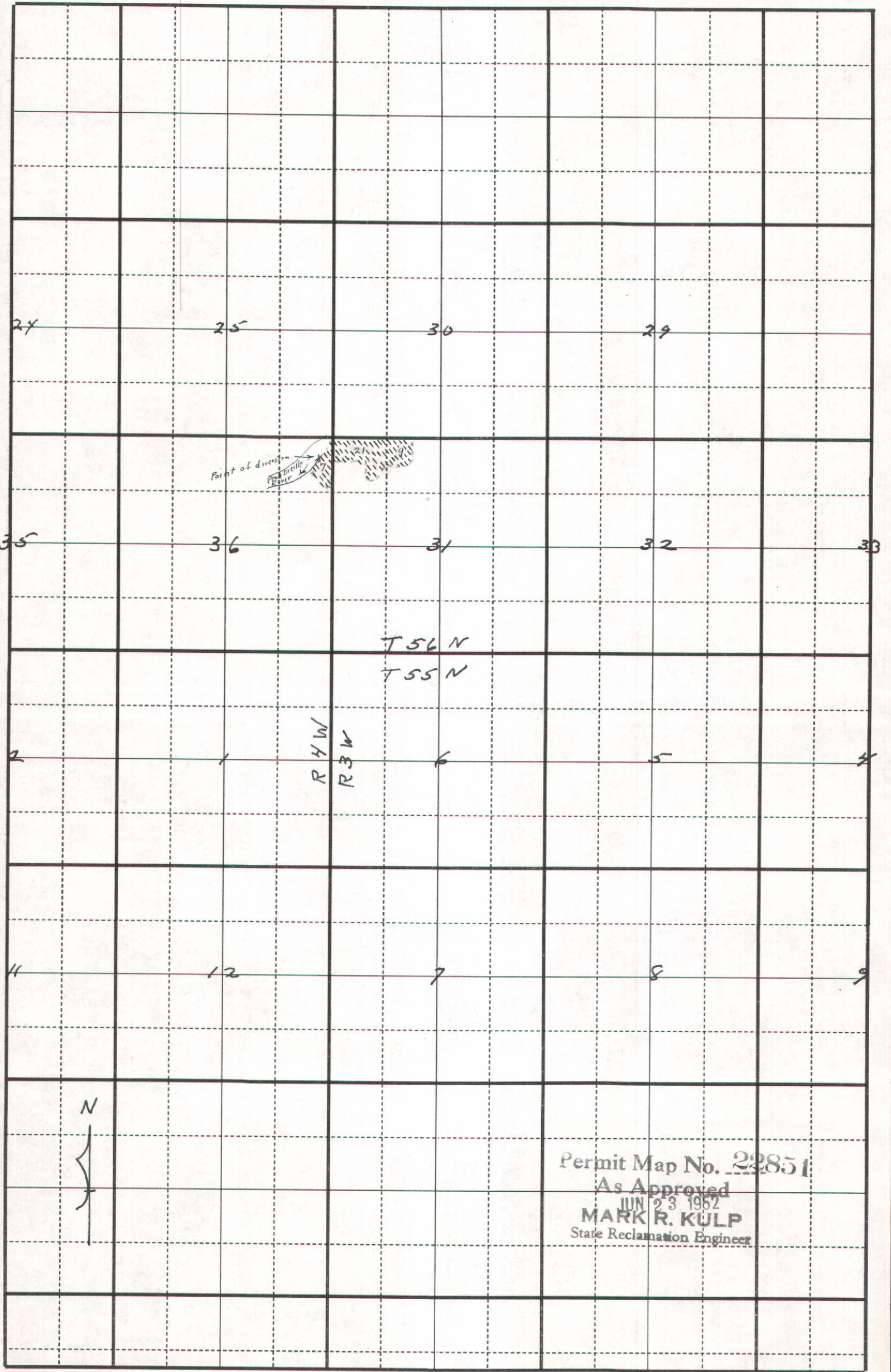
Ralph W. Thomas, Deputy

I, ~~XXXXXX~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 22851. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Ralph W. Thomas
Deputy
State Reclamation Engineer

Recorded in Book 81 of
Permits, at Page 22851
October 22, 1963

22851



State of Idaho
License and Certificate of Water Right

Water License No. 22851 Amount .27 c.f.s.
Water District No. Priority June 18, 1952

THIS IS TO CERTIFY that D. CALVERT - Assignee - J. W. FISHER & HAZEL ALBERTS
of Laclede, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 18, 1952; that Permit No. 22851
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.27 second feet, was issued thereunder on June 25, 1957, showing that said works
were completed on the 10th day of May, 1957; and that on the 5th
day of June, 1963,

J. W. FISHER & HAZEL ALBERTS

of Laclede, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Pend
Oreille River, a tributary of Columbia River, for the purpose of irrigation
, under Use Permit No. 22851 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
12 of Licenses at page 7761, on the 23 day of October, 1963;
The right hereby confirmed dates from June 18, 1952;

The Point of Diversion is located
in the NW 1/4 NW 1/4, Sec. 31, Tp56 N, R.3 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 .27 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
56 N.	3 W.	31	NE 1/4 NW 1/4 NW 1/4 NW 1/4	9 21	12 20
			Total number of acres to be irrigated:		32

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 October, 1963.

(SEAL)

RALPH W. THOMAS
Deputy State Reclamation Engineer.

State of Idaho
License and Certificate of Water Right

Water License No. 19464 Amount .16 c.f.s.
Water District No. Priority April 27, 1944

THIS IS TO CERTIFY that CLAYTON WATSON
of Horseshoe Bend, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 17, 1944; that Permit No. 19464
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.16 second feet, was issued thereunder on June 15, 1949, showing that said works
were completed on the 25th day of January, 1949; and that on the 6th
day of May, 1955,

CLAYTON WATSON
of Horseshoe Bend, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Payette River
, a tributary of Snake River, for the purpose of irrigation & domestic use
, under Use Permit No. 19464 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
12 of Licenses at page 7762, on the 24 day of October, 1963;
The right hereby confirmed dates from April 27, 1944;

The Point of Diversion is located
in the NW 1/4 NE 1/4, Sec. 23, Twp. 7 N., R. 2 E., B. M. Boise 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 .16 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	2 E.	23	Lot 8	30	25
			Lot 9	5	20
			SE 1/4 NW 1/4	10	15
			Total number of acres to be irrigated:		60

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
24th day of October, 1963.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

96-2204

APPLICATION No. 30595
 PERMIT No. 22851
 DISTRICT No.

