

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

CIVIL CASE NUMBER: 69576

Claim ID: 96-2242

Date Received: 5/15/24

Receipt No: N044654

Claim Fee: \$87.00 By: MRB

RECEIVED

MAY 15 2024

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR / NORTH

Please type or print clearly

1. Name of claimant(s) Evalyn Finney Phone (____) _____
Mailing address 11815 N. Boyer, Sandpoint, Idaho Zip 83864
Street or Box City State
Email address (optional) _____
2. Date of priority: (Only one per claim) 09/25/1955 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Schweitzer Creek
which is tributary to (b) Sand Creek
4. a. Location of point of diversion is: Township 58N, Range 02W, Section 35,
SW 1/4 of NE 1/4, Govt. Lot _____, BM, County of Bonner
Parcel no. RP58N02W351208A, RP58N02W351360A
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, 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.

Motor, Pump, main and lateral lines

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Irrigation purposes from 6/15 to 9/15 amount 0.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
58N	02W	35			17														17

Parcel no(s) RP58N02W351601; 1640; 1500; 1360; 1300; Total number of acres irrigated 17

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 your 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.
_____ or None (✓)

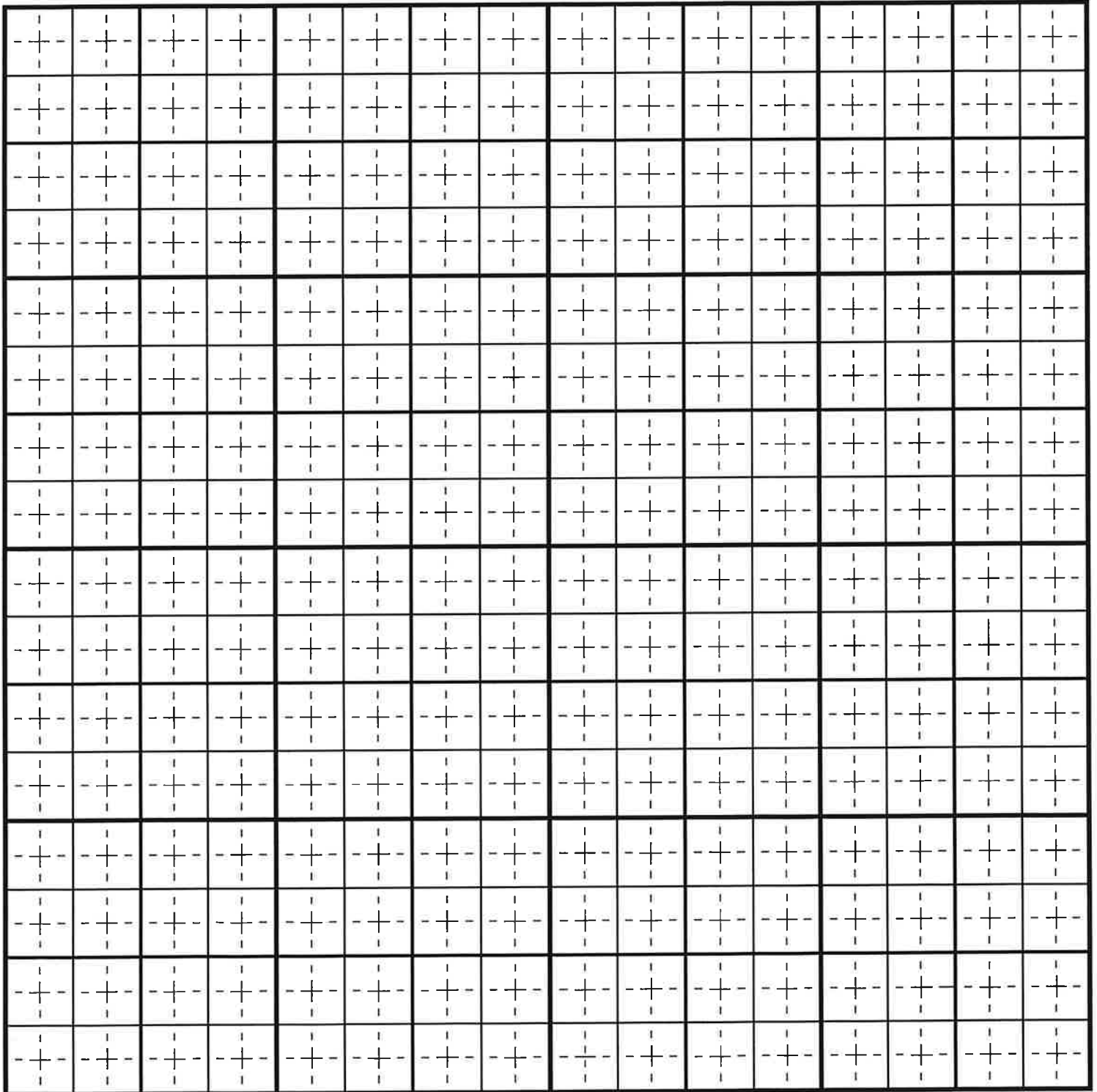
13. Remarks (Include an explanation of the priority date selected):

~~I own and other family members own the parcels listed for place of use (Descendants of Frank Finney).~~
See attached Water Right Report and related documents No. 96-2242 (56 pages)

Name of claimant(s) Finney, Evalyn Claim ID _____

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile



Name of claimant(s) Finney, Evalyn

Claim ID _____

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 96-2242

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: 56 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) Evalyn L. Finney Date: 5/14/24

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 on behalf of 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 Date 5/14/2024

