

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE CLARK FORK-PEND OREILLE RIVER
BASIN WATER SYSTEM
RECEIVED

CIVIL CASE NUMBER: 69576

Claim ID: 97-2006

Date Received: 7-1-22

Receipt No: N640403

Claim Fee: \$2500 By: NS

JUL 01 2022

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

IDWR / NORTH

Please type or print clearly

1. Name of claimant(s) Larry G. Scott, Trustee and Emma M. Scott, Trustee Phone ()
Mailing address 6324 Trevarton Lane, Longmont, Colorado Zip 80503
Street or Box City State
Email address (optional)
2. Date of priority: (Only one per claim) 10/15/1917 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water (✓) or Other () (a)
which is tributary to (b)
4. Location of point of diversion is: Township 56N, Range 04W, Section 20,
NW 1/4 of SW 1/4, or Govt. Lot BM, County of Bonner;
Parcel no. RP56N04W205400A
Additional points of diversion, if any:
If available, GPS coordinates:
5. Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.
Spring water collection 2 or 3 points via wells/boxes, to cistern system (2 cisterns), with controls and distribution system to a single residence.
6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Domestic purposes from 01 Month/Day to 12 Month/Day amount 0.04 cfs cfs (✓) or AFY ()
For purposes from to amount
7. Total quantity claimed 0.04 cfs (✓) or AFY ()
8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Domestic residence including 1/2 acre gardens and lawn.

9. Location of place of use is: Township 56N, Range 04W, Section 19,
SE 1/4 of SE 1/4, Govt. Lot _____ BM, Parcel no. RP56N04W199001A

for (check one) **Domestic** (✓) **Stock** () **Domestic and Stock** () If different than shown in Item 4

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? Bonner

11. Do you own the property listed above as place of use? Yes (✓) No ()

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

Additional domestic spring source - see concurrently filed separate claim. or None ()

13. Remarks (include an explanation of the priority date selected):

The domestic system was began by George Naccarato, predeceasor in interest, Water Right No. 97-2006 (See Attached) See attached Parcel Map/Vicinity Map, Parcel # Maps, Quitclaim Deed, & POD & POU Maps/Photos

14. Basis of claim (check one) **Beneficial Use** (✓) **Posted Notice** () **License** (✓) **Permit** () **Decree** ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number 97-2006

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Clark Fork-Pend Oreille River Basin Water System Adjudication."

(b.) I/We do () do not (✓) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 73 pages

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) see attached Date: _____
see attached Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Agent's title (Please print) of _____
Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) John A. Finney, Attorney at Law, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature John A. Finney, Attorney at Law Date June 30, 2022

Address 120 E. Lake St, Ste 317, Sandpoint, Idaho 83864

Name of claimant(s) Larry Scott & Emma Scott, Trustees

Claim ID _____



Parcel map / Vicinity map

scott



Powered by Esri

Find structure or access



NONE

NWNW



SWNE

SENE

SWNW

Parcels (1 of 2)



Parcel #: RP56N04W205400A

Owner: Scott, Larry G Trust

Owner2: Scott, Emma M Trust

Acres: 80

Tax Code Area: 0950000

Last Assessed Value: \$38545

Deed1: 523242 QC

Description: 106- Productivity forest land

Legal Description: 20-56N-4W SWNW & NWSW

NWSW

SWSE

SESE

E Settlement Rd

SWSW

NWNW

30

NENE

NWNW

Lions Rd

Parcel # Maps

1:9027



Scott



Powered by Esri

Find structure or access



NENE

NNWN



SWNE

SENE

SWNW

Parcels (1 of 2)

Parcel #: RP56N04W206000A

Owner: Scott, Larry G Trust

Owner2: Scott, Emma M Trust

Acres: 40

Tax Code Area: 0950000

Last Assessed Value: \$12105

Deed1: 523242 QC

Description: 106- Productivity forest land

Legal Description: 20-56N-4W SWSW

NNSW

SWSE

SESE

E Settlement Rd

SWSW

NNNE

30

NENE

NNNW

Libers Rd

1:9027



Scott



Powered by Esri

1/1

Find structure or access



NENE

NWNW



SWNE

SENE

SWNW

Parcels (1 of 2)

Parcel #: RP56N04W199001A
Owner: Scott, Larry G Trust
Owner2: Scott, Emma M Trust
Acres: 28.07
Tax Code Area: 0950000
Last Assessed Value: \$299191
Deed1: [523242 QC](#)
Description: 131-Land-ag/timb w/resid Imp
Legal Description: 19-56N-4W SESE N OF RD LESS
TAX 11,21, 22,31, W 76.42FT OF TAX 1

NNSW

SWSE

SESE

E Gambelment Rd

SWSW

NWNW

30

NENE

NWNW

Libas Rd

1:9027



Scott



Find structure or access



NENE

NNW



SWNE

SENE

SNNW

Parcels (1 of 2)

Parcel #: RP56N04W199300A
Owner: Scott, Larry G Trust
Owner2: Scott, Emma M Trust
Acres: 7.41
Tax Code Area: 0950000
Last Assessed Value: \$2112
Deed1: [523242 QC](#)
Description: 106- Productivity forest land
Legal Description: 19-56N-4W TAX 28

NNSW

SWSE

SESE

E Settlement Rd

SWSW

NWNE

30

NENE

NNW

Lions Rd

1:9027



Scott



Powered by Esri

523242

QUITCLAIM DEED

FILED BY
1998 MAY -4 A 11: 26

EMMA SCOTT
BONNER COUNTY RECORDER

LARRY G. SCOTT and EMMA M. SCOTT, husband and wife, of Boulder County, Colorado, DEPUTY the Grantors, for a good, sufficient and valuable consideration, the receipt of which is hereby acknowledged, hereby transier and quitclaim an undivided one-half (1/2) interest to each of the following-named Grantees: (1) LARRY G. SCOTT, or his successor, as Trustee under the Larry G. Scott Declaration of Trust dated April 27, 1998, and (2) EMMA M. SCOTT, or her successor, as Trustee under the Emma M. Scott Declaration of Trust dated April 27, 1998, the Grantees, as Tenants in Common, and their successors and assigns forever, whose address is 6324 Trevarton Lane, Longmont, Colorado, 80503. in and to the following-described real property, situated in the County of Bonner, and State of Idaho, to wit:

Parcel 1.

The Southwest Quarter of the Southwest Quarter of Section 20, Township 56 North, Ranch 4 West, Boise meridian, Bonner County, Idaho.

Par 12.

The Southwest Quarter of the Southeast Quarter of Section 19, Township 56 North, Range 4 West, Boise Meridian, Bonner County, Idaho;
LESS THE FOLLOWING DESCRIBED TRACTS:
Beginning at a point North 55° West a distance of 790 feet from the Southeast corner of Section 19; THENCE East a distance of 76.42 feet; THENCE North 0°32'19" East a distance of 209 feet; THENCE West a distance of 287.39 feet; THENCE South a distance of 216 feet to the North side of the county road right of way; THENCE Easterly along the North side of the road a distance of 236.50 feet to a point 118.50 feet South of the Point of Beginning; THENCE North a distance of 118.50 feet to the POINT OF BEGINNING.
Beginning at a point which is North 55° West a distance of 790 feet from the Southeast corner of Section 19; THENCE East a distance of 76.42 feet; THENCE South 0°32'19" West a distance of 130.57 feet to the North right of way line of the existing county road; THENCE North 62°53'04" West along the right of way line 84.48 feet; THENCE North a distance of 92.05 feet to the POINT OF BEGINNING.
Beginning at a point which is North 55° West a distance of 790 feet from the Southeast corner of Section 19; THENCE West a distance of 209 feet; THENCE North a distance of 22.76 feet to the North right of way line of the existing county road and the TRUE POINT OF BEGINNING; THENCE North a distance of 186.24 feet; THENCE West a distance of 15.88 feet to a point in an existing fence line; THENCE along the fence line South 34°59'48" West a distance of 120.09 feet to the aforementioned North right of way line at a point which is North 43°57'58" West a distance of 122.08 feet from the TRUE POINT OF BEGINNING; THENCE Southeasterly along the right of way line to the TRUE POINT OF BEGINNING; AND LESS the county road rights of way in the Southeast Quarter of the Southeast Quarter of said Section 19, AND LESS that part of said Southeast Quarter of the Southeast Quarter of Southwesterly of the said road right of way.

Scott

Parcel 3.

The Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 20, Township 56 North, Range 4 West, Boise Meridian, Bonner County, Idaho.

Parcel 4.

A parcel of land in Section 19, Township 56 North, Range 4, W.B.M., more particularly described as follows:

Beginning at a point on the South section line of said Section 19 which is North 89°27'16" West, a distance of 788.28 feet from the Southeast section corner of said Section 19; thence continuing North 89°27'16" West along said South section line a distance of 531.45 feet to the sixteenth corner (1/16); thence North 0°19'54" West along the sixteenth line a distance of 749.65 feet, more or less, to its intersection with the Southerly right-of-way line of the existing County road; thence Southeasterly along said right-of-way line 779 feet, more or less to a point; which is North 18°53'28" East a distance of 334.49 feet, more or less, from the Point of Beginning; thence South 18°53'28" West 334.49 feet, more or less to the Point of Beginning.
Said parcel containing 7.41 acres, more or less, and subject to any easements of record.

with all its appurtenances.

Signed this 27 day of April, 1998.

Larry G. Scott
Larry G. Scott

Emma M. Scott
Emma M. Scott

STATE OF COLORADO)

) ss.

COUNTY OF ARAPAHOE)

The foregoing instrument was acknowledged before me this 27th day of April, 1998, by Larry G. Scott and Emma M. Scott.

WITNESS my hand and official seal.

