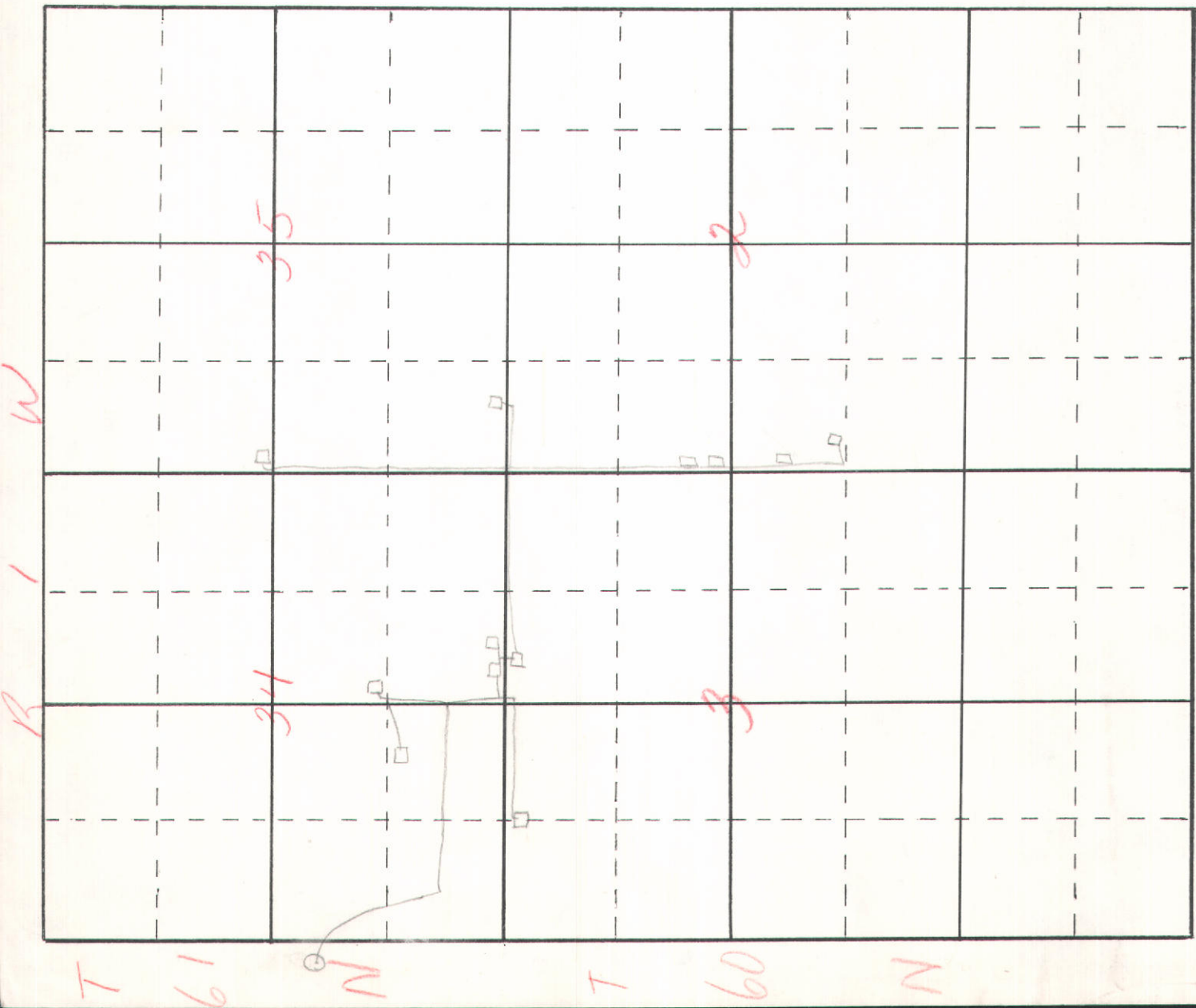




Permit No. 31398 **98**
Name of Applicant Highland Flats Water Association, Star Route, Naples, Idaho
Source of Water North Fork of Falls Creek
a tributary of Kootenai River
Location of P.D. NE¹/₄SE¹/₄, Sec. 33, T. 61 N., R. 1 W., B.M., Boundary County.

