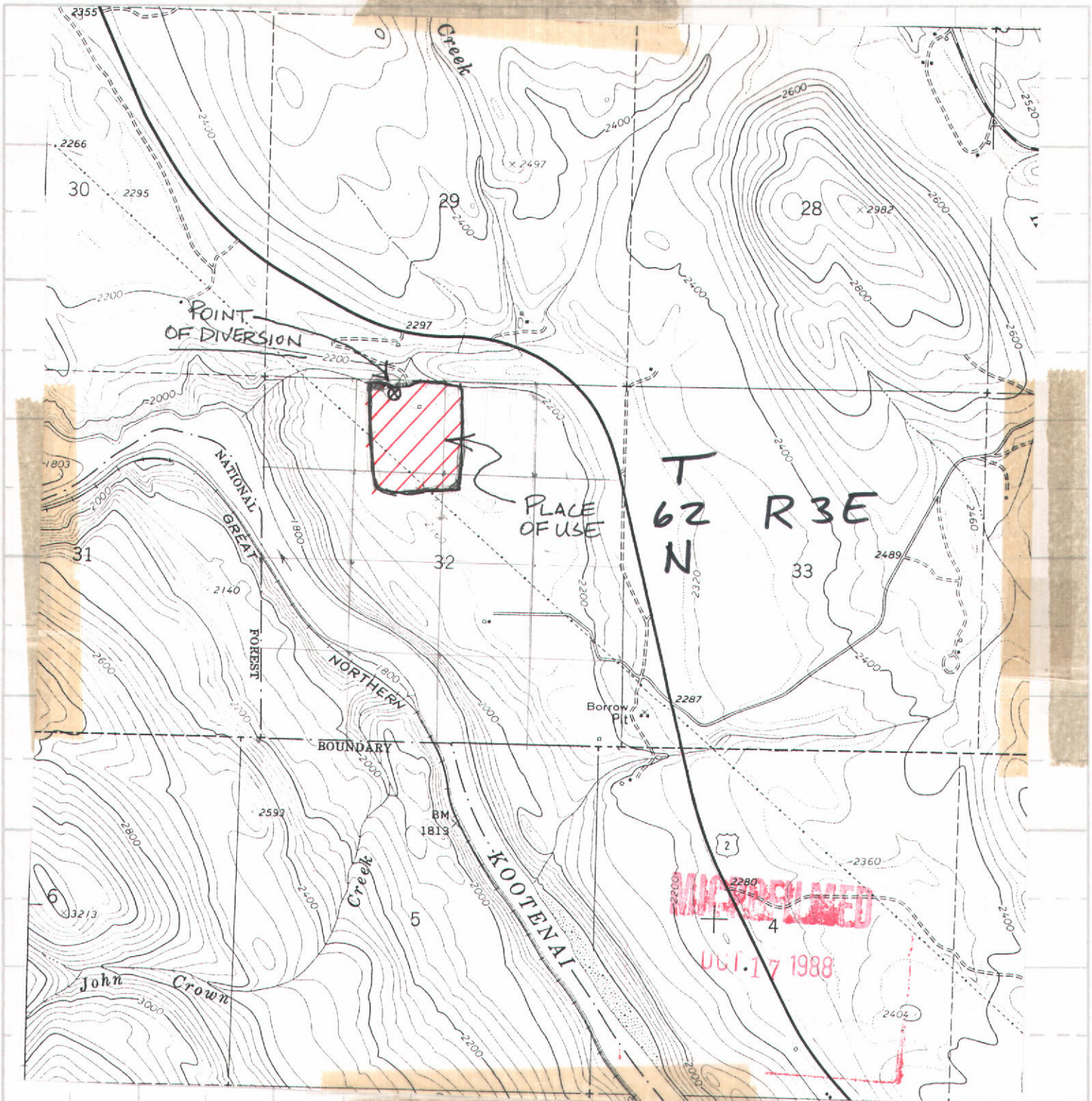


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



NOTICE OF APPLICATION FOR
TRANSFER OF WATER RIGHT

NOTICE IS HEREBY GIVEN that water right License No. 98-2052 in the name of Earl D. Cazier was filed for the diversion of 0.56 Cubic Feet per Second of water from Sand Creek, tributary to the Kootenai River, with a point of diversion in the SWSE Sec. 29 T62N R3E, Boundary County, to be used for Domestic use and irrigation of 50 acres, within the NWNE (30 acres) and SWNE (20 acres) Sec. 32 T62N R3E. The priority date is September 1, 1949.

The current owner, Mavis Short, now wishes to transfer the point of diversion to the NENW Sec. 32 T62N R3E; the place of use for domestic purposes to the NENW Sec. 32 T62N R3E; and the place of use for irrigation to the NWNE (10 acres), SWNE (2 acres), NENW (30 acres), SENW (8 acres) Sec. 32 T62N R3E, for a total of 50 acres.

Any protest to the proposed transfer may be filed with the Idaho Department of Water Resources, 4055 Gov't Way, Suite 9, Coeur d'Alene, Id. 83814, on or before April 4, 1988.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

SS.

DAN DREWRY, MANAGING EDITOR FOR JIM THOMPSON being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)
PUBLISHER

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of TRANSFER WATER

a #853

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated 3/16/88, 1988, and ending with the issue dated 3/23/88, 1988.

Subscribed and sworn to before me this 25 day of Mar, 1988.

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

MICROFILMED

OCT 17 1988

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 7 1954

Department of Reclamation

Earl D. Cazier
Bonners Ferry, Idaho

Permit No. 18375

Examination for Beneficial Use

County Boundary

29-62N-3E

Q = 1.0 c.f.s

S = Sand Creek

P.D. = SE. SW. Sec. 29, T. 62 N. - R. 3 E.
(about 400' E. of N 1/4 cor. Sec. 32)

Use = Irrigation & Domestic

30
7
210

Priority = Oct. 14, 1936
Due = Oct. 29, 1940

C/W = 5-11-37

7 pm.
30 sprinklers $\frac{3}{32} \times \frac{11}{64}$

5" x 600 }
4" x 1400 } al. main

1200' x 3" lateral

27.7"
9) 250 gpm = pump.
180
6390

Pump shed = 6' x 6' x 7"
wood

2" t. platform over creek

Rainway Irig. Co.
Spokane

model 2W-2" 1885

2 1/2" in 2" out. Cornell

Centr. pump -

G. E. 5 hp. 220V. 26.5 amp

#TKJ 2322 3425 gpm

4" suction line

5' Sprinkler
1" Cent.

R-3E.

T.
62
N.

TO BONNERS
FERRY

29

P.D.

Pipe line up over hill.

KOOTENAI

RIVER

30a

20a

32

all over 27.77"

Area = 50 acres
Two subdivisions.
Q = 28 inches.

NOTICE FOR PUBLICATION

NOTICE OF PROOF

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 14th day of September, 1953, at Bonners Ferry, County of Boundary, state of Idaho, before Joe C. Vernon, Notary Public, proof will be submitted of the application to beneficial use of one cubic foot per second of the waters of Sand Creek in accordance with the terms and conditions of Permit No. 18375 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 is E. D. Cazier, Bonners Ferry, Idaho.

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

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

The place where said water is used—Fifty (50) acres of land in N $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, Twp. 62 North, Range 3 East Boise Meridian.

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

The right to take water from such works is based upon Permit No. 18375.

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

The date of priority which said user is prepared to establish is September 1, 1949.

MARK R. KULP,
State Reclamation
Engineer.

First publication, August 20, 1953.

Last publication, September 10, 1953.

Affidavit of Publication

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

E. D. Cazier

Notice of Proof of Application for Water Use

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for four

consecutive issues, commencing with the issue dated Aug. 20

195 3, and ending with the issue dated Sept. 10

195 3, 195 3

H. G. Chubb

Co-Publisher
Foreman

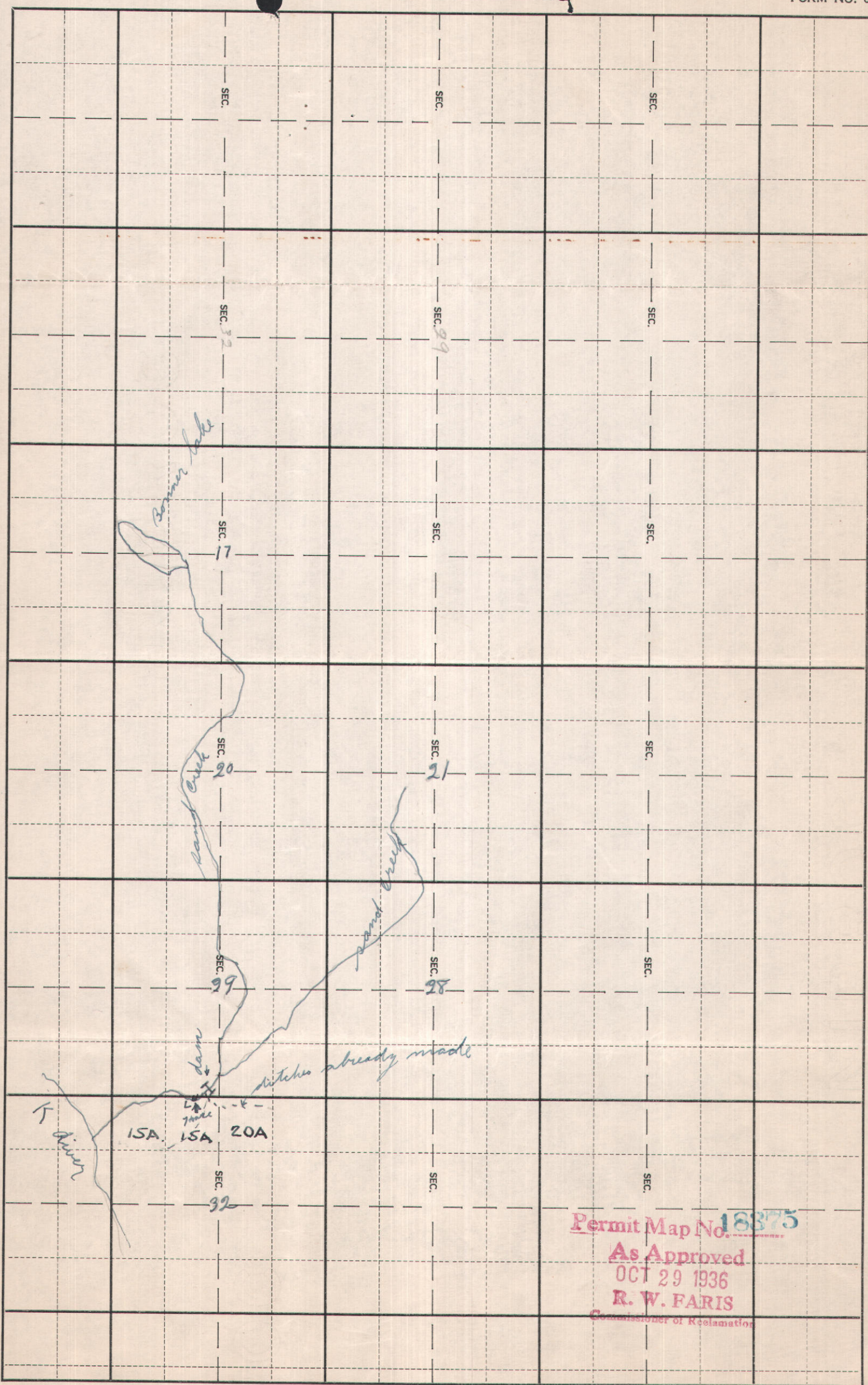
Subscribed and sworn to before me this 14 day of