My commission expires: June 3, 2000

Kim Galasso
Notary Public



Scott

Find structure or access



Settlement Rd

POD
(springs/wells/bays)

POU-
house
↑↑

POU Rd

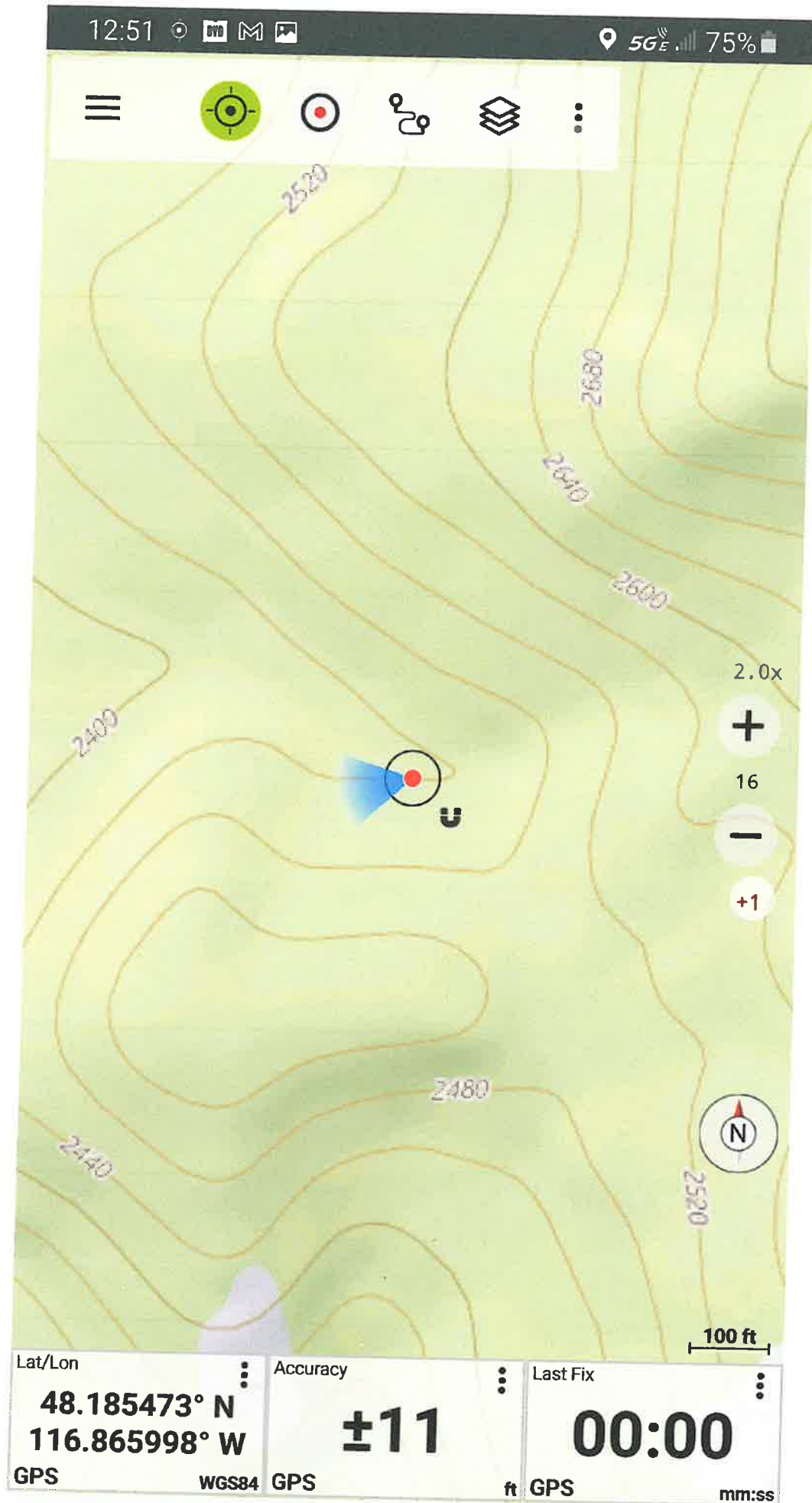
POD + POU map

Scott

1:9027



Powered by Esri



NE
SPRING
125107

scott

124939



scott



WE
Spray Tag
&
Boundary
Tape

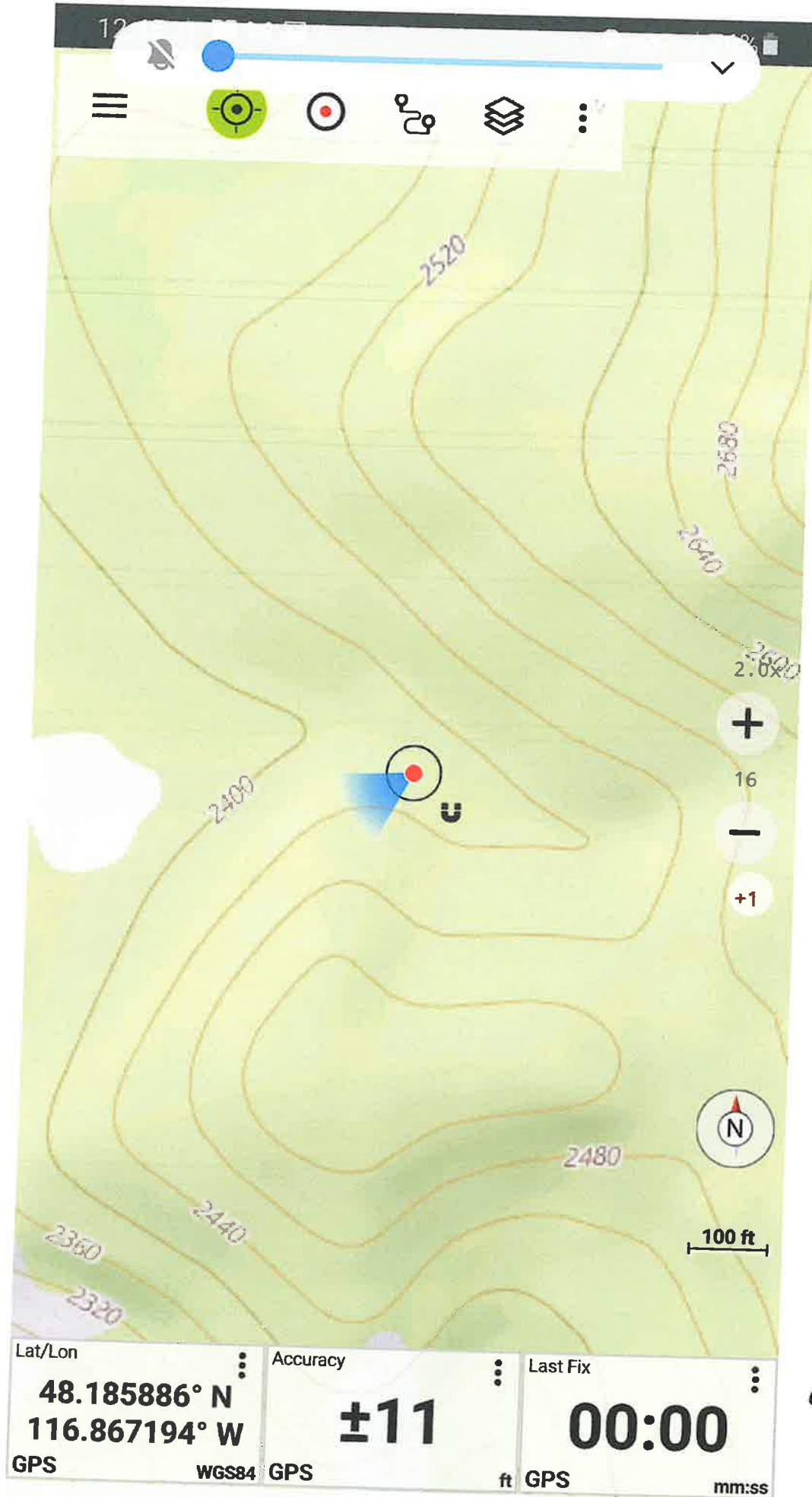
Scott

NE
Spring



Scott

125130



NE
SPRING BOX
124511

Scott



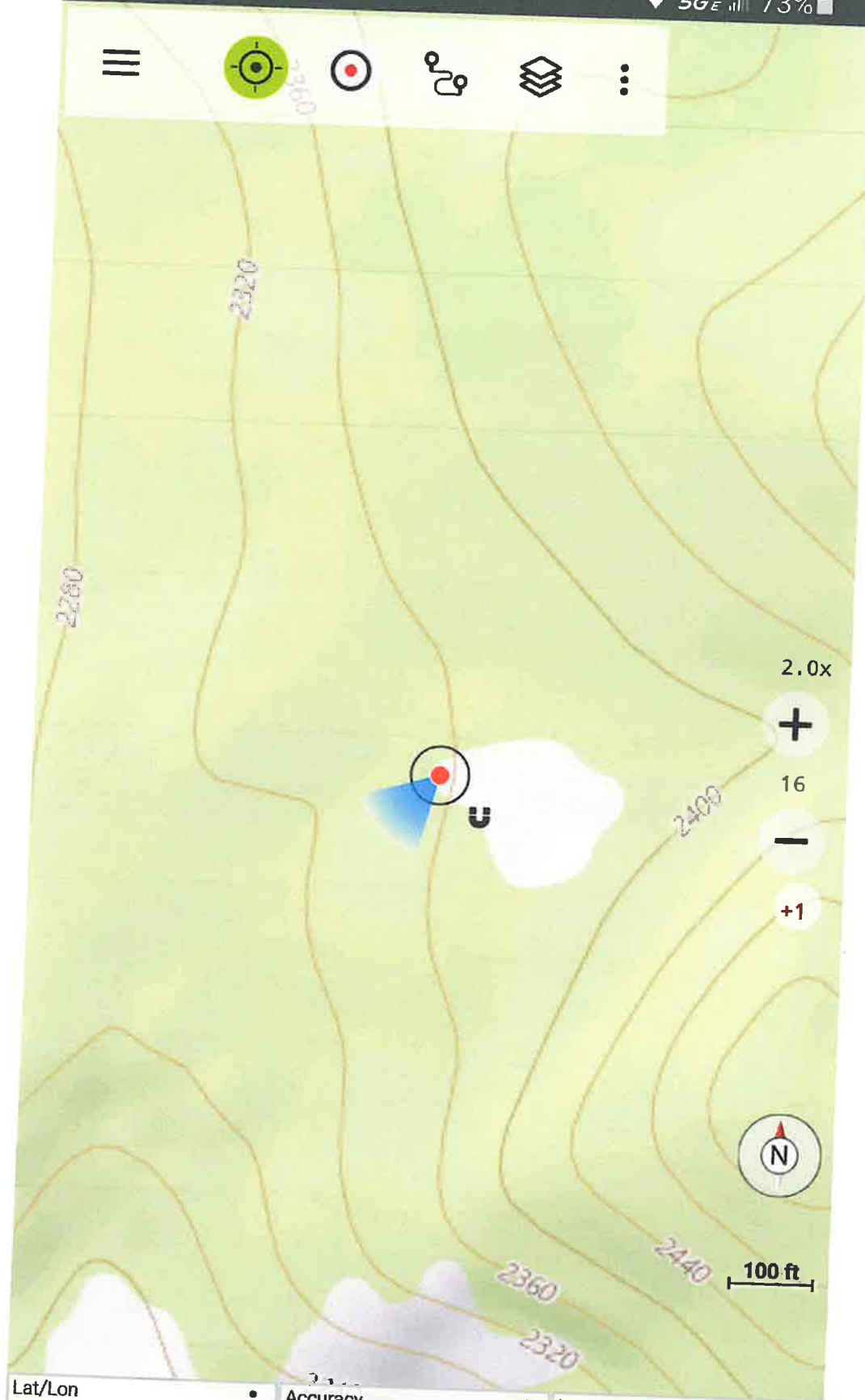
Scott

12:58

5G E 73%



125836
NW
Spring
Box

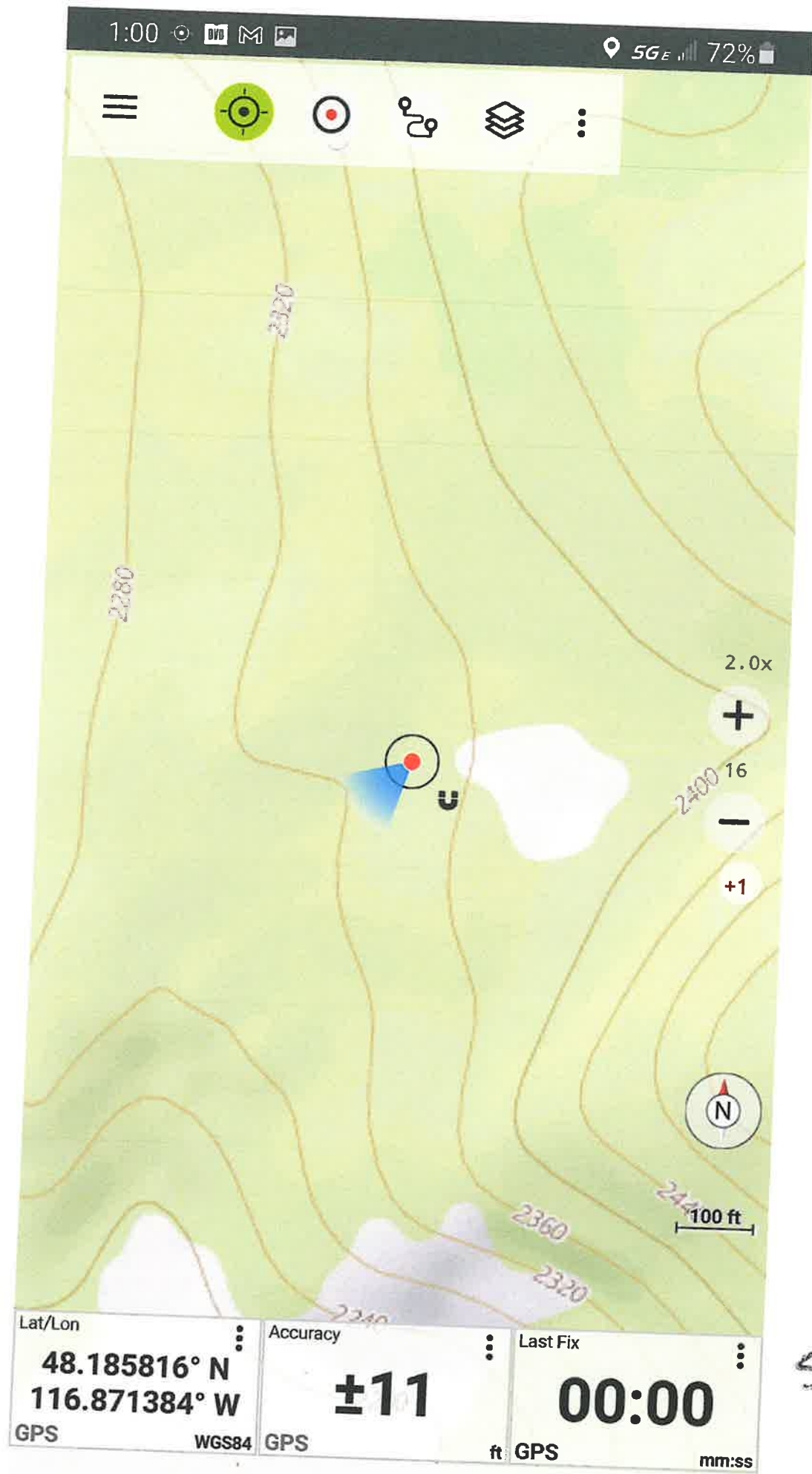