Assigned to J. W. Fisher
Hazel Alberts
Laclede
Idaho

1. Name of Applicant: **D. CALVERT**
 Postoffice address: **Laclede** County: **Bonner** State: **Idaho**
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation:
 (b) Amount of capital stock:
 (c) Amount paid in:
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are:
 (a) Cash on hand:
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources:
2. Quantity of water claimed: **0.74** cubic feet per second.
3. Source of water supply: **Pond Oreille River** which is a tributary of **Columbia River**
4. Location of point of diversion: **300** feet distant from the **N. E.**
 corner of Section **36**, T. **56 N.**, R. **4 W.**, B. M., and is in the **NE $\frac{1}{4}$ NE $\frac{1}{4}$**
 of Section **36**, T. **56 N.**, R. **4 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: \$ **3,700.00**
8. Kind of works: **Pipe for 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 **4** 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: **None**

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

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

D. CALVERT Applicant.

By _____ *Agent.*

Date of first receipt at Department of Reclamation: 9:00 A. M. June 18, 1952

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 22851

Recorded in Book **81** Page **22851** Approved **June 23, 1952**

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 **August 23, 1952** 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 **December 23, 1954**

The whole of said work to be completed on or before **June 23, 1957**

Beneficial use of water appropriated in accordance herewith, to be made on or before **June 23, 1963**

WITNESS My hand this 23rd day of June, 1952

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 June, 1952.
STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

Secretary of State.

By **LEN JORDAN**

Governor.

By Jessie Wanlass

Assistant Secretary

REMARKS:

The point of diversion has not been on Pend Oreille River before, but now that Albeni Falls dam holds back the water during summer, the point of diversion is on the bank of Pend Oreille River.

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
56 N.	3 W.	31					9	21										30	
56 N.	4 W.	36	7															7	
Total Number of Acres to be Irrigated -																		37	
DECREE OF DISTRIBUTION - in jacket file No. 22851.																			
A S S I G N M E N T																			
For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 22851 to J. W. FISHER & HAZEL ALBERTS of LACLEDE, IDAHO.																			
Permit Holder - Deceased																			
/s/ Mrs. Edith Calvert Wife of Permit Holder																			
State of Idaho) County of Bonner) ss																			
On this 27th day of May, 1957, before me, a Notary Public for the State of Idaho, residing at Sandpoint, Idaho, personally appeared Mrs. Edith Calvert known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that she executed the same.																			
In witness whereof, I have hereunto set my hand and affixed my Notorial seal, the day and year in this certificate first above written.																			
(SEAL) My commission expires Oct. 21, 1960.																			
Received and filed for record in the Department of Reclamation																			
June 10, 1957																			

Permit No. 22851
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that J. W. FISHER and HAZEL ALBERTS of Laclede, County of Bonner, and State of Idaho, the holders of Permit No. 22851, issued upon Application No. 30595 bearing date of priority of June 18, 1952, authorizing the diversion of 0.74 second feet of the waters of Pend Oreille River which is a tributary of the Columbia River County of Bonner, State of Idaho, for Irrigation purposes, have 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 0.27 second feet of the waters of Pend Oreille River which is a tributary of the Columbia River that the point of diversion of said waters NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 56 North, Range 4 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 7 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36; Township 56 North, Range 4 West, 12 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31, Township 56 North, Range 3 West, B.M. Proof of Completion of Works made: May 10, 1957

Witness my hand this 25th day of June, A.D. 1957

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: May 10, 1957
Certificate of Completion of Works issued: June 25, 1957.

Application for Amendment
POINT OF DIVERSION
Permit No. 22851

Comes now J. W. FISHER and HAZEL ALBERTS and represents to the State Reclamation Engineer of the State of Idaho:

That they are the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 22851.

That the point of diversion is described in said Permit as being located: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 56 N., R. 4 W., B. M.

That he now requests that the point of diversion be changed to a point located: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 56 N. R. 3 W., B. M.

That the reason for desiring to make such change is as follows: Point of diversion had to be moved when Army Engineers acquired that portion of land for recreation and camping facilities.

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

Signed at Laclede, Idaho, this 7 day of October, 1963.

s/ J. W. FISHER
s/ Hazel Alberts

Date of Receipt at Department of Reclamation October 9, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho No. 22851. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded October 22, 1963

LICENSE ISSUED FOR 2.7 SEC. FT.
Page 7761

February 23, 1972

Re: License No. 96-2204

Mr. Milton L. Conrad
Post Office Box #537
Laclede, Idaho 83841

Dear Mr. Conrad:

In reviewing our records, we find that possibly the land you described in your letter of February 19, 1972, has a licensed Water Right No. 22851/96-2204, from the Pend Oreille River.

Under normal conditions, the water right as described in the license remains with the land, regardless of the name appearing on the license.

Enclosed, please find a copy of License No. 22851/96-2204.

If we can be of any further assistance concerning this matter, please feel free to contact this Department.

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cs

Enc: copy of referenced license

96 2204

Box 537
Laclede, Idaho 83841

Feb. 19, 1972

Department of Reclamation
107 Statehouse,
Boise, Idaho 83701

Dear Sirs:

I have property at Laclede, Idaho adjoining the
Pend Orielle River, and would like to draw water from
the river to irrigate about nine or ten acres.

The parcel I wish to irrigate is situated on the
following described property: Gov. Lot 3, Section 31,
Twp. 56 North, Range 3, W.B.M.

This property was purchased from Menno W. Alberts
and wife, And James W. Fisher. An irrigation system
was purchased with the place at that time. I have not used
the system, and do not know whether I have a water right
or not.

Would you please advise me as to the status of the
situation, and if I do not have a water right advise me
of the steps I must take to obtain one.

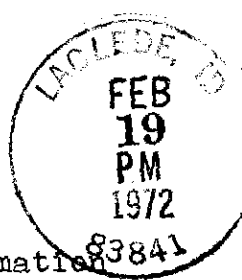
Thanking you, I am,

Yours truly,

Milton L. Conrad.

Milton L. Conrad.

