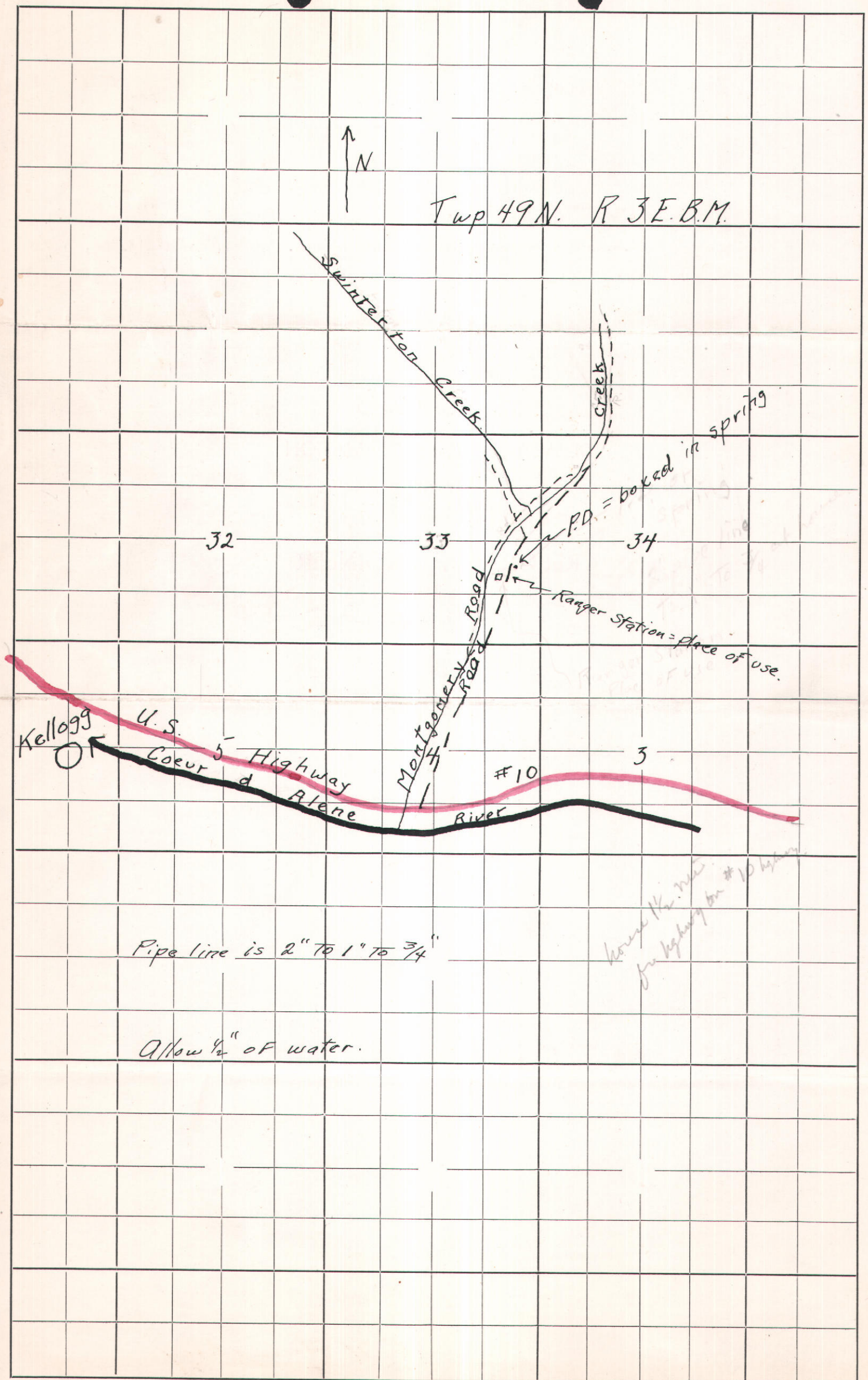


Spent reading = 674 37,8



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

18753

Concrete renovation

3' x 4' x 5' x 6' 1/4"

Covered with wooden shels.

Top of shed even with surface

of ground.

Water enters over top of concrete

and then bottom.

Unable to open the door.

Approx. 50' E. of road.

Elev. ext. 18'

450' along rd to house

1" ventilet in yard 1/2"

hot & cold in house

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.

U.S. Forest Service
Coeur d'Alene Nat'l. Forest
Coeur d'Alene, Idaho
Permit No. 18753

Examination for Beneficial use

County Shoshone

4977 - 3E
33

Q = .04 cfs.

