

Twp 50N R. 4E B.M.

Map is off to E. a little.

camp ground.

13.4 chains from mark just above road on "line" to see line

cabin

Avery Cr.

P.D.

16

15

road off also

This map is off a bit.
River and road are to Far East.

21

P.D. is in NE $\frac{1}{4}$ NE $\frac{1}{4}$ S 15"
Use " " " " " "
Q = 1" is sufficient

Alene River

Coeur d'Alene River

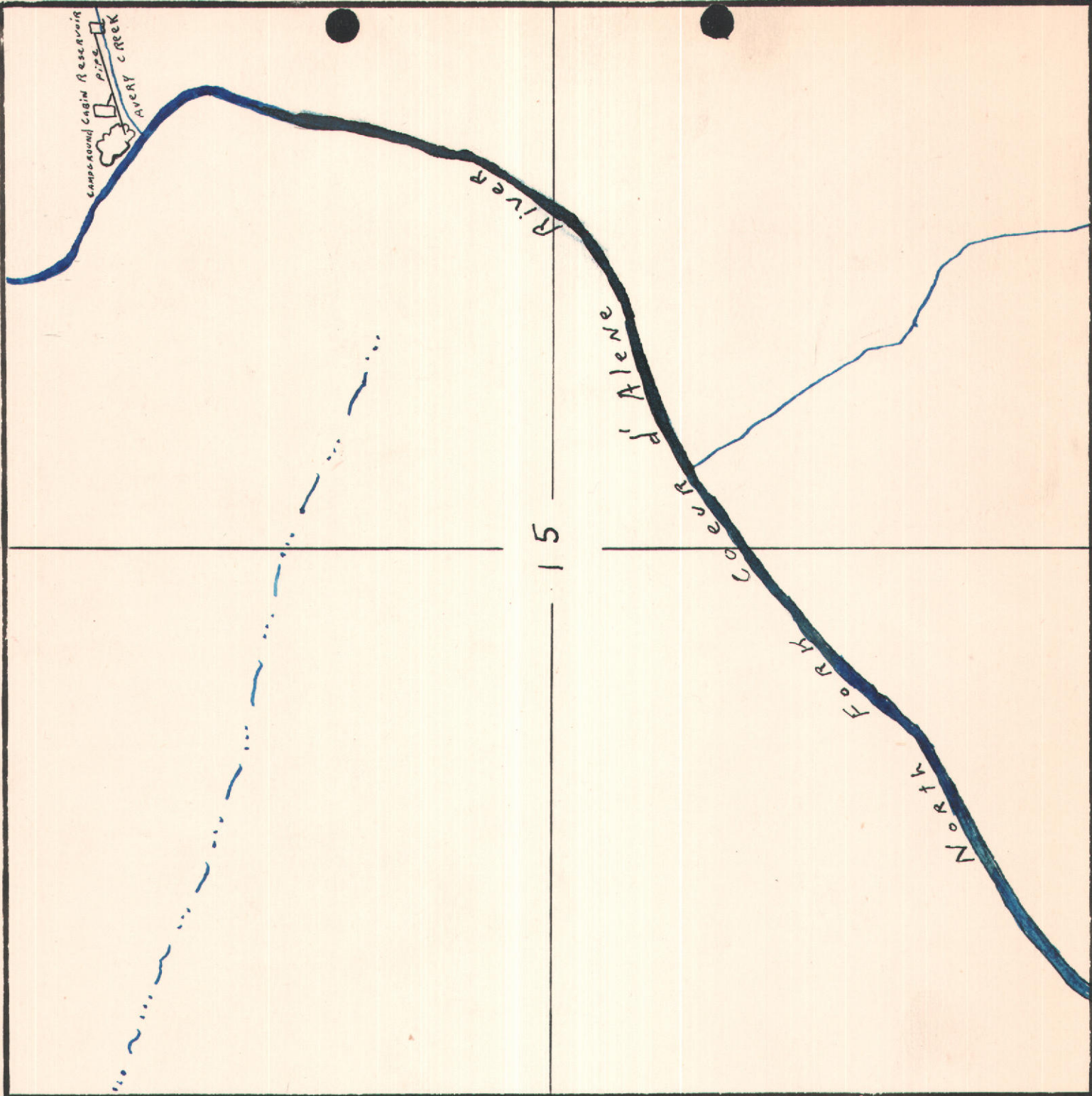
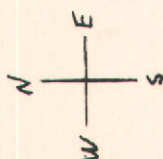
N. Fork

Prichard

R. 4 E.

15

T. 50 N.



Map of Avery Creek
T. 50N, R.4E, S. 15
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. 18750
As Approved
Mar. 23-1939
JAMES SPOFFORD
Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 18750 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. 18750
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.08 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 Avery
Creek, a tributary of Coeur d'Alene River, for the purpose of domestic and lawn
irrigation, under Use Permit No. 18750 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 4843, 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 1/4 NE 1/4, Sec. 15, Tp. 50 N., R. 4 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 foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Avery Cabin and Campground, in the NE 1/4 NE 1/4 Section 15, Township 50 North, Range 4 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.

MARK R. KULP
State Reclamation Engineer

(SEAL)

94 2182

State of Idaho
License and Certificate of Water Right

Water License No. 18751 Amount 0.08 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. 18751
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.08 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
stream, a tributary of So. fork Coeur d'Alene River, for the purpose of domestic uses
, under Use Permit No. 18751 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 4844, 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 1/4 SE 1/4, Sec. 36, Tp. 48 N., R. 5 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 0.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Lindroos Hill Lookout and lunch ground in the SW 1/4 NE 1/4 Section 26, Township 48 North, Range 5 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

94-2182

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

Application No. 26109

Permit No. 18750

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: .08

cubic feet per second.

