



Original Location of Dam (1939)

W074 1804

New Location of Dam (1973)

Sprights
A120

A134
Nathan James

Nelson

336

A109

240

2700

380

A67

Scorrot

0

5.1

32

12.9

26.4

218

A132

A134

A135

A136

A137

A138

A139

A140

A141

A142

A143

A144

A145

A146

A147

A148

A149

A150

A151

A152

A153

A154

A155

A193

J. James

A138

Everett

73.3

A106

Phillips

95-2072

28

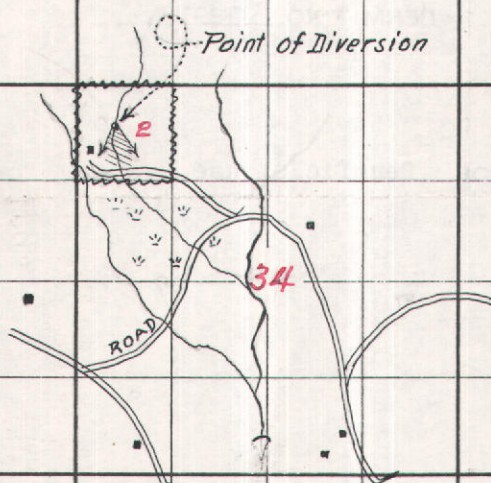
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State of Idaho

License and Certificate of Water Right

Water License No. 18915

Amount 0.04 c.f.s.

Water District No.

Priority Dec. 14, 1939

THIS IS TO CERTIFY that OSCAR LARSON
 of Rathdrum, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated Dec. 14, 1939, 19 ; that Permit No. 18915
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 0.25 second feet, was issued thereunder on October 15, 1940, 19, showing that said works
 were completed on the 10th day of October, 19 40 ; and that on the 9th
 day of November, 19 40 ,

OSCAR LARSON

of RATHDRUM, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of an unnamed creek
 (Cedar?), a tributary of unnamed stream, for the purpose of irrigation & domestic
 use, under Use Permit No. 18915 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
 of Licenses, at page 4124, on the 18th day of April, 19 42 ;

The right hereby confirmed dates from December 14, 1939, 19 ;

The Point of Diversion is located
 in the NW $\frac{1}{4}$ $\frac{1}{4}$ NW $\frac{1}{4}$ $\frac{1}{4}$ Sec. 34, Tp. 52 N, R. 5 W, B. M. Kootenai

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 .04
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
52 N	5 W	34	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20.0	2.0

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 Commissioner of Reclamation, affixed at Boise, Idaho,
 this 18th day of April, 19 42

E. V. BERG

Commissioner of Reclamation

(SEAL)

95 2072

State of Idaho

License and Certificate of Water Right

Water License No. 18597

Amount .4 c.f.s.

Water District No.

Priority March 23, 1938

THIS IS TO CERTIFY that MRS. E. C. VAN STONE
 of Hope, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated March 23, 1938, 19 ; that Permit No. 18597
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 .4 second feet, was issued thereunder on May 10, 1939, 19 , showing that said works
 were completed on the 14th day of March, 19 39 ; and that on the 24th
 day of September, 19 40 ,

MRS. E. C. VAN STONE

of Hope, State of Idaho, made proof to the satisfaction of the
 Commissioner of Reclamation of Idaho, of the right to use the waters of Carter Creek
 , a tributary of Lake Pend d'Oreille, for the purpose of irrigation and domestic
 , under Use Permit No. 18597 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
 of Licenses, at page 4125, on the 21st day of April, 19 42 ;

The right hereby confirmed dates from March 23, 1938, 19 ;

The Point of Diversion is located
 in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 6, Tp. 56 N, R. 2 E, B. M. Bonner

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 .4
 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
56 N	1 E	1	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	20 0 20	18 2 20

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 Commissioner of Reclamation, affixed at Boise, Idaho,
 this 21st day of April, 19 42

E. V. BERG

Commissioner of Reclamation

(SEAL)

N^o 18915
95-2072

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

Application No. 26319
Permit No. 18915
District No.

1. Name of Applicant: OSCAR LARSON
Postoffice address: Rathdrum 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:
(b) Treasury stock:
(c) Bonds to be issued:
(d) Other resources:
2. Quantity of water claimed: 0.25 cubic feet per second.
3. Source of water supply: Unnamed Creek which is a tributary of Unnamed Creek (Cedar?)
4. Location of point of diversion: 650 feet distant from the N W corner of Section 34, T. 52 N., R. 5 W., B. M., and is the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, T. 52 N., R. 5 W., B. M., County of Kootenai
5. Water is to be used for: Irrigation and domestic purposes
6. If for mining, milling, power or manufacturing purposes, give:
(a) Point of use of water: feet distant from corner of Section T., R., B. M., in the of Section, T., R., B. M.
(b) Amount of power generated: H. P., under feet head.
(c) Water is to be returned to at a point feet distant from the corner of Section, T., R., B. M., in the of Section, T., R., B. M.
7. Estimated cost of works: \$50.00
8. Kind of works: Diversion dam
9. Height of dam 2 $\frac{1}{2}$ feet; length of dam at top 10 feet; length of dam at bottom 2 feet; material used in dam:
10. Size of headgate: Width feet; height feet.
11. Ditch: Width at bottom 1 feet; width at water line 2 feet; depth of water 3/4 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 One years.
13. The time required for the complete application of the water to the proposed use is no additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

