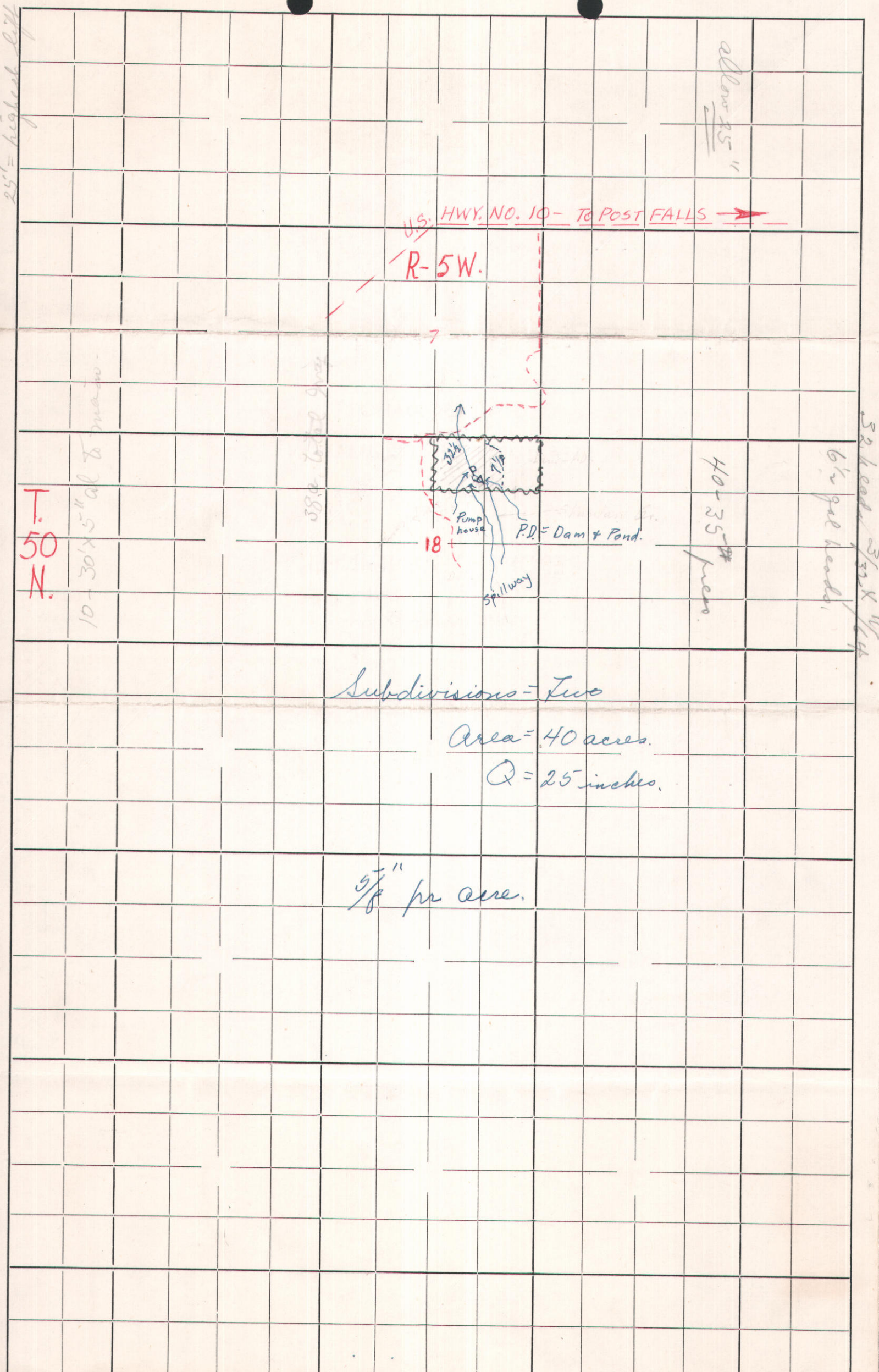




Notice for Publication

NOTICE OF PROOF
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 30th day of November, 1955, at Coeur d'Alene, County of Kootenai, State of Idaho, before James W. Ingalls, Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic foot per second of the waters of Skalan Creek, (also known as Mill Creek) in accordance with the terms and conditions of Permit No. 21825 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 L. M. Fine, Route No. 2, Post Falls, Idaho.

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

The amount applied to beneficial use is 0.8 cubic foot per second.

The place where said water is used.

North One-half (N½) of Northeast Quarter (NE¼) of Section Eighteen (18), Township Fifty (50) North Range 5 west Boise Meridian, Kootenai County, Idaho.

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

The right to take water from such works is based upon Permit No. 21825.

The source of supply from which such water is diverted is Skalan Creek, (also known as Mill Creek).

The date of priority which said user is prepared to establish is November 27, 1950.

MARK R. KILLIP

AFFIDAVIT OF PUBLICATION

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

I, CAROLYN PRUITT, being first duly sworn, upon oath deposes and says:

1. I am now and at times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the

CHIEF CLERK of the Kootenai County Leader, a newspaper printed and published weekly in Coeur d'Alene, Kootenai County, Idaho and having a general circulation in said county.

3. The NOTICE OF PROOF APPLICATION OF

WATER TO BENEFICIAL USE

of which the annexed is a printed copy, was published in the regular Friday issue of said newspaper for 4 consecutive issues, commencing on the 28 day of OCT, 1955, and ending on the 18 day of NOV, 1955, and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight weeks immediately prior to the first publication of said notice.

Signed

Carolyn Pruitt

Subscribed and sworn to before me this 18 day of Nov,

19 55.

James W. Ingalls

Notary public in and for the State of Idaho, residing at Coeur d'Alene, Idaho.