3. Source of water supply: Avery Creek
Coeur d'Alene River

which is a tributary of

4. Location of point of diversion: 460

feet distant from the NE

corner of Section 15, T. 50 N., R. 4 E., B. M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 15, T. 50 N., R. 4 E., B. M., County of Shoshone

5. Water is to be used for: Domestic use at Avery Cabin and Avery Campground and
lawn irrigation

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

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

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

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

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

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

7. Estimated cost of works: \$ 400.00

8. Kind of works: Dam and pipe line

9. Height of dam 4 feet; length of dam at top 18 feet; length of dam at bottom 16

feet; material used in dam: logs and 2 " planking

10. Size of headgate: Width 2" pipe outlet feet; height in dam feet.

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

feet; dimensions of flume:

Diameter of pipe 2 inches; length of conduit .10 miles.

Average grade per mile 208 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 *Applicant.*

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 18750
Recorded in Book 68 Page 18750 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 SPOFFORD
Commissioner of Reclamation.

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	
			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, and caused the Great Seal 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. 18750 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. 18750, issued upon Application No. 26109, bearing date of priority of March 6, 1939, authorizing the diversion of .08 second foot of the waters of Avery Creek, a tributary of Coeur d'Alene River, County of Shoshone State of Idaho, for domestic use at Avery Cabin and Avery Campground and lawn irrigation 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 .08 second foot of the waters of Avery Creek; that the point of diversion of said waters is located 460 feet distant from the Northeast corner of Section 15, Township 50 North, Range 4 East, B. M., and in the NE 1/4 NE 1/4 of said section. 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 SPOTFORD State Reclamation Engineer																
			LICENSE ISSUED 0.02 SEC. FL page 4843																

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. H. CARTER
State Reclamation Engineer

GHC:RT:ow

Letter from U.S.F.S. in 18753

18750

✓
November 9, 1931

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

Mr. M. 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 $\frac{1}{4}$ NW $\frac{1}{4}$ 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 $\frac{1}{4}$ SW $\frac{1}{4}$ 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 NE $\frac{1}{4}$ 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 $\frac{1}{4}$ SW $\frac{1}{4}$ 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

Asfg
Enc.

18750

October 12, 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 Sir:

We return voucher for the \$20.00 license fees in connection with the above numbered permits, which has been signed by the State Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Aifs
Enc.

18750

6 630
PUBLIC VOUCHER FOR PURCHASES AND
SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____

Bu. Vou. No. _____

U. S. DEPARTMENT OF AGRICULTURE—FOREST SERVICE

(Department, bureau, or establishment)

Voucher prepared at Coeur d'Alene, Idaho
(Give place and date)

THE UNITED STATES, Dr., Payee's Account No. COEUR D'ALENE NATIONAL FOREST

To State of Idaho, Dept. of Reclamation
(Payee)

Boise Idaho

(Address)

(City)

(State)

PAID BY

(For use of Paying Office)

No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary) Discount Terms	QUANTITY	UNIT PRICE		AMOUNT	
				Cost	Per	Dollars	Cts.
	1951 10/4/51	Statutory fee for license on Beneficial water permits No.'s 18750, 18751, 18752, 18753	4	5.00	ea.	20	00

PAYMENT:

Complete ☐
Partial ☐
Final ☐

Use continuation sheet(s) if necessary

Shipped from _____ to _____ Weight _____ Government B/L No. _____ Total **20 00**

(Payee must NOT use this space)

Differences _____

State of Idaho
Dept. of Reclamation

Account verified; correct for _____

(Signature or initials) _____

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd. _____

20.00

S. G. Sanderson

MEMORANDUM

Acting Forest Supervisor

ACCOUNTING CLASSIFICATION (For completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title				Limit'n. or Proj't. Amount	Appropriation Amount
1221100.020						
Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT		OBJECTIVE CLASSIFICATION	
			Symbol	Amount	Symbol	Amount

Paid by { Check No. _____ dated _____, 19____, for \$ _____ } on Treasurer of the United States in
{ Cash, \$ _____, on _____, 19____ } favor of payee named above.

18750

METHOD OF OR ABSENCE OF ADVERTISING

METHOD OF ADVERTISING

1. Advertising in newspapers Yes ☐ No ☐
2. (a) Advertising by circular letters sent to dealers. (b) And by notices posted in public places Yes ☐ No ☐
- (If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made below.)

ABSENCE OF ADVERTISING

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.
4. Without advertising in accordance with 5 AR2-66 U.S.D.A. Regulations
5. Without advertising, it being impracticable to secure competition because of

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or less formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, as amended.)

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



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

COEUR D'ALENE, IDAHO

E
WATER RESOURCES - Coeur d'Alene
Water Rights

October 9, 1951

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

Dear Mr. Kulp:

Reference is made to your letters of October 4, 1951 in connection with the license for permits 18750-53, inc.

Our voucher covering the statutory fee for the permits is attached. Will you please sign the voucher in the block "I certify--" and return it to this office. Payment will be processed as early as possible.

Very truly yours,

K. A. KLEIN
Forest Supervisor,

By *Sc. Sanderson*
Acting.

RECEIVED
OCT 11 1951
Department of Reclamation

18750

October 4, 1951

RE: Permit No. 18750

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. 18750.