September, 1953

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

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT BONNERS FERRY, IDAHO
MY COMMISSION EXPIRES MAR. 29, 1955

18375-



Permit Map No. 18875

As Approved

OCT 29 1936

R. W. FARIS

Commissioner of Reclamation

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

18375-



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

MAR 16 1992

 NORTHERN REGION
IDWR

DATE OF CLOSING: _____

 LEGAL DESCRIPTION OF PROPERTY: Township 62N Range 3E

 Section 32, NE 1/4 of NW 1/4 of _____ 1/4, Govt. Lot _____

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

Department of Water Resources

- ☒ Water Right Number(s)
Assigned by IDWR: 98-02052

- ☒ Name and Address of Former Owner/Claimant(s)(Seller): Mavis J. Short
497 E. Chester Lane Boise, Id 83706

- ☒ New Owner/Claimant (Purchaser): Dennis Bremer and Judy Bremer

- ☒ New Mailing Address: HCR 62 Box 108 ~~XXXXXXXXXXXX~~ Moyie Springs, Id
83845

- ☒ New Telephone Number: (208) 267 - 5998 (5598)

- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Dennis Bremer Date 1-31-92
Judy Bremer Date _____
- ☐ Signature of Former Owner/Claimant(s): Mavis J. Short Date 4/19/91
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

SEP 22 1992

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

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SEP 22 1992

WARRANTY DEED

For Value Received KEITH RICHARD BREMER and JANINE ALICE
BREMER, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

DENNIS BREMER and JUDY BREMER, husband and wife
the grantee s, whose current address is

the following described premises, in Boundary County Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO that certain Real Estate Mortgage recorded , 1991
as Instrument NO. _____ Official Records of Boundary County,
Idaho, which grantees herein agree to assume and hold the grantors
harmless therefrom.

ALSO SUBJECT TO easements, rights of way, reservations, restrictions,
conditions and covenants now of record; and easements and rights of
way view or use upon the property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s ,
their heirs and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee s, that they are the owner s in fee simple of said premises; that they are free from
all incumbrances except mortgage as stated above

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: April 25, 1991

APPROVED AND ACCEPTED:

Dennis Bremer
DENIS BREMER

Keith Richard Bremer
KEITH RICHARD BREMER
Janine Alice Bremer
JANINE ALICE BREMER

Iowa
STATE OF ~~IDAHO~~ COUNTY OF *Osceola*
On this *25th* day of *April*, 19*91*.
before me, a notary public in and for the said State, per-
sonally appeared
Keith Richard Bremer and Janine
alice Bremer, proved to me on the
basis of satisfactory evidence

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Joseph M. Keller
Residing at *Idaho*
Comm. Expires *5-7-93*
JOSEPH M. KELLER
NOTARY PUBLIC
IDAHO
5-7-93

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____
19____, in my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____

Fees \$
Mail to:

MICROFILMED

SEP 22 1992

INSTRUMENT NO.

EXHIBIT "A"

Parcel No. I:

That part of the Southwest Quarter and the Southeast Quarter of Section 29, Township 62 North, Range 3 East, Boise Meridian, Boundary County, Idaho, lying South of U.S. Highway No. 2.

Parcel No. II:

Tract No. 1:

The Northeast Quarter of Section 32, Township 62 North, Range 3 East, Boise Meridian, Boundary County, Idaho, LESS the two following described parcels:

A parcel of land located in the Northeast Quarter of Section 32, Township 62 North, Range 3 East, Boise Meridian, Boundary County, Idaho described as follows: Commencing South 0 degrees 2' West, a distance of 365.48 feet from the Northeast corner of said Section 32, said point of beginning being on the East line of said Section 32; thence South 63 degrees 11' west, a distance of 280.15 feet to the Easterly right of way of U.S. Highway No. 2, which is 100 feet left of the center line of said highway; thence Southeasterly along the easterly right of way line of said Highway a 2391.83 feet radius curve concave to the Southwest and a 300 foot spiral curve, a distance of 730 feet to the point of intersection with the East line of said Section 32; thence North 0 degrees 02' East along the East line of Section 32, a distance of 795.78 feet to the Point of Beginning. (aka Tax No. 1)

AND a tract of land in the Northeast Quarter of the Northeast Quarter of Section 32, Township 62 North, Range 3 East, Boise Meridian, Boundary County, Idaho described as follows: Commencing at the Northeast corner of said Section 32; thence South along the East section line a distance of 365.48 feet; thence South 65 degrees 11' West 280.15 feet to East right of way line of U.S. Highway No. 2; thence Northwesterly along the East right of way line of said highway to point of intersection with North section line; thence East along North section line to the Point of Beginning. (aka Tax No. 2)

Continued.....

MICROFILMED
SEP 22 1992

EXHIBIT "A"
Page 2

Tract No. 2:

The East half of the Northwest Quarter; the Northwest Quarter of the Northwest Quarter; Government Lot No. 1; the North 40 rods of Government Lot No. 2; and the North 40 rods of the North Half of the Southeast Quarter all in Section 32, Township 62 North, Range 3 East, Boise Meridian, Boundary County, Idaho.

Tract No. 3:

A tract of land in the Northeast Quarter of the Northeast Quarter of Section 32, Township 62 North, Range 3 East, Boise Meridian Boundary County, Idaho, described as follows:

Commencing at the Northeast corner of said Section 32; thence South along the East section line, a distance of 365.48 feet; thence South 65 degrees 11' West, 280.15 feet to the East right of way line of U.S. Highway No. 2; thence Northwesterly along the East right of way line of U.S. Highway No. 2 to the point of intersection with the North section line of said Section 32; thence East along the North section line to the Point of Beginning. (aka tax No. 2)

LESS portions of above described premises deeded to the State of Idaho for highway rights of way.

ALSO LESS any portion thereof lying within any public road rights of way.

UNRECORDED

SEP 22 1992

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3400APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

APPROVED

Name of applicant Mavis J. Short Phone 208-336-2989
Post Office address 497 East Chester Lane Boise, Idaho 83706

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To more accurately describe current irrigation practices.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|-----------------|----------------------|--------------------|-------------------|--|
| <u>98-2052</u> | <u>Sept. 1, 1949</u> | <u>0.56 cfs</u> | <u>Irrigation</u> | <u>March 15</u> to <u>Nov. 15</u> |
| | | <u>0.04 cfs</u> | <u>Domestic</u> | <u>January 1</u> to <u>December 31</u> |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 0.56 cubic feet per second and/or -- acre-feet per annum.
3. Source of water Sand Creek tributary to Kootenai River
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	32	62N	3E	Boundary	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
62N	3E	32		10	2		D* 30			8									50

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OCT 17 1988

PART 1**6. General Information:**

a. Description of diversion system On stream holding pond/holding tank; pump and motor; water delivered to sprinkler system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes XXX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

Lands will no longer be irrigated.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 98-2052

And said application is hereby APPROVED, subject to the following limitations and conditions:

The use of water on the lands to which the above referenced water right was

appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right.

RECEIVED

OCT 17 1988

Witness my hand this

15th

day of

September

, 19 88

J. Glen Sayton
Chief, Operations Bureau

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 98-2052 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

➔ 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Sand Creek tributary to Kootenai River

4. Date or priority September 1, 1949

5. Water is used for the following purpose:

amount 0.56 for irrigation purposes from March 15 to November 15
(cfs/ac-ft)
amount .04 for Domestic purposes from January 1 to December 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.56 cubic feet per second and/or -- acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	29	62N	3E	Boundary	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
62N	3E	32		30	20														50

MICROFILMED

OCT 17 1988

Total acres 50

9. Describe any other water rights used for the same purpose as described above

Permit No. 98-7444 was filed for further development, but has now lapsed.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

