

98-2110

98-2110



A.A. ALLEY

ALFRED MULLER

135-C

BROWN
and
OLIVER

118-C

OP. STEVE
TREN

V.B. LOCK

116
1217

152-C

LEON MARCY

88-C

Wm. PHILLIPS

ROY GROVE

173-C

J.J. MOTTNER

209-C

J.H. McNALLY

288-C

ALFRED MULLER

Permit No. _____

STATE OF IDAHO
Department of ReclamationRECEIVED
MAY 12 1967

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Boundary

SS.

John Conway

, 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. 30579, and that his postoffice address is Box 418, Bonners Ferry State of Idaho.

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

Deep Creek

Third: That the point of diversion of said water is in the NE¹/₄, NE¹/₄ sec. 12; T 61N; RLW

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 30, 1963.

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

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

I. Kind of Works: Pump and sprinkler pipe

(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 14 inches, average grade per mile is _____ feet. Length of conduit is 800 ft miles.

Seventh: That said works are capable of conducting to the place of intended use _____

.25 second feet of water.

Eighth: That water appropriated under said permit is available for 22 acres of land described as follows: 16 ac. NE¹/₄, NE¹/₄ sec. 12; RLW, T61N; 1 ac. SE¹/₄, NE¹/₄ sec. 12; RLW T61N

Ninth: Remarks:—That All works are completed.

John J Conway
(SIGN HERE)

