

R 3 W

T
60
N



.02 domestic
Q measured .28 Fire Protection of buildings
Q recommended .30
Volume 1.95 AF for domestic (Fire protection to be used when necessary)
Acreage
Found _____
recommended _____
Subdv. _____ / _____
Amendments
☒ None
☐ P.D.
☐ Place of use
☐ _____

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 33390/97-2054 Priority Dec. 28, 1966 Amount 0.30 cfs

THIS IS TO CERTIFY, that the State of Idaho, Department of Public Lands
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 33390/97-2054 issued pursuant to Application for Permit dated December 28, 1966,
and has submitted proof to the Department of Water Administration on December 29, 1967,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.30 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from Fenton Creek
tributary of Priest Lake, is hereby confirmed in the following amounts:

Amount 0.02 cfs for Domestic from Jan. 1 to Dec. 31 (both dates inclusive)

Amount 0.28 cfs for Fire Protection from Jan. 1 to Dec. 31 (both dates inclusive)

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

Subject, however, to the condition that no more than 0.30 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, Twp. 60 N, Rge. 3 W, B.M.

in the county of Bonner; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1.2 acre feet per year ~~xx~~ for
domestic use. ~~xx~~

Description and location of place of use:

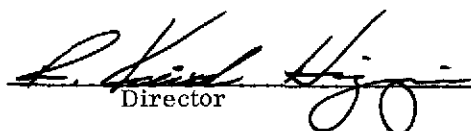
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
60 N	3 W	26									X								

Total number of acres irrigated _____

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of

May, 19 73.


Director

31 2054

✓ 33390
97-200-1

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

APPLICATION No. 41621
PERMIT No. 33390
DISTRICT No.

1. Name of Applicant: Idaho State Forestry Department
Postoffice address: State House, Boise County: Ada 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) Bond to be issued:
(d) Other resources:
2. Quantity of water claimed: .3 cubic feet per second.
(.02 domestic, extra for fireprotection)
3. Source of water supply: Fenton Creek which is a tributary of Priest Lake.
4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$
of section 26 , T. 60 N , R. 3 W , B. M., County of Bonner
5. Water is to be used for domestic and fire protection - suppression.
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: \$ 3,000.00
8. Kind of works: Diversion dam, storage tank, and pipeline.
9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom fee; width at water line feet; depth of water feet;
dimensions of flume:
Diameter of pipe 3 inches; length of conduit 1950 Feet miles.
Average grade per mile 95 feet in 1950 feet ~~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 -0- additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (a) Is reservoir to be used? 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 water of the State of Idaho as herein set forth.

Idaho State Department of Forestry. *Applicant.*

By /s/ W. J. MITCHELL

Agent.

Date of first receipt at Department of Reclamation: December 28, 1966 4:30 P.M.

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 33390

Recorded in Book 116 Page 33390 Approved January 10, 1967

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 March 10, 1967 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 10, 1968

The whole of said work to be completed on or before January 10, 1969

Beneficial use of water appropriated in accordance herewith, to be made on or before January 10, 1969

WITNESS My hand this 10th day of January, 1967

/s/ R. KEITH HIGGINSON
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, DON W. SAMUELSON, Governor of the State of Idaho,
and EDSON H. DEAL, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this.....10th.....

day of January, 1967

STATE OF IDAHO

Countersigned:

(SEAL) By /s/ EDSON H. DEAL
Secretary of State.

By /s/ DON SAMUELSON
Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
							DOMESTIC AND FIRE				PROTECTION								LICENSE ISSUED FOR 0.30 SEC. PT. LICENSE PAGE NO.

P. O.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 41621

Permit No. 33390

District No. _____

1. Name of Applicant: Idaho State Forestry Department
Post Office address: State House, Boise County Ada State Idaho

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: _____

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: 23 cfs domestic (extra for fire protection) cubic feet per second

3. Source of water supply: Fenton Creek
which is tributary of Priest Lake

4. Location of point of diversion: _____ feet distant from the _____ corner
of Section _____, Twp _____, Rge _____, B. M., and is in the NW 1/4 SE 1/4
of Section 26, Twp 60 N., Rge 3 W. B. M., County of Bonner

5. Water is to be used for: Domestic and Fire Protection - Suppression

6. If for any non-irrigation purpose, give:

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

Twp _____, Rge _____, B. M., in the _____ of Section _____, Twp _____, Rge _____, 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 _____, Twp _____, Rge _____, B. M., in the

_____ of Section _____, Twp _____, Rge _____, B. M.

7. Estimated cost of works: \$ 3000

8. Kind of works: diversion dam, storage tank, and pipeline
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam _____ feet; length of dam at top _____ feet; length of dam at bottom _____

feet; material used in dam _____
(If height of dam will exceed 10 feet or will store more than 100 acre feet of water, send to Department of Reclamation for Regulations.)

