

SECTION No. 21, SUBDI West

The Company has not surveyed the premises. The sketch below is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability for inaccuracies therein. It does not purport to show ALL highways, roads and easements adjoining or affecting said premises.



2
31.50

06.03.2017

25.00

PIQ

END

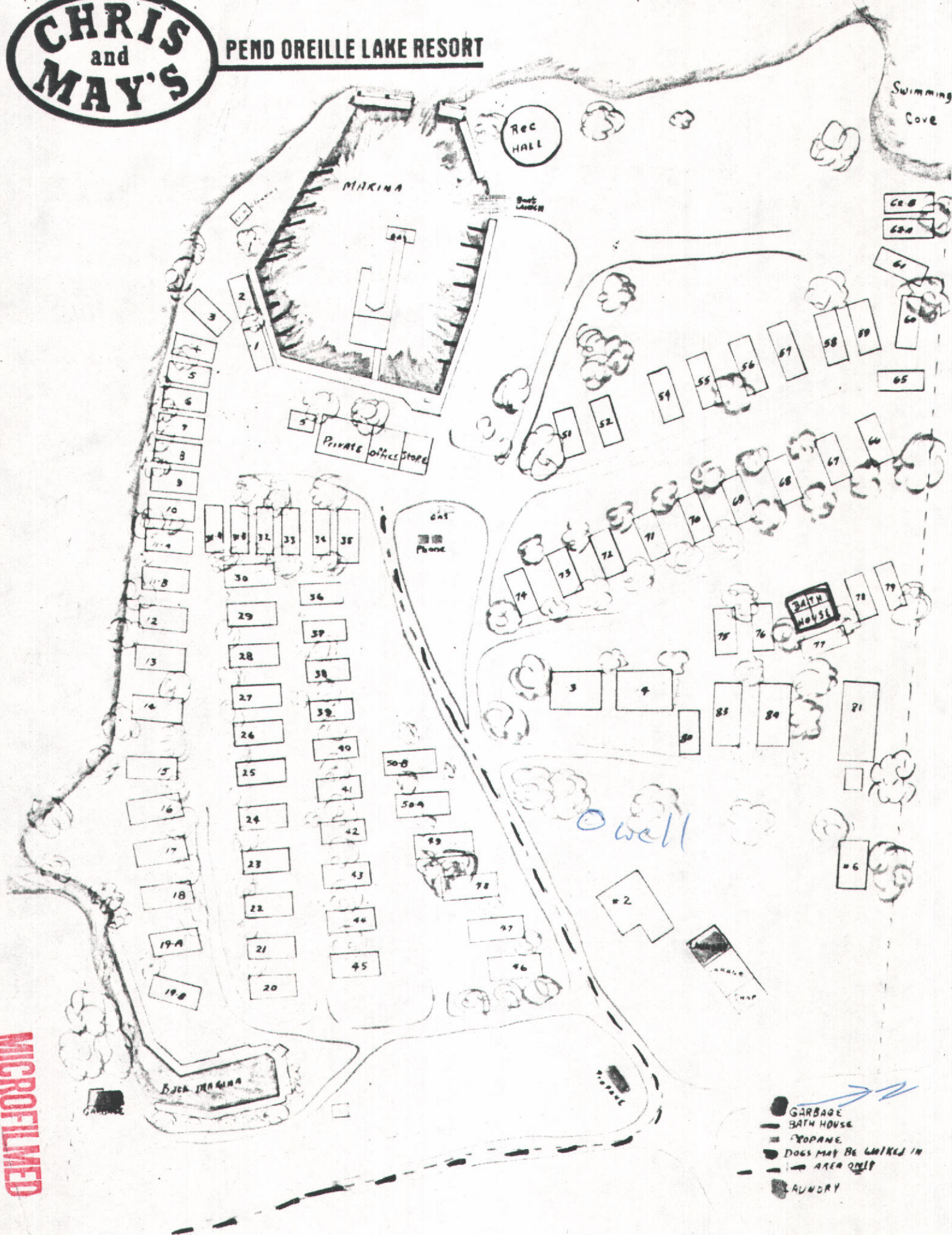
A hand-drawn sketch of a crosshair. The word "RELIEF" is written vertically along the right-hand line of the crosshair. The word "ROCK" is written horizontally along the top line of the crosshair. The letters are simple, blocky, and hand-drawn.



"THERE IS A DIFFERENCE..."