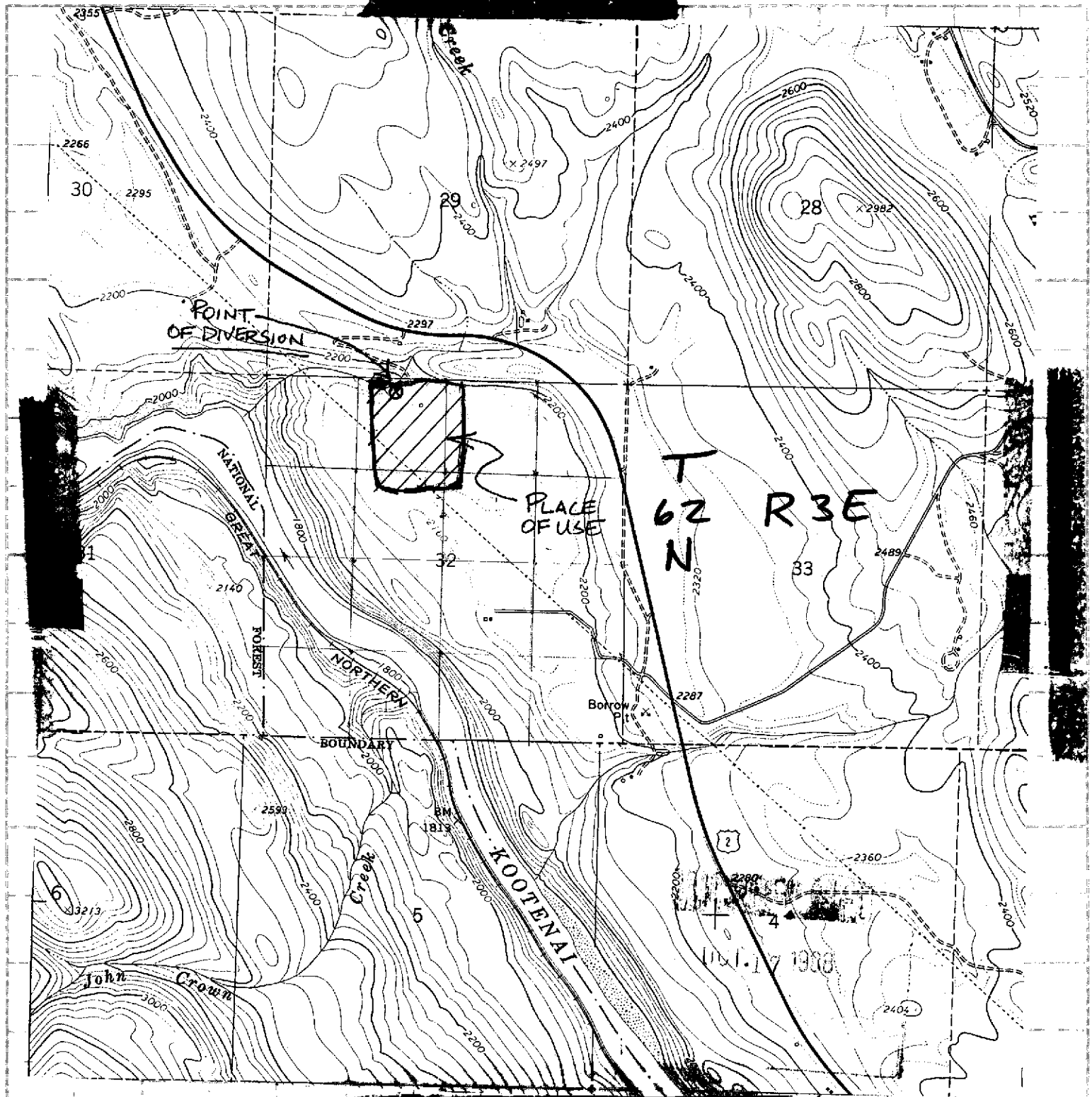
Total acres _____

MICROFILMED

06/17/1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



PART 3**B. CHANGES IN NATURE OF USE**

1.	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Mavis J. Short
(Signature of Applicant)

Subscribed and sworn to before me this 16TH day of FEBRUARY, 1988

[Signature]
(Notary Public)

My commission expires APRIL 11, 1992

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by [Signature] Date 2/15/88 Protest filed by _____Prelim. check by [Signature] Fee _____Receipted by PMS (JK) Date 2/19/88 (41944)

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ [Redacted] Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial_____ rec'd. _____ by Im

Copy of transfer sent to lien holder _____

MICROFILMED

OCT 17 1988

**NOTICE OF APPLICATION FOR
TRANSFER OF WATER RIGHT**

NOTICE IS HEREBY GIVEN that water right License No. 98-2052 in the name of Earl D. Cazier was filed for the diversion of 0.56 Cubic Feet per Second of water from Sand Creek, tributary to the Kootenai River, with a point of diversion in the SWSE Sec. 29 T62N R3E, Boundary County, to be used for Domestic use and irrigation of 50 acres, within the NWNE (30 acres) and SWNE (20 acres) Sec. 32 T62N R3E. The priority date is September 1, 1949.

The current owner, Mavis Short, now wishes to transfer the point of diversion to the NENW Sec. 32 T62N R3E; the place of use for domestic purposes to the NENW Sec. 32 T62N R3E; and the place of use for irrigation to the NWNE (10 acres), SWNE (2 acres), NENW (30 acres), SENW (8 acres) Sec. 32 T62N R3E, for a total of 50 acres.

Any protest to the proposed transfer may be filed with the Idaho Department of Water Resources, 4055 Gov't Way, Suite 9, Coeur d'Alene, Id. 83814, on or before April 4, 1988.

**NOTICE OF APPLICATION FOR
TRANSFER OF WATER RIGHT**

NOTICE IS HEREBY GIVEN that water right License No. 98-2052 in the name of Earl D. Cazier was filed for the diversion of 0.56 Cubic Feet per Second of water from Sand Creek, tributary to the Kootenai River, with a point of diversion in the SWSE Sec. 29 T62N R3E, Boundary County, to be used for Domestic use and irrigation of 50 acres, within the NWNE (30 acres) and SWNE (20 acres) Sec. 32 T62N R3E. The priority date is September 1, 1949.

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AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

ss.

DAN DREWRY, MANAGING EDITOR FOR JIM THOMPSON being first duly sworn upon his oath, deposes and says that he is the publisher (or foreman) PUBLISHER

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of TRANSFER WATER

a #853

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated 3/16/88, 19 , and ending with the issue dated 3/23/88, 19 .

Subscribed and sworn to before me this 25 day of Mar, 1988.

NOTARIAL
OCT 17 1988

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

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

County of Boundary

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issue dated 3/23/88, 1988.

Subscribed and sworn to before me this 25 day of Mar, 1988.

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

State of Idaho
License and Certificate of Water Right

Water License No. 18375

Amount 0.56 c.f.s.

Water District No. _____

Priority Sept. 1, 1949

THIS IS TO CERTIFY that B. B. BOLES - Assignee - EARL D. CAZIER
of Moyie Springs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 14, 19 36; that Permit No. 18375
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.0 second feet, was issued thereunder on May 11, 19 37, showing that said works
were completed on the 8th day of May, 19 37; and that on the 14th
day of September, 19 53,

EARL D. CAZIER

of Bonniers Ferry, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Sand Creek
, a tributary of Kootenai River, for the purpose of irrigation & domestic
, under Use Permit No. 18375 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
13 of Licenses at page 8094, on the 1st day of March, 19 65;
The right hereby confirmed dates from September 1, 19 49;

The Point of Diversion is located
in the SW 1/4 SE 1/4, Sec. 29, Tp. 62 N, R. 3 E, 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 0.56 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
62 N	3 E	32	NW 1/4 NE 1/4	15	30
			SW 1/4 NE 1/4	15	20
			Total number of acres to be irrigated:		50

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
1st day of March, 19 65.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

98 2052

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 25653
Permit No. 18375
District No.

Assigned to Carl D. Leavitt

1. Name of Applicant: B. B. BOLES

Postoffice address: Moyie Springs

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: Sand Creek which is a tributary of Kootenai River

4. Location of point of diversion: 400 feet distant from the NE corner of NW $\frac{1}{4}$

corner of Section 32, T. 62 N., R. 3 E., B. M., and is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 29, T. 62 N., R. 3 E., B. M., County of Boundary

5. Water is to be used for: Irrigation and Domestic

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: \$ 50.00

8. Kind of works: Dam, ditch and headgate

9. Height of dam 10 feet; length of dam at top 60 feet; length of dam at bottom 40

feet; material used in dam: Logs and dirt

10. Size of headgate: Width 1 feet; height 4 feet.

11. Ditch: Width at bottom 1 $\frac{1}{2}$ feet; width at water line 2 feet; depth of water 0.5

feet; dimensions of flume:

Diameter of pipe 1 inches; length of conduit 300 ft. miles.

Average grade per mile feet.

12. The time required for the completion of such work is 2 years.

13. The time required for the complete application of the water to the proposed use is 2 additional years.

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

15. (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..

B. B. BOLES

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M., October 14, 1936

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18375

Recorded in Book 67 Page 18375 Approved October 29, 1936

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 December 28, 1936 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 29, 1937

The whole of said work to be completed on or before October 29, 1938

Beneficial use of water appropriated in accordance herewith, to be made on or before October 29, 1940

Witness my hand this 29th day of October, 1936

R. W. FARIS

Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
62 N.	3 E.	32	20				15 15												50
Permit No. 18375 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that B. B. BOLES of Moyie Springs, County of Boundary, and State of Idaho, the holder of Permit No. 18375, issued upon Application No. 25653 bearing date of priority of October 14, 1936, authorizing the diversion of one second foot of the waters of Sand Creek, 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 one second foot of the waters of Sand Creek; that the point of diversion of said waters is in the SE¼ SW¼, Sec. 29, T. 62 N., R. 3 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 50 acres located in the NW¼ NE¼, N½ NW¼, Sec. 32, T. 62 N., R. 3 E., B. M. Witness my hand this 11th day of May, A. D. 1937. R. W. FARIS Commissioner of Reclamation Proof of Completion of Works made May 8, 1937 Certificate of Completion of Works issued May 11, 1937																			

ASSIGNMENT OF WATER PERMIT

For Value received, on this April 6th, 1953, I, Byron B. Boles, and Claudia Parker Boles, the within named applicants do hereby sell, assign, transfer and set over to Earl D. Cazier, his heirs, executors, administrators and assigns, all my right, title and interest in and to the within Permit No. 18375, subject to the terms and conditions thereof.
WITNESS my hand and seal this 6th day of April, in the year of our Lord, Nineteen Hundred Fifty Three, (1953).

Byron B. Boles
Claudia Parker Boles

STATE OF IDAHO)
: ss.
County of Boundary)

On this 6th day of April in the year 1953, before me M. D. Pace, a Notary Public in and for said State, Personally appeared Byron B. Boles, and Claudia Parker Boles, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

M. D. Pace.
Notary Public for the State of Idaho residing
at Bonners Ferry, Idaho. My Commission Expires May 8, 1954

Received and filed for record in Department of Reclamation, Boise, Idaho, April 28, 1953.

