

RECEIVED
NOV 9 1950

Department of Reclamation

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.

Fred Ahlborn & R. Lee Wallen
Bonners Ferry, Idaho

Permit No. 19569

Examination for Beneficial use

County Boundary

647-1E

Q=1 cfs.

Source= Mission Cr.

P.D.= SW SW S. 4.

changed to SE NW S. 4

Dam = 60 yds long.

W, on top = 6'

7' = h.

built of rocks and clay -

1:1 on downstream

2:1 upstream.

water within 1' of dam top.

2-6" d. concrete pipes thru dam

Concrete box open on top 6"

and upstream, head for pipes thru dam wood gate in box

95

Headgate 4' x 26" deep

Length of box = 8' x 4' w x 26" deep

2 fish screens 1 = 1/2" mesh

1 1/4" mesh

culvert 4' x 20"

ditch = 2' w on bottom

flows quite fast

560 yds from P.D. to where ditch crosses road

417 yds from ↑ to bee line

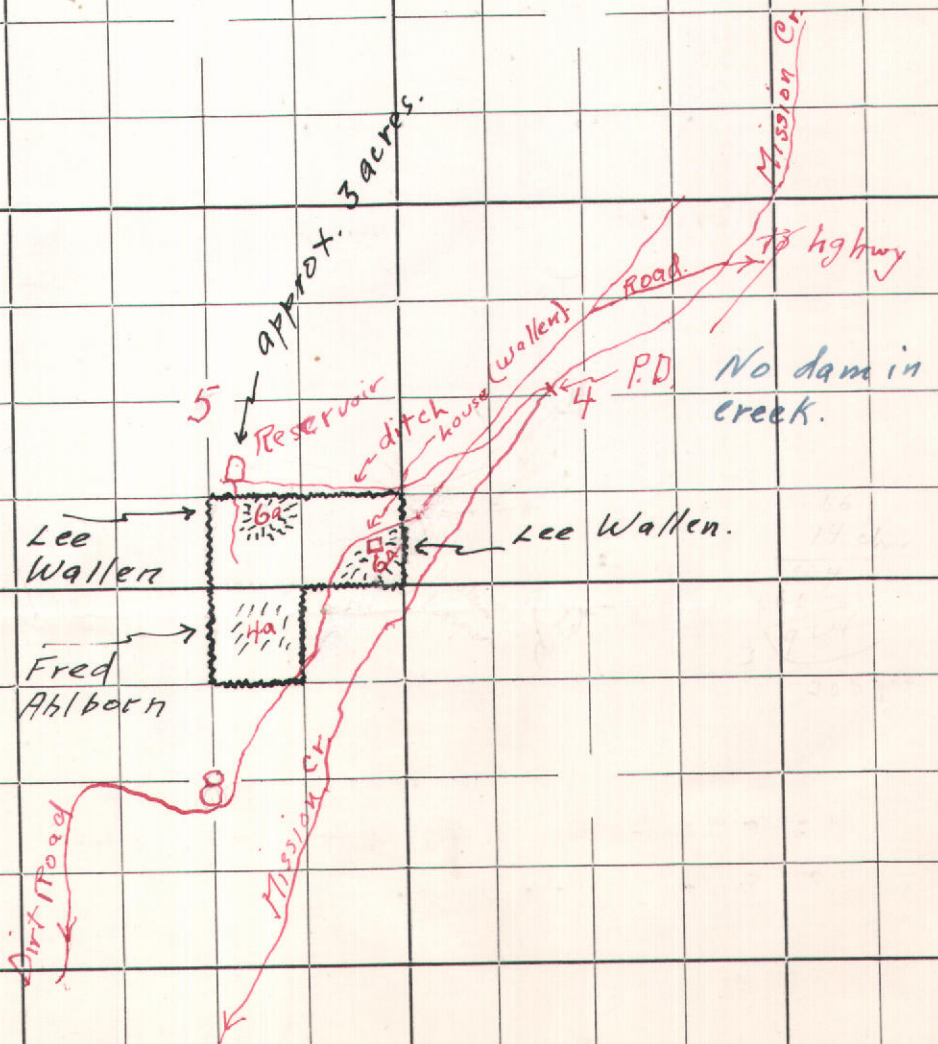
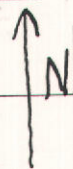
abt 3 acres in pond.

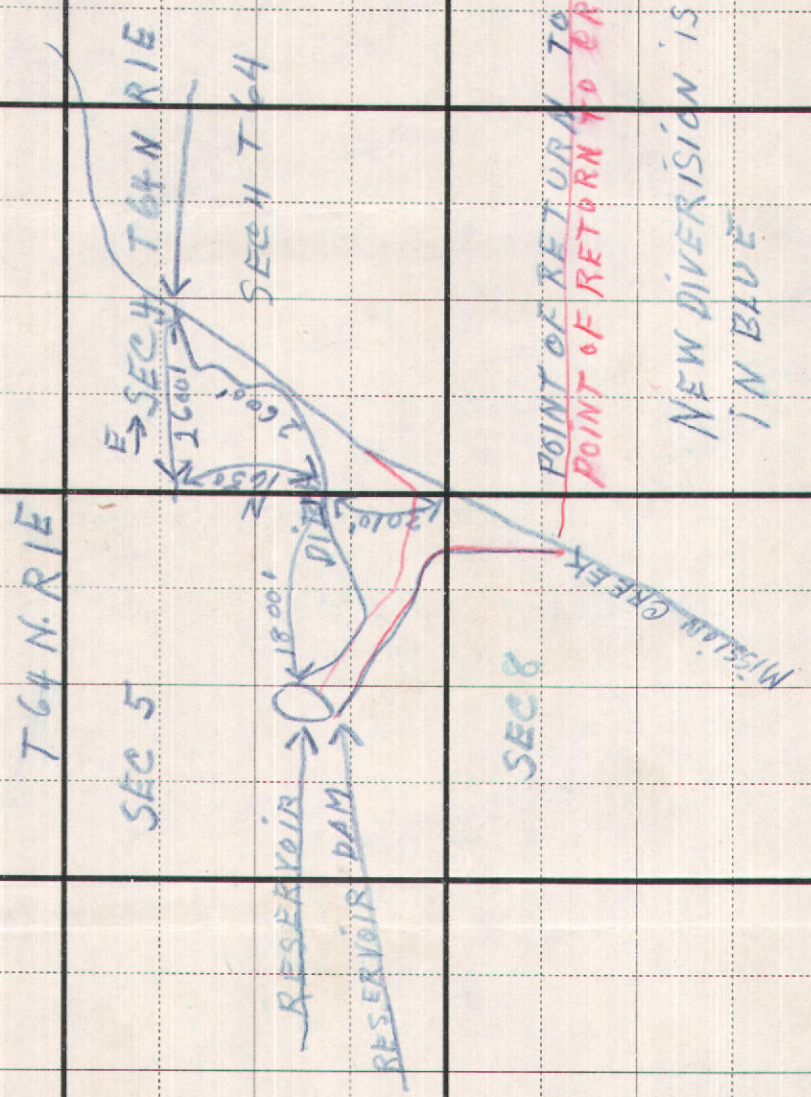
Total acres irrig. Wallen = 12a
 Ahlborn = 4a.

These Farms are cut over
 hillsides.

Crops = alfalfa, grain.

T 64 N. R 1 E.





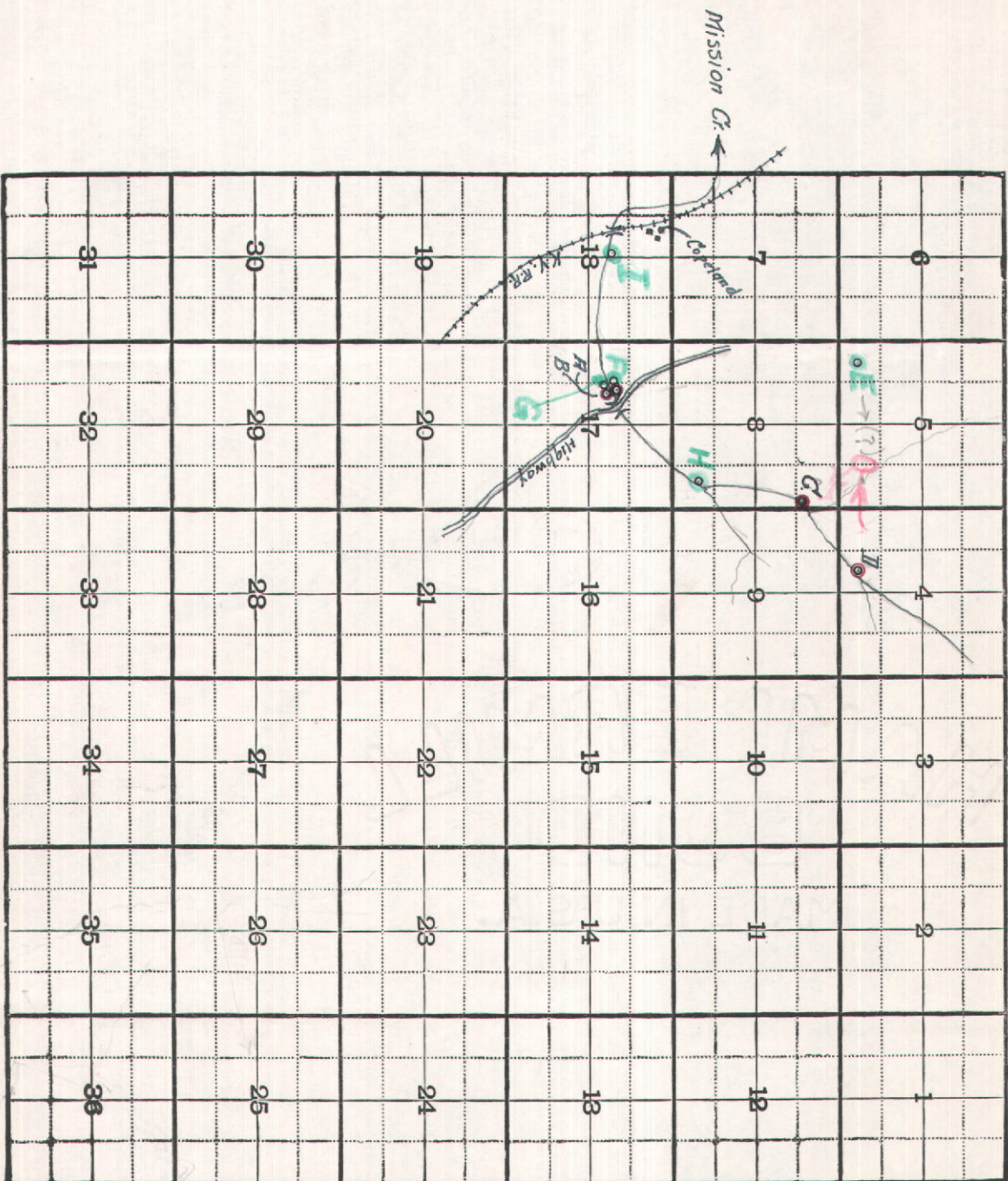
SCALE: ONE INCH TO ONE MILE

Township

14 N.

Range

1 E



17621 "H"
17844 "B"
18143 "C"
19369 "D"