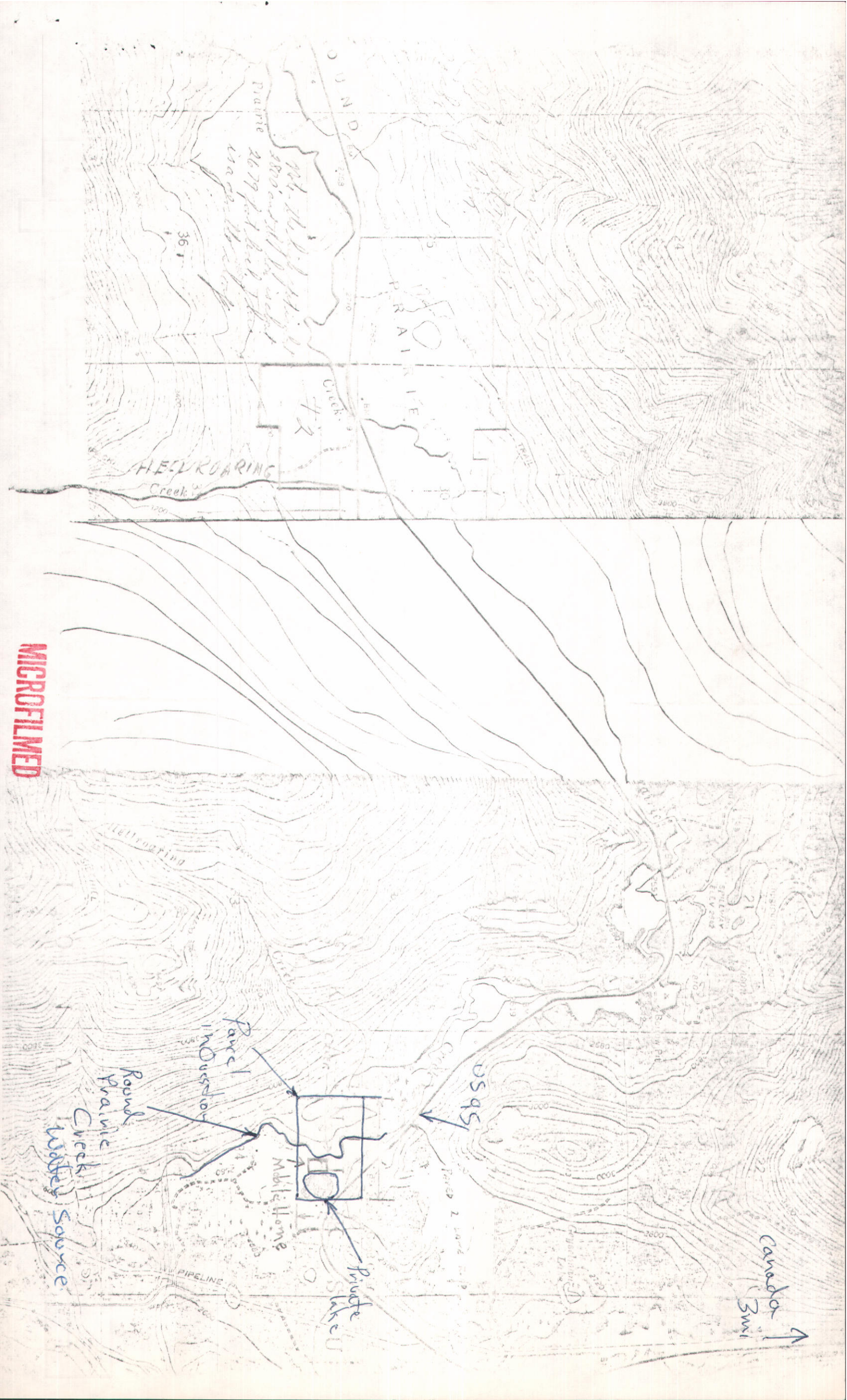
INDEXED

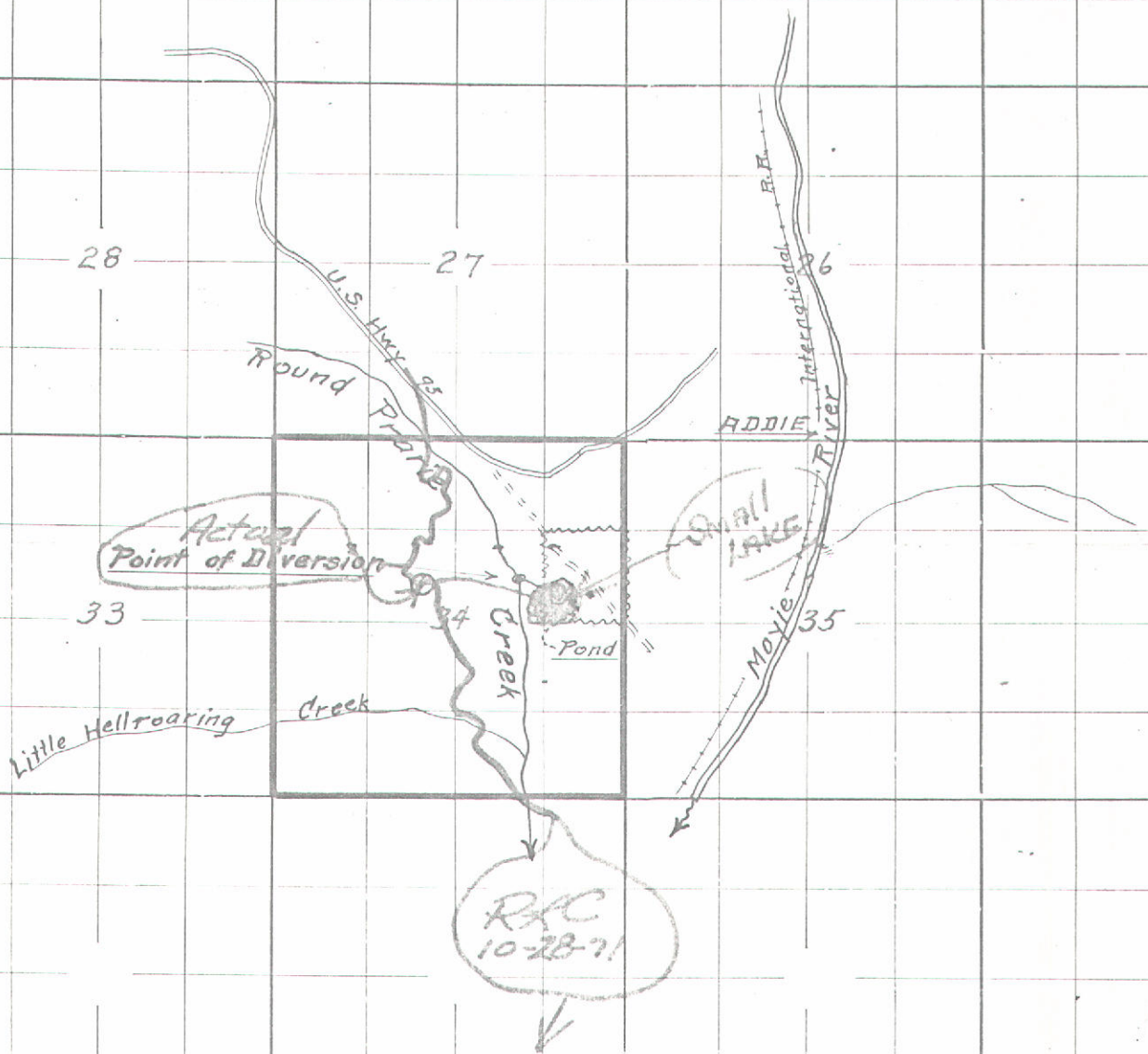
PEND OREILLE LAKE RESORT



GARBAGE
BATH HOUSE
PROPANE
DOGS MAY BE LINKED IN
- AREA ONLY
LAUNDRY

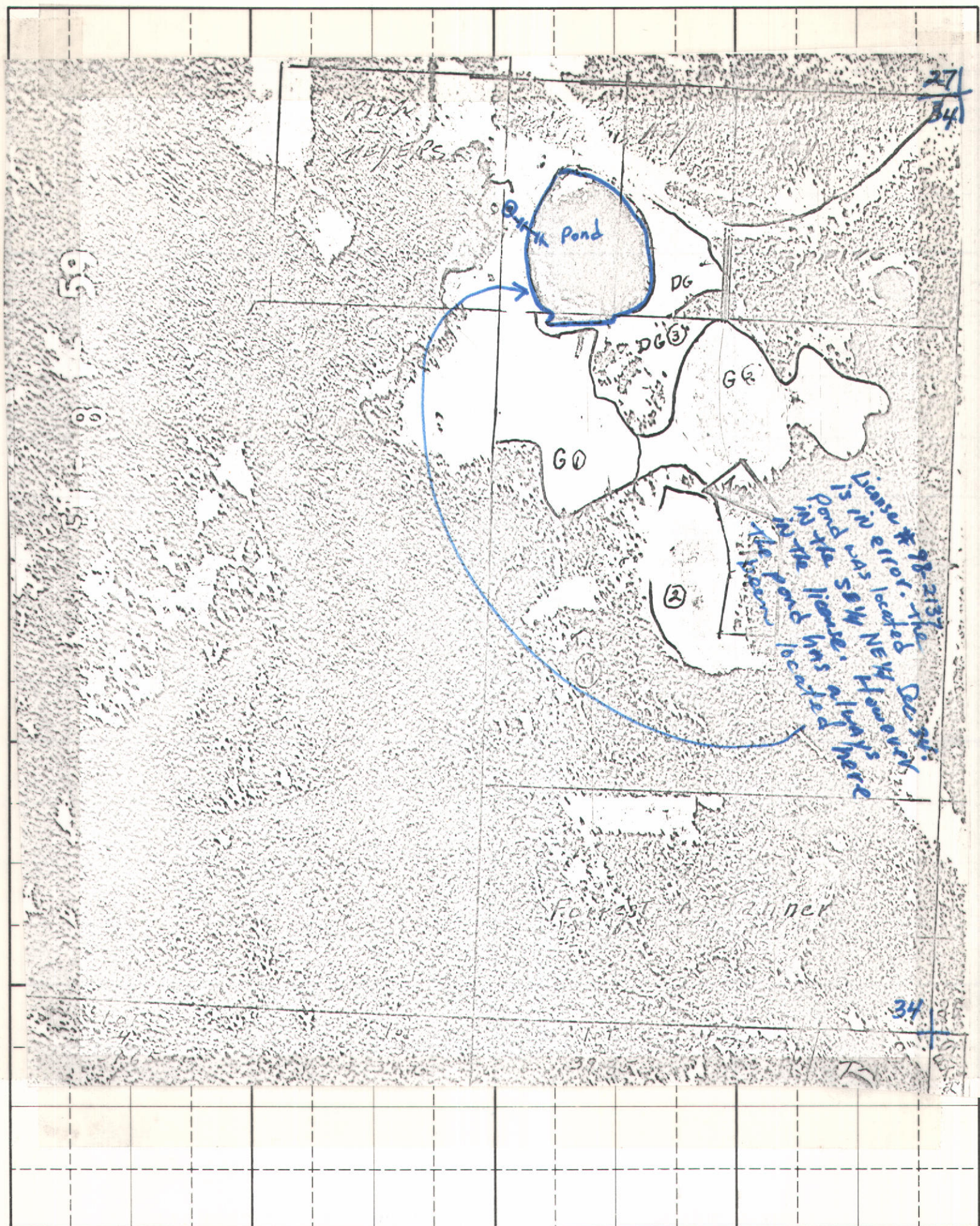
MICROFILMED





FOR FURTHER ASSISTANCE
SEE 1965 SERIES QUBD.
MAP # (A-9)

WICHEL-110



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

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

NO. 98-2137

Notice is hereby given that Glenn Aby, Sr. and Herb Mead and (Bob Rich &/or Jerry Meyers, Partners), of Star Route 2, Bonners Ferry, Idaho has applied to the Department of Water Administration for a change of the point of diversion and the place of use of the waters of Round Prairie Creek. The right sought to be changed is evidenced by License No. 98-2137 and is recorded as follows. Amount: 10a.f. Priority: February 22, 1948. Point of Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M., Boundary County. The water is used for stockwatering purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M.

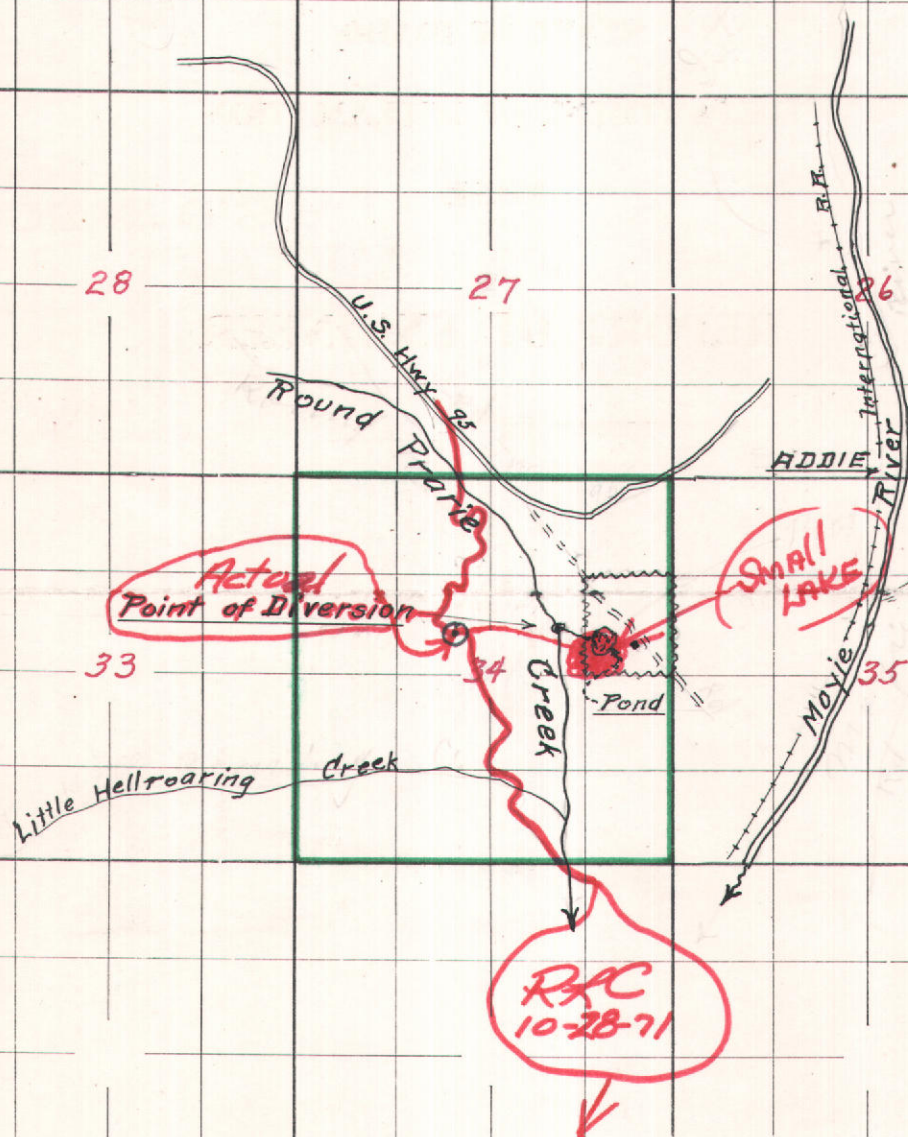
TO BE CHANGED AS FOLLOWS
Amount: 10 a.f. Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M. The water will be used for stockwatering purposes within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration, Statehouse, Annex No. 2, Boise, Idaho, on or before March 25, 1974.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on March 7 and March 14, 1974.-idwa

O.K.
3-11-74
CP



FOR FURTHER ASSISTANCE
SEE 1965 SERIES Q8D.
MAP # (A-9) BDE

The Bonners Ferry Herald

PUBLISHERS AND COMMERCIAL PRINTERS

Bonners Ferry, Idaho

RECEIVED

JUL 13 1948

Department of Reclamation

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10 A. M. on the 29 day of May, 1948, at Bonners Ferry, County of Boundary, State of Idaho, before H. I. Monks, Notary Public, proof will be submitted of the application to beneficial use of 10 acre feet per annum of the waters of Round Prairie Creek in accordance with the terms and conditions of Permit No. R796 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 are Troy F. Mason, Addie, Idaho.

The use to which said water has been applied is stock watering.

The amount applied to beneficial use is 10 acre feet.

The name of the canal or ditch or other works by which said water is conducted to such place of use is 6-in. pipe.

The right to take water from such works is based upon Permit No. R796.

The source of supply from which such water is diverted is Round Prairie creek.

The date of priority which said user is prepared to establish is February 22, 1948.

MARK R. KULP,

State Reclamation Engineer.

First publication May 6, 1948.

Last publication May 27, 1948.

AFFIDAVIT OF PUBLICATION

State of Idaho ss
County of Boundary

R. L. Myers, being first duly sworn upon his oath, deposes and says: That he is the co-publisher of the Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that the advertisement of State Reclamation Engineer, a Notice of Proof Application of Water to Beneficial Use, Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for four consecutive issues, commencing with the issue dated May 6, 1948, and ending with the issue dated May 27, 1948.

R. L. Myers

Co-Publisher

Subscribed and sworn to before me this

9 day of July, 1948.

H. I. Monks

Notary Public in and for the County of Boundary, State of Idaho, residing at Bonners Ferry, Idaho

Notary Public for the State of Idaho

Residing at Bonners Ferry.

Commission Expires 7/6 1945



PUBLISHED EVERY THURSDAY

COMPLETE NEWSPAPER COVERAGE OF BOUNDARY COUNTY

R-796

State of Idaho

License and Certificate of Water Right

Water License No. R-796Amount 10 acre feet

Water District No. _____

Priority February 22, 1948

THIS IS TO CERTIFY that TROY F. MASON
 of Addie, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated September 8, 1947; that Permit No. R-796
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
10 second feet, was issued thereunder on March 28, 1949, showing that said works
 were completed on the 8th day of October, 1947; and that on the 29th
 day of June, 1948,

TROY F. MASON

of Addie, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Round
Prairie Creek, a tributary of Moyie River, for the purpose of Stock watering
under Use Permit No. R-796 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
8 of Licenses at page 4473, on the 28th day of March, 1949;

The right hereby confirmed dates from February 22, 1948;

The Point of Diversion is located

in the SE 1/4 NE 1/4, Sec. 34, Tp. 65 N., R. 2 E., B. M. Boundary 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 Ten (10) acre annum. ~~cubic~~ feet per ~~second~~.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			<u>SE 1/4 NE 1/4 Section 34, Township 65 North,</u>		<u>Range 2 East, B.M.</u>

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
28th day of March, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

State of Idaho

License and Certificate of Water Right

Water License No. 20259Amount .05 second footWater District No. ()Priority January 19, 1948

THIS IS TO CERTIFY that EDD GROVE
of Route 1, Meridian, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 19, 1948; that Permit No. 20259
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.05 second feet, was issued thereunder on February 5, 1948, showing that said works
were completed on the 29th day of January, 1948; and that on the 5th
day of March, 1948,
EDD GROVE
of Meridian, 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 - - - -, for the purpose of irrigation and domestic
use, under Use Permit No. 20259 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
8 of Licenses at page 4474, on the 29th day of March, 1949;
The right hereby confirmed dates from January 19, 1948;
The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 32, Twp. 4 N., R. 1 W., B. M. Ada County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	1 W.	32	SE 1/4 SE 1/4	10	- -

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
29th day of March, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

APPLICATION FOR PERMIT

To Construct a Reservoir and Store and Appropriate
The Public Waters of the State of Idaho

Application No. R 27772
Permit No. R 796

1. Name of Applicant: TROY F. MASON

Postoffice address: Addie

County Boundary

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 corporation are:

(a) Cash on hand: \$

(b) Treasury Stock: \$

(c) Bonds to be issued: \$

(d) Other resources:

2. Quantity of water to be stored: Ten (10) acre feet per annum.

3. Source of water supply is Round Prairie Creek (Creek) (River) (Spring), a tributary of Moyie River.

4. The outlet of the proposed reservoir is located No outlet feet, distant from the corner of Section , Township , Range , B. M. and is in the ¼ of ¼ of Section , Township , Range , B. M. County of

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet distant from the corner of Section , Township , Range , B. M., and is in the SE ¼ of NW ¼ of

Section 34 , Township 37 N. , Range 2 E. , B. M.; width at bottom feet, width at top feet, depth of water 6" stove pipe through a dike feet; average grade per mile feet; Capacity cubic feet per second.

6. (a) The area of the high water line of the reservoir is Approximately 4 to 5 acres.

(b) The reservoir capacity is Approximately 10 natural basin acre feet.

7. Height of reservoir dam No dam / feet, length at top feet, length at bottom feet, size of outlet feet by feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of

(Creek) (River) ? No irrigation

(b) Water stored in reservoir will be carried in the channel of (Creek,) (River,) a distance

of miles to point of diversion located (bearing) feet, distant from the corner of Section , Township , Range , B. M., and in the ¼ of ¼ of Section , Township , Range

B. M.

9. Amount of water claimed from (Creek) (River) (Spring) in addition to that stored in reservoir None cubic feet per second.

10. Water is to be used for Stock watering purposes.

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

(a) Point of use of water (bearing) feet, distant from Corner of Section , Township , Range , B. M. and is in the ¼ of ¼ of Section , Township , Range , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to (Creek) (River) (Spring) at a point (bearing) feet distant from the corner of Section , Township , Range , B. M., in the ¼ of ¼ of Section , Township , Range B. M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No.

, which is hereby referred to and made a part hereof.

13. Kind of diversion works: 6" pipe through a dike

(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: 111 feet, length at top 201 feet, length at bottom 111 feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width feet, Height feet.

16. Diversion Canal: Width at bottom feet, width at water line feet, depth of water feet, Dimensions of Flume feet.
Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.