OSCAR LARSON

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. December 14, 1939

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18915
Recorded in Book 69 Page 18915 Approved December 16, 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 February 14, 1940 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, 1940
The whole of said work to be completed on or before December 16, 1940
Beneficial use of water appropriated in accordance herewith, to be made on or before December 16, 1940

Witness my hand this 16th day of December, 1939

JAMES SPOFFORD

Commissioner of Reclamation.

IN TESTIMONY WHEREOF, We C. A. VOTTOLFSSEN 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 have caused the Great Seal of the State of Idaho to be hereunto affixed, this 16th day of December 19 39

Countersigned:

STATE OF IDAHO

(SEAL

By

GEO. H. CURTIS

Secretary of State.

By

C. A. VOTTOLFSSEN

Governor.

Remarks: Beneficial use has been made by me since 1920 for domestic and irrigation purposes. Temporary low earth diversion is made each year during irrigation season. It is desired to construct permanent diversion works.

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 $\frac{1}{4}$	
52 N.	5 W.	34					20												20
Total Number of Acres to be Irrigated - 20																			

PERMIT NO. 18915
Certificate of Completion of Works.

TO ALL WHOM IT MAY CONCERN:

This is to certify that OSCAR LARSON, of Rathdrum, County of Kootenai, and State of Idaho, the holder of Permit No. 18915, issued upon Application No. 26319, bearing date of priority of December 14, 1939, authorizing the diversion of 0.25 second foot of the waters of an unnamed creek, tributary of an unnamed creek (Cedar Creek), County of Kootenai, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.25 second foot of the waters of said unnamed stream; that the point of diversion of said waters is located 650 feet distant from the Northwest corner of Section 34, Township 52 North, Range 5 West, B. M., and in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34, Township 52 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: Twenty (20) acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 52 North, Range 5 West, B. M.
Witness my hand this 15th day of October, A. D. 1940.

JAMES SPOFFORD
Commissioner of Reclamation

Proof of completion of works made October 10, 1940.
Certificate of Completion of Works issued October 15, 1940.

LICENSE ISSUED FOR 0.4 SEC. FT.
APR 18 1942 # 4124



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 12, 1990

RE: Water Right No. 95-2072

James T. Kerns
E. 3206 1st Ave.
Post Falls, ID 83854

Dear Mr. Kerns:

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

In Idaho, a licensed water right is considered real property and is acquired when the property to which it is appurtenant is purchased. Proof of owning the land is proof of owning the water right license, if the previous land owner did not exclude the water right from the sale. Therefore, we will place your correspondence in the file for future reference only and no further action will be taken.

If you have any questions, please let us know.

Sincerely,

SHARLA CURTIS
Clerical Specialist

SC:at

RECORDED

MAR 23 1990

To: Director,
State Of Idaho
Dept Of Water Administration
Statehouse-Annex 2
Boise, Idaho, 83707

From: James T. Kerns
E. 3206 First Ave
Post Falls, Idaho, 83854

Re: Water Right #95-2072

Date: December 31, 1989.

RECEIVED

JAN 10 1990

Department of Water Resources

Dear Sir,

During 1989, I subdivided the property upon which this water-right is located. The parcel was sold on different dates to two separate parties. In both of the deeds, I made specific mention of the water-right. Both sales are recorded in Kootenai County.

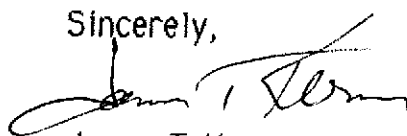
The first transaction, on August 22, 1989, was to "Kelly." At that time I specifically retained the water-right, although that necessitated the movement of the "point of diversion" approximately 100 feet downstream. This new point of diversion is across the road, but still in the same forty acre subdivision, therefore no notice was made to your Department.

The second transaction on September 15, 1989, was to "Pokorny". At that time I specifically included the water-right into the sale.

If it is necessary for me to sign any additional forms or papers, in order to assist Mr. Pokorny to ensure his ownership of the water-right, #95-2072, I am willing and available to do so.

All papers relating to this water-right in my possession, as well as a copy of this letter, are being sent to Mr. Pokorny.

Sincerely,


James T. Kerns

MICROFILMED

MAR 23 1990

December 26, 1973

Re: License No. 95-2072

James T. Kerns
Route #1, Box 11-B
Rathdrum, Idaho 83858

Dear Mr. Kerns:

There is no requirement that the change mentioned in your letter of December 21, 1973, be recorded with the county, but you may wish to have it preserved locally for future referenced.

