

1" pipe x 20 horse
full plumbing
5'-3" outside
horse-yard-barn
end
well
PD
25
36
10 BONNERS FERRY
HW. No. 95

Area = 10a.

$$Q = 10 \text{ inches}$$

Stream is nearly dry now. Not enough to irrigate with at present. Irrigation is done during the high water period.

Mr Nagel's ponds (a few acres each) is upstream and does contribute a trickle later in summer.

No water flowing from Nagel's ponds on this date except seepage.

T. 65 N. - R. 1 W., B.M.

23

24

26

25

Point of Diversion

Un-named stream
Enias Creek

35

36

Permit Map No. 21003
As Approved
APR 14 1949
MARK R. KULP
State Reclamation Engineer

21003



Please file

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

April 14, 1981

Mr. Reuben J. Ellis
Star Route 1 Box 100
Bonners Ferry, Id. 83805

Dear Mr. Ellis:

Re: 98-2085

According to the records of this Department, Mr. Long on four separate occasions, applied for a Permit to appropriate the waters of an unnamed stream, tributary to Enias (Hall) Creek. All four applications were approved. However, three of them were later cancelled (lapsed) through Mr. Long's failure to comply with the Idaho State statutes setting forth the method of obtaining water rights through the permit process.

The enclosed License #98-2085 (formerly #21003) was issued to Mr. Long after he complied with the statutes. This license is considered prima facie evidence of a water right. A water right, once developed, and identified by a license, is considered to be a perpetual right unless the right is unused for a period of five consecutive years, or is cancelled through adjudication by the District Court. A water right is also considered to be real property and is owned by the owner of the property to which the right is appurtenant.

I hope I have cleared up this matter for you. If not, please feel free to contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - License

April 6, 1981

Idaho Department Water Resources
4055 Government Way
Coeur D Alene, ID 83814

Could you please answer a question that I have regarding water rights. There is a small creek flowing through my property, unnamed tributary of Enias (Hall) Creek. I have in my possession water right certificates granted to a previous owner of my property, a Mr. Long, that date back many years. Is this water right still valid? Do I need to have it transferred into my name? Do I need to reapply?

Thanks.

Sincerely,



Reuben J. Ellis
Star Rt. 1 Box 100
Bonners Ferry, ID 83805

98-2062 Cor. ^{add}
98-2085 Lic (21003) Lic & Cert
2120 - APD
7638 LAPSED

RECEIVED

APR. 8 1981

Department of Water Resources
Northern District Office

State of Idaho
License and Certificate of Water Right

Water License No. 21003

Amount .2 c.f.s.

Water District No. _____

Priority April 4, 1949

THIS IS TO CERTIFY that **LESLIE RICHARD LONG**
of **Copeland, Idaho**, made application for permit to appropriate the
public waters of the State of Idaho, dated **April 4**, 19**49**; that Permit No. **21003**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.2 second feet, was issued thereunder on **May 9**, 19**52**, showing that said works
were completed on the **29th** day of **April**, 19**52**; and that on the **16th**
day of **September**, 19**57**, **RICHARD LONG**

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 **An un-named**
stream, a tributary of **Enias Creek**, for the purpose of **Irrigation and domestic**
use, under Use Permit No. **21003** 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
10 of Licenses at page **6383**, on the **24th** day of **July**, 19**58**;

The right hereby confirmed dates from **April 4**, 19**49**;

The Point of Diversion is located

in the **SE 1/4** **1/4** **SW 1/4**, Sec. **25**, Tp. **65 N.**, R. **1 W.**, B. M. **County Boundary**

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 **.2** cubic feet 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 W.	36	NE 1/4 NW 1/4	10	10
Total number of acres irrigated - - - -					10

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

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

24th day of **July**, 19**58**.

/s/ **Geo. H. Carter**

State Reclamation Engineer.

(SEAL)

98 2285

N^o 21003
98-2085

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28662
PERMIT No. 21003
DISTRICT No.

1. Name of Applicant: LESLIE RICHARD LONG

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: Ten inches or 0.2

cubic feet per second.

3. Source of water supply: An unnamed stream

which is a tributary of Enias Creek, a tributary of Kootenai River

4. Location of point of diversion: 1950 ft. East & 300 ft. North feet distant from the N. W.

corner of Section 36, T. 65 N., R. 1 W., B.M., and is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 25, T. 65 N., R. 1 W., B.M., County of Boundary

5. Water is to be used for Domestic and irrigation

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

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

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

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

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

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

7. Estimated cost of works: \$ 500.00

8. Kind of works: Ditch, pump house, pipe and pump

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 1 $\frac{1}{2}$ feet; width at water line 2 feet; depth of water 1 feet;
dimensions of flume:

Diameter of pipe one inches; length of conduit 700 ft. miles.

Average grade per mile feet.

12. The time required for the completion of such work is Three (3) years.

13. The time required for the complete application of the water to the proposed use is Six (6) additional years.

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

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

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.

Applicant.

By

LESLIE RICHARD LONH

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. April 4, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21003

Recorded in Book 75 Page 21003 Approved April 14, 1949

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 June 14, 1949 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 **October 14, 1950**

The whole of said work to be completed on or before April 14, 1952

Beneficial use of water appropriated in accordance herewith, to be made on or before April 14, 1958

WITNESS My hand this 14th day of April, 1949

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS

., Governor of the State of Idaho,

and J. D. "CY" PRICE

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 14th

day of April, 1949

STATE OF IDAHO

Countersigned:

(SEAL)

By _____ C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
65 N.	1 W.	36					10												10
TO ALL WHOM IT MAY CONCERN:			CERTIFICATE OF COMPLETION OF WORKS																
This is to certify that LESLIE RICHARD LONG of Copeland, County of Boundary, and State of Idaho, the holder of Permit No. 21003, issued upon Application No. 28662 bearing date of priority of April 4, 1949, authorizing the diversion of 0.2 second foot of the waters of an un-named stream, tributary to Enies Creek, a tributary of Kootenai River, County of Boundary, State of Idaho, for irrigation and domestic 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 0.2 second foot of the waters of said un-named stream; that the point of diversion of said waters is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, Township 65 North, Range 1 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, Township 65 North, Range 1 West, B.M.																			
Witness my hand this 9th day of May, A.D. 1952.																	E. N. Humphrey Deputy State Reclamation Engineer		
Proof of completion of works made April 29, 1952. Certificate of completion of works issued May 9, 1952.																			
			LICENSE ISSUED FOR 1.2 SEC. FT. Page 6383																

April 14, 1972

Ret License No. 98-2085

Mr. Richard Long
311 West Main Street
Ritzville, Washington 99169

Dear Mr. Long:

Pursuant to your letter of April 12, 1972, we are enclosing a copy of the above referenced License.

If we may be of further assistance in this, or any other matter, please feel free to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:CS

Enc: referenced copy

98-2085

Dept. of water -
Boise

Ritzville wn.

April 12-72

Dear Sir.