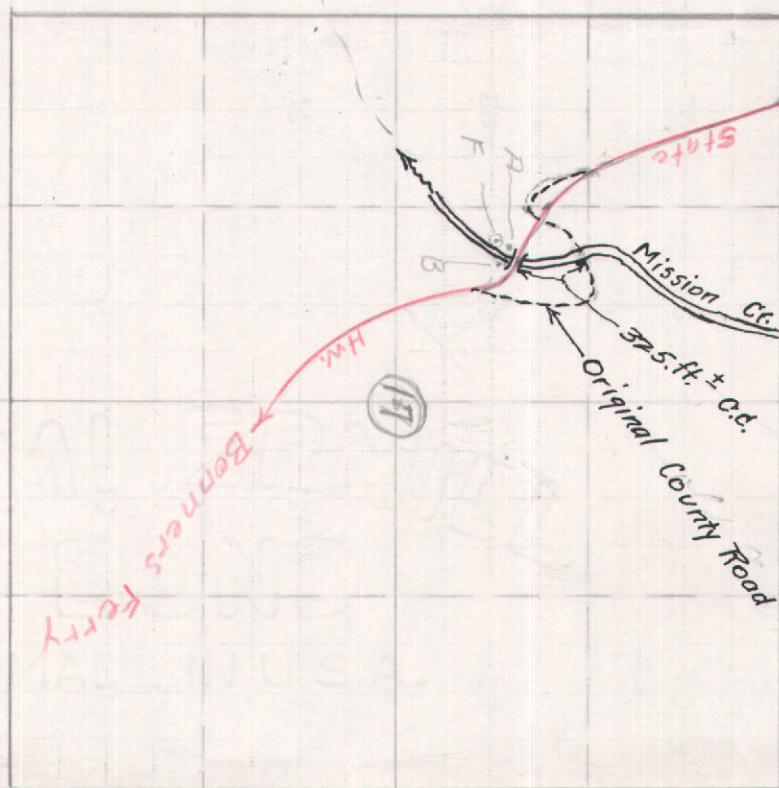
Filling Permits

Location Notices

"E", "F", "G", "H", "I"

(OVER)

62561



Fort Hill

State

Hwy

17

B

A

F

Mission Co.

32.5 ft. ± c.d.

Original County Road

— 64N-R1E —

1. 513

State of Idaho

License and Certificate of Water Right

Water License No. 19569

Amount 0.32 second foot

Water District No. _____

Priority November 12, 1947

THIS IS TO CERTIFY that FRED AHLBORN and R. LEE WALLEN
of Bonnere Ferry, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 21, 1944; that Permit No. 19569
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
one second foot, was issued thereunder on December 19, 1945, showing that said works
were completed on the 6th day of December, 1945; and that on the 19th
day of January, 1950,

FRED AHLBORN and R. LEE WALLEN

of Bonnere Ferry, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Mission
Creek, a tributary of Kootenai River, for the purpose of irrigation and dom-
estic use, under Use Permit No. 19569 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 4872, on the 3rd day of January, 1952;
The right hereby confirmed dates from November 12, 1947;

The Point of Diversion is located
in the SE 1/4 NW 1/4, Sec. 4, Tp. 64 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 0.32 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
64 N.	1 E.	5	SW 1/4 SE 1/4	10	6
			SE 1/4 SE 1/4	30	6
			NW 1/4 NE 1/4	40	4
		8	Number of Acres Actually Irrigated - - - 16		

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 January, 1952.

(SEAL)

MARK R. KULP
State Reclamation Engineer

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

Application No. 27068
Permit No. 19569
District No.

Joe Vernon
Bonners Ferry, Idaho

1. Name of Applicant: R. LEE WALLER and FRED AHLBORN

Postoffice address: Copeland & Bonners Ferry County: Boundary

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: One cubic feet per second.

3. Source of water supply: Mission Creek which is a tributary of Kootenai River

4. Location of point of diversion: 1200 feet northeasterly ~~feet distant~~ from the S W corner of Section 4, T. 64 N., R. 1 E., B. M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, T. 64 N., R. 1 E., B. M., County of Boundary

5. Water is to be used for Domestic and irrigation purposes

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: \$1,200.00

8. Kind of works: 6 inch pipe

9. Height of dam 2 feet; length of dam at top 25 feet; length of dam at bottom 25 feet; material used in dam: Rocks

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

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

Diameter of pipe 3 inches; length of conduit 2500 feet -miles

Average grade per mile 5 feet.

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

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

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

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

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

R. LEE WALLEN FRED AHLBORN Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 3:30 P. M. October 21, 1944

Returned to applicant for correction: October 24, 1944

Corrected application received: December 5, 1944

Approval of State Reclamation Engineer

The number of this permit is 19569

Recorded in Book 70 Page 19569 Approved December 9, 1944

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 February 9, 1945

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 June 9, 1945

The whole of said work to be completed on or before December 9, 1945

Beneficial use of water appropriated in accordance herewith, to be made on or before December 9, 1946

Witness my hand this 9th day of December, 1944

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSSEN, Governor of the State of Idaho,

and GEO. H. CURTIS, 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 9th

day of December, 1944

STATE OF IDAHO

Countersigned:

(SEAL)

By GEO. H. CURTIS

Secretary of State.

By C. A. BOTTOLFSSEN

Governor

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 $\frac{1}{4}$	
64 N.	1 E.	5															10	30	40
		8	40																40
Total number of Acres to be Irrigated -																			80

AFFIDAVIT FOR CHANGE OF POINT OF DIVERSION OF WATER RIGHT PERMIT NO. 19569

STATE OF IDAHO)
County of Boundary) ss.

Fred Ahlborn and R. Lee Wallen, being first duly sworn, depose and say: That his postoffice address is Bonners Ferry, Idaho. That he is one of the owners of and using a certain water right for One (1) cubic foot per second of the water of Mission Creek, County of Boundary, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 19569, issued by the Department of Reclamation, dated December 9, 1944, bearing date of priority of Oct. 21, 1944, for the purpose of irrigating the following described lands, situate, lying and being in Water District No. - in the County of Boundary, and State of Idaho, to-wit: S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 64 North, Range 1 West, B.M., and is the person to whom such right was so issued.

That said waters are now diverted from said stream at a point 1200 ft. N.E. from the S.W. corner Section 4, and in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4, Twp. 64 N., Range 1 E., and conducted to the above described lands through the - - ditch, as per map filed herewith and of this affidavit made a part.

That affiant desires to change the point of diversion of said waters from the point above described to a point located 3,010 ft. N. 2,600 ft. E. from S.E. corner Section 5, and in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 4, Twp. 64 N., Range 1 E., B.M., and thereafter conduct same to the above described land through the --- ditch, as per map above referred to.

That his reasons for desiring to make such change are as follows: To obtain higher head and so cause to be made a smaller ditch to carry the same amount of water and less evaporation.

That no one will be injured by such change and that such change will be made at affiant's own risk.

R. LEE WALLEN
and FRED AHLBORN Affiants.

Subscribed and sworn to before me this 25th day of May, 1945.

(S E A L)

J. H. McNally
Notary Public for the State of Idaho
Residing at Bonners Ferry, Idaho
My Commission expires Aug. 1, 1947

Received and filed for record in the Department of Reclamation
at Boise, Idaho, at 9:00 A.M., July 3, 1945.

MARK R. KULP
State Reclamation Engineer
A

PERMIT NO. 19569

Certificate of Completion of Works

To All Whom it May Concern:

This is to certify that R. LEE WALLIN AND FRED AHLBORN, of Copeland and Bonners' Ferry, County of Boundary, and State of Idaho, the holders of Permit No. 19569, issued upon Application No. 27068, bearing date of priority of October 21, 1944, authorizing the diversion of One (1) second foot of the waters of Mission Creek, a tributary of Kootenai River, County of Boundary, State of Idaho, for domestic and irrigation purposes, have fully complied with 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 One (1) second foot of the waters of Mission Creek; that the point of diversion of said waters is located 3,010 feet North and 2,600 feet East from the S. E. corner of Section 5, and in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, Township 64 North, Range 1 East, B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5; NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8; all in Township 64 North, Range 1 East, B. M.

Witness my hand this 19th day of December, A. D. 1945.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made December 6, 1945

Certificate of completion of works issued December 19, 1945

LICENSE ISSUED FOR 2.32 SEC. FT.

284-4872

✓
September 13, 1954

19569

Mr. Frank Mortimer
Box 1019
Seattle, Washington

Dear Mr. Mortimer:

Mr. Fred Alborn of Star Route 1, Bonners Ferry, Boundary County Idaho has a licensed right for use of water from Mission Creek, specifically Fred Alborn and Lee Waller have State License No. 19569 for an amount of .32 cubic feet per second with priority of November 12, 1947, for irrigation and domestic purposes. Point of diversion is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, Township 64 North, Range 1 East B.M. The irrigation use is on 16 acres in Sections 5 and 8 Township 64 North, Range 1 East B.M.