The previous correspondence, and the map, are a part of our permanent records, and are the logical place to look for a change in a licensed right.

If you have any additional questions, do not hesitate to ask us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jc

95-2072

Dec. 21, 1973

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attention: Bobby D. Fleener - Assistant Director

Dear Sir:

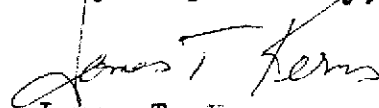
Thank you for your letter of 11-20-73 regarding the change in the point of diversion on my water right Permit No. 95-2072.

I am sure this water has never been left un-used for a five year period. Continuing the same farming procedures as Oscar Larson and Claire Lundin before me, I have been using water from this creek every year and intend to do so in like manner in the foreseeable future.

As for injuring the water rights of others; no other person owns any property between the original point of diversion and the new point of diversion so that I cannot see any possible manner in which any other person can be affected by the change in diversion.

Would you please advise me if I should have this change recorded at the County Court House as part of my deed and title or is the record with your Department sufficient.

Very respectfully,



James T. Kerns
Rt 1 Box 11-B
Rathdrum, Idaho 83858

95-2072

November 20, 1973

Re: Permit No. 95-2072

James T. Kerns
Route #1, Box 11-B
Rathdrum, Idaho 83858

Dear Mr. Kerns:

Your map indicating a change in the location of the point of diversion of License No. 95-2072, has been received and made a part of that license.

A transfer is not required, since your point of diversion remains in the same forty (40) acre subdivision as set forth in the license. However, you should be aware that a water right may be lost by five years of non-use, and also, that this change cannot be made if it causes injury to other existing water rights.

If you have any questions regarding this matter, please let us know.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jc

95-2072

INTER-DEPARTMENT MEMO — 1

DATE November 16- 1973

FROM Fred, Northern District

TO BOB FLEENOR

SUBJECT No. 95-2072

RECEIVED

NOV 19 1973

Department of Water Administration

As soon as this information is placed in Mr. Kern's file, will you please write and inform him that it is on record for future reference.

Thank you.


SIGNATURE

95-2072

MEMO

TO: File No. 95-2072
FROM: James Kerns
DATE: November 16, 1973
SUBJECT: Change in Point of Diversion

In 1973, the dam was moved downstream approximately 1,000 feet within the same 40-acre tract. The place of use will remain unchanged.

The purpose of this memo and map is to put on record that the dam was moved and that permission was granted.

James T. Kerns
Route #1, Box 11-B
Rathdrum, ID 83858

95-2072

12-11-68

Original Jack [unclear]
64 [unclear] (1939)

New
Location of
Dam
(1973)

A193
J. Javan

A/38
EUCATT

387
Rt 7
Spartan

226
Phil.

95-2072

April 21, 1942

Re: 18915

Mr. Oscar Larson
Rathdrum, Idaho

Dear Mr. Larson:

We are enclosing License and Certificate of Water Right on the above numbered permit for .04 cubic feet per second of the waters of an unnamed creek for irrigation and domestic use on the NW¹/₄ of Sec. 34, Twp. 32 N., Rge. 5 E with a priority date of Dec. 14, 1939.

Very truly yours,
E. V. BERG
Commissioner of Reclamation

ml.
encl.

BY: Chief Clerk.

18915



CHASE A. CLARK
GOVERNOR

ROY W. THOMPSON
DEPUTY COMMISSIONER

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

E. V. BERG, COMMISSIONER

BOISE

March 25, 1942

Re: 18915

Mr. Oscar Larson
Route No. 1
Rathdrum, Idaho

RECEIVED

APR 9 1942

Department of Reclamation

Dear Mr. Larson:

We are in receipt of our engineer's report on the above numbered permit for beneficial use proof. The fee is \$2.00 being at the rate of \$2.00 for each forty acre subdivision or fraction thereof.

Upon receipt of your remittance, a license will be issued.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

Maud Rile

BY: Chief Clerk.

ml.

*Enclosed find \$2⁰⁰ to pay
for above licence. Yours truly
Oscar Larson
Rathdrum
Ida*

18915

March 25, 1942

Re: 18915

Mr. Oscar Larson
Route No. 1
Rathdrum, Idaho

Dear Mr. Larson:

We are in receipt of our engineer's report on the above numbered permit for beneficial use proof. The fee is \$2.00 being at the rate of \$2.00 for each forty acre subdivision or fraction thereof.

Upon receipt of your remittance, a license will be issued.