Milton L. Conrad
Box 537,
Laclede, Ida. 83841



Department Of Reclamation 83841

107 Statehouse,
Boise, Idaho 83701

96 2204

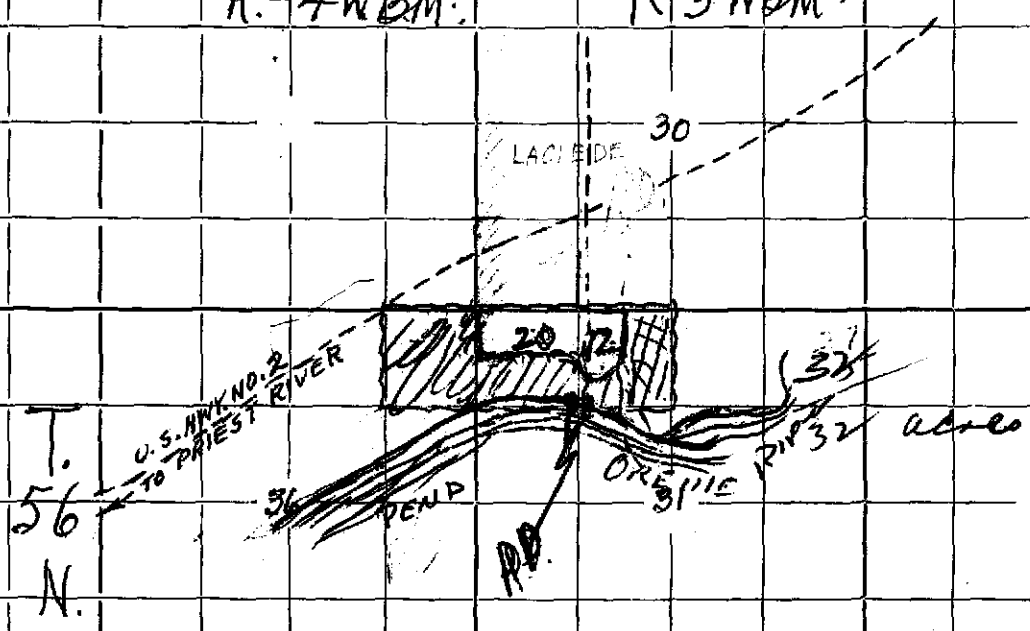
37
 37
 31
 29

 144
 364 = 6.62 from

$$\frac{6.62 \times 71}{450} = .31 \text{ cfs } \approx 15 \frac{1}{2} \text{ inches}$$

R-4 WBM.

R-3 WBM.



Subdivisions 2

C/W B B/O AREA 32 acres
 Q .37 161
 .31 cfs $\approx$ 15 1/2 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22851

REPORT ON PROOF OF Beneficial Use

J. W. Fisher and Hazel Alberts
Box 146, Laclede, Idaho

$$\begin{array}{r} 2 \\ 14 \\ 4 \\ \hline 64 \\ 2 \\ \hline 128 \end{array}$$

$$\begin{array}{r} 16 \\ 4 \\ \hline 64 \\ 12 \\ \hline 128 \\ 64 \\ \hline 768 \end{array}$$

$$\begin{array}{r} 2 \quad 2 \\ 1.33 \\ 9 \\ \hline 1197 \\ 4 \\ \hline 47.88 \end{array}$$

U. W. Fisher and Hazel Alberts
Box 146, Laclede, Idaho

Permit No. 22851

Examination for Beneficial Use

County Bonner

Quantity: 0.74 c.f.s. Sec. 36 T. 56 N. R. 4 W. B. M.

Source: Pend Oreille River

P. D.: NE, NE, Sec. 36, T. 56 N. - R. 4 W. B. M.

Use: Irrigation

Filed: June 18, 1952

Due: June 23, 1963

Extension: —

Protest: —

Completion of Works: 6-25-57

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
SEP 24 1963

Department of Reclamation

4" x 1680'

21 3" x 40' length

273 yds

down

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 22851

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant J. W. Fisher and Hazel Alberts

2. Source of water supply: Pend Oreille River

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36

T. 56N R. 4 W.B.M. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: 5 HP Century Motor #7AF25460, Deming Centrifugal Pump (2" x 1 1/2") #179885 4" suction reduced to 2" at Pump. 1 1/2" discharge with 1 1/2" Gate Valve increased to 4" x 1680' portable main line. 21-1 1/6" x 3/32" rigged on 3" x 40' laterals.

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):

NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 31., Twp. 56 N., Rge. 3 W.B.M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36., Twp. 56 N., Rge. 4 W.B.M.

Approximately 37 acres

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

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

Remarks: Mr. M.W. Alberts, brother-in-law along

Amend P.D. P.D. had to be moved when Army Engineers acquired that portion of land for Recreation & Camping facilities. also extra easements were acquired later when Corp felt backwater of Alberts Fall Dam was extending shore line more than expected. Amend to NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 31 T. 56 N. R 3 W.

Measured by taking pressure readings along lateral.

This examination was made on the 10th day of September, 1963

(Signed) Larry Johnson Examiner.

22851

October 23, 1963

Re: Permit No. 22851

J. W. Fisher & Hazel Alberts
Box 146
Laclede, Idaho

Dear Sir and Madam:

Enclosed is an application for amendment and
License and Certificate of Water Right on the above numbered
permit.

Also enclosed is departmental receipt No. 31871
in the amount of \$5.00 covering fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew
Enc. amendment
license

22851

ROBERT E. SMYLLIE
Governor



State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE



October 10, 1963

Department of Reclamation

Re: Permit No. 22851

J. W. Fisher
Box 146
Laclede, Idaho

Dear Mr. Fisher:

We received the check for \$4.00 and amendment to the point of diversion in response to our letter dated September 25, 1963.

In last paragraph of that letter we showed that there was a fee of \$1.00 for recording the amendment to the permit. That fee was not included.

Kindly remit \$1.00.

Very truly yours,

Ralph W. Thomas

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Dear Sir

Sorry I didn't notice this,

Ray E. Allen to

22851



October 10, 1963

Re: Permit No. 22851

J. W. Fisher
Box 146
Laclede, Idaho

Dear Mr. Fisher:

We received the check for \$4.00 and amendment to the point of diversion in response to our letter dated September 25, 1963.

In last paragraph of that letter we showed that there was a fee of \$1.00 for recording the amendment to the permit. That fee was not included.

