

State of Idaho
License and Certificate of Water Right

Water License No. 18422

Amount 1 second foot

Water District No.

Priority April 7, 1937

THIS IS TO CERTIFY that IRVIN J. ROSSITER
of Pierce, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 7, 1937; that Permit No. 18422
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2 second feet, was issued thereunder on April 18, 1938, showing that said works
were completed on the 7th day of April, 1938; and that on the 20th
day of March, 1943,
IRVIN J. ROSSITER

of Pierce, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Canal Gulch, a tributary of Orofino Creek, for the purpose of domestic water supply for Village of Pierce, Idaho, under Use Permit No. 18422 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 State Reclamation Engineer, Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 4229, on the 9th day of May, 1944;

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 One (1) cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Domestic water supply for Village of Pierce, Idaho		

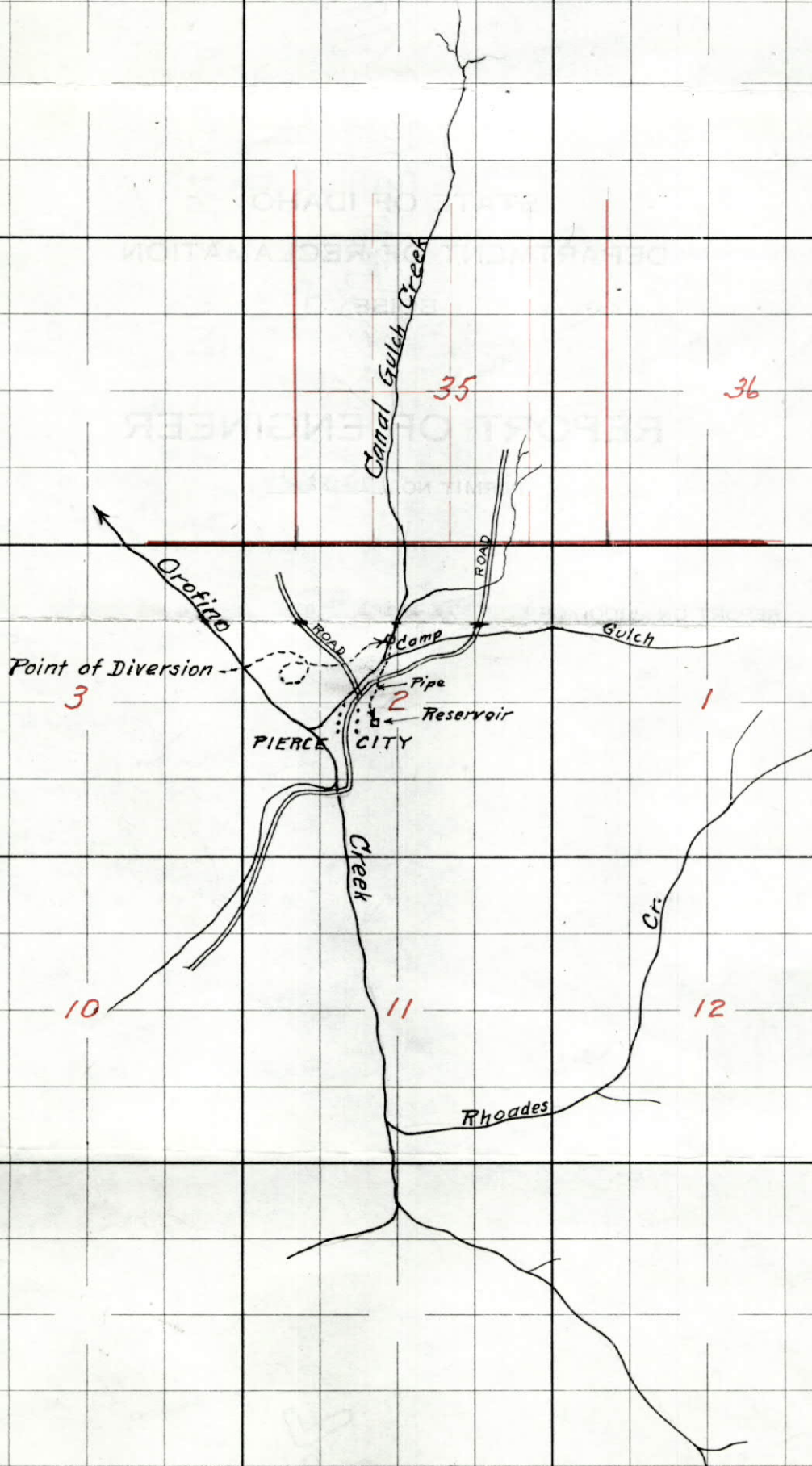
The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

State Reclamation Engineer
WITNESS the seal and signature of the ~~Commissioner of Reclamation~~, affixed at Boise, Idaho,
this 8th day of May, 1944

MARK R. KULP

~~Department of Reclamation~~
State Reclamation Engineer

(SEAL



Affidavit of Publication

STATE OF IDAHO,
County of Clearwater

ss.