Therefore, upon receipt of the statutory fee of \$5.00, a license will be issued for .02 of a second foot of water from Avery Creek, tributary to Coeur d'Alene River, with point of diversion in the ~~SE~~ NE $\frac{1}{4}$ Section 15, Township 50 North, Range 4 East, B.M., for use at Avery Creek cabin and campground.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Aifg

18 750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

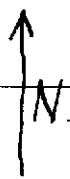
REPORT OF ENGINEER

PERMIT NO. 18750 18750

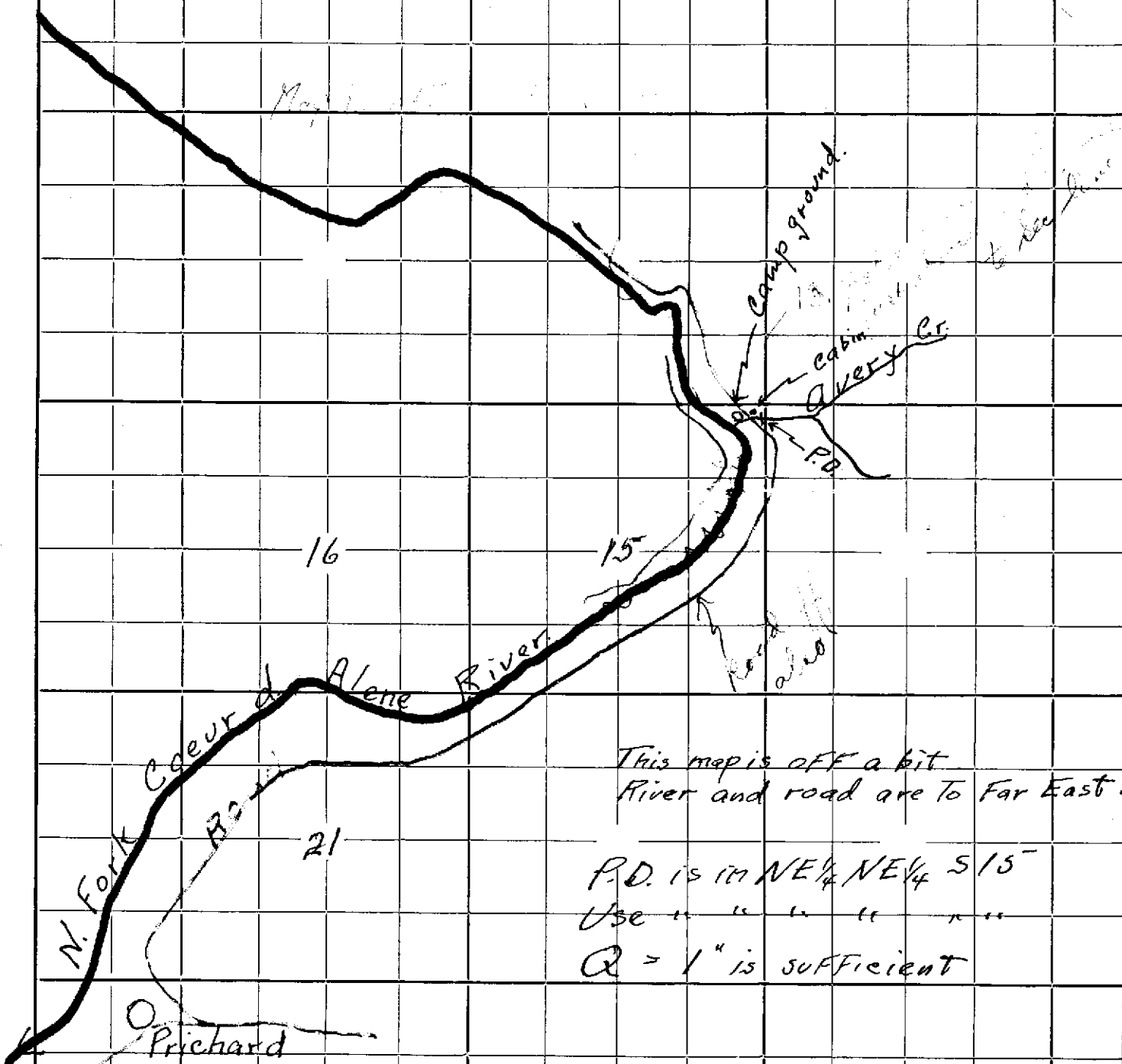
REPORT ON PROOF OF Beneficial use

.02 cfs
smrk

app. 0.09



Twp 50N R. 4E B1M



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

Permit No. 18750

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

1. Name of applicant U. S. Forest Service, Coeur d'Alene National Forest, Coeur d'Alene, Idaho

2. Source of water supply: Avery Creek, a tributary of Coeur d'Alene River

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15

T. 50 N. R. 4 E. County of Shoshone

4. Describe works as they exist, giving dimensions and capacities of same: These works consist of a small dam across Avery Creek and a pipe line leading to the cabin and camp ground, a short distance down-stream. The dam is approximately 30 ft. long and 2 ft. high, double boards in front of a 15 in. log which is part of the heavy rock fill crib structure approximately 3 ft. high on the down-stream side. The spillway is plank, 46 in. wide by 6 in. high by 7 $\frac{1}{2}$ in. long in the center of the dam. The outlet is through a 2 in. pipe line from the bottom of the pool, covered with a screened cap $\frac{1}{2}$ in. mesh. It is approximately 450 ft. from the spring to the Avery Guard cabin.

5. Water is used for: Domestic and lawn irrigation

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):

Avery Creek cabin and campground, in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, Twp. 50 N., Range 4 E., B.M.

There are two 3/4 in. outlets to this system, one at the house and one at the camp ground, and at times a small simulated spring in the camp ground. Estimated height of the place of use is 30 feet.

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

8. What large stream would the water here appropriated finally reach? No. Fork of Coeur D'Alene

Remarks: One inch of water is a reasonable supply for this permit.

This examination was made on the 12th day of September, 1951

(Signed) E. V. Humphrey Examiner.