21825

State of Idaho
License and Certificate of Water Right

Water License No. 21825

Amount 0.5 second foot

Water District No. _____

Priority November 27, 1950

THIS IS TO CERTIFY that **L. M. FINE**

of **Post Falls, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **November 27**, 1950; that Permit No. 21825 was issued under said application; that Certificate of Completion of works, with a carrying capacity of **0.8 second foot**, was issued thereunder on **April 15**, 1954, showing that said works were completed on the 31st day of **March**, 1954; and that on the 30th day of **November**, 1955,

L. M. FINE

of **Post Falls**, State of **Idaho**, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of **called Mill Creek Skalan Creek or sometimes /**, a tributary of **Spokane River**, for the purpose of **irrigation and stock water**, under Use Permit No. 21825 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 **9** of Licenses at page **5704**, on the 7th day of **May**, 1956; The right hereby confirmed dates from **November 27**, 1950;

The Point of Diversion is located

in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18, Tp. 50 N, R. 5 W., B. M. Kootenai 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 **0.5 cubic foot** per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
50 N.	5 W.	18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	15	7 $\frac{1}{2}$
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	25	32 $\frac{1}{2}$
			Total Number of Acres Irrigated -	-	40

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 **May**, 1956.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

95 2091

N^o 21825
95-2091

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

APPLICATION No. 29547
PERMIT No. 21825
DISTRICT No.

1. Name of Applicant: L. M. FINE

Postoffice address: Rt. 2 Post Falls

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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.8

cubic feet per second.

Mill creek)

3. Source of water supply Skalan Creek (sometimes called / which is a tributary of Spokane River

4. Location of point of diversion: 1600 feet South ~~feet distant~~ from the Northeast

corner of Section 18, T. 50 N., R. 5 W., B.M., and is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 18, T. 50 N., R. 5 W., B.M., County of Kootenai

5. Water is to be used for Irrigation and stock water.

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

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

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

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

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

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

7. Estimated cost of works: \$ 3,600.00 Sprinkler system; \$1,500 dam.

8. Kind of works: Dam to store flood water; sprinkler irrigation water.

9. Height of dam 15 feet; length of dam at top 300 feet; length of dam at bottom 50

feet; material used in dam: Sandy clay soil

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

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

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Three (3) years.

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

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

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

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

L. M. FINE

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. November 27, 1950

Returned to applicant for correction: November 29, 1950

Corrected application received: December 13, 1950

Approval of State Reclamation Engineer

The number of this permit is 21825

Recorded in Book 78 Page 21825 Approved December 16, 1950

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before February 16, 1951

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 16, 1952

The whole of said work to be completed on or before December 16, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before December 16, 1955

WITNESS My hand this 16th day of December, 1950

MARK R. KULP

State Reclamation Engineer.

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

and J. D. "CY" PRICE, 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 16th

day of December, 1950.

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS: Plan to build a small storage reservoir on the creek to supply water during July and August when the creek is practically dry.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
50 N.	5 W.	18	Less 15 acres																25
			W $\frac{1}{2}$ less 5 acres																15
											Total Number of Acres to be Irrigated - -				40				

Permit No. 21825
CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that L. M. FINE of Post Falls, County of Kootenai, and State of Idaho, the holder of Permit No. 21825, issued upon Application No. 29517 bearing date of priority of November 27, 1950, authorizing the diversion of 0.8 second foot of the waters of Skalan Creek (also known as Mill Creek), a tributary of Spokane River, County of Kootenai, State of Idaho, for irrigation and stock water 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 0.8 second foot of the waters of Skalan or Mill Creek; that the point of diversion of said waters NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, Township 50 North, Range 5 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$ Section 18, Township 50 North, Range 5 West, B.M.

Witness my hand this 15 th day of April, A. D. 1954.