Robert D. Werner

being first duly sworn, on oath deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the state of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, foreman, of the CLEAR-WATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of.....

Notice of Proof Application of Water to Beneficial Use

That said notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for the full period of four consecutive issues commencing on the 18th day of February, 19 43, and ending on the 11th day of March 19 43....

Subscribed and sworn to before me this 19th day of March, 19 43.

Notary Public in and for the State of Idaho,
Residing at Orofino therein.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a.m. on the 20th day of March, 1943 at Pierce, County of Clearwater, State of Idaho, before L. Osenton, a Notary Public, proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of Canal Gulch in accordance with the terms and conditions of Permit No. 18422 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 is Irvin J. Rossiter.

The use to which said water has been applied is water supply for City of Pierce. The amount applied to beneficial use is 2 cu. ft. per second.

The place where said water is used is the City of Pierce, Idaho.

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

The right to take water from such works is based upon Permit No. 18422.

The source of supply from which such water is diverted is Canal Gulch.

The date of priority which said user is prepared to establish is April 7, 1937.

JAMES SPOFFORD,
Commissioner of Reclamation
Feb. 18, 25, March 4, 11c 18422

RECEIVED

MAR 24 1943

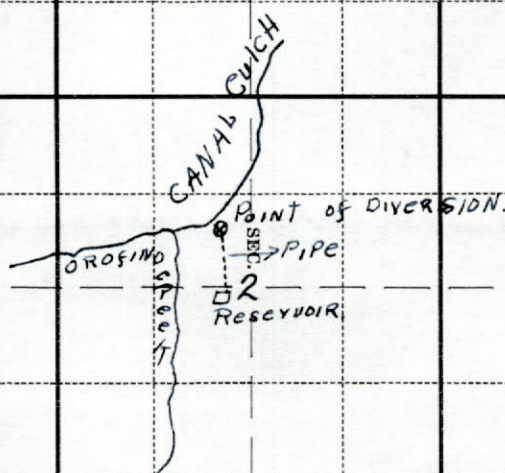
Department of Reclamation

18422

Jewis J. Rossiter

S2 T.36N

R5EBM.



18422

Permit Map No.
As Approved
APR 8 - 1937
R. W. FARS
Commissioner of Reclamation

18422

State of Idaho

License and Certificate of Water Right

Water License No. 18422

Amount 1 second foot

Water District No.

Priority. April 7, 1937

THIS IS TO CERTIFY that IRVIN J. ROSSITER
of Pierce, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 7, 1937; that Permit No. 18422
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2 second feet, was issued thereunder on April 18, 1938, showing that said works
were completed on the 7th day of April, 1938; and that on the 20th
day of March, 1943,

IRVIN J. ROCHTER

of Pierce, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Canal Gulch, a tributary of Orofino Creek, for the purpose of domestic water supply for Village of Pierce, Idaho, under Use Permit No. 18422 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 State Reclamation Engineer, ~~Commissioner of Reclamation~~ of Idaho and entered of record in Volume 7 of Licenses, at page 4229, on the 9th day of May, 1944;

The right hereby confirmed dates from April 7, 1937 ;

The Point of Diversion is located
in the SE 1/4 NW 1/4 Sec. 2, Twp. 36 N., R. 5 E., B. M. Clearwater 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 One (1) cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Domestic water supply for Village of Pierce, Idaho		

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.

State Reclamation Engineer
WITNESS the seal and signature of the ~~Commissioner of Reclamation~~, affixed at Boise, Idaho,
this 8th day of May, 1944

ALEX R. KULP

~~Department of Education~~
State Reclamation Engineer

(SEAL

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

Application No. 25717
Permit No. 18422
District No.

1. Name of Applicant: IRVIN J. ROSSITER

Postoffice address: Pierce County: Clearwater State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bonds to be issued:

(b) Treasury stock

(d) Other resources:

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

3. Source of water supply: Canal Gulch which is a tributary of Orofino Creek

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 2 , T. 36 N., R. 5 E. , B. M., County of Clearwater

5. Water is to be used for: Domestic

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: \$ 1,000.00

8. Kind of works: Pipe and pumping plant

9. Height of dam 2 feet; length of dam at top 10 feet; length of dam at bottom 8

feet; material used in dam: Rock

10. Size of headgate: Width none feet; height feet.

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

feet; dimensions of flume:

Diameter of pipe 2 inches; length of conduit $\frac{1}{2}$ miles.