18750

Examination for Beneficial use

County Shoshone

15
5071-41E

Q = .08 cfs.

S. = Avery Cr. Trib. Col. H. R.

P.D. = 460' fr. NE. cor S 15-

T. 50N. R 4E.

fr NE₄ NE₄ S 15-

How use and fr. Camp ground

$$\frac{.08}{.50} = \frac{.16}{1.00}$$

$$\begin{array}{r} 540 \\ 24 \\ \hline 2160 \\ 50 \\ \hline 12960 \end{array}$$

Recommend 1" of water

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
OCT 3 1951

Department of Reclamation

Dem is approx 30' w. x 2' h.
double boards in front of an
15" log.
Actually whole structure is
heavy rock filled crib approx.
3'4' on down stream.

Spillway is boards or planks
46" x 6" x 7 1/2' in center of dam
2" intake pipe in post bottom
screened cap 1/4" mesh.

450' fr spring to house
(Avery and Cabin)
1 outlet at house
1 on camp ground
Approx. 30' = 4

Camp ground is between road
and river - house is just
above road

2 outlets 1 at house
1 on camp gr

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 R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

18750

18750

August 23, 1951

E
WATER RESOURCES, Cd's
Water Rights

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

Dear Sir:

Answering yours of August 20, regarding inspections of water works in connection with Permit Nos. 18750, 18751, 18752, and 18753, I intend to be in Coeur D'Alene on the morning of September 4, to visit your camps and make inspection.

Please arrange for someone to accompany me on the inspection.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. M. Humphrey
Deputy State Reclamation Engineer

H:fg

18750

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



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

COEUR D'ALENE, IDAHO

E
WATER RESOURCES, Cd'a
Water Rights

August 20, 1951

State Reclamation Engineer
Dept. of Reclamation
Boise, Idaho

RECEIVED
AUG 22 1951
Department of Reclamation

Dear Sir:

Reference is made to your letter of August 16 regarding inspection of permits 18750, 18751, 18752 and 18753.

Some member of this office or the Ranger at Wallace can accompany you on the inspection of the above permits.

If you can give us a little advance notice, the dates between September 4 and 8 will be all right, or a later date whichever will best fit your schedule.

You will note on the attached map that all four permits are close to Wallace and can perhaps be covered in one day.

Very truly yours

A handwritten signature in dark ink, appearing to read "K. A. Klehm".

K A KLEHM
Forest Supervisor

Enclosure

cc: Wallace Ranger

18750

April 21, 1950

Re: Permits Nos. 18750 -51-52-53

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

Dear Mr. Klehm:

We acknowledge receipt of your letter of April 18, 1950, enclosing Affidavits of Publication in the Wallace Press-Times, in connection with Proofs of Beneficial Use under the above numbered permits.

This completes the proofs but before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, the Field Engineer for this Department will try and contact you at the time he makes the examination in order that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18750

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



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

COEUR D'ALENE, IDAHO

E
WATER RESOURCES, Cd'a
Water Rights
Permits 18750-51-52-53

April 18, 1950

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

RECEIVED
APR 20 1950
Department of Reclamation

Dear Mr. Kulp:

Reference is made to your letter of March 31, 1950.

We are enclosing Affidavits of Publication on Permits
No. 18750-51-52 and 53 as requested.

Very truly yours,

K.A. KLEHM
Forest Supervisor

By *Se Sanderson*
Acting

encl.

18750

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 .08 cubic foot per second of the waters of Avery Creek in accordance with the terms and conditions of Permit No. 18750 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, Coeur d'Alene National Forest, Coeur d'Alene, Idaho.

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

The amount applied to beneficial use is .08 cubic foot per second.

The place where said water is used Avery Creek Cabin and Camoground, in the NE¼ NE¼ Section 15, Township 50 North, Range 4 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. 18750.

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

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.

My commission expires Feb. 14, 1954.

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 for 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.

LW 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

18750

March 31, 1950

Re: Permits No. 18750, 18751, 18752, and 18753

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

Dear Mr. Klehm:

We acknowledge receipt of your letter of March 23, 1950, enclosing Proofs of Beneficial Use under the above numbered Permits.

However, the Affidavits of Publication are a necessary part of these proofs. The Wallace Press Times was instructed to send you these Affidavits and if you have not received the, we suggest that you take the matter up with them.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

18750

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



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

COEUR D'ALENE, IDAHO

E
WATER RESOURCES, Cd'a
Water Rights
Permits 18750-51-52-53

March 23, 1950

Mr. Mark R. Kulp
State Reclamation Engr.
Dept. of Reclamation
Boise, Idaho

RECEIVED
MAR 24 1950
Department of Reclamation

Dear Mr. Kulp:

Reference is made to your letter of February 9
in regard to making Beneficial Use Proofs for
Permits 18750-51-52 and 53 before E. H. Miles, U.
S. Commissioner at Coeur d'Alene, Idaho.

Enclosed are the four permits executed by the
permit holder and two witnesses and notarized by
E. H. Miles.

The cost of publishing the notices in the Wallace
Press Times at Wallace, Idaho have been vouchered
and forwarded to our Fiscal Agent for payment.

If further information is needed, please let us
know.

Very truly yours

K. A. Kulehm
K. A. KULEHM
Forest Supervisor

noted.

18750

Enclosures

cc: Regional Forester
Missoula, Montana

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18750

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 Nat'l 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. 18750, March 25, 1944, Priority of March 6, 1939

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

Ans. Avery Creek, a tributary of Coeur d'Alene River point of
diversion is located 460 feet distant from NE corner of Sec.
15, T 50 N., R 4 E.B.M. and in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said section.