17. Estimated cost of Works: Storage Works: \$ Diversion Works: \$100.00

18. Time required for completion of work Completed years.

19. Time required for complete application of water to proposed beneficial use is None years.

20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in each 40-acre subdivision.)

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 $\frac{1}{4}$	
			No irrigation- Stock water out of the lake																

Total Number of Acres to be Irrigated

Remarks: The purpose of this filing is to insure a right to maintain a small lake that already exists and to use same for stock watering purposes. A dike has been constructed to hold waters of the Round Prairie Creek from overflowing all of the bottom land in the spring. A 6" stove pipe through the dike permits enough early flow water to enter the lake to keep it fresh and furnish sufficient water that it does not dry up in the late summer. Small lake is located in the central portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 34, Twp. 37 N., Range 2 E., B. M.

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and store and appropriate the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

TROY F. MASON Applicant.

By

Agent.

State Reclamation Engineer: 2:00 P. M. September 8, 1947
Date of first receipt at office of Commissioner of Reclamation

Returned to applicant for correction

Corrected application received

STATE RECLAMATION ENGINEER APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is R 796

Recorded in book R 3, page 796 Approved September 15, 1947

This is to certify that I have examined the within application for a permit to construct a reservoir and store and 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 Completed and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before

The whole of said work to be completed on or before December 15, 1947

Beneficial use of water stored in accordance herewith, to be made on or before December 15, 1947

Witness my hand this 15th day of September

1947
MARK R. KULP
Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, 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 15th day of September, 1947.

(S E A L)

Countersigned:
By J. D. "CY" PRICE
Secretary of State

STATE OF IDAHO
By C. A. ROBINS
Governor

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to appropriate the Public Waters of the State of Idaho, No. R-796, to June 15, 1948.
Witness my hand this 10th day of November, 1947.

MARK R. KULP
State Reclamation Engineer

AFFIDAVIT.

State of Idaho
County of Boundary ss

RE: Permit No. R 796 State of Idaho-Dept of Reclamation

Troy F. Mason being duly sworn deposes and says that the correct description of the point of diversion of water under Permit No. 796 is described as being in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34 Township Sixty Five (65), North, Range 2 East B.M. and not in Township 37 North, as described in the permit.

TROY F. MASON

Subscribed and sworn to before me this 9th day of July 1948.

H. I. MONKS
Notary Public for the State of Idaho
Residing at Bonners Ferry

Commission expires February 6, 1951

Permit No. R-796 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that TROY F. MASON of Addie, County of Boundary, and State of Idaho, the holder of Permit No. R-796, issued upon Application No. R-27772 bearing date of priority of September 8, 1947, authorizing the storage of Ten (10) acre feet of the waters of Round Prairie Creek, a tributary of Moyie River, County of Boundary, State of Idaho, for stock watering 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 storing in the place of intended use Ten (10) acre feet of the waters of Round Prairie Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, Township 65 North, Range 2 East, B.M. and that the place of use of said water is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, Township 65 North, Range 2 East, B.M.

Witness my hand this 28th day of March, A. D. 1949.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made October 8, 1947.
Certificate of Completion of Works issued March 28, 1949.

STATE OF IDAHO

LICENSE AND CERTIFICATE OF WATER RIGHT

Water License No. R-796

Priority February 22, 1948

Amount 10 acre feet.

THIS IS TO CERTIFY that TROY F. MASON of Addie, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 8, 1947; that Permit No. R-796 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10 acre feet, was issued thereunder on March 28, 1949, showing that said works were completed on the 8th day of October, 1947, and that on the 29th day of June, 1948, TROY F. MASON of Addie, State of Idaho made proof to the satisfaction of the State Reclamation Engineer of Idaho, or a right to the use of the waters of Round Prairie Creek, a tributary of Moyie River for the purpose of stock watering, under Use Permit No. R-796 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 8 of Licenses, at page 4473, on the 28th day of March, 1949;

The right hereby confirmed dates from February 22, 1948;

FILED FOR 10 SEC. FT.
P. 4473

(over)

The Point of Diversion is located in the SE¹₄ NE¹₄, Section 34, Township 65 North, Range 2 East, B.M. Boundary 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 Ten (10) acre feet per annum.

Description and location of use: SE¹₄ NE¹₄ Section 34, Township 65 North, Range 2 East, B.M.

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 28th day of March, 1949.

MARK R. KULP
State Reclamation Engineer



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~C. Stephen Allen~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

January 11, 1982

Mr. Richard A. Villelli
1001 W. Whittier Blvd.
La Habra, Ca. 90631

Dear Mr. Villelli:

Pursuant to your request, I have investigated the water rights on both pieces of property. The property located near the Canadian boarder has been filed on and the water right number is 98-2137.

I could find no filing on the RV park. If the present usage was established prior to March 25, 1963 a Claim to a Water Right should be filed. If the usage was established after this date, an Application for Permit should be filed. I have included a copy of both forms along with the appropriate instructions.

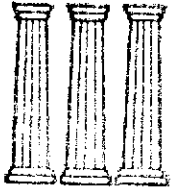
If you have any questions please contact me.

Sincerely,

Lawrence D. Beard

Lawrence D. Beard
E.I.T.

MICROFILMED



**Villeggi
enterprises**

Villeggi Realty Co.



1001 W. WHITTIER BLVD., LA HABRA, CALIFORNIA 90631

(213) 691-3237 — (714) 526-3403

January 6, 1982

Mr. Larry Beard
Idaho Dept. of Water Resources
Route #5, Box 203
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Mr. Beard:

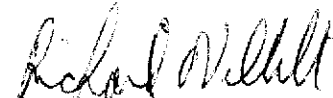
As per our conversation, I am enclosing you information on two pieces of property in the northern region that I would like to find out if I need to establish or protect existing water rights.

First I would like to find out if these water rights have at any time been established. The first piece of property is located in the Hope, Crescent Creek, Clark Fork area and is known as Chris & May's Idaho Country RV Park. I am enclosing a map showing where the property is located, along with a legal description and a point mark where the well is. The well apparently services approximately 100 RV spaces, along with 5 residence quarters and laundry and rest-room facilities. I would like to find out if those water rights were established on a previous basis. If they have not been would you send me the paper work that I will need to secure these water rights.

The second piece of property is located on Highway 95, just south of the Canadian border, and I am enclosing a map of that property indicating the area where we would like to establish water rights or claiming existing water rights. When I purchased the property I was told that water rights were established to use the water from the stream to provide water for the lake. I would appreciate if you would check and see if those rights exist. If not, then would you please send the necessary paper work so I could secure a permit for water rights.

Thank you for your time in this matter.

Sincerely,


Richard A. Villeggi

RAV:sr
enclosures

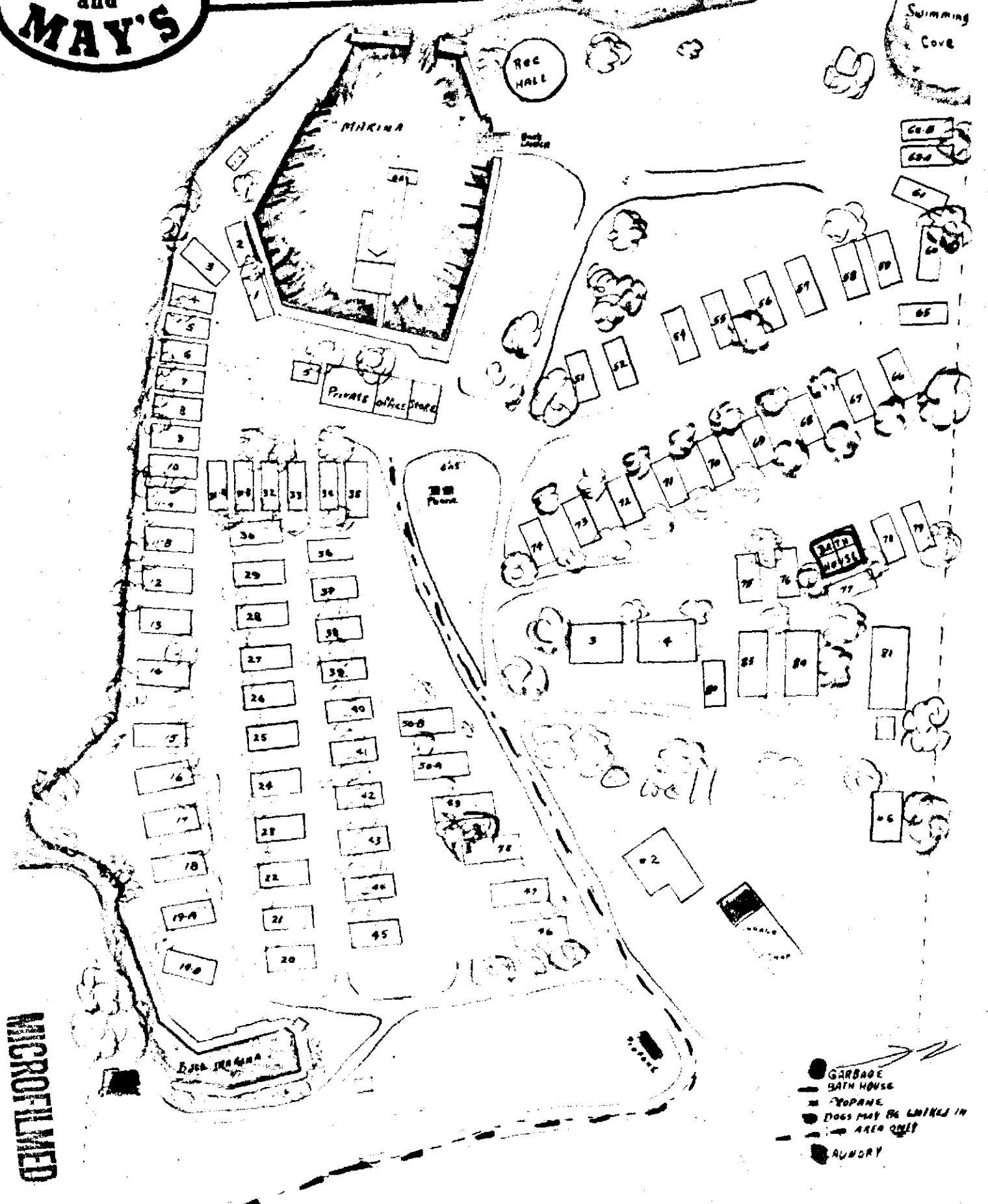
MICROFILMED

RECEIVED
JAN 8 1982

Department of Water Resources
Northern District Office



PEND OREILLE LAKE RESORT



MICROFILMED

- GARBAGE
- BATH HOUSE
- PROPANE
- DOGS MAY BE LINED IN AREA ONLY
- LAUNDRY

Canada
3mi

255

Private
Lake

2-11-68

Parcel 1
Household

Round Prairie

middle source

HELVING
Creek

REPROFILING

WARRANTY DEED

FOR VALUE RECEIVED, ROBERT V. RICH, JR., also known as ROBERT VICTOR RICH, JR., an unmarried man, and JERRY L. MEYERS, also known as JERRY LEE MEYERS, a married man dealing with his sole and separate property, joined in by his wife, ELIZABETH A. MEYERS, as to any community property interest therein, the Grantors, do hereby GRANT, BARGAIN, SELL and CONVEY unto RICHARD A. VILLELLI and MARIE V. VILLELLI, husband and wife, the Grantees, whose current address is 994 Bernice Drive, Brea, California 92621, the following described real property situated in the County of Boundary, State of Idaho:

The West Half of the Northwest Quarter of the Northeast Quarter (W1/2 NW1/4 NE1/4) and the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section Thirty-four (34), Township Sixty-five (65) North, Range Two (2) East, B.M.

98-2137

Said property is subject to a certain unrecorded Real Estate Contract dated May 20, 1972 by and between ROBERT M. REMINGTON and VIRGINIA H. REMINGTON, husband and wife, and ROBERT VICTOR RICH, JR., a married man, and JERRY LEE MEYERS, a married man, as tenants in common. Said Contract is held in escrow by the BANK OF IDAHO, Bonners Ferry, Idaho as Escrow No. 12-1342, which the Grantees herein expressly agree to pay and assume and the title so acquired even though acquired after the date hereof is hereby granted to the Grantees herein.

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

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

Dated: Jan 5 1978

Robert V. Rich Jr
ROBERT V. RICH, JR., also known as
ROBERT VICTOR RICH, JR.

Dated: Jan 5, 1978

Jerry L. Meyers
JERRY L. MEYERS, also known as
JERRY LEE MEYERS

Elizabeth A. Meyers
ELIZABETH A. MEYERS

MICROFILMED

known to me to be the person(s) who signed the foregoing instrument as Seller(s) and acknowledged to me that (t)he(y) executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Notary Public for State of

Residing at

BUYER'S RECEIPT

RECEIVED

FEB 1 1974

MEMORANDUM

Department of Water Administration
Northern District Office

January 30, 1974

To: Fred Eisenbarth

From: Bob

Subject: Proposed Transfer of License No. 98-2137

The amount of water (10 AF), that has been used for stockwatering, could be used for irrigation upon the approval of a transfer application.