Average grade per mile 300 feet.

12. The time required for the completion of such work is 1 years.

13. The time required for the complete application of the water to the proposed use is 5 additional years.

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

15. (a) Is reservoir to be used? Yes If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit: This is a small tank reservoir on private property holding about 12000 gal.
(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.

IRVIN J. ROSSITER

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 1:00 P. M., April 7, 1937

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18422

Recorded in Book 67 Page 18422 Approved April 8, 1937

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 June 7, 1937 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 October 8, 1937

The whole of said work to be completed on or before April 8, 1938

Beneficial use of water appropriated in accordance herewith, to be made on or before April 8, 1943

Witness my hand this 8th day of April, 1937

R. W. FARIS

Commissioner of Reclamation.

Remarks: This water is used for the domestic water supply of the Village of Pierce and the diversion and pumping plant are on my private property and in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ S. 2, T. 36 N., R. 5 E., B. M. There is no other use being made of the waters of this stream.

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 $\frac{1}{4}$	
			In testimony whereof, we, BARZILLA W. CLARK, Governor of the State of Idaho and IRA H. MASTERS, Secretary of State of the State of Idaho, have hereunto 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 8th day of April, 1937. STATE OF IDAHO By BARZILLA W. CLARK Governor Countersigned: By IRA H. MASTERS Secretary of State Permit No. 18422 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that IRVIN J. ROSSITER of Pierce, County of Clearwater, and State of Idaho, the holder of Permit No. 18422, issued upon Application No. 25717 bearing date of priority of April 7, 1937, authorizing the diversion of two (2) second feet of the waters of Canal Gulch, County of Clearwater, State of Idaho, for 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 two (2) second feet of the waters of said Canal Gulch; that the point of diversion of said waters is in the SE$\frac{1}{4}$ NW$\frac{1}{4}$ of Section 2, T. 36 N., R. 5 E., B. M., County of Clearwater. Witness my hand this 18th day of April, A. D. 1938. R. W. FARIS Commissioner of Reclamation Proof of completion of works made April 7, 1938 Certificate issued April 18, 1938.																

LICENSE ISSUED FOR 1 SEC. FT.

P. 4220



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 3, 1983

Village of Pierce
Pierce, ID 83546

RE: Water Rights

Gentlemen:

It is our understanding that you recently dedicated a new diversion dam which is used in the water system for your community. It is our understanding that the dam impounds approximately 5 acre ft of water.

We have reviewed the water rights for the Village of Pierce, and have found one licenced right for the diversion of 1 cu. ft. per sec. of water with a date of priority of April 7, 1937. The identification number of this licenced right is 84-2022.

We have, however, found no water right for the storage portion of your system.

It is important that the storage portion of your water system be recorded in the form of a water right to protect it from later in time diversions. The type of recording that is required depends on when the water was first stored, behind the first dam that was installed on the system. If the full amount of water has been stored since prior to May 20, 1971, then a claim to a water right can be filed. The fee for filing a claim in this fiscal year is \$100.00 per claim. If, however, the storage first occurred after May 20, 1971, then the only means of developing a water right for the storage portion is to file an application for permit. Copies of a claim and an application, as well as instructions for each, are enclosed for your convenience. If you need assistance in completing either of the documents, please feel free to contact our regional office located in Coeur d'Alene at 4055 Government Way.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:ns

Enclosures

ACT
ION

N OWNER LAST NAME - ROSSITER

FIRST NAME - IRVIN J.

N

CITY - PIERCE

STATE - ID

N SOURCE - CANAL GULCH

TRIBUTARY OF - OROFINO CREEK

N STAGE - LICENSE

PRIORITY - 04-07-1937

COUNTY - CLEARWATER

TOTAL DIV. RATE -

1.0000CFS

N DIVERSION POINT - SENW 02 36N 05E

N USE - DOMESTIC

USE DIV. RATE -

1.0000CFS

N REMARKS - P/U WITHIN VILLAGE OF PIERCE.

OLD NO. - 18422

IDENT. NO. 84-2022

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 18422 1 84-2022
 Old No. New No.