Dear Sir. I want to explain that the copy
of the water right I am asking for
is on a well fed by springs for
domestic water - It is on N. Branch of Eneas
Creek. It was applied for & proved up
in about 1941

while the one I cancelled was also
for domestic water tho it was from
the S. Branch of ^{the} main creek. It was
never licensed. as we did not complete
any of the work. this was about 1967

The water from both permits was to have been used on the same land so description of both are the same as follows.

~~North Brussel~~ Sec. 25 R. 1 - west

Boise m. Zwsp. 65 n

What I want is the one on the N. Branch
I please send as soon as possible.
Well was already completed when I filed - I did
not know just what happened so long ago but it
has been in use 30 yrs - It must have been less 98/208E

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse -- Annex 2
Boise, Idaho 83707
(208) 384-2215

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

April 11, 1972

Mr. Richard Long
311 West Main St.
Ritzville, Washington 99169

Dear Mr. Long:

Pursuant to your letter of April 7, 1972, we have researched our records and found that a permit was issued to Richard Long, #17768.

The permit was cancelled before being licensed. We are sure that this is the water right you have inquired about, as the land description is the same as you have indicated in your letter.

If we can be of any further assistance to you in this, or any other matter, please do not hesitate to contact this Department.

Very truly yours,


James Booker
Appropriation Examiner

JB:CS

APR 11 1972

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

July 15, 1969

Re: Permit No. 32046
License No. 21003

Richard Long
Copeland,
Idaho

Dear Mr. Long:

The two numbers you requested in your note of July 12th are referenced above.

We understand your desire to relinquish permit no. 32046, but are you sure you wish to relinquish license no. 21003. Once a permit is licensed there are no further requirements to be met and the license becomes appurtenant to the land. A licensed water right would be of great value if you ever wished to sell the land.

Very truly yours,

Donald W. McEldowney

Donald W. McEldowney
Appropriation Examiner

State of Idaho
no we certainly do not want

DWM:DR

*To release no 21003 - It was a
mistake on my part.*

*I do thank you for calling it
to my attention*

Richard Long

*21003
98-2085*

*P.S. now just what
permit is no 32046? Since we destroyed the copy
I am not sure what it covers*

*There was one permit that I am then licensed
for. I believe it was
no 21003
+ what is the other one also number
as there was a Idaho Reclamation Department*

July 15, 1969

Re: Permit No. 32046
License No. 21003

Richard Long
Copeland,
Idaho

Dear Mr. Long:

The two numbers you requested in your note of July 12th are referenced above.

We understand your desire to relinquish permit no. 32046, but are you sure you wish to relinquish license no. 21003. Once a permit is licensed there are no further requirements to be met and the license becomes appurtenant to the land. A licensed water right would be of great value if you ever wished to sell the land.

Very truly yours,

Donald W. McElDowney
Appropriation Examiner

DWM:DR

98-2085
21003

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

July 8, 1969

Department of Reclamation

Re: Permit No. 32046

Richard Long
Copeland,
Idaho

Dear Mr. Long:

In answer to your letter of July 2nd, 1969. We are enclosing two Relinquishment forms for your use in relinquishing the two permits you mentioned in your letter. Would you please complete these forms and submit them to the Department for our files.

Thank you.

Very truly yours,

Donald W. McEldowney
Donald W. McEldowney
Appropriation Examiner

Sept 7 Rec

DWM:DR

Enc: Relinquishment form (2)

*Please send me the
numbers of the two
water rights to be
relinquished as I discarded
them. They have been burned
98-2083
21003 Richard Long.*

Capeland Idaho
July 2 - 69
Dept of Reclamation
Boise
Ida. July 7 1969

Dear Sirs: ^{Department of Reclamation}
I do ~~not~~ wish to

Continue with permit 32071
for water right which was
~~was~~ filed on in 1964.

Also permit no 32046
Application no 40182

License no 210036
permit to store by Eugene Long

Both Applications for water
to be used on same land -
By myself and son -

So Please Cancel
both Applications -
I'm no longer interested

Yours truly
Richard Long
32046

98-2085
21003

GEO. N. CARTER
~~XXXXXXXXXX~~

July 24, 1958

Re: Permit No. 21003

Mr. Richard Long
Copeland
Idaho

Dear Mr. Long:

Enclosed is the License and Certificate of Water Right issued under Permit No. 21003, confirming the right with priority of April 4, 1949, to the use of .2 second foot of water from an un-named stream, with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, for irrigation of 10 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 65 North, Range 1 West, B.M.

Enclosed also is departmental receipt #29191 for \$2.00, issued as receipt of the fee for the License.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EFR:nls
Enc.

21003

GEO. N. CARTER
~~XXXXXXXXXX~~

July 18, 1958

Re: Permit No. 21003
Richard Long

Mr. Leonard Svendsbye
P. O. Box 573
Bonners Ferry, Idaho

Dear Mr. Svendsbye:

Our records show that you were a witness for Mr. Udo E. Nagel, protestant against issuing a water license to Mr. Long. As a witness, you must necessarily be classed as a protestant. We are filing your letter in our office as part of the public records.

Very truly yours,

Geo. N. Carter
State Reclamation Engineer

GNC:nls

21003

Copeland & Ida's
July 12, 1958

Re: permit no. 21003;

Enclosed find
check for \$2.00 for License &
certificate of water right.

RECEIVED

JUL 16 1958

Department of Reclamation

Richard Long
Copeland

Idaho

21003

Bonner Ferry Idaho
July 12-1958

RECEIVED
JUL 14 1958

Department of Reclamation

Mr. E. N. Humphrey

Deputy State Reclamation Engineer

Dear Sir:—

I am writing in reference to your letter date July 7, 1958.

I see where you have me listed as a protestant against Mr Leslie Richard Long. I was not a protestant all I was was a witness on the behalf of Mr V do Nagel and I wish you would change it so your records would show that way.

No one from the Department of reclamation or anyone else except Mr. Peter Wilson or Mr. V do Nagel has contacted me about this matter.

Thank you

Yours Truly

Leonard Swindaby

Box 573

Bonner Ferry

Idaho

21003

GEO. N. CARTER
~~XXXXXXXXXX~~

July 8, 1958

Re: Permit No. 21003

Mr. Richard Long
Copeland
Idaho

Dear Mr. Long:

Our field engineer's report on his inspection of the beneficial use of water under the terms of Permit No. 21003 shows the works are capable of conveying 10 miners' inches (.2 c.f.s.) of water for irrigation of 10 acres.

Upon receipt of the statutory fee of \$2.00 we will issue the License and Certificate of Water Right confirming the right with priority of April 4, 1949, to the use of .2 second foot of water from an un-named stream, with the point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25, for irrigation of 10 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 65 North, Range 1 West, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls

21003

July 7, 1958

Re: Dismissal of Protest
Permit No. 21003

Mr. Leonard Svendsbye
Copeland, Idaho

Dear Mr. Svendsbye:

We are enclosing herewith, Dismissal of Protest, by the Deputy
State Reclamation Engineer, in the matter of Permit No. 21003,
against the issuance of a license, filed in the Department of
Reclamation by Leonard Svendsbye and Udo E. Nagel.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:lw
Encls. (1)

21003

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of Permit No. 21003,
From an Unnamed Stream,

LESLIE RICHARD LONG,
Permit Holder

vs.