Kindly remit \$1.00.

Very truly yours,

RALEIGH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

22851

Application for Amendment

POINT OF DIVERSION

Permit No. 22851

Department of Reclamation

Come now J. T. Fisher and Hazel Roberts and represent to the State Reclamation Engineer of the State of Idaho:

That we are (are) the owners and holders of Permit to appropriate the Public Waters of the State of Idaho, No. 22851.

That the point of diversion is described in said Permit as being located:

Sec. 28, T. 40 N., R. 4 E., S. 1 E.

That we now requests that the point of diversion be changed to a point

located: Sec. 14, T. 5 N., R. 3 W., S. 1 E.

That the reason for desiring to make such change is as follows:

Our diversions had to be moved when Army Engineers acquired land for recreation and camping facilities.

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

Signed at Richard J. Fisher, this 7 day of October

Hazel Roberts

Department of Reclamation October 9, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

Harold W. Thomas, Deputy

~~XXXXXX~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 22851. This approval constitutes a new permit which is issued as amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others are not be adversely affected thereby.

Recorded in Book of
Serials, Page 22851
October 2, 1963

Harold W. Thomas
Deputy
State Reclamation Engineer

22851

400 - June 20-62

State of Idaho
DEPARTMENT OF RECLAMATION

Boise, Idaho

September 25, 1963

Re: Permit No. 22851

J.W. Fisher
Box 146
Laclede, Idaho

Dear Mr. Fisher:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 22851 shows the pump and sprinklers are ~~are~~ capable of conveying 14 miner's inches, or 0.27 c.f.s. of water for irrigation of 32 acres.

Upon receipt of the statutory fees of \$4.00 - 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 June 18, 1952 to the use of 0.27 second feet of surface water with the point of diversion the NW 1/4, Sec. 31, T. 56 N., R. 3 W., B.M. from Pend Oreille River for irrigation of 32 acres in the NW 1/4, Sec. 31, T. 56 N., R. 3 W., B.M.

Since your permit shows the point of diversion to be in the NE 1/4, Sec. 36, T. 56 N., R. 4 W., B.M. it will be necessary to amend the point of diversion before the license can be issued. Complete the enclosed form, submit it with the above mentioned statutory fees, plus an additional fee of \$1.00 for recording the amendment, to this office, and your License and Certificate of Water Right will be issued.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna K. Rule
Chief Clerk

EPR:mr

Enc. amendment form

22851

125

XXXXXXXXXX

August 27, 1963

Re: Permit No. 22851

J. W. Fisher
Box 146
Laclede, Idaho

Dear Mr. Fisher:

This is a follow up of the notice from the Department of Reclamation office that an inspection would be made on your water filing as soon as possible.

I will plan to inspect your permit on or about the week of September 9, 1963

Please arrange to be on the premises so that you can accompany me over the work.

Very truly yours,

Carl E. Tappan
~~Geo. N. CARTER~~
State Reclamation Engineer
By

Field Engineer

LHJ:mtr

22851

1M April 1962

~~XXXXXXXXXX~~

June 27, 1963

Re: Permit No. 22851
J.W. Fisher and
Hazel Alberts

J.W. Fisher
Box 146
Laclede, Idaho

Dear Mr. Fisher:

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. 22851.

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:

22851

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 for Publication Notice of Proof

Application of Water to Beneficial Use;

Permit No. 22851; J. W. Fisher

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 2nd
day of May, 1963, and end-
ing on the 23rd day of May,
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

10th day of June, 1963.

Alvin B. Burt

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 5th day of June,
1963, at Laclede, County of Bonner,
State of Idaho, before Robert Kel-
logg, proof will be submitted of
the application to beneficial use of
0.27 cubic feet per second of the
waters of Pend Oreille River in
accordance with the terms and con-
ditions of Permit No. 22851 hereto-
fore issued by the Department of
Reclamation of the State of Idaho.

The name and post office address
of the person or corporation hold-
ing said permit, J. W. Fisher &
Hazel Alberts, Box 146, Laclede,
Idaho.

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

The amount applied to bene-
ficial use is 0.27 cfs.

The point of diversion of said
water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36, T.
56 N., R. 4 W. B. M.

The place where said water is
used (LEGAL DESCRIPTION) NE $\frac{1}{4}$,
NE $\frac{1}{4}$, Sec. 36, T. 56 N. R. 4 W. B.
M., NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 56 N.,
R. 3 W. B. M.

The date of priority which said
user is prepared to establish is
June 18, 1952.

GEO. N. CARTER,
State Reclamation Engineer
m2-9-16-23.

22851

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No.

22851

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans.

W. Fisher & Hazel Alberts
Latheda, Idaho Box 146

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.

#22851, ~~JUNE 5, 1963~~ → 6-23-52 → 6-18-52

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

Ans.

Pend Orielle River, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36
T. 56 N., R. 4 W., 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.

NE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 36 T. 56 N., R. 4 W., B. M.
NW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 31, T. 56 N., R. 3 W., B. M.

discharge of pump - 0.27 cfs, per second
23 heads - $\frac{3}{4}$ in. nozzles

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.

7 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, T. 56 North,
Range 4 W. 12 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section
31 T. 56 North. Range 3 W - B. M.

cultivated

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

Ans. NO

22851

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

Ans. ~~27 acres~~ NO OTHER USE THAN IRRIGATION.

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

Ans. 8 hour saturation twice a month during July Aug & Sept.

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. irrigation twice a month during July Aug and Sept. 8 hour saturation.

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.

J W John
(Sign) Hazel Alberts

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 LACLEDE, County of BONNER, State of Idaho, on this 5 day of JUNE, A. D. 1963.

Ralston Kellogg

NOTARY PUBLIC for the State of Idaho
Residing at Laclede, Idaho

My commission expires Jan. 1, 1966

22851

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 22851

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. STELLA MOORE; AGE 49; HOUSEWIFE;
Box 102, LACLEDE, IDAHO

Ques. 2. Are you acquainted with J.W. FISHER & HAZEL ALBERTS, the holder of Permit No. 22851? How long have you known him and where does he reside?

Ans. YES. TEN YEARS, LACLEDE, IDAHO.

Ques. 3. Have you read or heard read said Permit No. 22851, 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. PEND OREILLE RIVER. PUMP AND
SPRINKLER PIPE,

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. • 27 CU. FT. PER SECOND.