Several questions would need to be resolved before the transfer could be approved. One question would be the ownership of the water right. The license describes the place of use as the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, but if this 40 has been divided the right would go with the ownership pond, because that is the place of use, unless some other arrangement were made when the land was sold. Therefore, we would need a copy of the deed conveying the land. Another question would concern the number of acres Mr. Mead would propose to irrigate. The duty of water for that area is 3.0 acre ft. per acre, which, if divided into 10 acre ft., would allow for the irrigation of 3.3 acres of land. The corresponding rate of diversion allowing 0.02 cfs per acre would be 0.07 cfs.

I have some doubts, based upon our recent hearing, that a new permit could be granted on that source.

I feel that it would be better if you would continue to correspond with Mr. Mead, as he will most likely return to your office for assistance in preparing the transfer.

Here is a copy of the license and the field report. You can see that a question about the location of the p.d. was raised when Rex plotted it on the USGS quad. map. This location could also be corrected by this transfer.

Bd

MICROFILMED

State of Idaho

Amount 10 acre feet

Priority February 22, 1948

THIS IS TO CERTIFY that TROY F. MASON

TROY F. MASON

The Point of Diversion is located

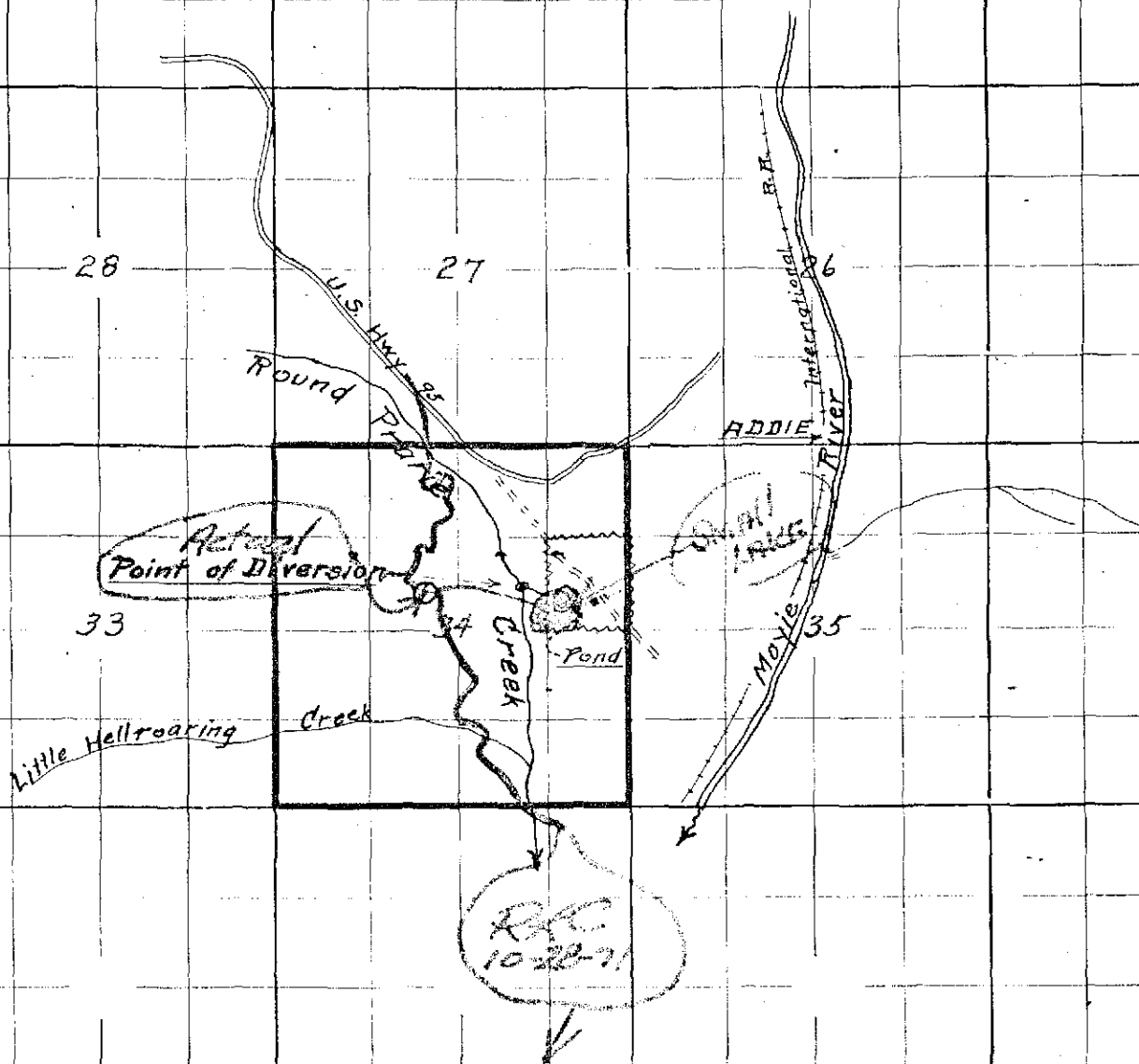
That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed Ten (10) ^{acre} ^{annum.} ~~cubic~~ feet per ~~second.~~

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34,		Range 2 East, B.M.

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

MARK R. KULP

98-2137



FOR FURTHER ASSISTANCE
SEE 1965 SERIES QUD.
MAP # (A-9)

Identification No. 98-2137

Transfer No. 2001

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

1. Name of Right Holder Glenn Aby, Sr. and Herb Mead and (Bob Rich &/or Jerry Meyers, Partners)
Post office address Star Route 2, Bonners Ferry, Idaho 83805

2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.

b. License No. 98-2137 issued by the State of Idaho, Department of Reclamation.

3. Source of water Round Prairie Creek tributary to Moyie River
(Name of stream or source)

4. Date of Priority February 22, 1948

5. Amount of water a. _____ c.f.s. and/or
b. 10 a.f. acre feet/annum

6. Water is used for Stockwater from Jan. 1 to Dec. 31
(Month, Day) (Month, Day)

7. Original location of point of diversion is SE 1/4 NE 1/4 of Section 34,
Township 65N, Range 2E, B.M., in Boundary County;

Additional points of diversion, if any _____

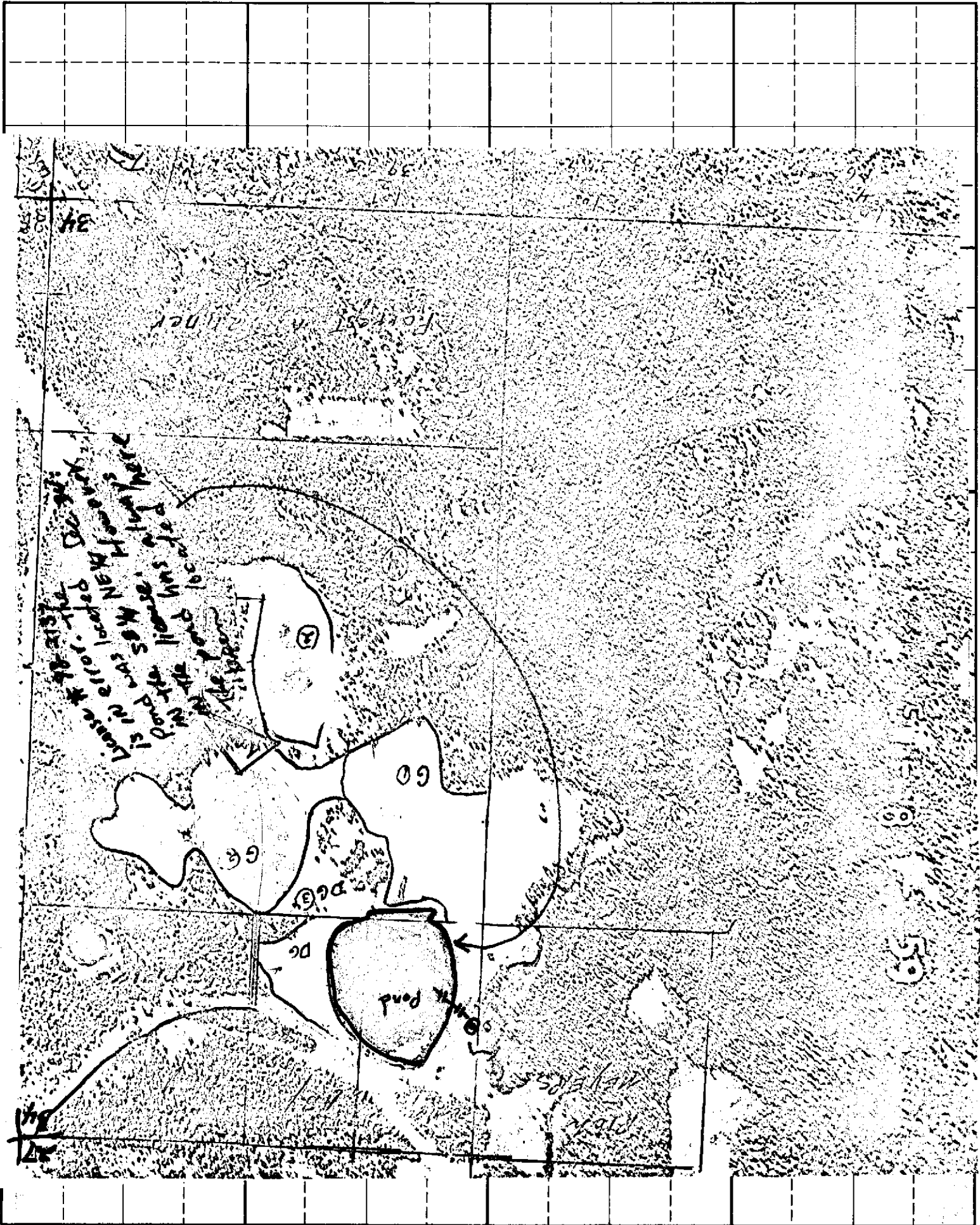
8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
65N	2E	34				X	(Stockwater)												

Total number of acres presently irrigated _____

MICROFILMED

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



9. If applicant was not the original holder of this right explain how it was acquired: The applicants
now own the land on which the pond is located.

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: _____ c.f.s. and/or 10 acre feet
- b. New point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 65N
2E, Range _____, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: The pond is
also located on part of the land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 56N, R. 2E, B.M.
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____.
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:
This transfer will correct an error which occurred when License No. 98-2137
was issued. The original License states that the pond is located in the
SE $\frac{1}{4}$ NE $\frac{1}{4}$. This is wrong. The pond is located and *always* has been in the
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 56N, R. 2E, B.M.
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? Yes
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	
65N	2E	34		X															

Total number of acres to be irrigated _____

b. Do you intend to make the transfer permanent? yes

c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans: yes

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: NONE

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own

risk. The information contained in this application is true to the best of my knowledge.

(signature of applicant)

Subscribed and sworn to before me this 25th day of February, 1974

(notary public)

My commission expires 7-25-75

ACTION OF STATE RECLAMATION ENGINEER AND CERTIFICATE OF TRANSFER

This is to certify that I have examined Application for Transfer of Water Rights No. 98-2137,

and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons:

Witness my hand this 1 day of April, 1974

Director

Department of Water Administration

FOR DEPARTMENT USE ONLY

Protest filed by: _____ Date _____

Received by [Signature] Date 2-26-74

Prelim. check by [Signature] Date 2-26-74

Fee received by [Signature] Date 2-26 Fee \$ 10.00

Approved for publication by [Signature] Date 2-28-74

Published in BONNEVILLE HERALD Dates 3-7 & 3-14-74

Hearing held _____

Watermaster Recommendation sent _____

April 5, 1974

Re: Transfer No. 98-2137

Glenn Aby, Sr. and Herb Mead and
Bob Rich &/or Jerry Meyers
Star Route 2
Bonners Ferry, Idaho 83805

Gentlemen:

Enclosed herewith is a copy of your approved Application for Transfer of Water Right No. 98-2137.

If you should have any questions regarding the transfer, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

bc: Northern District Office

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

NO. 98-2137

Notice is hereby given that Glenn Aby, Sr. and Herb Mead and (Bob Rich &/or Jerry Meyers, Partners), of Star Route 2, Bonners Ferry, Idaho has applied to the Department of Water Administration for a change of the point of diversion and the place of use of the waters of Round Prairie Creek. The right sought to be changed is evidenced by License No. 98-2137 and is recorded as follows. Amount: 10 a.f. Priority: February 22, 1948. Point of Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M., Boundary County. The water is used for stockwatering purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M.

TO BE CHANGED AS FOLLOWS
Amount: 10 a.f. Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M. The water will be used for stockwatering purposes within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration, Statehouse, Annex No. 2,

Boise, Idaho, on or before March 25, 1974.

R. KEITH HIGGINSON

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on March 7 and March 14, 1974.-idwa

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

ss.

W. H. Chubb

being

first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)

publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Idaho Department of Water Administration

a Notice of Proposed Change #98-2137 Mead

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated March 7, 1974, 196, and ending with the issue dated March 14, 1974, 196.

Subscribed and sworn to before me this

18 day of March, 1974.