Water is used for Domestic
Quantity of water claimed: Permit 0.5 c.f.s. Depositions 0.5 c.f.s.
Type of measuring device installed or method of measurement and general description of diversion works 4" pipe

Land to be irrigated or place of use:			Description
TWP.	RGE.	SEC.	
61 N	1 W	34	2
		35	1
60 N	1 W	2	2
		3	1

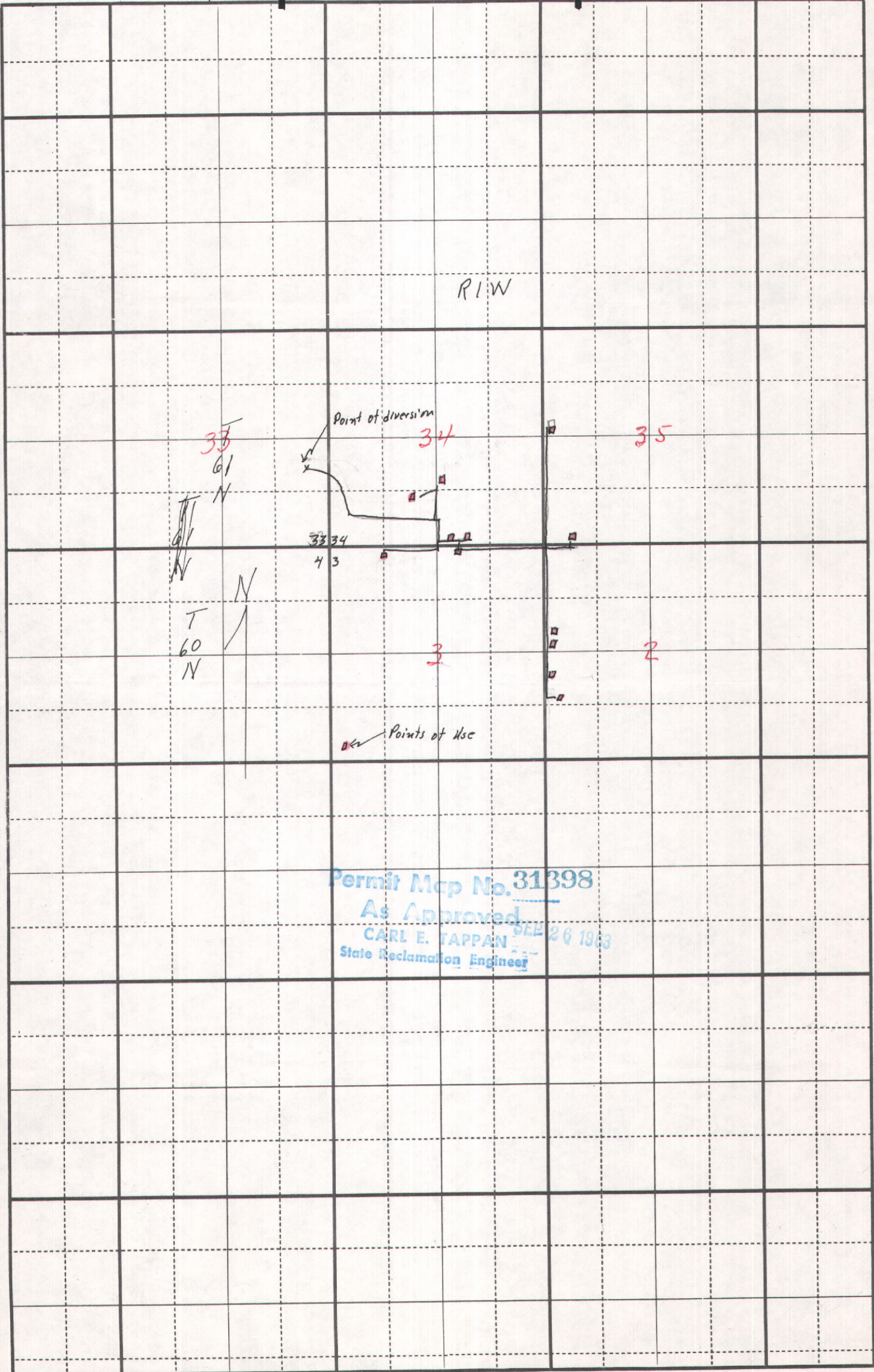
Date filed: September 23, 1963 Total acreage 6
Proof due: September 26, 1968
Proof made: August 30, 1968
Priority: September 23, 1963

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

-- About 1/2 acre of land at each farmstead
irrigated from domestic water system. User incurred
in "domestic" use permit.

NAME OF APPLICANT Highland Flats Water Assoc.

Form No. 0



Permit Map No. 31398
As Approved
CARL E. TAPPAN
State Reclamation Engineer
JUL 26 1963

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

531398

WATER LICENSE

Water License No. 31398/98-2113 Priority September 23, 1963 Amount 0.5 c.f.s.THIS IS TO CERTIFY, that Highland Flats Water Association

of Naples, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 23, 1963; that Permit 31398/98-2113 was issued pursuant to said application; that the proposed works were completed on or about September 1, 1964, with a storage/or carrying capacity of 0.5 c.f.s., said works consisting of tank and pipeline; and that on August 30, 1968, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 24 acre feet per season, with a maximum rate of diversion of 0.5 cubic feet per second of the waters of North Fork of Falls Creek, tributary of Kootenai River, for the purpose of Domestic from January 1 to December 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 61 N, R. 1 W, B.M., and other additional points _____, in the County of _____ Boundary _____; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 24 acre feet per year.