Record

1. Original Owner: Irvin J. Rossiter

Present Owner: _____

2. Address:

3. City: Pierce State: ID Zip: _____

4. A. Source of Water: Canal Gulch

B. Tributary of: Profino Creek

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 4-7-1937

D. County: 35

E. Total Diversion Rate: 1

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SE NW</u>	<u>2</u>	<u>36 N</u>	<u>5E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for D purposes. Amount 1
 (cfs or AG-FT/yr.)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

9/9/79

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. P/U within village of Pierce.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 18422

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

NOTICE OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a.m. on the 20th day of May 1943 at Pierce, County of Clearwater State of Idaho, before L. Osepton, a Notary Public, proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of Canal Gulch in accordance with the terms and conditions of Permit No. 18422 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 is Irvin J. Rossiter.

The use to which said water has been applied is water supply for City of Pierce.

The amount applied to beneficial use is 2 cu. ft. per second.

The place where said water is used is the City of Pierce, Idaho.

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

The right to take water from such works is based upon Permit No. 18422.

The source of supply from which such water is diverted is Canal Gulch.

The date of priority which said user is prepared to establish is April 7, 1937.

JAMES SPOFFORD,

Commissioner of Reclamation
Feb. 18, 25, March 4, 11c

18422

Mark S. Hulp

May 10, 1944

Re: Permit No. 12423

Mr. Irvin J. Hossitor
Pierce, Idaho

Dear Mr. Hossitor:

We enclose herewith License and Certificate of Water Right issued under the above numbered permit, confirming your right to the use of one second foot of water from Canal Gulch, with date of priority April 7, 1937, for domestic water supply for the village of Pierce, Idaho.

The Department's Receipt # 19559, for the \$5.00 fee paid in connection with beneficial use proof, is also enclosed.

Very truly yours,

MARK S. HULP
State Reclamation Engineer
By

Chief Clerk

A
Incls.

18422

Mark E. Kulp

April 23, 1944

Re: Permit No. 18422

Mr. Irvin J. Ronsiter
Pierce, Idaho

Dear Mr. Ronsiter:

We now have on file the report of our Field Engineer on examination for beneficial use under the above numbered permit for water from Canal Culch for domestic water supply for the village of Pierce, Idaho.

This report shows that one cubic foot per second could keep your reservoir supply filled, and furnish an adequate water supply for that purpose.

Therefore, upon receipt of the statutory fee of \$5.00, a license will be issued for one cubic foot per second.

Very truly yours,

MARK E. KULP
State Reclamation Engineer
By

Chief Clerk

18422

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18422

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

1. Name of applicant Irvin J. Rossiter, Pierce, Idaho
2. Source of water supply Canal Gulch, a tributary of Orofino Creek
3. Location of point of diversion: Is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2
T. 36 N. R. 5 E. County of Clearwater
4. Describe works as they exist, giving dimensions and capacities of same: Diversion dam 25Ft. long, and 3Ft. high, built of logs and rocks; a sump connected thereto is of 8Ft. depth X 8Ft. diameter. One "Meyers Plunger type pump develops 500 Ft. head, and also one Fairbanks Morse pump which develops 100# normal pressure. A 2000Ft. pipe line of 6, 4, and 2 inch diameters delivers to a 30000. gallon reservoir, and thence by service pipe system to the village
5. Water is used for: Domestic water supply for village of Pierce, Idaho
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):

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

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

Remarks: _____

Rec. 15f.

This examination was made on the 11th. day of July, 1944

(Signed)

Fred A. Johnson
Examiner.