Leonard Svendsbye and
Udo E. Nagel,
Protestants

DISMISSAL OF PROTEST

On April 4, 1949, Leslie Richard Long, of Copeland, Idaho, filed an application for permit to appropriate 0.20 cubic feet per second of the waters of an unnamed stream for the irrigation of 10 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 65 North, Range 1 West, B. M.

This application was approved April 14, 1949 and Permit No. 21003 was issued.

On April 29, 1952, Proof of Completion of Works was made and a Certificate of Completion of Works was issued May 9, 1952. Notice of Application to Beneficial Use was published for four weekly issues in the Bonners Ferry Herald, of Boundary County, beginning August 22, 1957 and ending September 12, 1957, at Bonners Ferry, Idaho.

Protests were filed against the issuance of Beneficial Use Proofs in connection with Permit No. 21003, by Leonard Svendsbye and Udo E. Nagel, alleging that granting of license and certificate of water right on unnamed streams should not be issued as water was not available at all times of the year and the flow of said unnamed stream only consisted of seepage water from a small pond on protestants land and that the only time that there is any excess available water in said unnamed stream is in the early spring and summer.

THE STATE RECLAMATION ENGINEER finds that the diversion works have been constructed and water has been diverted and beneficially used on 10 acres of land within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 65 North, Range 1 West, B. M., and,

That any license issued on Permit No. 21003 by the State Department of Reclamation is subject to all existing rights and is junior to all valid water rights which may be on record in the Department of Reclamation on said unnamed stream or acquired by what ever means prior to April 14, 1949, and,

Therefore, the protest of Leonard Svendsbye and Udo E. Nagel are dismissed, and,

That any person or persons feeling themselves aggrieved by this order of dismissal of protest may appeal to the District Court of Boundary County, Idaho, within sixty days, as outlined in Section 42-224, Idaho Code.

Given under my hand and the seal of the State Department of Reclamation at Boise, Idaho, this 30th day of June, 1958.

E. N. Humphrey
E. N. HUMPHREY
Deputy State Reclamation Engineer

21003

July 7, 1958

Re: Dismissal of Protest
Permit No. 21003

Mr. Leslie Richard Long
Copeland, Idaho

Dear Mr. Long:

We are enclosing herewith, Dismissal of Protest, filed by
Lenord Svendsbye and Udo E. Nagel, protesting against the
issuance of a license on Permit No. 21003.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:lw
Encls. (1)

21003

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of Permit No. 21003,
From an Unnamed Stream,

LESLIE RICHARD LONG,
Permit Holder

vs.

Leonard Svendsbye and
Udo E. Nagel,
Protestants

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THE STATE RECLAMATION ENGINEER finds that the diversion works have been constructed and water has been diverted and beneficially used on 10 acres of land within the NE $\frac{1}{4}$ of Section 36, Township 65 North, Range 1 West, B. M., and,

That any license issued on Permit No. 21003 by the State Department of Reclamation is subject to all existing rights and is junior to all valid water rights which may be on record in the Department of Reclamation on said unnamed stream or acquired by what ever means prior to April 14, 1949, and,

Therefore, the protest of Leonard Svendsbye and Udo E. Nagel are dismissed, and,

That any person or persons feeling themselves aggrieved by this order of dismissal of protest may appeal to the District Court of Boundary County, Idaho, within sixty days, as outlined in Section 42-224, Idaho Code.

Given under my hand and the seal of the State Department of Reclamation at Boise, Idaho, this 30th day of June, 1958.

E. N. Humphrey

E. N. HUMPHREY
Deputy State Reclamation Engineer

21003

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of Permit No. 21003,
From an Unnamed Stream,

LESLIE RICHARD LONG,
Permit Holder

vs.

Leonard Svendsbye and
Udo E. Nagel,

Protestants

DISMISSAL OF PROTEST

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THE STATE RECLAMATION ENGINEER finds that the diversion works have been constructed and water has been diverted and beneficially used on 10 acres of land within the NE $\frac{1}{4}$ of Section 36, Township 65 North, Range 1 West, B. M., and,

That any license issued on Permit No. 21003 by the State Department of Reclamation is subject to all existing rights and is junior to all valid water rights which may be on record in the Department of Reclamation on said unnamed stream or acquired by what ever means prior to April 14, 1949, and,

Therefore, the protest of Leonard Svendsbye and Udo E. Nagel are dismissed, and,

That any person or persons feeling themselves aggrieved by this order of dismissal of protest may appeal to the District Court of Boundary County, Idaho, within sixty days, as outlined in Section 42-224, Idaho Code.

Given under my hand and the seal of the State Department of Reclamation at Boise, Idaho, this 30th day of June, 1958.

E. N. Humphrey

E. N. HUMPHREY

Deputy State Reclamation Engineer

21003

July 7, 1958

Re: Dismissal of Protest
Permit No. 21003

Mr. Udo E. Nagel
Copeland,
Idaho

Dear Mr. Nagel:

We are enclosing herewith, Dismissal of Protest, by the Deputy
State Reclamation Engineer, in the matter of Permit No. 21003,
against the issuance of a license, filed in the Department of
Reclamation by Lenord Svendsbye and Udo E. Nagel.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

RWT:lw
Encls. (1)

21003

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

Permit No. 21003

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Richard Long

2. Source of water supply: Comes from Giezelmann swamp originally.

3. Location of point of diversion: Is in the Branch of ~~Snake~~ ^{ENIAS} Creek ^{SE 1/4 SW 1/4} of Section 25

T. 65 North R. 1 West County of Boundary

4. Describe works as they exist, giving dimensions and capacities of same:

Small earth dam at downstream end on culvert under Highway #1.
Hand dug ditch 12" w. in bottom, ditch crosses field to west.
ends in small pond. Contemplates sprinkling above ditch.
Raises hay-alfalfa. Rairy.

5. Water is used for: Irrigation and Domestic

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):

Approx. 10 acres cultivated land in the S 1/2 NE 1/4 NW 1/4, Section 36, Township 65 North
Rge. 1 West, E. M.

There is a small pump house over a well in bottom of creek
Domestic water system (pump & pressure tank) installed in
the pump house 1" pipe line uphill to house & buildings
5-3/4" outlet outside. Full plumbing in house.

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

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

Remarks:

Also talked to Mr. Nagel. Nagel says Long sued him
for \$500.00. Case dropped. Nagel runs enough water
than ditch to fill a small pond to furnish stock water.
Has had it 10 to 12 years. No consumptive use otherwise.
Long wanted it all turned down to him. Trouble.

This examination was made on the 29 day of May, 1938

(Signed) E. N. Humphrey Examiner.