Very truly yours,
E. V. BERG.
Commissioner of Reclamation

BY: Chief Clerk.

ml.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18915

REPORT ON PROOF OF Beneficial use

*C. H. W. Apr. 104 C. H. W.
Spec. 8212
J. H. W.*

28

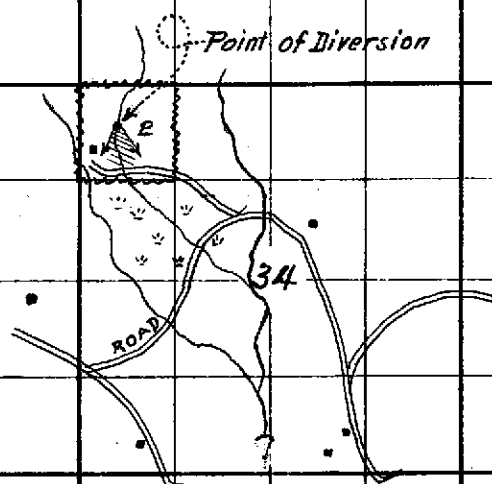
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STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18915

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

1. Name of applicant Oscar Larson- Route 1, Rathdrum, Idaho
2. Source of water supply: Unnamed creek
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34
T. 52 N. R. 5 W. County of Kootenai
4. Describe works as they exist, giving dimensions and capacities of same: Log and rock check dam
four feet long, and one foot high. Ditch one foot wide and one foot
deep; no other structures are necessary.
5. Water is used for: Irrigation and domestic
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 for other than irrigation): NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, Twp. 52 N., Range 5 W., B.M.

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

8. What large stream would the water here appropriated finally reach? "sinks ordinarily"

Remarks: _____

This examination was made on the 29th. day of May, 1941

18915

(Signed)

Fred H. Polman
Examiner.

Oscar Larson
Route 1- Rathdrum, Idaho 70

Permit No. 18915

Examination for Beneficial Use

County Kootenai

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 a 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.
-

November 12, 1940

Re: Permit No. 18915

Mr. Oscar Larson
Route 1,
Rathdrum, Idaho.

Dear Mr. Larson:

We acknowledge receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of publication from the Rathdrum Tribune, all in connection with beneficial use proof under the above numbered permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We cannot say just when this examination will be made, since this department has but one field engineer, who makes examinations all over the state.

However, Mr. Tolman, Field Engineer for this department, will try and contact you at the time set for the examination, so that you may show him over the ground.

The statutory fee in connection with this final proof is \$2.00, which you may remit at your convenience, and when the engineer's report is on file in this office, a license will be issued in accordance therewith.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

JLA

Chief Clerk

18915

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 18915

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Oscar Larson, Rathdrum, Idaho, 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. No corporation

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

Ans. No. 18915, Date Dec. 16, 1939

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

Ans. Unnamed Creek in Sec. 34, Twp. 52 N. R. 5 W. B. M.

Point of diversion 550 feet distant from the N.W. Corner of said section 34. NW 1/4 of 34

✓ 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.

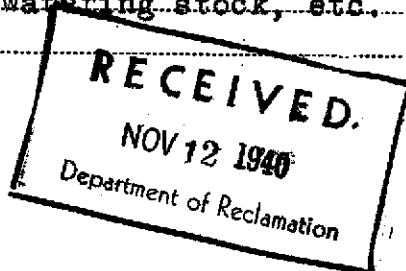
Ans. Diversion dam of earth and rock; conveys one-quarter second foot of water. Ditch is of earth, no name.

✓ 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 domestic. Number of acres little less than 20 acres in NW 1/4 of NW 1/4 of Sec. 34, Twp. 52 NR 5 WBM. Cultivated land. Improvements are maintenance of cultivated tract and growing of crops thereon.

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

Ans. Irrigation, also for domestic use such as watering stock, etc.



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

Ans. About a quarter second foot.

✓ 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. I am the person. There is no corporation, etc.

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

Ans. Used each summer for irrigation of the said approx. 20 acres and to the amount of approx. one-quarter second foot.

✓ 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. No other water used.

(Sign).....

Oscar Larson

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 Rathdrum, County of Kootenai, State of Idaho, on this 2th day of November, A. D. 19 40.

term of office

My ~~commission~~ expires Jan. 13, 1941

Justice of the Peace
Rathdrum, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18915

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.

(Raymond)
Ans. Ray Winch, age 51, Rathdrum, Idaho.

✓ Ques. 2. Are you acquainted with Oscar Larson, the holder of Permit No. 18915? How long have you known him and where does he reside?

Ans. Yes, I have known him 12 years, he resides near Rathdrum, Idaho

✓ Ques. 3. Have you read or heard read said Permit No. 18915, 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. An unnamed creek; place of diversion is approx. 650 feet distant from the NW corner of Sec. 34-52-5 W. Works are a dam of earth and rock and a ditch to convey water to place of use.

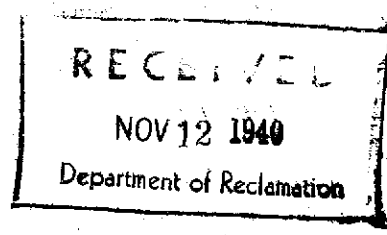
✓ Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. About one-quarter second foot.