I cannot answer your inquiry whether or not he has a franchise or any authority to sell water rights to private homes from Mission Creek. If he has such a right, it is undoubtedly on record with the Idaho Public Utilities Commission.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

19569

REC'D SEP 9

4019-4th. ave. N.E.
Seattle 55 Washington
September 7, 1954

Attorney General of Idaho
Capitol Building
Boise, Idaho

Dear Sir;

I would appreciate very much if your office could inform me on the following matter:

Does a Mr. Fred Allborn of Star Route 1, Bonners Ferry, Boundary county, Idaho, have a franchise, water right, or any authority entitling him to sell water rights to private homes from Mission Creek located in the above mentioned county? The creek originates in Canada and empties into the Kootnai River.

Enclosed, please find a self addressed envelope. I am taking this opportunity to thank you for your help.

Sincerely,
Frank Mortimer

Frank Mortimer

Refer to Mark Kulp

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SEP 10 1954
Department of Reclamation

19569 19597.

19569 and 132 of Priority Nov 12-47 to Fred Allborn & Lee Wallen
for irrig. & dom. P.D. in S8 NW 34 64N. 1E. for 16 acres in S348
64N. 1E.

19569

✓
January 7, 1952

RE: Permit No. 19569

Mr. Fred Ahlborn
Bonners Ferry
Idaho

Dear Mr. Ahlborn:

We enclose license and certificate of water right issued under Permit No. 19569 confirming the right of yourself and R. Lee Wallen to the use of 0.32 second foot of water from Mission Creek, with point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, Township 64 North, Range 1 East, B.M., with priority of November 12, 1947, for irrigation and domestic use on the S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 64 North, Range 1 East, B.M.

We also enclose departmental receipt No. 24074 for the \$6.00 fee paid in connection with proof of beneficial use.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

19569



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

November 9, 1950

RECEIVED
JAN 2 1952
Department of Reclamation

Re: Permit No. 19569

Fred Halborn

\$6.00 for License

19569

✓
November 9, 1950

Re: Permit No. 19569

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

We now have on file the report of our Engineer on examination for Beneficial Use on Permit No. 19569 in the name of yourself and Lee Wallen.

This report shows that you have irrigated six acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and six acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5 and four acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 64 North, Range 1 East, B.M., or a total of sixteen acres.

Therefore, upon receipt of the statutory fee of \$6.00, a License will be issued for .32 of a second foot or 16 inches of water from Mission Creek, for irrigation and domestic use on the above described land.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hh

19569

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

Permit No. 19569

This proof is for Beneficial use In Water District No. _____

1. Name of applicant Fred Ahlborn & R. Lee Wallen, Bonners Ferry & Copeland, Idaho
2. Source of water supply: Mission Creek
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4
T. 64 N. R. 1 E. County of Boundary
4. Describe works as they exist, giving dimensions and capacities of same: Water is taken from Mission Creek through a head gate 4' wide by 26" deep by 8' long. It has two fish screens, one 1/2" mesh and one 1/4" mesh to keep the fish from going down the stream. (ditch) The main ditch is 2' wide on the bottom and flows quite fast. Part of the water is carried around the hill and into a small pond estimated as covering three acres. The dam that creates the pond is approximately 60 yards long, 6' wide on top and 7' high, built of rock and clay.
5. Water is used for: Irrigation and domestic purposes.
6. State whether or not water has been turned into works of diversion: _____

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):

3 $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5;

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8;

Twp. 64 N., Range 1 E., B.M.

The land irrigated is indicated on the accompanying map.

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

8. What large stream would the water here appropriated finally reach? Kootenai River
- Remarks: Pond dam Has a 1:1 slope on downstream, 2:1 slope on upstream, freeboard of 12".
Two 6" diameter concrete pipes extend through the dam to a concrete box in the pond, open on the top. Concrete is 6" thick. The spillway for the dam is a small ditch around the end of the dam leading off down the draw.
They have a Forest Service Permit issued in 1946 to R. Lee Wallen, Copeland, 6' wide through SW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4, Township 64 North, Range 1 East, as shown on plat in S.O. Office.

Pond was intended as storage for a light plant downstream and some fish propagation. Considerable seepage under dam.

This examination was made on the 13th day of October, 19 50

(Signed)

E. M. Humphrey

Examiner

RECEIVED
NOV 9 1950

Department of Reclamation

INSTRUCTIONS TO EXAMINERS

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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.

Permit No. 22222

Examination for Beneficial use

County Boundary

4
647-1E2

Q = 1 cfs.
Source = Mission Cr.

P.D. = SW SW 1/4, 4,
changed to SE NW 1/4

Area = 60 yds long.

W, on top = 6'

7' = h.

built of rocks and clay -

1:1 on downstream

2:1 upstream.

water within 1' of dam top -

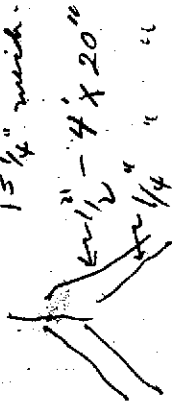
2'-6" d. concrete pipes thru
dam

Concrete box open on top 6" @
and upstream, high for pipes
thru dam. wood gates in use

Headgate 4' x 26" deep

Length of box = 8' x 4' w x 26" deep

2 fish screens 1 = 1/2" mesh
1 = 1/4" mesh.



ditch = 2' w on bottom
flows quite fast.

560 yds from P.D. to where
ditch crosses road.

417 yds from ↑ to box line

est 3 acres in pond.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 19569

REPORT ON PROOF OF Beneficial use

.32 cfs
max

app. one cfs

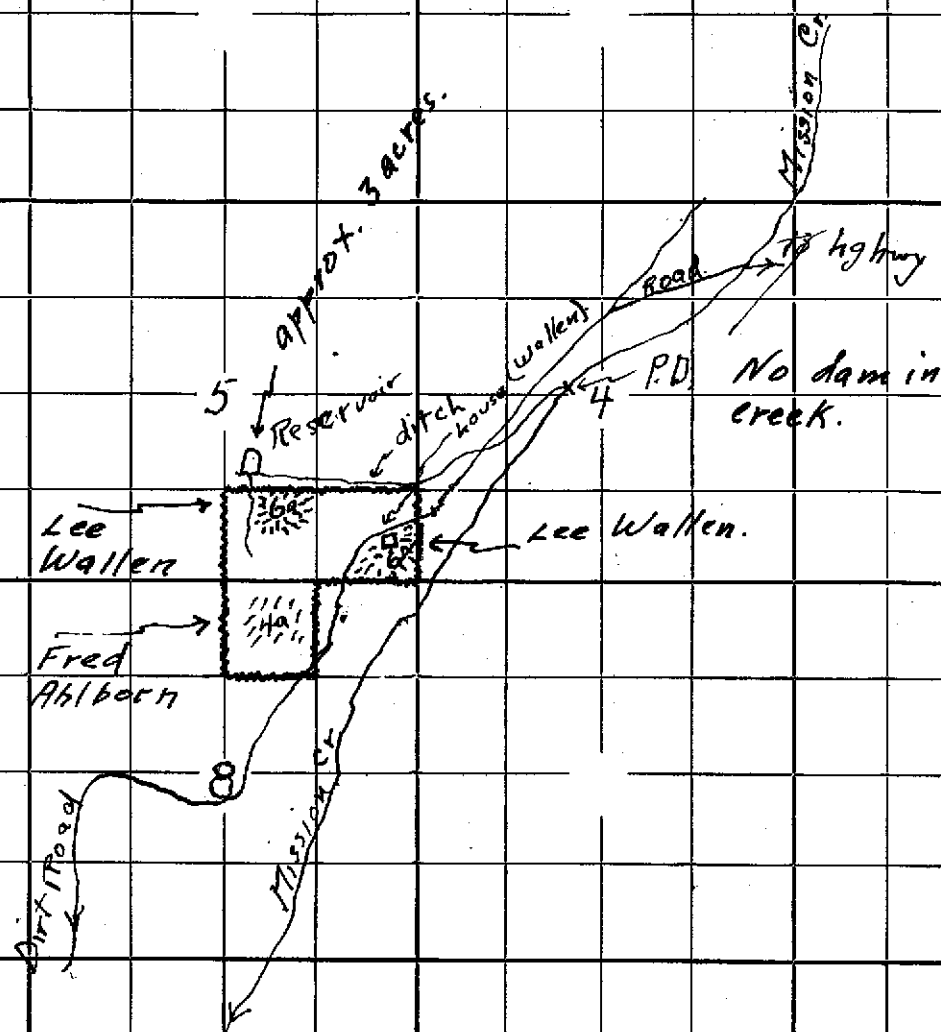
16 acres
in 3-40's

Total acres irrig. Wallen = 12 a
 Ahlborn = 4 a.

T 64 N. R 1 E.

These Farms are cut over
 hillsides.

Crops = alfalfa, grain.



Ditch

10' x 12' h.
 carries water to land

+ wallen

Has spillway out of ditch

When water gets in it

had no way -

19569

September 30, 1950

Re: Permit No. 19569

✓

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

I intend to be in Bonners Ferry on October 12 to 14, to make inspections in connection with Water Permits.

I hope you can check with me in regard to your Permit No. 19569 at that time.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

ENH:bh

19569

February 15, 1950

Re: Permits Nos. 19597, 19569 and R-746

Mr. Fred Ahlborn
Bonnere Ferry, Idaho

Dear Mr. Ahlborn:

We acknowledge receipt of your letter of January 30, 1950, returning Proofs of Completion of Works under Permit Nos. 19597 and R-746 and Beneficial Use Proof under Permit No. 19569 and enclosing your check for \$15.00.

Proof of Completion of Works under Permit No. R-746 can be accepted and Certificate of Completion of Works will issue shortly.

We cannot accept your Proof of Completion of Works under Permit No. 19597 as your deposition, as well as your letter, both state that these works are not completed. The five year limitation allowed by Statute for Completion of Works will expire March 5, 1950, and if the works are not completed by that time, we suggest that you file a new application to take the place of 19597, the form for which we shall be glad to furnish you upon request.

Proof of Beneficial Use under Permit No. 19569, together with the Affidavit of Publication in the Bonnera Ferry Herald have been placed on file, but 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 but it will not be before some time next summer and at the time set, our Field Engineer will try and contact you in order that arrangements may be made to show him over the grounds.