18422

Irvin J. Rossiter
Pierce, Idaho

87

Permit No. 18422

Examination for Beneficial Use

County Clearwater

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.
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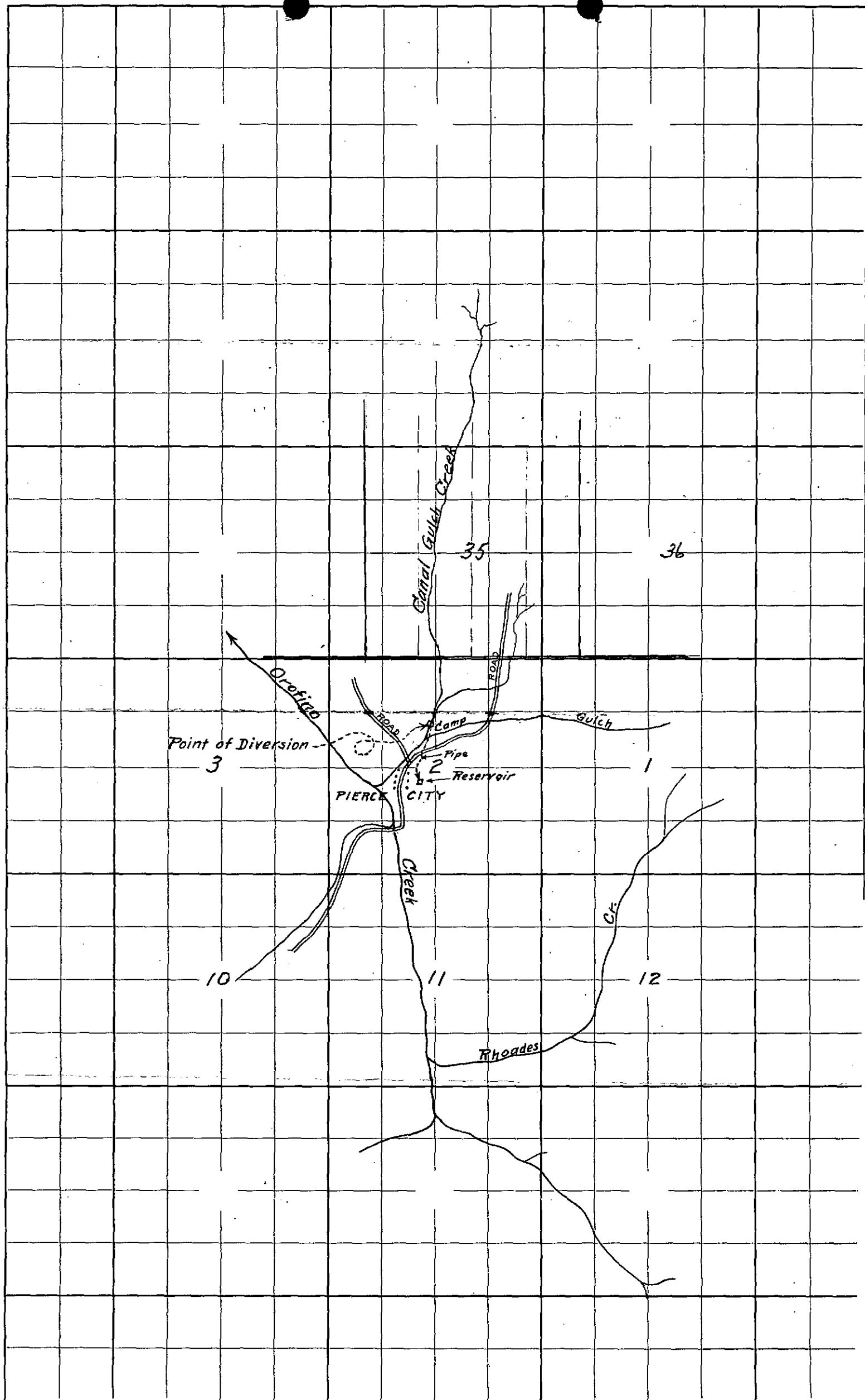
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18422

REPORT ON PROOF OF Beneficial Use

C. W. Root *C. W. Root*
1-10-18 *See 500*



18 4/22

March 24, 1943

Re: Permit No. 18422

Mr. Irvin J. Rossiter
Box No. 135
Pierce, Idaho

Dear Mr. Rossiter:

We have received from Mr. L. Osenton, Notary Public, the deposition of yourself, as holder, the depositions of two witnesses, and the affidavit of publication from the Clearwater 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 are unable to 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 the Department, will try and contact you at the time he makes the examination, so that you may arrange to show him over the grounds.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer

By

Chief Clerk

A

18422

Affidavit of Publication

STATE OF IDAHO,
County of Clearwater

ss.

Robert D. Werner

being first duly sworn, on oath deposes and says:

That I am and at all times herein mentioned have been a citizen of the United States and of the state of Idaho, over 21 years of age, and that I am not a party to nor interested in the above entitled proceeding; that I am and at all times herein mentioned have been the Editor, foreman, of the CLEAR-WATER TRIBUNE: that said Clearwater Tribune is a newspaper of general circulation, printed and published weekly at Orofino, in the County of Clearwater and State of Idaho; that the Clearwater Tribune has been continuously and uninterruptedly published in Clearwater County, Idaho, during the period of seventy-eight consecutive weeks prior to the first publication of attached copy of

Notice of Proof Application of Water to Beneficial Use

That said notice

of which the annexed is a full, true and correct printed copy, was published in the regular and entire issue of said newspaper, and not in any supplement

thereof, for the full period of four consecutive issues commencing on the 18th day of February, 19 43, and ending on the 15th day of March 19 43.

Subscribed and sworn to before me this 19th day of March, 19 43.

R. D. Werner
Notary Public in and for the State of Idaho,
Residing at Orofino therein.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 a.m. on the 20th day of March, 1943 at Pierce, County of Clearwater, State of Idaho, before L. Osenton, a Notary Public, proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of Canal Gulch in accordance with the terms and conditions of Permit No. 18422 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 is Irvin J. Rossiter.

