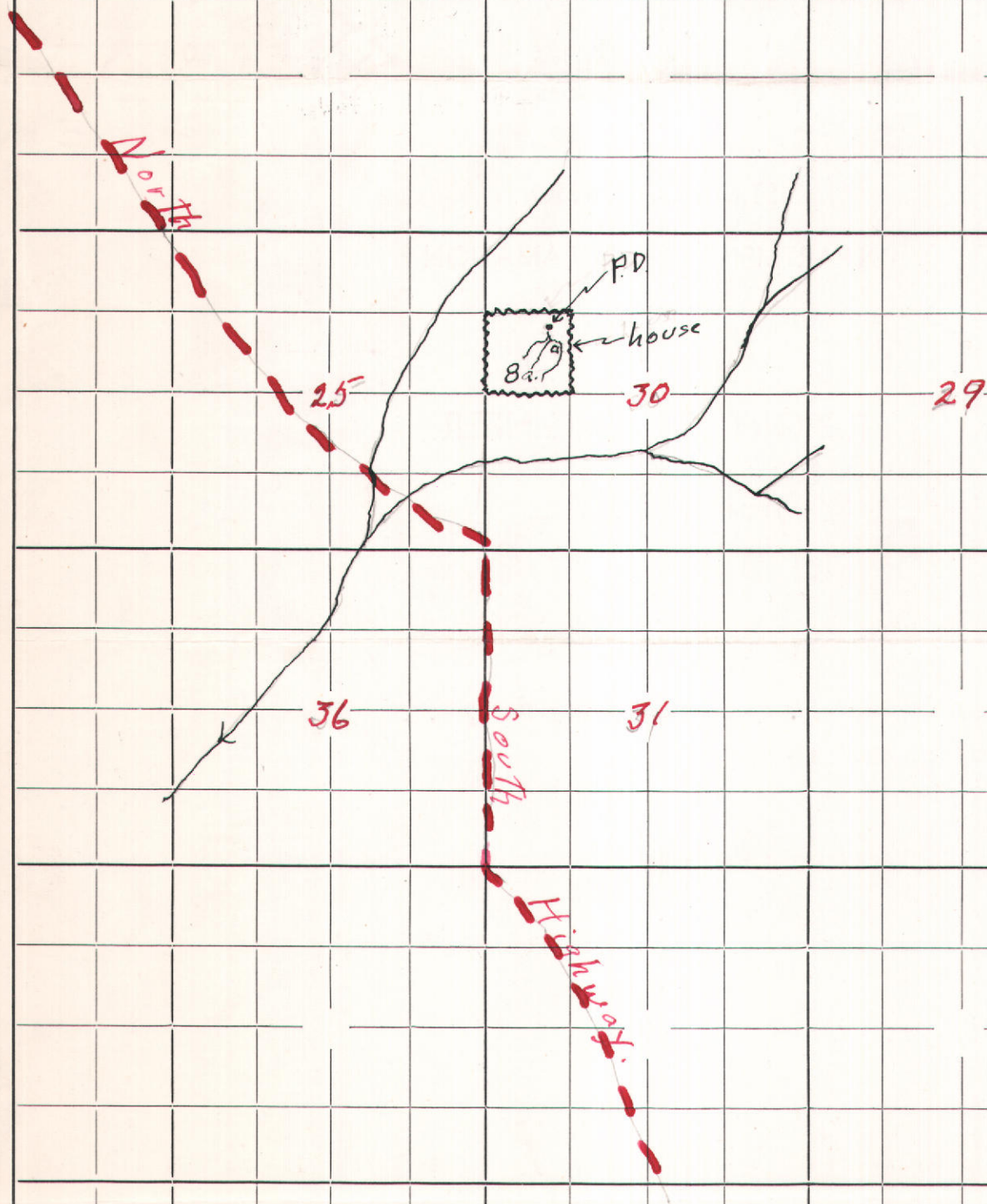


T. 65N. - R. 11E.



NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 11 A. M. on the 2nd day of April, 1951, at Bonners Ferry, County of Boundary, State of Idaho, before J. H. McNally, notary public, proof will be submitted of the application to beneficial use of 0.16 cubic foot per second of the waters of Springs in accordance with the terms and conditions of Permit No. 21374 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are Francis Gordon Ellis, Copeland, Idaho.

The use to which said water has been applied is domestic and irrigate 8 A. meadow.

The amount applied to beneficial use is 0.16 cu. ft. per second.

The place where said water is used 8 acre meadow and 6 tree orchard in approx. middle of southwest quarter of the northwest quarter (SW1/4 NW1/4) of Section Thirty (30) Twp. 65 N. of Range 1 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is no name.

The right to take water from such works is based upon Permit No. 21374.

The source of supply from which such water is diverted is Springs.

The date of priority which said user is prepared to establish is Feb. 10, 1950.

MARK R. KULP,

State Reclamation Engineer.

First publication March 1, 1951.

Last publication March 22, 1951.

Affidavit of Publication

STATE OF IDAHO }
County of Boundary } ss.