10. Size of headgate: Width _____ feet; Height _____ feet

11. Ditch: Width at bottom _____ feet; Width at water line _____ feet; Depth of water _____ feet;

Dimensions of flume _____; Diameter of pipe 3 inches;

Length of conduit 1950' ~~miles~~ Average grade per mile 9.5 ft in 1950' feet

33390

16. (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:

Remarks:

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.

Idaho State Department of Forestry
Applicant.

By W. J. Mitchell, Agent

Affidavit of Permission to File on Springs

(Not to be used when spring is situated on lands owned by applicant.)

I, _____, of _____, County of _____, State of _____, do hereby certify that I am the owner of the land on which the spring mentioned in the application of _____ is located, to-wit: _____

and that I do hereby grant unto the said permission to file on the said spring as set forth in the foregoing application.

STATE OF IDAHO)
County of) ss.

On this day of, 19...., before me, a Notary Public for the State of Idaho, residing
at, personally appeared.....
known to me to be the person... whose name... subscribed to the foregoing certificate, and acknowledged
to me that ...he... executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires _____ Notary Public.

33390

Approval of State Reclamation Engineer

The number of this permit is 33390
Recorded in Book 116 Page 33390 Approved JAN 10 1967
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 before.....
Work to begin on or before March 10, 1967, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.
One-fifth of the work above specified to be completed on or before January 10, 1968
The whole of said work to be completed on or before January 10, 1969
Beneficial use of water appropriated in accordance herewith, to be made on or before January 10, 1969
Witness my hand this 10th day of January, 1967

P. Keith Higgins
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, DON W. SAMUELSON Governor of the State of Idaho, and EDSON H. DEAL Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th day of January, 1967

Countersigned
By *Edson H. Deal*
Secretary of State.

STATE OF IDAHO
By *Don Samuelson*
Governor.

No. 33390

PERMIT

Date of first receipt at office of State Reclamation Engineer

December 28, 1966 4:30 P.M.

Returned to applicant for correction

Corrected application received

Fees, \$ 5.00 no fee required

FILING FEES FOR USE PERMIT:

For the first Sec. Ft. \$5.00

For each additional Sec. Ft. or Fraction

Thereof .25

33390

May 29, 1973

Re: License No. 33390/97-2054

State of Idaho, Dept. of Public Lands
Statehouse Mail

Gentlemen:

Enclosed please find a copy of the Water License issued on the above referenced permit.

We are also enclosing Receipt #10542 for \$5.00 covering the licensing fee.

Sincerely,

Bobby D. Fleenor
Assistant Director

kss

Enclosures

97 2054

IDAHO

DEPARTMENT OF PUBLIC LANDS
BOISE, IDAHO 83707



GORDON C. TROMBLEY
COMMISSIONER

STATE BOARD OF LAND COMMISSIONERS

CECIL D. ANDRUS
GOVERNOR AND PRESIDENT
PETE T. CENARRUSA
SECRETARY OF STATE
W. ANTHONY PARK
ATTORNEY GENERAL
JOE R. WILLIAMS
STATE AUDITOR
DELMER F. ENGELKING
SUPT OF PUBLIC INSTRUCTION

May 14, 1973

RECEIVED
MAY 14 1973

Department of Water Administration

Mr. R.Keith Higginson, Director
Department of Water Administration
Building Mail

Dear Mr. Higginson:

We are in receipt of your letter of May 10, 1973, advising us that inspection has been made of the works covered by our Permit No. 33390(97-2054).

The \$5.00 filing fee is being processed on a DA-8 and payment will be forthcoming from the State Auditor's office.

Very truly yours

FOR THE COMMISSIONER

W. J. Mitchell

W. J. Mitchell
Division Chief, Lands

WJM/lgb

97 2054

DA-8

2-REMITTANCE ADVISE

STATE OF IDAHO

Miscellaneous Expenditure Voucher

No.

FOR USE OF DIVISION
OF ACCOUNTS ONLY

152954

No.

FOR USE OF DEPARTMENT

FROM
DEPARTMENT

Public Lands

SUB-DIVISION

APPROPRIATION
ACCOUNT TITLE

PAY TO:

CODE NO.