21003

Eugene R. Long Richard Long
Copeland has Copeland, Idaho
bought place Permit No. 21003

Examination for Beneficial Use Proof

County Boundary 25-65N.-1W.

Q = 0.2 c.f.s.

S = Unimproved stream

P.D. = SE. SW., Sec. 25, T. 65N.-R. 1W

Use = Domestic & Irrigation

Filed - April 4, 1949
Dec = April 14, 1958

W = 5-9-52

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUN 2 1958

Department of Reclamation

Small 1/2 hp. Power
Pump & pressure tank
in small heavy insulated
log house
Well (hand dug) 10'
right in stream bed

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

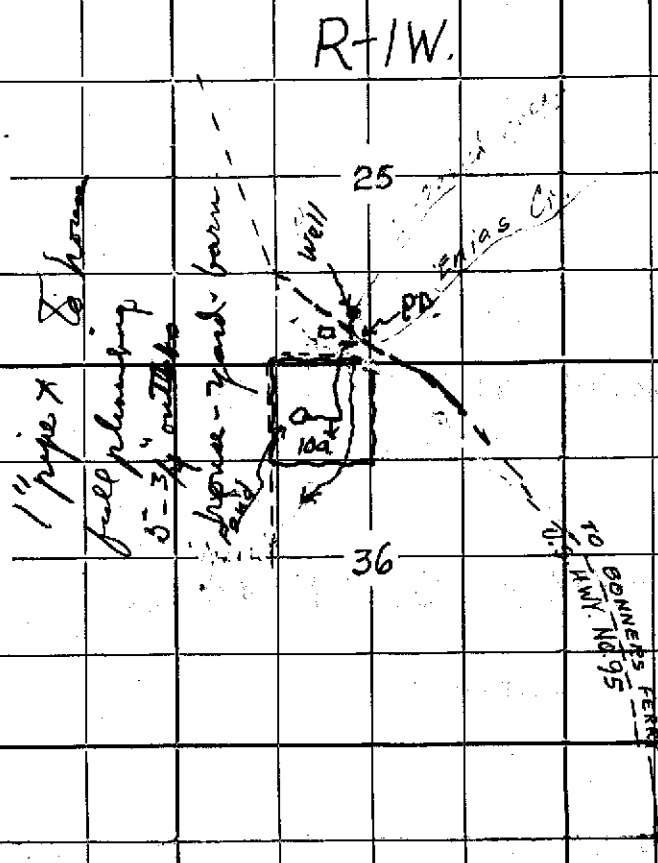
PERMIT NO. 21003

REPORT ON PROOF OF Beneficial Use

Richard Long
Copeland, Idaho

.2 cfs.
8.7.74

app. 0.2 cfs
d/w - 0.2 cfs
sub 1
acres - 10



T.
65
N.

Subdivision = One

Area = 10a

Q = 10 inches

Stream is nearly dry now. Not enough to irrigate with at present. Irrigation is done during the high water period.

Mr. Nagel's ponds (a few acre feet) is upstream and does contribute a trickle later in summer.

No water flowing from Nagel's ponds on this date except seepage.

May 20, 1958

Re: Permit # 21003

Mr. Richard Long
Cope land,
Idaho

Dear Mr. Long:

Statutes requires a field inspection in connection with the proofs on Permit # 21003 before license and certificate of water right can be issued.

Such inspection and report on same is required for any and all permits being brought to license within this State.

An inspecting Engineer from this Department requests that you or someone familiar with the terms of the permit and representing you be prepared to accompany him on the inspection, on Thursday, May 29th,

In the morning.

If he cannot get in touch with you by phone or otherwise he will drive to the well location or point of diversion given in the permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey.
E. N. Humphrey
Deputy

21003

October 3, 1957

RE: Application for R- Permit

Mr. Eugene R. Long
Copeland, Idaho

Richard Long

Dear Mr. Long:

In reply to your letter of September 30th, we enclose an Application for Permit to construct a Reservoir and Appropriate and Store the Public Waters of the State of Idaho, together with a pamphlet, which gives regulations and instructions, and, sketch maps in duplicate, which are required to accompany the application. The map is to be drawn by "cross hatch" or color, showing the lands to be irrigated by 40-acre sub-divisions, section number, township, range, and, clearly show the location of the point of diversion (stream, spring & etc.).

After this application is approved and signed by the Governor and Secretary of State, it will be returned to you as a "Use Permit". However, we suggest you follow instructions in Pamphlet - "Storage Permits" "Plans of Dam".

To complete the water right, two proofs are required:- First - proof of completion of works. The time required for making this proof is to be indicated under Question 18. The maximum time allowed is five years - minimum time is one year. Second- proof of beneficial use, which is the final proof, is made when the water has been completely applied for irrigation or to whatever purpose it is to be used. The time for making this proof -under Question 19- maximum time is an additional six years from the time the completion of works proof is made.

Inspection will probably be made some time in the spring or early summer of 1958. You will be notified in advance.

If title for land has been signed to you from your father and you desire the License & Certificate of Water Right be in your name, it will be necessary for your father to assign the Permit to you. A form for this purpose is enclosed.

Very truly yours,

MARK R. KILP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:vm
Encl.

21003

21003

#21003

RECEIVED
OCT. 2 1957

Department of Reclamation

Sept 30th 1957

Copeland, Idaho

Dear Lia,

I received a letter from you about a week ago stating that you were sending out some one to look over the water situation in order to complete the water right for which my father, Richard Long is applying for.

I have bought the farm from him. In addition to running water by ditch, I am interested in installing a sprinkler system, which I have had the dam site surveyed.

The engineer told me that I should apply for a permit to store water. Will you please send me the forms & data to do so.

Send along forms

Do you have any idea when there will be a fellow out to complete the investigation of completion with the water right.

OK Elmer

21003

Yours truly,
Ernest R. Long

September 19, 1957

Re: Permit No. 21003

Mr. Richard Long
Copeland,
Idaho

Dear Mr. Long:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Bonners Ferry Herald, all submitted in proof of application of water to beneficial use on Permit No. 21003.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

We are enclosing a statement of costs from the Bonners Ferry Herald which you may require for your files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw
Encls. (1)

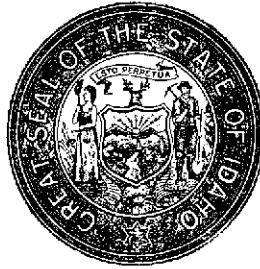
21003

MARIAN MESENBRINK

OFFICE OF

~~ESTELLA WRIGHT~~

CLERK OF DISTRICT COURT
EX-OFFICIO AUDITOR AND RECORDER
CLERK, BOARD OF COMMISSIONERS



COUNTY COMMISSIONERS

WM. F. MAAS, CHAIRMAN
ROY W. GLAUNER
J. L. VAN ETTEN

County of Boundary
Bonnors Ferry, Idaho

RECEIVED
SEP 18 1957
Department of Reclamation

September 16, 1957

Department of Reclamation
Boise, Idaho

Attention: Mark R. Kulp

Dear Sir:

Enclosed herewith is Proof of Application of Water to Beneficial Use- Deposition of Holder, and two Depositions of Witnesses, Notice of Proof from the Bonners Ferry Herald, Protest Against License (Udo Nagel) and Affidavit of Mr. Nagel's witness (Leonard Svendsbye).