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 18375

Comes now E. D. GAZIER, and represents to the Deputy State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18375, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32. making a total of 50 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Bonners Ferry, Idaho this 12th day of August, 1953.

E.D. GAZIER

Date of receipt at Office of Department of Reclamation, August 14, 1953

APPROVAL OF DEPUTY STATE RECLAMATION ENGINEER

I, E.N. Humphrey, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 18375. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

E.N. HUMPHREY
Deputy State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 18375.

Comes now Earl D. Cazier, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 18375.

That the point of diversion is described in said permit as being located SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 62 North, Range 3 E.B.M.

That he now requests that the point of diversion be changed to a point located SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 62 North, Range 3 E. B. M.

That his reasons for desiring to make such change are as follows: correction.

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

Signed at Bonners Ferry, Idaho, this 1st day of June, 1954.

EARL D. CAZIER.

Date of receipt at Department of Reclamation June 3-1954.

LICENSE ISSUED FOR 0.56 SEC. FT.
LICENSE PAGE NO. 8094

(over)

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 18375. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 6, 1992

DENNIS BREMER
JUDY BREMER
HC 62 BOX 108
MOYIE SPRINGS ID 83845

RE: Water Right No. 98-02052

Dear Water Right Holders:

We are in receipt of the correspondence concerning ownership of the above referenced water right.

In Idaho, a licensed water right is considered real property; therefore, proof of owning the land is proof of owning the water right unless specifically excluded in the sale. We have placed your correspondence in the file for future reference and have modified our computer records to reflect that you are the present owner.

If you have any questions, please let us know.

Sincerely,

BRENDA L. MILLER
Technical Records Specialist

BLM:clh

MICROFILMED
SEP 22 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

September 21, 1988

RE: Transfer of Water Right No. 98-2052

Mavis Short
497 E. Chester Ln.
Boise, ID 83706

Dear Ms. Short:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3400). Note any conditions of approval listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

OCT 17 1988

MEMORANDUM

TO: FILE

FROM: JIM JOHNSON

RE: TRANSFER REVIEW OF TRANSFER NO. 3400, SHORT

DATE: 9-15-88

=====

CONDITIONS OF APPROVAL

<<T05>> The use of water on the lands to which the above referenced water right(s) were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water right(s).

RECEIVED

OCT 17 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JK

1. Right number 98-2052 Applicant MAULS SHIRT
2. Type of right: ☐ Decree ☒ License ☒ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 98-7444 GENE PHELEN BUDUG 7/1/88 - NO ASSIGNMENT MADE ✓
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: RAA

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No ✓
3. Protest received? ☐ Yes ☒ No ✓

RECOMMENDED ACTION

- ✓ 1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By RAA Date 4/17/88

Jim 9-15-88

* All uses within Watermaster Districts require special conditions.

RECEIVED
APR 18 1988

Department of Water Resources

NOTICE OF APPLICATION FOR TRANSFER OF WATER RIGHT

NOTICE IS HEREBY GIVEN that water right License No. 98-2052 in the name of Earl D. Cazier was filed for the diversion of 0.56 Cubic Feet per Second of water from Sand Creek, tributary to the Kootenai River, with a point of diversion in the SWSE Sec. 29 T62N R3E, Boundary County, to be used for Domestic use and irrigation of 50 acres, within the NWNE (30 acres) and SWNE (20 acres) Sec. 32 T62N R3E. The priority date is September 1, 1949.

The current owner, Mavis Short, now wishes to transfer the point of diversion to the NENW Sec. 32 T62N R3E; the place of use for domestic purposes to the NENW Sec. 32 T62N R3E; and the place of use for irrigation to the NWNE (10 acres), SWNE (2 acres), NENW (30 acres), SENW (8 acres) Sec. 32 T62N R3E, for a total of 50 acres.

Any protest to the proposed transfer may be filed with the Idaho Department of Water Resources, 4055 Gov't. Way, Suite 9, Coeur d'Alene, Id. 83814, on or before April 4, 1988.

R. KEITH HIGGINSON, Dir.

MICROFILMED

OCT 17 1988

Published in the Bonners Ferry Herald, on 3/16 & 23/88.

State of Idaho
License and Certificate of Water Right

Water License No. 18375

Amount 0.56 c.f.s.

Water District No.

Priority Sept. 1, 1949.

THIS IS TO CERTIFY that B. B. BOLES - Assignee - EARL D. CAZIER
of Moyie Springs, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated October 14, 1936; that Permit No. 18375
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.0 second feet, was issued thereunder on May 11, 1937, showing that said works
were completed on the 8th day of May, 1937; and that on the 14th
day of September, 1953.

EARL D. CAZIER

of Bonners Ferry, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Sand Creek
, a tributary of Kootenai River, for the purpose of irrigation & domestic

, under Use Permit No. 18375 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

13 of Licenses at page 8094, on the 1st day of March, 1965;

The right hereby confirmed dates from September 1, 1949;

The Point of Diversion is located

in the SW 1/4 SE 1/4, Sec. 29, Tp. 62 N, R. 3 E, 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 0.56 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
62 N	3 E	32	NW 1/4 NE 1/4	15	30
			SW 1/4 NE 1/4	15	20
			Total number of acres to be irrigated:		50

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

1st day of March, 1965.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

MEMORANDUM

TO: TOM KING

FROM: JIM JOHNSON *Jim*

RE: APPLICATION FOR TRANSFER ON RIGHT 98-2052

DATE: 02-26-88

Tom, attached is the information you requested in your 02-22-88 correspondence.

The location of the domestic house is in the NENW sec 32 T62N R03W. Please add it to the Transfer App.

There is no lein holder on the property.

Should be 3 east. m 2/10/88

RECEIVED
MAR 3 1988

Department of Water Resources
Northern District Office

OCT 17 1988

Order No.

PERSONAL REPRESENTATIVE'S
WARRANTY DEED

FOR VALUE RECEIVED MAVIS J. SHORT, Personal Representative of the
Estate of DAVID S. SHORT, Deceased,

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto MAVIS J. SHORT,
a widow, as her sole and separate property,

GRANTEE(S), whose current address is: 497 E. Chester Lane, Boise, ID 83706,
the following described real property in Boundary County, State of Idaho,
more particularly described as follows, to wit:

An undivided one-half community interest in the Southwest
quarter of Section 29, Township 62 North, Range 3 East of
the Boise Meridian EXCEPT that portion deeded to Buford
and Helen Nichols by deed recorded in Book 29, page 108,
official records of Boundary County, Idaho,

AND

A parcel in Section 32, Township 62 North, Range 3 East of
the Boise Meridian, Tax 2, Northeast quarter less Tax 1 and
2, Northwest quarter Northwest quarter, Lot 1, North 40 rods
of Lot 2, North 40 rods of North one-half Southeast quarter,
less right-of-way,

all containing 549 acres, more or less.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and
Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said
Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all
encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or
done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and
agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if
any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same
from all lawful claims whatsoever.

Dated: July 13, 1987

DAVID S. SHORT

By: David S. Short
Mavis J. Short, Personal
Representative

by Mavis J. Short

STATE OF Idaho, County of Ada, ss.

On this 16th day of July
in the year of 1987, before me, the undersigned, a Notary
Public in and for said State, personally appeared Mavis J.
Short, Personal Representative
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
she executed the same as Personal Represent-
ative of the estate of David S. Short.

Signature: Karen L. Drake

Name: KAREN L. DRAKE

(type or print)

Residing at: Boise, Idaho

My commission expires: 8-2-92

STATE OF IDAHO, COUNTY OF Boundary

I hereby Certify that this instrument was filed for record at the re-
quest of Chandler, Dillon & Allyn

at 40 minutes past 9:00 o'clock A m.,
this 20 day of July
1987, in my office, and duly recorded in Book 63
of Deeds at page 293
Int'l. NORMA J. ESTEP

Ex-Officio Recorder

By: C. Thornton

Deputy.

Fee \$ 3.00 pd

Mail to: 325 W. Id. St.

Boise 83702

RECEPTION
INDEXED
FILMED
DELIVERED
FILED

MICROFILMED

This form furnished courtesy of

STEWART TITLE OF IDAHO, Inc.

ST 1988
Sanctity of Contract

0153433

PATRICIA PINSONNEAULT
BOUNDARY COUNTY ASSESSOR
P.O. BOX 57
BONNERS FERRY, ID 83805

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
3 DRY AGR	129.500 AC	42,476
4 MEADOW	27.500 AC	4,593
5 DRY GRAZING	15.000 AC	2,505
7 FORESTLAND BARE	189.260 AC	12,123
10 RURAL HOMESITE	1.000 AC	6,500
18 OTHR RUR LND	1.500 AC	675
31 RURAL RES BLDG		45,260
32 RURAL IMP ON AG		21,647

**TAXPAYERS 1987
VALUATION ASSESSMENT NOTICE**

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

19 JUNE 1987

See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

TOTALS 363.760

135,779
Mail To:
SHORT, DAVID S
& SHORT, MAVIS J
497 E CHESTER LANE
BOISE, ID 83906

NE4 LESS TAX 1 & 2, E2NW4,
NW4NW4, LOT 1, N 40 RODS OF
LOT 2, N 40 RODS OF N2SE4
LESS R/W
SEC 32 T62N R3E

PROPERTY ADDRESS

PARCEL NO. RP 62N03E320160 A TAX CODE 4-00

PATRICIA PINSONNEAULT
BOUNDARY COUNTY ASSESSOR
P.O. BOX 57
BONNERS FERRY, ID 83805

THIS IS NOT A BILL

CATEGORY DESCRIPTION	LOTS/ACRES	MARKET VALUE
7 FORESTLAND BARE	5.000 AC	200

**TAXPAYERS 1987
VALUATION ASSESSMENT NOTICE**

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

19 JUNE 1987

See the reverse side for further references

KEEP THIS COPY FOR YOUR RECORDS

TOTALS 5.000

Mail To:
SHORT, DAVID S
497 E CHESTER LANE
200 BOISE, ID 83906

TAX 2
SEC 32 T62N R3E

MAILED

OCT 17 1988

PROPERTY ADDRESS

PARCEL NO. RP 62N03E320010 A TAX CODE 4-00



State of Idaho
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 22, 1988

Ms. Mavis Short
497 E. Chester Lane
Boise, Id. 83706

Dear Ms. Short:

This office has received your Application for Transfer and \$50.00 filing fee. Your Receipt No. 41944 for that amount is enclosed. However, before the transfer can be processed, there are a few items that must be clarified.