S. = Spring

P.D. = 2170' fr. SE Corn of

S. 33 T-49N: R3E.

in NE 4 SE 4 of S 33-49N-3E

Use = Hom. & Montgomery Station

50
104
200

RECEIVED
OCT 3 1951

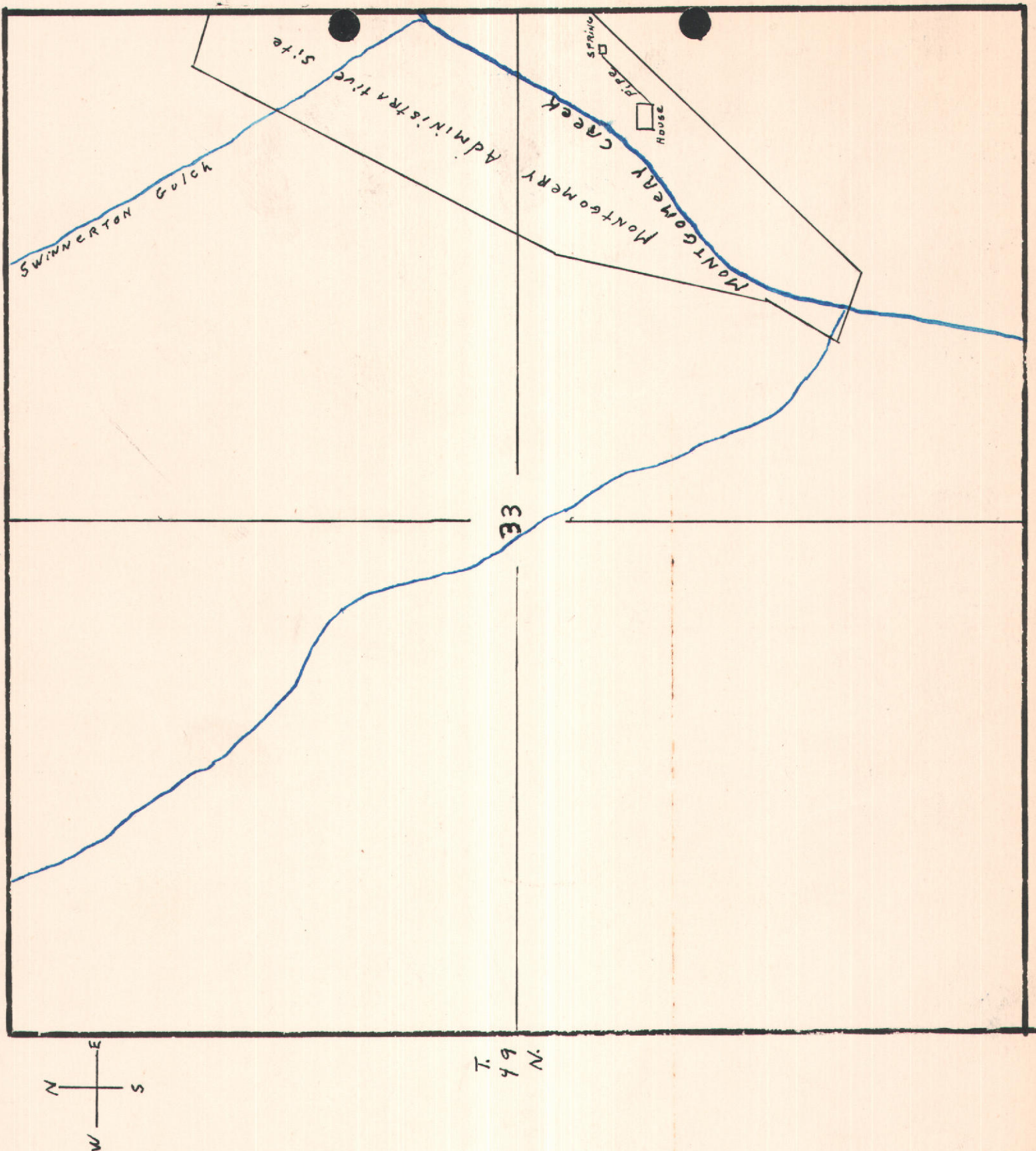
Department of Reclamation

22 Dec

2 gal in 22 Dec. = Q.

2 trials

R. 3 E.



Map of Montgomery Station
T. 49 N., R. 3 E., Sec. 33
To Accompany Application for Permit
By: U. S. Forest Service
Coeur d'Alene National Forest
Coeur d'Alene, Idaho
March 3, 1939

SCALE: - 8 inches = 1 mile

Permit Map No. 18753
As Approved
Mar. 23-1939
JAMES SPOFFORD
Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 18753

Amount 0.02 second foot

Water District No. _____

Priority March 6, 1939

THIS IS TO CERTIFY that U.S. FOREST SERVICE, COEUR D'ALENE NATIONAL FOREST of Coeur d'Alene, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 6, 1939; that Permit No. 18753 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.04 second foot, was issued thereunder on March 25, 1944, showing that said works were completed on the 26th day of February, 1944; and that on the 23rd day of March, 1950,

U.S. FOREST SERVICE, COEUR D'ALENE NATIONAL FOREST of Coeur d'Alene, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of an unnamed spring, tributary of _____, for the purpose of domestic use, under Use Permit No. 18753 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4846, on the 7th day of November, 1951; The right hereby confirmed dates from March 6, 1939;

The Point of Diversion is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, Tp. 49 N., R. 3 E., B.M. Shoshone County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Montgomery Ranger Station in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Township 49 North, Range 3 East, B.M.		

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 7th day of November, 1951.

(SEAL)

MARK R. KULP
State Reclamation Engineer

94-2185

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

Application No. 26112

Permit No. 18753

District No.

1. Name of Applicant: U. S. FOREST SERVICE, COEUR D'ALENE NATIONAL FOREST

Postoffice address Coeur d'Alene

County: Kootenai

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:

(c) Bonds to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: .04 cubic feet per second.

3. Source of water supply: Spring which is a tributary of

4. Location of point of diversion: 2170 feet distant from the S E

corner of Section 33, T. 49 N., R. 3 E., B. M., and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 33, T. 49 N., R. 3 E., B. M., County of Shoshone

5. Water is to be used for: Domestic- Montgomery Station

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: \$ 150.00

8. Kind of works: Small reservoir 4'X4'X4' One inch pipe line Reservoir is box like
structure buried in water course to confine seepage.