No fees are required on Beneficial Use Proof until the report is filed by our Field Engineer, at which time you will be notified of the amount. There is, therefore, no fee required at the present time but the statutory fee of \$5.00 for completion of works under Permit No. R-746. We therefore return your check for \$15.00 and request that you substitute another check for this \$5.00 fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A:bh
Enc.

Chief Clerk

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 19569

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Fred Ahlborn Bonners Ferry Idaho

R. Lee Wallen 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. Permit No. 19569 Approved Dec 9 1944, date of Priority Nov 12 1947

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

Ans. Mission Creek Westerly 3336 ft distant from the SW Corner of

Sec 4 Twp. 64 N. R. 1 East B.M. and in SW $\frac{1}{4}$ Sec 4, T 64 N R 1 E B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Wooden flume and headgate, capacity 4 cu ft per sec. the name of canal or ditch- "Wallen-Ahlborn" Ditch.

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. For domestic and Irrigation purposes- in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 5, T 64 N R 1 E and in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 8 T 64 N R 1 E B.M. also SE $\frac{1}{4}$ SE $\frac{1}{4}$ in Sec 5 and ~~SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 8~~ totalling 138 acres in all. Actual number of acres irrigated-25.

All cut over timber land-now in cultivation.

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

Ans. None

19569

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

Ans. 1 cu ft per second.

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.

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

Ans. For domestic and irrigation purposes since June 1945-
max. use 1 cu ft per sec.

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

X Fred Albony
(Sign) R Lee Wallen

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 Bonners Ferry, County of Boundary,

State of Idaho, on this 19 day of Jan, A. D. 1950

My commission expires

Notary Public for the State of Idaho
Residing at Bonners Ferry.
Commission Expires 2/6/51

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19569

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. Carl Belden, age 39, farmer, Star Route #2 Bonners Ferry Ida

Ques. 2. Are you acquainted with Fred Ahlborn & R. Lee Wallen, the holder of Permit No. 19569 yes? How long have you known him and where does he reside?

Ans. Wallen 15 years Ahlborn 20 years.

Ques. 3. Have you read or heard read said Permit No. 19569, 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. Mission Creek, diverted Westerly 3336 ft from SW corner of
Sec 4 T 64 N R 1 East B.M. Wooden headgate and flume.

In SE 1/4 NW 1/4 Sec 4. T64N R1E.

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. Estimated about 4 cy ft per second.

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 irrigation and domestic purposes. About 25 acres under
actual irrigation. All used in SE 1/4 of Sec 5 and NE 1/4 of Sec 8
in Twp 64 N R 1 East B.M. in Boundary County Idaho.

19569

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

Ans. None

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

Ans. Cut over timber land, bench type now in alfalfa and garden.
About 1 cu ft per sec required.

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

Ans. None

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

Ans. Have observed the operation of the works and the irrigation
that has been done since ditch was constructed in 1945

(Signed) Carl Belden

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Bonnors Ferry

County of Boundary, State of Idaho, on this 19th day of January,
A. D. 19 50.

[Signature]
Notary Public.

My commission expires _____

Notary Public for the State of Idaho
Residing at Bonnors Ferry.
Commission Expires 2/6 57

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19569

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. Vernie Stockton, age 40, farmer, Star Rte #2
Bonniers Ferry Idaho.

Ques. 2. Are you acquainted with Fred Ahlborn and R. Lee Wallen, the holder of Permit No. 19569 yes ? How long have you known him and where does he reside? Have known Wallen 14 years Ahlborn 20 years

Ans. _____

Ques. 3. Have you read or heard read said Permit No. 19569, 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. Mission Creek- diverted westerly 3336 ft from SW corner of
Sec 4 Twp 64 N R 1 East B.M. Wooden headgate, ditch and wooden
flume. In SE 1/4 NW 1/4 Sec 4. T64N
R1. E. Bm.

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 3 cy ft per sec.

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 domestic and irrigation purposes- about 25 acres under
actual irrigation, all located in SE 1/4 Sec 5 and NE 1/4 pf Sec 8
Twp 64 N R 1 East B. M in Boundary County Idaho.

19569

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

Ans. None

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

Ans. Cut over land cleared and mostly in alfalfa- probaly a1,1
of 1 cu ft per second required.

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

Ans. None

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

Ans. Have observed and noted the operation since it
was installed in 1945. Have fished along the creek
many times and seen the whole works.

(Signed)

Vernie L. Lusk

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Bonnors Ferry,
County of Boundary, State of Idaho, on this 19 day of January,
A. D. 1950

My commission expires

Notary Public for the State of Idaho
Residing at Bonnors Ferry
Commission Expires 2/6 1951

[Signature]
Notary Public.

February 8, 1950

Re: Permit No. 19569

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

On January 24, 1950, we returned the depositions of yourself and two witnesses under Permit No. 19569 in the name of yourself and R. Lee Wallen, for certain corrections.

To date, these depositions have not been returned and it is important that you give the matter your prompt attention.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

19569

January 24, 1950

Re: Permit No. 19569

Messrs. Fred Ahlborn & R. Lee Wallen
C/o Fred Ahlborn
Bonners Ferry, Idaho

Dear Sirs:

We have received from the Notary Public, Mr. H. I. Monks, the depositions of yourselves and two witnesses, also the affidavit of publication in the Bonners Ferry Herald, all submitted in proof of beneficial use under Permit No. 19569.

We are sorry to have to return these depositions herewith for the following corrections:

1. Under Question 5, the applicants' deposition describes the point of diversion as in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, Twp. 64 N., Range 1 E., B.M. which was the point of diversion originally described in the permit; but this was amended May 25, 1945, to the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 4, and this latter description is given in the Certificate of Completion of Works.

2. Question 6 of the applicants' deposition should state the irrigated acreage in each subdivision. We also note that you have included land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, which is not listed in either the original permit nor in the published notice.

3. Question 4 of the witnesses should give the point of diversion by sub-division, section, township and range.

4. In Question 6 the witnesses should give the irrigated acreage in each subdivision.

Please make the necessary corrections and return promptly to this Department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19569

**NOTICE OF PROOF APPLI-
CATION OF WATER TO BENEFICIAL USE.**

Notice is hereby given that at 11:00 A. M. on the 30th day of December, 1949, at Bonners Ferry, County of Boundary, State of Idaho, before H. I. Monks, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Mission Creek in accordance with the terms and conditions of Permit No. 19569 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 Fred Ahlborn, Bonners Ferry, Idaho, and R. Lee Wallen, Copeland, Idaho.

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

The amount applied to beneficial use is one cubic foot per second.

The place where said water is used SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, all in Township 64 North, Range 1 East B. M.

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

The right to take water from such works is based upon Permit No. 19569.

The source of supply from which such water is diverted is Mission Creek, a tributary of Kootenai river.

The date of priority which said user is prepared to establish is November 12, 1947.

MARK R. KULP,
State Reclamation Engineer.
First publication Dec. 8, 1949.
Last publication Dec. 29, 1949.

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

Mark R. Kulp, State Reclamation Engineer,

a Publication 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 Dec. 8

1949, and ending with the issue dated Dec. 29, 1949.

R. L. Myers
Co-Publisher
Foreman

Subscribed and sworn to before me this 30 day of

Dec

H. I. Monks

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

19569

RECEIVED
JAN 23 1950
Department of Reclamation

AFFIDAVIT.

H.I.Monks being first duly sworn deposes and states:
That he is a Notary Public and as such was appointed to
hear the Proof Concerning water right under Permit No. 19569
of Fred Ahlborn and R Lee ^Wallen, that such proof was advertised
to be held at the office of H.I.Monks at 11:00 A.M. on December
30th 1949, that said office was opened principals and witnesses
appeared, but that proof could not be completed because
of the fact that papers necessary to complete same had not
been received. No protests were filed and continuance was had
until Jan. 19 1950.

Further deponent saith not.

State of Idaho
County of Boundary.

Subscribed and sworn to before me this 19th day of
Jan 1950



Notary Public for the State of Idaho
Residing at Bonners Ferry.
Commission Expires 1-6-53

19569

January 3, 1950

Re: Permit No. 195690
Ahlborn & Allen

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

Dear Mr. Monks:

In reply to your letter of December 30th,
we enclose the forms for making proof of beneficial use
under the above numbered permit.

We regret very much that these were not sent you
in time for the proof to be made on December 30th, as per
notice. We were under the impression that the forms had
been sent direct to Mr. Ahlborn, but a check of our files
seems to indicate that that is not the case.

These may be executed at a later date, but
in order to keep the record straight they should be accom-
panied by your affidavit to the effect that the office was
open at the date set, and that no protests were filed
(if such was the case), and that there was a continuance
made until the later date.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Encs.

Chief Clerk

19569

BAXTER & MONKS AGENCY

BONNERS FERRY, IDAHO

December 30th 1949.

RECEIVED
JAN 3 1950
Department of Reclamation

Mr Mark R. Kulp
State Reclamation Engineer
Boise Idaho

Re; Proof- Wallen-Ahlborn Water Right
Permit No. 19569 Mission Creek
Date of Proof ~~Nov~~ Dec 30th 1949
11 A.M. H.I. Monks, Notary Public.

Dear Mr Kulp:

Mr Ahlborn and Mr Wallen appeared this morning in accordance with the advertised notice to complete proof of the above. However no proof could be taken due to the fact that the forms to be used in taking the proof, had not been received by the writer up to this time.

It is our impression that these necessary forms should have been forwarded to the writer prior to this time.

Will you please send out the necessary forms at once so that the proof may be taken- also set a date for the same to be made if in order- if not we will arrange for a future date for same to be held.

Thanking you for your attention and advice

Very truly yours,

H. I. Monks

19569

December 30th 1949.

Mr Mark R. Kulp
State Reclamation Engineer
Boise Idaho

Re; Proof- Wallen-Ahlborn Water Right
Permit No. 19569 Mission Creek
Date of Proof ~~W~~ Dec 30th 1949
11 A.M. E.I. Monks, Notary Public.

Dear Mr Kulp:

Mr Ahlborn and Mr Wallen appeared this morning in accordance with the advertised notice to complete proof of the above. However no proof could be taken due to the fact that the forms to be used in taking the proof, had not been received by the writer up to this time.