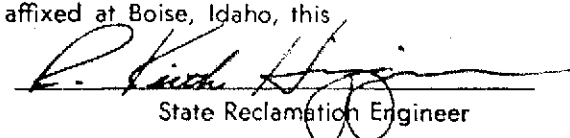
Description and location of place of use:

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 $\frac{1}{4}$	
61 N	1 W	34																	
		35																	
60 N	1 W	2																	
		3																	

Total number of acres irrigated _____

The right to the use of the water 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

10th day of March, 19 70.

 State Reclamation Engineer

98 2113

31398
98-2113

Application For Permit To Appropriate the Public Waters of the State of Idaho

98-2113

APPLICATION No. 39504
PERMIT No. 31398
DISTRICT No.

1. Name of Applicant: Highland Flats Water Assoc., (John Fields, President)

Postoffice address: St. Rt., Naples

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 applicant are:

(a) Cash on hand:

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: .5

cubic feet per second.

3. Source of water supply: North Fork of Falls Creek

which is a tributary of Kootenai River

4. Location of point of diversion: 2325' N-W

feet distant from the SE

corner of Section 33, T. 61N, R. R1W, B.M., and is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$

of section 33, T. 61N, R. R1W, B. M., County of Boundary

5. Water is to be used for Domestic

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

(a) Point of use of water: Farmsteads feet distant from corner of Section

T. , R. , B.M., in the of Section ~~34~~ ^{34 & 35}, T. 61 N. , R. 1 W. , B.M.
and Sections 2 & 3, Twp. 60 N., Rge. 1 W.B.M.

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

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$15,000

8. Kind of works: Settling tank with filter, chlorinator, pipeline

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

feet; material used in dam:

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

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

Diameter of pipe 4 inches; length of conduit miles.

Average grade per mile feet.

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

13. The time required for the complete application of the water to the proposed use is 0 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

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

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

Highland Flats Water Assoc. Applicant.

By s/ John Fields Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. September 23, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31398

Recorded in Book 110 Page 31398 Approved September 26, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before November 26, 1963 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before March 26, 1966

The whole of said work to be completed on or before September 26, 1968

Beneficial use of water appropriated in accordance herewith, to be made on or before September 26, 1968

WITNESS My hand this 26th day of September, 1963

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,

and ARNOLD WILLIAMS, 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 26th

day of September, 19 63.
Countersigned:

STATE OF IDAHO

(SEAL) By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLIE _____
Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
											Total Number of Acres				to be Irrigated				None
LICENSE ISSUED FOR <u>0.5</u> SEC. FL. LICENSE PAGE NO. <u> </u>																			



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Executive Director~~
Director

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

February 24, 1982

Glenn J. Hill

Mr. and Mrs. John McIntosh
P. O. Box 5517
Ketchikan, Alaska 99901

Re: 98-2113

Dear Mr. and Mrs. McIntosh:

Enclosed is a copy of Water Right License No. 98-2113 in the name of Highland Flats Water Association. This filing should cover the uses of water on your property which are being served by the water association.

I am also enclosing the packet which you requested. If there are uses of water on your property beyond that which is served by the Highland Flats Water Association, those should be filed on as outlined in the packet of information.

If you have any further questions, please contact me.

Sincerely,

ROBERT G. HAYNES, P.E.
Regional Supervisor

RGH/pms

Enc. - License
Packet

✓ cc: IDWR - State Office

John R. McIntosh
Judith C. McIntosh
P. O. Box 5517
Ketchikan, Alaska 99901
February 19, 1982

Northern Region, Idaho
Department of Water Resources
Route #5 Box 203
Coeur d'Alene, Idaho 83814

Re: Highland Flats Water Association
Certificate #39 and #40

Dear Sir:

Inclosed is a copy of an official notice concerning;
recording water rights. We received this notice through
the bank holding our land mortgage.

We presently own two water rights through the Highland
Flats Water Association located three miles from
Naples, Idaho.

Please send us the free packet of information and
instruction material.

Would you please check the records as to whether we need
to record our water right or perhaps it is all ready
recorded?

Your immediate answer will be greatly appreciated.

Sincerely,



Judith C. McIntosh

cc/jrm

RECEIVED

FEB 24 1982

Department of Water Resources
Blaine District Office

Keep Your Water!

In 1978, the Idaho legislature passed a law (Idaho Code 42-243) which requires that all existing water rights in Idaho be recorded by June 30, 1983.