✓ Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Irrigation of something less than 20 acres in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 34, Twp. 52, N.R. 5 W.B.M. The land is cultivated, and improvements consist of the works and the irrigated lands and the growing of crops on said land. Water is also used for domestic purposes, such as watering stock.

18915



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

Ans. Only other use is domestic, to water a few head of stock.

✓ 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. It is bottom land. My estimate of the amount of water required for the approx. 20 acres is about one-quarter second foot.

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

Ans. I have no interest in the works nor the lands, but I use water from the same Unnamed Creek lower down, under my Permits Numbers 18808 and 18813.

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. During the summer, I have seen the water used by Oscar Larson on his place described for irrigation of crops within the subdivision described on his permit No. 18915.

(Signed)

Raymond W. Linde

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 Rathdrum, County of Kootenai, State of Idaho, on this ~~day of~~ 9th day of November, A. D. 19 40.

term of office
My ~~commission~~ expires Jan. 13, 1941

J. M. Culp
Justice of the Peace ~~for the~~
Rathdrum, Idaho

18915

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18915

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. Fred Lundin, 65 years of age; res. Rathdrum, Idaho; occu-
pation Farming.

✓ Ques. 2. Are you acquainted with Yes Oscar Larson, the holder of Permit No. 18915? How long have you known him and where does he reside?

Ans. Yes, I have known him over 20 years. He resides near
Rathdrum, Idaho

✓ Ques. 3. Have you read or heard read said Permit No. 18915, 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. Unnamed Creek. The place of diversion is approx. 650 feet
from the NW corner of sec. 34, Twp. 52, NR 5 WBM. Rock and
earthen dam and ditch is used to convey the water to place of
use.

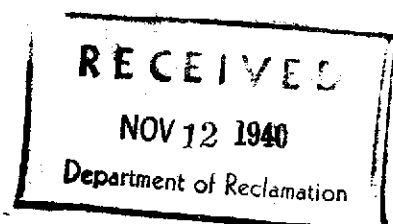
✓ Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Approx. one-quarter of one second foot.

✓ Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Irrigation and domestic use, on the place owned by Oscar Lar-
son. The sub-division irrigated is in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said
section 34-52-5 W. Slightly less than 20 acres in this one
sub-division. Cultivated land. Improvements consist of the
irrigated land used for growing crops.

18915



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

Ans. Water is used for domestic purposes, such as watering
stock, in addition to use for irrigation.

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. Bottom land. I estimate that a quarter ~~inch~~ second foot
of ~~water~~ water is required for profitable cultivation.

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

Ans. The Creek flows through my land before reaching the point of
diversion, but I have no interest in the use of that water.

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

Ans. I have observed the use of this water at the said place
off and on each summer for a period of 20 years. At said times
Oscar Larson was using approximately one-quarter second foot
of water from the works above described, for beneficial use.

(Signed)

Fred Lundin

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 Rathdrum, County of Kootenai, State of Idaho, on this ~~day~~ 9th day of November, A. D. 19 40.

term of office

My ~~commission~~ expires Jan. 13, 1941

J. M. Culp
Justice of the Peace ~~Myra E. E. E.~~
Rathdrum, Idaho

18915

NOTICE FOR PUBLICATION
Notice of Proof Application of
Water to Beneficial Use

Notice is hereby given that at 9:00 A. M. on the 9th day of November, 1940, at Rathdrum, County of Kootenai, State of Idaho, before J. R. M. Culp, Justice of the Peace, proof will be submitted of the application to beneficial use of one-quarter cubic feet per second of the waters of an unnamed creek in accordance with the terms and conditions of Permit No. 18915, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Oscar Larson, RFD. No. 1, Rathdrum, Idaho.

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

The amount applied to beneficial use is one-quarter cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Approximately twenty acres in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34, Township 52 North, Range 5 West of Boise Meridian.

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

The right to take water from such works is based upon Permit No. 18915.

The source of supply from which such water is diverted is an unnamed creek in Section 34, Twp. 52 N, R. 5 W. B. M.

The date of priority which said user is prepared to establish is December 14, 1939.

JAMES SPOFFORD,

Commissioner of Reclamation

First Publication Oct. 11, 1940.

Last Publication Nov. 1, 1940.

AFFIDAVIT OF PUBLICATION

RECEIVED

NOV 12 1940

Department of Reclamation

Plaintiff

VS.

Defendant

STATE OF IDAHO } ss.
County of Kootenai }

1. Oscar W. Culp, of said Kootenai County, being duly sworn, depose and say as follows:

1. I am a citizen of the United States, and at all times hereinafter mentioned was over eighteen years of age, and am not a party to the above entitled action, and in no wise interested in it.