Lat/Lon	Accuracy	Last Fix
48.185855° N 116.870951° W	±11	00:00
GPS WGS84	GPS ft	GPS mm:ss

Scott



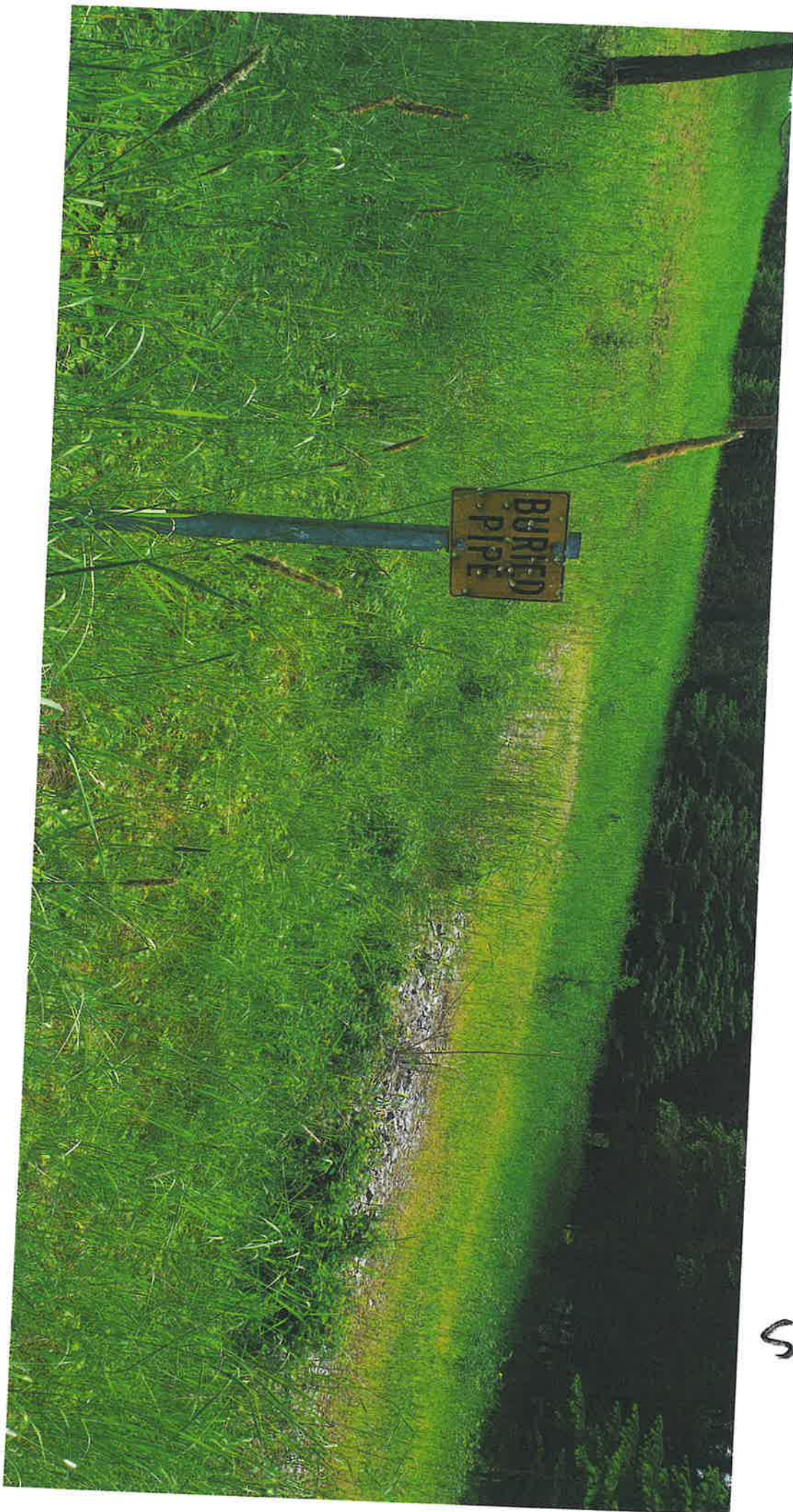
Scott



Spring
Boxes
to
Cistern
Pipeline

Lat/Lon	Accuracy	Last Fix
48.185816° N 116.871384° W	±11	00:00
GPS WGS84	GPS	ft GPS mm:ss

scott



Scott



Scott



Scott



130530
CISTERN
INTERCONNECTED
+
VALVE
BOX

Scott



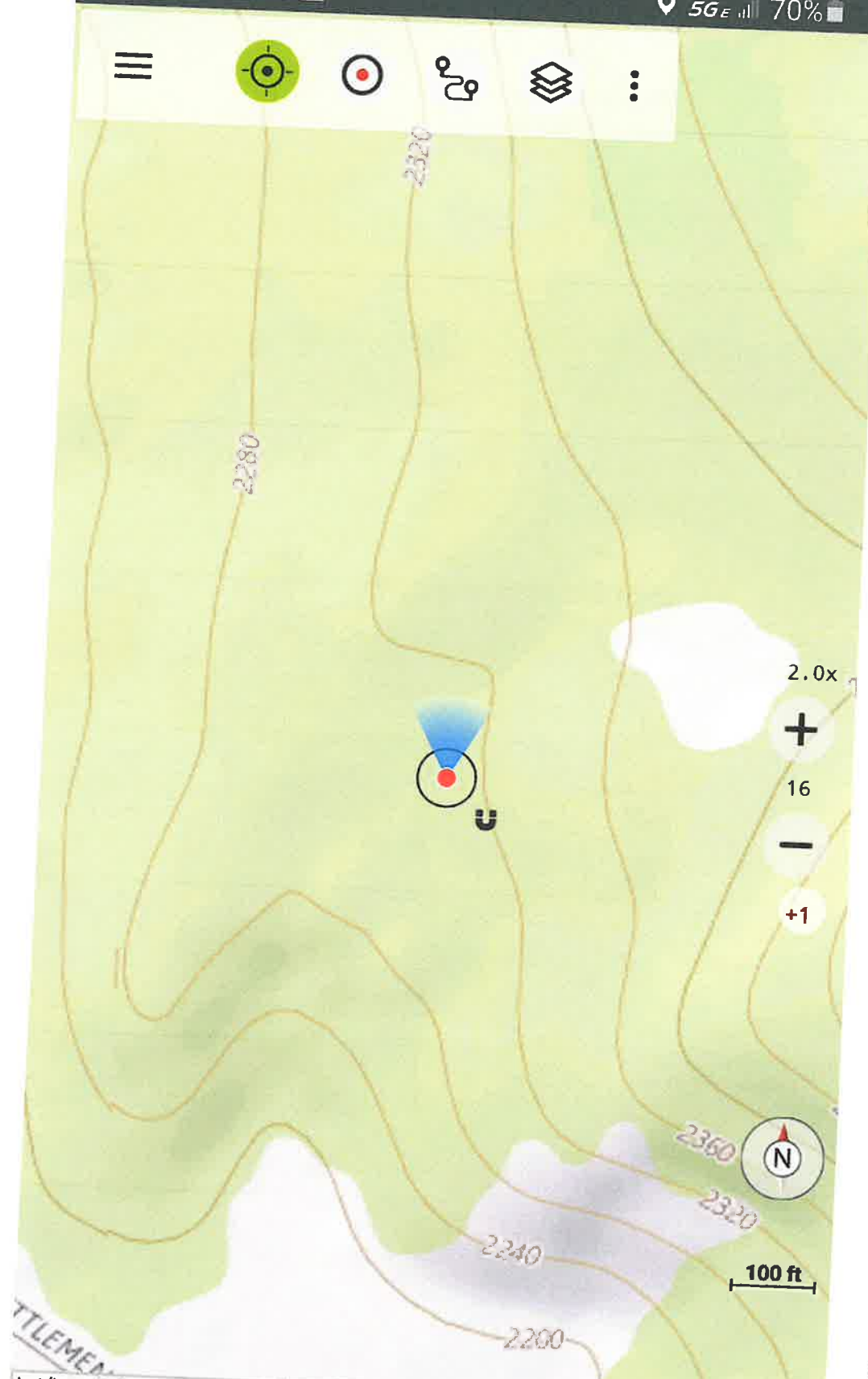
Scott

1:06

5G E 70%



130614



2.0x



16



+1



100 ft

Lat/Lon	Accuracy	Last Fix
48.185052° N 116.872323° W	±11	00:00
GPS WGS84	GPS ft	GPS mm:ss