The use to which said water has been applied is water supply for City of Pierce.

The amount applied to beneficial use is 2 cu. ft. per second.

The place where said water is used is the City of Pierce, Idaho.

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

The right to take water from such works is based upon Permit No. 18422.

The source of supply from which such water is diverted is Canal Gulch.

The date of priority which said user is prepared to establish is April 7, 1937.

JAMES SPOFFORD,

Commissioner of Reclamation

Feb. 18, 25, March 4, 11c

18422

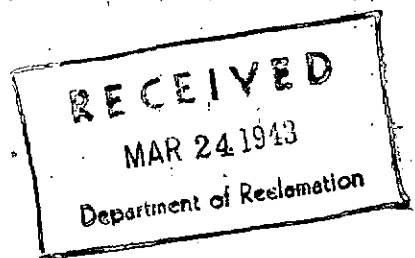
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MAR 24 1943

Department of Reclamation

18422

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 18422

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Irvin J. Rossiter Pierce, Idaho Box 135
Water Superintendant

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. Self

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

Ans. No. 18422 April 8, 1937 Date of priority, April 8, 1943

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

Ans. Canal Creek Section 2 T. 36N R. 5 E. B. M.
South east 1/4 of Northwest 1/4 Clearwater County

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. Pipe and pumping plant, 2 cubic ft. per second

Pipe line to reservoir located near school

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

Ans. domestic use only

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

Ans. domestic use only

Corrected report
1943

18422

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Ans. 2 cubic ft. per second

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. owner

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.
Ans. all of water for domestic use by city of Pierce, Idaho

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) Irvin J. Rossiter

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 Pierce, County of Clearwater, State of Idaho, on this 20 day of March, A. D. 1943

L. Oeenton

My commission expires Jan. 21, 1946 Notary Public in and for the state of Idaho, residing at Pierce therein.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHOPERMIT NO. 18422**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. Earl Guthrie Age 46 Pierce, IdahoMechanicQues. 2. Are you acquainted with Irvin J. Rossiter, the holder of Permit No. 18422? How long have you known him and where does he reside?Ans. 20 yrs.Resides at Pierce, IdahoQues. 3. Have you read or heard read said Permit No. 18422, and are you familiar with its provisions and conditions?Ans. Yes

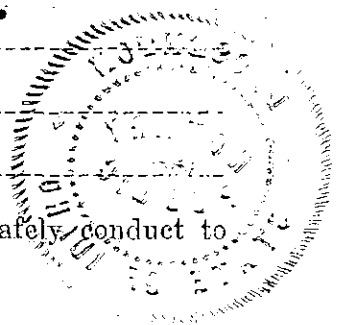
Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Canal Creek South east $\frac{1}{4}$ of Northwest $\frac{1}{4}$
Section 2 T. 36 R. 5 E. B. M.Pumping plant and pipe

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

Ans. 2 cubic ft. per second

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. domestic use Village of Pierce, Idaho

18422

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

Ans. ~~domestic use only~~

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. ~~domestic use~~

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. Visited pumping plant number of times

2 cubic ft. per second

beneficial to Village of Pierce, Idaho

(Signed) x

Carl Guthrie

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 Pierce, County of Clearwater,

State of Idaho, on this day of March 20, A. D. 1943.

My commission expires January 21, 1946

L. Osenton
L. Osenton Notary Public.
in and for the state of Idaho
residing at Pierce therein.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 18422

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. Robert Willoughby Age 75 REtired miner

Pierce, Idaho

Ques. 2. Are you acquainted with 10 yrs. Irvin J. Rossiter, the holder of Permit No. 18422? How long have you known him and where does he reside?

Ans. 10 yrs.

Pierce, Idaho

Ques. 3. Have you read or heard read said Permit No. 18422, 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. Canal Creek South east 1/4 of Northwest 1/4
Section 2 T. 36 R. 5 E. B. M.

Pumping plant and pipe

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

Ans. 2 cubic ft. per second

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. domestic use Village of Pierce, Idaho

18422

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

Ans. domestic use only

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. domestic use

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. Took care of pumping plant at times
2 cubic ft. per second

beneficial to Village of Pierce, Idaho

(Signed) Ruben Willoughby

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 Pierce, County of Clearwater, State of Idaho, on this day of March 20, A. D. 1943.

My commission expires January 21, 1946

L. Osenton
L. Osenton Notary Public.
in and for the state of Idaho
residing at Pierce therein.



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Re: Permit No. 18422
Irvin J. Rossiter

BOISE, IDAHO, March 10, 1943

Mr. L. Osenton, Notary Public
Pierce, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 18422.