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 IRRIGATION. 7 ACRES IN THE N.E. 1/4
NE 1/4 SEC 36 T 56 N RANGE 4 W. 12 ACRES
IN THE NW 1/4 NW 1/4 SEC 31 T 56 N RANGE
3 W - BM. CULTIVATED.

22851

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

Ans. FOR IRRIGATION ONLY.

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. SANDY LOAM. 8-HR. SATURATION
TWICE PER MONTH DURING HOT MONTHS.

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 SEEN THIS IRRIGATION SYSTEM IN
OPERATION FOR 7 OR 8 YEARS DURING
HOT MONTHS.

(Signed) Stella Moore

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 LACLEDE, County of BONNER, State of Idaho, on this 5 day of JUNE, A. D. 1963.

NOTARY PUBLIC for the State of Idaho
Residing at Laclede, Idaho

Robert M. Killegg
Notary Public.

My commission expires My commission expires Jan. 1, 1966

22851

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO 22851

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. DOROTHY JEAN KELLOGG; HOUSEWIFE
AGE 39; BOX 116, LACLEDE, IDAHO

Ques. 2. Are you acquainted with J.W. FISHER & HAZEL ALBERTS, the holder of Permit No. 22851? How long have you known him and where does he reside?

Ans. YES. FIVE YEARS. LACLEDE, IDAHO.

Ques. 3. Have you read or heard read said Permit No. 22851, 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. PEND OREILLE RIVER, PUMP AND SPRINKLER PIPE

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. 27 CU FT PER SECOND.

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 IRRIGATION. 7 ACRES IN THE N.E. 1/4 NE 1/4 SEC 36 T 56 N RANGE 4 W. 12 ACRES IN THE NW 1/4 NW 1/4 SEC 31 T 56 N RANGE 3 W - B.M. CULTIVATED.

22851

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

Ans. NOT APPLICABLE. FOR IRRIGATION ONLY.

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. HEAVY SANDY LOAM, SATURATION, BI-MONTHLY DURING JULY AUG. & SEPT.

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 SEEN THIS PUMPING SYSTEM IN OPERATION TWICE PER MONTH DURING JULY, AUG. & SEPT. FOR LAST FIVE YEARS.

(Signed) Clorothy J. Kellogg

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 BONNER

County of BONNER, State of Idaho, on this 5 day of JUNE

A. D. 1963.

NOTARY PUBLIC for the State of Idaho
Residing at Laclede, Idaho
My commission expires Jan. 1, 1966

Robert M. Kellogg
Notary Public.

My commission expires _____

92851

April 24, 1963

Re: Permit No. 22851

Mr. J. W. Fisher and
Mrs. Hazel Alberts
Box 146,
Laclede, Idaho.

Dear Mr. Fisher & Mrs. Alberts:

This acknowledges the Notice of Proof of ~~Application of Water to Beneficial Use~~ Application of Water to Beneficial Use under Permit No. 22851. The proofs are to be made at 10:00 o'clock A.M., on the 5th day of June, 1963, before Robert Kellogg, Laclede, 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

22851

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 22851
J. W. Fisher & Hazel Alberts

Date: April 24, 1963

Sandpoint News Bulletin,
Sandpoint, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to June 5, 1963 the date set for proof; the expense of the publication is to be paid by the applicant

J. W. Fisher & Hazel Alberts of Box 146, Leclde, 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,


GEO. N. CARTER
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.

Encl.

22851

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

Notice is hereby given that at 10:00 A.M. on the 5th day of June, 1963,
at Laclede, County of Bonner, State of Idaho, before
Robert Kellogg, proof will be submitted of the
application to beneficial use of 0.27 cubic feet per second of the waters of
Pend Oreille River in accordance with the terms and conditions of
Permit No. 22851 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 _____

J. W. Fisher & Hazel Alberts, Box 146, Laclede, Idaho

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 0.27 cfs

The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36, T. 56 N., R. 4 W.B.M.

The place where said water is used (LEGAL DESCRIPTION) NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 56 N.,

R. 4 W.B.M., NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 56 N., R. 3 W.B.M.

The date of priority which said user is prepared to establish is June 18, 1952

GEO. N. CARTER
State Reclamation Engineer

22851

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 15/63

(P. O.) Lacleda 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. Conner Co.

James W. Fisher
Hazel E. Alberts

(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

22857

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

Notice is hereby given that at 11:00 A.M. on the 5 day of June, 1963,
at Lairdale, Idaho, County of Bonner, State of Idaho, before
Robert Kellogg, proof will be submitted of the
application to beneficial use of 0.27 cubic feet per second of the waters of Reed
Orville River in accordance with the terms and conditions of
Permit No. 22851 heretofore issued by the Department of Reclamation of the State of
Idaho.

JW Fisher & Hazel Alberts
The name and post office address of the person or corporation holding said permit
Lairdale, Idaho Box 146

The use to which said water has been applied is irrigation

The amount applied to beneficial use is 3.7 cfs 0.27 CFS

The point of diversion of said water is 300 ft N.E. Corner 36
as per sketch enclosed

NE 1/4 NE 1/4 of Section 36, Township 36N, Range 4W, B.M. T. 56N. - R. 4W. B.M.

The place where said water is used (LEGAL DESCRIPTION) Section 31

R. 4W - R. 3W - T. 36N - T. 35N

Section 31 - R. 3W - T. 56N

Remains in the NE 1/4 NE 1/4 Section 36, Township 36N, Range 4W, B.M. T. 56N. - R. 4W. B.M.

Remains in the NW 1/4 NW 1/4 Section 31, Township 36N, Range 4W, B.M. T. 56N. - R. 3W. B.M.

The date of priority which said user is prepared to establish is June 5, 1963

State Reclamation Engineer

22851

[Signature]

April 18, 1963

Re: Permit No. 22851

J. W. Fisher & Hazel Alberts
Box 146
Laclede, Idaho

Dear Mr. Fisher and Mrs. Alberts:

Returned herewith are one Form 10 and one Form 11 with two blank Forms 19.

It is necessary that you arrange with some Notary Public to take the depositions at a certain time, about 50 days after the date you return the forms.

Complete the information on the blank Forms 10.