MARK R. KULP

State Reclamation Engineer

Proof of completion of works made March 31, 1954

Certificate of Completion of Works issued April 15, 1954

LICENSE ISSUED FOR 0.5 SEC FL

Page *5704

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

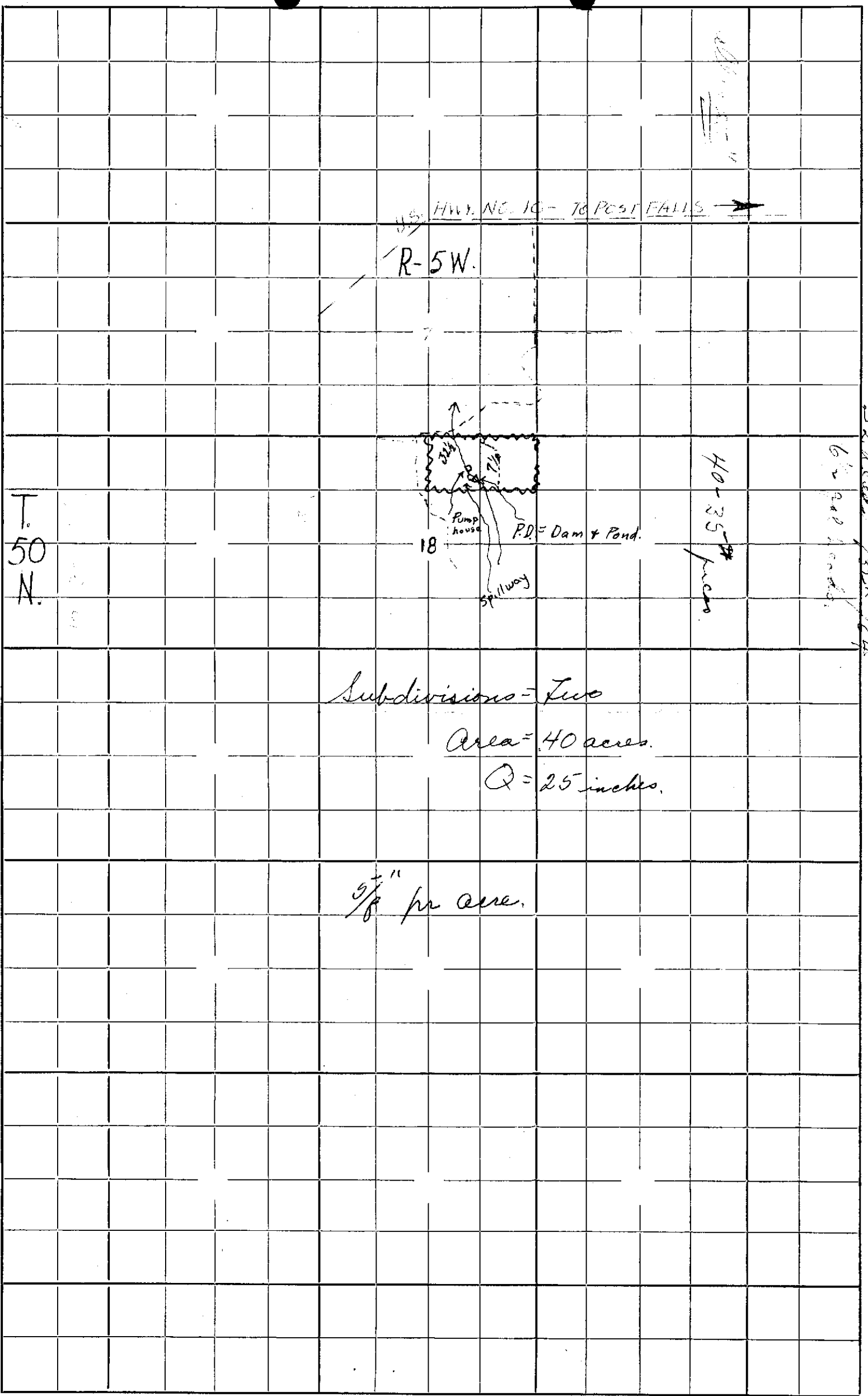
PERMIT NO. 21825

REPORT ON PROOF OF Beneficial use

L. M. FINE, Route 2, Post Falls, Idaho

.5 cfs
mark

alt. 117.3
Sub. 7.0
19.1 4.8



December 2, 1969

Re: License and Certificate of Water Right No. 21825

Lloyd Reitmeier
7821 Apache Way
Boise, Idaho

Dear Mr. Reitmeier:

Be informed that if you should buy part of the property covered by the above referenced water license, then you will own an apportionate share of the license.

If we may be of any further assistance, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Water License #21825 (copy)

21825
95-2091

May 8, 1956

RE: Permit No. 21825

Mr. L. M. Fine
Post Falls
Idaho

Dear Mr. Fine:

We enclose License and Certificate of Water Right issued on Permit No. 21825 confirming your right to the use of 0.5 second foot of the waters of Skalan Creek with point of diversion in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 18, Township 50 North, Range 5 West, B.M., and with priority of November 27, 1950, for irrigation and stock water on the N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18, same Township and Range.

We also enclose departmental receipt No. 27943 for the \$4.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1
Enc.

21825

Permit No 21825

489 incl \$4.00

Post Falls Idaho.
May 1, 1956

Mr. Mark R. Kulp.

In reference to your
letter of April 26, 1956.

Enclosed find check for statutory
license fee of \$4.00 in the amount
of 0.5 second foot.

Very truly yours,
L. M. Fine

RECEIVED
MAY 3 1956
Department of Recreation

21825

April 26, 1956

RE: Permit No. 21825

Mr. L. M. Fine
Route 2
Post Falls, Idaho

Dear Mr. Fine:

We now have on file the report of our field engineer on examination for beneficial use on Permit No. 21825 which shows that you have irrigated forty acres of land in the $N\frac{1}{2}$ $NE\frac{1}{4}$ Section 18, Township 50 North, Range 5 West, B.M. with water from Skalan Creek with point of diversion in the $N\frac{1}{2}$ $NE\frac{1}{4}$ of said Section 18.

A License can, therefore, be issued upon receipt of the statutory license fee of \$4.00. in the amount of 0.5 second foot.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

T:hll

21825

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

Permit No. 21825

This proof is for Beneficial use In Water District No. _____1. Name of applicant L. M. Fine, Route 2, Post Falls, Idaho2. Source of water supply: Skalan Creek (also known as Mill Creek)3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18T. 50 N. R. 5 W. County of Kootenai

4. Describe works as they exist, giving dimensions and capacities of same: 10 hp. G. E. Har. Motor. Sprinkler system. Rainflow Pump. 3 $\frac{1}{2}$ " x 2 $\frac{1}{2}$ " centrifugal. 6" al pipe from dam to pump. Main line = 5" and 4" portable al. Laterals are 4" and 3" portable al. 32 sprinkler heads. Rain bird #40 3 $\frac{1}{2}$ " x 1 $\frac{1}{64}$ " & 3 $\frac{1}{2}$ " x 5 $\frac{1}{32}$ "

5. Water is used for: Irrigation and stock water.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):

N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18;Twp. 50 N., Range 5 West, B. M.See map.

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

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

Remarks: Crops are hay and pasture.This examination was made on the 17 day of April, 1956

(Signed)

E. M. Humphrey

Examiner.

21825

31 4' x 40'

3' x 5' = some beds

27-3' x 40'

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
APR 25 1956

Department of Reclamation

L. M. Fine

Rts. 2, Post Falls, Idaho

Permit No. 21825

Examination for Beneficial use

County Kootenai

18-50N.-5W.

Q2 0.8 c.f.s.

S = Skalan Cr. (or Mill Cr.)

P.D. = NW. NE., Sec. 18, T.50N.-R.5W.

Use = Irrigation & Stock water

Office above Post Falls

Sec. 5.

Car 3rd & Johnson #10

Filed = Nov. 27, 1950

Due = Dec. 16, 1955

1/4 = 4-15-54

10 by G.R. Method

220V 256A. 3480

Rain & Low Pump

Cent. #18512

Model 2 1/2 W10-2

2 in x 2 1/2 in

Wood Pump house 8' x 8' x 8'

Conc. floor

Heavy Thane concrete

Serial # D-196

6" x 90' al. leaden pipe

12" x 17' x 50' 8" vs

very small road - leaky bottom

pulling in 8' x 10' x 200' l

rack bottom

April 9, 1956

RE: Permit No. 21825

Mr. L. M. Fine
Route 2
Post Falls, Idaho

Dear Mr. Fine:

Inspection is required by law in connection with any permit being brought to license in the State of Idaho. If weather and roads permit I intend to make inspection in connection with your permit on Tuesday, April 17, 1956, in the afternoon.