Subscribed and sworn to before me this 10 day of May, 1967

Marion Resenbrink

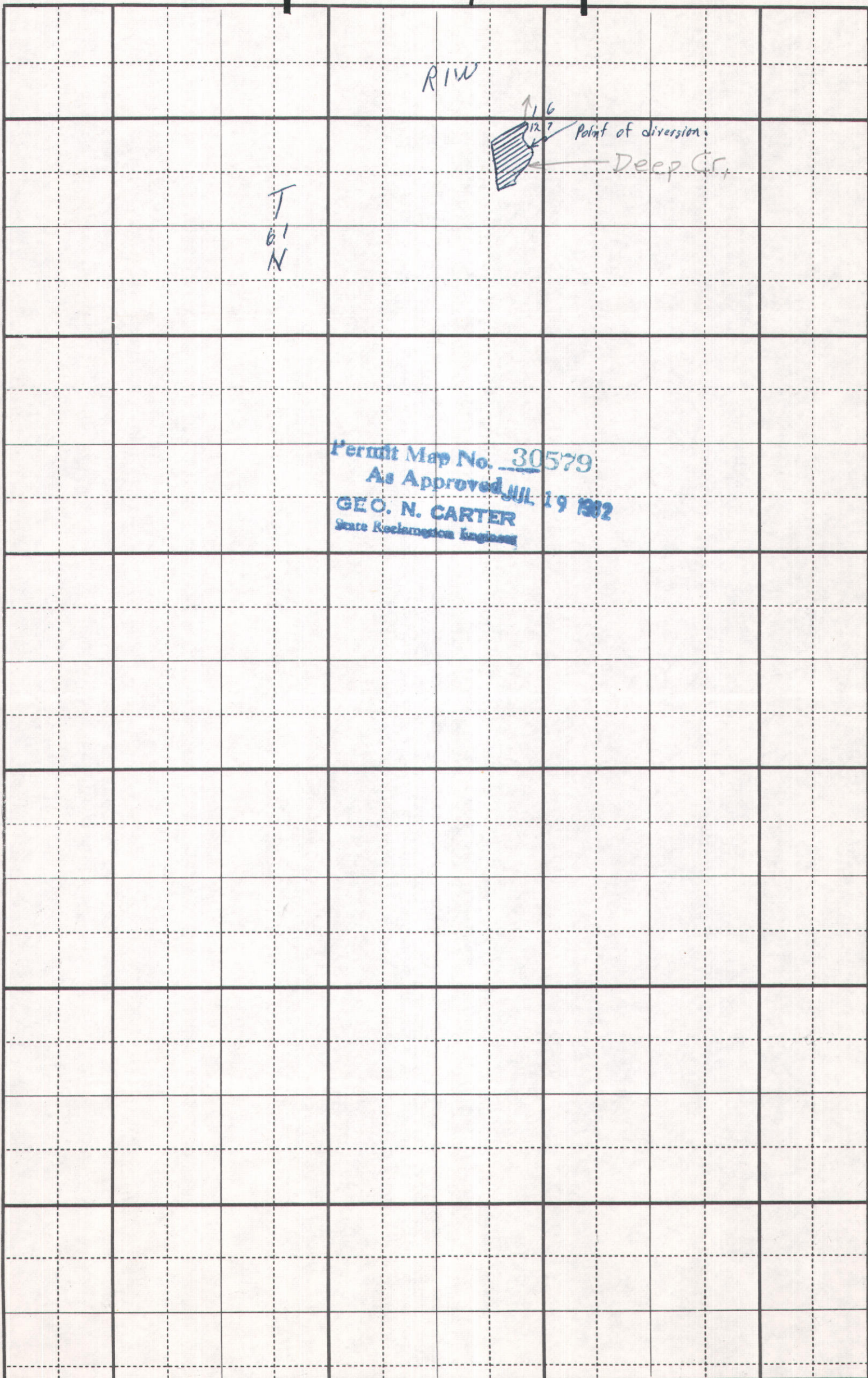
NOTARY PUBLIC

My commission expires 3-1-69

30579

NAME OF APPLICANT John J. Conway

Form No. 0



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

30579

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 30579/98-2110 Priority July 16, 1962 Amount 0.24 cfs

THIS IS TO CERTIFY, that JOHN J. CONWAY
of Bonnors Ferry, Idaho, has complied with the terms and conditions of Permit
No. 30579/98-2110 issued pursuant to Application for Permit dated July 16, 1962,
and has submitted proof to the Department of Water Administration on September 30, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.24 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Deep Creek
tributary of the Kootenai River, is hereby confirmed in the following amounts:

Amount 0.24 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.24 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE¹/₄NE¹/₄ Sec. 12, Twp. 61 N, Rge. 1 W, B.M.

in the county of Boundary; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 51 acre feet per year or _____
3.0 acre feet per acre.

Description and location of 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	
61N	1W	12	16			1													17

Total number of acres irrigated 17

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 20 day of
December, 19 71.


Director

98 2110

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. 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 John J. Conway/

a **Notice of Approved Application for water No. 30579**

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 Sept. 26, 1968, and ending with the issue dated Oct. 3, 1968

Subscribed and sworn to before me this 19 day of November, 1968

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

30579

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that John J. Conway, Box 418, Bonners Ferry, Idaho, has received an approved permit No. 30579 to divert 3 cubic feet per second of water from Deep Creek tributary of Kootenai River. The priority to be established under this permit is July 16, 1962. Water will be diverted by pump, main line laterals within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 61 N., R. 1 W., B. M., Boundary County and is to be used for irrigation in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 12; T. 61 N., R. 1 W., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Bonners Ferry Herald on September 26 and October 3, 1968.

RECEIVED

NOV 21 1968

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

W. 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 John J. Conway/

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that John J. Conway, Box 418, Bonners Ferry, Idaho, has received an approved permit No. 30579 to divert .3 cubic feet per second of water from Deep Creek tributary of Kootenai River. The priority to be established under this permit is July 16, 1962. Water will be diverted by pump, main line laterals within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 61 N., R. 1 W., B. M., Boundary County and is to be used for irrigation in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 12, T. 61 N., R. 1 W., B. M.

Any protests against the intent of

the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Bonners Ferry Herald on September 26 and October 3, 1968.

a **Notice of Approved Application for water No. 30579**

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, com-

mencing with the issue dated Sept. 26, 1968, and ending with the

issue dated Oct. 3, 1968.

Subscribed and sworn to before me this 19 day of November, 1968.

Marian Mesenbrink

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

30579

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

SEP 10 1962

Department of Reclamation

1. a) Name of Permit Holder John J. Conway
b) Post Office Address Box 418 Bonners Ferry Idaho 83805
2. Permit Number 30579
3. Date of Priority that you are prepared to establish July 16 1962
4. a) Source from which water was appropriated Deep Creek tributary of Kootenai River
b) Location of the point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12,
Township 61, Range 1 W Boise Meridian. Other points of
diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .35 cfs for irrigation purposes from 6/15 to 9/30 incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
b) Total amount appropriated .35 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made
and the qualifications of the person making the measurement: Pump and sprinkler
system was designed for this amount by Sims Equipment and verified by
engineers of the Soil Conservation Service.
6. If the means of diversion and conveyance are owned by someone other than the Permit
Holder:
a) Give the name or description of the canal, ditch or other works by which the water is
conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use,
(If from a subterranean source, give the pump size, motor size, size of well casing,
depth of well; if from surface water, give brief description of diversion structure and/or
canal or ditch) pump - main line - laterals

excessive
amount
NE $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$
12 instead of
17 acres

30579

9/2/70

W. B. Wood

On this 1st day of July, 1971, John J. [Signature], personally appeared before me the

State of Ohio)
County of Franklin)
On this 27 day of Sept, 1968, personally appeared before me the

9-27-68

(Signature)

The above information is a true statement of the extent to which the above numbered

Total number of acres irrigated.