To comply with the law requiring the recording of existing water rights you must record your water right if you take water from a well or surface water source and put it to a beneficial use.

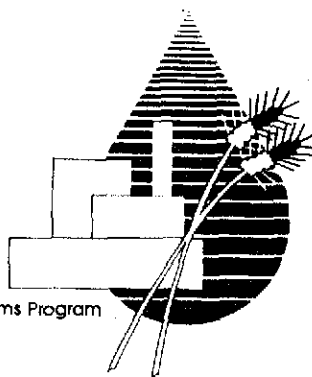
However, you do not need to record your water right if:

- All your water is supplied by a municipal system, a canal company or an irrigation district, or
- Your source of water is a well which supplies only one household, or
- You have not had a water use for the past five years or have never put water to a beneficial use (for land or recreational property), or
- Your water right is already on file with the Idaho Department of Water Resources in the form of a valid permit, license or claim, or your water right has been decreed in a court of law.

SEE OTHER SIDE FOR WHERE TO GET MORE INFORMATION.

Idaho Department of
Water Resources

Idaho Water Rights Claims Program



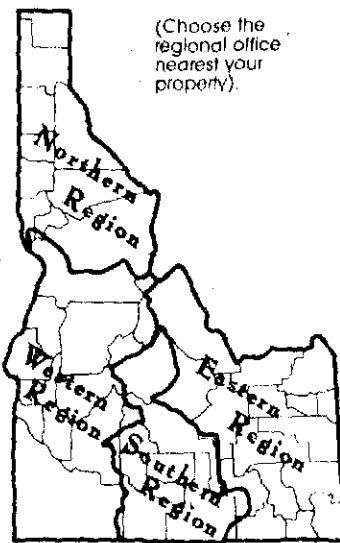
Note: This notice must be forwarded to the beneficial owner of the property.

If your water use is not included in the exceptions listed on the other side of this notice, and you use water for:

- Irrigation
- Stockwater
- Domestic use (for more than one household)
- Industrial, Commercial
- Fish propagation, etc.

Then write for a free packet of information and instructional material by sending to:

Keep Your Water!



(Choose the regional office nearest your property).

Northern Region, Idaho
Department of Water
Resources
Route #5, Box 203
Coeur d'Alene, Idaho 83814
208-667-6484

Western Region, Idaho
Department of Water
Resources
92 South Cole Road
Boise, Idaho 83709
208-334-2190

Eastern Region, Idaho
Department of Water
Resources
150 Shoup Ave.
Idaho Falls, Idaho 83401
208-525-7162

Southern Region, Idaho
Department of Water
Resources
1041 Blue Lakes Blvd.
Twin Falls, Idaho 83301
208-734-3578

Remember! The deadline for filing is June 30, 1983. Failure to claim existing water rights by this date may result in forfeiture of your water rights.

This is the official notice requiring the recording of water rights as contained in Idaho Code, Title 42, Chapter 2, Section 42-242.

WATER RIGHTS NOTICE

Every person, including but not limited to an individual, partnership, association, public or private corporation, city or other municipality, county, state agency or the state of Idaho, and the United States of America, when claiming water rights established under the laws of the state of Idaho, is hereby notified that all water rights or claimed water rights relating to the withdrawal or diversion of public surface or ground waters of the state for uses other than domestic purposes as defined in section 42-230(c), Idaho Code, except those water rights based upon authority of permit or license issued by the department of water resources or one of its predecessors or water rights which have previously been adjudicated by a court having jurisdiction of such matters, must be registered with the department of water resources, Boise, Idaho, not later than June 30, 1983. FAILURE TO REGISTER AS REQUIRED BY LAW WILL BE GROUNDS FOR INSTITUTING AN ACTION FOR FORFEITURE OF THE CLAIMED WATER RIGHT.



Idaho Department of Water Resources
Idaho Water Rights Claims Program

March 11, 1970

Re: Permit No. 98-2113

Highland Flats Water Association
Star Route
Naples, Idaho 83847

Dear Sirs:

Enclosed herewith is your Water License issued on the above
numbered permit.

Also enclosed is departmental receipt No. 4292 in the amount
of \$5 covering the licensing fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

98-2113
31398

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

February 11, 1970

Re: Permit No. 98-2113

Highland Flats Water Association
Star Route
Naples, Idaho 83847

Dear Sirs:

A representative of this department has made an examination of the works covered by your Permit 31398/98-2113 and has found the following:

Quantity of water diverted: 0.5 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.5 c.f.s.

The maximum quantity diverted shall not exceed 24 acre feet per season.

Beneficial Use: Domestic use within Secs. 34 & 35, T. 61 N., R. 1 W., B.M., and Secs. 2 & 3, T. 60 N., R. 1 W., B.M.