Please be prepared to accompany me on the inspection. I will try and contact you when I arrive in that area or if I fail to find you I will drive to the farm where the water is used.

Yours truly,

MARK R. KULP
State Reclamation Engineer
By

E. M. Humphrey
Deputy State Reclamation Engineer

H:hll

21825

December 6, 1955

RE: Permit No. 21825

Mr. James W. Ingalls
Attorney at Law
Coeur d'Alene, Idaho

Dear Mr. Ingalls:

We acknowledge receipt of your letter of December 1 enclosing depositions of L. M. Fine and two witnesses also affidavit of publication in the Kootenai County Leader all submitted in proof of beneficial use on Permit No. 21825.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made but our field engineer will try and contact Mr. Fine at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
cc - Mr. L. M. Fine
Route 2
Post Falls, Idaho

21825

JAMES W. INGALLS
ATTORNEY-AT-LAW
COEUR D'ALENE, IDAHO

December 1, 1955

RECEIVED
DEC 6 1955
Department of Reclamation

Department of Reclamation
Boise,
Idaho

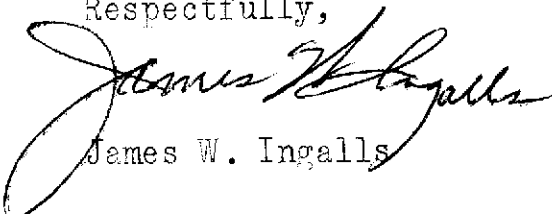
Dear Sirs:

PERMIT NO. 21825

Herewith Proof of Application of Water to
Beneficial Use, including the depositions
of the holder, two witnesses, and the
Affidavit of Publication.

If anything further is needed, please advise
and I will comply with your request. The
permit, when issued, should be sent to me.

Respectfully,


James W. Ingalls

Jl:hf
Enclosures

21825

Notice for Publication

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 30th day of November, 1955, at Coeur d'Alene, County of Kootenai, State of Idaho, before James W. Ingalls, Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic foot per second of the waters of Skalan Creek, (also known as Mill Creek) in accordance with the terms and conditions of Permit No. 21825 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 L. M. Fine, Route No. 2, Post Falls, Idaho.

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

The amount applied to beneficial use is 0.8 cubic foot per second.

The place where said water is used.

North One-half (N½) of Northeast Quarter (NE¼) of Section Eighteen (18), Township Fifty (50) North Range 5 west Bolse Meridian, Kootenai County, Idaho.

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

The right to take water from such works is based upon Permit No. 21825.

The source of supply from which such water is diverted is Skalan Creek, (also known as Mill Creek).

The date of priority which said user is prepared to establish is November 27, 1950. 21825

MARK R. KILLIP

AFFIDAVIT OF PUBLICATION

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

I, CAROLYN PRUITT, being first duly sworn, upon oath deposes and says:

1. I am now and at times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the CHIEF CLERK of the Kootenai County Leader, a newspaper printed and published weekly in Coeur d'Alene, Kootenai County, Idaho and having a general circulation in said county.

3. The NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

of which the annexed is a printed copy, was published in the regular Friday issue of said newspaper for 4 consecutive issues, commencing on the 28 day of Oct, 1955, and ending on the 18 day of Nov, 1955, and such publication was made as often during said period as said newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight weeks immediately prior to the first publication of said notice.

Signed

Subscribed and sworn to before me this 18 day of Nov,

19 55.

Notary public in and for the State of Idaho, residing at Coeur d'Alene, Idaho.

21825

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21825

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. L. M. Fine, Route #2, Post Falls, Farmer

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. 21825, 12-16-50 & 12-13-1950

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

Ans. SKalan Creek (also known as Mill Creek) NW 1/4 NE 1/4, Section 18, Twp. 50 N, Range 5 West B. M.

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

Ans. Dam to store flood water, Dam Height 15 feet, length 1300 ft. ^{at top} length at bottom 50 ft. material--sandy, clay soil
Sprinkler irrigation, 32 Heads, 7 1/2 gal. per minute @ 1/2 in. of
Head in nozzles 1/4 & 5/32 Operating Pressure 35 lbs.

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. Irrigation and stock water; NW 1/4 NE 1/4 Sec. 18
Township 50 N. R. 5 W. B. M., ~~15~~ acres irrigated
35, NE 1/4 NE 1/4 Sec. 18, Township 50 N. R. 5 W. B. M., acres
irrigated 15 acres. cultivated, increased production

21825

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

Ans. _____

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

Ans. 0.8 second feet

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. Irrigation and stock water -- full amount used -- Used during sprinkler season -- April 1st to August 1st -- 0.8 second feet

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None

(Sign)

J. M. Fine

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Kootenai

State of Idaho, on this 30th day of November, A. D. 19 53

My commission expires

8-15-57

James McLaughlin

71825

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21825

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. Martin Frede Kind, 50, Post Falls
Farmer; Post Falls

Ques. 2. Are you acquainted with L. M. Fine, the holder of Permit No. 21825? How long have you known him and where does he reside?

Ans. 30 years; Route #2, Post Falls

Ques. 3. Have you read or heard read said Permit No. 21825, 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. Skalan Creek (also known as Mill Creek) NW 1/4 NE 1/4
Sec. 18 Twp. 50 N R. 5 W B. M.

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. 0.8 second feet

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. Irrigation & Stock Water; NW 1/4 NE 1/4 Sec. 18
Twp. 50 N, R. 5 W B. M. acres irrigated 25; NE 1/4 NE 1/4
Sec. 18 Twp. 50 N. R. 5 W. B. M. 15 acres, cultivated;
increased production

21825

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. Sandy, Clay soil; 0.8 second feet

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

Ans. No

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

? Ans. Summer 1955, by sprinkler system, 0.8
second feet

(Signed) Martin J. McFarland

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 30th day of November,
A. D. 19 55.

My commission expires 8-15-57 James H. Ingalls
Notary Public.

21825

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21825

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. DENNIS H. WILSON 33 RT 2 Post Falls IDA
FERMER

Ques. 2. Are you acquainted with L. M. Fine, the holder of Permit No. 21825? How long have you known him and where does he reside?