[illegible]

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each

8. If for other than irrigation, describe the beneficial use to which you have applied the

of diversion: Amount of water used is controlled by the capacity of the pump and sprinkler system.

b) Describe the type and size of measuring device which you have installed at your point

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 30579)
in the name of John J. Conway) ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER
Box 418, Bonners Ferry, Idaho)

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 30579 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this _____ day of _____, 19____.

R. KEITH HIGGINSON
State Reclamation Engineer

30579

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

98-2110

APPLICATION No. 38651
PERMIT No. 30579
DISTRICT No.

1. Name of Applicant: John J. Conway

Postoffice address: Box 418, Bonners Ferry

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: .3

cubic feet per second.

3. Source of water supply: Deep Creek

which is a tributary of Kootenai River

4. Location of point of diversion: 800' South, 300' West feet distant from the NE

corner of Section 12, T. 61 N., R. 1 W., B.M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$

of section 12, T. 61 N, R. 1 W., B. M., County of Boundary

5. Water is to be used for Irrigation

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

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

T., R., B.M., in the of Section of, T., R., B.M.

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

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

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

7. Estimated cost of works: \$ 2,500.

8. Kind of works: Pump, main line - laterals

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" main, 3" laterals 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 2 additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used?

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.

s/ John J. Conway

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation:

8:00 A.M. July 16, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 30579

Recorded in Book 107

Page 30579

Approved July 19, 1962

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 September 19, 1962

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 January 19, 1965

The whole of said work to be completed on or before July 19, 1967

Beneficial use of water appropriated in accordance herewith, to be made on or before July 19, 1969

WITNESS My hand this 19th day of July, 1962

s/ RALPH W. THOMAS, Deputy

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE,

ROBERT E. SMYLIE

, Governor of the State of Idaho,

and

ARNOLD WILLIAM

, 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 19th

day of July, 19 62.

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLIE

Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
61 N	1 W	12	17			5													22
Permit No. 30579 CERTIFICATE OF COMPLETION OF WORKS <i>mw</i>																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that JOHN J. CONWAY of Bonners Ferry, County of Boundary, and State of Idaho, the holder of Permit No. 30579, issued upon Application No. 38651 bearing date of priority of July 16, 1962, authorizing the diversion of 0.3 second feet of waters of Deep Creek, tributary of Kootenai River, County of Boundary, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.25 second feet of the waters of Deep Creek, tributary of Kootenai River; that the point of diversion of said waters NE1/4, Sec. 12, T. 61 N, R. 1 W, B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: E1/2NE1/4, Sec. 12, T. 61 N, R. 1 W, B.M.																			
Proof of Completion of Works Made: May 10, 1967.																			
Witness my hand this 16th day of May, A. D. 1967.																			
s/ R. KEITH HIGGINSON State Reclamation Engineer																			

LICENSE ISSUED FOR 0.25 SEC. FT.
LICENSE PAGE NO.

December 22, 1971

Re: Permit No. 30579/98-2110

**Mr. John J. Conway
Box 418
Bonners Ferry, Idaho 83805**

Dear Mr. Conway:

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

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

**BDF:DR
Enc: License**

98 2110

December 9, 1971

Mr. John J. Conway
Box 418
Bonners Ferry, Idaho 83805

Dear Mr. Conway:

A representative of this department has made an examination of the works covered by your Permit No. 30579/98-2110 and has found the following:

Quantity of water diverted: 0.24 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.24 cfs

The maximum quantity diverted shall not exceed 51 acre feet per season.

Beneficial Use: Irrigation of 17 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ (16) and SE $\frac{1}{4}$ NE $\frac{1}{4}$ (1), Sec. 12, Twp. 61 N, Rge. 1 W, B. M.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, Twp. 61 N, Rge. 1 W, B. M.