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 1" pipe outlet ^{in reservoir} feet, height feet.

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

feet; dimensions of flume:

Diameter of pipe 1 inches; length of conduit .075 miles.

Average grade per mile 200 feet.

12. The time required for the completion of such work is 5 years.

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

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

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

U. S. FOREST SERVICE
COEUR D'ALENE NATIONAL FOREST

By Chas. D. Simpson Agent.

Date of first receipt at Department of Reclamation: 9:10 A.M., March 6, 1939

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is **18753**
 Recorded in Book **68** Page **18753** Approved **March 23, 1939**

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 May 22, 1939 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 September 23, 1941

The whole of said work to be completed on or before **March 23, 1944**

Beneficial use of water appropriated in accordance herewith, to be made on or before March 23, 1950

Witness my hand this **23rd** day of **March, 1939**

JAMES SPOTFORD

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	
			In testimony whereof, we, C. A. BOTTOLFSEN, Governor of the State of Idaho, and GEO. H. CURTIS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho to be hereunto affixed, this 23rd day of March, 1939. (SEAL) Countersigned: By GEO. H. CURTIS Secretary of State STATE OF IDAHO By C. A. BOTTOLFSEN Governor PERMIT NO. 18753 Certificate of Completion of Works To All Whom it May Concern: This is to certify that U. S. FOREST SERVICE, COEUR D'ALENE NATIONAL FOREST, of Coeur d'Alene, County of Kootenai, and State of Idaho, the holder of Permit No. 18753, issued upon Application No. 26112, bearing date of priority of March 6, 1939, authorizing the diversion of .04 second foot of the waters of a spring, County of Shoshone, State of Idaho, for domestic use at Montgomery Station 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 .04 second foot of the waters of said spring; that the point of diversion of said waters is located 2170 feet distant from the Southeast corner of Section 33, Township 49 North, Range 3 East, B. M., and is in the NE¼ SE¼ Section 33, Township 49 North, Range 3 East, B. M. Witness my hand this 25th day of March, A. D. 1944. Proof of completion of works made February 26, 1944 Certificate of Completion of Works issued March 25, 1944. JAMES SPOFFORD State Reclamation Engineer																
			LICENSE ISSUED FOR 0.02 SEC. FE page 4846																

June 13, 1960

No: 2510

Permit 18753

Carl G. Krueger
Forest Supervisor
Coeur d'Alene, Idaho

Dear Mr. Krueger:

The records show the following permits originating in the
Coeur d'Alene office of the Forest Service:

Permit No.	Date Filed	Point of Diversion	Amount Licensed
15896	10/10/23	Lot 2, Sec. 20 50N-4E	Cancelled 1/5/29
16547	7/24/26	NW 1/4 SW 1/4, " 28 50N-3E	" 5/15.28
18750	3/6/39	NE 1/4 NE 1/4 " 15 50N-4E	.02 c.f.s.
18751	3/6/39	NE 1/4 SE 1/4 " 36 48N-5E	.08 c.f.s.
18752	3/6/39	NW 1/4 SW 1/4 " 32 48N-6E	.16 c.f.s.
18753	3/6/39	NE 1/4 SE 1/4 " 33 49N-3E	.02 c.f.s.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

RT:ew

18753

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
COEUR D'ALENE NATIONAL FOREST



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO
2510

RECEIVED
JUN 1 01960
Department of Reclamation

COEUR D'ALENE, IDAHO
June 9, 1960

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sir:

I would very much appreciate information regarding the water right permits issued to the Coeur d'Alene National Forest. I would like to have the dates the permits were issued as well as the locations of the points of diversions.

Very sincerely yours,

CARL G. KRUEGER
Forest Supervisor

By *J. G. Janssen*

Permit - date filed - P.D. - Remarks
Licensee issued date for - amount

18753

May 26, 1959

Re: Water License 18750 - 18751 -
18752 - 18753
U. S. Forest Service

Carl G. Krueger
Forest Supervisor
Coeur d'Alene Nat'l. Forest
Coeur d'Alene, Idaho

Dear Mr. Krueger:

The four applications you mentioned in your letter of May 21, were approved as Permits 18750 to 18753 inclusive. Proofs were made and licenses recorded on pages 4843 to 4846 inclusive, as follows:

Permit 18750 - amount 0.02 c.f.s. from Avery Creek for use at Avery Canyon

Permit 18751 - amount 0.08 c.f.s. from unnamed stream, point of diversion, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 48 N., R. 5 E. for Lookout Station and lunch ground.

Permit 18752 - amount 0.16 c.f.s. from unnamed stream, point of diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 48 N., R. 6 E. for picnic area.

Permit 18753 - amount 0.02 c.f.s. from spring, point of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T. 49 N., R. 3 E. for Montgomery Station.

Copies of the licenses can be made for a fee of \$1.00 each. Certified copies would be \$2.00 each. Copies of the permits can be made for a fee of \$1.75 each.

You may be able to find your copies with the above information. Copies of our records will be sent to you upon request.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer

GNC:RT:ew

18753

K7

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
COEUR D'ALENE NATIONAL FOREST



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

E

WATER RESOURCES
Water Rights

RECEIVED
MAY 25 1959
Department of Reclamation

COEUR D'ALENE, IDAHO
May 21, 1959

Department of Reclamation
State of Idaho
Boise, Idaho

Dear Sirs:

Upon reviewing our file on water rights held in the State of Idaho we find a letter from your department dated March 6, 1939, signed James Spofford, acknowledging the receipt of our voucher for \$20.00 along with four applications, numbered 26109 thru 26112. The letter stated the permits would be issued. However, we cannot find the instruments in our file.