Ans. FOUR yrs RT 2 Post Falls IDA

Ques. 3. Have you read or heard read said Permit No. 21825, 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. SKalan Creek (also known as Mill Creek) NW 1/4 NE 1/4
Sec. 18 Twp. 50 N. Range 5 W. B.M.
10 HP ELECTRIC SPRINKLER SYSTEM

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. 0.8 second feet

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. Irrigation + stock water; NW 1/4 NE 1/4 Sec 18
Twp 50 N. R. 5. W. B. M. acres irrigated 25;
NE 1/4 NE 1/4 Sec. 18 Twp 50 N. R. 5 W. B. M. acres 15
acres, cultivated; increased production

21825

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. Sandy, clay soil; 0.8 second feet

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

Ans. No

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

Ans. SUMMER 1953 & 1954 & 1955 by SPRINKLER SYSTEM
1.08 SECOND FEET

(Signed)

Thomas C. Pihlman

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 21st day of November, A. D. 19 55.

My commission expires

8-15-57

James H. Angell
Notary Public.

November 3, 1955

RE: Permit No. 21825

Kootenai County Leader
Coeur d'Alene
Idaho

Gentlemen:

On October 24 we sent you notice for publication on the above numbered Permit in the name of L. M. Fine.

To date, we have not received an acknowledgment of this notice nor a copy of your paper containing same as requested.

Please advise if the notice is being published and if so, send us a copy.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll

21825

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21825

Date: October 24, 1955

Kootenai County Leader

Coeur d'Alene, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 30, 1955 the date set for proof, the expense of the publication to be paid by the applicant, L. M. Fine of Route 2 Post Falls, Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

21825

✓
October 12, 1955

RE: Permit No. 21825

Mr. James W. Ingalls
Attorney at Law
Coeur d'Alene, Idaho

Dear Mr. Ingalls:

We have your letter of October 10 enclosing notice of beneficial use proof to be made November 30, 1955, on Permit No. 21825 in the name of L. M. Fine.

We have completed the notice to show priority of November 27, 1950 and shall send a copy to the Kootenai County Leader with instructions to publish it once a week for four weeks prior to November 30 and to send Mr. Fine the affidavit of publication together with statement of costs.

At the time set, Mr. Fine should appear before you, as Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Ashll
Enc.

21825

JAMES W. INGALLS
ATTORNEY-AT-LAW
COEUR D'ALENE, IDAHO

October 10, 1955

RECEIVED
OCT 12 1955
Department of Reclamation

State Reclamation Engineer
Boise,
Idaho

Dear Sir:

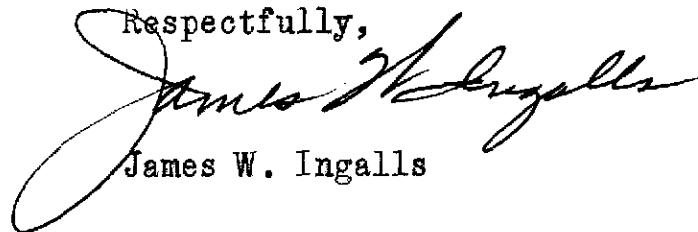
PERMIT NO. 21825

Herewith the authorization to print the notice
of proof of beneficial use and the notices.

You will note that I have not filled out the
date of priority which we seek. I ask, instead,
that you refer to the papers that you have and
complete the notice by inserting the date of
priority therein.

Please return the affidavits to me.

Respectfully,


James W. Ingalls

JI:HF
Enclosures

21825

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

10-10-55

(P. O.)

Route #2, Post Falls

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Kootenai County Leader

of Coeur d'Alene, Idaho published in

the county in which the works are situated.

L. M. Fine

(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.

21825

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

Notice is hereby given that at 10:00 A. M. on the 30th day of November, 1955,
at Coeur d'Alene, County of Kootenai, State of Idaho, before
James W. Ingalls, Notary Public, proof will be submitted of the
application to beneficial use of 0.8 cubic ~~foot~~ per second of the waters of Skalan Creek, also
Known as Mill Creek in accordance with the terms and conditions of Permit No. 21825
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

Ernest L. M. Fine, Route #2, Post Falls

The use to which said water has been applied is Irrigation & Stock Raising

The amount applied to beneficial use is 0.8 cubic feet per second

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

N 1/2 of NE 1/4 of Sec. 18, Twp. 50 North
Range 5 West B. M., Kootenai County, Idaho

North One-half (N $\frac{1}{2}$) of Northeast Quarter (NE $\frac{1}{4}$) of Section

Eighteen (18), Township Fifty (50) North, Range 5 west Boise

Meridian, Kootenai County, Idaho.

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

None (sprinkler system)

The right to take water from such works is based upon Permit No. 21825

The source of supply from which such water is diverted is Skalan Creek, (also
Known as Mill Creek)

The date of priority which said user is prepared to establish is November 27, 1950

MARK R. KULP

State Reclamation Engineer.

21825

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

DEPARTMENT OF RECLAMATION

Boise, Idaho

Mr. L. M. Fine
Post Falls
Idaho

October 1, 1955

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 21825. 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 December 16, 1955, 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

21825

✓
April 15, 1954

RE: Permit No. 21825

Mr. James W. Ingalls
Attorney at Law
Couer d'Alene, Idaho

Dear Mr. Ingalls:

We enclose Certificate of Completion of Works issued on Permit No. 21825 in the name of L. M. Fine for the diversion of 0.8 of a second foot of water from Skalan Creek (also known as Mill Creek), with point of diversion in the NW¹/₄NE¹/₄ Section 18, Township 50 North, Range 5 West, B. M. for irrigation and stock watering purposes in the NE¹/₄ of said section.

We also enclose departmental receipt No. 26605 for the \$5.00 fee paid by you in connection with Completion of Works proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

W:br
Encls.
CC: Rathdrum State Bank

21825

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 21825

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Dennis A. Wilson Route #2 Post Falls, Kootenai County, Idaho

Farmer

Ques. 2. Are you acquainted with L.M. Fine, the holder of Permit No. 21825, authorizing the diversion of .80 cubic feet per second of the waters of Skalan Creek (also known as Mill Creek), at Post Falls Idaho for irrigation & stock purposes? How long have you known him, and where does he reside?