The priority date established is: September 23, 1963

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".
Donald W. McEldowney
Appropriation Examiner

DWM:kh

31398
98-2113

February 11, 1970

Re: Permit No. 98-2113

Highland Flats Water Association
Star Route
Naples, Idaho 83847

Dear Sirs:

A representative of this department has made an examination of the works covered by your Permit 31398/98-2113 and has found the following:

Quantity of water diverted: 0.5 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.5 c.f.s.

The maximum quantity diverted shall not exceed 24 acre feet per season.

Beneficial Use: Domestic use within Secs. 34 & 35, T. 61 N., R. 1 W., B.M., and Secs. 2 & 3, T. 60 N., R. 1 W., B.M.

The priority date established is: September 23, 1968

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you the Water License as described above.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh

98-2113
31398

for Paid
3-5-70
KH.

Source of supply NORTH FORK OF FAIR CREEK
a tributary of KOOTENAI RIVER
Location of P.D. (s) NE 1/4 SEC 33 T 61 N R 10 W B.M.

Water is used for DOMESTIC
Quantity of water found Varies from 0 to .5 cfs
How was the measurement made? Not measured
Measurement calculations _____

Diversion works description and diagram

Settling tank, filter
system, pressure
to 12 farmsteads.
At least 1/2 acre
or less and garden
at each farmstead.

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 6

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

HOUSEHOLD DOMESTIC USE AT 12 FARMSTEADS.

Who represented the permit holder at the examination?

E. H. JOHNSON

Recommended allowance for licensing 0.5 cfs

Description of required amendments. Comments. _____

Allow 24.0 ac/yr
and 0.5 cfs PHH

Report checked? PHH

Examination date 10/1/69

Signature

E. H. Johnson

51898
98-2113

Permit No. 31398

Name of Applicant Highland Flats Water Association, Star Route, Naples, Idaho

Source of Water North Fork of Falls Creek

a tributary of Kootenai River

Location of P.D. NE 1/4 SE 1/4, Sec. 33, T. 61 N, R. 1 W, B.M., Boundary County.

Water is used for Domestic

Quantity of water claimed: Permit 0.5 c.f.s. Depositions 0.5 c.f.s.

Type of measuring device installed or method of measurement and general description of diversion works 4" pipe

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
61 N	1 W	34	2
		35	1
60 N	1 W	2	2
		3	1

Date filed: September 23, 1963 Total acreage 6

Proof due: September 26, 1968

Proof made: August 30, 1968

Priority: September 23, 1963

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.

-- About 1/2 acre of land at each farmstead irrigated from domestic water system. Use record in "Domestic" use permit.

Jay H. Jeppesen
State Route
Naples, Idaho 83847
Dec. 10, 1969

RECEIVED

31398
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Department of Reclamation

Dear Sir:

In regards to your previous letter to Mr. George Avedal former president of the Highland Flats Water Association.

Mr. George Avedal has forwarded the letters to me as I am president of the water association now. I am sorry that I'm late in getting this letter to you. I have checked with F.H.A. and members of the association and to the best of our knowledge we have no plans of the water diversion at this time.

We changed the water diversion after the first year because of the erosion of the melting snow. No plans were drawn up for the work that has been done to this date.

Any further information or help in obtaining these plans will be greatly appreciated. Please contact me at any time.

Sincerely,
Jay H. Jeppesen
Pres. of Highland Flats Water Assn.
98-2113
31398

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

November 12, 1969

Re: Permit No. 31398/98-2113

Mr. George Aavedal, President
Highland Flats Water Association
Star Route
Naples, Idaho 83847

Dear Mr. Aavedal:

On October 10, 1969, I wrote you concerning an inspection I had made in connection with the licensing of Permit No. 31398/98-2113. To date, I have received no answer to this letter.

In order to complete the licensing of the above referenced permit, I would appreciate receiving a copy of the plans showing the type of installation at the point of diversion and a layout of the distribution system.

Please contact me if such plans are not available, and I will attempt to gain this information from another source.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH:TG

Enc: copy of letter
of 10-10-69

98-2113
31398

October 10, 1969

Re: Permit No. 31398 (98-2113)

Mr. George Aavedal, President
Highland Flats Water Association
Star Route
Naples, Idaho 83847

Dear Mr. Aavedal:

On Wednesday, October 1st, I made an inspection of the use of water from your system diverting from the North Fork of Falls Creek and discussed this with Mr. E. H. Johnstone.

In order for this office to complete the licensing of the permit, we would appreciate receiving a copy of the plans showing the type of installation at the point of diversion and a layout of the distribution system.

If such plans are not available, please advise and we will attempt to gain the information by other means.