Yours very truly,

Marian Mesenbrink

Marian Mesenbrink
Clerk of District Court

21003

BEFORE THE DEPARTMENT OF RECLAMATION OF THE STATE OF IDAHO

RECEIVED
SEP 18 1957
Department of Reclamation

In the Matter of the
Application of RICHARD LONG,
Applicant.

PROTEST AGAINST LICENSE

STATE OF IDAHO)
COUNTY OF BOUNDARY) ss

UDO E. NAGEL, being first duly sworn, deposes and says:

-I-

That affiant files this affidavit pursuant to the statutes of the State of Idaho in protest against the issuance of any licence to RICHARD LONG, Copeland, Idaho, on the grounds and reasons as hereinafter stated.

-II-

That affiant is the owner of land upstream of said Richard Long on the stream defined in the Notice of Proof Application of Water to Beneficial Use published in The Bonners Ferry Herald, Bonners Ferry, Idaho, a newspaper, weekly commencing the 22nd day of August, 1957, to and including the 12th day of September, 1957, involving permit No. 21003 as "unnamed tributary of Enias Creek."

-III-

That affiant has been the owner of said land since prior to the 15th day of May, 1936; and that continuously from prior to said date to and including the date hereof affiant has used all the waters of said unnamed tributary of Enias Creek upon said land, except as hereinafter otherwise mentioned, for the purposes:

1. Domestic, and,
2. Irrigation, and,
3. Stock.

-IV-

That the only time of the year in which there is excess water above and beyond the use to which it is applied by affiant is in

21003

the spring and early summer, and more often than not, by fall no water from said unnamed tributary of Enias Creek runs off affiant's land.

-V-

That much of the water claimed by said Richard Long is in fact seepage water from a pond built by affiant prior to the 15th day of September, 1957, upon his said land, which pond is used to store said waters for the purposes of domestic, irrigation, and stock watering.

-VI-

That affiant denies the claim of said Richard Long that the said Richard Long has applied 0.2 cubic feet per second of the waters of said unnamed tributary of Enias Creek to beneficial use, and asserts that there are many times of the year in which it is not possible for any person downstream from the land of affiant to receive 0.2 cubic feet per second of the water of said unnamed tributary of Enias Creek.

-VII-

That affiant objects to the description of the land claimed to be irrigated with said waters by said Richard Long on the ground that it is not sufficient in that it does not designate and specify which ten acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Twp. 65 North Range 1 West B. M. is being irrigated.

-VIII-

That affiant denies that said Richard Long has any priority to any of said waters; and affiant maintains from the foregoing that said Richard Long cannot establish a priority to said waters as of April 4, 1949, or any other date.

WHEREFORE, your affiant respectfully moves the license be denied and not issued the said Richard Long.

W. E. Nagel
Subscribed and sworn to before me this 16th day of September, 1957.

[Signature]
Notary Public for Idaho, residing at
Bonners Ferry. Com. Exp.: 11/23/57.

21003

BEFORE THE DEPARTMENT OF RECLAMATION OF THE STATE OF IDAHO

In the Matter of the
Application of RICHARD LONG,
Applicant.

PROTEST AGAINST LICENSE

STATE OF IDAHO)
COUNTY OF BOUNDARY) ss

RECEIVED
SEP 18 1957
Department of Reclamation

Leonard Svendsbye, being first duly sworn, deposes and
says:

-I-

That affiant is a resident of Boundary County, State of Idaho, knows and is familiar with the land of Richard Long, Copeland, Idaho, as described in the Notice of Proof Application of Water to Beneficial Use published in The Bonners Ferry Herald, Bonners Ferry, Idaho, a newspaper, weekly commencing the 22nd day of August, 1957, to and including the 12th day of September, 1957, involving permit No. 21003; the land of Udo E. Nagel mentioned in the affidavits of said Udo E. Nagel filed this date in protest against issuing a license to said Richard Long in accordance with Permit No. 21003; and the stream described in said Notice as "unnamed tributary of Enias Creek."

-II-

That on the 1st day of September, 1957, affiant examined the aforesaid lands and stream, and from that examination affiant is of the opinion that the sole and only water running off the land of said Udo E. Nagel upon the land of the said Richard Long is seepage water from the pond of said Udo E. Nagel.

Leonard Svendsbye

Subscribed and sworn to before me this 16th day of September, 1957.

Marian Meserbrink
Notary Public for Idaho, residing at
Bonners Ferry. Com. Exp. : 12/23/57.

3/1/61

2100-3

Affidavit of Publication

RECEIVED
SEP 18 1957

Department of Reclamation

STATE OF IDAHO }
County of Boundary } ss.

W.A. Chubb

being first duly sworn upon his oath, deposes and says: That he is the
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 Richard Long

a Notice Of Proof Application Of Water To
Beneficial Use.

Notice for Publication, a printed copy of which is attached hereto was pub-
lished in said newspaper and not in a supplement thereof for Four

consecutive issues, commencing with the issue dated August 15
1957, and ending with the issue dated September 12, 1957

W.A. Chubb
Co-Publisher
Foreman

Subscribed and sworn to before me this 16 day of

Sept, 1957

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

21003

Notice is hereby given that at
10:00 A. M. on the 18th day of Sep-
tember, 1957, at Bonners Ferry,
County of Boundary, State of Idaho,
before Marian Mesenbrink, a No-
tary Public, proof will be submit-
ted of the application to beneficial
use of 0.2 cubic feet per second of
the waters of unnamed tributary of
Enlas Creek in accordance with the
terms and conditions of Permit No.
21003 heretofore issued by the De-
partment of Reclamation of the
State of Idaho.

The name and postoffice address
of the person holding said permit
are Richard Long, Copeland, Idaho.

The use to which said water has
been applied is irrigation and do-
mestic use.

The amount applied to beneficial
use is 0.2.

The place where said water is
used 10 acres in NE 1/4 NW 1/4 of Sec-
tion 36, Twp. 65 North Range 1
West B. M.

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

The right to take water from
such works is based upon Permit
No. 21003.

The source of supply from which
such water is diverted is unnamed
tributary of Enlas Creek.

The date of priority which said
user is prepared to establish is
April 4, 1949.

MARK R. KULP

State Reclamation Engineer

First publication Aug. 22, 1957.

Final publication Sept. 12, 1957.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 18 1957
Department of Reclamation

Permit No. 21003

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Richard Long, Copeland, Idaho, farmer, Copeland, Idaho.