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 March 1

1951, and ending with the issue dated March 22, 1951

R. L. Myers

Co-Publisher
~~Forster~~

Subscribed and sworn to before me this 7th day of

April

1951

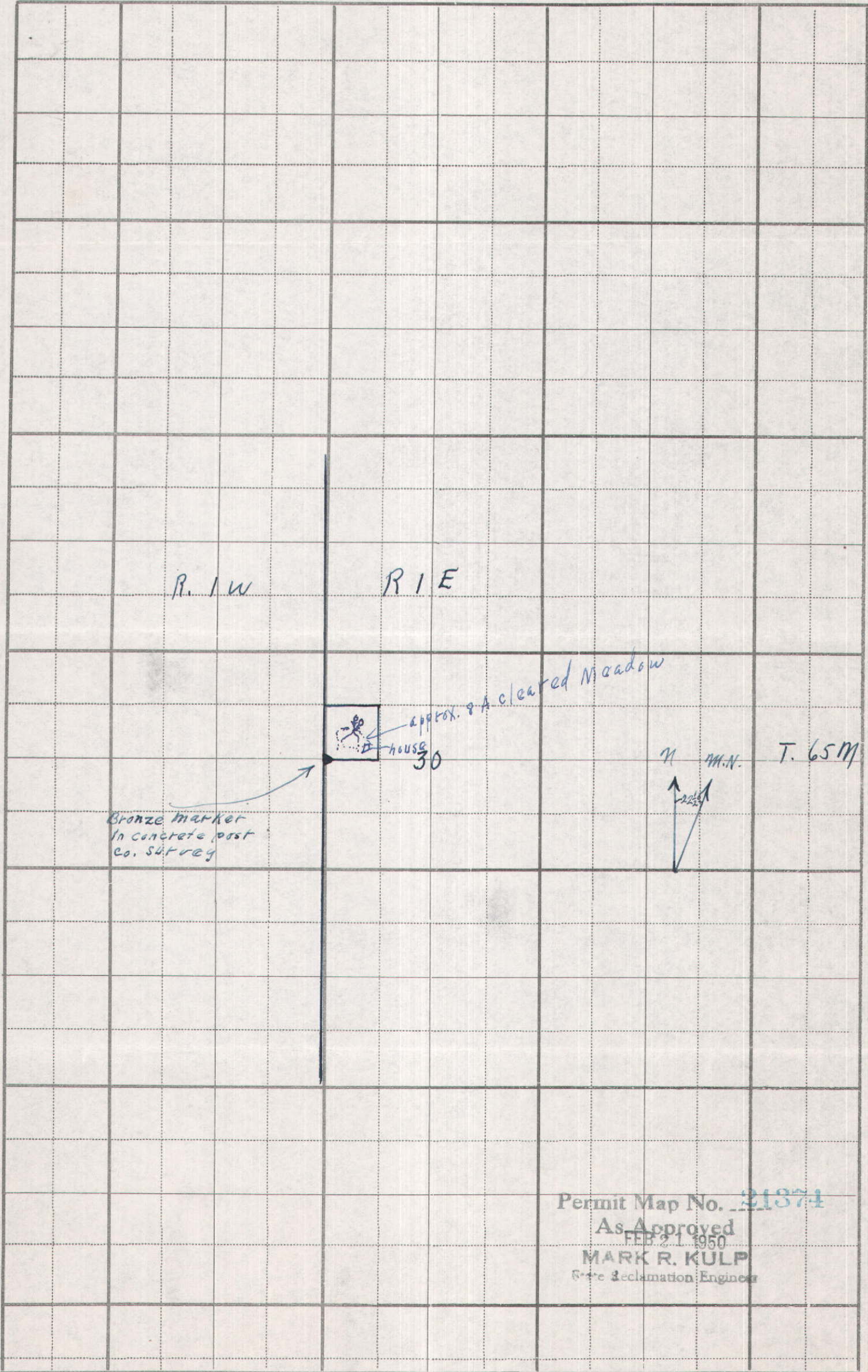
Notary Public in and for the County of Boundary, State of Idaho, residing at Bonners Ferry, Idaho,

21374

SW 1/4 of NW 1/4 Sec. 30 T65N R1E B.M.
Comprising 38.54 acres

NAME OF APPLICANT F. Gordon Ellis

FORM No. 0



Permit Map No. 21374
As Approved
FEB 21 1950
MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 21374

Amount 0.16 second foot

Water District No.

Priority February 10, 1950

THIS IS TO CERTIFY that FRANCIS GORDON ELLIS
of Copeland, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 10, 1950; that Permit No. 21374
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.16 second foot, was issued thereunder on February 16, 1951, showing that said works
were completed on the 14th day of February, 1951; and that on the 2nd
day of April, 1951.

FRANCIS GORDON ELLIS
of Copeland, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of un-named
springs ~~extraneous~~, for the purpose of irrigation and
domestic use, under Use Permit No. 21374 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 4841, on the 31st day of October, 1951;

The right hereby confirmed dates from February 10, 1950;

The Point of Diversion is located
in the SW 1/4 NW 1/4, Sec. 30, Tp. 65 N., R. 1 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 0.16 cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
65 N.	1 E.	30	SW 1/4 NW 1/4	8	8

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
31st day of October, 1951.

(SEAL)

MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 20055 Amount 0.2 second foot
Water District No. Priority April 15, 1947

THIS IS TO CERTIFY that EARL E. GARRITY
of Nampa, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 15, 1947; that Permit No. 20055
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
four (4) second feet, was issued thereunder on April 28, 1948, showing that said works
were completed on the 21st day of April, 1948; and that on the 15th
day of April, 1949,

EARL E. GARRITY
of Nampa, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Sage
Creek, a tributary of Snake River, for the purpose of irrigation and stock water
use, under Use Permit No. 20055 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 4842, on the 3rd day of November, 1951;

The right hereby confirmed dates from April 15, 1947;
The Points of Diversion are located in the NW 1/4 SE 1/4 Section 25, and
in the SE 1/4 SW 1/4, Sec. 36, Tp. 3 N., R. 6 W., B. M. Owyhee 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 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
3 N.	6 W.	25	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	25	
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	-	
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	-	
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	-	
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	15	
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	-	
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	-	
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	-	
		36				
			Number of Acres Actuslly Irrigated - -			

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
3rd day of November, 1951.

(SEAL) MARK R. KULP
State Reclamation Engineer

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION NO. 29069
PERMIT NO. 21374
DISTRICT NO.