State of Idaho

Department of Water Administration

Building Mail

ACCOUNT CODES

FUND	FUNCTION	SUB. DIV.	APPR.	OBJECT	COST CODES
1	12	01	130	273	5.00
COMPUTATION CHECKED BY:				PRE-AUDITED BY:	
INCLUDED IN DAILY SUMMARY NO.				POSTED TO BUDGET CONTROL LEDGER	

DATE	EXPLANATION	AMOUNT	LEAVE BLANK
5-14-73	Water Rights Fee -- Permit No. 33390/97-2054	\$5.00	

TO THE CLAIMANT:

Enclosed please find State of Idaho warrant in full settlement of the claim.

Please address any inquiries concerning this transaction to the

STATE AUDITOR,
Division of Accounts
State Capitol Building,
Boise, Idaho

777493

97 2054

MAY 17 1973

5-14-73 *DC, Hornbly*

May 10, 1973

Permit # 10542

State of Idaho, Dept. of Public Lands
Statehouse Mail

Gentlemen:

A representative of this department has made an examination of the works covered by your Permit No. 33390/97-2054 and has found the following:

Quantity of water diverted: 0.30 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.30 cfs

The maximum quantity of water diverted shall not exceed 1.2 acre feet per season, for domestic use.

Beneficial Use: Domestic & fire protection purposes within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, Twp. 60N, Rge. 3W, B. M.

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, Twp. 60N, Rge. 3W, B. M.

The priority date established is : Dec. 28, 1966

A fee totaling \$ 5.00 must be received within 30 days from the date of this letter in order that we can issue you a Water License as set forth in this letter.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

97 2054

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

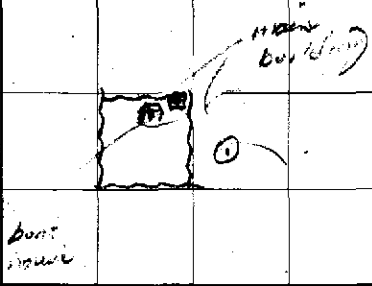
REPORT OF EXAMINER

PERMIT NO. 33390/97-2054

REPORT ON PROOF OF Completion of Works and Beneficial Use

R 50

T
60
N



.02 domestic
Q measured .28 Fire Protection of buildings
Q recommended .30
Volume 1.95 AF for domestic (Fire protection to be used when necessary)
Acreage -
Found _____
recommended _____
Subdiv. 1
Amendments
☒ None
☐ AD
☐ Plate of use
☐ _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF EXAMINER

Permit No. 33390/99-2054

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant State of Idaho - Forest Department

2. Source of water supply: Fenton Creek

3. Location of point of diversion: Is in the NW 1/4 of Section 26

T. 60 N R. 3W County of Bonner

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

5. Water is used for: domestic and fire protection

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NW 1/4, sec. 26, T. 60 N, R. 3 W, B.M.

Volume: Domestic = 1.2 AF + .75 AF = 1.95 AF

Fire Protection: to be used when necessary

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

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

Remarks: Water is used for domestic purposes for 1 bunk house and 1 main building. Approx 1/4 acre of lawn. Water is taken from the Fenton Creek into a concrete collection tank. A plastic pipe runs from the collection box to place of use. Recommend to license .02 cfs for domestic and .28 cfs for fire protection to be used when necessary.

This examination was made on the 30 day of Aug, 19 72

(Signed) Fred E. ... Examiner.

Dept. of Public Lands

Permit No. 33390/97-2054

Examination for Completion of Works and Beneficial Use

County Bonner

Sec. 26 T. 60N. R. 3W

Quantity: 0.02 for domestic
0.28 for fire protection

Source: 97-
Fenton Creek

P.D.: NW 1/4 Sec. 26, T. 60 N, R. 3 W, B.M.

Use: domestic and fire protection

Extension:

Protest:

Completion of Works:

Other Rights: none

Filed: December 28, 1966

Made: December 29, 1967

Due: January 10, 1969

Priority: December 28, 1966

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.

97 2054

January 4, 1968

Re: Permit No. 33390

Willard J. Mitchell
Department of Public Lands
State House
Boise, Idaho

Dear Mr. Mitchell:

We acknowledge receipt of the depositions and affidavit of publication in the Sandpoint News-Bulletin, Sandpoint, Ida. submitted as proof of completion of works and beneficial use on Permit 33390.