The point of diversion answer is the 40-acre subdivision, or Lgt number of the Section, Township and Range. The place of use also should show the 40-acre subdivisions. Your permit shows the place of use as NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 56 N., R. 4 W. and N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 31, T. 56 N., R. 3 W.

Return the completed Forms 10 and Form 11 at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. Forms 10 and 11

22851

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Re: Permit No. 22851

Date: April 1, 1963

J. W. Fisher & Hazel Alberts
Laclede, Idaho

Dear Mr. Fisher & Mrs. Alberts:

The date for proof of application of water to beneficial use, as set out under the terms of Permit No. 22851 is due not later than June 23, 1963. 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,

GEO. N. CARTER

GEO. N. CARTER
State Reclamation Engineer

Enc. Form 10 - 11

22851

June 25, 1957

Re: Permit No. 22851

Mr. J. W. Fisher
Laclede
Idaho

Dear Mr. Fisher:

Enclosed is the Assignment of Permit No. 22851 to J. W. Fisher and Hazel Alberts by Mrs. Edith Calvert, wife of permit holder. This assignment was recorded in the Department of Reclamation in Book 81 of Permits at Page 22851. It should now be attached to the original permit to which it refers.

Herewith is the Certificate of Completion of Works issued under Permit No. 22851 for the diversion of 0.27 second foot of water from Pend Oreille River with the point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 56 North, Range 4 West, B.M. for irrigation of 19 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 56 North, Range 3 West, B.M. Also, departmental receipt No. 28662 for \$5.50 issued as receipt of the \$5.00 fee for the Certificate of Completion of Works and the 50¢ fee for recording the assignment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
JA/nls
Enc.

22851



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE
June 17, 1957

RECEIVED
JUN 24 1957
Department of Reclamation

Re: Permit No. 22851

Mr. J. W. Fisher
Laclede
Idaho

Dear Mr. Fisher:

This acknowledges receipt of the Decree of Distribution of the Estate of DeWitt Calvert, also the Assignment of Permit No. 22851.

The fee for recording an assignment is 50¢ which you may remit to this department at your earliest convenience and we will then record the assignment and return it to you for your file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Edna P. Rutledge
Chief Clerk (a)

JA/nls

22851

June 17, 1957

Re: Permit No. 22851

Mr. J. W. Fisher
Laclede
Idaho

Dear Mr. Fisher:

This acknowledges receipt of the Decree of Distribution of the Estate of DeWitt Calvert, also the Assignment of Permit No. 22851.

The fee for recording an assignment is 50¢ which you may remit to this department at your earliest convenience and we will then record the assignment and return it to you for your file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

JA/nls

22851

422

CERTIFICATE

RECEIVED
JUN 10 1957

STATE OF IDAHO,

County of Bonner,

} ss.

Department of Reclamation

I, the undersigned Probate Judge and Ex-Officio Clerk of the Probate Court of Bonner County, Idaho, do hereby certify that the annexed copy of the Decree Settling Final Account and Final Distribution of Estate

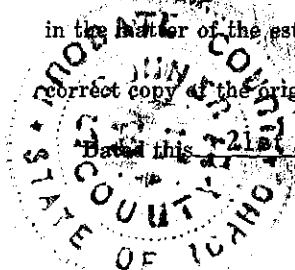
in the matter of the estate of DeWitt Calvert, also known as
D. Calvert, deceased, is a full, true and

correct copy of the original thereof on file and of record in my office as such Judge and Clerk.

Dated this 21st day of January, A.D. 1957.

Frances Sleep
Probate Judge and Ex-Officio Clerk.

22851



59854

IN THE PROBATE COURT OF BONNER COUNTY, STATE OF IDAHO

In the Matter of the Estate	)	
	)	DECREE SETTLING FINAL
of	)	ACCOUNT AND FINAL DISTRI-
	)	BUTION OF ESTATE
DE WITT CALVERT, also known	)	
as D. CALVERT, Deceased.	)	

Edith Calvert, executrix of the estate of De Witt Calvert, also known as D. Calvert, deceased, having on the 7th day of January, 1957, rendered and filed herein a full account and report of her administration of said estate, which account was for final settlement, and having with said account filed a petition for final distribution of said estate, and the Court having set the 21st day of January, 1957, at the hour of ten o'clock A.m. in the Courtroom of the above entitled Court in the City of Sandpoint, of the County of Bonner, State of Idaho, as the time and place for hearing said final account and petition for decree of distribution, this matter came on regularly to be heard on the 21st day of January, 1957, at the hour of ten o'clock A.M., proof having been made to the satisfaction of the Court that the Clerk had given notice of the settlement of said account and the hearing of said petition in the manner and time heretofore ordered and directed by the Court, and the said petition now being presented to the Court and no person appearing to contest the same or object to the same, the Court, after hearing the evidence, being satisfied that all taxes upon the personal property of the estate having been fully paid, and that there has been paid all inheritance taxes due the State of Idaho, that notice to creditors has been duly published and that Four Months have elapsed since the first publication of notice to creditors, and that all creditors have been paid according to law, and that said estate is now in a condition to be closed and distributed,

That the said DeWitt Calvert, also known as D. Calvert, died

22851

testate on the 26th day of June, 1956, in Sandpoint, Bonner County, State of Idaho, and left the hereinafter described property in Bonner County, State of Idaho, and that the same was the community property of said deceased, and his wife, Edith Calvert, and that said deceased left a will bearing date the 15th day of March, 1950; that by the terms and provisions of said will said deceased bequeathed all of his property as follows:

An undivided one-third interest to his wife, Edith Calvert;
 An undivided one-third interest to his son, James W. Fisher; and
 An undivided one-third interest to his daughter, Hazel Alberts.

That said named persons are the sole heirs and devisees of said deceased.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the final account of the said Edith Calvert be and the same is hereby settled, allowed and approved, and the said Edith Calvert is hereby discharged from her trust as executrix; that the residue of said estate and any and all other property belonging to or owned by said deceased, whether mentioned herein or not, be and the same is hereby distributed as follows:

That under the laws of community property succession of the State of Idaho the said surviving widow is the owner in her own right of an undivided one-half interest in and to all of said property hereinafter described and the remaining undivided one-half interest of the deceased only is subject to said decedent's testamentary disposition, distribution is made to-wit:

One-half interest to Edith Calvert as owner of her part of the community;

The remaining one-half interest of decedent in and to said community pursuant to his Last Will and Testament and which is distributable herein:

One-sixth thereof to Edith Calvert;
 One-sixth thereof to James W. Fisher;
 One Sixth thereof to Hazel Alberts.