1. Name of Applicant: FRANCIS GORDON ELLIS

Postoffice address: Copeland

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:

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

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 8 inches or 0.16

cubic feet per second.

3. Source of water supply: Unnamed springs

which is a tributary of Do not run off land

4. Location of point of diversion: Approx. 1200

feet distant from the West 1/4 corner

corner of Section 30, T. 65 N., R. 1 E., B. M., and is in the SW 1/4 NW 1/4

of Section 30, T. 65 N., R. 1 E., B. M., County of Boundary

5. Water is to be used for Domestic purposes and sub-irrigation 8 acre meadow clearing.

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

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

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

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

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

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

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

7. Estimated cost of works: \$ 100.00

8. Kind of works: Dyke 10' long 4' high to put water in ditch approx. 500' long

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 None feet; height feet.

11. Ditch: Width at bottom 6" feet; width at water line 1 feet; depth of water 4" feet;

dimensions of flume: None

Diameter of pipe - inches; length of conduit - miles.

Average grade per mile - feet.

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

13. The time required for the complete application of the water to the proposed use is - - 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

November 1, 1951

RE: Permit No. 21374

Mr. Francis Gordon Ellis
Copeland
Idaho

Dear Mr. Ellis:

We enclose license and certificate of water right issued under Permit No. 21374, confirming your right to the use of 0.16 second foot of water from unnamed springs in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, Township 65 North, Range 1 East, B.M., with priority of February 10, 1950, for irrigation and domestic use in the same subdivisions.

We also enclose departmental receipt No. 23877, for the \$2.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21374

Hungry Horse, Mont.
Oct. 16, 1951

State of Idaho
Dept. of Reclamation
Boise Idaho

Re: Permit No. 21374
State Reclamation Engineer
Dear Sir;

Enclosed is my \$2.00 check for statutory fee
for .16 of a second foot of water from springs
located on subdivision SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30 T65N, R1E, B.M.
to irrigate 8 acres.

Yours truly
H. Gordon Ellis
Permanent residence Copeland Idaho, temporarily
at Hungry Horse Montana

21374

✓
October 8, 1951

RE: Permit No. 21374

Mr. Francis Gordon Ellis
Copeland
Idaho

Dear Mr. Ellis:

We now have on file the report of our field engineer on examination for beneficial use on your Permit No. 21374 which shows that you have irrigated 8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, Township 65 North, Range 1 East, B.M.

Therefore, upon receipt of the statutory fee of \$2.00 a license will be issued for .16 of a second foot of water from springs located on the same subdivision.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21374

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

Permit No. 21374This proof is for Beneficial use In Water District No. _____1. Name of applicant Francis Gordon Ellis, Copeland, Idaho2. Source of water supply: Springs3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30T. 65 N. R. 1 E. County of Boundary

4. Describe works as they exist, giving dimensions and capacities of same: This system consists of controlling by a low dam and ditches, water from springs that rise in the NE corner of the place and is used on the same 40 for irrigation of the meadow, pasture, and orchard, and for domestic purposes. There is a ditch on each side of the meadow, and one leading to the orchard and house. Each ditch is approximately 1 ft. wide at the bottom, and has considerable fall. A low dam of approximately 1 ft. ~~at~~ high ~~water~~ made of mud, impounding the water in a small pool which is below the spring and causes diversion into the ditch. The stream would normally run through the middle of the meadow if uncontrolled. It is doubtful if this

5. Water is used for: Irrigation and domestic purposes

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):

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, Twp. 65 North, Range 1 East, B.M.(Meadow and orchard)8 acres4. (cont.) water would reach the Kootenei River without sinking except during high water.

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

8. What large stream would the water here appropriated finally reach? Kootenei River during high

Remarks: This place is used as a home by a veteran of World War I. This filing is
merely a precaution to protect his rights on these springs.

This examination was made on the 30th day of August, 19 51

(Signed)

E. J. Humphrey Examiner.

21374

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.
-

Francis Gordon Ellis
Cepeland, Idaho

Permit No. 21374

Examination for Beneficial use

County Boundary

Sec 30
65N. 1 East

Q = 8 inches or 16 cfs.

S. = unnamed springs.

P.D. = SW NW Sec 30.

Use = dom. & sub-irrig.