2. I am and at all the said times was the publisher, proprietor and principal Clerk of THE RATHDRUM TRIBUNE, which is a newspaper printed and published in Kootenai County, Idaho, having a general circulation therein, and which said newspaper is published weekly and has been continuously and uninterruptedly published in said county for a period of more than seventy-eight consecutive weeks prior to the first publication of the notice and advertisement herein set forth.

3. The Notice of Proof Application of Water to Beneficial Use of which the annexed is a printed copy was published in said newspaper at least once a week for four consecutive weeks, commencing on the 11th day of October, 1940, and ending on the 1st day of November, 1940, and that the same was published in the newspaper proper and not in a supplement thereof. Said Rathdrum Tribune is a newspaper of at least four pages of at least five columns each printed from type matter or stereotype forms of at least 17 $\frac{1}{2}$ inches depth and that said newspaper has more than 200 bonafide subscribers living within Kootenai County, Idaho, where said newspaper is published, and that it is published at regular interval periods and not less frequently than once a week.

Oscar W. Culp

Subscribed and sworn to before me this 8th day of November, 1940

Notary Public for the State of Idaho,
residing at Rathdrum

My Commission expires Oct 10 1941

18915

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

Boise, Idaho, **October 31, 1940**

Re: Permit No. 18915

Mr. J. R. M. Culp,
Justice of the Peace,
Bathlam, Idaho.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. **18915**

Deposition of Permit Holder,
Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On **November 9, 1940**, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at **Bathlam, Idaho** before **J. R. M. Culp, Justice of the Peace,**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,
James Spofford

Commissioner of Reclamation.

18915

October 16, 1940

Re: Permit No. 18915

Mr. Oscar Larson
R. F. D. 1
Rathdrum, Idaho

Dear Mr. Larson:

We enclose herewith Certificate of Completion of Works issued under the above numbered permit to appropriate 0.25 second foot of water from an unnamed creek, in the NW¹ NW¹ Section 34, Township 52 North, Range 5 West, B.M., Kootenai County, for irrigation and domestic purposes.

We also enclose Receipt # 17603 for the \$5.00 fee paid by you in connection with this proof.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

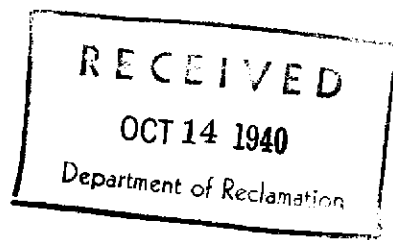
By

Chief Clerk

JLA
Encls.

18915

Permit No 18915.....

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Kootenai

} ss.

Oscar Larson

, 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. 18915, and that his postoffice address is RFD 1, Rathdrum State of Idaho

Second: That the name of the stream from which said water is to be directed is Unnamed Creek

Third: That the point of diversion of said water is 650 feet distant from the NW corner of Sec. 34, Twp. 52 N., R. 5 W., County of Kootenai, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 16, 19 40

Fifth: That the use for which said water is intended is domestic and irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: rock and earth diversion dam, and ditch.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 2 1/2 feet, length of dam at top 10 feet, length of dam at bottom 2 feet. Material used in construction earth and rock

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

(b) Capacity of reservoir .0015 acre feet. or approx. 75 cu. ft.

(c) Size of headgate: Width 12 in., height 12 in.

(d) Conduit ditch width at bottom one feet, width at water line two ft.
(State whether ditch, flume or pipe.)
feet, depth of water 4 feet; diameter of pipe none inches, average grade per mile is 350 feet. Length of conduit is 1-17th miles.

Seventh: That said works are capable of conducting to the place of intended use .25 second feet of water.

Eighth: That water appropriated under said permit is available for 20 acres of land described as follows: in N.W. 1/4 of Sec. 34, Twp. 52 N., R. 5 WBM.

Ninth: Remarks: That Beneficial use has been made by me since 1920 for domestic and irrigation purposes. Temporary low earth diversion is made each year during irrigation season. It is desired to construct permanent diversion works.

Oscar Larson
(Sign here)

Subscribed and sworn to before me this 10th day of October, 19 40

term

My commission expires Jan. 10, 1941

J. M. Culp
Justice of the Peace
Rathdrum, Idaho

18915

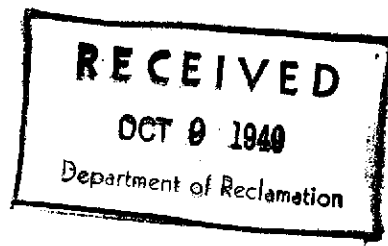
18915

THE RATHDRUM TRIBUNE

Established 1895

Culp Brothers, Publishers
Book, Job and Commercial Printing

RATHDRUM, IDAHO
October 8, 1940



Mr. James Spofford
Commissioner of Reclamation
Boise, Idaho

Re: Permit No. 18915

Dear Sir:

This is to acknowledge receipt of Notice for
Publication in Re: Permit No. 18915--Oscar Larson,
RFD 1, Rathdrum, Idaho.