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 March 20, 1943, 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 Pierce, Idaho before L. Osenton, Notary Public

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 STOFFORD

Commissioner of Reclamation

State Reclamation Engineer

18422

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: February 12, 1943

Clearwater Tribune
Oréfino, Idaho

Gentlemen:-

Enclosed you will find notice for publication once
a week for four consecutive weeks prior to **March 20, 1943,**
beginning with your next issue
the date set for proof, the expense of the publication to
be paid by the applicant,
to whom you should furnish proof of publication on or prior
to date for proof.

Please acknowledge receipt of this notice, and furn-
ish this office with a copy of the first publication.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By
Chief Clerk

Encl.

18422

C. A. Bottolfsen
~~XXXXXXXXXXXX~~

James Spofford ~~XXXXXXXXXX~~

February 12, 1943

Re: Permit No. 18422

Mr. Irvin J. Rossiter
Pierce, Idaho

Dear Mr. Rossiter:

This will acknowledge receipt of notice in duplicate for publication in connection with proof of beneficial use, and also your authority to have the notice published in the Clearwater Tribune, at Grifino, Idaho, all in connection with Permit No. 17422.

We note, however, that you have set the date of March 1st for making the proof, but this will not allow sufficient time for the four weeks' publication required by law. We have, therefore, changed the date to March 20th, and have sent the notice to the newspaper, with instructions to publish it once a week for four consecutive weeks, commencing with their next issue, which we think is February 18th or 19th.

We are enclosing the forms necessary for making this proof—one for yourself as holder, and one for each of two disinterested witnesses.

On the date designated you should appear at Mr. Osenton's office, with your two disinterested witnesses who are familiar with the terms of the permit, and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

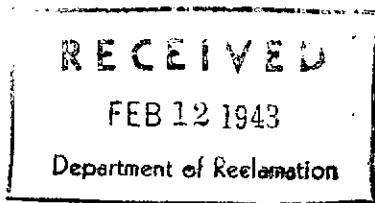
JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

A
Encl.

18422



Mrs. I. J. Rossiter
Pierce, Idaho

Feb. 9. 43.

Dear Sir.

Inclosed are
the necessary papers as requested.
Will you please send me
the required forms to be used
when the necessary appearance
before the Notary Public is made.

Sincerely,

Ivan J. Rossiter

By Mrs. I. J. R.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Feb. 9-1943.
(P. O.) Pierce 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
Charwater Tribune of Acopius, Id., published in
the county in which the works are situated.

Irvin J. Rossiter

(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.

18422

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

Notice is hereby given that at 10 A. M. on the 20th day of March, 1943,
 at Pieice County of Clearwater State of Idaho, before
L. Asenton, a Notary public, proof will be submitted of the
 application to beneficial use of 2 cubic feet per second of the waters of Canal
Gulch in accordance with the terms and conditions of Permit No. 18422
 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.....

Irvin J. Rossiter water supply for.....

The use to which said water has been applied is City of Pieice

The amount applied to beneficial use is 2 cubic ft. Per sec.

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

City of Pieice, Idaho

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

The right to take water from such works is based upon Permit No. 18422

The source of supply from which such water is diverted is Canal Gulch

~~Started to use~~
 The date of priority which said user is prepared to establish is Apr. 8, 1938

.....James Spofford.....
 Commissioner of Reclamation.

18422

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Irvin J. Rossiter
Pierce, Idaho

Feb. 9, 1943

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 18422, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The 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 April 8, 1943, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

JAMES SPOFFORD
commissioner of Reclamation

18422

XXXXXXXXXXXXXXXXXXXX

James Spofford XXXXXXXX

C. A. Bottolfsen
XXXXXXXXXXXX

February 5, 1943

Re: Permit No. 13422

Mr. Irvin J. Rossiter
Pierce, Idaho

Dear Mr. Rossiter:

In reply to your letter of February 1st, relative to the above numbered permit.

Our records show that this permit was issued on April 8, 1938, and that proof of completion of work was made and Certificate of Completion issued, April 7, 1938.

There is nothing further required in connection with this permit, until you make proof of beneficial use. This need not be made until April 8, 1943- but can be made at any time prior to that date.

In order to make this proof, it is necessary to publish a notice in a county paper, to the effect that proof will be made on a specified date- and at that time you and two witnesses must appear before a designated Notary Public, and make the proof.

We are enclosing herein the forms to be used in designating a time, place and Notary Public before whom the proofs will be made.