Before a certificate and license of water right can be issued, a field examination must be made by a representative from this department. We cannot tell just when this examination will be made, but our field examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

33390

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 33390

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: Willard J. Mitchell
6507 Bermuda Drive, Boise, Idaho 83705 - Land Exchange Officer

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:
Formerly Idaho State Forestry Dept., now Department of Public Lands

Ques. 3. State number, approval date of permit, and date of priority: 33390
January 10, 1967. Date of priority, December 28, 1966.

Ques. 4. State source of water supply: Fenton Creek
Give location of point of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26 Township 60N Range 3W, B.M.

Ques. 5. Describe your works of diversion: Diversion Dam, storage tank and pipeline
_____; state amount of water they are capable of conveying from point of diversion to place of use: .3 CFS; 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 _____; depth to water _____; if pump is used, state discharge of pump: _____; tell how it was measured or determined _____
_____; if sprinkler irrigation, give number and size of nozzles and operating pressure: _____

Ques. 6. State for what purpose water is used: Domestic use and Fire suppression
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

33390

State nature of all improvements which have been made as a direct result of said use:

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: _____

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

Department of Public Lands Office located in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, Township 60N

Range 3W, B.M. Domestic use and fire protection and suppression.

Ques. 8: 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:

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: August 1967 .3 CFS - Time used since first use:

Four months

Ques. 10. Describe all other water rights appurtenant to same place of use: _____

Department of Public Lands
(sign) By: Willard J. Mitchell

* * * * *

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

Boise, County of Ada
State of Idaho, on this 29th day of December, A. D. 1967.

My commission expires: July 25, 1968

Mary J. Stewart

33390

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 33390

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

Willard J. Mitchell, 6507 Bermuda Drive, Boise, Idaho-Land Exchange Officer

Ques. 2 Are you acquainted with Formerly Idaho State Forestry Dept.
now Dept. of Public Lands, the holder of
Permit No. 33390? How long have you known him and where does he reside?

Employed by the Department since 1956

Ques. 3. Have you read or heard said Permit No. 33390 read, and are you familiar
with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Fenton Creek

Give location of place of diversion, showing subdivision, section, township and range
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26 Township 60N Range 3W B.M., County of Bonner

Describe works for conveying water to place of use: Diversion Dam, storage tank, and
pipeline

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: .3 CFS How much water have you seen being so
conveyed? .3 CFS

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

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Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Domestic use and fire protection and suppression at Department of Public Lands Office

located in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26 Township 60 North Range 3 West, B.M.

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.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned? If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? August 20, 1967

Other times you have seen such use: None

(Signed):

Willard J. Mitchell

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 Baise

 , County of Ada, State of Idaho, on

this 29th day of December, A. D. 1967

Mary J. Stewart

Notary Public for the State of Idaho

Residing Baise Idaho

My commission expires July 25 - 1968

33390

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Permit No. 33390

RECEIVED

JAN 2 1966

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

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:

Edward J. Bess, 1904 Grassmere, Boise, Idaho 83705, Fiscal Officer

Department of Public Lands, Idaho

Formerly Idaho State Forestry Dept.

Ques. 2 Are you acquainted with now - Dept. of Public Lands, the holder of

Permit No. 33390? How long have you known him and where does he reside?

Employed by the Department since 1959.

Ques. 3. Have you read or heard said Permit No. 33390 read, and are you familiar

with its provisions and conditions: Yes X No.

Ques. 4. State source of water supply: Fenton Creek

Give location of place of diversion, showing subdivision, section, township and range

NW 1/4 SE 1/4 Section 26 Township 60 North Range 3 West B.M., County of Bonner

Describe works for conveying water to place of use: Diversion Dam, storage tank, and

Pipeline

Ques. 5. How many second feet of water do you estimate said works will safely conduct

to place of use: .3 CFS How much water have you seen being so

conveyed? .3 CFS

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

33390

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

Domestic use and fire protection and suppression at Department of Public Lands Office
located in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26 Township 60 North, Range 3 West, B.M.