Very truly yours,

R. KEITH HIGGINSON
State Reclamation Engineer

RKH/jlb

98-2113
31398

September 16, 1968

Re: Permit No. 31398

George Aavedal, President
Highland Flats Water Association
Star Route
Naples, Idaho 83847

Dear Mr. Aavedal:

We acknowledge receipt of the depositions and affidavit of publication in the Bonners Ferry Herald submitted as proof of completion of works and beneficial use on Permit No. 31398.

Before a water license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McElowney
Appropriation Examiner

DWM:dfj

Enc: Advertising receipt

exam filed
31398

RECEIVED

SEP 10 1968

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

N. A. Chubb

being first duly sworn up 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 Highland Flats Water Association

a Notice of Proof of completion of works and 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 4 consecutive issues, commencing with the issue dated Aug. 8, 1968, and ending with the issue dated Aug. 29, 1968.

Subscribed and sworn to before me this 30 day of August, 1968.

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

31398

Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on August 30, 1968, at Bonners Ferry, County of Boundary, State of Idaho, before notary public, Lucille E. Myers, Bonners Ferry, Idaho, proof will be submitted of the completion of works for the diversion of 0.5 c. f. s. of the waters of North Fork of Falls Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 31398, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Highland Flats Water Association, John Fields, President, Star Route, Naples, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.5 cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.5 c. f. s.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 61 N, R. 1 W. B.M., Boundary County.

5. The place where said water is used is Sections 34 and 35, T. 61 N, R. 1 W, B.M. and Sections 2 and 3, T. 60 N, R. 1 W, B.M.

6. The date of priority which said user is prepared to establish is September 23, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer

First pub. Aug. 8, 1968

Final pub. Aug. 29, 1968-f.w.a.

- STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 31398

* * * * *

RECEIVED

SEP 10 1968

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Completion of Works

DEPOSITION OF HOLDER

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

George Aavedal, Farmer-Mill, worker, Star Rt., Naples, Idaho 83847

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf: _____

Highland Flats Water Assn., Inc., Star Rt., Naples, Idaho 83847, President of Association

Ques. 3. State number, approval date of permit, and date of priority: _____

Number 31398 Approval date of permit - August 30, 1968 Date of priority - Sept. 23, 1963

Ques. 4. State source of water supply: North Fork of Falls Creek

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

NE 1/4 Sec. 33, T. 61 N, R. 1 W.B.M., Boundary County

Ques. 5. Describe your works of diversion: 4 inch pipe

_____ ; state amount of water they are capable of conveying from point of diversion to place of use: 0.5 c.f.s. ; Give name of canal or ditch or other works by which water is conducted to such place of use: pipe

_____ ; if a well, state depth of well NA ; depth and size of casing None ; depth to water NA ; if pump is used, state discharge of pump: NA ; tell how it was measured or determined _____

NA ; if sprinkler irrigation, give number and size of nozzles and operating pressure: NA

Ques. 6. State for what purpose water is used: Domestic Water

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

31398

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

None

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

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Sec. 34 and 35, T. 61 N, R. 1 W.B.M. and Sec. 2 and 3, T. 60 N, R.1 W.B.M.

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: September 1, 1964 - Time used since first use:

Continuously

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

None

(sign) George Davidal
President
Highland Flats Water Assn., Inc.

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

Bonner Ferry, County of Boundary
State of Idaho, on this 30 day of August, A. D. 19 68.

My commission expires: September 25, 1971

Luella E. Myers

31398

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 31398

* * * * *

RECEIVED

SEP 10 1968

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

and Construction of Works

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:

John J. Conway, age 59, Moravia, Farmer-lumberman, Box 418, Bonners Ferry, Idaho 83805

Ques. 2 Are you acquainted with the Highland Flats Water Assn., Inc., the holder of Permit No. 31398? How long have you known him and where does he reside?

Highland Flats - Naples, Idaho

Ques. 3. Have you read or heard said Permit No. 31398 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: North Fork of Falls Creek

Give location of place of diversion, showing subdivision, section, township and range
NE 1/4 Sec. 33, T. 61 N, R1 W.B.M, Boundary County

Describe works for conveying water to place of use: 4 inch pipe

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 0.5 c.f.s. How much water have you seen being so

conveyed? All of it

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Domestic use only

31398

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Sec. 34 and 35, Twp. 61 N, R.1 W.B.M. and Sec. 2 and 3, Twp. 60 N, R 1, W.B.M.

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.

NA

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? One year ago

Other times you have seen such use: none

(Signed):

John J. Conway

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

Bonnew Ferry, County of Boundary, State of Idaho, on this 30 day of August, A. D. 1968

Luella E. Myers

Notary Public for the State of Idaho

Residing Bonnew Ferry Idaho

My commission expires September 25, 1971

31398

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 31398

* * * * *

RECEIVED

SEP 10 1968

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

John VanEtten, Age 34, Moravia, Farmer-Sawmill Planer, Route 1, Bonners Ferry, Idaho 83805

Ques. 2 Are you acquainted with the Highland Flats Water Assn., Inc., the holder of Permit No. 31398? How long have you known him and where does he reside?