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

Ans. ----

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

Ans. 21003, April 4, 1949 - I irrigated first in 1952. 4-14-A9

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

Ans. Comes from Giezelmann swamp originally. The point of diversion is the lower end of the culvert where it goes thru under the highway.

Branch of Anna's Creek

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

Ans. Ditch for irrigating, but water for domestic use I take from the other side of the highway. 10" or 0.2 cu.ft. - no name for ditch. Just irrigate by ditching.

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. Irrigation is used on whatever I have planted - approx. 10 acres. Cultivated land. No improvements except the ditches. S2NE4NW4 sec. 36, 65N.-1W.

21003

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

Ans. No power ^{generated.} ~~XXXXXX~~

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

Ans. --

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. I got original permit.

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

Ans. Irrigation and domestic purposes.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None.

(Sign)

Richard Long

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 *Bonanza Ferry*, County of *Boundary*,

State of Idaho, on this *16* day of *Sept*, A. D. 19*57*.

Marian Mesendick

My commission expires *3/1-61*

21003

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHORECEIVED
SEP 13 1937
Department of ReclamationPERMIT NO. 21003**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 Dinning, 63 years, Copeland, Idaho, farmer, Copeland, Idaho

Ques. 2. Are you acquainted with Richard Long, the holder of Permit No. 21003? How long have you known him and where does he reside?

Ans. Yes, I am. About 20 years. Copeland, Idaho.

Ques. 3. Have you read or heard read said Permit No. 21003, and are you familiar with its provisions and conditions?

Ans. Yes. I have read it. Pretty much so.

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. Water comes from a creek, Enias Creek. Diversion by State Highway. Open ditch is used for conveying water.

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. About 2 feet per second - I have seen ditch running full practically.

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

Ans. Used for irrigating - about 10 acres being irrigated. Cultivated land. Alfalfa has been irrigated, and it is good alfalfa.

21003

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

Ans. Mr. Long has a little pumphouse by the Highway that he pumps water to the house. I do not know if it is from this same creek. There are two creeks close together.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Good heavy soil, good alfalfa ground. I would think it would require the 2 feet per second given above.

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

Ans. None whatever.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I am very familiar with the land and have gone over it many times but do not know just when the irrigation was put in.

(Signed) Charles H. Greening

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 Bonnero Ferry, County of Boundary, State of Idaho, on this 16 day of Sept, A. D. 1957.

Marian Mesenbrink

Notary Public.

My commission expires 3/1/61.

21003

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 18 1957
Department of Reclamation

PERMIT NO. 21003

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. S. J. Wood, 71, 20 miles north of Bonners Ferry, farmer,
Copeland, Idaho.

Ques. 2. Are you acquainted with Richard Long, the holder of Permit No. 21003? How long have you known him and where does he reside?

Ans. Yes, I am. About 10 years, first house beyond me.

Ques. 3. Have you read or heard read said Permit No. 21003, and are you familiar with its provisions and conditions?

Ans. Yes, I am familiar with it.

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. Branch of Enias Creek, Place of diversion- on Mr. Long's north line.
A ditch.

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. That would be beyond me to estimate-it would depend on time of year.
Large amount in the spring that would taper down later.

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

Ans. This is used for irrigation. I would guess that he irrigates 10 acres.
This is cultivated land. He has ditches on this irrigated land.

21003

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

Ans. He takes his domestic water from this same source. He has about 15 head of stock, and household use.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. This is a clay soil. I know nothing about irrigating so I couldn't say.

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

Ans. None whatever.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. June of 1956. I wasn't there when the ditches were turned on, but the ground seemed wet.

(Signed) V. J. Kool

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Bonner Ferry, County of Bonner, State of Idaho, on this 16 day of Sept, A. D. 1957.

Marion Mesenbrink
Notary Public.

My commission expires 3/1/61.

21003

RECEIVED

SEP 5 1957

Department of Reclamation

Dear Sir

I'm going to tell you a little about the water if it were not for a well I got at the house we would not even have water for my ^{cut} pump & fall there is a small ditch ditch brings water past my house into the pond there is also a small ditch that comes through Elmer Allins into my place that also is dry now. I want you to make a small dike so I could have water for my cattle then Old man Hong son Gene and another kid let the water out then I had to have water for six weeks so I had water for my stock. Old man Hong knew what that kid of his done. The new Office is where out here

2100.3

but mind could not do anything
till I caught them before I had
this pond back of my barn I had
to haul water for my stock first
a few time. So make long story
short you can guess whats going
to happen if I ever catch either
one ~~one~~ my place I got orders
from the law officers to post my
place and its posted

Yours truly

Alfred E. Nagel
Copeland
Idaho

August 29, 1957

Mr. Udo E. Nagel
Copeland
Idaho

Dear Mr. Nagel:

I have your letter of August 24, 1957, in which you ask if we are trying to give Long your water.

The State Department of Reclamation cannot give your water to anyone. We issue permits to appropriate unappropriated water only and any permit we issue is subject to all existing rights as of the date of issue.

Proofs are being offered under Permit No. 21003 which if satisfactory and confirmed by a field examination will result in a water right with a priority of April 4, 1949, for not more than .2 cfs of the water of an unnamed stream for the irrigation of five (5) acres of land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, Township 65 North, Range 1 West, B. M., but it cannot affect prior rights.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

MRK:vhh

21003

Aug 24 - 1957 Copeland Idaho

RECEIVED
AUG 27 1957

Dear Sir

~~What~~ are you trying to do give
Hong my water. A number of
years ago Hong started court
suit against me trying to take
my water away he wanted \$500.
damages and, he never even had
a water right. It used to be
in summer the water quit running
but I got a permit so the water
is running most the time now.
I have a letter that was written by
you some 1950 that said Hong could
not get a water right on my place
with out my permission and I am
not giving it. And what's more Hong
letter says of my place the place
is lost.

Yours truly
21003
Copeland Idaho W. E. Hargis

August 23, 1957

RE: Permit No. 21003

Eugene R. Long
Copeland
Idaho

Dear Mr. Long:

In answer to your letter of August 15, 1957, in which you request to know if it is permissible for you to execute the depositions for beneficial use on the above captioned permit.

Since you are under contract to purchase said place, you should have an assignment from Leslie Richard Long, to yourself. This will be necessary if we are to issue a license in your name.

However, in the absence of Mr. Leslie Richard Long on September 16, 1957, when the proofs are to be made, it would be acceptable to this department to have you sign the depositions for Mr. Leslie Richard Long, providing the same is o k with him.

The proofs should be made on the date set in the publication notice. Perhaps in the meantime you could get in touch with Mr. Leslie R. Long, before the date set for making proofs. We are enclosing a form of assignment which you should execute and return to this department in order to get the water right in your own name.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

Encl: Assignment blank

RWT:vhh

21003

Aug 15th 1957

RECEIVED
AUG 19 1957

Dear Sir

Department of Reclamation

Referring to your letter of

Aug 12, 1957 permit no. 21003

I have bought the land from
Leslie Richard Long of Copeland,
Idaho.