Place = 8 acres in

SW NW Sec 30.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 21374

REPORT ON PROOF OF Beneficial use

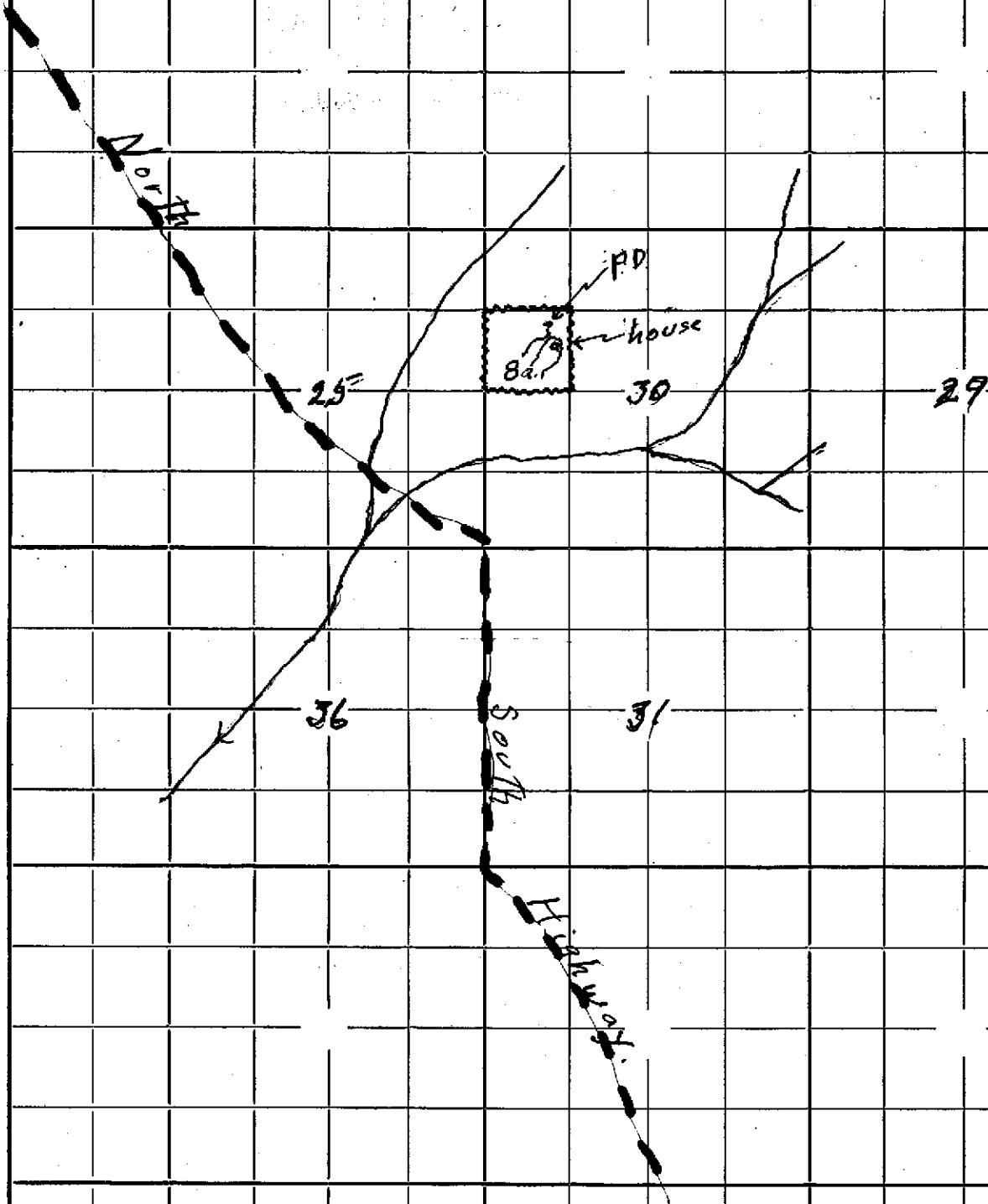
FRANCIS GORDON ELLIS, COPELAND, IDAHO

app. 0.16 cfs

16 cfs
max

8 acres

T. 65N. - R. 11E.



Lungy Horse, Montana.

Aug. 18, 1951

RECEIVED
AUG 23 1951

Department of Reclamation

Re: permit No. 21374

Mark R. Kulp

State of Idaho Dept. of Reclamation.

Dear Sir.

I am in receipt of your letter of Aug. 15th.

I work at the Lungy Horse Dam project. So it will not be feasible for me to accompany on your inspection trip in regards to my permit No. 21374.

I am sending your letter on to my close neighbor and friend Charles Kuff asking him to accompany you. He looks after the place for me every summer while I am away working and feel sure he will be glad to do it so you can get the job done on your trip North.

You go right thru Mr. Kuffs yard to get to my place so you could inquire for his place as he is an old settler and better know than I am.

You turn to your right at the Charles Kuff mail box and he lives in second place $\frac{1}{2}$ mile up a lane from oiled highway No. 1. The turn in is 18 miles North of Bonners Ferry bridge.

I hope this arrangement meets with your approval as it is the best I can make at this time.

Yours truly

H. Gordon Ellis

21374

August 15, 1951

Re: Permit No. 21374

Mr. F. G. Ellis
Copeland, Idaho

Dear Mr. Ellis:

I intend to be in North Idaho on inspections during the week of August 27, and intend to call on you sometime shortly after the middle of the week, probably on Thursday.

Please be prepared to accompany me on inspection in connection with your Permit No. 21374.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

ENH:bb

21374

✓
April 12, 1951

Re: Permit No. 21374

Mr. F. Gordon Ellis
Copeland, Idaho

Dear Mr. Ellis:

We have received from Mr. J. H. McNelly, corrected depositions, also Affidavit of Publication in the Bonners Ferry Herald, all in proof of beneficial use under Permit No. 21374.

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 just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, he will try to contact you at the time the examination is made so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
CC: Mr. J. H. McNelly.

21374

The First National Bank

OF BONNERS FERRY

MEMBER FEDERAL RESERVE BANK



BONNERS FERRY, IDAHO

April 7, 1951

RECEIVED
APR 9 1951
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Re: Permit No. 21374 - F. Gordon Ellis

Dear Sir:

Mr. Ellis called at the bank this morning and gave us the information which you requested in your letter of April 4.

We are returning his deposition and that of his two witnesses, and also enclose the Affidavit of Publication which he secured from the local publisher this morning.

Very truly yours,

J. H. McNally, Notary Public

M-L
encl

21374

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 11 A. M. on the 2nd day of April, 1951, at Bonners Ferry, County of Boundary, State of Idaho, before J. H. McNally, notary public, proof will be submitted of the application to beneficial use of 0.16 cubic foot per second of the waters of Springs in accordance with the terms and conditions of Permit No. 21374 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are Francis Gordon Ellis, Copeland, Idaho.

The use to which said water has been applied is domestic and irrigate 8 A. meadow.

The amount applied to beneficial use is 0.16 cu. ft. per second.

The place where said water is used 8 acre meadow and 6 tree orchard in approx. middle of southwest quarter of the northwest quarter (SW¼ NW¼) of Section Thirty (30) Twp. 65 N. of Range 1 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is no name.

The right to take water from such works is based upon Permit No. 21374.

The source of supply from which such water is diverted is Springs.