We would greatly appreciate any information you may give us on the status of these applications and if they were issued please send us a copy of the instrument.

Sincerely yours,

Permit 18750 - P 4843 - 0.02 Avery Cabin & Camp out of Avery Cr.

1 4844
2 4845
3 4846

Carl G. Krueger
CARL G. KRUEGER
Forest Supervisor

4844 - 0.08 unnamed stream PG NESE 36-48N-5E for Lookout Station and Lunch Ground
4845 - 0.16 " " " NWSW 32- " 6E for picnic area
4846 - 0.02 spring NESE 33-49N-3E Montgomery Station

18753

November 9, 1951

RE: Permit Nos. 18750, 18751, 18752, and 18753

Mr. K. A. Klehm, Forest Supervisor
Coeur d'Alene National Forest
Coeur d'Alene, Idaho

Dear Mr. Klehm:

We enclose herewith the following licenses and certificates of water right.

No. 18750, confirming the right of the U.S. Forest Service to the use of 0.02 second foot of water from Avery Creek with priority of March 6, 1939, point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, Township 50 North, Range 4 East, B.M., for domestic and lawn irrigation at Avery Cabin and Campground.

No. 18751, confirming the right of the U.S. Forest Service to the use of 0.08 second foot of water from an unnamed stream, tributary to the South fork Coeur d'Alene River with priority of March 6, 1939, point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Township 48 North, Range 5 East, B.M., for domestic use at the Lindroos Hill Lookout and lunch ground in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said section.

No. 18752, confirming the right of the U. S. Forest Service to the use of 0.16 second foot of water from an unnamed stream, tributary to the South fork Coeur d'Alene River with priority of March 6, 1939, point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32, Township 48 North, Range 6 East, B.M., for domestic and lawn irrigation use in Shoshone Park.

No. 18753, confirming the right of the U.S. Forest Service to the use of 0.02 second foot of water from an unnamed spring in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Township 49 North, Range 3 East, B.M., with priority of March 6, 1939, for domestic use at the Montgomery Ranger Station.

We also enclose departmental receipt No. 23923 for the \$20.00 fees required in connection with final proofs on the above numbered permits.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

18753

✓
October 4, 1951

RE: Permit No. 18753

Mr. K. A. Klehm
Forest Supervisor
Coeur d'Alene, Idaho

Dear Mr. Klehm:

We now have on file the report of our field engineer on examination for beneficial use under Permit No. 18753.

Therefore, upon receipt of the statutory fee of \$5.00, a license will be issued for .02 of a second foot of water from an unnamed spring, with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Township 49 North, Range 3 East, B.M., for use at the Montgomery Ranger Station.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