1. Are you using Sand Creek water for domestic purposes? If so, please provide this office with a legal description for the location of the home. Y
2. Please provide this office with a notarized statement from the lien holder agreeing with the changes set forth in the transfer.
3. Please provide this office with a copy of last year's tax notice or other evidence of your ownership of the W ½ of Section 32, T62N, R3E.

If I can be of any assistance or if you have any questions, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

MICROFILMED

OCT 17 1988

Celebrate
IDAHO
1890 • CENTENNIAL • 1990

HORIZONTAL DEFLECTION

[illegible]

March 1, 1965

Re: Permit No. 18375
Earl D. Cazier

Mr. Vern W. Yeates
County Supervisor
Farmers Home Adm.
Bonners Ferry, Idaho

Dear Mr. Yeates:

Enclosed is License and Certificate of Water
Right on the above numbered permit, which has been recorded
in this office.

Also enclosed is departmental receipt No. 32654
in the amount of \$4.00, covering the fees.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. license
receipt

cc: Mr. Earl D. Cazier
Bonners Ferry, Idaho

18 375

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Bonners Ferry, Idaho

February 25, 1965

Mr. Ralph W. Thomas
Seputy State Reclamation Engineer
Department of Reclamation
107 State House
Boise, Idaho

Dear Mr. Thomas:

Thank you for your letter of February 23, 1965 regarding Permit No. 18375 Earl D. Cazier.

In order to expedite the closing of the loan we are enclosing the statutory fee of \$4.00. Please issue the license in the name of Mr. Cazier and mail it to this office.

We plan to file this license prior to the recordation of our real estate mortgage and the warranty deed to the new owner, Mr. Short.

Sincerely yours,



Vern W. Yeates
County Supervisor

18375

February 23, 1965

RE: Permit No. 18375
Earl D. Casier

Vern W. Yeates, Supervisor
Farmers Home Administration
Bonners Ferry, Idaho

Dear Mr. Yeates:

The Certificate of Completion of Works was issued to B. B. Boles for 1.0 c.f.s. out of Sand Creek in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29 to irrigate 50 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 32, T. 62 N., R. 3 E., B.M. Later the permit was assigned to Earl D. Casier who changed the point of diversion to the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, and the land to the NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32.

Proof of Beneficial Use of the Water was due October 29, 1940. The proof was made September 14, 1953.

Mr. Casier was notified June 8, 1954 that the license could be issued for 0.56 c.f.s. for use on 50 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 32, T. 62 N., R. 3 E., B.M. upon receipt of the statutory fees of \$4.00. The fees have not been paid.

The Water License can be issued in the name of Earl D. Casier, or to the new owner if he obtains the assignment from Mr. Casier and files it in this office with a \$0.50 recording fee and the above license fee.

Very truly yours,

RALPH W. THOMAS
Deputy State Reclamation Engineer

RWT:mr

Enc. assignment form

18375

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Bonners Ferry, Idaho

February 18, 1965

RECEIVED
FEB 23 1965

Department of Reclamation

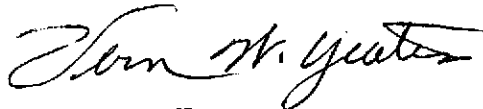
State of Idaho
Department of Reclamation
State Capitol
Boise, Idaho

Dear Sirs:

We are in the process of making a loan on the former Earl D. Cazier property in Boundary County, Idaho in which there is reported to be a water license in relation to Permit No. 18375 for .56 of a second foot or 28 inches of water from Sand Creek for use on the $W\frac{1}{2}$ NE $\frac{1}{4}$ of Section 32, Twp. 62 N, Range 3 E.B.M.,

Please advise if this License and Certificate of Water Right was issued to Earl D. Cazier.

Sincerely yours,



Vern W. Yeates
County Supervisor

18375-

✓
June 8, 1954

RE: Permit No. 18375

Mr. Earl D. Cazier
Bonners Ferry
Idaho

Dear Mr. Cazier:

We return your application for amendment to the point of diversion in your Permit No. 18375 which has been approved by the State Reclamation Engineer and recorded in this department.

A License can, therefore, be issued for .56 of a second foot or 28 inches of water from Sand Creek for use on the $W\frac{1}{2}$ NE $\frac{1}{4}$ Section 32, Township 62 North, Range 3 East B.M., upon receipt of the statutory fee of \$4.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.
cc Mr. W. J. Nixon

18375-

W. J. NIXON
ATTORNEY AT LAW
BONNERS FERRY, IDAHO

OFFICE TELEPHONE NO. 73
RESIDENCE TELEPHONE 88-J

June 1, 1954

OFFICES ACROSS FROM
FEDERAL BUILDING

RECEIVED
JUN 3 1954
Department of Reclamation

Department of Reclamation,
Mark R. Kulp, Reclamation Engineer,
Boise, Idaho.

Re: Permit No. 18375,
Earl D. Cazier.

Dear Sir:

Enclosed herewith find application for amend-
ment to permit to appropriate public water and
affidavit in connection therewith.

Very truly yours,

W. J. Nixon

WJN/nt
enc.

18375-

A F F I D A V I T

I, Earl D. Cazier, of Bonners Ferry, Idaho, wish to correct the error in connection with Permit No. 18375 as to method of irrigation and land irrigated.

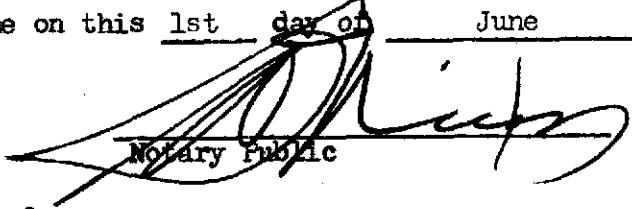
Upon acquiring the property from B. B. Boles, I installed a sprinkling system for irrigation and in doing so I have sprinkled land on the $W\frac{1}{2}$ $NE\frac{1}{4}$ of Section 32, Township 62 North, Range 3 East B.M. and pumped water from the stream in the $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 29 adjacent to and North of the land irrigated in Section 32.

At present I am not using the system as installed by Mr. Boles because it is to inefficient.

Signed

Earl D. Cazier

Subscribed and sworn to before me on this 1st day of June, 1954.


Notary Public

My Commission Expires on 9th day of February, 1954. 7.

18375

✓ 18375

May 17, 1954

Mr. Earl D. Cazier
Bonners Ferry
Idaho

Dear Mr. Cazier:

Enclosed is a form for changing the point of diversion in connection with your Permit No. 18375. You will remember that we found the point of diversion to be in error and this will correct that.

It will not be necessary for you to with-draw your proofs and re-advertise in connection with this permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

Enc.
H:hll

18375

18375
✓

May 17, 1954

Mr. Earl D. Casier
Bonners Ferry
Idaho

Dear Mr. Casier:

The purpose of this is to clarify the records in this office regarding your permit.

Completion of Works was made on a dam and gravity system with point of diversion in $SE\frac{1}{4}SW\frac{1}{4}$ of Section 29, Township 62 North, Range 3 East and place of use in the $N\frac{1}{2}NE\frac{1}{4}$ and $N\frac{1}{2}NW\frac{1}{4}$ of Section 32, Township 62 North, Range 3 East B.M.

Now you are irrigating approximately 50 acres by sprinkling in $W\frac{1}{2}NE\frac{1}{4}$ with pump located in $SW\frac{1}{4}SE\frac{1}{4}$ Section 29, Township 62 North, Range 3 East B.M.

Enclosed is an affidavit form that you should sign before a Notary.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:all
Enc.

18375

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

Permit No. 18375This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Earl D. Cazier, Bonners Ferry, Idaho2. Source of water supply: Sand Creek3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29T. 62 N. R. 3 E. County of Boundary (About 400 ft. East of North Quarter Corner Section 32)

4. Describe works as they exist, giving dimensions and capacities of same: Pump shed, wood, 6'x6'x7'h. - over stream mtd on poles. Pump = Cornell Centri Fugal. 2 $\frac{1}{2}$ " in. 2" out. Motor = 5 h.p. G.E. A 5" Al. pipe line extends up and over a sharp ridge 45'h. down on to fields. Main lines = 4" + 5" d. Lateral is 3" d. 30 sprinklers 3/22" x 1/4" Pump cap'y = 250 g.p.m.

5. Water is used for: Irrigation and domestic purposes6. 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):

N $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 32, Twp. 62 N., Rge. 3 E., B.M.

There was a gravity system on a few acres - used by former owner - abandoned now. Ground is too rough for good gravity irrig.

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

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

Remarks: _____

This examination was made on the 11 day of May, 1954

(Signed) E. M. Humphrey Examiner.

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 7 1954

Department of Reclamation

Earl R. Cassler
Bennetts Ferry, Idaho

Permit No. 18375

Examination for Beneficial Use

County Boundary

29-62N-3E

Q = 1.0 c.f.s

S = Sand Creek

P.D. = SE. SW. Sec. 29, T. 62 N. - R. 3 E.
(about 400' E. of NW cor. Sec. 32)

Use = Irrigation & Domestic

30
7
210

Priority = Oct. 14, 1936
Due = Oct. 29, 1940

C/W = 5-11-37

7 ft. m.
30 sprinklers 3/32 x 1/2

5" x 600
4" x 1400 } al. main

1200' x 3" lateral

27.7"
9) 2.50 gpm = pump.
180
70
250

Pump shed = 6' x 6' x 7' wood

2" t. platform over creek

Rainway Irrig. Co.
Spokane

model 2W-2 1885

2 1/2" in 2" out. Cornell

center pump

G. E. 5 hp. 220V. 26.5 amp

#TKJ 2322 3425 gpm

4" suction line

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18375

REPORT ON PROOF OF Beneficial Use

EARL D. CAZIER, Bonners Ferry, Idaho

• 56 cfs
max

app. one cfs

50 acres
2-40's

1' cut
5' sprinkler

R-3E.