C. Don Kerby
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

98-2137

March 1, 1974

Re: Application No. 96-7250 - Mark S. Fawcett
Transfer No. 98-2137 - Aby, Mead, Rich, Meyers

Bonnors Ferry Herald
P.O. Box 539
Bonnors Ferry, ID 83805

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. ~~--In order to receive payment, the following certification must appear on the bill:~~

~~--I hereby certify that the foregoing account is just
--and correct; that the amount claimed is legally due,
--after allowing all just credits, and that no part of
--the same has been paid."~~

~~--(signature of claimant)~~

Very truly yours,

FRED EISENBARTH
Northern District Manager

Bill submitted 3-20-74 by CP

FE:CP

Enc: Legal Notices (2)

98-2137

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 98-2137

Notice is hereby given that Glenn Aby, Sr. and Herb Mead and (Bob Rich &/or Jerry Meyers, Partners),
of Star Route 2, Bonners Ferry, Idaho has applied to the Department of Water
Administration for a change of the point of diversion and the place of use of the waters of
Round Prairie Creek

The right sought to be changed is evidenced by License No. 98-2137
and is recorded as follows.

Amount: 10 a.f. Priority: February 22, 1948 Point of
Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M., Boundary County

The water is used for stockwatering purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 34, T. 65N, R. 2E, B.M.

TO BE CHANGED AS FOLLOWS

Amount: 10 a.f. Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M.
The water will be used for stockwatering purposes within the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 34, T. 65N, R. 2E, B.M.

Any protests against approval of the proposed change of water right application
must be filed with the Department of Water Administration, Statehouse, Annex #2,
Boise, Idaho, on or before March 25, 1974.

R. KEITH HIGGINSON
Director

Published in the Bonnors Ferry Herald, Bonners Ferry, Idaho on
March 7 and March 14, 1974

98-2137

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

NO. 98-2137

Notice is hereby given that Glenn Aby, Sr. and Herb Mead and (Bob Rich &/or Jerry Meyers, Partners), of Star Route 2, Bonners Ferry, Idaho has applied to the Department of Water Administration for a change of the point of diversion and the place of use of the waters of Round Prairie Creek. The right sought to be changed is evidenced by License No. 98-2137 and is recorded as follows. Amount: 10a.f. Priority: February 22, 1948. Point of Diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M., Boundary County. The water is used for stockwatering purposes within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M.

TO BE CHANGED AS FOLLOWS
Amount: 10 a.f. Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M. The water will be used for stockwatering purposes within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65N, R. 2E, B.M.

Any protests against approval of the proposed change of water right application must be filed with the Department of Water Administration, Statehouse, Annex No. 2, Boise, Idaho, on or before March 25, 1974.

R. KEITH HIGGINSON
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on March 7 and March 14, 1974. -ldwa

O.K.
3-11-74
CP

March 1, 1974

Re: Application for Transfer No. 98-2137

Glenn Aby, Sr.
Star Route 2
Bonners Ferry, ID 83805

Dear Mr. Aby:

Attached is your receipt No. 13747 in the amount of \$10 for the filing fee on the above referenced application which was received in this office.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enclosure

98-2137

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

February 4, 1974

Re: Water Right License No. 98-2137 - Troy Mason

Mr. Glenn A. Aby, Sr.
Star Route 2
Bonners Ferry, ID 83805

Dear Mr. Aby:

Enclosed is a copy of the above referenced license and also a copy of a Memorandum from Mr. Bob Fleenor who is the Assistant Director of Water Rights in our Boise Office.

During our telephone conversation, you asked what your water rights were from the pond. Since the place of use under License No. 98-2137 is the pond, whoever now owns the pond would probably retain the water rights. There is a possibility that this may include several owners.

If you or prior owners have used the water from the pond, you would have established a Constitutional Water Right with a date of priority dating back to the time the water was first used. It is therefore possible that there exists other water rights from the pond than License No. 98-2137.

We hope this letter has answered some of your questions. If we may be of any further assistance, please contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

February 4, 1974

Re: Water Right License No. 98-2137

Mr. Herbert A. Mead
Star Route 2
Bonners Ferry, ID 83805

Dear Mr. Mead:

Enclosed is a copy of the above referenced license and a copy of a Memorandum from Mr. Bob Fleenor who is the Assistant Director of Water Rights in our Boise Office.

The Memo is self explanatory, and as you can see, it would be possible to transfer a stockwater right to an irrigation right by filing a transfer. However, the amount of land irrigated and the quantity of water diverted would be very limited. It would also be necessary to determine the ownership of the original water right.

As the Memo indicates, the place of use under License No. 98-2137 would be the pond. Therefore, whoever now owns the land that the pond is on would probably retain the water rights. It is possible that there could be several owners of the water right. These are the questions that would have to be answered before a transfer could be made.

We hope this letter answers some of the questions you had. If we may be of any further assistance, feel free to contact our office any time.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosures

MEMORANDUM

January 30, 1974

To: Fred Eisenbarth
From: Bob
Subject: Proposed Transfer of License No. 98-2137

The amount of water (10 AF), that has been used for stockwatering, could be used for irrigation upon the approval of a transfer application.

Several questions would need to be resolved before the transfer could be approved. One question would be the ownership of the water right. The license describes the place of use as the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, but if this 40 has been divided the right would go with the ownership pond, because that is the place of use, unless some other arrangement were made when the land was sold. Therefore, we would need a copy of the deed conveying the land. Another question would concern the number of acres Mr. Mead would propose to irrigate. The duty of water for that area is 3.0 acre ft. per acre, which, if divided into 10 acre ft., would allow for the irrigation of 3.3 acres of land. The corresponding rate of diversion allowing 0.02 cfs per acre would be 0.07 cfs.

I have some doubts, based upon our recent hearing, that a new permit could be granted on that source.

I feel that it would be better if you would continue to correspond with Mr. Mead, as he will most likely return to your office for assistance in preparing the transfer.

Here is a copy of the license and the field report. You can see that a question about the location of the p.d. was raised when Rex plotted it on the USGS quad. map. This location could also be corrected by this transfer.

98-2137

RECEIVED

JAN 25 1974

Department of Water Administration

MEMO

TO: BOB FLEENOR
FROM: Fred
DATE: January 24, 1974
SUBJECT: License No. 98-2137

Mr. Herb Mead was in the office and wants to transfer a stockwater right to an irrigation right.

Mr. Mead is now the owner of part of the land which was originally owned by Mr. Troy Mason. We issued a license to Mr. Mason (98-2137) from Round Prairie Creek for the stockwatering purposes in the amount of 10 A/F. Neither the license nor the engineer's report states a rate of flow nor how many stock was watered.

The question involves the legality of now using 10 A/F for irrigation rather than stockwater. Another question is whether the other two people who also bought land from Mr. Mason would retain water rights and would therefore be part owners of the pond. I understand how irrigation rights can remain with the land, but how can a stockwater right remain with the land?

Would Mr. Mead need to have a new permit to divert water for irrigation, or can he file a transfer? Perhaps you would like to write him a letter!


Fred
Northern District

98-2137

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER

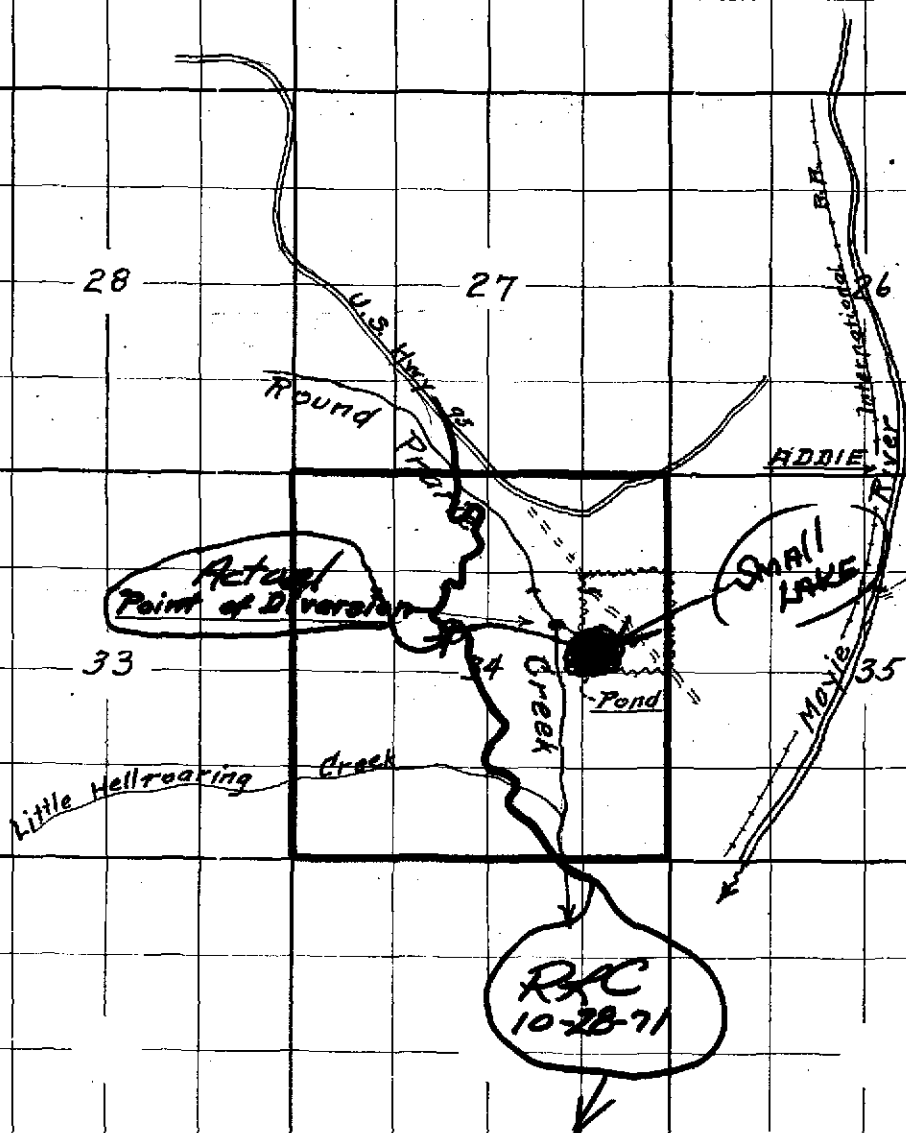
PERMIT NO. R-796

REPORT ON PROOF OF Beneficial use

10 ac ft

Ref. 10 a.f.

R-796



FOR FURTHER ASSISTANCE
SEE 1965 SERIES QUBD.
MAP # (A-9) BDE

October 9, 1963

RE: License No. R-796, Troy F. Mason
Permit No. 27846, Russell H. and/or Don L. Chapman

Honorable Alice L. Kruegel
Justice of the Peace
Box 676
Bonners Ferry, Idaho

Dear Judge Kruegel:

Your letter addressed to Honorable Robert E. Smylie, Governor of Idaho, has been referred to this office for reply.

The records in our files show the following:

Certificate and License of Water Right was issued to Troy F. Mason for storage of 10 acre feet of water from Round Prairie Creek with a priority of February 22, 1948. The point of diversion is shown as the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, for use in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65 N., R. 2 E., B.M., description as claimed by Mr. Mason. The field examiner's report shows that he thought the point of diversion to be in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 34; however he could not make a survey of the section to determine the true location.

Russell H. and/or Don L. Chapman made application for permit to divert water from Round Prairie Creek for irrigation of land. Letter from R. H. Chapman mentioned a small lake shown on the sketch as being in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 34, T. 65 N., R. 2 E., B.M. which also extended into the SW $\frac{1}{4}$ NE $\frac{1}{4}$, said Sec. 34. He stated that the lake would only be used as a stabilizer and to convey water from Round Prairie Creek in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ to the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 34. Mr. Russell H. Chapman made statutory proof of completion of works. The Certificate of Completion of Works has been issued showing 3.0 cubic feet per second of water from Round Prairie Creek with priority of March 12, 1959. The point of diversion is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34 for irrigation of 150 acres of land in the

R-796

Honorable Alice L. Kruegel - Page 2

S^WE¹, N¹E¹ of said Sec. 34. Proof of beneficial use of the water is due on or before March 24, 1964.

This office does not inspect the grounds, under such applications and permits, until proof of beneficial use of the water has been made. Locations of points of diversion and use of water are checked during inspections as far as possible from available maps; however the holder of the permit furnishes most of the information.

Permit No. 27846 in the name of Russell H. and/or Dan L. Chapman is valid. The only methods available to remove it from our records is by relinquishment signed by the holders of the permit or by court action where the District Judge can declare the permit invalid.

Issuance of a permit to divert water does not carry any right-of-way right.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

CET:mf

cc: Honorable Robert E. Smylie
Governor

R-796

Star Rt # 2
Bonners Ferry Idaho
April 1, 1959

Geo. W. Carter
State Reclamation Engineer
Boise Idaho

RECEIVED
APR 3 1959
Department of Reclamation

Dear Mr. Carter--

Rec'd your letter regarding the
Point of diversion of Water license No R-796
I have checked and double check the descriptions
and locations of the point of diversion of this
water license on a sectional map showing all
streams and tributaries in Boundary County and
I find it impossible to divert water on S E $\frac{1}{4}$ of the
S E $\frac{1}{4}$ of Section 34 T. 5. 65 North Range 2 E as there
is not a live stream within $\frac{1}{4}$ of a mile of it
I used a sectional map to make my sketch of the
project, also descriptions and location of the Point
diversion. If it is O.K. I am in favor of leaving the
water license as it is until it becomes necessary
to make the transfer.