Yes. He is Vice P., Highland Flats (Naples, Idaho)

Ques. 3. Have you read or heard said Permit No. 31398 read, and are you familiar with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: North Fork of Falls Creek

Give location of place of diversion, showing subdivision, section, township and range
NELSE. Sec. 33, T. 61 N, R1, W.B.M., Boundary County

Describe works for conveying water to place of use: 4 inch pipe

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 0.5 c.f.s How much water have you seen being so conveyed? all of it

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

Domestic Use only

31398

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Sec. 34 and 35, T. 61N, R.1, W.B.M. and Sec. 2 and 3, T. 60N, R.1 W.B.M.

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.

NA

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? 2 years ago

Other times you have seen such use: several times since then

(Signed):

John W. E. E. E.

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

Bonners Ferry, County of Boundary, State of Idaho, on this 30 day of August, A. D. 1948

Lucille E. Jones

Notary Public for the State of Idaho

Residing Bonners Ferry, Idaho

My commission expires September 25, 1971

31398

Re: Permit No. 31398

July 29, 1968

George Aavedal, President
Highland Flats Water Association
Star Route
Naples, Idaho 83847

Dear Mr. Aavedal:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit No. 31398.

We have mailed the notice to the Bonnara Ferry Herald to be published once a week for four consecutive weeks prior to August 30, 1968**** which is the hearing date when the permit holder Highland Flats Water Association and two disinterested witnesses must appear before Lucille E. Myers, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by George Aavedal, President. Be sure all the forms have the notary's seal and are signed. Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: Depositions

cc: Notary

****We have advanced the hearing date to allow advertising time. If this date is inconsistent with your plans please notify us immediately.

31398

July 29, 1968

Re: Permit No. 31398
Highland Flats Water Association

Bonnors Ferry Herald
Bonnors Ferry, Idaho 83805

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to August 30, 1968. The expense of the publication is to paid by George Aavedal, President, Highland Flats Water Association, Naples, Idaho,

to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:dj

Enc: legal notice

31398

RECEIVED

JUL 20 1968

Department of Reclamation

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Bonnors Ferry Herald of Bonnors Ferry, Idaho 83805; published in the county in which the works are situated.

George Aarvedal President
(signature)
Highland Flats Water Association
Nampa Idaho
(address)
July 19 1968
(date)

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 when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

531398

RECEIVED

JUL 29 1968

NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

Notice is hereby given that on August 30, 1968,
~~XXXXXXIXXXIX68X~~ at Bonnors Ferry,County of Boundary, State of Idaho, before notary public (name & address) _____Lucille E. Myers, Bonnors Ferry, Idaho, proof will be

submitted of the completion of works for the diversion of 0.5 c.f.s. of the waters
of North Fork of Falls Creek, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit 31398, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Highland Flats Water Association,
John Fields, President, Star Route, Naples, Idaho.

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is
0.5 cubic feet per second.

3. The use to which said water has been applied is _____
domestic purposes, and the amount applied to beneficial
use is 0.5 c.f.s.

4. The point of diversion of said water is NE1/4 Sec. 33, T. 61 N, R. 1 W,
B.M., Boundary County.

5. The place where said water is used is Sections 34 and 35, T. 61 N,
R. 1 W, B.M. and Sections 2 and 3, T. 60 N, R. 1 W, B.M.

6. The date of priority which said user is prepared to establish is _____
September 23, 1963.

R. KEITH HIGGINSON

State Reclamation Engineer

531398

Re: Permit No. 31398

June 28, 1968

John Fields, President
Highland Flats Water Association
Star Route
Naples, Idaho 83847

Dear Mr. Fields:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than September 26, 1968.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces on both forms, sign the form authorizing us to publish the notice at your expense, and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.

State Reclamation Engineer

RE LINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____

Permit Holder

31398

October 4, 1963

Re: Permit No. 31398
Highland Flats Water Association

Mr. John Fields, President,
Highland Flats Water Assn.,
Naples, Idaho.