The priority date established is : July 16, 1962

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

18 2110

1 1/64 40 lbs
18 rods/105

measured 0.34 c.f.s
 recommended 0.34 c.f.s
 time 3:45 x 17 = 5 1/4 hr per season
 acreage 17 acres
 recommended 17 acres
 sediments 2
☒ None
☐ D.
 place of use

P.D.
 Deep crack

Permit No. 98-2110 Beneficial Use only 98 AN7-2377

Name of Applicant John J. Conway, Box 418, Bonners Ferry, Idaho 83805

Source of Water Deep Creek

a tributary of Kootenai River

Location of P.D. N 1/4 NE 1/4, Sec. 12, T. 61 N, R. 1 W, 9.M., Boundary Co.

Water is used for Irrigation

Quantity of water claimed: Permit 0.3 c.f.s. Depositions 0.35 c.f.s.

Type of measuring device installed or method of measurement and general description of diversion works pump, sprinkler, laterals; system designed by Sim's Implement for this amount and verified by engineer of the Soil Conservation Service

Land to be irrigated or place of use:
 TWP. RGE. SEC. Description

61 N	1 W	12	E 1/4 NE 1/4

Filed - July 16, 1962
 Due - July 19, 1969
 Made - September 27, 1968
 Priority - July 16, 1962

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)
None

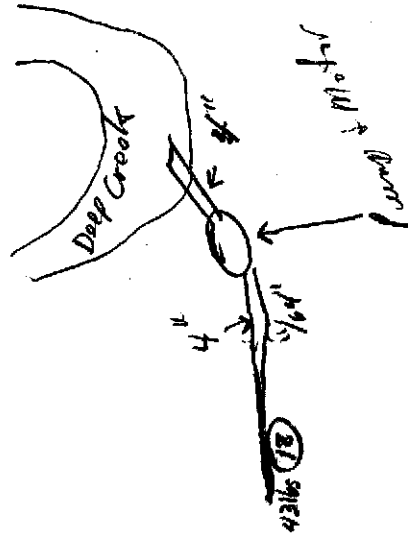
Source of supply Deep Creek
a tributary of Kootenai River
Location of P.D.(s) NENE Sec. 12 61 N 1W

Water is used for irrigation
Quantity of water found 24 c.f.s
How was the measurement made? pressure gauge
Measurement calculations Paraboid 30 1 1/4" 18 nozzles @ 43 lbs.

43 lbs = 5.88 gal/min per nozzle
5.88 x 18 = 105.8 gpm
105.8 = .24 c.f.s
448.8

Diversion works description and diagram

Conduity Material:
Model CP 215022-HC-1K
S.H.P. Ser. B-6
Jacuzzi Pump:
Model 58M2DWOC
Ser. 522



Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 17 acres

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.

Who represented the permit holder at the examination?

Mrs. Conway
Recommended allowance for licensing .24 c.f.s

Description of required amendments. Comments.

None

Report checked?

Examination date 7/3/70

Signature

Fred E. Smith

98 2110

7-16-70

0112 86

A.A. ALLEY

BROWN
RIVER

118-C

PA STEA
TREN

152-C

LEON MARGY

Wm. PHILIPS

88-C

ROY GROVE

173-C

J.J. MOTTNER

J.H. MALLY

298-C

ALFRED MULLER

LICENSING DATA ANALYSIS

- Permit No. 98-2110
- Name license is to be issued in John J. Conway
Assignment required - Yes ☐ No ☒
- Date of first receipt 7-16-62 Date proof due 7-19-69 Made 9-27-68
- Priority ☐ Late proof - Yes ☐ No ☒
- Source Deep Creek tributary Kootenai River
- Point of diversion:
Twp. 61 NS, Rge. 1 EW, B.M., Sec. 12, NE $\frac{1}{4}$ NE $\frac{1}{4}$
Twp. NS, Rge. EW, B.M., Sec. , $\frac{1}{4}$ $\frac{1}{4}$
Twp. NS, Rge. EW, B.M., Sec. , $\frac{1}{4}$ $\frac{1}{4}$
Amendment required - Yes ☐ No ☒
- Beneficial use for license:
Amt. .24 for irrigation from Mar 15 to Nov 15 AF 51
Amt. for from to AF
Amt. for from to AF
Amount not to exceed at any one time .24 c.f.s. or 51 acre feet per season or 3 acre feet per acre
Amendment required - Yes ☐ No ☒
- Permitted Amount: .3 c.f.s. Volume for season AF
- Measured Amount: .24 Reason for reduction Maximum output of system
- Description and location of place of use:

Twp	Rge	Sec	NE 160				NW 160				SW 160				SE 160				Total
			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 $\frac{1}{4}$	
61N	1W	12	16			1													17

Total No. of acres 17

Supplemental acreage - Yes ☐ No ☒

Total permitted acres 17

Amendment required - Yes ☐ No ☒

11. Remarks:

12. Measuring device required - Yes ☐ No ☒

13. Type of letter required: Fee ☒ Notice ☐

14. Analysis by JE Booker Date 4 Nov 70 Checked by Date 5-71

July 17, 1970

Re: Permit No. 30579/98-2110

Mr. John J. Conway
Box 418
Bonners Ferry, Idaho 83805

Dear Mr. Conway:

We have received your correspondence of July 6, 1970, concerning the above referenced permit. We are returning a copy of our December 2, 1968 letter, on which you have entered your letter of July 6, 1970.

We fail to find any promise in our letter for an examination nineteen months ago. We indicated in the third paragraph of our letter that we cannot tell just when the examination will be made. Due to an extremely heavy load, the examinations are approximately three to four years late. We have added additional examiners to our staff, and we will try to complete your examination during the 1970 or 1971 season. The applicant does not suffer any loss due to failure of the department to complete an examination.

After the department makes its examination, we will notify you of any cost of licensing, and the findings of the examination. Following the payment of a licensing fee, the department could issue a license. The licensing fee would be based on \$2.00 per 40 acre subdivision for beneficial use examinations in connection with licensing. Therefore, at maximum, it would appear a \$4.00 licensing fee would be required, inasmuch as you have land in two subdivisions. However, we will bill you at the time the examination is completed.

As far as we can determine, at this point in processing, there is no mandatory requirement for services of legal council. However, if you so desire, you may wish to consult your attorney.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/cm

Enclosure: copy of letter of July 6, & December 2, 1968

48-2110
30579

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

RECEIVED
JAN 7 1970
Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

December 2, 1968

Re: Permit No. 30579

John J. Conway
Box 418
Bonners Ferry, Idaho 83805

Dear Mr. Conway:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise the department.

Very truly yours,

Donald W. McEldowney

Donald W. McEldowney
Appropriation Examiner

DWM: TG

July 6, 1970
Dear Sir:

Please note the date of your above letter.
We are still waiting for contact from your field examiner promised 19 months ago.
What must we do to complete this action for a license to permit use of water as applied for in 1962?
What is the cost of the license?
Does the completion require the services of our lawyer?
John J. Conway

98-2110
30579

December 2, 1968

Re: Permit No. 30579

Jphn J. Conway
Box 418
Bonners Ferry, Idaho

Dear Mr. Conway:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise the department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

30579

exam typed

November 29, 1968

Re: Permit No. 30579

John J. Conway
Box 418
Bonners Ferry, Idaho

Dear Mr. Conway:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise the department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM: TG

30579

name typed

1 1

November 12, 1968

C
O
P
Y

Re: Permit No. 30579

John J. Conway
Box 418
Bonners Ferry, Idaho

Dear Mr. Conway:

As of this date we have not yet received the affidavit of publication for the above referenced permit. This affidavit may be obtained from the Bonners Ferry Herald, Bonners Ferry, Idaho. Please submit this item promptly..

We do, however, acknowledge receipt of the affidavit submitted as proof of beneficial use on the above referenced permit.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

30579

RECEIVED

SEP 30 1968

NOTICE OF APPROVED APPLICATION FOR WATER

Department of Reclamation

Notice is hereby given that John J. Conway, Box 418, Bonners
Ferry, Idaho
has received an approved permit No. 30579 to divert ~~stone~~
.35 cubic feet per second ~~acre feet~~ of water from
Deep Creek tributary of Kootenai River
The priority to be established
under this permit is July 16, 1962.
Water will be diverted by pump, main line laterals
within the NE1/4NE1/4,
Sec. 12, T. 61 N., R. 1 W., B. M., Boundary County
and is to be used for irrigation
in the ~~SW1/4~~ E1/2NE1/4, Sec. 12, T. 61 N., R. 1 W., B. M.

Any protests against the intent of the permit must be filed with the
Department of Reclamation within ten days from the last date of publication
of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Bonners Ferry Herald
on September 26 and and October 3, 1968.