The date of priority which said user is prepared to establish is Feb. 10, 1950.

MARK R. KULP,

State Reclamation Engineer.

First publication March 1, 1951.

Last publication March 22, 1951.

Affidavit of Publication

STATE OF IDAHO }
County of Boundary } ss.

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 March 1

1951, and ending with the issue dated March 22, 1951

R. L. Myers

Co-Publisher

~~Former~~

Subscribed and sworn to before me this 7th day of

April

1951

J. H. McNally

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

21374

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

Permit No. 21374

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. F. Gordon Ellis, Copeland, Idaho

Diamond Driller

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. no

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

Ans. Permit No. 21374, Date of Permit: Feb. 21, 1950, Priority Date: Feb 10 1950;

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

✓ Ans. Springs; point of diversion at source, approximate middle of forty; approx. 1200' from W $\frac{1}{4}$ corner of Sec. 30, Twp. 65N, Rge 1 EBM and is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 30, Twp 65 N, 1E EBM

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Works consist of 4 ft earthen dam 4 ft high, about 10 ft on base, 8 ft on top; about 2000 ft of ditch; no name. amount of water diverted, 150 cu. ft. per second;

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

✓ Ans. Water is used to irrigate a 7-tree fruit orchard and an 8-acre meadow; also for household use. 8 acres approximate center of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 30-Twp. 65N, Rge 1 EBM

21374

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

Ans. no

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

Ans. .16 cu ft

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. Permit issued to me.

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

Ans. Has always been used to irrigate this small meadow and orchard.

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. no other waters diverted; This is the amount of the water and arrises on my property and doesn't run off;

(Sign) H. Gordon Ellis

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 Bonnors Ferry, County of Boundary, State of Idaho, on this 2nd day of April, A. D. 19 51,

J. M. Nally

My commission expires _____

Notary Public for the State of Idaho
residing at Bonnors Ferry, Idaho
My Commission Expires Aug. 1, 1951

21374

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21374

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. Charles C. Huff, age 50, Copeland, Idaho, Farmer

Ques. 2. Are you acquainted with F. Gordon Ellis, the holder of Permit No. 21374 Yes.? How long have you known him and where does he reside?

Ans. Yes. Known him since April 23, 1948; resides at Copeland, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21374, 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. Springs; point of diversion at source, approximate middle of forty; about 2000 ft of ditch, ditch about average of 1 ft deep with 8 inch bottom; location of point of diversion approx 1200' from West $\frac{1}{4}$ corner S30-T65N-R1E2M and is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of S30-T65-R1E2M;

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. .16 cu. ft.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. no pump used. gravity from springs;

21374

Ques. 7. 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. Water is used to irrigate a 7-tree orchard, 8-acre meadow, and for household use; in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30-T65N-R1EEM, in approximate center of forty.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. no other purpose.

Ques. 9. (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. hillside meadowland and 8 miner's inches

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 11. 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. irrigates meadow and orchard every year; used for domestic purposes;

(Signed)

Charles C. Luff

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 Bonnars Ferry, County of Boundary, State of Idaho, on this 2nd day of April, A. D. 1951.

Ham Nally

Notary Public.

My commission expires _____

Notary Public, State of Idaho
Commission Expires Aug. 1, 1953

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21374

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. Leon Van Etten, age 55 Copeland, Idaho, farmer

Ques. 2. Are you acquainted with F. Gordon Ellis, the holder of Permit No. 21374? How long have you known him and where does he reside?

Ans. Yes. Since May 1, 1948; resides at Copeland, Idaho

Ques. 3. Have you read or heard read said Permit No. 21374, 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. Springs; point of diversion at source, approximate middle of forty; about 2000 ft. of ditch, ditch about average of 1 ft. deep with 8 inch bottom; location of point of diversion approx 1200' from West $\frac{1}{4}$ corner S30-T65N-R1 EEM and is in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of S30-T65-R1EEM;

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. .16 cu. ft.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. no pump used. gravity from springs;

21374

Ques. 7. 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. Water used to irrigate a 7-tree orchard and 8-acre meadow; also household use; in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 30-T65N-R1EPM, in approx center of forty.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. no other.

Ques. 9. (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. this is hillside meadowland, 8 miner's inches;

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 11. 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. irrigates meadow and orchard every year; used for domestic purposes;

(Signed)

John Van Etten

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 2nd day of April, A. D. 1951.

J. Am. Nalley

Notary Public.

My commission expires

Notary Public for the State of Idaho
Residing at Bonners Ferry, Idaho
My Commission Expires Aug. 1, 1951

21374

April 4, 1951

Re: Permit No. 21374

Mr. J. B. McNally, Notary Public
P. O. Box 54
Bonners Ferry, Idaho

Dear Mr. McNally:

We acknowledge receipt of your letter of April 2, 1951, enclosing depositions of Mr. F. Gordon Ellis and two witnesses, submitted in Proof of Beneficial Use under Permit No. 21374.

However, none of these depositions give the legal description of the point of diversion as called for in Question 4, nor the description of the land where the water has been applied, as called for in Question 6 of the deposition of the holder and Question 7 of the depositions of the witnesses. The depositions are returned for such correction.

The Affidavit of Publication is also a necessary part of the proof, and if Mr. Ellis has not received it from the Bonners Ferry Herald, he should take the matter up with them at once.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

CC: Mr. F. Gordon Ellis.

21374

The First National Bank

OF BONNERS FERRY

MEMBER FEDERAL RESERVE BANK



BONNERS FERRY, IDAHO

April 2, 1951

RECEIVED
APR 4 1951

Department of Reclamation

Re: Permit No. 21374
F. Gordon Ellis

Mr. Mark R. Kulp,
State Reclamation Engineer,
Boise, Idaho

Dear Mr. Kulp:

In accordance with your letter of instruction dated March 21, 1951, I have today taken the depositions of the permit holder, Mr. F. Gordon Ellis, and two witnesses, Messrs. Charles C. Huff and Leon Van Etten.