Ans. Three years Route #2 Post Falls, Kootenai County, Idaho

Ques. 3. Have you read or heard read said Permit No. 21825, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes Dry sandy clay soil water required .80 cubic feet per second

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes The works of diversion were completed in October 1952

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Hight of dam 15 feet length 150 feet storage capacity one half (1/2) acre foot

(Sign here.)

Dennis A. Wilson

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, at my office in Post Falls County of Kootenai, State of Idaho, on this 31 day of March, A. D. 1954

W. S. Chapin

21825

The Depositions of two Witnesses, in this form, taken separately, required in each case.

Permit No. 21825

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. M. H. Fredekind Route #2 Post Falls, Kootenai County, Idaho

Farmer

Ques. 2. Are you acquainted with L. M. Fine per second, the holder of Permit No. 21825, authorizing the diversion of 80 Cubic feet second-feet of the waters of Skalap Creek (also known as Mill Creek), at Post Falls Idaho for Irrigation purposes? How long have you known him, and where does he reside?

Ans. Twenty Seven years Route #2 Post Falls, Kootenai County, Idaho

Ques. 3. Have you read or heard read said Permit No. 21825, and are you familiar with its terms and conditions?

Ans. Yes

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Yes dry sandy clay soil water required .80 cubic feet per second

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

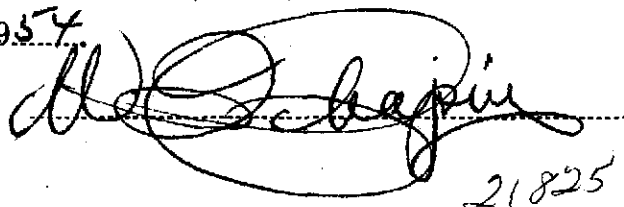
Ans. Yes The Works of diversion were completed in 1952

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Height of dam 15 feet length 150 feet storage capacity one half (1/2) acre foot

(Sign here) M. H. Fredekind

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, at my office in Post Falls County of Kootenai, State of Idaho, on this 31st day of March, A. D. 1954.



21825

April 5, 1954

RE: Permit No. 21825

Mr. James W. Ingalls
Attorney at Law
Couer d'Alene, Idaho

Dear Mr. Ingalls:

We acknowledge receipt of your letter of March 31 enclosing depositions of L. M. Fine and two witnesses in proof of completion of works on Permit No. 21825 and also your check for the \$5.00 in connection therewith.

However, we are returning the depositions of the two witnesses in order that question 5 may state that the works were completed prior to the due date, December 16, 1953 (if such is the case) as mentioned in our letter of March 9.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

21825

JAMES W. INGALLS
ATTORNEY-AT-LAW
COEUR D'ALENE, IDAHO

March 31, 1954

RECEIVED
APR 3 1954
Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho

Dear Sirs:

PERMIT NO. 21825:

Herewith the three affidavits for Proof of Completion
of works, my check in the amount of \$5.00.

Would you please send the Certificate of Completion of
Works to me upon approval?

Respectfully,

21825

PERMIT NO. 21825

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. L. M. Fine, Route #2 Post Falls, Kootenai County, Idaho,
Farmer.

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

Ans.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. No. 21825, approved December 16, 1950, 80 cubic feet per second, Skalan Creek (also known as Mill Creek) tributary of Spokane River, 1600 feet from NE corner of Sec. 18, T. 50 N. R. 5 W. B. M.

Ques. 4. State purpose for which water is to be used, and; if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Irrigation & stock--40 acres--NW $\frac{1}{4}$ NE $\frac{1}{4}$ T 50 NR 5 W. B. M. Sec. 18 less 15 acres, NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T. 50 NR 5 W. B. M. all in Kootenai County, Idaho.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes Full extent June 1952

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. none

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Height of dam 15 feet length 150 feet storage capacity one half ($\frac{1}{2}$) acre foot
Cost of works \$3100.00 Sprinkler system \$500.00 dam, capacity of sprinkler
system 250 gals per minute, 40 ft in length, 32 heads, 10 horse motor

(Sign here.)

L. M. Fine

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

County of *Kootenai*, State of Idaho, on this *1st*
day of *April* A. D. 19*51*.

My Commission expires

8-15-51

James H. Angelle
Notary Public.

21825

March 26, 1954

RE: Permit No. 21825

Mr. James W. Ingalls
Attorney at Law
Coeur D'Alene, Idaho

Dear Mr. Ingalls:

In reply to your letter of March 24, we enclose the necessary forms of deposition to be used in making proof of completion of works on Permit No. 21825 of L. M. Fine, which were omitted from our letter of March 9.

We regret the over-sight and hope that neither you nor your client have been seriously inconvenienced thereby.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

21825

JAMES W. INGALLS
ATTORNEY-AT-LAW
COEUR D'ALENE, IDAHO

March 24, 1954

RECEIVED
MAR 26 1954

Department of Reclamation

Department of Reclamation
State of Idaho
Boise, Idaho

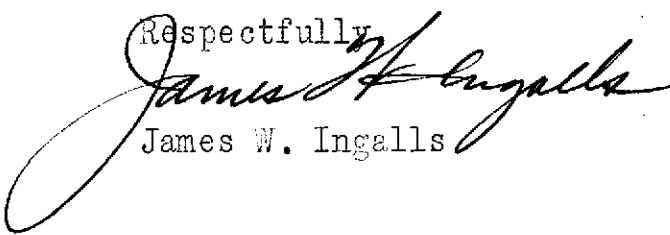
Dear Sir:

PERMIT NO. 21825:

You failed to enclose in your letter of March 9, 1954
regarding this matter the forms of affidavits that you
wish used.

Would you please send these to me at your earliest con-
venience?

Respectfully,


James W. Ingalls

JWI/b

21825

✓
March 9, 1954

RE: Permit No. 21825

Mr. James W. Ingalls
Attorney at Law
Coeur d'Alene, Idaho

Dear Mr. Ingalls:

Reference is made to your letter of March 4th, in regard to Permit No. 21825 in the name of L. M. Fine.