30579

RECEIVED

SEP 25 1968

Department of Reclamation

**NOTICE OF APPROVED
APPLICATION FOR WATER**

Notice is hereby given that John J. Conway, Box 412, Bonners Ferry, Idaho, has received an approved permit No. 30578 to divert .3 cubic feet per second of water from Deep Creek tributary of Kootenai River. The priority to be established under this permit is July 16, 1962. Water will be diverted by pump, main line laterals within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 61 N., R. 1 W., B. M., Boundary County and is to be used for irrigation in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 12, T. 61 N., R. 1 W., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Bonners Ferry Herald on September 26 and October 3, 1968.

30579

September 20, 1968

Re: Permit No. 30579

The Bonners Ferry Herald
Bonners Ferry, Idaho 83805

Gentlemen:

Enclosed is a legal notice which we wish to have published 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 our 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 date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

The expense of the publication is to be paid by John J.

Conway, Box 418, Bonners Ferry, Idaho,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: Legal Notice

30579

September 19, 1968

Re: Permit No. 30579

John J. Conway
Box 418
Bonners Ferry, Idaho 83805

Dear Mr. Conway:

Thank you for your letter of March 27, 1968. Pursuant to the enclosed transmittal letter and order the requirements of your permit have been modified. Please disregard our previous forms and complete the single affidavit which is enclosed.

We are also forwarding you a copy of the notice of existence of your permit which will be advertised in the Bonners Ferry Herald on September 26 and October 3. We have kept your form 11 authorizing this action. If you have any objections, please contact us immediately.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: Transmittal letter
Order
Legal Notice
Affidavit

30579

September 12, 1968

Re: Permit No. 30579

John J. Conway
Box 418
Bonnere Ferry, Idaho 83805

Dear Mr. Conway

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

30579

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that John J. Conway, Box 418, Bonners
Ferry, Idaho
has received an approved permit No. 30579 to divert ~~stone~~
.3 cubic feet per second ~~more feet~~ of water from
Deep Creek tributary of Kootenai River
The priority to be established
under this permit is July 16, 1962
Water will be diverted by pump, main line laterals
within the NE1/4,
Sec. 12, T. 61 N., R. 1 W., B. M., Boundary County
and is to be used for irrigation
in the ~~E1/4~~ E1/4, Sec. 12, T. 61 N., R. 1 W., B. M.

Any protests against the intent of the permit must be filed with the
Department of Reclamation within ten days from the last date of publication
of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Bonners Ferry Herald
on September 26 ~~and~~ and October 3, 1968.

30579

RECEIVED

SEP 2 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 Bonniers Ferry Herald of Bonniers Ferry, Idaho 83805; published in the county in which the works are situated.

John J. Conway
(signature)
Box 418
Bonniers Ferry 83805
(address)
Aug. 30 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

30579

Bonnets Ferry, Idaho
March 27, 1968

Mr. D. W. McEldowney
State of Idaho
Dept. of Reclamation
107 State House
Boise, Idaho

Re: Permit No. 30579

Dear Mr. McEldowney:

This is in reply to your letter of March 8, 1968 on
completion of water rights procedure.

I require the "proof forms" as mentioned in your
communication.

Would you please send them and thank you.

Yours truly,

John J. Conway
(by Marion Conway)

Box 418

Bonnets Ferry, Ida.

30579

3-29-68

March 8, 1968

Re: Permit No. 30579

John J. Conway
Box 418
Bonners Ferry, Idaho

Dear Mr. Conway:

Thank you for your letter of February 21, 1968 on the above referenced permit. Our records indicate that one additional proof is required prior to the licensing of your permit. Under the terms and conditions of permit number 30579, proof of beneficial use of the water is required on or before July 19, 1969.

Beneficial use proof requires an advertisement of a notice of intent to make proof for four consecutive weekly issues in the county newspaper in which the lands are situated. Following the advertising, the permit holder and two disinterested witnesses will be required to appear before a specific notary public to complete a set of depositions. The depositions along with an affidavit of publication from the newspaper must be returned to the department.

Following the processing of the depositions, the department will conduct a field examination of the lands and system covered under the permit. The results of the examination will be reported to the permit holder in order to obtain the licensing fee. Upon receipt of this fee, the department shall issue the license under this permit.

You may, if you desire, submit the required proof at this time if you have beneficially used the water on the 22 acres. If you require proof forms, please advise the department by return mail.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

30579

RECEIVED

FEB 23 1968

Department of Reclamation

Bonnors Ferry, Idaho
February 21, 1968

Mr. Donald W. McEldowney
Water Rights Clerk
State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

Dear Sir:

I received a Certificate of Completion of Works permit
30579 in May 1967.