Scott



Scott



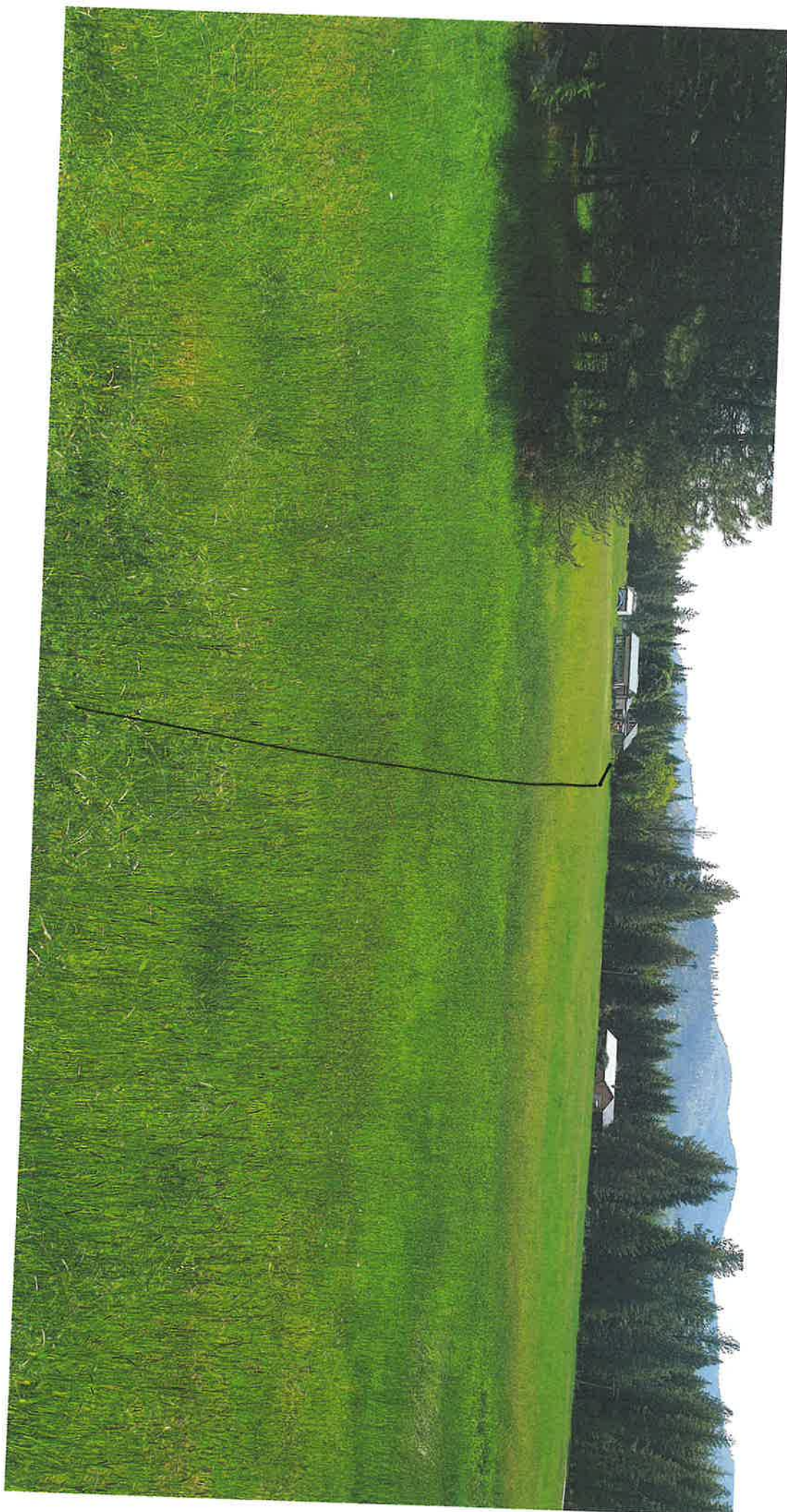
Lat/Lon	Accuracy	Last Fix
48.183392° N	±11	00:00
116.873312° W		
GPS	WGS84 GPS	ft GPS mm:ss

132418
midway
shut off

scott



Scott

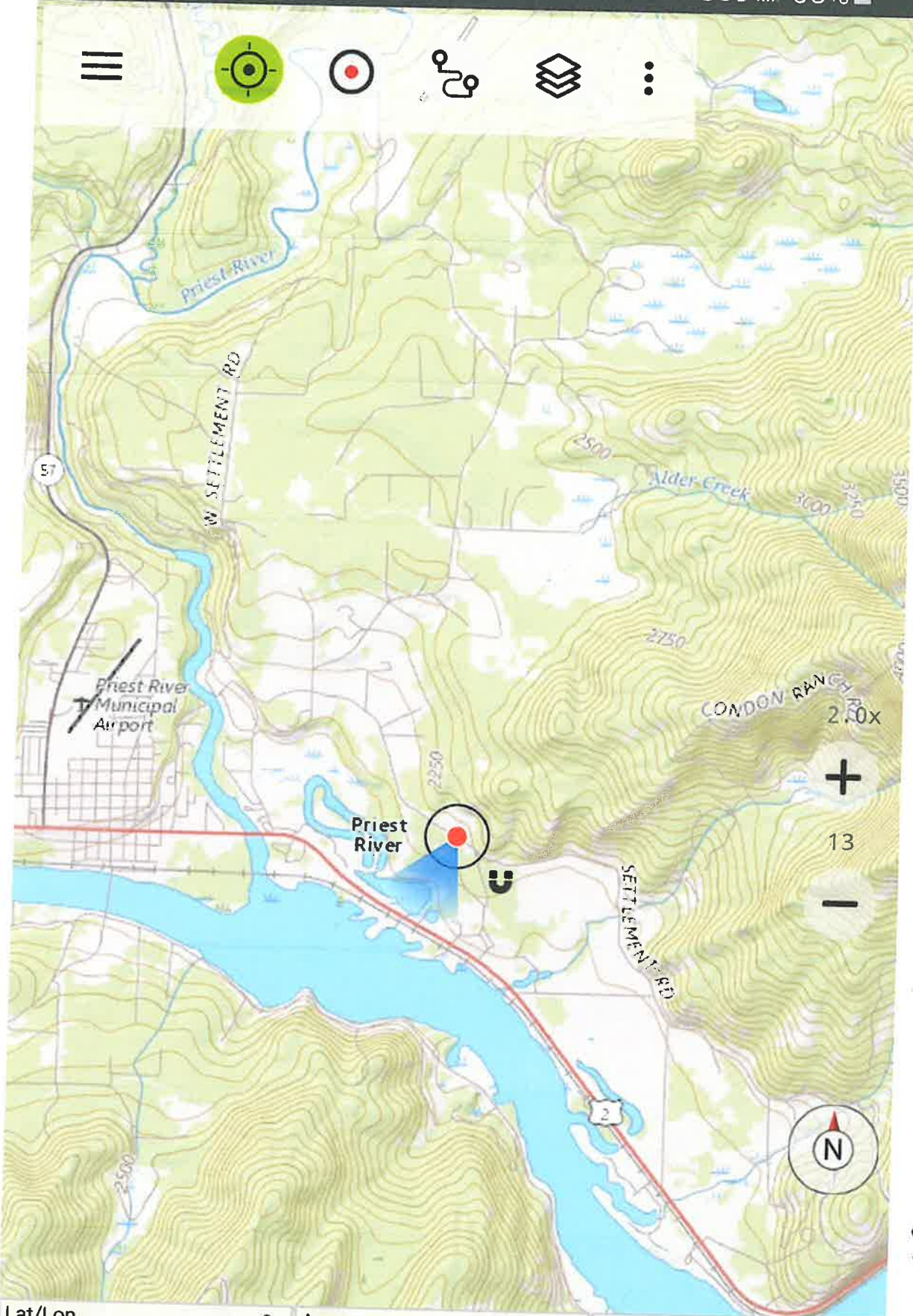


pipe
line

Scott

1:39

5G E 65%



SCOTT TRUST

1081
E. SETTLEMENT
ROAD

SCOTT TRUST
1081 E SETTLEMENT RD
PRIEST RIVER ID. 83856

Scott

Lat/Lon	Accuracy	Last Fix
48.18065° N 116.872554° W	±14	00:00
GPS WGS84	GPS	GPS
	ft	mm:ss

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

6/29/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 97-2006

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	GEORGE NACCARATO PRIEST RIVER, ID 83856

Priority Date: 10/15/1917

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	PRIEST RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	/	/	0.1 CFS	
Total Diversion			0.1 CFS	

Location of Point(s) of Diversion:

SPRING|NWSW|Sec. 20|Township 56N|Range 04W|BONNER County

Place(s) of use:

Place of Use Legal Description: DOMESTIC BONNER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
56N	04W	19		SESE										

Dates:

Licensed Date: 12/08/1920

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

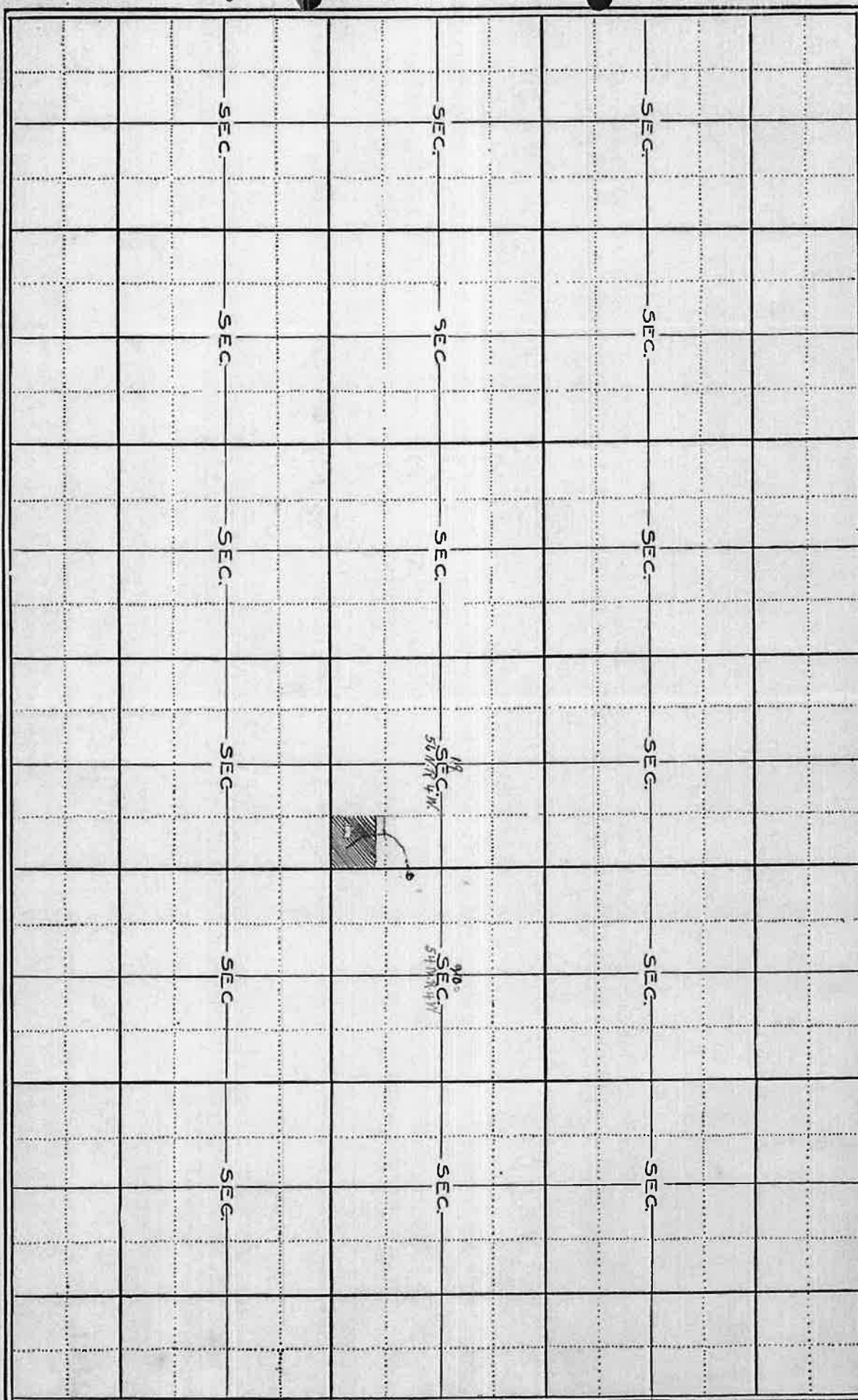
Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

George Acciarato



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

Printed and for sale by the Statesman Shop, Boise, Idaho.

October 18, 1917.

18927-~~Naggarato~~.

Sidney H. Smith, Atty.

Sandpoint, Idaho.

Paragraph 14 and maps do not conform as to lands to be irrigated. Maps indicate SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of Sec. 19. Shade lands to be irrigated on the maps.

13273

BB.

18927- R. 1177.

(13336)

State of Idaho
License and Certificate of Water Right

Water License No. 13273
Water District No. 99

Amount 0.1 sec. ft.
Priority 10/15/17

THIS IS TO CERTIFY that **GEORGE NACCARATO**,
of **Priest River**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **October 15**, 19 **17**; that Permit No. **13273**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of **0.5**
second feet, was issued thereunder on **September 13**, 19 **19**, showing that said works
were completed on the **10th** day of **September**, 19 **19**; and that on the **28th**
day of **February**, 19 **20**,

GEORGE NACCARATO,

of **Priest River**, State of **Idaho**, made proof to the satisfaction of the
~~State Engineer~~ **Commissioner of Reclamation** of Idaho, of a right to the use of the waters of a **Spring**,
a tributary of **Priest River**, for the purpose of **Domestic use**,
under Use Permit No. **13273** of the State Engineer, 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~~
~~Engineer~~ **Commissioner of Reclamation** of Idaho and entered of record in Volume **5** of Licenses, at page **2740**, on the **8th**
day of **December**, 19 **20**;

The right hereby confirmed dates from **October 15**, 19 **17**;

The Point of Diversion is located
in the **NW ¼ SW ¼**, Sec. **20**, Twp. **56 N**, R. **4W**, B. M.
County of 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 **0.1** 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.	4 W.	19	SE ¼ SE ¼	30	--
Water used for Domestic purposes only in the SE ¼ SE ¼ Sec. 19 T. 56 N. R. 4 W. B. M.					

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

WITNESS the seal and signature of the ~~State Engineer~~ **Commissioner of Reclamation**, affixed at Boise, Idaho, this **8th**
day of **December**, 19 **20**

W. G. SWENDSEN.
Commissioner of Reclamation ~~State Engineer.~~
By **S. T. Baer**,
Deputy

(SEAL)

APPLICATION FOR PERMIT 97-2006

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. **18927**
 Permit No. **13273**
 District No. **99**

1. Name of Applicant: **George Naccarato,**

Postoffice address: **Priest River**

County: **Bonner**

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: **One-half** cubic feet per second.

3. Source of water supply: **Spring-** which is a tributary of **Priest River.**

4. Location of point of diversion: feet distant from the
 corner of Section , T. , R. , B. M., and is in the **NW $\frac{1}{4}$ of SW $\frac{1}{4}$**
 of Section **20** , T. **56 N.** , R. **4 W,** B. M., County of **Bonner.**

5. Water is to be used for: **Irrigation and for use in residence.**

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: **\$500.00**

Cement

8. Kind of works: **Settling Basin, iron pipe.**

9. Height of dam feet; length of dam at top feet; length of dam at bottom
 feet; material used in dam

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

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

Diameter of pipe **two (2)** inches; length of conduit **1900 feet.** miles.

Average grade per mile **300** feet.

12. The time required for the completion of such work is **Two (2)** years.

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

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

15. (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.

George Naccarato.

George Naccarato.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. October 15, 1917

Returned to applicant for correction October 18, 1917.

Corrected application received October 25, 1917.

APPROVAL OF STATE ENGINEER

The number of this permit is 13273

The number of this permit is 13273
Recorded in Book 46 Page 13273 Approved November 6, 1917.

Recorded in Book 46 Page 13273 Approved November 8, 1917.
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 _____

Bond in the sum of \$ _____ to be filed on or before _____
 Work to begin on or before **January 5, 1918.** _____ 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 **November 6, 1918.**

One-fifth of the work above specified to be completed on or before November 6, 1919.
The whole of said work to be completed on or before November 6, 1919.

The whole of said work to be completed on or before November 6, 1919.
Beneficial use of water appropriated in accordance herewith, to be made on or before November 6, 1921.

Witness my hand this 6th day of November, 1917.

J. H. Smith.

State Engineer.

Remarks:

14 Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
56	N. 4	W. 19																30	30
Total Number of acres to be irrigated ----- -30																			
Settling Basin is 5 feet square, 3 feet deep on land of Nick Lamanna by right granted by Deed October 15, 1914.																			
AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS.																			
I, Nick Lamanna, County of Bonner, State of Idaho, do hereby certify that I am the owner of the land on which the spring mentioned in the application of George Naccarato is located, to-wit: NW¼ of SW¼ Sec. 20, Twp. 56 N., Range 4 W.B.M. and that I do hereby grant unto the said George Naccarato permission to file on the said spring as set forth in the foregoing application.																			
Nick Lamanna.																			
STATE OF IDAHO) County of Bonner) SS:																			
On this 10th day of October, 1917, before me, a Notary Public, for the State of Idaho, residing at Priest River, Idaho, personally appeared Nick Lamanna, known to me to be the person whose name is subscribed to the foregoing certificate and acknowledged to me that he executed the same.																			
Witness my hand and seal, the day and year in this certificate first above written.																			
(Notarial Seal.)																			
G.A. Buhrow, Notary Public.																			
My commission expires October 23, 1918.																			

Works completed: Sept. 10, 1919.
 Certificate issued: Sept. 13, 1919.

Permit No. 13273

CERTIFICATE OF COMPLETION OF WORKS.

TO ALL WHOM IT MAY CONCERN:

This is to certify that George Naccarato of Priest River, County of Bonner, and State of Idaho, the holder of Permit No. 13273, issued upon Application No. 18927, bearing date of priority of October 15, 1917, authorizing the diversion of 0.5 second feet of the waters of an unnamed spring, County of Bonner, 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 0.5 second feet of the waters of an unnamed spring; that the point of diversion of said waters is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T. 56 N., R. 4 W. B. M., and that the lands proposed to be irrigated by the use of said water are described as follow, to-wit: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 56 N. R. 4 W. B. M.
 Witness my hand this 13th day of September, A. D. 1919.

W. G. Swendsen.
 Commissioner of Reclamation.
 By: S. T. Beer
 Deputy.

License issued for 0.1 second feet
Page 2740

December 20, 1920

Re. Permit No. 13273.

Mr. George Maccarato,
Priest River, Idaho

Dear Sir:

Enclosed herewith is water license issued
under the above numbered permit, with receipt
for fees paid.

Yours very truly,

W. C. SWENDSEN.
Commissioner of Reclamation

By _____

WL. R- 6208

13273

December 17, 1920.

Permit 13273-Naccarato.

Mr. Sidney H. Smith,
Sandpoint, Idaho.

Dear Sir:--

Replying to yours of the 13th inst. would say that
license has been issued under the above numbered permit and
will be mailed to the holder as soon as recorded. This will
go out the first of next week.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

13273

SIDNEY H. SMITH
ATTORNEY AT LAW
SANDPOINT, IDAHO

December 13, 1920.

Department of Reclamation,
State of Idaho,
Poise, Idaho.

Gentlemen:- Re Permit No. 13273 - Maccarato.

George Maccarato, the permit holder in the above matter advises me that he sent a Post Office Money Order to your office for a license on the above permit, for the sum of Five Dollars on or about the 17th of November.

Will you advise me if this payment was received by your office and if the permit has been issued?

In the event the permit has not been issued yet or has not been sent out I will ask that you kindly send the same to me as attorney for Maccarato. In the event the permit has been issued and sent out I wish you would so advise me.

Thanking you in advance, I am,

Very truly yours,

Sidney H. Smith

13273



D. W. DAVIS, GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
W. G. SWENDSEN, COMMISSIONER
BOISE

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

November 8, 1920

Re. Permit No. 13273

Mr. George Naccarato,
Priest River, Idaho

Dear Sir:

The report of Mr. C. W. Wilson on beneficial use of water under the above numbered permit has just been filed. Upon receipt of fees in the sum of \$5.00, license will be issued.