Proof of Completion of Works was due on this Permit on or before December 16, 1953, as per notice sent to Mr. Fine in care of the Rathdrum State Bank September 30, 1953.

You are right in assuming that on this amount of water publication of notice is not required and if proof had been made prior to the due date, all that would have been required is an affidavit of the permit holder on the form furnished by this Department.

However, since the proof is several months past due it will be necessary to furnish supporting affidavits of two witnesses in addition to the affidavit of the permit holder on the forms enclosed. These affidavits should definitely state that the works were completed prior to December 16, 1953, if such is the case. Upon receipt and approval of these proofs a Certificate of Completion of Works can be issued upon payment of the statutory fee of \$5.00

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:br

21825

JAMES W. INGALLS
ATTORNEY-AT-LAW
COEUR D'ALENE, IDAHO

RECEIVED
MAR 8 1954
Department of Reclamation

March 4, 1954

Department of Reclamation
State of Idaho
Boise, Idaho

Dear Sirs:

L. M. FINE et ux - FRANK E. JOHNSON:

L. M. Fine and Florence O. Fine as sellers entered into a contract with Frank E. Johnson, as to part of North 1/2 of Northeast 1/4, Northeast 1/4 of Northwest 1/4 and Lot 1, Section 18, Township 50 North Range 5 WBM, Kootenai County, Idaho on the 9th day of May, 1953.

The contract included application for water permits #29547 and 21825.

Johnson defaulted on the contract and the Fines have re-entered taking possession of the land and retaking the escrowed agreements.

Fine desires to make proof of completion of the works for diversion pursuant to I. C. 42-214. Would you please send me the form for notice to the department, and the form for affidavit referred to in the proviso of said section?

Please also advise me if I am right in assuming that the "six and four-tenths feet of water or less" referred to in the proviso means six and four tenths cubic feet per second. Fine claims .80 cubic feet per second and I wish to be advised whether he comes within the proviso or must use the long form, i.e. publication of notice, hearing, etc.

Respectfully,

James W. Ingalls

21825

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

October 1, 1953

Mr. L. M. Fine
Route 1
Post Falls, Idaho

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 21825 you are required to complete your diversion works on or before December 16, 1953 I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

21825

September 30, 1953

RE: Permit No. 21825

Rathdrum State Bank
Rathdrum
Idaho

Gentlemen:

As per your request on file in this department, we enclose notice that proof of completion of works is due on Permit No. 21825 in the name of L. M. Fine on or before December 16, 1953.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21825

May 15, 1953

RE: Permit No. 21825

Mr. J. Ward Arney
Attorney at Law
Coeur d'Alene, Idaho

Dear Mr. Arney:

We have placed on file the memorandum of contract between L. M. Fine and Florence O. Fine with Frank E. Johnson including Water Permit No. 21825 (Application No. 29547).

For your information, proof of completion of works will be due on this permit on or before December 16, 1953, and proof of beneficial use on or before December 16, 1955.

Notices in this connection will be addressed to the Rathdrum State Bank.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21825

J. WARD ARNEY

ATTORNEY-AT-LAW
Coeur d'Alene, Idaho

May 12th, 1953

Department of Reclamation
Boise, Idaho

DEPT 150
MAY 13 1953
Department of Reclamation

Gentlemen:

L. M. FINE et ux - FRANK E. JOHNSON:

L. M. Fine, and Florence O. Fine, husband and wife, hereby certify that as sellers they entered into a contract with Frank E. Johnson, a bachelor, buyer, as to part of North 1/2 of Northeast 1/4, Northeast 1/4 of Northwest 1/4 and Lot 1, Section 18, Township 50 North, Range 5 WBM, Coeur d'Alene, Kootenai County, Idaho.

The contract included application for water permits #29547 and 21825.

The buyer agreed, among other covenants of the contract "-- -- to pursue and complete the application for water permit -- --" and that if the buyer defaulted "-- -- the sellers may complete the application -- --".

This contract is in escrow with the Rathdrum State Bank, Rathdrum, Idaho.

Approval of the State Reclamation Engineers has been endorsed there-to under date of September 16th, 1950.

The permit, when issued, should be delivered to the Rathdrum State Bank, escrow holder.

All communications with the undersigned should be made with the Rathdrum State Bank.

Respectfully,

a-a

L. M. Fine (L.S.)

Florence O. Fine (L.S.)

STATE OF IDAHO)
COUNTY OF KOOTENAI) ss.

On this 17 day of May, 1953, before the undersigned Notary

J. WARD ARNEY

ATTORNEY AT LAW

COEUR D'ALENE, IDAHO

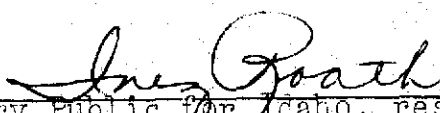
To: Department of Reclamation

Re: FINE - JOHNSON

May 12th, 1953

-2-

Public, personally appeared L. M. FINE and FLORENCE C. FINE, husband and wife, known to me to be the persons named in the foregoing certificate and acknowledged to me that they executed the same.


Notary Public for Idaho, residing at
Coeur d'Alene. Com. exp. 2-18-56

CIV - 12-13-53

1/10 12-13-53

21825

December 22, 1950

Re: Permit No. 21825

Mr. L. M. Fine
Route 2
Post Falls, Idaho

Dear Mr. Fine:

We enclose Permit No. 21825 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 22091 for the \$5.00 filing fee.