It is our impression that these necessary forms should have been forwarded to the writer prior to this time.

Will you please send out the necessary forms at once so that the proof may be taken- also set a date for the same to be made if in order- if not we will arrange for a future date for same to be held.

Thanking you for your attention and advise

Very truly yours,

19569

19569 ✓

December 15, 1949

Mr. R. N. Soderling, Superintendent
Class "A" School District No. 101
Bonners Ferry, Idaho

Dear Russ:

Permit No. 19569 on which Ahlborn and Wollen will submit proof of application to beneficial use claims a priority of November 12, 1947, which is subsequent to the Ellis right, and to the rights named in the agreement and is for water not necessary to fill all existing rights.

Protests can be made only against the statements contained in the Notice.

The proofs will be examined by the Department and a field inspection made before the proofs are approved and a license issued.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

MRK:bn

19569

COUNTY BOARD OF EDUCATION

J. H. McNALLY, CHAIRMAN
W. J. MILLER, CLERK

Class "A" School District No. 101

R. N. SODERLING, SUPERINTENDENT

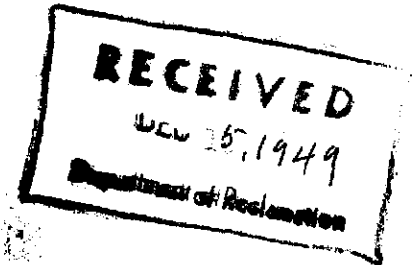
FERNE CROWLEY, ELEMENTARY SUPERVISOR

DISTRICT BOARD OF EDUCATION

A. J. BAYLON, CHAIRMAN OF BOARD
HOWARD CULVER, VICE CHAIRMAN

BONNERS FERRY, IDAHO

Dec. 13, 1949



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

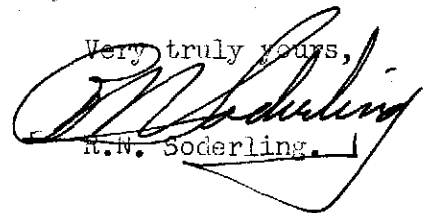
Dear Mark,

I note in the Bonners Ferry Herald that Fred Ahlborn and Mr. Wallen are to hold a hearing to prove up rights on Mission Creek for domestic and irrigation use. The board is a little concerned as to just what bearing this will have, if any, on the water rights we hold on this creek by virtue of the former Ellis rights, and also the agreement between ourselves and Ahlborn.

Should we enter any protest, or will it affect us in any way?

If you are to be here for the hearing, we would appreciate the opportunity to talk it over with you.

Very truly yours,


R. N. Soderling.

19569

19569

The Bonners Ferry Herald

PUBLISHERS AND COMMERCIAL PRINTERS

Bonners Ferry, Idaho

December 7, 1949

State Reclamation Engineer
Boise, Idaho

Dear Sir:

This will acknowledge your letter of Nov. 30 enclosing
notice of publication for the applicant Fred Ahlborn.

First publication of this notice will be Dec. 8, 1949, a
copy of which is being mailed to you.

Yours very truly,

BONNERS FERRY HERALD

R. L. Myers

19569

RECEIVED

Department of Reclamation



PUBLISHED EVERY THURSDAY

COMPLETE NEWSPAPER COVERAGE OF BOUNDARY COUNTY

Permit No. R-_____

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. _____

Ques. 2. If acting on behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, acre feet of water you claim for storage, and source of same.

Ans. _____

Ques. 4. Under terms of permit construction was required to be completed by _____
_____19_____.

Ques. 5. Construction was actually completed on the date of _____19_____.

Ques. 6. Does the construction fully comply with the specifications? _____

Ques. 7. Of what material was the dam built? _____

Ques. 8. State whether or not the water has been turned into your reservoir, and if so, when and to what extent.

Ans. _____

Ques. 9. The capacity of the reservoir is _____acre feet.

Ques. 10. The area of the high water line of the reservoir is _____acres.

Ques. 11. The height of the dam above bottom of reservoir is _____feet, above low water is _____feet.

Ques. 12. The dimensions of the spillway are _____and the bottom of the spillway is _____feet below the top of the dam.

Ques. 13. Dimensions of the reservoir outlet are _____

Ques. 14. Describe the gate and control unit.

Ans. _____

Ques. 15. The reservoir outlet is made of _____

Ques. 16. Is the reservoir filled through a feeder canal? _____

Ques. 17. If so, where is the point of diversion for same? _____

Ans. ¼ ¼ Section, _____Twp. _____Range _____

Ques. 18. Does the feeder canal comply with the specifications in the permit?

Ques. 19. If not, explain

Ques. 20. Cost of constructing feeder canal? \$..... Cost of reservoir? \$.....

Ques. 21. State whether or not the works from reservoir outlet to place of use are fully completed, and whether or not they comply with the specifications in permit. If not, explain.

Ans.

Ques. 22. Water has (has not) been delivered to place of intended use?

Ques. 23. Give description of dam, state dimensions, and give slope of face both upstream and downstream. Also method and material for protecting against wave action.

Ans.

Ques. 24. State the purpose for which the water is to be used and give the place of use, and if for irrigation, state the number of acres, and give the legal description of same.

Ans.

(Sign here)

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....., County of....., State of Idaho, on this.....day of.....A .D. 19.....

.....
Notary Public

My commission expires.....

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

Notice is hereby given that at.....A. M. on the day of,19.....,
at....., County of....., State of Idaho, before
....., proof will be submitted of the
application to beneficial use of..... cubic feet per second of the waters of.....
.....in accordance with the terms and conditions of Permit No.....
heretofore issued by the..... of the State of Idaho.

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

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

The amount applied to beneficial use is.....

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

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

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

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

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

.....
State Reclamation Engineer.

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

Notice is hereby given that at.....A. M. on the day of,19.....,
at....., County of....., State of Idaho, before
....., proof will be submitted of the
application to beneficial use of..... cubic feet per second of the waters of.....
.....in accordance with the terms and conditions of Permit No.....
heretofore issued by the..... of the State of Idaho.

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

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

The amount applied to beneficial use is.....

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

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

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

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

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

.....
State Reclamation Engineer.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....

(P. O.).....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
..... of published in
the county in which the works are situated.

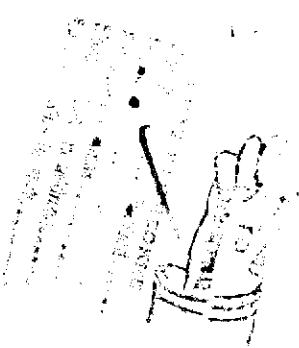
(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per
second, the following certificate must be signed by a well-known and competent engineer.)

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

.....
Engineer.

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

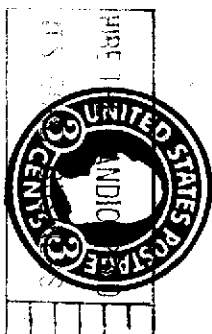
1956/12



19569

~~Mr. Fred Ahlborn
Bonners Ferry,
Idaho~~

Postage due 3 cents



DEC 2 - 1949



C. A. ROBINS
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

November 30, 1949

Re: Permits Nos. 19569 and R-746

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

In reply to your letter of November 24, 1949, we have completed your Notice of Beneficial Use Proof under Permit No. 19569 by setting 11:00 A.M. December 30, 1949, before H. I. Monks, Bonners Ferry, Idaho, as the time and place for making this proof.

We have had to change the date of priority to be established under this Permit to November 12, 1947, the length of time Beneficial Use Proof is past due, the due date being December 9, 1946, as per notice sent you on November 1, 1946.

We note that you are also ready to make proof on Permit No. R-746, Proof of Completion of Works can be made on Form 15-R enclosed, which should be executed before a Notary Public and returned to this Department with the statutory fee of \$5.00.

If you wish to make Beneficial Use Proof on this Permit at the same time as you make Beneficial Use Proof on Permit No. 19569, you may fill out forms 10 and 11 enclosed and return at once to this Department. They must be returned immediately, however, if they are to reach us in time for proof to be made on December 30, 1949.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By

Jeannie L. Anderson
Chief Clerk

A:bh
Enc.

19569

November 30, 1949

Re: Permits Nos. 19569 and R-746

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

In reply to your letter of November 24, 1949, we have completed your Notice of Beneficial Use Proof under Permit No. 19569 by setting 11:00 A.M. December 30, 1949, before H. I. Monks, Bonners Ferry, Idaho, as the time and place for making this proof.

We have had to change the date of priority to be established under this Permit to November 12, 1947, the length of time Beneficial Use Proof is past due, the due date being December 9, 1946, as per notice sent you on November 1, 1946.

We note that you are also ready to make proof on Permit No. R-746. Proof of Completion of Works can be made on Form 15-R enclosed, which should be executed before a Notary Public and returned to this Department with the statutory fee of \$5.00.

If you wish to make Beneficial Use Proof on this Permit at the same time as you make Beneficial Use Proof on Permit No. 19569, you may fill out forms 10 and 11 enclosed and return at once to this Department. They must be returned immediately, however, if they are to reach us in time for proof to be made on December 30, 1949.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

19569

Fried Ahlborn
Bonanza Ferry, Idaho
Nov 24th 1949

RECEIVED

Department of Reclamation

Department of Reclamation

Dear Sirs,

We are inclosing Notice of Proof application of Water to beneficial use, except ~~as~~ as to date and place of which we wish you to set. We would prefer to come before Baxter or Monroe Bonanza Ferry Idaho on the date set by you.

We are at this time ready to prove up on Storage Permitt # 746 if this is necessary. We have just completed building of a 10 foot dam and head works as required on the Storage Permitt. 5 feet of this dam was built on March 5th 1945.

This Permitt strongly supports ^{claim} ~~claim~~ # 17621 and # 19844 located in Section 17 Township 64N Range 1E BM. SE 1/4 of NW 1/4 issued to Fried Ahlborn and of which a part of has been 1954 transferred to School Dist 101

Boundary County

and other parties for domestic
use.