Yours very truly,

W. G. SWENDSEN.
Commissioner of Reclamation.

BY *W. G. Swensen*

CE/BC

13273

November 15, 1920

Re. Permit No. 13273 - Macearato.

Mr. Sidney H. Smith,
Attorney at law,
Sandpoint, Idaho

Dear Sir:

Replying to your letter of the 11th inst., would state that the \$5.00 fee due this office for beneficial use of water is required before license can be issued, notwithstanding the fact that the holder had paid Mr. Wilson for making the examination. The report of Mr. Wilson was received November 8, 1920, and upon receipt of the fees required license will be issued. This report shows the water used for domestic use only.

Yours very truly,

W. G. SWENDSEN.
Commissioner of Reclamation.

By _____

CB/BC

13273

SIDNEY H. SMITH
ATTORNEY AT LAW
SANDPOINT, IDAHO

November 11, 1920.

Mr. W. G. Swendsen,
Commissioner of Reclamation,
State of Idaho,
Boise, Idaho.

Dear Sir:- In re Water Permit No. 13273.

C. W. Wilson, the engineer appointed by you to make the engineer's report in connection with the final proof in the ~~above~~ matter of Water Permit No. 13273 advises me that he has recently sent in his report.

I regret the delay in making this report but I may say to you that the engineer's fees were paid long ago by the applicant and it is only after numerous demands that I have been able to get Mr. Wilson to send in the report, if he has sent it in as he says.

It is my understanding that the matter is now in shape for the issuance of the license on the above permit providing the proof is satisfactory and, in any event I would like to hear from you at your early convenience.

Yours very truly,

Sidney H. Smith

13273

November 8, 1920

Re. Permit No. 13273

Mr. George Maccarato,
Priest River, Idaho

Dear Sir:

The report of Mr. G. W. Wilson on beneficial
use of water under the above numbered permit has just
been filed. Upon receipt of fees in the sum of \$5.00,
license will be issued.

Yours very truly,

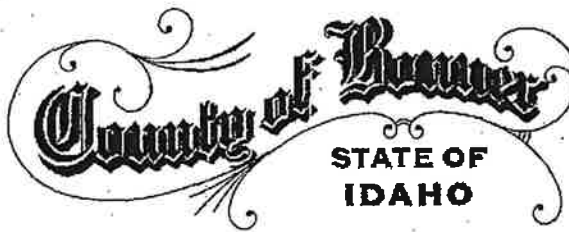
W. G. SEENDSEN.
Commissioner of Reclamation.

BY _____

CH/BO

13273

S. D. JUDGES
JAMES H. KELLY, DISTRICT JUDGE
JAMES H. KELLY, CLERK DISTRICT COURT
ROBERT COONS, TREASURER AND TAX COLLECTOR
R. S. PRICHARD, ASSESSOR
CHAS. E. SPORR, SHERIFF
PETER JOHNSON, PROSECUTING ATTORNEY
GERTRUDE LE HUQUET, SUPERVISOR PUBLIC INSTRUCTION
CARYL W. WILSON, SURVEYOR
WILL F. WHITAKER, PROBATE JUDGE
DR. W. M. KNAPP, CORONER



COMMISSIONERS
HENRY L. MELDER
THOMAS CAMPBELL
WILLIAM ASHLEY

SANDPOINT, IDAHO

November 5th, 1920.

Mr. W. J. Swenson,
Commissioner of Reclamation,
Boise, Idaho.

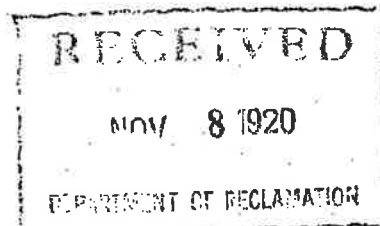
Dear Sir:

Enclosed please find report of Water Right Permit No. 13273, George Naccarato. This water is taken from a small spring and is used for house use only. Mr. Naccarato has purchased the right of the spring and the right of way across land not owned by himself for the conveyance of this water.

The underlying strata in the vicinity of his house is such that a well is practically impossible, therefore, this water right is of paramount importance to him, without it it would be necessary for him to haul his domestic water or abandon his little farm.

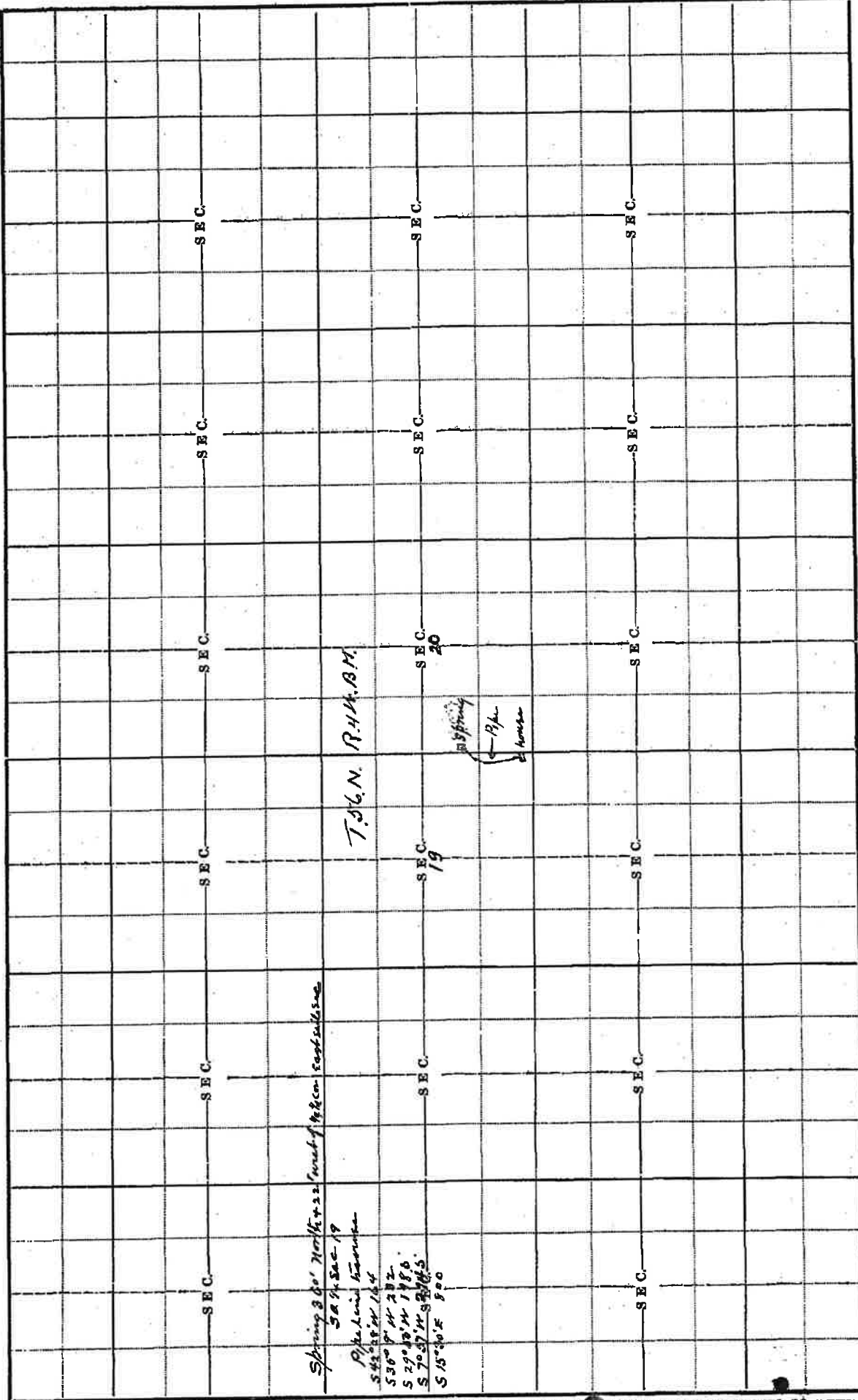
Yours very truly,

Caryl W. Wilson



13273

13273



REPORT OF ENGINEER

This proof is for 13273

In Water District No. _____

1. State name of applicant and number of permit: George Naccarato
2. State source of water supply: Spring
3. Location of point of diversion: 360 feet north & 22 ft. east of $\frac{1}{4}$ Cor. on east side of SE $\frac{1}{4}$ of Sec. 19, T. 56N. R. 4 W.B.M. on NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 20, T. 56N. R. 4 W.B.M.
4. Describe works as they exist, giving dimensions and capacities of same: Concrete box 4 ft X 5 ft. 3 ft deep 30 ft. of 2" pipe & 1660 ft. of 1" pipe running from spring to George Naccarato's home.
5. State whether or not water has been turned into works of diversion: it has
6. Give exact location 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): Water is for domestic use only.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? one
9. Give names and amount of each right: George Naccarato
10. What large stream would the water here appropriated finally reach? all lost by seepage
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: _____

Remarks: _____

This examination was made on the 20 day of October 1920(Signed) Garyl A. Wilson Engr.
Examiner.

(This report must be sworn to when not made by an attache of the office.)

STATE OF IDAHO,

County of Bonner

ss.

George Naccarato

, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 5th day of November 1920

My commission expires

Oct. 1st 1923.

Notary Public.

13273

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

March 5, 1920.

Re Permit No. 13273.

Mr. C. W. Wilson,
Sandpoint, Idaho.

Dear Sir:--

At the request of Mr. Sidney H. Smith, Attorney for George Maccarato, the holder of the above permit, I hereby authorize you to make the examination for proof of beneficial use of water under the above permit and enclose blanks for report and map. You should arrange with the holder of the permit for your fees for services before making the trip.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

RMF

13273

March 5, 1920.

Re Permit 13273.

Mr. Sidney H. Smith,
Attorney at law,
Sandpoint, Idaho.

Dear Sir:--

Your letter of the 28th ult., enclosing depositions and affidavit of publication for proof of use of water under the above permit, was duly received. Mr. C. W. Wilson has been authorized to make the required examination and, upon receipt of his report, the matter of issuing the license will be taken up.

The fees due this office before issuing license will be \$2.00.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

13273

SIDNEY H. SMITH
ATTORNEY AT LAW
SANDPOINT, IDAHO

February 28, 1920.

Mr. W. G. Swendsen,
Commissioner of Reclamation,
State of Idaho,
Boise, Idaho.

Dear Sir:- In re Water Permit No. 13273.

I am herewith enclosing the following papers:

1. Affidavit of proof of notice of proof of application of water to beneficial use.
2. Deposition of holder of application.
3. Deposition of witness of application
 1. George Naccarato
 2. August Naccarato.

I have noted with pencil on the affidavit of George Naccarato, the witness, that he is a cousin of the permit holder's in view of the fact that he has the same name as the holder.