As your original application enclosed two checks for \$5.00, one for flow permit and one for storage, and it has been deemed unnecessary to issue two separate Permits, we return one check for \$5.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

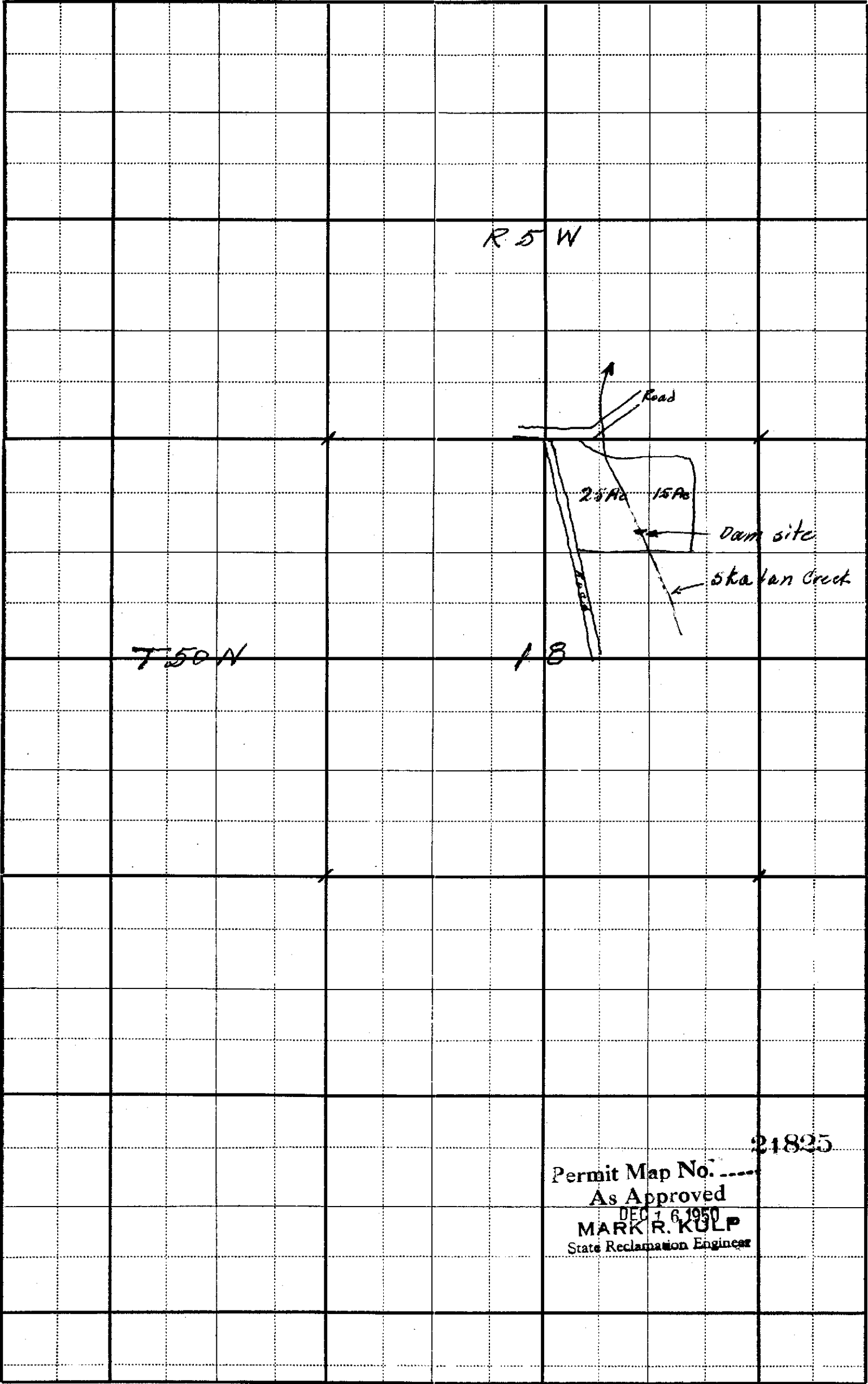
Chief Clerk

A:bb
Enc.

21825

NAME OF APPLICANT L. M. Fine

Form No. 0



21825
Permit Map No.
As Approved
DEC 16 1950
MARK R. KULP
State Reclamation Engineer

21825

RECEIVED
DEC 13 1950
Department of Reclamation

Post Falls, Idaho
December 5, 1950

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

Dear Mr. Kulp:

In answer to your letter of November 29, the correct point of diversion is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18.

The understanding you have of my proposal appears to be correct. If the correction of my water right application is made as stated in the third paragraph of your letter, it will be greatly appreciated.

Very truly yours

L. M. Fine

L. M. Fine
Route #2
Post Falls, Idaho

21825

November 29, 1950

Mr. L. M. Fine
Route 2
Post Falls, Idaho

Dear Mr. Fine:

We are in receipt of your application for Permit to appropriate 1/2 second foot plus additional storage water from Skalan Creek, for irrigation and stock water, accompanied by two checks for \$5.00 each, one for flow and one for storage.

If we understand your application correctly, your plan is to build a small storage reservoir on the creek at the same point of diversion as described in your application, and pump directly from the reservoir.

If this understanding is correct, it will only be necessary to file one application, and we can correct the one you have filed to provide for 40 or 50 inches of water.

We note, however, that while you describe the point of diversion as in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, your sketch map seems to show it in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of this Section. Please advise which is correct.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hh

21825

November 16, 1950

Mr. L. M. Fine
Post Falls, Idaho

Dear Mr. Fine:

In reply to your request of November 14, 1950, we enclose herewith an Application for Permit to appropriate the public waters of the State of Idaho, together with a pamphlet giving regulations and instructions in regard to filing same.

When this application is approved, it will be signed by the proper State Officials and sent you as a use permit under which you may proceed with the construction of the work described in the application. In order to complete your water right, two proofs are required as follows:

First, proof of completion of works which is made by affidavit before a Notary Public. The time required for making this proof should be stated under Question 12 in the application.

The final proof is made when the water has been completely applied for irrigation or whatever purpose it is intended. Notice of such proof must be published for four consecutive weeks in a county newspaper at your expense, and at the time set for proof, depositions are to be executed by yourself and two witnesses in proof of such beneficial use. The additional time required for making this proof should be stated under Question 13 of the application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

Enc.

21825

Nov 14, 1960

Dear Sir,

Will you please
send me the necessary
blanks for Taking
out a water right
for irrigation.

Yours Truly

L. M. Fine

Post Falls

Idaho.

RECEIVED
NOV 16 1960

Department of Reclamation

21825



THIS SIDE OF CARD IS FOR ADDRESS



Mark Kulp
Dp State Reclamation
Bosie
Idaho