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. .08 cubic feet per second from Avery Creek, a tributary of
the Coeur d'Alene River. The Project consists of a log and
plank dam and .10 miles of 2" 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. Domestic use at Avery Cabin and Avery Campground
and lawn irrigation.

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

Ans. _____

18750

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. .08 second feet of water of Avery Creek a tributary of Coeur d'Alene River.

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 .10 miles of 2" pipe. .08 second feet of water has been diverted for domestic use and lawn irrigation.

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) W. A. 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 Coeur d'Alene County of Kootenai, State of Idaho, on this 23rd day of March, A. D. 1950.
E. H. Miles
U.S. Commissioner

My commission expires _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18750

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 - Consultant
Forester - 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. 18750? 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. 18750, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Avery Creek, a tributary of Coeur d'Alene River. Point of
diversion is located 460 feet distance from NE corner of
Sec. 15, T 50 N, R 4 E. BM and in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said section
consisting of a log and plank dam and .10 miles of 2" pipe.

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

Ans. I say .08 second feet or 2" 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 improvements which have been made as a direct result of said use.

Ans. Domestic use at Avery Cabin and Avery Campground and lawn
irrigation.

18750

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
has been used for domestic use at Avery Cabin and Avery
Campground and lawn irrigation. _____

(Signed) Harold Drake _____

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 Acres 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 _____

18750

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18750

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, Coeur d'Alene Nat'l Forest
Forest Supervisor of, the
holder of Permit No. 18750? 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. 18750, 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. Avery Creek, a tributary of Coeur d'Alene River. point of
diversion is located 460 feet distance from NE corner of
Sec. 15, T 50 N, R 4 E. BM and in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said section
consisting of a log and plank dam and .10 miles of 2" 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 say .08 second feet or 2" 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. Domestic use at Avery Cabin and Avery Campground and lawn
irrigation.

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
has been used for domestic use at Avery Cabin and Avery
Campground and lawn irrigation.

(Signed) Hurb 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 Kootenai, State of Idaho, on this 23rd day of March,
A. D. 1950.

E. H. Miles
Notary Public

My commission expires _____

18750
PRESS-TIMES PUBLISHING COMPANY

Member of Associated Press

WALLACE, IDAHO

Feb. 13, 1950.

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

Attention Jeanne L. Anderson, Chief Clerk.

Dear Miss Anderson:

This will acknowledge receipt of yours of February 9, 1950, authorizing publication of advertisements covering permits Nos. 18750, 18751, 18752 and 18753.

Publication will begin with issue of Friday, February 17, and will follow on February 24 and March 3 and 10, per your instructions.

Copy of first issue containing above notices will be submitted to your office, per instructions.

Yours Very Truly,

Wallace Press-Times

L. W. Lieb
L. W. Lieb, Manager...

18750

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 .08 cubic ~~feet~~ ^{foot} per second of the waters of Avery Creek
in accordance with the terms and conditions of Permit No. 18750
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, Coeur d'Alene National Forest, Coeur d'Alene, Idaho

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

The amount applied to beneficial use is Avery Creek Cabin & Campground .08 cubic foot
per second.

The place where said water is used (if for irrigation, give full and accurate description of the
~~lands irrigated~~ Avery Creek Cabin and Campground, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, Township
50 North, Range 4 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. 18750

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

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

MARK R. KULP

State Reclamation Engineer.

18750

February 9, 1950

Re: Permits Nos. 18750, 18751, 18752 and 18753

Wallace Press-Times
Wallace, Idaho

Gentlemen:

We enclose four notices to be published
in your paper once a week for four consecutive weeks
prior to March 23, 1950.

The cost of publication is to be paid by
the U. S. Forest Service, to whom please send affi-
davit of publication, in care of Mr. K. A. Klehm,
Forest Supervisor, Coeur d'Alene, Idaho

Please acknowledge receipt of these notices
and and furnish this Department with a copy of your
first issue containing same, in order that we may
check.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

18750

February 9, 1950

Re: Permits 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 acknowledge receipt of your letter of January 23, 1950, which reached us this morning, containing notices of Beneficial Use Proof to be made under the above numbered Permits on March 23, 1950, before E. H. Miles, U. S. Commissioner, at Coeur d'Alene, Idaho.

A copy of these notices will be sent to the Wallace Press-Times of Wallace, Idaho, with instructions to publish them once a week for four consecutive weeks prior to March 23, 1950, and to send you the Affidavit of Publication, together with statement of costs.

This expense is to be paid by you directly to the newspaper and not through this Department; and there will be no additional fees in connection with the Beneficial Use Proofs until after an inspection and report by our Field Engineer, at which time we shall notify you.

We enclose the necessary forms of deposition to be used in making Beneficial Use Proof, consisting of one for the Permit Holder and one for each of two witnesses for each of these four Permits. At the time set, someone from your Department should appear before Mr. Miles together with two disinterested witnesses who are familiar with the terms of the Permits and the works done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

CC: Regional Forester
Missoula, Montana.

18750

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



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

COEUR D'ALENE, IDAHO

E
WATER RESOURCES, Cd'a
Water Rights

January 23, 1950

Mr. Mark R. Kulp (through Reg'l Forester)
State Reclamation Engr.
State Dept. of Reclamation
Boise, Idaho

Dear Mr. Kulp:

Reference is made to your notice of January 10
for proof of application of water to beneficial use
under our permits 18750-51-52 and 53.

Enclosed are completed forms 10 and 11 for each
permit.

As soon as notified as to expenses of advertising
and final filing fees a voucher will be prepared for
payment.

Very truly yours

A handwritten signature in cursive script, appearing to read 'K A Klehm'.

K A KLEHM
Forest Supervisor

Enclosures

cc: Reg'l Forester

RECEIVED
FEB 9 1950

Department of Reclamation

18750

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

18750

(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.