This storage will keep Mission
Creek Below The permit #746
a more even flow of water
at low stages.

yours truly
Fred Thiborn

19569

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: November 30, 1949

Bonnars Ferry Herald

Bonnars Ferry, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 30, 1949 the date set for proof, the expense of the publication to be paid by the applicant, Fred Ahlborn of Bonners Ferry 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. KUMP

State Reclamation Engineer

By

Chief Clerk

19569

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) *Nov 24th 1949*

(P. O.) *Bonners Ferry Idaho*

STATE RECLAMATION ENGINEER :
TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Bonners Ferry Herald of *Boundary County*, published in
the county in which the works are situated.

Fred Ahlborn
R. Lee Waller

(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.

19569

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

Notice is hereby given that at 11:00 A. M. on the 30th day of December, 1949,
at Bonnors Ferry, County of Boundary, State of Idaho, before
H. I. Monks, Notary Public, proof will be submitted of the
application to beneficial use of ONE cubic feet per second of the waters of MISSION CREEK
in accordance with the terms and conditions of Permit No. 19569
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 19569
FRED AHLBORN and R. LEE WALLEN
BONNERS FERRY, IDAHO and COPELAND, IDAHO

The use to which said water has been applied is DOMESTIC AND IRRIGATION

The amount applied to beneficial use is ONE CUBIC FOOT PER SECOND

The place where said water is used (if for irrigation, give full and accurate description of the
~~lands irrigated~~ SW 1/4 SE 1/4 AND SE 1/4 SE 1/4 SECTION 5 NW 1/4 NE 1/4
SECTION 8 ALL IN TOWNSHIP 64 NORTH RANGE 1 EAST B.M.

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

The right to take water from such works is based upon Permit No. 19569

The source of supply from which such water is diverted is MISSION CREEK A
TRIBUTARY OF KOOTENAI RIVER

November 12, 1947

The date of priority which said user is prepared to establish is ~~October 24, 1947~~

MARK R. KULP
State Reclamation Engineer.

19569

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

R. Lee Wallen & Fred Ahlborn
C/o Fred Ahlborn
Bonners Ferry, Idaho

October 1, 1946

Dear Sir:

s

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. ~~19569~~. This should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than ~~December 9, 1946~~, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

19569

Arnold Williams
~~XXXXXXXXXX~~

December 20, 1945

Re: Permit No. 19569

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

We enclose herewith Certificate of Completion of Works issued under the above numbered permit, in the name of yourself and R. Lee Wallen, to appropriate One (1) second foot of water from Mission Creek, for irrigation and domestic use on the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, Township 64 North, Range 1 East, B.M., Boundary County.

We also enclose Departmental Receipt # 19264 for the \$5.00 fee paid by you in connection with completion of works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Incls.

19569

~~Arnold Williams~~
~~XXXXXXXXXX~~

December 10, 1945

Re: Permit No. 19569

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

We acknowledge receipt of completion of works proof under Permit No. 19569 in the name of yourself and R. Lee Wallen, for one cubic foot of water from Mission Creek, and upon receipt of the statutory fee of \$5.00 a certificate of completion of works will be issued.

In this proof you refer to Reservoir Permit No. R-946, and that a 10 foot dam is to be built thereunder in 1945 and 1946. Completion of works proof on this permit is not actually due until March 5, 1950, but can be made at any time prior to that date when the works are completed.

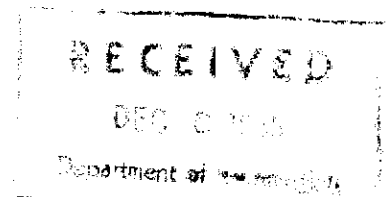
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19569

Permit No. 19569STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of BOUNDARY

SS.

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

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 19569 AND STORAGE #776, and that his postoffice address is BONNERS FERRY, State of IDAHO.

Second: That the name of the stream from which said water is to be directed is MISSION CREEK

Third: That the point of diversion of said water is 3,010' N. 2,600' E. FROM SE 1/4 OF NW 1/4 SEC 5 T 6 N. 1 E. OF RM. AND IS IN THE SE 1/4 OF NW 1/4 SEC 4, T 6 N. 1 E. RM. COUNTY OF BOUNDARY.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by BY DEC 9, 1945.

Fifth: That the use for which said water is intended is DOMESTIC, IRRIGATION & POWER

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: DIVERSION DAM, 5,400 DITCH 2 to 1 slope 3' BOTTOM.
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: DIVERSION DAM EARTH & ROCK 4' X 4' X 8' FLUME AND HEAD GATE WOOD.

(a) Height of dam 5' feet, length of dam at top 10' feet, length of dam at bottom 4' feet. Material used in construction EARTH AND ROCK

WOOD

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 30 acre feet. See annex.

(c) Size of headgate: Width 4 feet, height 4 feet.

(d) Conduit. width at bottom 50' feet, width at water line 200'
(State whether ditch, flume or pipe)

feet, depth of water 3 feet; diameter of pipe _____ inches, average grade per mile is _____ feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use 6 second second feet of water.

Eighth: That water appropriated under said permit is available for _____ acres of land described as follows: 40 acres located in NW 1/4 of NE 1/4 and SE 1/4 of 8 Township 6 N. 1 E. & 40 acres located in SW 1/4 of SE 1/4 SEC 5 Township 6 N. 1 E. and 30 acres in SE 1/4 of SE 1/4 SEC 5 Township 6 N. 1 E.

Ninth: Remarks: That an intended 10' dam by 200' long is to be built in 1945 and 1946 reservoir to be cleaned 200' to be spent on the 5,400' of ditch diversion ditch 1946

R. G. Walker Fred Wilson
(Sign here)

Subscribed and sworn to before me this 6th day of December, 1945.

My commission expires August 1, 1947

Notary Public.

19569

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

R. Lee Wallen & Fred Ahlborn
C/o Fred Ahlborn
Bonners Ferry, Idaho

Boise, Idaho **October 1, 1945**

Dear Sir:-

Under the terms of your permit No. 19569 you are required to complete your diversion works on or before December 9, 1945. 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

19569

July 7, 1948

Re: Permits Nos. 19569 and 19597

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

We have duly recorded the affidavits for change of point of diversion under Permits Nos. 19569 and 19597, in the name of yourself and R. Lee Wallen.

Since these take the place of the applications for other permits, with the new points of diversion, which you sent this Department under date of May 11th, we return said applications herein.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

▲
Encls.

19569

FRED AHLBORN
ROMNEY, IOWA, U.S.A.
FBI

July 2, 1945

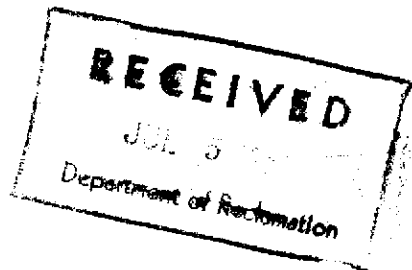
Department of Reclamation
Dear Sir,

In regards Permits # 19569 and
19597 and a letter of yours
of May 31, 1945
Please find affidavit
enclosed

Yours very truly

Fred Ahlborn

19569



Affidavit for Change of Point of Diversion of Water Right

Permit No. 19569

STATE OF IDAHO,

County of Boundary

ss.

Fred Ahlborn and R. Lee Wallen, being first duly sworn, deposes and says: That his postoffice address is Bonniers Ferry, Idaho. That he is ^{one of the} owner^s of and using a certain water right, for One (1) cubic feet per second of the water of Mission Creek, County of Boundary, State of Idaho, obtained by virtue of Permit to appropriate the public waters of the State of Idaho, No. 19569, issued by the Department of Reclamation, dated December 9, 1944, bearing date of priority of Oct. 21, 1944 for the purpose of irrigating the following described lands, situate, lying and being in Water District No. -, in the County of Boundary and State of Idaho, to-wit: S¹/₄ SE¹/₄ Section 5, and NW¹/₄ NE¹/₄ Section 8, Township 64 North, Range 1 East, B.M.

and is the person (or representative of the person or persons) to whom such right was so issued, (or has become the owner thereof in the following manner:)

at a point 1200 ft. N. E. from the S W corner Section 4, and
That said waters are now diverted from said stream in the SW 1/4 of SW 1/4 of Sec. 4, Twp. 64 N., Range 1 E., and conducted to the above described lands through the - ditch, as per map filed herewith and of this affidavit made a part;

That affiant desires to change the point of diversion of said waters from the point above described to 3,010 ft. N. 2,600 ft. E. from S E corner Section 5, and
a point located in SE 1/4 of NW 1/4 of Sec. 4, Twp. 64 N., Range 1 E., B.M., and thereafter conduct same to the above described land through the - ditch, as per map above referred to;

That his reasons for desiring to make such change are as follows: TO OBTAIN HIGHER HEAD AND SO CAUSE TO BE MADE A SMALLER DITCH TO CARRY THE SAME AMOUNT OF WATER AND LESS
STOP EVAPORATION

That no one will be injured by such change and that such change will be made at affiant's own risk.

R Lee Wallen
AND Fred Ahlborn

Affiant.