T.
62
N.

TO DENNIS
FERRY

P.D.
Pipe line up over hill.

KOOTENAI

RIVER

20

300

200

32

"
about 27.77

Area = 50 acres
Two subdivisions.
Q = 28 inches.

May 6, 1954

RE: Permit No. 18375

Mr. Earl D. Cazier
Bonners Ferry
Idaho

Dear Mr. Cazier:

State law requires that an inspection be made by a representative of the State Department of Reclamation in connection with any Permit ready to be licensed.

I intend to make inspection in connection with your Permit No. 18375 on Tuesday, May 11, 1954.

Please be prepared to accompany me on this inspection or have someone familiar with your set-up represent you.

I am hoping that the high waters will not prevent making this inspection.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:hll

18375

September 21, 1953

Re: Permit No. 18375

Mr. Earl D. Cazier
Bonners Ferry, Idaho

Dear Mr. Cazier:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Bonners Ferry Herald, all submitted in proof of Beneficial Use under Permit No. 18375.

Before final action is taken 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 our field engineer will contact you at the time he makes the examination in order that you may arrange to show him over the ground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re

18375-

APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 10:00 a.m. on the 14th day of September, 1953, at Bonners Ferry, County of Boundary, state of Idaho, before Joe C. Vernon, Notary Public, proof will be submitted of the application to beneficial use of one cubic feet per second of the waters of Sand Creek in accordance with the terms and conditions of Permit No. 18375 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 is E. D. Cazier, Bonners Ferry, Idaho.

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

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

The place where said water is used —Fifty (50) acres of land in NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, Twp. 62 North, Range 3 East Boise Meridian.

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

The right to take water from such works is based upon Permit No. 18375.

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

The date of priority which said user is prepared to establish is September 1, 1949.

MARK R. KULP,
State Reclamation
Engineer.

First publication, August 20, 1953.

Last publication, September 10, 1953.

Affidavit of Publication

STATE OF IDAHO } ss.
County of Boundary }

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

E. D. Cazier

Notice of Proof of Application for Water Use

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for four

consecutive issues, commencing with the issue dated Aug. 20

195 3, and ending with the issue dated Sept. 10, 195 3

W. A. Chubb

Co-Publisher
Folgerman

Subscribed and sworn to before me this 14 day of

September, 195 3

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

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT BONNERS FERRY, IDAHO
MY COMMISSION EXPIRES MAR. 29, 1955

18375-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
SEP 16 1953
Department of Reclamation

Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Earl D. Canier, 42, Farmer, Moyie Springs,
Boundary County, Bonners Ferry, 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. None

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

Ans. # 18375, Sept. 1, 1949

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

Ans. Sand Creek, about 400 ft. East of the North Quarter Corner
of Sect. 32, Twp 62N, Range 3 EBM.

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

Ans. One Cubic ft. per second or more by
pipeline and sprinkler system, pump will
believe up to 1 1/2 cubic ft. per second.

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

Ans. Used for irrigating cultivated land, about 30
acres in 1 1/2 NW 1/4, about 15 acres in NW 1/4 NE 1/4, and
about 15 ac. in SW 1/4 NE 1/4, Sect 32, Twp. 62N,
Range 3 EBM.

18375-

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

Ans. None

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

Ans. at least One Cubic 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. by Purchasing ranch from B. B. Bolis

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

Ans. by pipeline and sprinkler system as is presently being used on about sixty acres of cultivated land

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) E. D. Bazin

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 _____, County of Boundary State of Idaho, on this 14 day of September, A. D. 1953.,

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT BONNERS FERRY, IDAHO
MY COMMISSION EXPIRES MAR. 29, 1954

My commission expires

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

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. C. Don Kerby, 35, Bonners Ferry, Idaho,
Real Estate Broker, Box 676, Bonners Ferry, Idaho

Ques. 2. Are you acquainted with Carl M. Canier, the
holder of Permit No. 18375? How long have you known him and where does
he reside?

Ans. Yes, I have known him for five years
and he resides in Boundary County, Bonners Ferry Idaho

Ques. 3. Have you read or heard read said Permit No. 18375, 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 con-
veying water from point of diversion to place of use.

Ans. Sand Creek, about 400 ft. east of North Quarter Corner
of Sect. 32, Township 62 N, R 3 E B M, pipeline and sprinkler
system.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. One Cubic foot per second or more

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 im-
provements which have been made as a direct result of said use.

Ans. There is about 60 acres being irrigated at present
and lying in N¹/₂ NW¹/₄, NW¹/₄ NE¹/₄ and SW¹/₄ NE¹/₄, Sec. 32,
Twp 62 N, Range 3 E B M and is in grain and alfalfa

18375-

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

Ans. no

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. Sandy loam, One second ft or more
One cubic ft per second or more,

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

Ans. no

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 have witnessed the actual application
to about 60 acres with a sprinkler system

(Signed) Cdon Kerby

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 Boundary, State of Idaho, on this 17 day of September
A. D. 1933

J. C. Kernan
Notary Public.

My commission expires

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT BONNERS FERRY, IDAHO
MY COMMISSION EXPIRES MAR. 28, 1934
MY COMMISSION EXPIRES MAR. 28, 1934

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

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. Byron B. Boles, 49, Moyie Springs, farmer,
Boundary County, Bonners Ferry Idaho

Ques. 2. Are you acquainted with E. D. Cagier, the
holder of Permit No. 18375? How long have you known him and where does
he reside?

Ans. yes, Two years. He resides in Boundary
County, Bonners Ferry Idaho.

Ques. 3. Have you read or heard read said Permit No. 18375, 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 con-
veying water from point of diversion to place of use.

Ans. Sand Creek, about 400 ft. East of North Quarter Corner,
Sec. 32, Twp. 62 N, Rang 3 E.B.M., pipeline and
sprinkler system.

Ques. 5. How many second feet of water do you estimate said works will safely con-
duct to place of use, and how much water have you seen being so conveyed?

Ans. One Cubic foot per second or more

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 im-
provements which have been made as a direct result of said use.

Ans. There is about 60 cultivated acres being irrigated
with a sprinkler system at present and lying in
N¹/₂NW¹/₄, NW¹/₄NE¹/₄, and SW¹/₄NE¹/₄, Sec. 32, Twp. 62 N,
Rang 3 E.B.M.

18375

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

Ans. no

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. Sandy loam, One Cubic ft. per second or more,

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. I have actually seen about 60 acres being sprinkled by the applicant

(Signed) Byron B. Bole

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 Boundary, State of Idaho, on this 14 day of September
A. D. 1953.

Joe C. Kernou

Notary Public.

My commission expires

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING AT BONNERS FERRY, IDAHO
MY COMMISSION EXPIRES MAR. 29, 1955

September 9, 1953

RE: Permit No. 18375

Bonnars Ferry Herald
Bonnars Ferry, Idaho

Gentlemen:

On August 14, we sent you notice for publication on Permit No. 18375 in the name of E. D. Cazier.

To date we have not received any acknowledgement of this notice and we shall appreciate receiving a copy of your first issue containing same.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer
By

On August 14 we received

Chief Clerk Gentlemen:

A:re

Bonnars Ferry Herald
Bonnars Ferry, Idaho

RE: Permit No. 18375

September 9, 1953

18375-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 18375

Date: August 14, 1953

Bonnors Ferry Herald

Bonnors Ferry, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 14, 1953 the date set for proof, the expense of the publication to be paid by the applicant, E. D. Cazier 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, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

18375-

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....August 6, 1953.....

(P. O.).....Bonners Ferry, 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
.....Bonners Ferry Herald..... of Bonners Ferry, Idaho..... published in
the county in which the works are situated.

.....*E. D. Logan*.....

(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.

18375-

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

Notice is hereby given that at 10:00 A. M. on the 11th day of September, 1953,
at Bonnors Ferry, County of Boundary, State of Idaho, before
Joe C. Vernon, Notary Public,
application to beneficial use of one cubic feet per second of the waters of Sand Creek
in accordance with the terms and conditions of Permit No. 18375
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

E. D. Cazier, Bonnors Ferry, Idaho.

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

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)~~

Fifty (50) acres of land in NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, Twp. 62

North, Range 3 East Boise Meridian.

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

no name

The right to take water from such works is based upon Permit No. 18375

The source of supply from which such water is diverted is Sand Creek

The date of priority which said user is prepared to establish is October 29, 1936 September 1, 1949

MARK R. KULP

State Reclamation Engineer.

18375

18375

August 14, 1953

Mr. W. J. Nixon
Attorney at Law
Bonners Ferry, Idaho

Dear Mr. Nixon:

We return Mr. E. D. Cazier's application for the amendment to the land list in Permit No. 18375 which has been approved and recorded in this Department.

We have completed the notice for Beneficial Use proof accordingly and have sent a copy to the Bonners Ferry Herald with instructions to publish it once a week for four weeks prior to September 14, 1953, the date set for proof, and to send Mr. Cazier affidavit of publication together with statement of cost.

We enclose the necessary forms of depositions to be used in making this proof consisting of one for Mr. Cazier and one for each of two disinterested witnesses.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj
Enc.

18375

W. J. NIXON
ATTORNEY AT LAW
BONNERS FERRY, IDAHO

OFFICE TELEPHONE NO. 73
RESIDENCE TELEPHONE 88-J

August 12, 1953

OFFICES ACROSS FROM
FEDERAL BUILDING

RECEIVED
AUG 14 1953
Department of Reclamation

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

Re: Permit No. 18375

Dear Mr. Kulp:

I have had Mr. Gazier sign the application for amendment of his permit to appropriate water. He does not have a survey on the land which is irrigated but is sure that a portion of the irrigated land runs into the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32. He also said it is possible that a portion of the irrigated land runs into the NW $\frac{1}{4}$ NW $\frac{1}{4}$, which 40 acres was described in the original petition. I have therefore left that 40 in the description.

Very truly yours,

W. J. Nixon

WJN/nt
enc.

18375-

B/k due 1953-9-14
1953-10-29

70 10-29-52

12 yrs -

70 8-29-53

10 mo -

70 9-14-53

16 days -

orig. priority 10-14-56

12 yrs - 10-14-48

10 mo - 8-14-49

16 days - 9-1-49

18375-

✓
August 8, 1953

RE: Permit No. 18375

Mr. W. J. Nixon
Attorney at Law
Bonners Ferry, Idaho

Dear Mr. Nixon:

We acknowledge receipt of your letter of August 6, 1953, enclosing notice for Beneficial Use proof on Permit No. 18375 in the name of E. D. Cazier.