The depositions are enclosed and I trust you will find them in order.

Very truly yours,

J. H. McNally

J. H. McNally,
Notary Public

M-L
encl

no off

B. F. Howard

21374

Drive Highway

FROM LAKE SUPERIOR AND THE GREAT LAKES TO PUGET SOUND AND THE PACIFIC OCEAN

THE NORTHERN ROUTE THAT BORDERS THE CANADIAN BOUNDARY—

THE SCENIC ROUTE THAT PROVIDES EASY ACCESS TO:

GLACIER NATIONAL PARK, FORT PECK, HUNGRY HORSE AND GRAND COULEE DAMS

THROUGH PRAIRIE, VALLEYS AND FORESTS — ALONG STREAMS, RIVERS AND LAKES—

PAST SPECTACULAR VISTAS OF NEARBY RUGGED MOUNTAINS

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, March 21, 1951

Re: Permit No. 21374
F. G. Ellis

Mr. J. H. McNally
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. 21374

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 April 2, 1951, 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 J. H. McNally, 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

513-1

The Bonners Ferry Herald

PUBLISHERS AND COMMERCIAL PRINTERS

Bonners Ferry, Idaho

RECEIVED
MAR 2 1951

Department of Reclamation

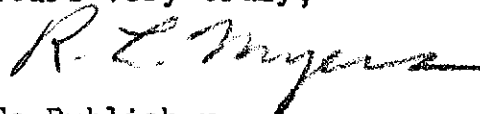
Feb. 28, 1951

State Reclamation Engineer
Boise, Idaho

Dear Sir:

This will acknowledge receipt of your letter of Feb. 23 enclosing notice of publication for applicant, Francis G. Ellis, Copeland, Idaho. This will be run for four issues commencing with our issue of Thursday, March 1, 1951.

Yours very truly,



Co-Publisher
BONNERS FERRY HERALD

21374



PUBLISHED EVERY THURSDAY

COMPLETE NEWSPAPER COVERAGE OF BOUNDARY COUNTY

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **February 23, 1951**

Re: Permit No. 21374

Bonnars Ferry Herald

Bonnars Ferry, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **April 2, 1951**, the date set for proof, the expense of the publication to be paid by the applicant, **Francis G. Ellis** of **Copeland Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK H. KULP

State Reclamation Engineer

By

Chief Clerk

21374

✓
February 20, 1951

Re: Permit No. 21374

Mr. Francis Gordon Ellis
Copeland, Idaho

Dear Mr. Ellis:

We enclose Certificate of Completion of Works issued under Permit No. 21374 for the diversion of 0.16 second feet of water from unnamed springs in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, Township 65 North, Range 1 East, B.M., for irrigation and domestic use on eight (8) acres in approximately the middle of said forty.

We also enclose Departmental Receipt No. 23120 for the \$5.00 fee paid in connection with this proof.

We have had to make one change in your Notice of Beneficial Use Proof as the priority established under a water Permit of record in this Department is the date the application is filed, which in this case is February 10, 1950. If the water has been used since 1937 and it becomes necessary or desirable to establish an earlier priority, this may be done by proving such use in the District Court.

A copy of the Notice of Beneficial Use Proof to be made on April 2, 1951, will be sent to the Bonners Ferry Herald with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the Affidavit of Publication, together with statement of costs.

We shall send Mr. J. H. McNally, Notary Public, the necessary forms of deposition, consisting of one for yourself and one for each of two witnesses, and at the time set, you should appear before him together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

21374

A:bn
Enc.

Permit No. 21374STATE OF IDAHO
Department of ReclamationRECEIVED
FEB 15 1951
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of BoundaryJ. Gordon Ellis, 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. 21374, and that his postoffice address is Copeland State of IdahoSecond: That the name of the stream which said water is to be directed is Springs no nameThird: That the point of diversion of said water is at source of SpringsFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January, 1951 and 6 tree orchardFifth: That the use for which said water is intended is irrigate Hay meadowSixth: 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: two ditches approx 1 mile long small dam & 30 Reservoir
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 12 feet, length of dam at bottom 8 feet. Material used in construction Dirt or earth

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir about 1/2 acre feet.(c) Size of headgate: Width 1 feet, height 1 feet.(d) Conduit ditch width at bottom 8" feet, width at water line 12"
(State whether ditch, flume or pipe)feet, depth of water 1/2 feet; diameter of pipe _____ inches, average grade per mile is 2 feet. Length of conduit is 1 miles.

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

0.16 cu ft per second second feet of water.Eighth: That water appropriated under said permit is available for _____ acres of land described as follows: 8 acres in approx middle of Southwest quarter of the Northwest quarter (SW 1/4 NW 1/4) of Section thirty (30) TWP. 65 N. of Range 1 E R. 12.Ninth: Remarks: That water originate on above land doesn't run off & has been used to irrigate meadow & for domestic purposes for a number of yearsJ. Gordon Ellis

(Sign Here)

Subscribed and sworn to before me this 14 day of February, 1951My commission expires August 1, 1957Am. Nally
Notary Public.

21374

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Feb. 14, 1951

(P. O.) Copeland Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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

Bonniers Ferry Heat/d of Bonniers Ferry Boundary County published in

the county in which the works are situated.

H. Gordon Ellis

(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.

21374

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

Notice is hereby given that at 11 A. M. on the 2nd day of April, 1951,
at Borman Ferry, County of Bear, State of Idaho, before
J. H. McNally Notary Public, proof will be submitted of the
application to beneficial use of 0.16 cubic feet per second of the waters of Springs
in accordance with the terms and conditions of Permit No. 21374
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 Francie Gordon Ellis,

Copeland, Idaho.