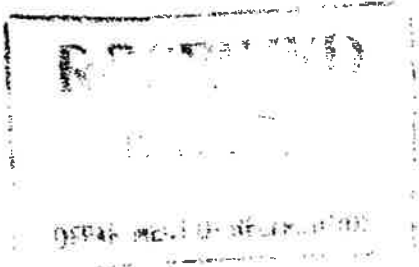
Referring to your letter of the 21st of January in this connection directing that the name of an engineer or someone familiar with the measurement of water be furnished you I will say that this has been delayed partly on account of the sickness of the permit holder and partly on account of the fact that he has tried to find someone living in that immediate vicinity who could make the report without success. He now directs that I send you the name of C. W. WILSON, Sandpoint, Idaho, who is a licensed engineer for this examination and to whom you are to send these blanks. I trust that, while this is a very late date the engineer's examination can be made and submitted to you without in any way effecting the proceedings other than the delay.

Trusting that this matter will have your attention and assuring you that I will appreciate any suggestions you may give me towards having the matter entirely regular in every respect, I am,

Respectfully yours,

Sidney H. Smith

Encs.



13273

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bonner

George R. Barker

being duly sworn, says that he is the *publisher* of the *PEND D'OREILLE REVIEW*, a weekly newspaper printed and published at Sandpoint, Bonner County, Idaho, and that said newspaper during all the time herein mentioned is, and was a newspaper of general circulation, published weekly, and that the annexed is a true copy of the notice for publication in the case of

The application of water for beneficial use

as it was published in the regular and entire issue of the said paper for a period of *4* consecutive weeks, commencing on the *27th* day of *February*, 1920, and ending on the *27th* day of *February*, 1920, and that said notice was published in said newspaper proper, and not in supplement form.

Subscribed and sworn to before me this *28th* day of *February*, 191*9*

Edw. H. Smith
Notary Public, State of Idaho
Residing at Sandpoint, Idaho

NOTICE FOR PUBLICATION.

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that at 10:30 a. m. on the 28th day of February, 1920, Idaho, before Sidney H. Smith, notary public, proof will be submitted of the application to beneficial use of one-half (0.6) cubic feet per second of the waters of spring tributary of Priest river in accordance with the terms and conditions of Permit No. 13273 heretofore issued by the state engineer of the state of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is George Nacarato, Priest River, Idaho.
2. The use to which said water has been applied is irrigation and domestic use.
3. The amount applied to beneficial use is one-half foot per second.
4. The place where said water is used: Southeast quarter of southeast quarter, section 19, township 56 north, range 4 West B. M., thirty acres thereof to be irrigated and domestic use to be on same description.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is unnamed.
6. The right to take water from such works is based upon permit No. 13273.
7. The source of supply from which such water is diverted is spring (unnamed) tributary of Priest river.
8. The date of the priority which said user is prepared to establish is October 15, 1917.

W. G. SWENSEN,
Commissioner of Reclamation.

13273

PERMIT NO. 13273**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

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

Ans. George Naccarato, age 38, residence three miles east of
Prest River, Idaho; Occupation, farmer; Post Office Ladwin, Prest River, Idaho.

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

Ans. _____

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

Ans. No. 13273, Oct. 15, 1917; Priority Oct. 15, 1917.

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

Ans. Source is spring tributary to Prest River; Location of point of diversion
On west side of N.W. Quarter of SW 1/4 of Sec. 20 Tp 56 N. R. 4 W. 12 E.

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. concrete settling basin and iron pipes, unlined capable of
conveying one half cubic foot per second.

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 and irrigation both on S.E. 1/4 & S.E. 1/4
of Sec. 19 Tp 54 N. Range 4 W. (30 acres to be irrigated)

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

Ans. For domestic use in residence on same
description

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

Ans. One half cubic foot of water 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. Original owner.

13273

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

Ans. *Water has been used for several years by means of some works with improvements for domestic and irrigation purposes to practically full capacity of spring in the amount of one half cubic foot per second.*

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 appropriation and this is the only water diverted and applied*

(Sign) *George Accurate*

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 *Sandpoint*, County of

Prosser State of Idaho, on this *7th* day of *February*
A. D. 19*10*

Sedney H. Smith
Notary Public, State of Idaho
Residing at Sandpoint, Idaho

13273

Permit No. 13273

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. August Naccarato, age 25 years residence, ranch 2 1/2 miles east Priest River
occupation farmer, Post Office address, Priest River, IdahoQues. 2. Are you acquainted with George Naccarato, theholder of Permit No. 13273? How long have you known him and where does he reside?Ans. Yes. Known him all my life & he resides on farm 3 miles
East of Priest River, IdahoQues. 3. Have you read or heard read said Permit No. 13273, 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. Source is a spring tributary to Priest River; place of diversion is
on west side of N.W. 1/4 of SW. 1/4 of Sec. 20 Tp 56 N.R. 4 W. Works
a small settling basin of cement and iron pipe about 1900 feet
long to point 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. One half cubic foot per second.

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

Ans. Domestic purpose and irrigation. Both uses on
SE 1/4, SE 1/4 of Sec. 19 Tp 56 N.R. 4 W. acres irrigated about
thirty. Cultivated land and improvements development of
land & putting in to crops.

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

Ans. —

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Character of land reddish soil, and would require
one half cubic foot or more.

13272

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. *Have seen it used on this land for past several years in practically capacity of spring estimated to be one half cubic foot per second for domestic purposes & irrigation.*

(Sign) *August Naccarato*

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 *Sandpoint*, County of *Bonner*, State of Idaho, on this *28th* day of *February*, A. D. 19*20*.

Sidney H. Smith
Notary Public.

My commission expires *Nov. 13, 1923.*

13272

Permit No.

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. *George Naccarato, age 24, residence 11 miles east of Priest River
farmer, Post office address, Priest River.*

Ques. 2. Are you acquainted with *George Naccarato*, the
holder of Permit No. *13273*? How long have you known him and where does he reside?

Ans. *Yes; have known him all my life and he resides
on farm three miles east of Priest River.*

Ques. 3. Have you read or heard read said Permit No. *13273* 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. *Source is Spring tributary to Priest River; place of diversion
is on extreme west side in the center (North + South) of NW 1/4 of Sec. 20 T. 56 N. R. 4 W. Works are small cement settling basin and water
conveyed in about 1900 feet of iron pipe 7 inches at beginning to small conduit.*

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. *Estimated one half cubic foot per second.*

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

Ans. *Water used for domestic and irrigation purposes. Both
uses on S.E. 1/4 S.E. 1/4 Sec. 19 T. 56 N. R. 4 W. irrigating on about 30 acres.
Land is cultivated and improvements made as result of use are
cultivation of land and putting it in to crops.*

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

Ans. *—*

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. *Character of land is reddish soil and sandy soil and
would require one half cubic foot per second of water or more.*

13273

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. Have seen ^{this} water used on this land for several years and in an amount estimated to be one half cubic foot per second which is practically all of its water of the Spring for domestic purposes and irrigation.

(Sign) George Masserati

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 Landpoint, County of Bonner, State of Idaho, on this 7th day of February, A. D. 1920

Edmund H. Smith
Notary Public.

My commission expires Nov. 13, 1923.

This affiant is co-owner of permit holder & has same name
Edmund H. Smith

13273

13272

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

BOISE, IDAHO,

Feb. 11, 1920.

George Naccarato
Priest River, Idaho.
c/o Sidney H. Smith
Sandpoint, Idaho.

DEAR SIR:

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

13273

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 the permit holder's rights:

1. On _____, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to at _____

Sandpoint, Idaho, before Sidney H.

Smith, 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 examining engineer, you will be further advised as to fees due before issuing license.

Yours truly,

W. G. Swendsen
State Engineer.

XXXXXXXXXX

Commissioner of Reclamation.

13273

(P. O.) *Sandpoint*

(Date) *Feb. 1, 1920*

Commissioner of Reclamation, Boise.

Dear Sir:

I have your letter of *Feb 28*

Permit No. *13272* which will be published as you request, beginning with our issue of.....

Paul d. Greiller, Reclm

by Geo R Banta

13272

Feb 28

January 21, 1920.

In re: Permit 13273.

Sidney H. Smith,
Attorney,
Sandpoint, Idaho.

Dear Sir:

We are to-day in receipt of your letter of the 19th instant, enclosing notices for final proof under the above numbered permit in favor of George Naccarato. In reply would say that I have set February 28 as the date for making the proof before you at Sandpoint, and unless otherwise advised notice for publication will be mailed to the Pend d' Oreille Review, at Sandpoint, for the required four weeks publication prior to the date of making proof. Deposition blanks for holder and two witnesses will be mailed to you in time for this proof on the date set.

It will also be necessary for the holder to have the works examined by some one familiar with the measuring of water and beneficial use of same. If he will send up the name of someone near him who can do this work for him, we will authorize the party to make the examination and furnish blanks for his report and map. The holder should arrange with the party who makes the examination for any fees that may accrue in making this examination.

Yours very truly,

W. G. Swendsen,

Commissioner of
Reclamation,

By

B/B.

13273

SIDNEY H. SMITH
ATTORNEY AT LAW
SANDPOINT, IDAHO

In re Permit 13273.

January 19, 1920.

Department of Reclamation,
State of Idaho.
Boise, Idaho.

Gentlemen:-

After considerable delay and according to instructions in your letter of the 15th of October, 1919, I am herewith enclosing Notice of Proof of Application of Water to Beneficial Use, in duplicate, in connection with Permit No. 13273.

I have not filled in the date when proof will be submitted as I assume that that is a matter you will wish to decide and for a like reason I have left blank before whom it is to be taken; if this can be taken before me as a Notary Public it might save inconvenience as long as the claim is quite small.

If these notices are not correct in any respect or anything further is needed at this time I shall be glad to hear from you; otherwise I will be glad to have you advise me as to when and where the proof will be submitted.

Respectfully yours,

Sidney H. Smith

JAN 21 1920

DEPARTMENT OF RECLAMATION

13272

NOTICE FOR PUBLICATION

NOTICE OF PROOF OF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:30 a. m. on the 28th day of February, 1920,
at Sandpoint, County of Bonner, State of Idaho,
before William H. Smith, N. P., proof will be submitted
of the application to beneficial use of one half (0.5) cubic feet per second of the
waters of Spring tributary of Priest River in accordance with the terms and conditions of
Permit No. 13273 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit ^{is} George Noccarato, Priest River, Idaho.
2. The use to which said water has been applied is irrigation and domestic use
3. The amount applied to beneficial use is one half cubic foot per second
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) South east Quarter of South east Quarter, Section 19, Township 56 N. Range 4 W. B. M., thirty acres thereof to be irrigated and domestic use to be on same description.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is Un-named spring tributary of Priest River
6. The right to take water from such works is based upon Permit No. 13273
7. The source of supply from which such water is diverted is Spring, (un-named) tributary of Priest River
8. The date of the priority which said user is prepared to establish is October 15, 1917.

W. G. Smucker
State Engineer.

October 15, 1919.

In re: Permit 13273.

Sidney H. Smith,
Attorney at law,
Sandpoint, Idaho.