That the residue of said estate now consists of the following described property, to-wit:

REAL ESTATE:

Southwest Quarter of Northeast Quarter; South Half of Lot 2, Section 17, Township 56 North, Range 3, W.B.M.

Tax No. 112, Section 30, Township 56 North, Range 3, more particularly described as follows: Beginning at a point at the Southwest corner of Lot 4, Sec. 30, Township 56 North, Range 3, W.B.M.; thence East 100 feet; thence North to within 50 feet of Great Northern Railway right of way as now located; thence a Southwesterly direction parallel with said right of way to said section line; thence South to place of beginning, except easement of right of way to Idaho, Montana Power Co.

Tax No. 13, Section 31, Township 56 North, Range 3, West B.M., more particularly described as follows: Lot 3, less tax numbers.

Tax No. 22, Section 31, Township 56 North, Range 3, West B.M. more particularly described as follows: Beginning at the Northeast corner of Lot 3, Section 31, Township 56 North, Range 3, W.B.M.; thence South 592 feet; thence West 25 feet to the place of beginning; thence South 209 feet; thence West 209 feet; thence North 209 feet; thence East 209 feet to point of beginning. 1 Acre.

Lot 5, less Tax No. 1, Section 36, Township 56 North, Range 4, West B.M. Tax No. 1 being more particularly described as follows: Commencing 1163 1/2 feet South and 224 1/2 feet West of Northeast corner of Section 36, Township 56 North, Range 4, West B.M.; thence South 51° 36' West 150 feet; thence at right angles South 28° 14' East 209 feet; thence North 58° 44' East 150 feet; thence North 28° 14' West 200 feet to place of beginning.

PERSONAL PROPERTY:

Farm implements and tools;

Dairy Stock;

Household goods and furnishings.

CASH:

Savings Account at the Idaho First National Bank at Sandpoint, Idaho in the sum of \$8323.36.

DATED and DONE this 21st day of January, 1957.

FILED FOR RECORD *Jan 21, 1957* AT 10:35 A.M. RECEIVED OF *James E. North* FRANCES SLEEP
STANLEY L. WOLFE, BONNER COUNTY RECORDER BOOK NO. *234 Misc, Page 419* Probate Judge
By Marie Inman, Deputy. *Jan 21, 1957* 22851

[Handwritten signature]

NOTES

James E. Hunt



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

June 4, 1957

RECEIVED
JUN 10 1957

Department of Reclamation

RE: Permit No. 22851

Mr. J. W. Fisher
Laclede, Idaho

Dear Mr. Fisher:

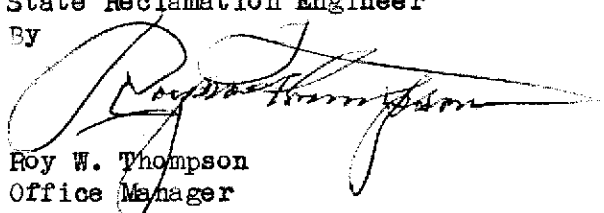
We are returning herewith assignment of Permit No. 22851 to J. W. Fisher and Hazel Alberts from Mrs. Edith Calvert for the reason that same is not legally executed.

The assignment will have to be signed by the holder of the permit, D. Calvert as well as the signature of his wife. Provided the holder, D. Calvert is deceased, it will be necessary to have a copy of the distribution of his estate showing the wife as sole owner of said permit. If for any other reason the signature of D. Calvert can not be obtained, it will be necessary to furnish this department with a copy of a deed or some other legal document showing conveyance from D. Calvert to his wife, Mrs. Edith Calvert.

Upon receipt of a legal document and the signature of the permitholder on the enclosed assignment that we can approve, and the receipt of fifty cents in payment for recording said assignment, we can proceed with the recording of said assignment in your name.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By


Roy W. Thompson
Office Manager

RWT:lw
Encl.

22851

June 4, 1957

RE: Permit No. 22851

Mr. J. W. Fisher
Laclede, Idaho

Dear Mr. Fisher:

We are returning herewith assignment of Permit No. 22851 to J. W. Fisher and Hazel Alberts from Mrs. Edith Calvert for the reason that same is not legally executed.

The assignment will have to be signed by the holder of the permit, D. Calvert as well as the signature of his wife. Provided the holder, D. Calvert is deceased, it will be necessary to have a copy of the distribution of his estate showing the wife as sole owner of said permit. If for any other reason the signature of D. Calvert can not be obtained, it will be necessary to furnish this department with a copy of a deed or some other legal document showing conveyance from D. Calvert to his wife, Mrs. Edith Calvert.

Upon receipt of a legal document and the signature of the permitholder on the enclosed assignment that we can approve, and the receipt of fifty cents in payment for recording said assignment, we can proceed with the recording of said assignment in your name.

Very truly yours,

MARK R. GULF
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Encl.

22851

May 15, 1957

Re: Permit No. 22851

Mr. J. W. Fisher
La Clede, Idaho

Dear Mr. Fisher:

We wish to acknowledge receipt of your affidavit of Completion of Works Proof in connection with Permit No. 22851.

Our records disclose that this permit is now in the name of D. Calvert. We wish, therefore, if you are the present owner of said water right, it will be necessary for you to get an assignment of said permit from Mr. Calvert in order that we may record the permit in your name.

We are enclosing herewith a form of an assignment for this purpose. Please have the form filled out and properly notarized and returned to this department as soon as possible.

Very truly yours,

MARK E. MUIP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:lw
Enclosure

22851

Permit No. 22851

Encl 5500 M.C.

STATE OF IDAHO

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

RECEIVED
MAY 15 1957

STATE OF IDAHO

County of Banner

SS.

Department of Reclamation

J. W. Fisher, 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. 22851, and that his postoffice address is Laclede State of Idaho

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

Pend Oreille River

Third: That the point of diversion of said water is NE 1/4 NE 1/4

Section 36 T56N R4W

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 23, 1957

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

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

I. Kind of works: ✓ Pipe 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 ✓ 4 inches, average grade per mile is 10 feet. Length of conduit is 0.1 miles.

Seventh: That said works are capable of conducting to the place of intended use 0.27 second feet of water.