18753

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

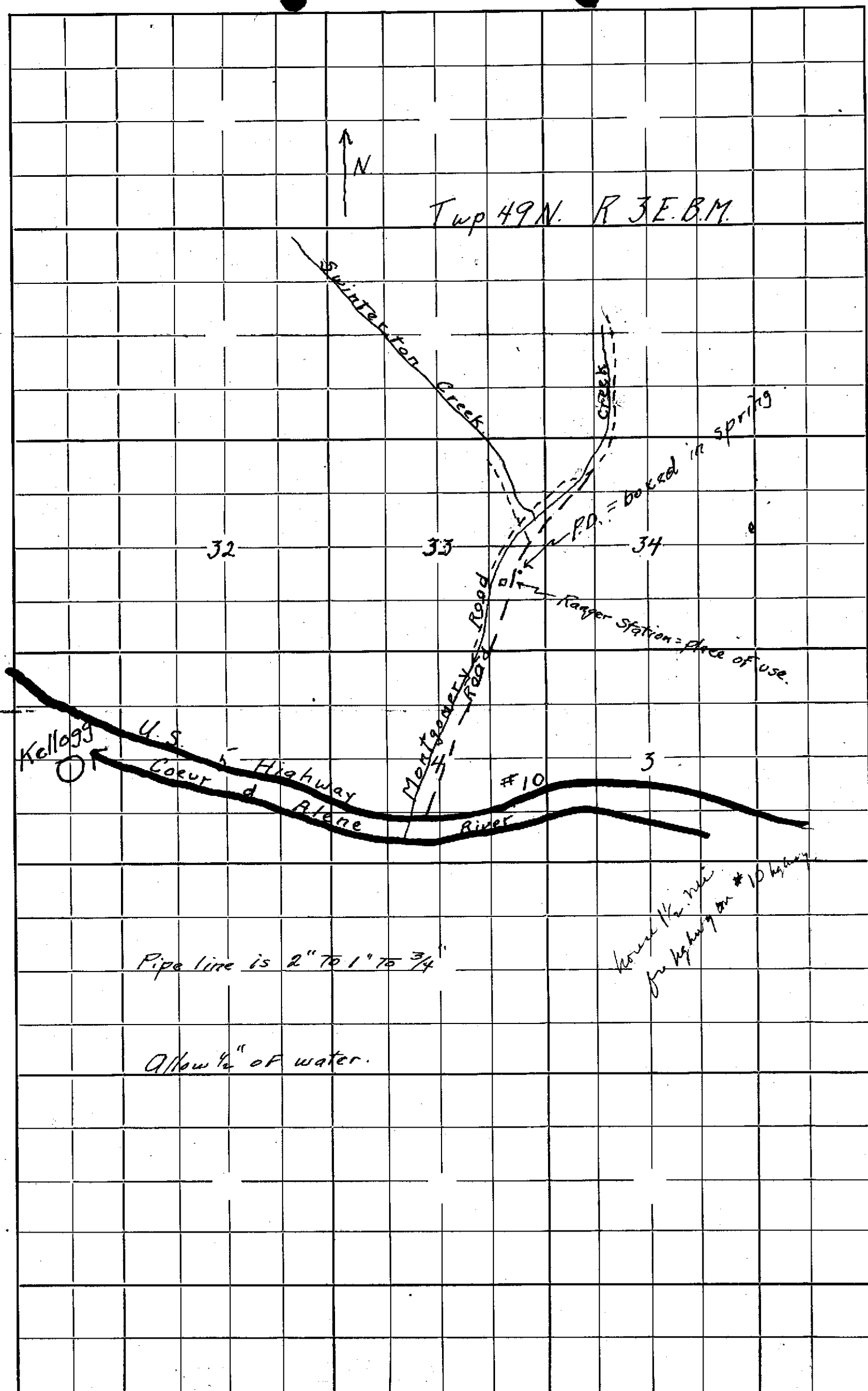
PERMIT NO. 18753

REPORT ON PROOF OF Beneficial use

10/1 of
men

aff. 0.04

Sped no. 171373



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

Permit No. 18753This proof is for Beneficial use In Water District No. _____1. Name of applicant U.S. Forest Service, Coeur d'Alene Nat'l. Forest, Coeur d'Alene, Idaho2. Source of water supply: An unnamed spring3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33T. 49 N. R. 3 E. County of Shoshone

4. Describe works as they exist, giving dimensions and capacities of same: There is ⁹ concrete collecting tank, size 3 ft. by 4 ft. by 5 ft. high. 6 in. thick walls. The whole covered with a wooden shed, Top of the shed even with the surface of the ground, located on a steep hill side to the East of the road leading up Montgomery Creek, Approximately 450 feet along the road, from the house, and 50 ft. to the East of the road. Estimated elevation is 18 ft. above the house. There is hot and cold water in the house and one $\frac{1}{2}$ in. outlet in the yard. Measurement of this water gives 2 gal. in 22 seconds, approximately. Output is $\frac{1}{2}$ in. of water.

5. Water is used for: 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):

Montgomery Ranger Station, in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Twp. 49 N., Range 3 E., B.M.

Water is used at the Montgomery Ranger State for domestic purposes.

(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 is a small spring that has been diverted for use at the station.This examination was made on the 12th day of September, 19 51.(Signed) E. H. Humphrey Examiner.

18753

3' x 4' x 5' x 6' x 8'

Covered with wooden shels.
top of shed was with surface
of ground.

Water enters over top of canvas
and then bottom.

unable to open the door.

Approx. 50' E. of road.

Elev. est. 18'

450' along rd to house

1" bullet in yard 1/2

hot & cold in house

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.

22 Dec

2 gal in 22 Dec - Q.

2 trials

Permit No. 38753

Examination for Beneficial use

County Shoshone

33

4971 - 3 E

Q = .04 cfs.

S. = Spring

P.D. = 2170' fr. SE corner of

S. 33 T-49N: R3E.

in NE₄ SE₄ of S 33-49N-3E

Use = Dom. & Montgomery Station

50
.04
200

RECEIVED
OCT 3 1951

Department of Reclamation

September 4, 1951

RE: Permit Nos. 18750, 18751, 18752, and 18753.

E
WATER RESOURCES, Cd'a
Water Rights

Mr. K. A. Klehm, Forest Supervisor
Forest Service
Coeur D'Alene National Forest
Coeur D'Alene, Idaho

Dear Sir:

I intend to be in Wallace on the morning of September 12 ready to make inspections in connection with Permits No. 18750, 18751, 18752, and 18753.

Please arrange for someone to accompany me on the inspection.

Yours truly,

MARK H. KULP
State Reclamation Engineer
By

F. N. Humphrey
Deputy State Reclamation Engineer

H:fg

18753

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18753

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. K. A. Klehm, Coeur d'Alene, Idaho Forest Supervisor, Coeur-
d'Alene National Forest, Coeur d'Alene, Idaho

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

Ans. _____

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

Ans. 18753, March 25, 1944, Priority of March 6, 1939

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

Ans. From a spring is located 2170 feet distant from SE corner of
Sec. 33, T49N, R3EBM and is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC 33, T49N R3EBM

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

Ans. .04 second feet from a spring in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33 T49N R3EBM
Project consists of a small basin the water course and .075 mi.
of 1" pipe.

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

Ans. For domestic use at Montgomery Station.

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

Ans. _____

18753

1944

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

Ans. .04 cubic feet per second from a spring on the Montgomery administrative site.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

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

Ans. Since March 6, 1939 by means of box and .075 mi. of 1" pipe for domestic use at Montgomery Station.

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. _____

(Sign)

K. K. K. K.

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 *Camden* County of *Kootenai*

State of Idaho, on this *23rd* day of *March*, A. D. 19*50*.

E. H. Miles
U.S. Comm'r.

My commission expires _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18753

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. Herb A. Carlson - 35 years - 816 Indiana Avenue -
Shoshone County Field Deputy - Coeur d'Alene, Idaho

Ques. 2. Are you acquainted with K A Klehm, Forest Supervisor of ^{Coeur d'Alene Nat'l Forest} the
holder of Permit No. 18753 ? How long have you known him and where does
he reside?