Very truly yours,

JAMES SPOFFORD
Commissioner of Reclamation

By

Chief Clerk

A
Encls.

18422

Mrs. I. J. Rossiter
Pierce, Idaho

Feb 1 - 1943.

Commissioner of Reclamation
Boise, Ida.

Dear Sir,

Referring to Permit No 18422-Book
67- Page 18422. I would like to
know if I should renew water
Permit at any time. Our Permit
was issued Apr. 8th 1938. (Proof
of Completion)

Thanking you for any
information

Sincerely,

Irene J. Rossiter

C/W 4-7-38

BW 4-8-43



18422

April 22, 1938

Re: Permit No. 18422.

Mr. Irvin J. Rossiter
Pierce, Idaho

Dear Mr. Rossiter:

We are herewith enclosing Certificate of Completion of Works issued under the above-numbered permit to appropriate two second feet of the waters of Canal Gulch for domestic purposes.

The Department's Receipt No. 16578 for the \$5.00 fee you remitted in connection with your completion of works proof is also enclosed.

Very truly yours,

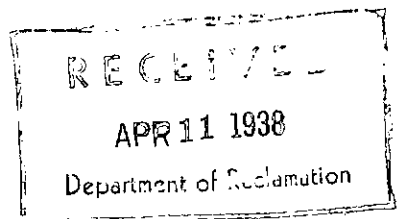
R. W. FARIS
Commissioner of Reclamation

By

Chief Clerk

Jl
Encl.

18422

Permit No. 18422STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Clearwater } SSIrwin J. Rositer, 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. 18422 and that his postoffice address is Pierce
State of IdahoSecond: That the name of the stream from which said water is to be diverted is lanal Creek
SE 1/4 of NORTHWEST 1/4 of Section 2 T-36N-R-5E-BMThird: That the point of diversion of said water is on lanal Creek
Clearwater CountyFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 8, 1938Fifth: That the use for which said water is intended is domestic use

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 dam 200 ft pipe pumping plant
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 2 feet, length of dam at top 8 feet, length of dam at bottom 8 feet. Material used in construction rock

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

(b) Capacity of reservoir 200 gal feet. at end of pipe line attop of hill(c) Size of headgate: Width none feet, height — feet.(d) Conduit — width at bottom — feet, width at water line —
(State whether ditch, flume or pipe.)feet, depth of water 2 feet; diameter of pipe 2 inches, average grade per mile is 3.0 feet. Length of conduit is 2.0 miles.Seventh: That said works are capable of conducting to the place of intended use 2 cubic
ft second feet of water.Eighth: That water appropriated under said permit is available for — acres
of land described as follows: domesticNinth: Remarks: That this water is used for the domestic
water supply of village of Pierce. Pumping plant
located on private property SE 1/4 NW 1/4 S 2 T 36 R 5 E BM
there is no other use of this streamIrwin J. Rositer

(Sign here)

Subscribed and sworn to before me this 7 day of April, 1938L. OseintonMy commission expires 1941

Notary Public.

O.K. P.H.B.

18422

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Irvin J. Rossiter
Box 135
Pierce, Idaho

Boise, Idaho, April 6, 1938

Dear Sir:—

Under the terms of your permit No. 18422 you are required to complete your diversion works on or before April 8, 1938. 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,

R. W. FARIS

Commissioner of Reclamation.

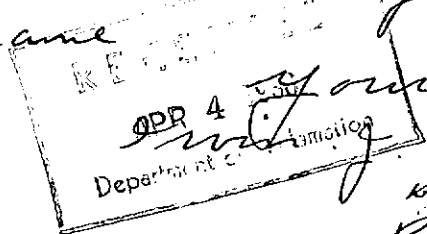
18422

Pierce & Maher
March 31-1938

Department of Reclamation

Dear Sirs

A short time ago you
sent me a form to fill
out to finish my water
rights. the Permit No of same
18422 this form has been
mislaid and I wish you
would please send me another
form so I may send in
same



J. Rossiter
104135
Pierce
Idaho

CG
1938

18422

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Irvin J. Rossiter
Pierce, Idaho

Boise, Idaho, **February 8, 1938**

Dear Sir:—

Under the terms of your permit No. **18422**.....you are required to complete your diversion works on or before **April 8, 1938**..... 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,

R. W. FARIS

Commissioner of Reclamation.

18422

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18422

April 10, 1937

Boise, Idaho,

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the Commissioner of Reclamation on the third page.

IRVIN J. ROSSITER
Pierce, Idaho

R. W. FARIS

Office Receipt No. 16170, \$5.25

Commissioner of Reclamation.

18422