The use to which said water has been applied is Domestic and irrigate 8 Acre meadow

The amount applied to beneficial use is 0.16 cu. ft. per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) 8 Acre meadow and 6 tree orchard in approximate
middle of South west quarter of the north west quarter (SW 1/4 NW 1/4)
of section thirty (30) Twp. 65 N of Range 1 E B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is No name

The right to take water from such works is based upon Permit No. 21374

The source of supply from which such water is diverted is Springs

The date of priority which said user is prepared to establish is

Feb. 10, 1950
April 1957

Mark R. Hulse

State Reclamation Engineer.

21374

February 5, 1951

Re: Permit No. 21374

Mr. F. Gordon Ellis
Copeland, Idaho

Dear Mr. Ellis:

Reference is made to your letter of February 3, 1951, stating that the improvements have been made, and requesting a License and Certificate of Water Right under Permit No. 21374.

We assume from this that you are prepared to make the two statutory proofs required to complete the water right. 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.

Beneficial Use Proof requires publication once a week for four consecutive weeks in a county newspaper before making proof. The notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom the proof is to be made. The time, of course, should be set sufficiently far ahead to allow for four weeks publication and the proof may be made at any place convenient for you and your two witnesses.

Both copies of Form 10 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 county newspaper. We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send the necessary forms for making the proof to either you or your designated Notary Public.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:bh
Enc.

Chief Clerk

21374

Copeland Idaho
Feb. 3, 1951

State of Idaho
Dept. of Reclamation
Boise Idaho
State Rec. Eng.

Dear Sir; Re. permit # 21374 Recording books 76 page 21374

Your letter of Feb. 24, 1950 is at hand.
The improvements shown in application for permit
are made and have been every since I assumed
possession of this property.

Water from springs ~~are~~ being used to irrigate
my hay meadow, from which I cut hay every
season.

I would now like to receive my License
and Certificate of water Right for 8 inches or 0.16 cubic
feet per second.

Yours truly
H. Gordon Ellis

CW + BL - 2-21-52

21374

RECEIVED
FEB 5 1951
Department of Reclamation

February 24, 1950

Re: Permit No. 21374

Mr. Gordon Ellis
Copeland, Idaho

Dear Mr. Ellis:

We are sending you Permit No. 21374 for the appropriation of .16 cubic foot per second of water from springs on your land, together with Departmental Receipt No. 22077 for the \$5.00 filing fee.

When you have made satisfactory proofs of completion of works and application to beneficial use, you will be entitled to a License and Certificate of Water Right, which is a permanent right unless lost through non-use or abandonment.

There is no need to get a court confirmation of a permit right except when someone else claims a right in the same source of supply.

Very truly yours,

MARK H. KULP
State Reclamation Engineer

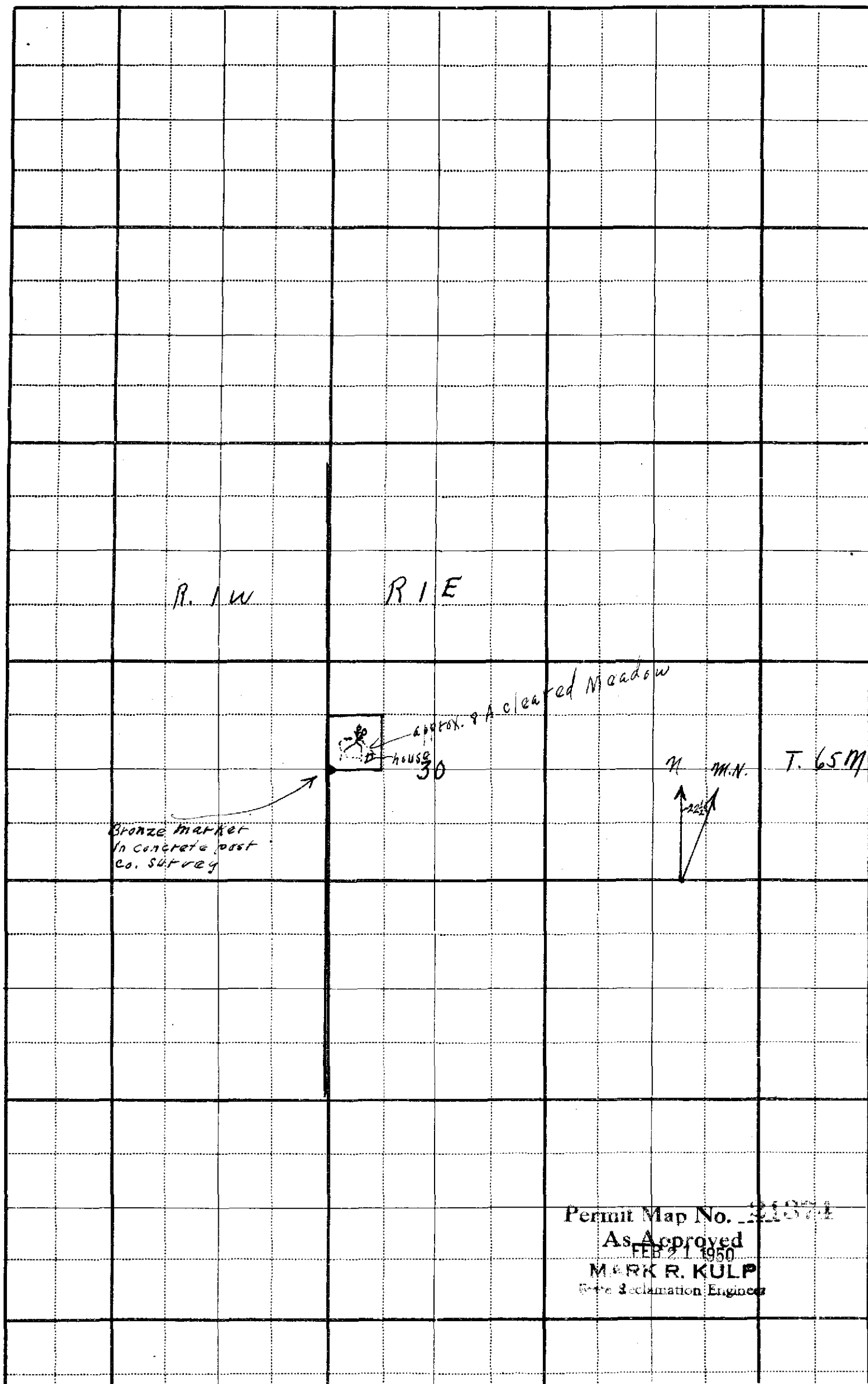
MRK:bh
Enc.