In checking this notice, we find that the land description differs from the description in the permit. The permit described the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32 whereas, the notice described the NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said section.

If there has been a change in the land to which the water has been made appurtenant, an application for amendment should be made on the form inclosed.

Otherwise, if there is an error in the notice, we can correct it upon authorization to do so.

We shall also have to make a change in the priority date. The original priority date was August 29, 1936, but Beneficial Use proof was due August 29, 1940 so the priority will be as much later as this proof is past due.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:pj

18375-

W. J. NIXON
ATTORNEY AT LAW
BONNERS FERRY, IDAHO

OFFICE TELEPHONE No. 73
RESIDENCE TELEPHONE 88-J

August 6, 1953

OFFICES ACROSS FROM
FEDERAL BUILDING

RECEIVED
AUG 8 1953
Department of Reclamation

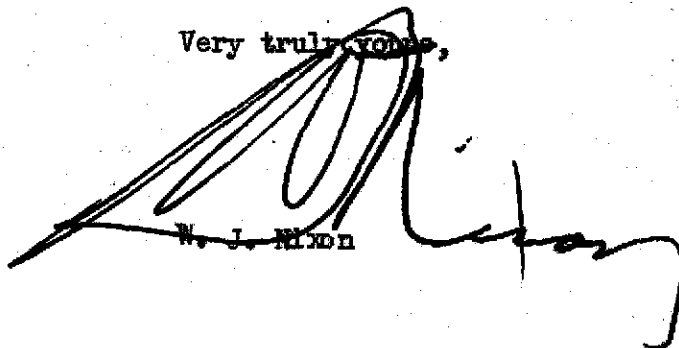
Mr. Mark R. Kulp,
State Reclamation Engineer,
Boise, Idaho.

Re: Permit #18375

Dear Mr. Kulp:

Enclosed herewith find notices for publication of proof application of water to beneficial use, which I have prepared for Mr. E. D. Cazier. I have fixed the time for this hearing as of September 14th, before Joe C. Vernon, who is a Notary Public. This should give ample time for four weeks publication.

Very truly yours,


W. J. Nixon

WJN/nt
enc.

18375-

V - 10-14-36

B/W due 10-29-40

August 3, 1953

RE: Permit No. 18375

Mr. E. D. Cazier
Moyie Springs
Idaho

Dear Mr. Cazier:

We have your letter of July 31, 1953, and note that you are prepared to make beneficial use proof and obtain a license on the above numbered permit.

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

Both copies of Form 10 to be returned to this department together with Form 11 which is authorization for us to have the notice published at your expense in the designated county newspaper.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing and shall send you the necessary forms of deposition to be used in making the proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

18375-

Mojave Springs, Ca.
July 31, 1953

Mark, R. Kulp
State Reclamation Engineer:

Dear Sir:

In Regards to Permit no. 18375.
Would like to have necessary forms
to complete water right, and obtain
a license for beneficial use, of water
out of Sand Creek. Point of diversion
in the SW $\frac{1}{4}$ - SE $\frac{1}{4}$ Section 29 township
62 north, range 3 East B.M., for use on
20 Acres in the NW $\frac{1}{4}$ - NE $\frac{1}{4}$, 15 acres
in the NE $\frac{1}{4}$, NW $\frac{1}{4}$ and 15 acres in the
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, Same township and Range.
Water has been completely applied.

Very Truly yours

E. D. Casper

RECEIVED
AUG 3 1953

Department of Reclamation

B/M

18375-

✓
18375

April 28, 1953

Mr. Karl D. Cazier
Moyie Spring, Idaho

Dear Mr. Cazier:

We return the assignment of Permit No. 18375 from Mr. Byron B. Boles and his wife, which has been recorded in this Department.

We also enclose Departmental Receipt No. 25847 for the recording fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cp
Enc.

18375-

✓
April 21, 1953

RE: Permit No. 18375

Mr. Earl D. Cazier
Moyie Springs
Idaho

Dear Mr. Cazier:

We acknowledge receipt of the assignment of Permit No. 18375 from Byron B. Boles to you, accompanied by 50 cents in coin for the assignment fee.

However, we return the assignment in order that Mr. Boles' wife may also sign, if he is married, and if he is not the Notary Public should so state in his certificate.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

18375-

March 26, 1953

RE: Permit No. 18375

Mr. E. D. Cazier
Moyle Springs
Idaho

Dear Mr. Cazier:

Reference is made to your letter of March 21, 1953, in regard to Permit No. 18375.

The records in this department show this permit in the name of B. B. Boles, for 1 second foot of water from Sand Creek, for use on 20 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, 15 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, Township 62 North, Range 3 East, B.M. Proof of completion of works was made May 8, 1937, and Certificate of Completion of Works issued.

Beneficial use proof, which is necessary to complete the water right and obtain a license, was due October 29, 1940, but has not been made.

We enclose copies of office letters addressed Mr. Boles on March 20, 1950, and March 29, 1950, which are self-explanatory.

If you have purchased this land from Mr. Boles and wish to complete the water right, a form of assignment of Permit No. 18375 should be executed by Mr. Boles to you before a Notary Public and returned to this department with the 50 cents recording fee.

You may then proceed to make beneficial use proof on as many acres as have been irrigated and we shall be glad to furnish you the necessary forms for making this proof upon request.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

18375

Moyie Springs, Idaho
March 21, 1953

Mr. Mark R. Kulp
Department of Reclamation
Boise, Idaho

Dear Mr. Kulp:

Reference is made to Permit No. 18375, recorded in book no. 67, approved on October 29, 1936 and issued to Mr. Byron B. Boles of Moyie Springs, Idaho. This permit gives permission to use one cubic foot per second of water from Sand Creek, a tributary of the Kootenai River, to irrigate 50 acres in $N\frac{1}{2}NW\frac{1}{4}$ and $NW\frac{1}{4}NE\frac{1}{4}$ in Sec. 32, T62N, R3E.B.M. and also for domestic use.

I have recently purchased this land from Mr. Boles and would like to use the maximum quantity of water permitted by law to irrigate 50 acres. This water would also come from Sand Creek as listed above.

Does Permit No. 18375 go with this land which I have purchased, and, if so, does it cover the amount of water which I would like to use as listed above? Or, will I have to file an application for a new permit?

I am anxious to follow correct procedures as required by your department and will appreciate receiving information and/or instructions concerning the above matter.

Very truly yours,

E. D. Gazier

E. D. Gazier

18375

RECEIVED
MAR 25 1953

Department of Reclamation

March 29, 1950

Re: Permit No. 18375

Mr. B. B. Boles
Moyie Springs, Idaho

Dear Mr. Boles:

Reference is made to your letter of March 27, 1950, in regard to the proof which you contemplate making under Permit No. 18375.

The office record of this Permit shows that it is for one (1) cubic foot per second of water from Sand Creek, with point of diversion in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Township 62 North, Range 3 East, B.M., for use on 20 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 15 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, same Township and Range.

We rather infer from your letter that you wish to change the point of diversion, and we are not quite clear as to just what land the water has been applied.

If you wish to make a change either in the point of diversion or place of use, that should be done by filing an application for amendment before your proof is made, forms for which we shall be glad to furnish upon request.

Also, if you have not completely irrigated the land upon which you intend to use the water, it would be better to wait to make your final proof until the water has been completely applied.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18375

18375-

Moyie Springs, Ida.

March 27, 1950

State Reclamation Engineer
Dept. of Reclamation
Boise, Ida.

RECEIVED
MAR 29 1950
Department of Reclamation

Dear Sir:

In answer to yours of the 20th inst. I have 57 acres cleared on the N E $\frac{1}{4}$ of sec. 32 R 3 E which I wish to water with a sprinkling system. It is possible to take the water for this land at the same point that I am taking the water for the other 20 acres, but it would be more efficient to take it from a point farther up the creek. I am trying to make arrangements to use this other location at the present time. However I would like to get water enough to cover this additional acreage in case I cannot make a deal for the other location.

Sincerely,

B. B. Boles

18375-

✓
March 20, 1950

Re: Permit No. 18375

Mr. B. B. Boles
Moyie Springs, Idaho

Dear Mr. Boles:

We are in receipt of your letter of March 16, 1950, and note that you wish to proceed with Proof of Beneficial Use under Permit No. 18375.

The form which you sent describes the place of use as 15 acres on the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, Township 62 North, Range 3 East, B.M. and 5 acres on the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 32, Township 62 North, Range 3 East, B.M., or a total of 20 acres, whereas your Permit calls for 20 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 15 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, or a total of 50 acres.

Is it your intention to only prove up on 20 acres? If so, you could only be allowed .4 of a second foot of water (or 20 inches) instead of the 50 inches applied for.

We shall await your advice before proceeding in the matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18375-

Moyie Springs, Ida.

March 16, 1950

Commissioner of Reclamation

Boise, Ida.

Dear Sir:

In going through my files I find that proof was never completed on my water right Permit No. 18375.

The work on this project was completed less than a year after application was filed and the water has been in use ever since.

The men whose names appear on the soil conservation farm plan sheet, which I am including, did most of the survey work. Mr. Leep was going to file this proof but failed to do so.

Will you please send the information and papers necessary to straighten this matter out? I am filling out the blanks sent at that time in case that they are still all that is necessary.

Sincerely,

B. B. Baker

18375-

RECEIVED
MAR 20 1950
Department of Reclamation

UNITED STATES
DEPARTMENT OF AGRICULTURE

SOIL CONSERVATION SERVICE AND THE IDAHO EXTENSION SERVICE

Cooperative Farm Plan
in
Soil Conservation and Land ManagementDate Feb 21 1941OWNER B.B. BolesADDRESS Moxia SpringsOPERATOR R.B. BolesADDRESS " "Legal Description T62N R3E; Sec. 32 NE of River County Boundary
except NW 1/4 of SW 1/4

1. Conforming with the general memorandum of understanding between the Soil Conservation Service and the Extension Service of the United States Department of Agriculture, the Idaho Extension Service and the Soil Conservation Service, Region 9, have cooperated in developing the attached cooperative farm plan in soil conservation and land management.
2. The Soil Conservation Service will make the necessary surveys and furnish technical assistance to develop the plan of conservation for the farm.
3. The Soil Conservation Service will cooperate with the Extension Service and cooperator in carrying out the plan upon request if or when technicians are available. It is further understood that necessary changes may be made from time to time as the County Extension Agent and farmer may mutually find necessary.
4. This cooperative farm plan in soil conservation and land management is hereby approved and accepted by the parties hereto, effective the day and year herein above written.