Very truly yours,

R.H. Chapman

R-796

March 23, 1959

Re: Water License No. R-796

Mr. R. H. Chapman
Star Route #2
Bonners Ferry, Idaho

Dear Mr. Chapman:

Water License No. R-796 in the name of Troy F. Mason for 10 acre feet of water for stock watering purposes shows the point of diversion and the lake or pond approximately one quarter mile farther south than shown on your recent application for permit.

Enclosed is Form 20, Application for Transfer of Water Right. The form will have to be amended in some respects to meet your situation. The form when completed, may be returned to this office with the \$1.00 fee attached. A notice will be prepared for publication, at your expense, in two weekly issues of a newspaper, published in your county. In case no valid protests to the proposed transfer are received, the certificate of transfer of point of diversion will be issued to you.

You may make the application for transfer of the point of diversion at this time, or leave the water license as it is until some controversy makes it necessary to correct the point.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

GNC:RT:ew
Enc.

R-796

RT

March 30, 1949

Re: Permit No. R-796

Mr. Troy F. Mason
Addie, Idaho

Dear Mr. Mason:

We enclose Certificate of Completion of Works;
also License and Certificate of Water Right, issued under
your Permit No. R-796, confirming your right to appropriate
and store 10 acre feet of water from Round Prairie Creek in
the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, Township 65 North, Range 2 East, with
priority of February 22, 1948, for stock watering purposes.

We also enclose Departmental Receipt No. 21393
for the \$5.00 fee paid by you in connection with Beneficial
Use Proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

R-796

February 14, 1949

Re: Permit No. R-796

Mr. Troy F. Mason
Addie, Idaho

Dear Mr. Mason:

We now have on file the report of our Field Engineer on examination of beneficial use under Permit No. R-796.

Therefore, upon receipt of the statutory fee of \$5.00, a license will be issued for the storage of 10 acre feet of water from Round Prairie Creek for stock watering pond.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

R-796

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. R-796This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Troy F. Mason, Addie, Idaho
2. Source of water supply: Round Prairie Creek
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34
T. 65 N. R. 2 East County of Boundary
4. Describe works as they exist, giving dimensions and capacities of same: A 6 inch stove pipe extends through a private roadway dike, and diverts water from a swampy area which extends to Round Prairie creek, and supplies water during a short season in the early summer. The "stock watering pond" is a natural basin of small area, and no outlet.
5. Water is used for: Stock watering
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):

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

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

Remarks: _____

This examination was made on the 27th. day of August, 1948

(Signed) _____

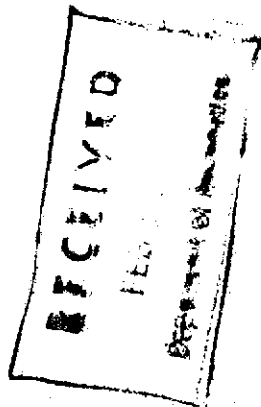
Examiner.

R-796

101
Troy F. Mason
Addie, Idaho
Permit No. B-796

Examination for Beneficial use

County Boundary



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.

July 13, 1948

Re; Permit No. R-796

✓
Mr. Troy P. Mason
Addie, Idaho

Dear Mr. Mason:

We acknowledge receipt of your affidavit in correction of the point of diversion under permit number R-796: affidavit of Mr. H. I. Monks; also affidavit of publication in the Bonners Ferry Herald: the completing your proof of beneficial use under permit R-796.

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 say when this examination will be made, as this department has but one field engineer who makes examinations all over the state.

However, Mr. Tolman, field engineer for this department, will try and contact you at the time he makes the examinations in order that you may arrange to show him over the ground.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer
By

Chief Clerk

A/gt

R-796

The Bonners Ferry Herald

PUBLISHERS AND COMMERCIAL PRINTERS

Bonners Ferry, Idaho

RECEIVED

JUL 1948

Department of Reclamation

AFFIDAVIT OF PUBLICATION

State of Idaho ss
County of Boundary

R. L. Myers, being first duly sworn upon his oath, deposes and says: That he is the co-publisher of the Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that the advertisement of State Reclamation Engineer, a Notice of Proof Application of Water to Beneficial Use, Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for four consecutive issues, commencing with the issue dated May 6, 1948, and ending with the issue dated May 27, 1948.

R. L. Myers
Co-Publisher

Subscribed and sworn to before me this

9 day of July, 1948.

H. D. Monks
Notary Public in and for the County of Boundary, State of Idaho, residing at Bonners Ferry, Idaho

Notary Public for the State of Idaho
Residing at Bonners Ferry.
Commission Expires 7/6 1945

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10 A. M. on the 29 day of May, 1948, at Bonners Ferry, County of Boundary, State of Idaho, before H. L. Monks, Notary Public, proof will be submitted of the application to beneficial use of 10 acre feet per annum of the waters of Round Prairie Creek in accordance with the terms and conditions of Permit No. R796 heretofore issued by the State of Idaho.

The name and position of the person or persons who are the owners of the land to which said permit are Troy E. Mason, Addie, Idaho.

The use to which said water has been applied is stock watering.

The amount applied to beneficial use is 10 acre feet.

The name of the canal or ditch or other works by which said water is conducted to such place of use is 6-in. pipe.

The right to take water from such works is based upon Permit No. R796.

The source of supply from which such water is diverted is Round Prairie creek.

The date of priority which said user is prepared to establish is February 22, 1948.

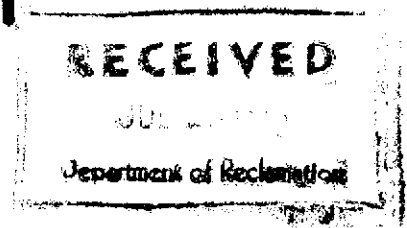
MARK R. KULP,
State Reclamation Engineer.
First publication May 6, 1948.
Last publication May 27, 1948.



PUBLISHED EVERY THURSDAY

COMPLETE NEWSPAPER COVERAGE OF BOUNDARY COUNTY

R-796



AFFIDAVIT.

State of Idaho
County of Boundary ss

"e; Permit No. R 796 State of Idaho-Dept of Reclamation.

Troy F. Mason being duly sworn deposes and says
that the correct description of the point of diversion
of water under Permit No. 796 is described as
being in the SE $\frac{1}{4}$ /NE $\frac{1}{4}$ Section 34 Township Sixty Five
(65), Northm, Range 2 East B.M. and not
in Township 37 North, as described in the permit.

Troy F. Mason

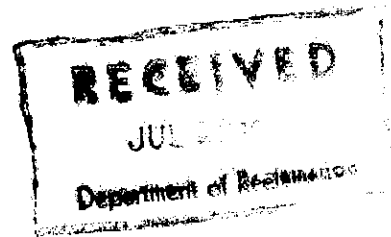
Subscribed and sworn to before me this 9th day of
July 1948.

D. Monte

Notary Public for the State of Idaho
Residing at Geneva Ferry.

Commission Expires 2/6 1951

R-796



AFFIDAVIT.

State of Idaho
County of Boundary ss

H.I.Monks being duly sworn deposes and states-
In the matter of Proof under Permit No 796
Troy F. ^Wason, same being advertised to be held
on May 29 1948 before said H.I.Monks- that
due to flood conditions in Bonners Ferry
such could not be held- therefore proof was
postponed and held on June 29 1948. No protests
were filed.
Further deponent saith not.

Subscribed and sworn to before me W.D.Baxter
Notary Public this 9th day July 1948.

Notary Public for the State of Idaho
Residing at Bonners Ferry.
Commission Expires

16 1949

July 2, 1948

Re: Permit No. R-796

Mr. Troy F. Mason
Addie, Idaho

Dear Mr. Mason:

We have received from Mr. H. I. Monks, Notary Public, the depositions of yourself and two witnesses in proof of beneficial use under your Permit No. 796, but we have not yet received the affidavit of publication which the Bonners Ferry Herald was instructed to send you, and which is a part of your proof.

These depositions state that the point of diversion is in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 34, Township 65 N., Range 2 E. B.M., which is doubtless the correct location, but reference to your permit and the sketch map which accompanied same gives the location as Township 37 N.

We assume this is a mistake in your permit application and if so it can be corrected by filing an affidavit in this Department that the correct location is in Township 65 N., Range 2 E. B.M. and that the description in the application was in error.

Inasmuch as the published notices state that this proof would be taken on May 29, 1948, but was actually not taken until June 29, 1948 on account of flood conditions, it will be necessary for Mr. Monks to furnish an affidavit stating why the proofs were delayed but that no protests were filed if such is the case.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

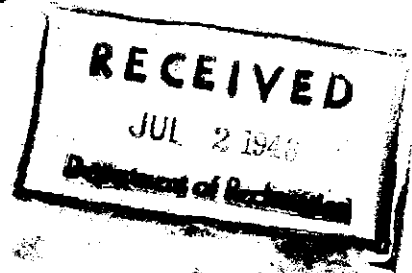
Chief Clerk

A/dm

cc: H. I. Monks

R-796

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



R 796
Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Troy F. Mason - Farmer
Addie 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. none

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

Ans. Permit No. R 796 Sept 15 1947

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

Ans. From Round Prairie Creek- Point of diversion in SE $\frac{1}{4}$ /NE $\frac{1}{4}$ Sec 34
Twp 65 N R 2 East 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.

Ans. A 6 inch concrete pipe thru the dike and into the creek- during high
water period only taking approx. 10 acre ft during this time- the pipe
conveys the water into a ditch and thence into small lake.

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. To maintain the small lake for stock watering purposes. The
lake is located in the central part of of S $\frac{1}{2}$ of NE $\frac{1}{4}$ /Sec 34
Twp 65 N R 2 East B.M.

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

Ans. None other than above

R-796

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

Ans. ~~Flow of water thru 6 in pipe from creek- during high water season only.~~

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. none

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

Ans. ~~During past two years water has been used to maintain lake by water diverted in 6 in pipe as described.~~

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)

Troy F Mason

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 Bonniers Ferry County of Boundary,

State of Idaho, on this 29 day of June, A. D. 1948.

[Signature]

My commission expires.....

Notary Public for the State of Idaho
Residing at Bonners Ferry.
Commission Expires 2/6 1945

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R 796

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. Milo Halverson, age 37, Star Rte Bonners Ferry, Service
Station Operator.

Ques. 2. Are you acquainted with Troy F. Mason, the holder of Permit No. R 796? How long have you known him and where does he reside?

Ans. Have known him 4 years and he resides on a farm near
Addie Idaho.

Ques. 3. Have you read or heard read said Permit No. R 796, 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. From Round Prairie creek, the point of diversion being in
SE $\frac{1}{4}$ /NE $\frac{1}{4}$ of Sec 34 Twp 65 N R 2 East B.M. The water is taken from
the creek thru a 6 in pipe thru the dike and then in a ditch to
the small lake.

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. A full flow o of water thru a 6 in pipe.

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

Ans. The water is used to maintain a small lake which is located
in the central, part of S $\frac{1}{2}$ of NE $\frac{1}{4}$ Sec 34 Twp 65 N R 2 East BM
The lake is wused for stock watering purposes.

R-796

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

Ans. For maintaining lake 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. none

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. During the past two years I have seen the lake maintained during the summer dry season by reason of the water supplied it during high water by this pipe and ditch.

(Signed) Milo Taberson

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 Bonnors ferry, County of Boundary, State of Idaho, on this 29 day of June, A. D. 1948.

My commission expires

Notary Public for the State of Idaho
Residing at Bonnors Ferry.
Commission Expires 7/6 1947

[Signature]
Notary Public.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. R 796**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. Murl C. Ashbaugh, age 52, Addie Idaho, farmer.

Ques. 2. Are you acquainted with Troy F. Mason, the holder of Permit No. R 796? How long have you known him and where does he reside?

Ans. Yes- Have known him 8 years. He resides on a farm near Addie Idaho.

Ques. 3. Have you read or heard read said Permit No. R 796, 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. From Round Prairie Creek, diverted at a point in SE $\frac{1}{4}$ /NE $\frac{1}{4}$ in Sec 34 Twp 65 N r 2 East B.M. by means of a 6 in pipe thru the dike thence in a ditch and into a small lake.

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. Cannot state in Sec ft but a full flow thru 6 in pipe

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

Ans. The water is diverted into a small lake which is maintained to water stock thru the summer and fall months.

R-796

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

Ans. none

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. none

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

Ans. none

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 have seen its use during the past two years when it kept up the small lake which would otherwise have dried up in the late summer.

(Signed) Murl C. Ashbaugh

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 Bonnere erry, County of Boundary, State of Idaho, on this 29 day of June, A. D. 19 48.

A. J. Mours
Notary Public.

My commission expires

Notary Public for the State of Idaho
Residing at Bonnere Eerry.
Commission Expires 2/6 1951

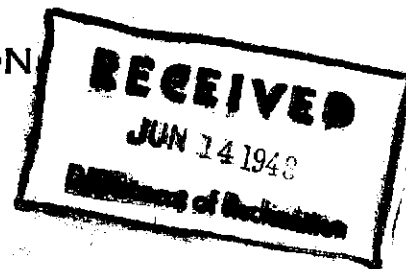


C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE



June 7, 1948

Re: Permit No. R-796

Mr. H. I. Monks,
Notary Public
Bonners Ferry, Idaho

Dear Mr. Monks:

We have not received the proof of beneficial use under Permit No. R-796, in the name of Troy F. Mason, which was to have been made before you on May 29, 1948.