Ans. 20 years - Coeur d'Alene, Idaho

Ques. 3. Have you read or heard read said Permit No. 18753, 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. A spring on Montgomery Administrative site consisting of a
box and .075 mi. of 1" pipe.

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. I would say .04 second feet or a one inch pipe of water.

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. For domestic use at Montgomery Station.

18753

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

Ans. _____

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. _____

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. Since 1939 on different occasions I have observed water being used for domestic use at this station.

(Signed)

Herb A. Carlson

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 Coeur d'Alene County of Shoshone, State of Idaho, on this 23rd day of March, A. D. 1950.

E. H. Miles
Notary Public

My commission expires _____

18753

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18753

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. Howard Drake - 65 years - 1324 Sherman Avenue -

Consultant Forester - Coeur d'Alene, Idaho

Ques. 2. Are you acquainted with K A Klehm, Forest Supervisor of/, the
holder of Permit No. 18753 ? How long have you known him and where does
he reside?

Ans. 20 years - Coeur d'Alene, Idaho

Ques. 3. Have you read or heard read said Permit No. 18753, 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. A spring on Montgomery Administrative site consisting of a
box and .075 mi. of 1" pipe.

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. I would say .04 second feet or a one inch pipe of water.

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. For domestic use at Montgomery Station.

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

Ans. _____

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. _____

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. Since 1939 on different occasions I have observed water being used for domestic use at this station. _____

(Signed) Harold D. Duce

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 Coeur d'Alene
County of Shoshone, State of Idaho, on this 22nd day of March,
A. D. 1950.

E. H. Miles
U. S. Notary Public

My commission expires _____

PROOF OF PUBLICATION

STATE OF IDAHO,

County of Shoshone.

ss.

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

Notice is hereby given that at 10 A.M. on the 23rd day of March, 1950, at Coeur d'Alene, County of Kootenai, State of Idaho, before E. H. Miles, U. S. Commissioner, proof will be submitted of the application to beneficial use of .04 cubic foot per second of the waters of a spring in accordance with the terms and conditions of Permit No. 18753 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are U. S. Forest Service, Cd'A National Forest, Coeur d'Alene, Idaho.

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

The amount applied to beneficial use is .04 cubic foot per second.

The place where said water is used Montgomery Ranger Station, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Township 49 North.

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

The right to take water from such works is based upon Permit No. 18753.

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

The date of priority which said user is prepared to establish is March 6, 1939.

MARK R. KULP,
State Reclamation Engineer.

4x's—Feb. 17, 24, March 3, 10, 1950.

L. W. Lieb

, being first duly

sworn, deposes and says: That he is the Manager of the Press-Times Publishing Company, publishers of the Wallace Press-Times, a daily newspaper printed and published at Wallace, Shoshone County, Idaho, which said newspaper has a general circulation in said county, and has been continuously and uninterruptedly printed and published in said county

during a period of seventy-eight consecutive weeks prior to the 17th day of February, 1950.

Pursuant to the provisions of Chapter 154 of the 1933 Session Laws of the State of Idaho, said Press-Times Publishing Company has designated Friday of each week as the day on which will be published legal notices required by law or by order of any court of competent jurisdiction within the State of Idaho.

That the Notice of Application of Water of which a complete and correct copy is hereto attached, was first published in said newspaper in its Friday issue dated the 17th day of February,

1950, and was published in each successive Friday issue of said newspaper

for 4 issues, the last publication thereof being in the Friday issue

dated the 10th day of March, 1950.

L. W. Lieb

Subscribed and sworn to before me this

8th day of April, A. D., 1950.

Marjorie B. Clark

Notary Public for the State of Idaho
residing at Wallace, Idaho

My commission expires Feb. 14, 1954.

18753

March 9, 1950

Re: Permit No. 18753

Mrs. Ermeline Orlandini
134 R. R. Avenue
Kellogg, Idaho

Dear Mrs. Orlandini:

Reference is made to your letter of March 6, 1950, inquiring as to Permit of the U. S. Forest Service for use of water at the Montgomery Creek Ranger Station.

This Permit is for .04 of a second foot, or 2 inches of water from a spring in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Township 49 North, Range 3 East, B.M. for domestic use at the Montgomery Creek Ranger Station.

The priority of this Permit is March 6, 1939 and, as is the case with all Permits, is for unappropriated water only and could not interfere with any previous rights; on the other hand, this Permit would have preference over any rights initiated later than the above priority date.

While there is no record in this Department of any other water right from this same source, if the water has been used continuously for a period of years, such a right might be established through the District Court with a priority dating back to the earliest proven usage.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:dh

18753

134 R.R. Ave.
Kellogg, Ida.
Mar. 6, 1945

Mark R. Kuhn
State Reclamation Engineer
Boise, Ida.

Dear Sir:

I have noticed in a local paper a Notice of Proof of Application of Water To Beneficial Use, by the U.S. Forestry Service for the use of 0.4 cu. ft./sec. of water at the Ranger Station on Montgomery Creek, Shoshone County. This application was made under terms of a permit issued by your office.

Being the owner of land (Ranch) situated about one mile above the Ranger Station and on Montgomery Creek, I am naturally interested in just how the the issuance of said Permit will effect me and my right to use water from the creek.

Would it be possible for supply me with the terms of the Permit being issued, or better still, tell me whether I would be restricted in use of water in my property?