[Signature]
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.

18750

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

January 10, 1950

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

Avery Creek

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18750. 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

18750

January 10, 1950

Mr. W. B. Rice, Regional Forester
Forest Service Building
Ogden, Utah

Dear Mr. Rice:

We thank you for your letter of January 6,
by Mr. I. M. Verner, returning Notices of proofs due
under Permits Nos. 18750, 18751, 18752, and 18753.

These are all in the Coeur d'Alene National
Forest and were sent to you by mistake.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

18750

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
INTERMOUNTAIN REGION



ADDRESS REPLY TO
REGIONAL FORESTER
AND REFER TO

FOREST SERVICE BUILDING
OGDEN, UTAH

E
WATER POWER
General

January 6, 1950

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

Dear Mr. Kulp:

We have no record in this office of the permits mentioned on the enclosed forms.

If these filings are north of the Salmon River, they should probably be sent to the Regional Forester at Missoula, Montana.

Very truly yours,

W. B. RICE, Regional Forester

By

J. M. Varner

Attachment

RECEIVED
JAN 10 1950
U.S. DEPT. OF AGRICULTURE
OFFICE OF THE REGIONAL FORESTER
OGDEN, UTAH

18756

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

January 3, 1950

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

Avery Creek

Dear Sirs;

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18750. 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

18750

✓
March 27, 1944

Re: Permits Nos. 18750-51-52-53

Mr. Clarence C. Strong
Forest Supervisor
Coeur d'Alene National Forest
Coeur d'Alene, Idaho

Dear Mr. Strong:

We enclose herewith Certificates of Completion
of Works issued under Permits Nos. 18750, 18751,
18752 and 18753,.

We also enclose Departmental Receipt No. 18524,
for \$20.00, which includes the statutory fee of
\$5.00 for each completion of works proof.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

▲
Encls.

18750

February 28, 1944

Re: Permits Nos. 18750-51-52-53

Mr. Clarence C. Strong
Forest Supervisor
Coeur d'Alene National Forest
Coeur d'Alene, Idaho

Dear Mr. Strong:

We acknowledge receipt of your letter of February 25th, enclosing affidavits in proof of completion of works under the above numbered permits; and also voucher for \$20.00, including the statutory fee of \$5.00 for each proof, which has been duly signed, and is returned herewith.

Upon receipt of this amount, Certificates of Completion of Works will be issued and sent you.

Proof of beneficial use is made by the holder and two witnesses appearing before a Notary Public and executing depositions, the forms for which will be furnished by this Department.

The law requires publication of notice of intention to make beneficial use proof for four weeks prior to the date set. This notice should be made out in duplicate on Form No. 10, enclosed herewith, for each permit, naming the Notary Public before whom the proof will be made, and setting the date sufficiently far ahead to allow for the necessary four weeks' publication.

Both copies of each notice, together with Form No. 11, which is your authorization for us to have the notice published at your expense in the newspaper that you designate, in the county where the water is diverted, should be returned to this Department. We shall then send the notice to the newspaper, with instructions in regard to publishing; and about ten days prior to the date set for proof we shall send to the Notary Public the forms of deposition to be executed by the permit holder and two witnesses.

Very truly yours,

JAMES SPORFORD
State Reclamation Engineer
By

Chief Clerk

Encls.

18750

QUANTITY	ITEM	UNIT PRICE	TOTALS
4	Payment for water right permits No. 18750	5.00	20.00
	18751		
	18752		
	18753		

Ordered by J. C. Hendrix TOTAL \$20.00

I certify that the above bill is correct and just, and that payment therefor has not been received; that except as noted hereon, the above unmanufactured articles, materials, and supplies have been mined or produced in the United States; and the above manufactured articles, materials, and supplies have been manufactured in the United States, substantially all from articles, materials, or supplies mined, produced, or manufactured, as the case may be, in the United States.

616568 No

6 0983

2/26/44

Department of Reclamation, State of Idaho

Boise, Idaho

COEUR D'ALENE NATIONAL FOREST

616568 2/26/44 Water Right Permits: No. 18750 4 5.00 ea. 20 00
~~18751~~
18751
18752
18753

Official Business of the U. S. Forest Service

~~18754~~ 109
~~18755~~ 00

20 00

Dept. of Reclamation, State of Idaho

20.00

S. C. Sanderson
Acting Forest Supervisor

1241100.130

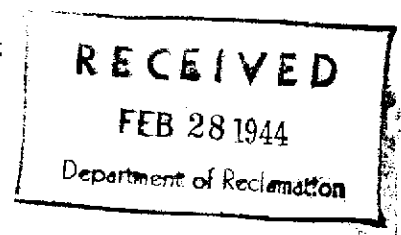
Salaries & Expenses, Forest Service, 1944
Water Rights

18756

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

February 25, 1944

Mr. James Spofford, Commissioner,
Department of Reclamation,
State of Idaho,
Boise, Idaho

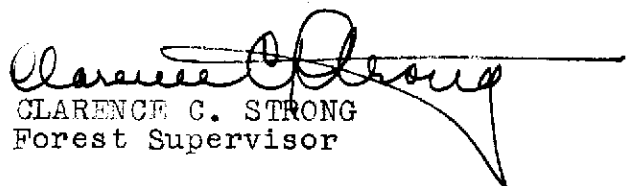
Dear Sir:

We are sending you herewith four Form 6's, "Proof of Completion of Works, Affidavit of Holder", for permits Nos. 18751, 18753, 18752, and 18750, executed by me as supervisor of the Coeur d'Alene National Forest.

In payment of the fee of \$5.00 apiece, we are enclosing a voucher in the amount of \$20.00 for your signature. Will you please sign in the place checked and return the voucher to this office so that payment may be made. We trust that this payment procedure is acceptable to you.