Please advise if this proof was made at the time set.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Jeannie L. Anderson
Chief Clerk

A/dm

cc: Troy F. Mason

No proof
Later
7/24
R-796

June 7, 1948

Re: Permit No. R-796

Mr. H. I. Monks,
Notary Public
Bonners Ferry, Idaho

Dear Mr. Monks:

We have not received the proof of beneficial use under Permit No. R-796, in the name of Troy F. Mason, which was to have been made before you on May 29, 1948.

Please advise if this proof was made at the time set.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

cc: Troy F. Mason

R-796

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, May 12, 1948

Re: Permit No. R-796
Troy F. Mason

Mr. H. I. Monks,
Notary Public,
Bonners Ferry, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. R-796

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On May 29, 1948, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Bonners Ferry, Idaho before H. I. Monks, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

MARK R. KULP

~~Commissioner of Reclamation~~
State Reclamation Engineer

R-796

May 6

R-496

beneficial use of 10 acre feet per annum of the waters of Round Prairie Creek in accordance with the terms and conditions of Permit No. R796 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 are Troy F. Mason, Addie, Idaho.

The use to which said water has been applied is stock watering.

The amount applied to beneficial use is 10 acre feet.

The name of the canal or ditch or other works by which said water is conducted to such place of use is 6-in. pipe.

The right to take water from such works is based upon Permit No. R796.

The source of supply from which

such water is diverted is Round Prairie creek.

The date of priority which said user is prepared to establish is February 22, 1948.

MARK R. KULP,
State Reclamation Engineer.
First publication May 6, 1948.
Last publication May 27, 1948.

CARD OF THANKS

We wish to thank our friends and neighbors for acts of kindness and extended to us at the of our beloved

Mr. and Mr
and fr
Mr. ar
far
Mr
7

May 6, 1948.

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

Notice is hereby given that at 10 A. M. on the 29 day of May, 1948, at Bonners Ferry, County of Boundary, State of Idaho, before H. I. Monks, Notary Public, proof will be submitted of the application to



May 10, 1948

Re: Permit No. R-796

Bonniers Ferry Herald
Bonniers Ferry, Idaho

Gentlemen:

We acknowledge receipt of your letter of May 5th, and also copy of your issue of May 6th, containing notice of beneficial use proof under the Troy F. Mason application No. R-796.

We find one small typographical error in this notice, namely in the second line from the top of the second column- the word waters, where there is a "d" instead of an "s".

Please make this correction in your subsequent publications. Thank you.

Very truly yours,

MARK R. KUTP
State Reclamation Engineer
By

Chief Clerk

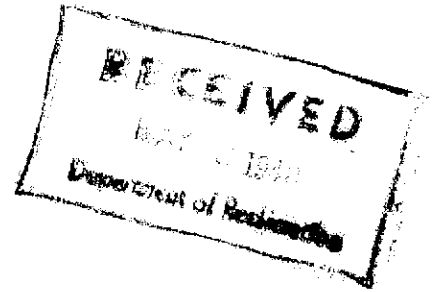
R-796

The Bonners Ferry Herald

PUBLISHERS AND COMMERCIAL PRINTERS

Bonners Ferry, Idaho

May 5, 1948



State Reclamation Engineer
Boise, Idaho

Gentlemen:

This will acknowledge receipt of the publication in the application of Troy F. Mason of Addie, Idaho, which will be published for four consecutive weeks starting with our issue of May 6, a copy of which is being mailed to you.

Yours very truly,

BONNERS FERRY HERALD



PUBLISHED EVERY THURSDAY

COMPLETE NEWSPAPER COVERAGE OF BOUNDARY COUNTY

R-496

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: April 28, 1948

Re: Permit No. R-796

Bonnars Ferry Herald

Bonnars Ferry, Idaho

Gentlemen:

Enclosed you will find notice for publication
once a week for four consecutive weeks prior to May 29,
1948 the date set for proof, the expense of the
publication to be paid by the applicant, Troy F. Mason
of Addie, Idaho, to whom
you should furnish affidavit of publication on or prior to
the date set for proof.

Please acknowledge receipt of this notice, and
furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By Chief Clerk

R-796

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

Notice is hereby given that at 10 A. M. on the 29 day of May, 1948
at Bonniers Ferry, County of Boundary, State of Idaho, before
H. I. Monks, Notary Public, proof will be submitted of the
application to beneficial use of 10 acre feet per annum ~~6" Pipe~~ cubic feet per second of the waters of
Round Prairie Creek in accordance with the terms and conditions of Permit No. R 796
heretofore issued by the Dept of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____

Troy F. Mason Addie Idaho

The use to which said water has been applied is Stock Watering

The amount applied to beneficial use is 10 acre feet per annum

The ~~place where said water is used (if for irrigation, give full and accurate description of the~~
~~lands irrigated)~~ _____

None

The name of the canal or ditch or other works by which said water is conducted to such place of
use is Round Prairie Creek 6" Pipe

The right to take water from such works is based upon Permit No. R 796

The source of supply from which such water is diverted is Round Prairie creek

The date of priority which said user is prepared to establish is February 22, 1948

Mark R. Kuep

State Reclamation Engineer.

R-796

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

April 27 - 48

(P. O.)

Adler Idaho

STATE RECLAMATION ENGINEER:

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Bonners Ferry Herald

of *Bonners Ferry*

the county in which the works are situated.

Troy F. Mason

(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.

R-796

April 29, 1948

Re: Permit No. R-796

Mr. Troy F. Mason
Addie, Idaho

Dear Mr. Mason:

We have sent to the Bonners Ferry Herald a copy of notice of beneficial use proof to be made under your Permit No. R-796, at 10: A.M., May 29, 1948, before H. I. Monks, Notary Public, with instructions to publish same once a week for four consecutive weeks prior to that date and to send you the affidavit of publication, together with statement of costs.

About ten days prior to the date set for proof we shall send Mr. Monks the necessary forms of deposition, consisting of one for yourself and one for each of two witnesses, so that he may have them in ample time for the proof.

At the time set you should appear before Mr. Monks with two disinterested witnesses who are familiar with the terms of your permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

R-796

R796 ✓

April 12, 1948

Re: Permit No. R-796

Mr. Troy F. Mason
Addie, Idaho

Dear Mr. Mason:

The Bonners Ferry Herald have informed us that you have requested them to republish the notice of beneficial use proof on Permit No. R-796, which was started last fall in error.

However, the copy that was to be used at that time is not suitable now, as there is a new date for making proof, and also a different Notary Public, as the one named in this notice was Virginia Mooney, at Boise.

If you will refer to letter addressed you from this office on April 1st, you will note that you were requested to fill out in duplicate the forms sent, naming time and place for making the proof, and also naming the Notary Public before whom the proofs were to be made.

Both copies of the notice (Form 10) to be returned to this Department, together with Form 11, your authorization for us to have the notice published at your expense, and we would then send a copy of the notice to the newspaper, with instructions in regard to publishing.

We are advising the Bonners Ferry to withhold publication until we send them an amended notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
CC to Bonners Ferry Herald

R-796

R-796

April 12, 1948

The Bonners Ferry Herald
Bonners Ferry, Idaho

Attention, Mr. R. L. Myers

Dear Mr. Myers:

We thank you for your letter of April 10th, acknowledging receipt of notice on the Ralph Kerr permit, and also enclosing notice on the Troy F. Mason filing.

As you have noted, this old copy is not right for the later publication, and we are writing Mr. Mason today in regard to same, as per copy enclosed.

As soon as we have Mr. Mason's reply, we shall send you the proper form of notice for this publication.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Chief Clerk

A

R-796

The Bonners Ferry Herald

PUBLISHERS AND COMMERCIAL PRINTERS

Bonners Ferry, Idaho

RECEIVED

April 10, 1948

Department of Reclamation

State Reclamation Engineer
Boise, Idaho

Dear Sir:

This will acknowledge receipt of your letter of April 9 enclosing notice of proof application of water to beneficial use in the application of Ralph Kerr, Porthill, Idaho, first publication to be made on April 15, 1948. A copy of the first publication will be mailed your office.

In the matter of the application of Troy F. Mason, Addie, Idaho, which we started to run last fall and which started last October and was discontinued at your request. He asked us to run this notice again. Am enclosing the old copy. Would you send us correct copy for publication now by return mail. Thanks.

Yours very truly,

BONNERS FERRY HERALD

R. L. Myers
Co-Publisher



PUBLISHED EVERY THURSDAY

COMPLETE NEWSPAPER COVERAGE OF BOUNDARY COUNTY

R-796

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

April 1, 1948

Mr. Troy F. Mason
1207 N. 14th St., Boise, Idaho
of
Addis, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. B-796. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than June 15, 1948, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

R-796

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

Notice is hereby given that at 10 A. M. on the 14th, day of November, 1947
at Addie, County of Boundary, State of Idaho, before
Virginia L. Mooney, a Notary Public, proof will be submitted of the
application to beneficial use of 10 Acre Feet per Annum
~~cubic feet per second~~ of the waters of Round Prairie
Creek, in accordance with the terms and conditions of Permit No. R-796

heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

Troy F. Mason, of Addie, Idaho.

The use to which said water has been applied is Watering Livestock.

The amount applied to beneficial use is Ten Acre Feet Per Annum.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) No Lands Irrigated.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is _____

The right to take water from such works is based upon Permit No. R-796

The source of supply from which such water is diverted is a Stock Pond.

The date of priority which said user is prepared to establish is September 8, 1947

MARK. R. KULP.

State Reclamation Engineer.

*First publication Oct. 23, 1947.
Last publication Nov. 13, 1947.*

R-796

Hold certificate c/w
pending B U proof &
Eng. report -

CW pd. R 20180

R-496

PERMIT NO. R. 796

Certificate of Completion of Works

To All Whom It May Concern:

This is to certify that TROY F. MASON
 of _____, County of _____ and State of _____,
 the holder of Permit No. R _____, issued upon
 Application No. _____, bearing date of priority of _____
 authorizing the construction of a reservoir, with the right to appropriate and store _____
 acre feet per annum of the waters of _____
 a tributary of _____, in the County of _____,
 State of Idaho, for _____ purposes,
 has fully complied with the provisions of the laws of the State of Idaho relating to the proof
 of completion of the works set out and described in said Permit; that said works include a
 dam and reservoir adequate for the storage of _____ acre feet of water per
 annum, with adequate diversion works and conduit to the reservoir, and a conduit capable
 of conducting said water to the place of intended use; that the point of outlet of said res-
 ervoir is located in the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of Section _____, Township
 _____, Range _____, and that the place of use, or the lands proposed
 to be irrigated by the use of said water, are described as follows, to-wit: _____

Witness my hand this _____ day of _____, 19 _____.

 State Reclamation Engineer

R-796

November 18, 1947

Re: Permit No. R- 796

Mr. Troy F. Mason
No. 1207 N. 14th Street
Boise, Idaho

Dear Mr. Mason:

We enclose herewith the approval of
the State Reclamation Engineer of your application
for extension of time for beneficial use ~~proof~~
under Permit No. R-796, to June 15, 1947.

When you return North in the spring, you
can let us know when you wish to make this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

R-796

STATE OF IDAHO
Department of Reclamation

Permit No. R-796

Application for Extension of Time for Beneficial Use Proof

STATE OF IDAHO }
County of Ada } SS

Troy F. Mason, of Addie, Idaho

State of _____, being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. R-796

That, under the terms and conditions of said permit, proof of beneficial use thereunder was required to be made by December 15, 19 47

That he has heretofore put to beneficial use 10 acre feet ~~second-feet-of water~~
~~and has irrigated xxxxxxxxxxxxxxxxx acres~~ for stock watering purposes
make proof

That, for the following reasons, he is unable to ~~put to~~ beneficial use within the required time
~~the remainder of the water appropriated under this permit~~ to-wit:

He is residing in Boise at present, and it will not be convenient for
him to make proof until he returns to Addie, next spring or summer

State Reclamation Engineer
WHEREFORE, He asks that the ~~Commissioner of Reclamation~~ extend the time for the making
of proof of beneficial use under said permit to June 15, 19 48

Subscribed and sworn to before me this 5th day of October, 19 47
Virginia L. Maoney

Notary Public

My commission expires Aug. 26, 1950

Date of receipt at office of Department of Reclamation Oct. Nov. 5, 1947

STATE RECLAMATION ENGINEER
APPROVAL OF ~~COMMISSIONER OF RECLAMATION~~
State Reclamation Engineer

I, Mark R. Kulp, ~~Commissioner of Reclamation~~ of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. R-796, to

June 15, 19 48

Witness my hand this 10th day of November, 19 47

R-796

Mark R. Kulp
State Reclamation Engineer

The Bonners Ferry Herald

PUBLISHERS AND COMMERCIAL PRINTERS

Bonners Ferry, Idaho

October 22, 1947

State of Idaho
Department of Reclamation
Boise, Idaho

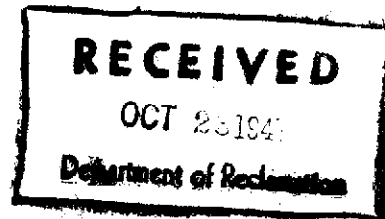
Gentlemen:

This will acknowledge receipt of your letter of October 8, 1947, with notice of Troy F. Mason of Addie, Idaho. This will be run in the Herald for four consecutive issues, starting with the issue of Oct. 23, copy of which is being mailed your office.