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.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?
If so, in what way and to what extent? No

Ques. 10. When did you first see this water used? November 15, 1967

Other times you have seen such use: None

(Signed):

Edward Base

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 Boise

_____, County of Ada, State of Idaho, on
this 29th day of December, A. D. 1967

Mary J. Stewart
Notary Public for the State of Idaho
Residing Boise Idaho

My commission expires

July 25, 1968

33390

IDAHO

DEPARTMENT OF PUBLIC LANDS
FORESTRY DIVISION
BOISE, IDAHO 83707



GORDON C. TROMBLEY
COMMISSIONER

29 December 1967

STATE BOARD OF LAND COMMISSIONERS

DON SAMUELSON
GOVERNOR AND CHAIRMAN

PETE T. GENARRUSA
SECRETARY OF STATE

ALLAN G. SHEPARD
ATTORNEY GENERAL

JOE R. WILLIAMS
STATE AUDITOR

DELMER F. ENGELKING
SUP'T OF PUBLIC INSTRUCTION

RECEIVED

JAN 2 1968

Department of Reclamation

State of Idaho Department of Reclamation
107 State House
Boise, Idaho 83701

Gentlemen:

Please find enclosed one copy of disposition of holder and two copies of disposition of witness concerning proof of application of water to beneficial use and completion of works for permit No. 33390.

According to your letter of December 24, 1967, your office is holding the affidavit of publication until the above mentioned dispositions are returned.

If any further action is required by us, please notify us promptly.

Yours very truly,

Handwritten signature of W. J. Mitchell in cursive.

W. J. MITCHELL
Land Exchange Officer

WJM/cjp

Enclosures

33390

December 4, 1967

Re: Permit No. 33390

Idaho State Forestry Dept.
State House
Boise, Idaho

Gentlemen:

Enclosed please find the advertising bill for the above referenced permit which was sent to us along with the affidavit of publication.

We will hold the affidavit until proof depositions have been taken and submitted to this office for further action.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:DJ

Enc: Adv. bill

33340

Affidavit of Publication

STATE OF IDAHO, }
County of Bonner, } ss.

RECEIVED
DEC 4 1967

Department of Reclamation

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of

Notice of Proof of Completion of
Works and Application of Water to
Beneficial Use

as it was published in the regular and entire issue
of the said paper for a period of four
consecutive weeks, commencing on the 9th
day of November, 1967, and end-
ing on the 30th day of November,
1967, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

1st day of December, 1967.

Blynn Good

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF PROOF OF
COMPLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that on
December 28, 1967, at Boise, Coun-
ty of Ada, State of Idaho, before
notary public Mary J. Stewart,
801 South Capital Blvd., Boise,
Idaho, proof will be submitted
of the completion of works for
the diversion of a total of 0.3
c. f. s. of the waters of Fenton
Creek, and the application to
beneficial use of said water, in
accordance with the terms and
conditions of permit 33390, hereto-
fore issued by the Department of
Reclamation of the State of Idaho.

1. The name and address of
permit holder is Idaho State For-
estry Department, State House,
Boise, Idaho.

2. Said works of diversion will
be fully completed on the date
for such completion, and the
amount of water which said works
are capable of conveying to the
place of use is a total of 0.3
cubic feet per second.

3. The use to which said water
has been applied is domestic and
fire protection purposes, and the
amount applied to beneficial use
is 0.02 c. f. s. for domestic and
0.28 c. f. s. for fire protection.

4. The point of diversion of
said water is NW 1/4, Sec. 26,
T. 40 N. R. 3 W., B.M., Bonner
County.

5. The place where said water
is used is NW 1/4, Sec. 26,
T. 40 N. R. 3 W., B.M.

6. The date of priority which
said user is prepared to estab-
lish is December 28, 1964.

R. KEITH HIGGINSON,
State Reclamation Engineer.
NS-15-23-30

33390

November 3, 1967

Re: Permit No. 33390

W. J. Mitchell, Chief, Land Exchange
Department of Public Lands
State House
Boise, Idaho

Dear Mr. Mitchell:

This acknowledges receipt of the notice of intent to make proof of completion of works and application of water to beneficial use for permit 33390.

We have mailed the notice to the Sandpoint News-Bulletin to be published once a week for four consecutive weeks prior to December 29, 1967, which is the hearing date when the permit holder Idaho State Forestry Department and two disinterested witnesses must appear before Mary J. Stewart, notary public, to complete the enclosed depositions. The witnesses must be familiar with the works and permit.

After the hearing, the depositions and an affidavit of publication must be submitted to this office. The affidavit may be obtained from the newspaper when the advertising bill is paid by W. J. Mitchell for Department of Public Lands. Be sure all the forms have the notary's seal and are signed.

Please feel free to contact us if we may be of any assistance.

Very truly yours,

Donald W. McEldevney
Water Rights Clerk

DWM:dj

Enc: Depositions

cc: Notary

33390

November 3, 1967

Re: Permit No. 33390
Idaho State Forestry Dept.