Is this the only proof of my water rights or is there a
further procedure? I have heard nothing further from
your department.

I wish to complete this action for water rights as soon
as possible.

Please let me know what further action I must take to
insure my right to the use of the water unless the permit
30579 is sufficient.

Thank you.

Yours truly,

John J. Conway
John J. Conway
Box 418
Bonnors Ferry, Idaho

30579

May 16, 1967

Re: Permit No. 30579

John J. Conway
Box 418
Bonners Ferry, Idaho 83805

Dear Mr. Conway:

Enclosed is the Certificate of Completion of Works on the above numbered permit.

Until we can be of further service to you in regards to this permit, we remain,

Yours very truly,

Donald W. McElowney
Water Rights Clerk

DWM:dj

Enclosure: Certificate

30579

Permit No. 30579

**Certificate of Completion
of Works**

Dated May 16, 1967

Stream .. Deep Creek

County Boundary

Amount 0.25 c.f.s.

Date of Priority .. July 16, 1962

Recorded in Book 107

of Permits, page 30579

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that JOHN J. CONWAY
 of Bonnars Ferry, County of Boundary, and State of
Idaho, the holder of Permit No. 30579, issued upon
 Application No. 38651 bearing date of priority of July 16, 1962, authorizing the
 diversion of 0.3 second feet of waters of Deep Creek, tributary
of Kootenai River,

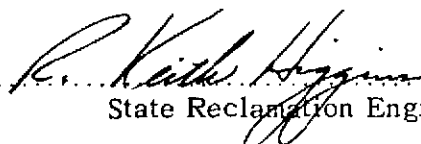
County of Boundary, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.25 second feet of the waters of Deep Creek, tributary of
Kootenai River;

that the point of diversion of said waters NE 1/4, Sec. 12, T. 61 N, R. 1 W, B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: E 1/2 NE 1/4, Sec. 12, T. 61 N, R. 1 W, B.M.

Proof of Completion of Works Made: May 10, 1967.

Witness my hand this 16th day of May, A. D. 19 67


 State Reclamation Engineer

30579

Permit No. _____

STATE OF IDAHO
Department of ReclamationRECEIVED
MAY 12 1967

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Boundary }

ss.

John Conway

, 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. 30579, and that his postoffice address is Box 418, Bonners Ferry State of Idaho.

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

Deep Creek

Third: That the point of diversion of said water is in the NE 1/4, NE 1/4 sec. 12; T 61N; R 1W

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 30, 1963.

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

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

I. Kind of Works: Pump and sprinkler pipe

(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 14 inches, average grade per mile is _____ feet. Length of conduit is 800 ft miles.

Seventh: That said works are capable of conducting to the place of intended use _____
_____ .25 second feet of water.

Eighth: That water appropriated under said permit is available for 22 acres of land described as follows: 16 ac. NE 1/4, NE 1/4 sec. 12; R 1W, T 61N; 1 ac. SE 1/4, NE 1/4 sec. 12; R 1W T 61N

Ninth: Remarks:—That All works are completed.

John J. Conway
(SIGN HERE)

Subscribed and sworn to before me this 10 day of May, 1967

Marion Resenbrink

NOTARY PUBLIC

My commission expires 3-1-69

30579

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

Boise, Idaho
May 1, 1967

Re: Permit No. 30579

John J. Conway
Box 418
Bonners Ferry, Idaho 83805

Dear Mr. Conway:

Under the terms of your Permit No. 30579 July 19, 1967
required to complete your diversion works on or before July 19, 1967.
I enclose blank affidavit to be filled out, sworn to by you before a
Notary Public, or a Justice of the Peace, and returned to this office
on or before the above date, or within ten days thereafter, for the
purpose of making proof of completion under the said permit. Upon
receipt of this affidavit in this office, provided the same satis-
factorily shows the completion of the works substantially in accord-
ance with the terms of the permit, a Certificate of Completion will
be issued to you.

The certificate to be issued under this proof will not
give a perpetual right to the use of water for which application
was made, as it only confirms the completion of works of a capacity
to divert and convey to the place of intended use a certain amount
of water. The law requires that another proof be submitted when
the water has been fully applied to a beneficial use, at which time
license is issued for the amount of water actually in use. Informa-
tion in regard to this last proof will be furnished on request.