Thanking you for any help that you might be able to give me, I remain ,

Sincerely yours,
Mrs. Ermelina Orlandini
Mrs. Ermelina Orlandini

File 3-6-39

18753 - 104 op.

Spq. NESE 33-497-3 E -

dom. at Mark. Station

RECEIVED
MAR 9 1950
Department of Reclamation

18753

February 20, 1950

Re: Permits No. 18752 and 18753

Wallace Press Times
Wallace, Idaho

Gentlemen:

We have checked your issue of February 17, 1950, which reached us this morning, containing four notices of Proof of Beneficial Use to be made by the Coeur d'Alene National Forest Service.

The notices on Permits Nos. 18750 and 18751 we find to be correct. However, on Permits Nos. 18752 and 18753, we find an omission in the copy sent you, as follows:

In the notice on Permit No. 18752, fifth paragraph, after the words "Township 48 North" should be included "Range 6 East, B.M."

In the notice on Permit No. 18753, fifth paragraph, after the words "Township 49 North" should be included the words "Range 5 East, B.M."

Will you please make these corrections in the subsequent issues?

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

18753

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

18753

(Date) January 23, 1950

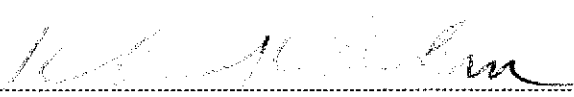
(P. O.) U. S. Forest Service, Coeur d'Alene, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

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



Forest Supervisor

(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.

18753

18753

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

Notice is hereby given that at 10 A. M. on the 23rd day of March, 19 50
at Coeur d'Alene, County of Kootenai, State of Idaho, before
E. H. Miles, U. S. Commissioner, proof will be submitted of the
application to beneficial use of .04 ^{foot} cubic ~~feet~~ per second of the waters of a ~~said spring-~~
~~Montgomery Station~~ in accordance with the terms and conditions of Permit No. 18753
heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
U. S. Forest Service, Gd'ta National Forest, Coeur d'Alene, Idaho

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

The amount applied to beneficial use is Montgomery Ranger Station .04 cubic foot
per second.

The place where said water is used ~~(if for irrigation, give full and accurate description of the~~
~~lands irrigated)~~ Montgomery Ranger Station, in the NE 1/4 Section 33, Township 49 North,

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

The right to take water from such works is based upon Permit No. 18753

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

The date of priority which said user is prepared to establish is March 6, 1939

MARK R. KULP
State Reclamation Engineer.

18753

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

January 10, 1950

Supervisor

Coeur d'Alene National Forest
Coeur d'Alene, Idaho

Spring-Montgomery station

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18753. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than March 23, 1950, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

18753

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

D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho January 3, 1950

U. S. Forest Service
Forest Service Building
Ogden, Utah

Spring- Montgomery station

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18753. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

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

The date for proof, as set out in your permit, is not later than March 23, 1950, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KUTP
State Reclamation Engineer

18753

Permit No. 18753STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

} ss.

County of KootenaiCLARENCE C. STRONG, Forest Supervisor of the
Coeur d'Alene National Forest

, 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. 18753, and that his postoffice address is Coeur d'Alene
State of IdahoSecond: That the name of the stream from which said water is to be directed is a spring, 2170 feet
distant from the S.E. corner of Sec. 33 T. 49 N., R. 3 E., in the NE 1/4
of said sectionThird: That the point of diversion of said water is sameFourth: That under the terms and conditions of said permit, construction thereunder was required to
be completed by March 23, 1944Fifth: That the use for which said water is intended is domesticSixth: That on the date above mentioned, the works constructed under said permit were ~~(or were not)~~
fully completed and consisted of the following:1. Kind of works: small reservoir and pipe

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

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at
bottom feet. Material used in construction

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

(b) Capacity of reservoir acre feet. Reservoir is 4'x4'x4' box buried
in water course(c) Size of headgate: Width feet, height feet.(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe.)
feet, depth of water feet; diameter of pipe 1" inches, average grade
per mile is 200 feet. Length of conduit is .075 miles.Seventh: That said works are capable of conducting to the place of intended use .04
second feet of water.Eighth: That water appropriated under said permit is available for no acres of land
described as follows:

Ninth: Remarks: That

Clarence C. Strong
(Sign here)Subscribed and sworn to before me this 26th day of February, 1944

My commission expires

Notary Public.

18753

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

U. S. Forest Service
Coeur d'Alene Nat'l. Forest
Coeur d'Alene, Idaho

Boise, Idaho **January 3, 1944**

Dear Sir:-

Under the terms of your permit No. 18753 you are required to complete your diversion works on or before March 23, 1944. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

JAMES SPOFFORD

State Reclamation Engineer

18753

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. s. 18752 & 18753

U. S. Forest Service

Coeur d'Alene Nat'l. Forest

Boise, Idaho, March 23, 1939

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.

JAMES SPOTFORD

Chas. D. Simpson
Forest Supervisor
Coeur d'Alene, Idaho

Commissioner of Reclamation.