Idaho EXTENSION SERVICE SOIL CONSERVATION SERVICEGeorge Funch
County Extension AgentLeo L. Anderson
Area Conservationist
by Robert WeirH. Gibson by Robert Weir
Plan Prepared by:R.B. Boles
Cooperator

18375-

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 11 A. M. on the 16 day of April, 1950
at Pennera Ferry, County of Boundary, State of Idaho, before
Probate Judge Rath, proof will be submitted of the
application to beneficial use of 1 cubic feet per second of the waters of Sand
Creek in accordance with the terms and conditions of Permit No. 18376
heretofore issued by the Comm of Reclamation of the State of Idaho.

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

B. B. Boles Mojave Springs, Jala

The use to which said water has been applied is Irrigation

The amount applied to beneficial use is 1 cubic ft per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) 15 acres on the NE 1/4 of the NW 1/4 of
sec 32 T42 R3E and 5 acres on the NW 1/4
of the NE 1/4 of sec 32 T42 R3E

The name of the canal or ditch or other works by which said water is conducted to such place
of use is None

The right to take water from such works is based upon Permit No. 18375

The source of supply from which such water is diverted is Sand Creek

The date of priority which said user is prepared to establish is June 1, 1939

18375
Commissioner of Reclamation.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 18 1950

(P. O.) Mojave Springs Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

B. B. Polak

(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.

18375-

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

Notice is hereby given that at 12 A. M. on the 16 day of April, 1950,
 at Bonniers Ferry, County of Boundary, State of Idaho, before
Probate Judge Rath, proof will be submitted of the
 application to beneficial use of 1 cubic feet per second of the waters of Land
Creek in accordance with the terms and conditions of Permit No. 18375
 heretofore issued by the Comm. of Reclamation of the State of Idaho.

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

B. B. Bobo Monie Springs Ida

The use to which said water has been applied is Irrigation + h

The amount applied to beneficial use is 1 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) 15 acres on the NE 1/4 of the NW 1/4 of
Sec 32 T 62 R 3 E and 5 acres on the NW 1/4
of the NE 1/4 of Sec 32 T 62 R 3 E

The name of the canal or ditch or other works by which said water is conducted to such place
 of use is None

The right to take water from such works is based upon Permit No. 18375

The source of supply from which such water is diverted is Land Creek

The date of priority which said user is prepared to establish is June 1 1939

Commissioner of Reclamation.

18375

18375

✓

July 25, 1949

Mr. Chas. Smith
Box 297
Bonners Ferry, Idaho

Dear Mr. Smith:

In reply to your letter of July 21, inquiring as to a water right in the name of B. B. Boles, our records show the following:

Permit No. 18375 filed by B. B. Boles October 14, 1936, for one (1) second foot of water from Sand Creek, a tributary of Kootenai River with point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 29, Township 62 North, Range 3 East, B.M. for irrigation and domestic use on the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 32, same Township and Range.

Proof of Completion of Works was made and Certificate of Completion of Works issued May 8, 1937. Proof of Beneficial Use was due on or before October 29, 1940, but has not been made. However, this proof can still be made, but the priority date that can now be established under this Permit will be as much later ^{than} the original filing date as this proof is past due.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:dh

18375 —

W. D. BAXTER

Insurance - Bonds - Real Estate

P. O. Box 329 - Telephone 203-J

BONNERS FERRY, IDAHO

July 21 1949

Bureau of Reclamation- State of Idaho
Boise Idaho

Gentlemen;

Will you please advise me if there is a Water Right Patent issued and in the name of B.B.Boles on the creek that runs from Bonner Lake through Sec 32 Twp 62 N Range 3 East B.M.in Boundary County Idaho.

Thanking you for the information I am,

Very truly yours,

Chas. Smith

Box 297

Bonnors Ferry Ida

18375- B. B. Biles 1 sp.

Sand Creek - 1/2 - Kottawar R -

P.D. 57r57r29-62h3e

$$D + D \quad \eta \nu \eta \nu - \eta^2 \nu \nu \quad 3 \quad 2 \quad -$$

filed 10-14-36

6
CVR 5-8-37

CW 5-8-37
BK due 10-29-40 - not made



18375

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Re: Permit No. 18375

August 1, 1940

B. B. Boles
Meyie Springs, Idaho

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18375, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. 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 October 29, 1940, 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 proof should have been made and the date proof is actually made.

Yours truly,

JAMES SPOFFORD

Commissioner of Reclamation

18375-

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Re: Permit No. 18375

August 1, 1940

B. B. Boles
Meyle Springs, Idaho

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18375, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. 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 October 29, 1940, 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 proof should have been made and the date proof is actually made.

Yours truly,

JAMES SPOFFORD

Commissioner of Reclamation

18375

May 11, 1937

Re: Permit No. 18375

B. B. BOLES
Moyie Springs, Idaho

Dear Sir:

You will find enclosed herewith, Certificate of Completion of Works which has today been signed by the Commissioner, confirming the completion of your diversion works under the above permit, to a capacity of one second foot of water.

We are also enclosing our office receipt No. 16208 in the amount of \$5.00 covering fee remitted by you in connection with this proof.

Very truly yours

H. W. FARIS
Commissioner of Reclamation

by
Chief Clerk

cj
encl

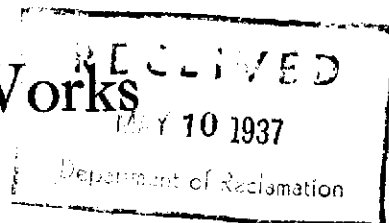
18375

Permit No.

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER



STATE OF IDAHO,
County of Boundary } ss

B.B. Boles, 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. 25652 18375, and that his postoffice address is Moyea Springs State of Idaho

Second: That the name of the stream from which said water is to be diverted is Sand Creek Tributary of the Kootenai River

Third: That the point of diversion of said water is about 400 feet from the Northeast corner of the Northwest Quarter of Section 32 in T. 62 N. R. 3 E. & is in the SE 1/4 SW 1/4, Sec. 29, T. 62 N., R. 3 E., B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 29, 1938.

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

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: Dam, Ditch and Head gate

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 5 feet, length of dam at top 16 ft. feet, length of dam at bottom 4 feet. Material used in construction Wood and earth

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir 1/16 acre feet.

(c) Size of headgate: Width 1 ft feet, height 2 feet.

(d) Conduit One ft width at bottom 3 feet, width at water line

(State whether ditch, flume or pipe.)

feet, depth of water ten inches, diameter of pipe ten inches, average grade per mile is 80 rods miles.

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

I second feet of water.

Eighth: That water appropriated under said permit is available for 10 50 acres of land described as follows: Northwest of Sec 32 T 62 N of R 3 East

NW 1/4 NE 1/4 - 20 A., NE 1/4 NW 1/4 - 15 A., & NW 1/4 NW 1/4 - 15 A., Sec. 32, T. 62 N., R. 3 E., B.M.

Ninth: Remarks: That

B. B. Boles

(Sign here)

Subscribed and sworn to before me this 8th day of May 1937

My commission expires Aug 19 - 1939

Notary Public.

18375-

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

Notice is hereby given that at
10:00 a.m. on the 14th day of Sep-

tember, 1953, at Bonners Ferry,
County of Boundary, state of Idaho,
before Joe C. Vernon, Notary Public,
proof will be submitted of the ap-
plication to beneficial use of one
cubic foot per second of the waters
of Sand Creek in accordance with
the terms and conditions of Permit
No. 18375 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 is E. D. Cazier, Bonners
Ferry, Idaho.

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

estic use.

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

The place where said water is used
—Fifty (50) acres of land in N $\frac{1}{2}$
NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$
Sec. 32, Twp. 62 North, Range 3
East Boise Meridian.

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

The right to take water from such
works is based upon Permit No.
18375.

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

The date of priority which said
user is prepared to establish is Sep-
tember 1, 1949.

MARK R. KULP,

State Reclamation
Engineer. /s/

First publication, August 20, 1953.

Last publication, September 10, 1953.

April 17, 1937

Re: Permit No. 18375

BYRON B. BOLES
Moyie Springs, Idaho

Dear Sir:

In response to your letter of April 12th, we are enclosing herewith the proper form for you to offer proof of completion of the diversion works under this permit.

Kindly go before a Notary Public with your permit and after the affidavit has been properly executed, mail it to this department with a fee of \$5.00. Upon its receipt, a Certificate of Completion of Works will be issued to you.

Very truly yours

Deputy Commissioner of Reclamation

PLH/cj
encl

18375-

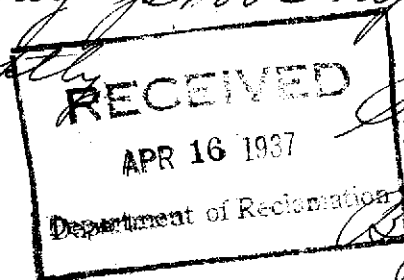
mailing copy
1 see ft

Mojie Springs, Idaho
April 12, 1937

Mr. R. W. Faris
Commissioner of Reclamation
Boise, Idaho
Dear Sir:

I have completed work on my dam and ditch under permit number 18375 such that I can irrigate as much land as the creek will cover without a storage dam.

Will you please mail further instructions to my agent, Mr. A. J. Kent, Bonners Ferry, so that I may prove up on my water right promptly.



Respectfully yours,
Byron B. Boles

18375-

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18375

October 29, 1936

Boise, Idaho,

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

H. E. Boles
Moyie Springs, Idaho

R. W. FARIS

Office Receipt No. 16007, \$5.00

Commissioner of Reclamation.

18375