Very truly yours,

State Reclamation Engineer

Enc. Form 6

30579

Permit No. 30579

July 24, 1962

Mr. John J. Conway,
Box 418,
Bonners Ferry, Idaho.

Dear Mr. Conway:

We enclose Permit No. 30579 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. 31142 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit. ~~Enclosed for you~~

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

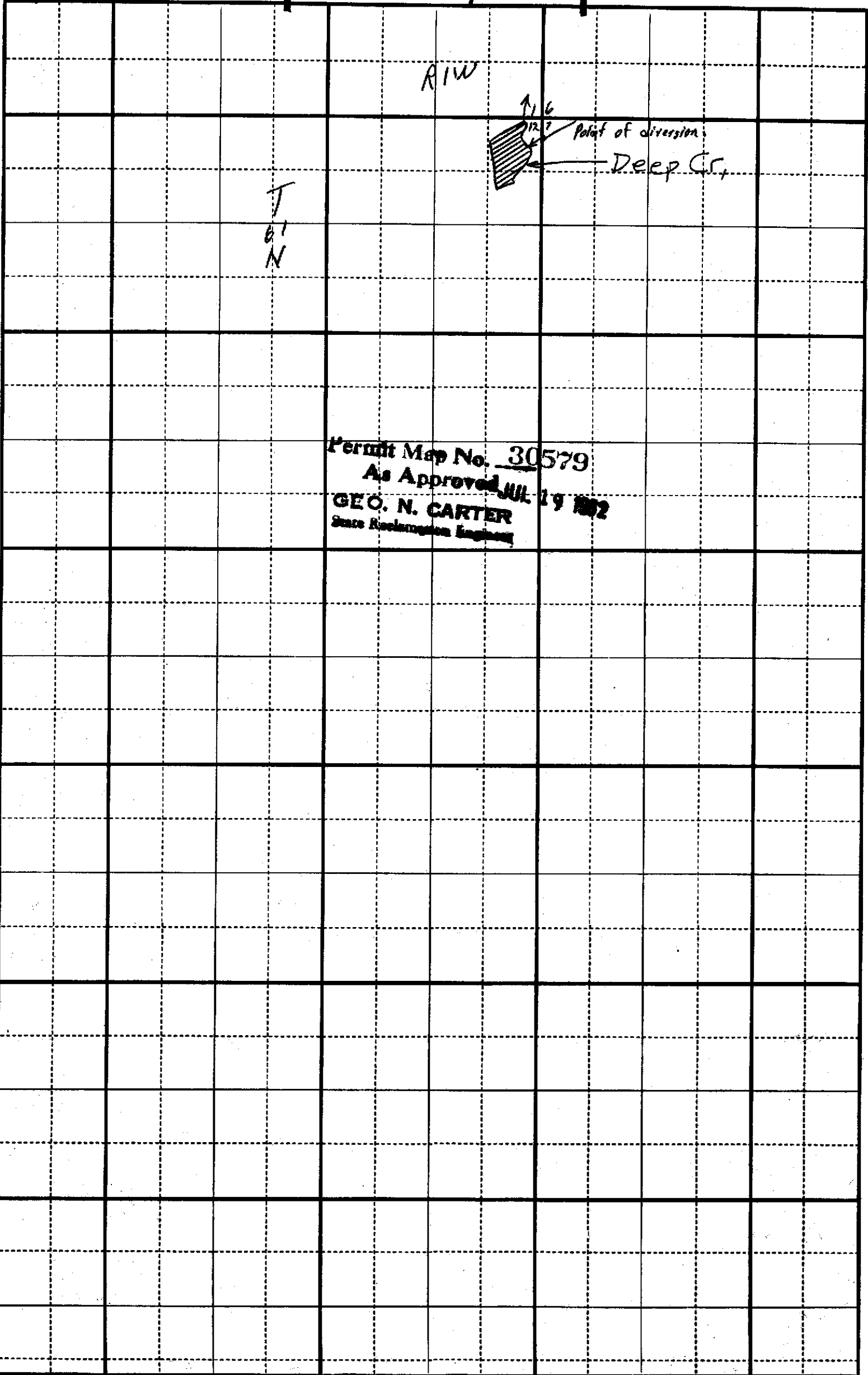
EPR:pmk

Enc.

30579

NAME OF APPLICANT John J. Conway

Form No. 0



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

30579