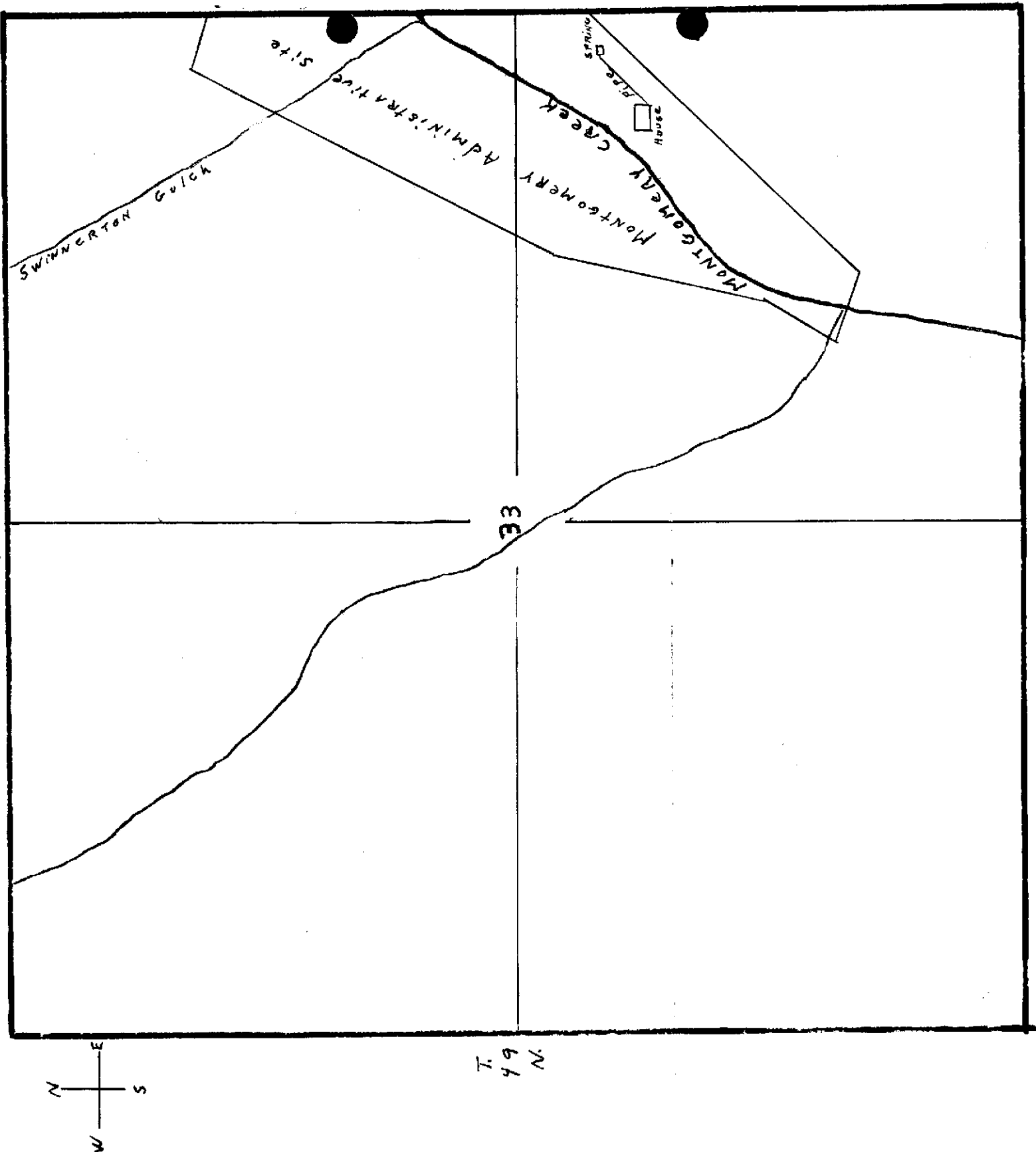
18753

Permit No. 18753

See correspondence in File 18750

18753

R. 3 E.



Map of Montgomery Station
T. 49 N., R. 3 E., Sec. 33
To Accompany Application for Permit
By: U. S. Forest Service
Coeur d'Alene National Forest
Coeur d'Alene, Idaho
March 3, 1939

SCALE: - 8 inches = 1 mile

18753
Mar. 23-1939

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

Notice is hereby given that at 10 A.M. on the 23rd day of March, 1950, at Coeur d'Alene, County of Kootenai, State of Idaho, before E. H. Miles, U. S. Commissioner, proof will be submitted of the application to beneficial use of .04 cubic foot per second of the waters of a spring in accordance with the terms and conditions of Permit No. 18753 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are U. S. Forest Service, Cd'A National Forest, Coeur d'Alene, Idaho.

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

The amount applied to beneficial use is .04 cubic foot per second.

The place where said water is used Montgomery Ranger Station, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Township 40 North. 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 - -

The right to take water from such works is based upon Permit No. 18753.

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

The date of priority which said user is prepared to establish is March 6, 1939.

MARK R. KULP,
State Reclamation Engineer.

4x's - Feb. 17, 24, March 3, 10, 1950.

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

Notice is hereby given that at 10 A.M. on the 23rd day of March, 1950 at Coeur d'Alene, County of Kootenai, State of Idaho, before E. H. Miles, U. S. Commissioner, proof will be submitted of the application to beneficial use of .04 cubic foot per second of the waters of a spring in accordance with the terms and conditions of Permit No. 18753 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are U. S. Forest Service, Cd'A National Forest, Coeur d'Alene, Idaho.

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

The amount applied to beneficial use is .04 cubic foot per second.

The place where said water is used Montgomery Ranger Station, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Township 49 North, Range 3 East, B. M.

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

The right to take water from such works is based upon Permit No. 18753.

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

The date of priority which said user is prepared to establish is March 6, 1939.

MARK R. KULP,

2-24-50 State Reclamation Engineer.

4x's—Feb. 17, 24, March 3, 10, 1950.