Dear Mr. Fields:

We enclose Permit No. 31398 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 31808 which was issued covering payment in the amount of \$5.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

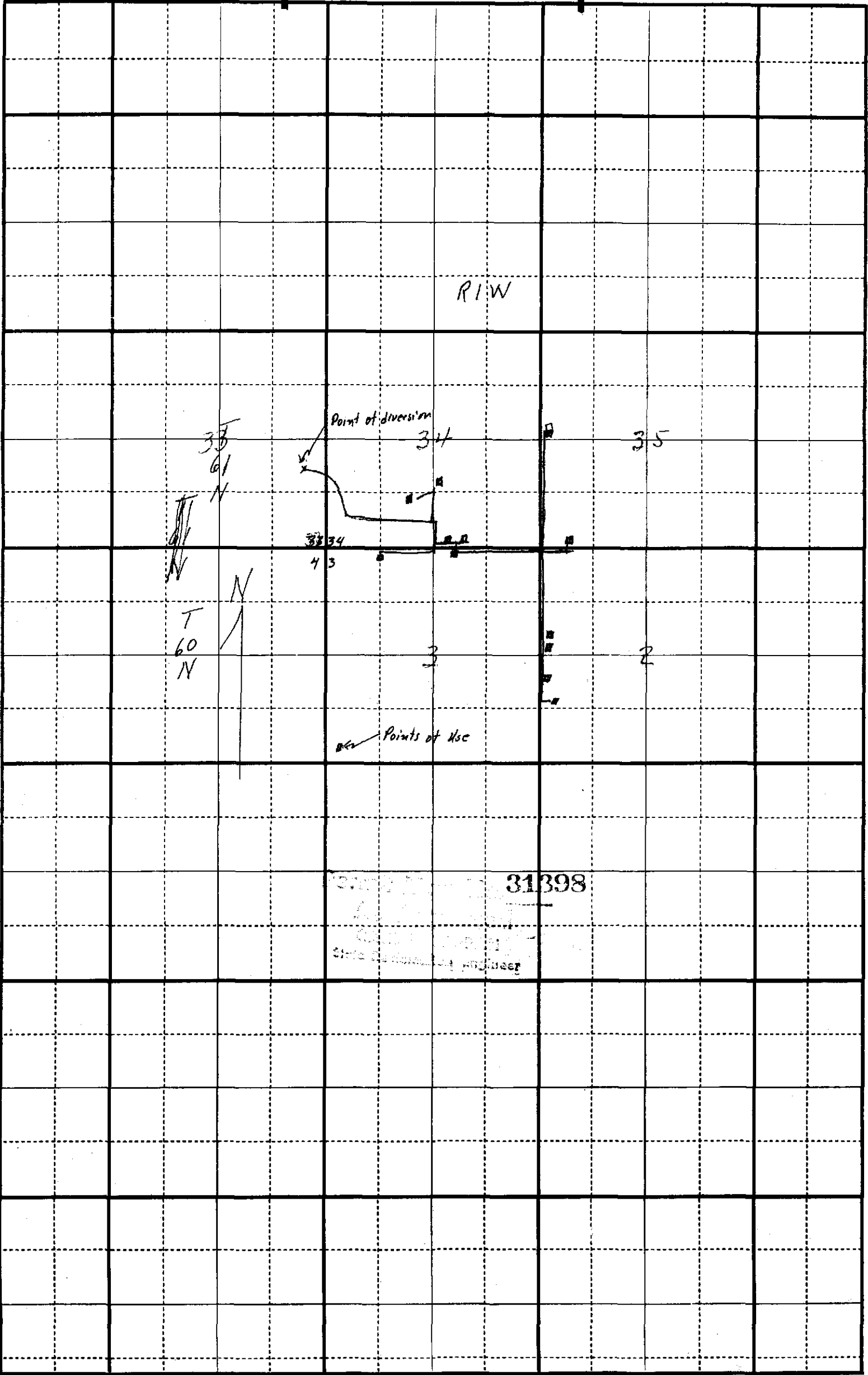
(MRS.) EDNA P. RULE
Chief Clerk

Encl. - Permit
Receipt
EPR:pmk

31398

NAME OF APPLICANT Highland Flats Water Assoc.

Form No. 0



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

31398

**NOTICE OF PROOF OF
COMPLETION OF WORKS
AND APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that on August 30, 1968, at Bonners Ferry, County of Boundary, State of Idaho, before notary public, Lucille E. Myers, Bonners Ferry, Idaho, proof

will be submitted of the completion of works for the diversion of 0.5 c. f. s. of the waters of North Fork of Falls Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 31398, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Highland Flats Water Association, John Fields, President, Star Route, Naples, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.5 cubic feet per second.

3. The use to which said water has been applied is domestic purposes, and the amount applied to beneficial use is 0.5 c. f. s.

4. The point of diversion of said water is NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 61 N, R. 1 W. B.M., Boundary County.

5. The place where said water is used is Sections 34 and 35, T. 61 N, R. 1 W, B.M. and Sections 2 and 3, T. 60 N, R. 1 W, B.M.

6. The date of priority which said user is prepared to establish is September 23, 1963.

R. KEITH HIGGINSON
State Reclamation Engineer

First pub. Aug. 8, 1968

Final pub. Aug. 29, 1968-f.w.a.