Yours very truly,

BONNERS FERRY HERALD

R. L. Myers
Co-Publisher



R-796

October 21, 1947

Re: Permit No. R-796

Bonnars Ferry Herald
Bonnars Ferry, Idaho

Gentlemen:

On October 8th we sent you a notice for publication in connection with beneficial use proof to be made on November 14, 1947, by Troy E. Mason, of Addie, Idaho, under Permit No. R-796.

Mr. Mason has just informed us that it will not be convenient for him to make proof on that date, so please discontinue this publication for the present, and send your bill for the times the notice has already been published to Mr. Mason, at Addie, Idaho, who will pay for same. We assume that it was published in your issue of October 16th.

Later on, in the spring, a new date will be set for this proof, and notice will then be sent you for publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

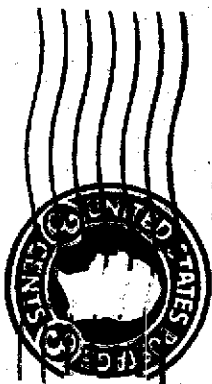
R-796

After 5 days, return to
DEPARTMENT OF RECLAMATION,
State House,
BOISE, IDAHO.

Mr. Troy F. Mason,

~~1207 N. 14th St.~~

Boise Idaho



STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Date: October 8, 1947

Bonnors Ferry Herald,
Bonnors Ferry, Idaho.

Gentlemen:

Enclosed you will find notice for publication
once a week for four consecutive weeks prior to **November 14, 1947**
. the date set for proof, the expense of the
publication to be paid by the applicant,
of **Troy F. Mason, od Eddie, Id,** 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 of the first publication,
in order that we may check same.

Very truly yours,

MARK. R. KULP.

State Reclamation Engineer

By
Roy.W. Thompson,
Supervisor of Water Distribution.

R-496

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

Notice is hereby given that at 10 A. M. on the 14th, day of November, 1947
at Addie, County of Boundary, State of Idaho, before
Virginia L. Mooney, a Notary Public, proof will be submitted of the
application to beneficial use of 10 Acres Feet per Annum of the waters of Round Prairie
Creek, in accordance with the terms and conditions of Permit No. R-796
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

Troy F. Mason, of Addie, Idaho.

The use to which said water has been applied is Watering Livestock.

The amount applied to beneficial use is Ten Acres Feet Per Annum.

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) No Lands Irrigated.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is

The right to take water from such works is based upon Permit No. R-796

The source of supply from which such water is diverted is a Stock Pond.

The date of priority which said user is prepared to establish is September 8, 1947

MARK. R. KULP.

State Reclamation Engineer.

R-796

Permit No. R 796STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Boundary

SS.

....., 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. R 796, and that his postoffice address is Addie
State of IdahoSecond: That the name of the stream from which said water is to be directed is
Round Prairie Creek

Third: That the point of diversion of said water is

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Finished, 19 Oct. 8 - 1947Fifth: That the use for which said water is intended is stock + to prevent lake from drying

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: No work required
(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.....inches, average grade per mile is.....feet. Length of conduit is.....miles.

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

Eighth: That water appropriated under said permit is available for.....acres of land described as follows:

Ninth: Remarks: That

Troy F Mason
(Sign here)Subscribed and sworn to before me this 8th day of October, 19 47My commission expires 26 August 1950Virginia L. Mason
Notary Public.

R-796

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

STATE RECLAMATION ENGINEER:
TO THE ~~COMMISSIONER OF RECLAMATION~~

Boise, Idaho.

Dear Sir:

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

Bonnera Ferry Herald of Bonnera Ferry, published in
the county in which the works are situated.

Fray F. Mason

(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.

R-496

October 9, 1947

Mr. Troy F. Mason,
Eddie, Idaho.

Dear Mr. Mason,

This will acknowledge receipt of notice in duplicate for publication in connection with beneficial use proof, and also your authorization to have the notice published in the Bonners Ferry Herald of Bonners Ferry, all in connection with Permit No. R-796.

A copy of this notice has been mailed to the newspaper with instructions to publish it once a week for four consecutive weeks prior to November 14, 1947. About ten days prior to this date depositions consisting of one for the holder and one each for two witnesses, ~~who are familiar with the terms of the permit,~~ will be mailed to Virginia L. Mooney Notary public at Eddie Idaho so that she will have them in ample time for the proof,

On the date designated you should appear at Virginia L. Mooney's office with two disinterested witnesses, who are familiar with the terms of the permit and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,
MARK. R. KULP.
State Reclamation Engineer,

By, Roy.W. Thompson,
Supervisor of Water Distribution,

R-796

September 19, 1947

Re: Permit No. R-796

Mr. Troy F. Mason
No. 1207 N. 14th Street
Boise, Idaho

Dear Mr. Mason:

We enclose herewith Permit No. R-796, and direct your attention to the limitations and conditions of same as given on the fourth page under approval of the State Reclamation Engineer. We also enclose Departmental Receipt No. 20134, for the \$5.00 filing fee.

Since your application stated that the works were already finished, we have allowed three months, or until December 15, 1947, for making the two proofs required to complete the water right.

The first proof, or proof of completion of works, is made by executing Form 6 before a Notary Public, and returning to this department, with the statutory fee of \$5.00. Upon approval, a certificate of completion of works will be issued.

The final or beneficial use proof requires that a notice of such proof must be published once a week for four consecutive weeks, in a county newspaper. This notice is to be made out by you, in duplicate, on Form 10 enclosed, setting time and place, and naming the Notary Public before whom the proof is to be made. The time should be set sufficiently far ahead to allow for the four weeks' publication, and may be at any time on or before December 15, 1947.

Both copies of the notice to be returned to this department, together with Form 11, which is your authorization for us to have the notice published at your expense, in the designated newspaper. We shall then send a copy of the notice to the newspaper, with instructions in regard to publishing.

Very truly yours,

MARK W. KULP
State Reclamation Engineer
By

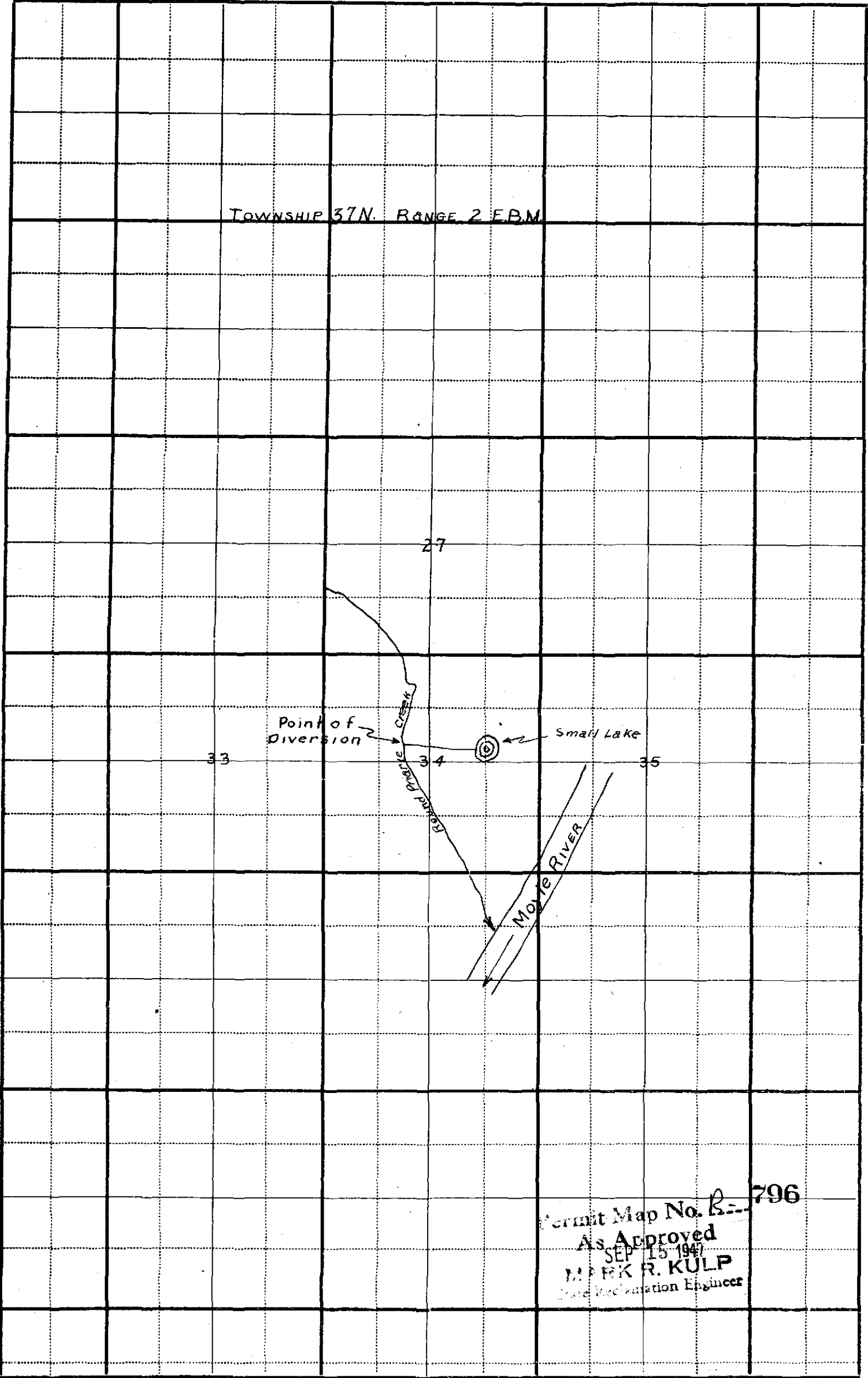
Chief Clerk

A
Encls.

R-796

NAME OF APPLICANT Troy E. Mason

FORM No. O



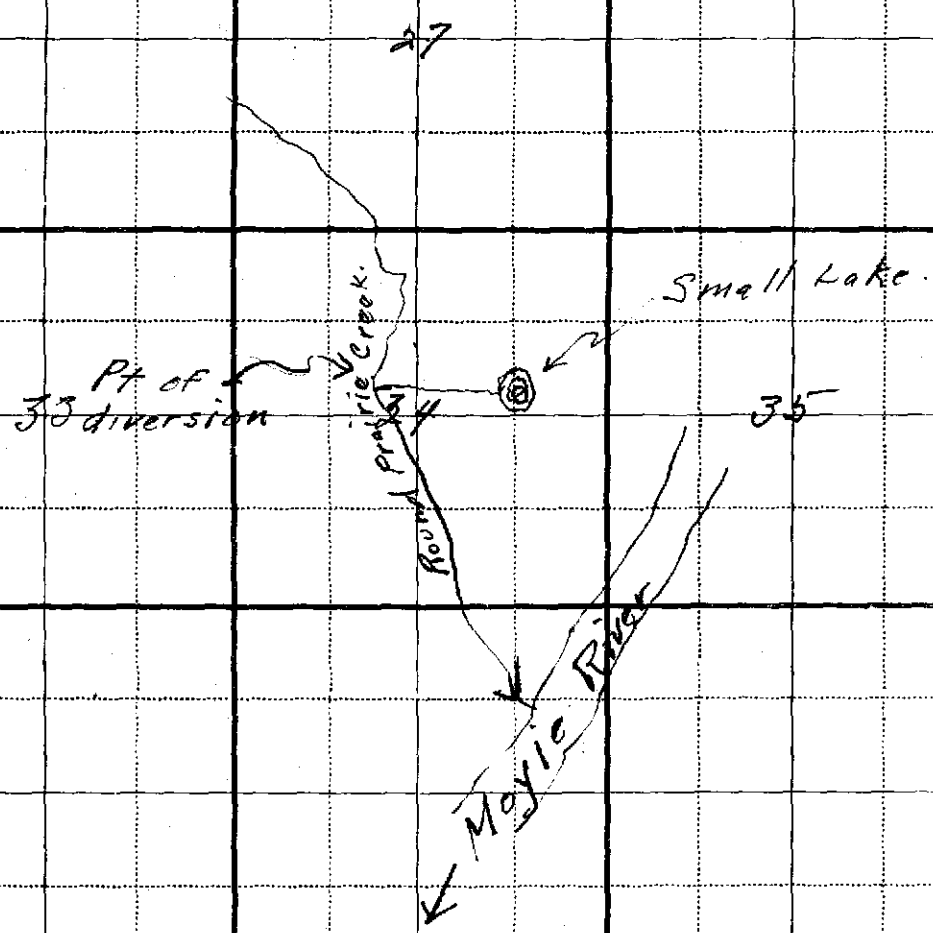
Permit Map No. R-796
As Approved
SEP 15 1947
MARK R. KULP
State Reclamation Engineer

R-796

NAME OF APPLICANT Troy F. Mason

FORM No. 0

Twp. 37 N. R. 2 E. B. M.



Permit Map No. R-796
As Approved
SEP 15 1947
MARK R. KULP
State Reclamation Engineer

R-796