As directed said notice will be published
once a week for four consecutive weeks prior to Novem-
ber 9, 1940.

A copy of the first publication will be mailed
to your office.

Very truly yours,

THE RATHDRUM TRIBUNE

By.

18915

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 18915

Date October 7, 1940

RATHDRUM TRIBUNE
Rathdrum, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 9, 1940, the date set for proof, the expense of the publication to be paid by the applicant, Oscar Larson, FRD 1, Rathdrum, 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.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

18915

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

Notice is hereby given that at 9:00 A. M. on the 9th day of November, 1940
 at Rathdrum, County of Kootenai, State of Idaho, before
J. R. M. Gulp, Justice of the Peace, proof will be submitted of the
 application to beneficial use of one-quarter cubic feet per second of the waters of an un-
named creek in accordance with the terms and conditions of Permit No. 18915
 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

Oscar Larson, RFD. No. 1, Rathdrum, Idaho.

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

The amount applied to beneficial use is one-quarter cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) Approximately twenty acres in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section
34, Township 52 North, Range 5 West of Boise Meridian.

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

The right to take water from such works is based upon Permit No. 18915

The source of supply from which such water is diverted is an unnamed creek in

Section 34, Twp. 52 N., R. 5 W.B.M.

December 14, 1939

The date of priority which said user is prepared to establish is July 1, 1920

JAMES SPOFFORD

Commissioner of Reclamation.

18915

October 7, 1940

Re: Permit No. 18915

Mr. Oscar Larson
R. F. D. 1
Bathurst, Idaho.

Dear Mr. Larson:

When we wrote you this morning, in regard to the notices in connection with your beneficial use proof, we overlooked the fact that you had not yet sent in the Affidavit for proof of completion of work, which we sent you on September 3rd.

This, of course, is a separate proof from the beneficial use proof, and the Affidavit, together with the \$5.00 fee in connection with completion of work proof, should be sent in to this office prior to December 15, 1940.

Very truly yours,

JAMES SPOFFORD

Commissioner of Reclamation

By

JLA

Chief Clerk

18915

October 7, 1940

Re: Permit No. 19915

Mr. Oscar Larson
R. F. D. 1
Rathdrum, Idaho.

Dear Sir:-

We acknowledge receipt of duplicate notices, and authorization to have the notice published in the Rathdrum Tribune, all in connection with beneficial use proof under the above numbered permit.

The notice has been sent to the newspaper, with instructions to publish it once a week prior to November 9th, 1940, the date set for proof.

On this date you should appear at Mr. Culp's office, with two disinterested witnesses, who are familiar with the terms of the permit, and the works constructed thereunder, for the purpose of making the proof.

About ten days ahead of time we shall send to Mr. Culp the necessary forms of deposition, consisting of one for the holder, and one for each of the two witnesses.

We have changed the date of priority which you can establish by this proof to December 14, 1939, as no priority can be established in connection with any permit earlier than the date the application is filed in this department.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

JLA

Chief Clerk

18915

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 2

(P. O.) Rathdrum, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

Oscar Larson

(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.

18915

September 24, 1940

Re: Permit No. 18915

Mr. Oscar Larson,
Rathdrum, Idaho

Dear Mr. Larson:

In reply to your letter of September 20th, we are enclosing the necessary forms to be used in connection with notice of beneficial use proof under the above numbered permit.

The notice should be filled out in duplicate, setting the time and place where the proof will be made, which should be at least forty days ahead, in order to allow time for the four weeks publication.

The authorization to publish in a paper designated by you in the county where the water is diverted should also be signed by you, and sent to us, with the notices, upon receipt of which we shall send the notice to the newspaper, with instructions in regard to publishing.

As mentioned in our previous letter, it will be all right to name Mr. Culp, Justice of the Peace, as the officer before whom proof will be made.

Very truly yours,

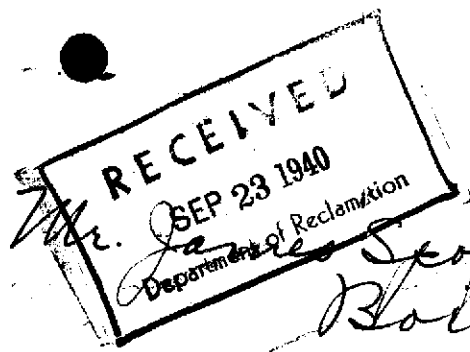
JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

JLA
Encls.

18915



Rathdrum
Sep 20. 1940.

James S. Spafford
Boise Ida.

Dear Sir,-

In regards to your
letter of Sep 3. concerning
permit no 18915, would
you please send forms
for beneficial use proof
of water, of which same,
I am now ready to
prove up. Thanking
you I am Yours truly
Oscar Larson

18915

September 3, 1940

Re: Permit No. 18915

Mr. Oscar Larson
Rathdrum, Idaho.

Dear Mr. Larson:

We are this morning in receipt of your letter dated August 18th, in which you state that you would like to prove up on your diversion dam under the above numbered permit.