Dear Sir:

Pursuant to your request of the 13th, I am enclosing, herewith, blanks to be used in giving notice of intention to submit final proof of application of water to beneficial use under the above numbered permit. These blanks should be filled in in duplicate and returned to this office, whereupon publication will be ordered.

Yours very truly,

W. G. Swendsen,
Commissioner of
Reclamation,

By

Chief Clerk.

L/B.
Enc.

13273

SIDNEY H. SMITH
ATTORNEY AT LAW
SANDPOINT, IDAHO

October 13, 1919.

Department of Reclamation,
State of Idaho,
Boise, Idaho.

Dear Sirs:- In re: Permit No. 13273.

Will you kindly send me the necessary blanks, instructions, etc., for George Nacarrato, holder of Wtare Permit No. 13273 to make proof that the water under said permit has been fully applied to a beneficial use for the purpose of obtaining a license for the amount of water actually in use.

Thanking you in advance for your early attention,
I am,

Very truly yours,

Sidney H. Smith



13273

September 23d
1919

In re: Permit: 13273

George Naccarato
Priest River, Idaho

Dear sir:

Herewith find certificate of completion of works issued under the above numbered permit, together with receipt covering fee submitted.

Yours very truly

W. G. Swendsen
Commissioner of
Reclamation

By:

Chief Clerk.

13273

msg 5--

SIDNEY H. SMITH
ATTORNEY AT LAW
SANDPOINT, IDAHO

September 10, 1919.

Department of Reclamation,
State of Idaho,
Boise, Idaho.

Dear Sirs:-

Permit No. 13273.

According to instructions in your letter of the 9th of August George Naccarato has signed and sworn to the affidavit of proof of completion of works according to the terms of the above permit.

At his request I am herewith enclosing the same to you together with a Post Office Money Order for \$5.00 being the amount required, according to your letter for him to obtain a certificate of completion.

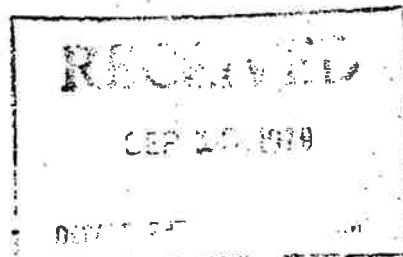
I will ask that you return this certificate to me as his attorney. Also that you send whatever information you put out in regard to the last proof of application to beneficial use.

Trusting that you will find this proof correct and sufficient to issue the certificate on, I am,

Very truly yours,

Sidney H. Smith.

Encs.



13273

Permit No. 273

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Bonner } ss.George Naccarato, 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. 13273, and that his postoffice address is Priest River State of IdahoSecond: That the name of the stream from which said water is to be diverted is Spring tributary to Priest RiverThird: That the point of diversion of said water is in NW 1/4 of SW 1/4 Sec. 20, Township 56 N.R. 4 W.B.M. County of Bonner, State of IdahoFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by November 4, 1919Fifth: That the use for which said water is intended is irrigation and for residenceSixth: 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: cement settling basin and iron pipes
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

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

(b) Capacity of reservoir _____ (State whether wood, earth, stone or concrete.) acre feet Settling Basin five feet square 3 feet deep.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit _____ (State whether ditch, flume or pipe) width at bottom _____ feet, width at water line _____ feet, depth of water _____ feet; diameter of pipe 2 inches; average grade per mile is 300 feet. Length of conduit is 1900 feet milesSeventh: That said works are capable of conducting to the place of intended use one half second feet of water.Eighth: That water appropriated under said permit is available for thirty acres of land described as follows: SE 1/4 of SE 1/4 Section 19 Twp. 56 N.R. 4 W.B.M. in part.

Ninth: Remarks: That _____

George Naccarato
(Sign here)Subscribed and sworn to before me this 10th day of September, 1919My commission expires Nov. 13, 1919Leahy H. Smith
Notary Public

13273

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho, August 9, 1919

George Naccarato,
Priest River, Idaho.

Dear Sir:—

Under the terms of your permit No. 13273 you are required to complete your diversion works on or before Nov. 6, 1919. 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,

W. G. SWENDSEN

Commissioner of Reclamation.

13273

State of Idaho
ENGINEERING DEPARTMENT

BOISE

Permit No. 13273 Naccarato.
Mr. Sidney H. Smith, Atty.,
Sandpoint, Idaho.

Boise, Idaho,

November 6, 1917.

Dear Sir:

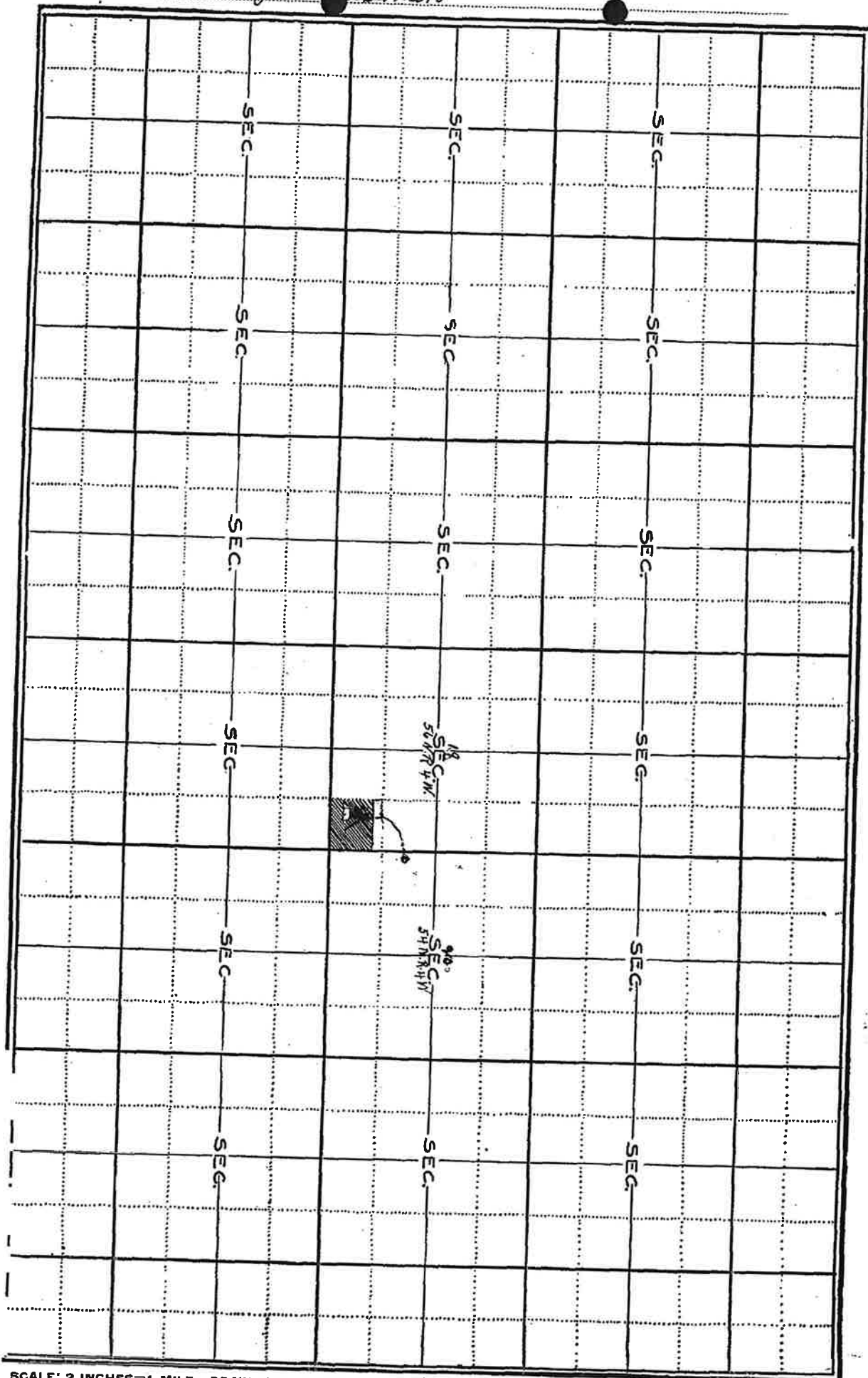
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND
CONDITIONS OF SAME as given under approval of State Engineer on the third page.

J. H. SMITH,

State Engineer.

13273

Name of Applicant George Nicholas



SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

13273

Printed and for sale by the Statesman Shop, Boise, Idaho.

SMITH AND HEIGHTON
ATTORNEYS AND COUNSELORS AT LAW
SANDPOINT, IDAHO
BONNERS FERRY, IDAHO

SIDNEY H. SMITH
CHARLES H. HEIGHTON

18927

Sandpoint, Idaho,
October 22, 1917.

Mr. J. H. Smith, State Engineer,
Boise, Idaho.

Dear Sir:- In re Application No. 18927-Naccarato.

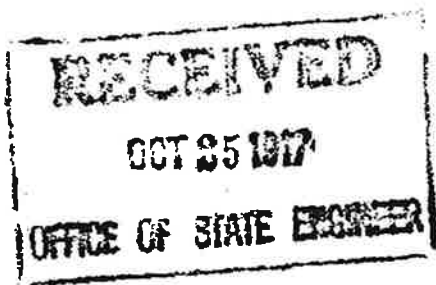
Your letter of the 18th inst., returning the
above application for corrections, received.

I am herewith returning the same with the cor-
rections made. Paragraph ^{No. 14} should have shown the land to
be in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 19. The map is also
shaded to show part of land to be irrigated. I will state
that the upper part which is not shaded is a rocky hill-
side; the small tract towards the South west part of the
description marked in red is property owned by other
parties and is about three acres.

Trusting that this corrections will put the
application in proper form and thanking you for your
assistance in the matter, I am,

Very truly yours,

Sidney H. Smith



13273

October 18, 1917.

18927-~~Nas~~carato

Sidney H. Smith, Atty.
Sandpoint, Idaho.

Paragraph 14 and maps do not conform as to lands to be irrigated. Maps indicate SE $\frac{1}{4}$ of Sec. 19. Shade lands to be irrigated on the maps.

13273

BB.

18927- R. 1177.

(13336)

SMITH AND HEIGHTON
ATTORNEYS AND COUNSELORS AT LAW
SANDPOINT, IDAHO
BONNERS FERRY, IDAHO

SIDNEY H. SMITH
CHARLES H. HEIGHTON

Sandpoint, Idaho,
October 11, 1917.

State Engineer,
Boise, Idaho.

Dear Sir:-

I am herewith enclosing the application of George Naccarato for a permit to appropriate water as therein stated. Also the sum of One Dollar by Post Office money order which I understand is the filing fee for an application of this kind.

You will note that the maps are rough sketches and in the application the figures as to the location of the spring are estimates or, at least, not absolutely accurate. This for the reason that, unless it is required, it appears that the expense incident to a more detailed account would be useless.

Trusting that you will find this application in shape to have your favorable consideration, I am,

Very truly yours,

Sidney H. Smith

Encs.

18927

13273