Subscribed and sworn to before me this 25 day of May, 1945

J. H. Minnally

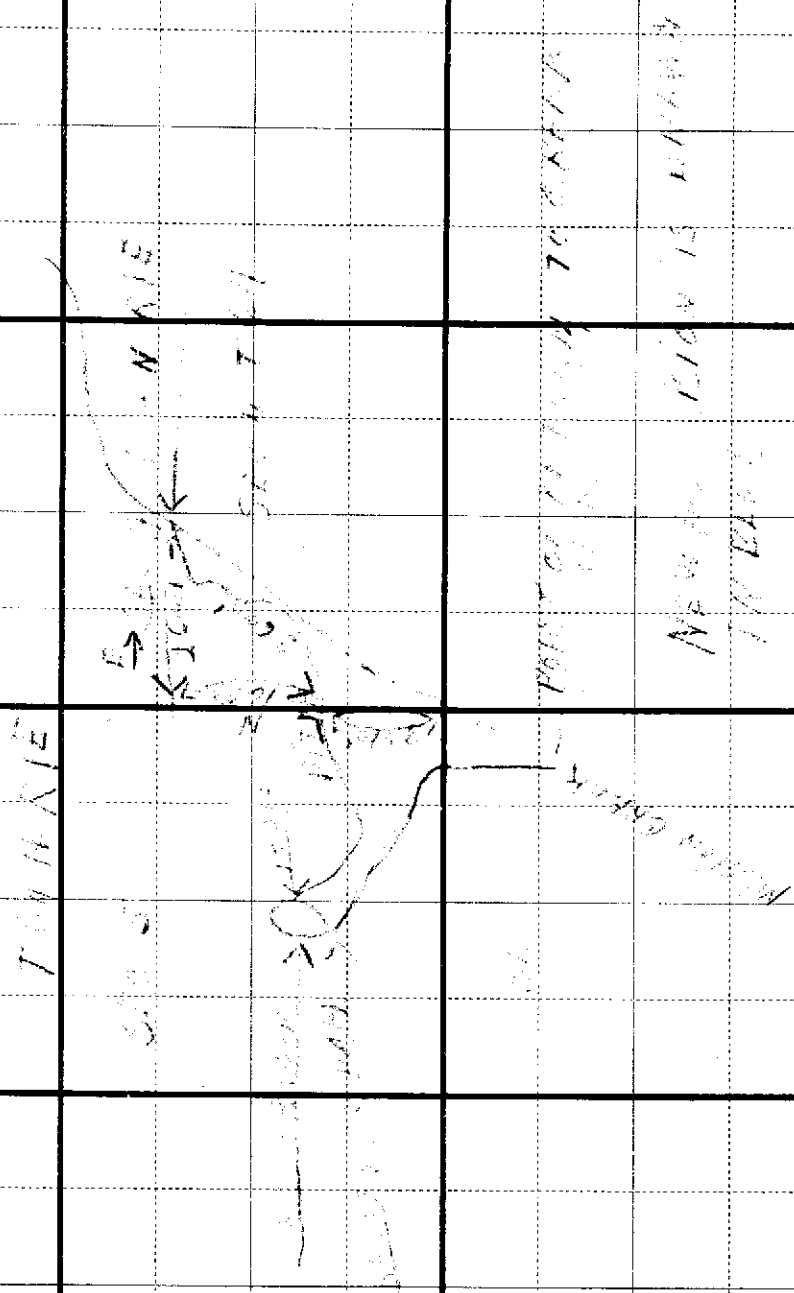
NOTE:—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

9:00 A. July 3 1945
Mark R. Kneip

A.

19569

1917



✓
✓
May 21, 1945

Re: Permits Nos. 19569 and 19597

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

We acknowledge receipt of your letter of May 11th, enclosing two applications for permit to appropriate water from Mission Creek, in the name of yourself and R. Lee Wallin- the one for power and the other for domestic and irrigation purposes- together with your check for the \$10.50 filing fees.

Since these new applications are practically identical with Permits Nos. 19569 and 19597, except for a change in point of diversion, we do not think it will be necessary for you to file new applications, but instead you may file applications to amend the existing permits by changing the point of diversion.

We have partially made out Affidavits for Change in Point of Diversion, which we enclose herewith. These affidavits describe the old and the new points of diversion, but you should fill in the reasons for making such change. These affidavits should be executed before a Notary Public, and returned to us, together with the sketch maps showing both the old and the new point of diversion, the ditches, and the land to be irrigated, or the place of use.

Your check for \$10.50 is returned herewith; and we are also enclosing an application for storage permit, as requested in your letter of May 9th.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19569

May 9th 1945

Department of Reclamation,
Dear Sir,

Received the application
blanks from you for one
for power and one
for ~~irrigation~~ and one
for power. But I find
I need one for a storage
reservoir. ~~We are making~~

Please send me an
application blank for same.

We are making a change
in our water works, reason
for application blanks

6¢ enclosed for postage
Yours truly

Fred Ahlborn

19569

FRED AHLBORN

BONNERS FERRY, IDAHO.

MAY 11TH 1945

Department of Reclamation
Dear Sir,

On March 5th 1945 we
filled with you a permit to
Store waters of Mission Creek.
Boundary County also to
convert 3 Second feet of
the waters of same also
we as 1 Second foot for
irrigation.

These same permits
have been duplicated
and are inclosed with money
money to cover, 19569

But we have changed
our point of Diversion of
all these permits and
have construct the ditch from
Mission Creek to the reservoir

and placed a dam at the
reservoir 3 feet high and
will complete this dam
this year.

Would it be possible to
retain the priority date
of said permits.

If not find new ones
enclosed and as soon as
we receive the storage
permit form will fill
out and forward some
yours truly

Jared Albhorn

19569

Charles C. Gossett

May 4, 1945

Mr. Fred Ahlborn
Bonners Ferry, Idaho

Dear Mr. Ahlborn:

In reply to your request of May 2nd, we
enclose two forms of application for permit
to appropriate the public waters of the
State of Idaho, the one to be used for ir-
rigation, and the other for power purposes.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19569

Fred Ahlborn
Bonners Ferry Idaho
May 2 1945

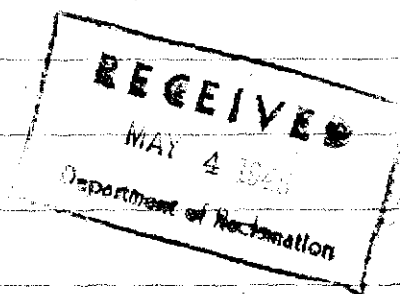
Department of Reclamation

Dear Sir:

Please send me a
blank for water rate
for irrigation, and one
~~for~~ power use.