Sandpoint News-Bulletin
Sandpoint, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for four consecutive weeks prior to December 29, 1967. The expense of the publication is to paid by Department of Public Lands by W. J. Mitchell, Chief, Land Exchange, Statehouse, Boise, Idaho, to whom you should furnish the affidavit of publication on or before the above date. Please acknowledge receipt of this notice by furnishing this office with a tear sheet for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

Enc: Legal Notice

7/1/68
33390

NOTICE OF PROOF OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on December 29, 1967, at Boise,
County of Ada, State of Idaho, before notary public (name & address) _____
Mary J. Stewart, 801 South Capital Blvd., Boise, Idaho, proof will be
submitted of the completion of works for the diversion of a total of 0.3 c.f.s. of the waters
of Fenton Creek, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit 33390, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Idaho State Forestry Department,
State House, Boise, Idaho.

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of use is a
total of 0.3 cubic feet per second.

3. The use to which said water has been applied is _____
domestic and fire protection purposes, and the amount applied to beneficial
use is 0.02 c.f.s. for domestic and 0.28 c.f.s. for fire protection.

4. The point of diversion of said water is NW $\frac{1}{4}$ Sec. 26, T. 60 N., R. 3 W,
B.M., Bonner County.

5. The place where said water is used is NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26, T. 60 N., R. 3 W., B.M.

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

December 28, 1966.

R. KEITH HIGGINSON

State Reclamation Engineer

33390

NOV 8 1967

Department of Reclamation

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on December 29, 1967 at Boise,
County of Ada, State of Idaho, before notary public (name & address) _____
Mary J. Stewart 801 South Capital Blvd. Boise, Idaho, proof will be
submitted of the completion of works for the diversion of 0.3 a total of c.f.s. of the waters
of Fenton Creek, and the application to beneficial use of said water,
in accordance with the terms and conditions of permit 33390, heretofore issued by
the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Idaho State Forestry Department, State House, Boise, Idaho.
2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 0.02 cubic feet per second. ~~for domestic and 0.28 c.f.s. for fire protection.~~
3. The use to which said water has been applied is _____ domestic and fire protection purposes, and the amount applied to beneficial use is 0.02 c.f.s. for domestic and 0.28 c.f.s. for fire protection.
4. The point of diversion of said water is NW 1/4 Sec. 26, T. 60 N., R. 3 W, B.M., Bonner County.
5. The place where said water is used is NW 1/4 Sec. 26, T. 60 N., R. 3 W, B.M., Bonner County.
6. The date of priority which said user is prepared to establish is December 28, 1966.

State Reclamation Engineer

33390

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Sandpoint News-Bulletin of Sandpoint, Idaho; published in the county in which the works are situated.

Department of Public Lands
By: W. J. Mitchell, Chief Land Exchange
(signature)

State House
Boise, Idaho
(address)

November 2, 1967
(date)

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

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

Engineer

33390

January 19, 1967

Re: Permit No. 33390

Idaho State Forestry Department
Statehouse
Boise, Idaho

Gentlemen:

We enclose Permit No. 33390 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 33390 which was issued covering payment in the amount of \$ for the filing fee of the above mentioned permit. **no fee required**

Very truly yours,

Enc.

permit

M. RUSSELL BOSCH
Office Manager

MRB:ejw

33390

**NOTICE OF PROOF OF
COMPLETION OF WORKS AND
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that on December 29, 1967, at Boise, County of Ada, State of Idaho, before notary public Mary J. Stewart, 801 South Capital Blvd., Boise, Idaho, proof will be submitted of the completion of works for the diversion of a total of 0.3 c. f. s. of the waters of Fenton Creek, and the application to beneficial use of said water, in accordance with the terms and conditions of permit 33389, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and address of permit holder is Idaho State Forestry Department, State House, Boise, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is a total of 0.3 cubic feet per second.

3. The use to which said water has been applied is domestic and fire protection purposes, and the amount applied to beneficial use is 0.02 c. f. s. for domestic and 0.28 c. f. s. for fire protection.

4. The point of diversion of said water is NW 1/4 Sec. 26, T. 60 N. R. 3 W., B.M., Bonner County.

5. The place where said water is used is NE 1/4 SW 1/4, Sec. 26, T. 60 N. R. 3 W., B.M.

6. The date of priority which said user is prepared to establish is December 28, 1966.

R. KEITH HIGGINSON,
State Reclamation Engineer.
N9-16-23-30

ACKNOWLEDGEMENT

Date: December 28, 1946

Re: Application No. _____

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. _____, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed:

Idaho State Forestry Dept.
By: W. J. Mitchell.

Applicant

33390

33390