Is it permissible for me
to go ahead with form 16,
(Proof of Application of Water
to Beneficial Use.) Leslie Richard
Long ~~has~~ is not here, and I don't
know if will be. What is the
current procedure for me to take
the contract for buying the
land is on record at the
County Court house.

21003

Eugene R. Long
Copeland Idaho

Bonnerr's Ferry Herald • Printers and Publishers

COMPLETE NEWSPAPER COVERAGE OF BOUNDARY COUNTY

IN SCENIC NORTHERN IDAHO • IN THE FERTILE KOOTENAI RIVER VALLEY

~~~~~BONNERS FERRY, IDAHO~~~~~

August 14, 1957

RECEIVED  
AUG 16 1957  
Department of Reclamation

State Of Idaho  
Department of Reclamation  
Boise, Idaho

Dear Sir:

We received your letter and notice of publication, Wednesday, August 14, and it will be published once a week for four consecutive weeks prior to September 16, 1957, dates: August 22, 29, September 5 and 12th.

We will send you proof of publication at that time.

Very truly yours,  
*For Editor Higgins for M.G. Chubb*  
Bonnerr's Ferry Herald



21003

August 18, 1957

RE: Permit No. 21003

Mr. Leslie Richard Long  
Copeland, Idaho

Dear Mr. Long:

This acknowledges receipt of the Notice of application of water to beneficial use under Permit No. 21003, to be made at Bonners Ferry at 10:00 A.M. September 18th, before Marian Mesenbrink, Notary Public.

As of this date, we have mailed the Notice to the Bonners Ferry Herald with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and to then mail the affidavit of publication and statement of costs to you.

At 10:00 A.M. September 18th, at Bonners Ferry, you and two disinterested witnesses, who are familiar with the terms of the Permit and the work done thereunder, must appear before Marian Mesenbrink, Notary, to execute the enclosed depositions.

When returning the depositions to this office please, be sure to include the affidavit of publication.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

EPR:vm  
Encl.  
cc. Marian Mesenbrink

21003

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

RE: Permit No. 21003  
Leslie Richard Long

*First publication 22*  
Date: August 12, 1957

Bonnars Ferry Herald  
Bonnars Ferry, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 16, 1957** the date set for proof; the expense of the publication is to be paid by the applicant, **Leslie Richard Long** 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 R. KULP**  
State Reclamation Engineer  
By

Chief Clerk

EPR:vm  
Encl.

21003

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED  
JUL 1 1957  
Department of Reclamation

(Date) June 26, 1957

(P. O.) Bonnors Ferry, Boundary County, 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

Bonnors Ferry Herald

of Bonnors Ferry, Idaho

published in

the county in which the works are situated.

x Richard Long

(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.

21003

# RECEIVED

JUL 1 1958

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

Department of Reclamation

Due 4-14-1958

Notice is hereby given that at 10:00 A. M. on the 16th day of September, 1957,  
at Bonnars Ferry, County of Boundary, State of Idaho, before  
Marian Messenbrink, a Notary Public,  
proof will be submitted of the  
application to beneficial use of 0.2 cubic feet per second of the waters of unnamed tributary  
of Enias Creek in SE 1/4 Sec 25, T. 65 N. - R. 1 W. B. M.  
in accordance with the terms and conditions of Permit No. 21003  
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  
Leslie Richard Long of, Copeland, Idaho

The use to which said water has been applied is irrigation and domestic use

The amount applied to beneficial use is full amount 0.2

The place where said water is used (If for irrigation, give full and accurate description of the lands irrigated)  
10 acres in NE 1/4 NW 1/4 of Section 36, Twp. 65 North Range 1 West B. M.  
in Boundary County, Idaho

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

The right to take water from such works is based upon Permit No. 21003

The source of supply from which such water is diverted is unnamed tributary of Enias  
Creek

The date of priority which said user is prepared to establish is April 12, 1949

MARK R. KULP  
State Reclamation Engineer.

21003

AMF

April 18, 1956

RE: Permit No. 21003

Mr. Richard Long  
Copeland  
Idaho

Dear Mr. Long:

We acknowledge receipt of your letter of April 16 requesting the status of Permit No. 21003. For your information will state that Proof of Completion of Works was made on April 29, 1952, and Certificate of Completion of Works was issued on May 9, 1952, in an amount of 0.2 cubic foot per second for the irrigation of ten acres in the NE $\frac{1}{4}$  Sec. 25, Township 65 North, Range 1 West, B.M. with water from an unnamed stream tributary to Enias Creek thence Kootenai River with point of diversion in the SE $\frac{1}{4}$  of said Section 25.

Proof of Application of Water to Beneficial Use is not actually due until April 14, 1958; however, your letter states that you have been using this water for the past two years and doubtless you are prepared to submit this beneficial use proof at this time.

Proof of Beneficial Use requires publication once a week for four weeks in a county newspaper. This 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 proof may be made at any place convenient for you and your two witnesses and the time must be set far enough ahead to allow for four weeks publication.

Both copies of Form 10 to be returned to this department together with Form 11 which is 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 paper with instructions in regard to publishing and shall send you the forms of deposition to be executed by yourself and two witnesses in making the proof.

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

Chief Clerk

R:hll  
Enc.

21003

Cape May, N.J. April 16, 1956

Dept. Reclamation;  
I wish  
to know how I stand  
on permit No 21003 I have  
~~book~~ 75  
obligated for two years  
and I have not received  
any notice about it. But  
it seems that I should  
pay for an inspection or  
something. Please let  
me know.

Richard Long

RECEIVED  
APR 18 1956

Department of Reclamation

21003

✓  
May 20, 1954

RE: Permits Nos. 19459, 21003

Mr. Leslie Richard Long  
Copeland  
Idaho

Dear Mr. Long:

We have your letter of May 17 in reply to notice that beneficial use proof on Permit No. 19459 is due on or before July 1, 1954.

A search of the records of this department show the following:

Permit No. 19459, which is for .5 second foot of water from Enias Creek in the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> Section 36, Township 65 North, Range 1 West B.M. and proof of completion of works was made and Certificate issued June 30, 1948.

Permit No. 21003, which is for .2 second foot of water from an un-named stream for use on the same 40. Certificate of completion of works was issued May 9, 1952, and beneficial use proof is not due until 1958.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:hll

21003

May 12, 1952

RE: Permit No. 21003

Mr. Leslie Richard Long  
Copeland  
Idaho

Dear Mr. Long:

We enclose Certificate of Completion of Works issued under Permit No. 21003 for the diversion of 0.2 of a second foot of water from an unnamed stream, tributary to Enies Creek, with point of diversion in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 25, Township 65 North, Range 1 West, B.M., for irrigation and domestic use on the S $\frac{1}{2}$  NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 36, Township 65 North, Range 1 West, B.M.

We also enclose departmental receipt No. 24430 for the \$5.00 fee paid in connection with proof of completion of works.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

21003

Permit No. ....

STATE OF IDAHO  
Department of ReclamationRECEIVED  
MAY 1 1952

## Proof of Completion of Works

## AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Boundary

SS.

Leslie Richard Long, 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. 21003, and that his postoffice address is Copeland  
State of IdahoSecond: That the name of the stream which said water is to be diverted is a tributary  
of Ennis Creek a tributary of Portneua RiverThird: That the point of diversion of said water is 19.50 Lx E - 300 ft North  
NW corner 36 T 65 N R 1 W B M and is in SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  sec 25

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 14, 1952

Fifth: That the use for which said water is intended is Domestic &amp; 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, canal, pump, water line, ditch  
(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 Ditch width at bottom  $1\frac{1}{2}$  feet, width at water line 2 ft  
(State whether ditch, flume or pipe)

feet, depth of water ..... feet; diameter of pipe ..... inches, average grade per mile is ..... feet. Length of conduit is 700 ft

Seventh: That said works are capable of conducting to the place of intended use  
10 inches second feet of water.Eighth: That water appropriated under said permit is available for  
acres of land described as follows: 2.6 acres in S  $\frac{1}{2}$  of NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$   
Sec 36, T. 65, R. 1 W, B. M.Ninth: Remarks: That  $\frac{1}{3}$  H P Electric pumpLeslie Richard Long  
(Sign Here)

Subscribed and sworn to before me this 29th day of April, 1952

My commission expires .....  
Notary Public for the State of Idaho  
Travis W. Smeal  
Notary Public.

My Commission Expires Aug. 15, 1958.

21003

May 1, 1952.

RE: Permit No. 21003

Mr. Leslie Richard Long  
Copeland  
Idaho

Dear Mr. Long:

We are in receipt of your affidavit in proof of completion of works on Permit No. 21003, but it is incomplete in several particulars and we return it for correction as follows:

First, Question 8 should give the legal description of the land to which the water is to be made appurtenant.

Second, under remarks, give the kind and power of the pump.

There is also a fee of \$5.00 required by statute in connection with this proof.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:fg  
Enc.

21003

April 25, 1952

Re: Permit No. 21003

Mr. Leslie Richard Long  
Copeland, Idaho

Dear Mr. Long:

Your letter of April 12th, 1952 became mislaid with some other papers, or it would have been answered sooner. Please excuse the delay.

We enclose another form for making proof of completion of works, as you request, and if it reaches us a few days late that will be no fault of yours- and it will be all right.

Very truly yours,

MARK R. EULP  
State Reclamation Engineer  
By

Chief Clerk

Encl.

21003

Boysland & Edahs  
April 12, 1952  
Dept of Reclamation;

Your  
office sent me a blank to  
<sup>proof of</sup> fillout of completion of  
works. My work is completed  
but when I went to get the  
blank to fill out I couldn't  
find it. Will you please  
send me another blank  
I can't get it back there  
now and me for April 14<sup>th</sup> dead  
line. I would like you to  
grant me a few days extension  
permit No 21003

application No 28662

Yours Truly  
Leslie Richard Long

21003

**State of Idaho**  
**DEPARTMENT OF RECLAMATION**  
**BOISE**

**INSTRUCTIONS**  
**PROOF OF COMPLETION OF WORKS**

**Mr. Leslie Richard Long**

Boise, Idaho

**February 1, 1952**

**Copeland, Idaho**

Dear Sir:-

Under the terms of your Permit No. 21003.....you are required to complete your diversion works on or before April 11, 1952..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

**MARK R. KULP**

State Reclamation Engineer

21003

April 18, 1949

Re: Permit No. 21003

Mr. Leslie Richard Long  
Copeland, Idaho

Dear Mr. Long:

We enclose Permit No. 21003 and direct your attention to the limitations and conditions as given on the 4th page thereof.

We also enclose Departmental Receipt No. 21417 for the \$5.00 filing fee.

You will note that the amount has been reduced to 0.2 of a second foot, or 10 inches, which is the maximum amount allowed by statute for the irrigation of ten (10) acres of land, being one (1) inch per acre.

Since this Permit is issued to take the place of your former Permit No. 19477, please execute and return the enclosed relinquishment of Permit No. 19477.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer  
By

Chief Clerk

A:bn

21003

T. 65 N. - R. 1 W., B. M.

23

24

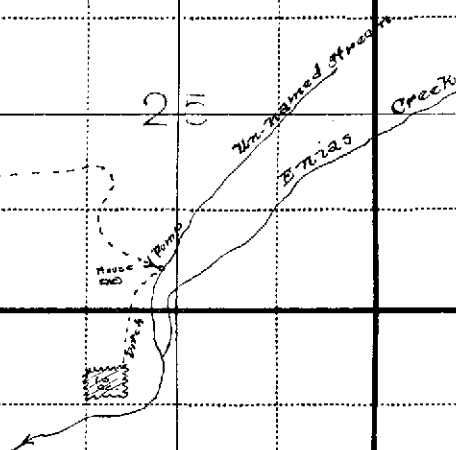
26

25

Point of Diversion

35

36



Permit No. 31003  
As Approved  
JUL 1949  
MARK V. ROLP  
State Reclamation Engineer



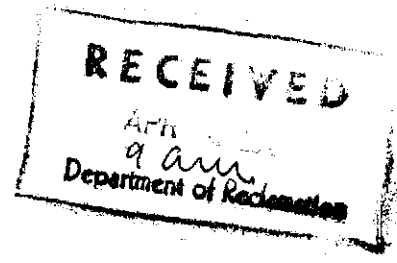
C. A. ROBINS  
GOVERNOR

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

March 28, 1949



Mr. Leslie Richard Long  
Copeland, Idaho

Dear Mr. Long:

In reply to your request, we enclose  
a form of application, which we have filled out  
to take the place of Permit No. 19477.

If there is any change to be made,  
please note same; otherwise, please sign the ap-  
plication on the line indicated on the third page  
and return to this Department. We shall apply the  
\$5.00 which you previously sent, to pay the filing  
fee on this new application.

Very truly yours,

MARK R. KULP  
State Reclamation Engineer

BY

*Jeannette L. Anderson*  
Chief Clerk

A:bh  
Enc.

21003

**BONNERS FERRY HERALD**

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

Notice is hereby given that at 10:00 A. M. on the 16th day of September, 1957, at Bonners Ferry, County of Boundary, State of Idaho, before Marian Mesebrink, a Notary Public, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of unnamed tributary of Enias Creek in accordance with the terms and conditions of Permit No. 21003 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person holding said permit are Richard Long, Copeland, Idaho.

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

The amount applied to beneficial use is 0.2.

The place where said water is used 10 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 36, Twp. 65 North Range 1 West B. M.

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

The right to take water from such works is based upon Permit No. 21003.

The source of supply from which such water is diverted is unnamed tributary of Enias Creek.

The date of priority which said user is prepared to establish is April 4, 1949.

MARK R. KULP 6/15/57  
State Reclamation Engineer

First publication Aug. 22, 1957.

First publication Aug. 22, 1957.