The regulations and instructions of the State of Idaho Department of Reclamation provide that step number seven in the procedure for securing water rights is "application of water to beneficial use and proof of such beneficial use made to Commissioner of Reclamation on or before the date set for same in permit, also payment on first for license". Since all of the four projects for which applications for permit were approved in March of 1939 have now been put to the beneficial use stipulated in the application for permit, we would like to proceed with the next step and would appreciate your sending us whatever forms are necessary to provide proof of such beneficial use.

Very truly yours,


CLARENCE C. STRONG
Forest Supervisor

18750

Permit No. 18750STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Kootenai

} ss.

CLARENCE 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. 18750, 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 Avery Creek, which
is a tributary of the Coeur d'Alene RiverThird: That the point of diversion of said water is 460' distant from the NE corner
of Sec. 15, T. 50 N., R. 4 E., B.M. & is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said section.Fourth: That under the terms and conditions of said permit, construction thereunder was required to
be completed by March 23, 1944.Fifth: 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: Dam and pipe line

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

II. Dimensions of work:

(a) Height of dam 4 feet, length of dam at top 18 feet, length of dam at
bottom 16 feet. Material used in construction
logs and 2" planking

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

(b) Capacity of reservoir acre feet.(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 2" inches, average grade
per mile is 208 feet. Length of conduit is .10 miles.Seventh: That said works are capable of conducting to the place of intended use .08
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, 1944My commission expires

Notary Public.

18750

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. ~~18750~~ 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 SPOTTORD

State Reclamation Engineer

18 750

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No.s. 18750 & 18751

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 SPOFFORD

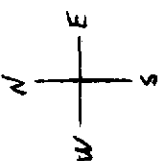
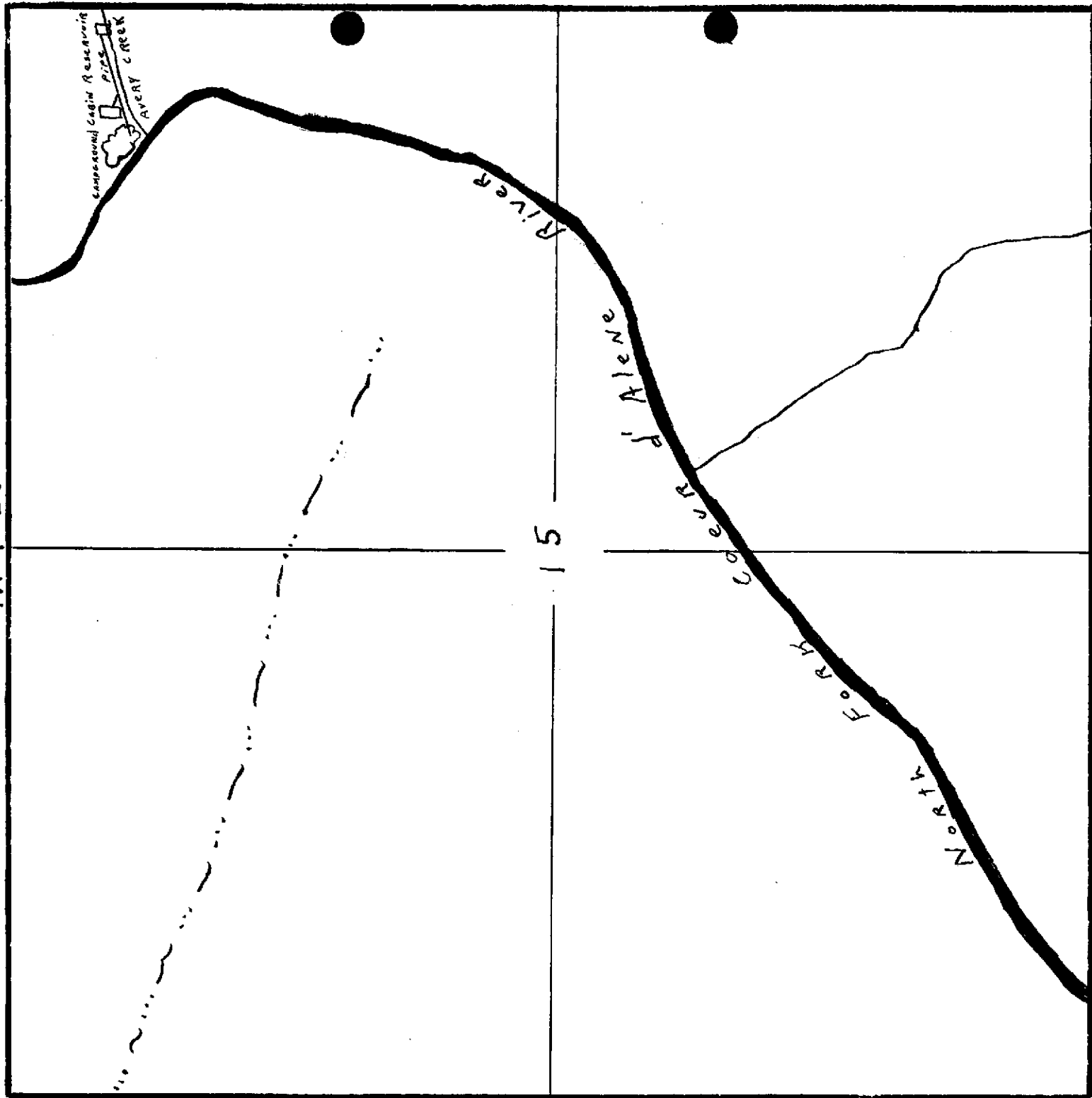
Charles D. Simpson
Forest Supervisor
Coeur d'Alene, Idaho.