Yours truly

Fred Ahlborn



19569

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19569

Date December 11, 1944

Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

R. Lee Wallen & Fred Ahlborn
C/o J. C. Vernon
Bonners Ferry, Idaho

MARK R. KULP

State Reclamation Engineer

19569

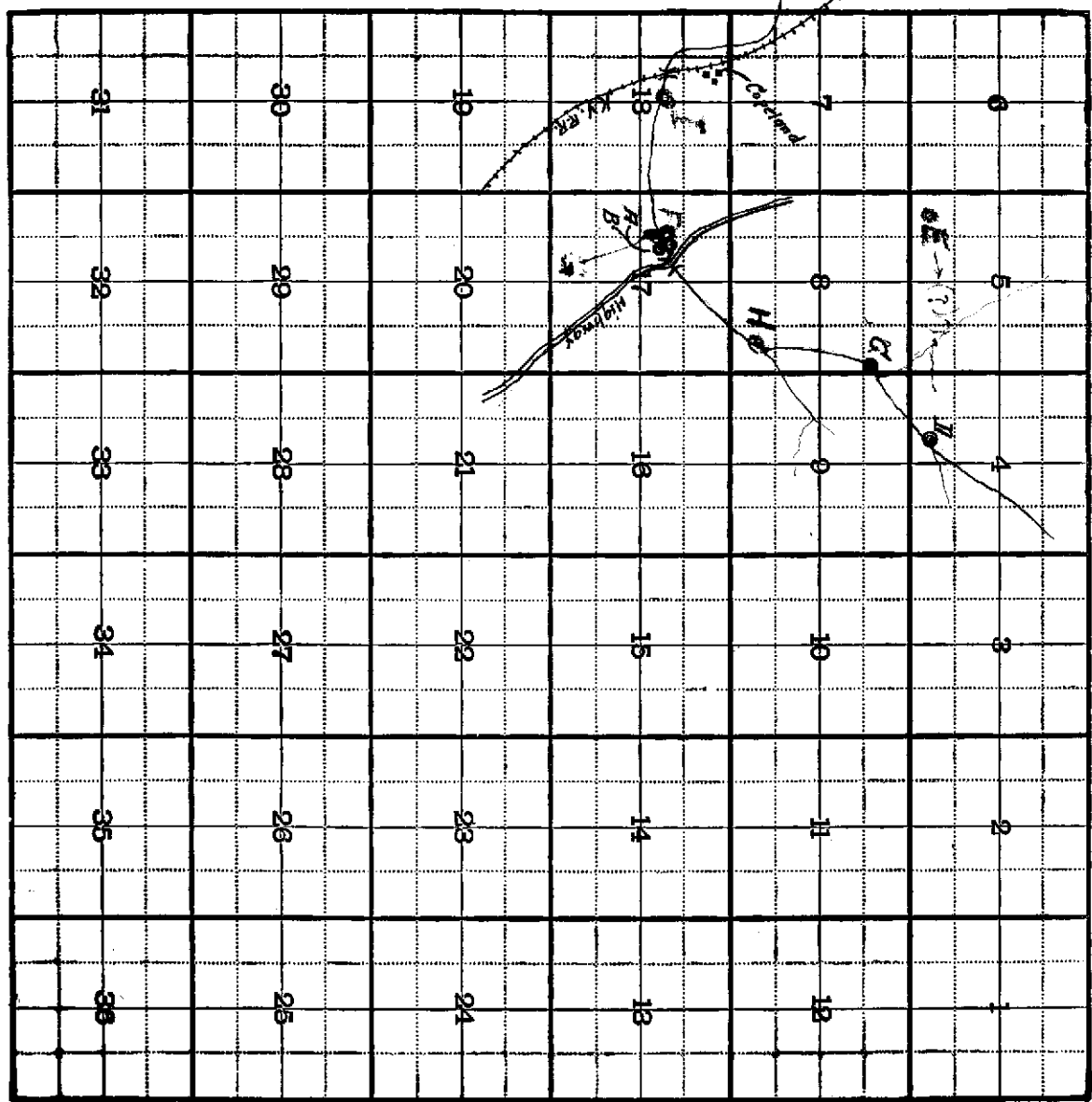
SCALE: ONE INCH TO ONE MILE

Township

64 N.

Range

1 E



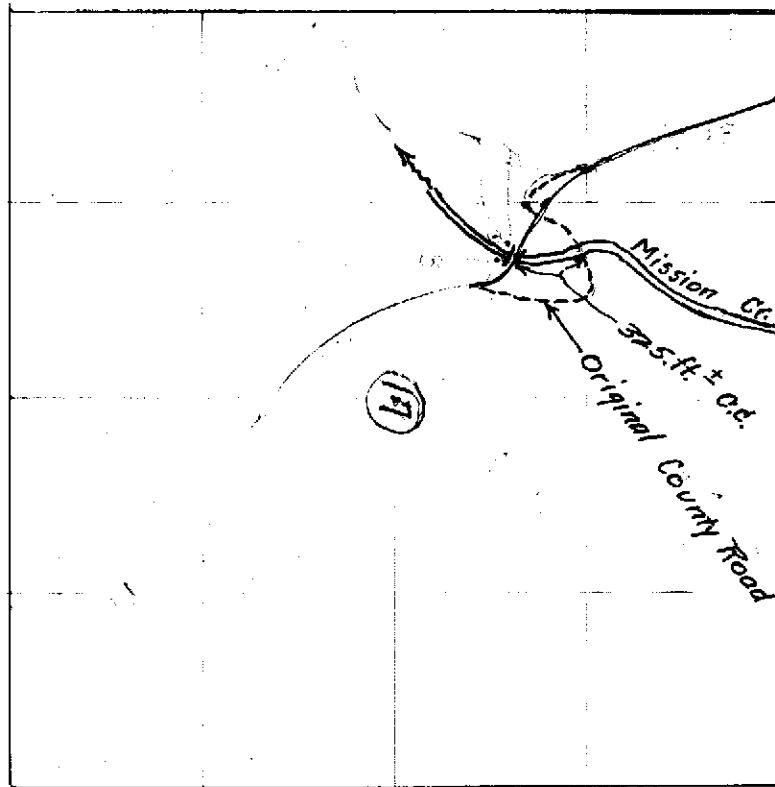
17621 "H"
17844 "B"
18143 "C"
19349 "D"

Filing Permits

E F G H I
J K L M N O P Q R S T U V W X Y Z

C. H. H.

62561



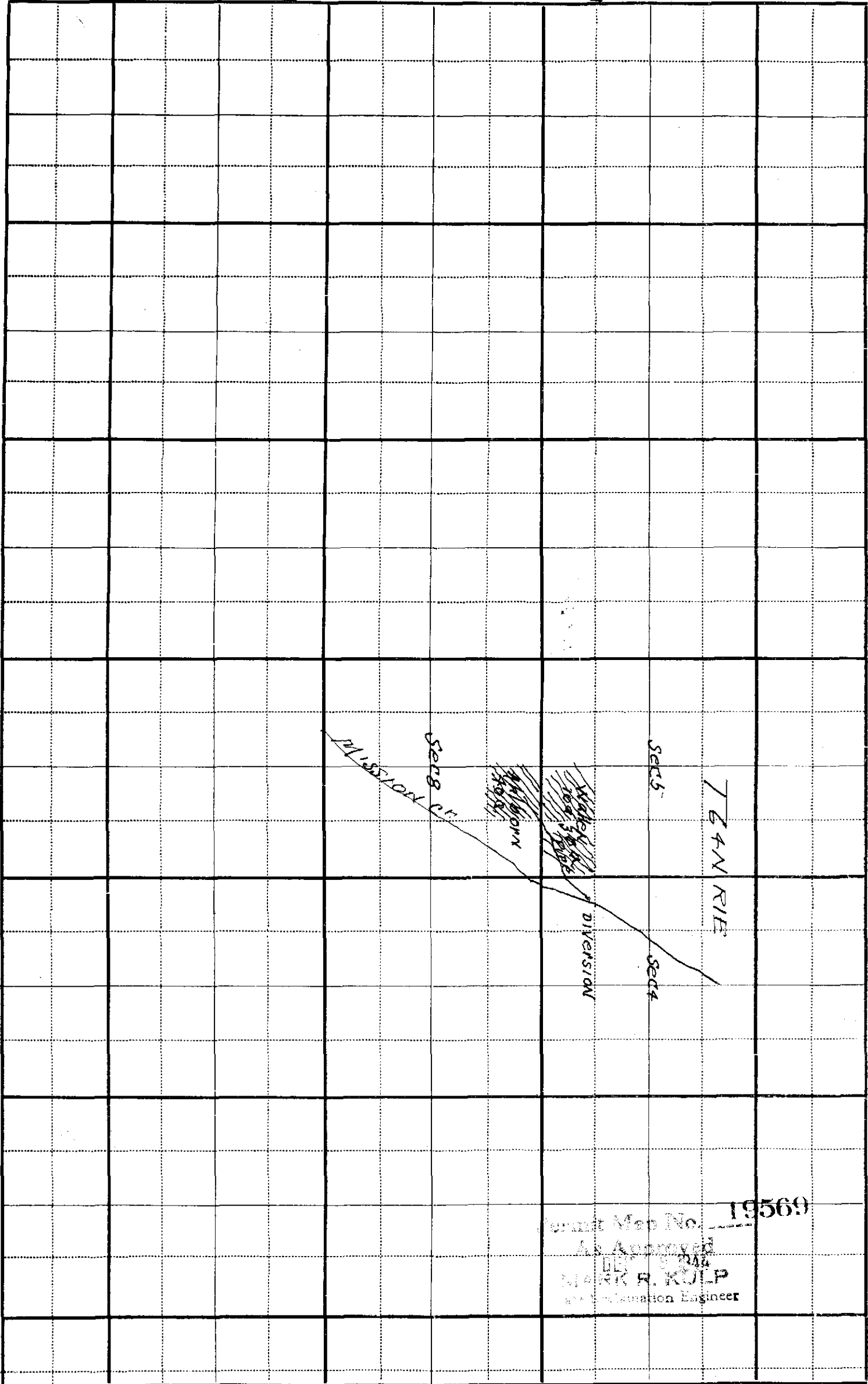
— 64 N - 101 E —

MISSION CREEK

Permits	Name	Q. of Right	Point of Diversion	Remarks	Symbol
17621	Fred Ahlborn	Lic. 8.0 SF.	Sec 17. 14N-1E		"A"
17844	" "	" 8.0 SF.	" " "		"B"
19143	Mission Cr. W.C.	Per. 0.4 "	Sec 8	" "	B.U. Dec-1952 "C"
19569	Mallen & Ahlborn	" 1.0 "	Sw Sw 4	" "	" " 1946 "D"

Location Notices	Name	Q. of Claim	Diversion		
"104, 1900	W.E. Walker	All	Spring Sw Sw 5 14N-1E.		"E"
172 "	Ira Parker	4000 "	160 Yds ² Below County Rd. Crossing		"F"
192 "	K.V. R. R. Co	12. S.F.	Hd. of Last falls, 2 mi. above ^{Kootenai Valley} Flats		"G"
204 "	Ira Parker et al	60 "	^[Road] 3/4 Mile Above crossing B.E. & Parthill		"H"
548 "	K.V. R. R. Co	5 "	1000 ft. NE. of Railway Tank		"I"

Decrees					
✓	Ahlborn-Wagner	No.	Wagner denied any water	Attempted to divert to Prairie Cr.	
(?)	" - K.V. R. R.	(?)	R.R. alleged to have lost case.	Probably Re. Divn. at point "G"	



Permit Map No. 19569
As Approved
DEPT. OF AGRICULTURE
MARK R. KULP
Irrigation Engineer

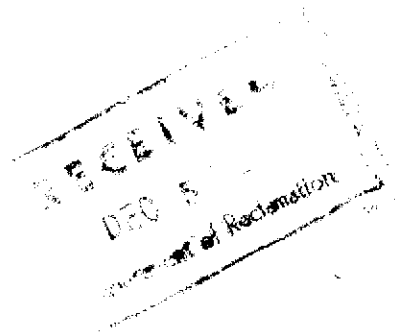
BOUNDARY COUNTY
Office of County Surveyor

J. C. VERNON, SURVEYOR
BONNERS FERRY, IDAHO

Dear Sir;

This was in such a mess when I
got it. I think it's right now.
I want to get this thru before the 1st
of the year

Joe Vernon



19569

November 24, 1944

Re: Application No. 27068
R. Lee Wallen & Fred Ahlborn

Mr. J. C. Vernon
Bonners Ferry, Idaho

Dear Mr. Vernon:

The above numbered application was returned to this Department on November 22nd, but there are still several points that must be clarified before the application can be approved and permit issued.

1. Under Question 4 the location of the point of diversion is described as 600 ft. North and 1700 ft. Northeasterly direction from the NW corner of Section 4, Township 64 North, Range 1 East, and in the SW $\frac{1}{4}$ of this section; but the sketch map indicates that it is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, which is only about 1200 feet in a Northeasterly direction. Please correct this, as these two descriptions must agree as to 40-acre subdivisions.
2. Under Question 14 you show land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8; whereas your map only shows land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8- and none in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5. Please reconcile this, and also show the number of acres to be irrigated in each 40-acre subdivision-approximately.

Very truly yours

Mark R. Kulp
State Reclamation Engineer
By

Enc. App.

Chief Clerk

19569

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho, October 24, 1944

Application No. 27068

Mr. R. Lee Wallen

Copeland, Idaho

SIR:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

1. Application should also be signed by Fred Ahlborn, the other applicant
2. Answer Question 13
3. Submit sketch maps showing location of stream, point of diversion, and land to be irrigated, or place of use. These maps to be in duplicate on forms enclosed

You are allowed 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application can be refiled under a new number with later priority, requiring additional fee.

Yours truly,

MARK R. KULP

~~COMMISSIONER OF RECLAMATION~~
State Reclamation Engineer

By _____
Chief Clerk

▲
Encl: App. 27068
Receipt # 18684

19569

NOTICE OF PROOF OF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 11:00 A. M. on the 30th day of December, 1949, at Bonners Ferry, County of Boundary, State of Idaho, before H. I. Monks, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Mission Creek in accordance with the terms and conditions of Permit No. 19569 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 Fred Ahlborn, Bonners Ferry, Idaho, and R. Lee Wallen, Copeland, Idaho.

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

The amount applied to beneficial

use is one cubic foot per second.

The place where said water is used SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, all in Township 64 North, Range 1 East B. M.

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

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

19569.

The source of supply from which such water is diverted is Mission Creek, a tributary of Kootenai river.

The date of priority which said user is prepared to establish is November 12, 1947.

MARK R. KULP,
State Reclamation Engineer.
First publication Dec. 8, 1949.
Last publication Dec. 29, 1949.