We are not quite sure whether you wish to make both proofs at this time, or only proof of completion of works. This proof can be made by executing the enclosed affidavit before a Notary Public, or Justice of the Peace, and returning it to this office, with the statutory fee of \$5.00.

Beneficial use proof, which is also due on or before December 16, 1940, has to be advertised for four weeks prior to taking of the depositions, and if you are ready to make this proof also, we shall be glad to send you the proper forms, upon request.

Mr. Culp, Justice of the Peace, is qualified to act as the official before whom these proofs may be made.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation
By

Chief Clerk

JLA
Encl.

18915

RECEIVED

SEP 9 1940

Department of Reclamation

Potho-Ida
Aug 12/1940

Mr. James S. Ford
Commissioner of Reclamation
Boise Ida.

Dear Sir,

In regards to water
permit no. 18915 and
application no. 26319
will say that I have
diversion dam complete
and would like to
prove up on same.
Would like to know
if J. R. M. Culp, Justice
of The Peace ^{Potho-Ida} might
be appointed help me
prove up. Yours truly

Oscar Larsen

18915

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52 2 - 5 W -

20 2 - 2 W 2 W -

12 - 14 - 39

12 - 16 - 40

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18915

Boise, Idaho, December 18, 1959

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~~^{fourth} page.

JAMES SPOFFORD

Oscar Larson
Rathdrum, Idaho
Enc. Receipt # 17232

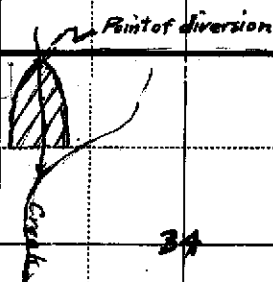
Commissioner of Reclamation.

18915

27

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25



34

35

36

T. 52 N., R. 5 W. B. M.
T. 51 N., R. 5 W. B. M.

3

2

1

18915

Permit Map No. 18915
As Approved
DEC 16 1939
JAMES SPOFFORD
Commissioner of Reclamation

3:00 PM.

Rathdrum, Ill.
Dec. 13, 1939,

Wm. Spodford
Dear Sir, -

Enclosed find
\$5.00 money order for
filing fee - on water
right.

Yours truly
Oscar Larson

18915

December 5, 1939

Mr. R. D. Gladding, In Charge,
Water Facilities Program,
Soil Conservation Service,
Spokane, Washington.

Dear Mr. Gladding:

We are returning herewith application for permit for
Oscar Larson, for the following reasons:

1. A fee must accompany all applications for permit
before they can be given an application number and
starting date.
2. Question 3 should read "Unnamed creek", because if
you intend to divert directly from the springs, the
Affidavit of Permission on page 3 would have to be executed.
3. Question 4 should show the point of diversion to the
nearest 40-acre subdivision, as indicated in pencil.

Upon receipt of the application, with the above correc-
tions, it will be given an application number and starting
date.

We are holding the maps, which are correct.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Deputy Commissioner

D:A
Encs.

18915

UNITED STATES
DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Pacific Northwest Region

3:00 PM

Spokane, Washington
December 4, 1939

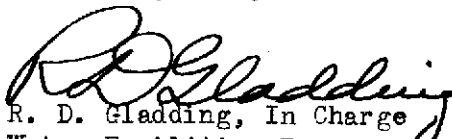
James A. Spofford
Commissioner, Dept. of Reclamation
State House
Boise, Idaho

Dear Mr. Spofford:

We are enclosing an application for permit for
water rights for Mr. Oscar Larson of Rathdrum, Idaho,
which we have assisted him in preparing.

Please advise us if this is not properly executed.

Yours very truly,


R. D. Gladding, In Charge
Water Facilities Program

18915

*Rathdrum -
Fritume*

Oct. 11 - 1940

**NOTICE FOR PUBLICATION
Notice of Proof Application of
Water to Beneficial Use**

Notice is hereby given that at 9:00 A. M. on the 9th day of November, 1940, at Rathdrum, County of Kootenai, State of Idaho, before J. E. M. Culp, Justice of the Peace, proof will be submitted of the application to beneficial use of one-quarter cubic feet per second of the waters of an unnamed creek in accordance with the terms and conditions of Permit No. 18915 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Oscar Larson, RFD. No. 1. Rathdrum, Idaho.

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

The amount applied to beneficial use is one-quarter cubic feet per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Approximately twenty acres in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34, Township 62 North, Range 5 West of Boise Meridian.

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

The right to take water from such works is based upon Permit No. 18915.

The source of supply from which such water is diverted is an unnamed creek in Section 34, Twp. 52 N. R. 5 W. B. M.

The date of priority which said user is prepared to establish is December 14, 1939.

JAMES SPOFFORD,

Commissioner of Reclamation

First Publication Oct. 11, 1940.

Last Publication Nov. 1, 1940.