Commissioner of Reclamation.

Enc. Receipt No. 16922

18750

R. 4 E.



T. 50 N.

Map of Avery Creek
T. 50N, R.4E, S. 15
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

Map No. 18750
Approved
Mar. 23 - 1939
J. A. McFARLAND
District Ranger, Boise

March 6, 1939

Re: Applications Nos. 26109,
26110, 26111 and 26112.

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

Dear Sir:-

We acknowledge receipt of four applications, which we have numbered as above, for Permits to appropriate the Public Waters of the State of Idaho, with maps accompanying each.

We have signed the voucher enclosed for the \$20.00 fees, and are returning it herein.

Upon receipt of remittance in payment of same, the permits will be issued.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Enc.

18 750

2489
Public Voucher for Purchases, and Services other than Personal

21809
D. O. Vou. No.

(Voucher prepared

3-2-39

(Give place and date)

U. S. DEPARTMENT OF AGRICULTURE—FOREST SERVICE

(Department, Bureau, or Establishment)

Appropriation:

THE UNITED STATES, Dr., To State of Idaho, Dept. of Reclamation

(Payee)

Address Boise, Idaho

Payee's Acct. No.

Payee must NOT
use this space

Contract No.

Date

Req. No.

Date

Activity

For

Expendi- ture Symbol	No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Enter description, Item Number of Contract or General Supply Schedule, and other information deemed necessary) Terms % Discount Cash days	QUAN- TITY	UNIT PRICE		AMOUNT		NOTATIONS Payee must NOT use this column
					Cost	Per	Dollars	Cts.	
		1939 3/3	Filing fees for applications covering permit to appropriate the public waters of the State of Idaho as follows: S. 15 Avery Creek: T. 33 N. R. 4 E; Unnamed Stream: S. 32, T. 48 N. R. 6 E. Unnamed Stream: S. 36, T. 48 N. R. 5 E. Montgomery Station: T. 49 N. R. 3 E. Sec. 33						
								5 00	
								5 00	
								5 00	
								5 00	

(This certificate not required when a like certificate is made by payee on attached bill or bills)

I certify that the above bill is correct and just, and
that payment therefor has NOT been received.

TOTAL

20 00

State of Idaho
Dept. of Reclamation

Per X

* Payee

Title

(Additional statements by Department, Bureau,
or Establishment, if deemed necessary)

(Accounting Classification)

(Payee must NOT use this space)

Differences:

Account verified; correct for \$

(Signature or initials)

L.A. No. 6 R-1, July 1, 1938

I certify that the above articles were received in good condition, after due inspection, acceptance, and delivery prior to payment as required by law, or the services performed as stated; that they were procured under the contract numbered above or the unnumbered contract attached hereto, or that they were procured without written contract, in open market, and with or without advertising, under the circumstances stated in No. of "Method of or Absence of Advertising" shown on reverse hereof, and were necessary for the public service; and that the prices charged are just and reasonable and in accordance with the agreement.

† Approved for \$ 20.00

(Memorandum—Do not sign)

Charles D. Simpson

Title

Paid by Check No. , dated , for \$
Cash, \$, on * Payee

{ on Treasurer of the United States
in favor of payee named above.

(Memorandum—Do not sign)

* When a voucher is signed or receipted in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary," or "Treasurer," as the case may be.
† If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the blank space below "Approved for \$" and over his official title.

Per

Title

METHOD OF OR ABSENCE OF ADVERTISING

(Section 3708 of the Revised Statutes)

1. After advertising in newspapers.
2. (a) After advertising by circular letters sent to _____ dealers.
(b) And by notices posted in public places.

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made. The notation on the certificate on the face of the voucher must be "2 (a) (b)" or "2 (a)," depending on whether or not notices were posted.)

3. Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.
4. Without advertising in accordance with _____
5. Without advertising, it being impracticable to secure competition because of _____

(Here state circumstances under which the securing of competition was impracticable)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under proper authority without written agreement in any form. In case of a written agreement (formal contract, proposal and acceptance, or less formal agreement) Standard Form No. 1036 (Revised) should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, Supplement No. 6, General Accounting Office, August 20, 1930.)

10-1751

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



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

COEUR D'ALENE, IDAHO

March 3, 1939

E
IMPROVEMENTS - Coeur d'Alene
Water Rights

James Spofford, Commissioner,
Department of Reclamation,
State of Idaho,
Boise, Idaho.

Dear Sir:

We are sending herewith four completed "Applications For Permit", Form No. 1, with two maps accompanying each application for your consideration.

In payment of fees we are enclosing a voucher for your signature. Will you please sign in the space checked and return the voucher to this office so that payment may be made. We trust this payment procedure is acceptable to you.

Very truly yours,

Chas. D. Simpson

CHAS. D. SIMPSON,
Forest Supervisor.

Enclosures

18750

**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 .08 cubic foot per second of the waters of Avery Creek in accordance with the terms and conditions of Permit No. 18750 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, Coeur d'Alene National Forest, Coeur d'Alene, Idaho.

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

The amount applied to beneficial use is .08 cubic foot per second.

The place where said water is used Avery Creek Cabin and Campground, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, Township 50 North, Range 4 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. 18750.

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

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 .08 cubic foot per second of the waters of Avery Creek in accordance with the terms and conditions of Permit No. 18750 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 and lawn irrigation.

The amount applied to beneficial use is .08 cubic foot per second.

The place where said water is used Avery Creek Cabin and Campground, in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, Township 50 North, Range 4 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 - -.

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

2-24-50 MARK R. KULP,
State Reclamation Engineer.

4x's—Feb. 17, 24, March 3, 10, 1950.