21374

SW 1/4 of NW 1/4 Sec. 30 T65N R1E B7M
Comprising 38.54 acres

NAME OF APPLICANT F. Gordon Ellis

FORM No. 0



Permit Map No. 21374
As Approved
FEB 21 1950
MARK R. KULP
State Reclamation Engineer

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

21374

Capeland, Idaho
Feb. 8, 1950

Dept. of Reclamation
State of Idaho.
Mark R. Kulp
State Reclamation Engineer

RECEIVED
FEB 10 1950
Department of Reclamation

Dr. Mr Kulp,

Reference is made to your letter of March 25, 1948.
Enclosed are the forms you sent me filled out to the
best of my ability & knowledge with filing fee and also
affidavit from previous owner.

I trust you will inform me if there is
anything further I am to do to assure myself the use of
these small springs that originate on my land and do not
run off of it.

If it is still necessary for me to establish
use priority in the District Court, I'll endeavor to find
out when it is in session and get it done.

Yours truly
F. Gordon Ellis

21374

AFFIDAVIT

Donald H. Snortum being First duly sworn,
deposes and says, that I was the legal owner of the Southwest
quarter (SW $\frac{1}{4}$) of the Northwest quarter (NW) of Section 30, Township
65 North, Range 1, E. B. M., Boundary County, State of Idaho, from
January - 1944 to April - 1948, further
that all water used on the above described property during that period
originated on the said property.

Donald H. Snortum

Subscribed and sworn to before me this 27 day of April, 1948.

R. L. Morgan
Notary Public for State of Washington
Residing at Spokane

21374

March 25, 1948

Mr. F. Gordon Ellis
Harvard Hotel
Pasco, Washington

Dear Mr. Ellis:

We are in receipt of your letter of March 29, 1948, in which you inquire as to water rights on the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, Township 65 N., Range 1 E. B.M.

A search of the records of this Department fails to show any filing on a spring in this location. However, we note your statement that the water has been used on this land for a period of years.

For your information, the State of Idaho recognizes two kinds of water rights, those initiated by a filing in the State Department of Reclamation and what are called use rights which may be established through the District Court by proving continuous use over a period of years.

We enclose a form of application which you may use if you wish to file on this water and obtain a permit through this Department. Regulations and instructions are enclosed in regard to filing.

When this application is approved, it will be signed by the proper State Officials and returned to you as a use right, but there are two proofs required in order to complete the water right namely; proof of completion of works and proof of beneficial use. The priority obtained by such a permit would be the date the application is filed in this Department.

On the other hand, if you wish to establish an earlier priority that may be done through the District Court by proving continuous use over a period of years, the priority dating back to the earliest date such use has been proven.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm
Enc.

21574

Harvard Hotel
Pasco, Washington
March 29th, 1948

State of Idaho
State Engineer Office.
Capitol Building,
Boise, Idaho.

Dear Sirs:

I have recently purchased the following described property in Boundary County, Idaho:

The Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of
Section Thirty (30), Township Sixty-five (65) North of
Range one (1) East of the Boise Meridian.

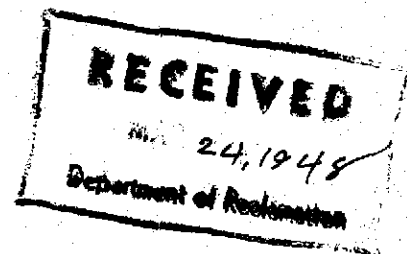
It is my estimation that there are approximately ten(10) miners inches of
spring water raising on this property. I further understand that this water has
always been used for domestic and irrigational use, but have been unable to
determine whether or not it has ever been filed.

It is requested that I be advised whether or not this water has been reserved
for this farms' use, and in the event it has ~~not~~, the proper procedure to
follow, costs, and any other information required to properly establish
legal authority for the use of this water.

Very truly,

F. Gordon Ellis
F. Gordon Ellis.

21324



NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL

Notice is hereby given that at 11 A. M. on the 2nd day of April, 1951, at Bonners Ferry, County of Boundary, State of Idaho, before J. H. McNally, notary public, proof will be submitted of the application to beneficial use of 0.16 cubic foot per second of the waters of Springs in accordance with the terms and conditions of Permit No. 21374 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are Francis Gordon Ellis, Copeland, Idaho.

The use to which said water has been applied is domestic and irrigate 8 A. meadow.

The amount applied to beneficial use is 0.16 cu. ft. per second.

The place where said water is used 8 acre meadow and 6 tree orchard in approx. middle of southwest quarter of the northwest quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirty (30) Twp. 65 N. of Range 1 E.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is no name.

The right to take water from such works is based upon Permit No. 21374.

The source of supply from which such water is diverted is Springs.

The date of priority which said user is prepared to establish is Feb. 10, 1950.

MARK R. KULP,

State Reclamation Engineer.

First publication March 7, 1951.

Last publication March 22, 1951.