Eighth: That water appropriated under said permit is available for _____ acres of land described as follows: 9 Acres in NE 1/4 NE 1/4 Sec 36 T56N R4W

12 Acres in NW 1/4 NW 1/4 Sec 31 T56N R3W

Ninth: Remarks: That

Mr. D. Colvert died June 25, 1956 and the farm is deeded to J. W. Fisher

J. W. Fisher

(Sign Here)

Subscribed and sworn to before me this 10th day of May, 1957

My commission expires April 10, 1961

A. J. Hewes
Notary Public.

22851

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

RE: Permit No. 22851

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. D. Calvert
Lecole, Idaho

Boise, Idaho April 1, 1957

Dear Sir:-

Under the terms of your permit No. 22851 you are required to complete your diversion works on or before June 23, 1957. 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

22851

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
FOISE

Permit No. 22851

Date June 28, 1952

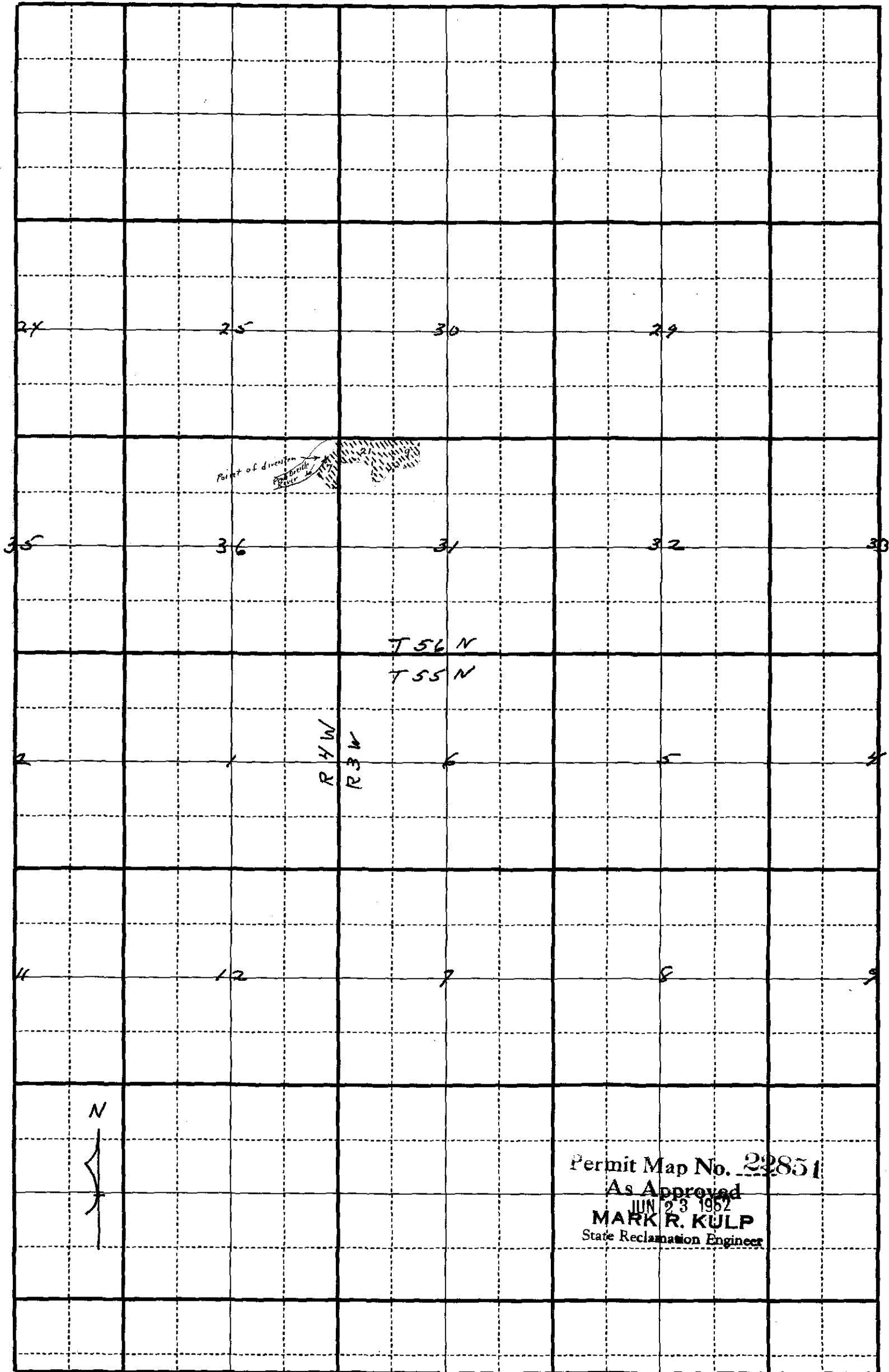
We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

Mr. D. Calvert
Laulede
Idaho

MARK R. KULP
State Reclamation Engineer

Enc. Departmental receipt No. 24561 for \$5.00 filing fee.

22851



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

22851

June 7, 1952

Mr. D. Calvert
Box 146
Laclede, Idaho

Dear Mr. Calvert:

In reply to your letter of June 5, 1952, we enclose a form of application for permit to appropriate the public waters of the State of Idaho together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

22851

Lacide Ida

6-5-52

Mr. Mark Halp

Dear Sir:

Will you please send
water right application
form.

Yours Respt

D. Cabrent

Lacide Ida

RECEIVED
JUN 7 1952
Department of Reclamation

22851

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

Notice is hereby given that at 10:00 A.M. on the _____ day of June, 1963, at Laclede, County of Bonner, State of Idaho, before Robert Kellogg, proof will be submitted of the application to beneficial use of 0.27 cubic feet per second of the waters of Pend Oreille River in accordance with the terms and conditions of Permit No. 22851 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, J. W. Fisher & Hazel Alberts, Box 146, Laclede, Idaho.

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

The amount applied to beneficial use is 0.27 cfs.

The point of diversion of said water is NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36, T. 56 N., R. 4 W. B. M.

The place where said water is used (LEGAL DESCRIPTION) NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T. 56 N. R. 4 W. B. M., NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31, T. 56 N., R. 3 W. B. M.

The date of priority which said user is prepared to establish is June 18, 1952.

GEO. N. CARTER,

State Reclamation Engineer
m2-9-16-23.