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

Name of claimant(s) Finney, Evalyn Claim ID _____

Affidavit of Publication

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

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice for Publication ; Notice of
Proof Application of Water to Beneficial
Use. Permit # 25982; Frank A. Finney

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks commencing on the 1st
day of September 1960, and end-
ing on the 22nd day of September,
1960, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

23rd day of September, 1960

Charles Carter

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

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

Notice is hereby given that at 8:00 A. M. on the 3rd day of October, 1960, at FHA office, County of Bonner, State of Idaho, before Walter Aklundt, proof will be submitted of the application to beneficial use of 34 cubic feet per second of the waters of Schweitzer Creek in accordance with the terms and conditions of Permit No. 25982 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Frank A. Finney, Rte. No. 1, Sandpoint, Idaho. The use to which said water has been applied is sprinkler irrigation. The amount applied to beneficial use is 34 cu. ft.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW 1/4 NE 1/4 Sec. 35, T 58N, R 2 W.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none.

The right to take water from such works is based upon Permit No. 25982.

The source of supply from which such water is diverted is Schweitzer Creek.

The date of priority which said user is prepared to establish is Sept. 26, 1955.

GEO. N. CARTER,
State Reclamation Engineer.
SI-8-15-22

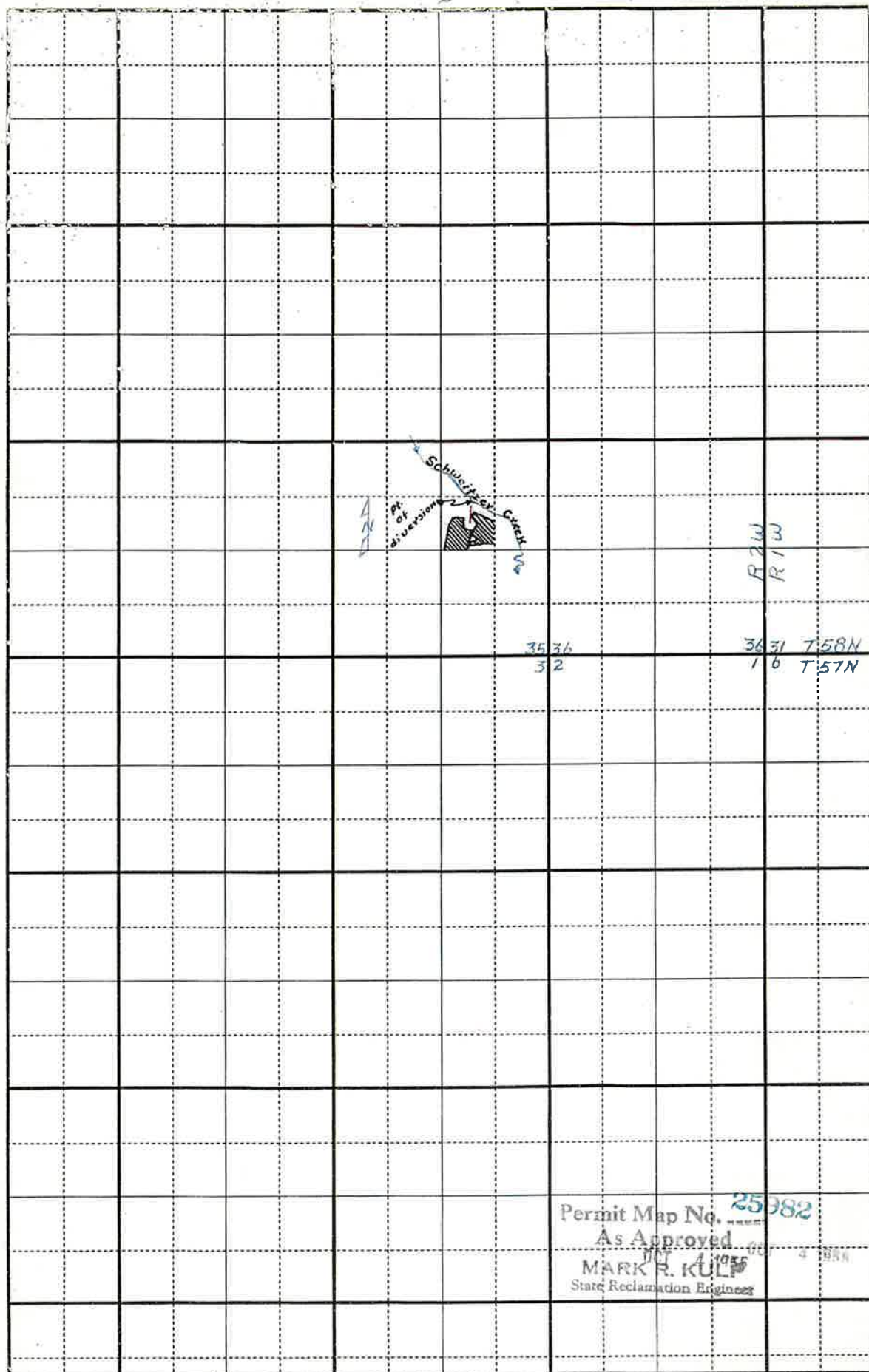
RECEIVED
OCT 19 1960
Department of Reclamation

25982

NAME OF APPLICANT Frank A. Finney

Moore Line

Form No. 0



Permit Map No. **25982**
 As Approved
 MARK R. KULP
 State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25982

WATER LICENSE

Water License No. 25982/96-2242 Priority September 25, 1955 Amount 0.20 c.f.s.

THIS IS TO CERTIFY, that FRANK A. FINNEY
 of Sandpoint, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated September 25, 1955; that Permit 25982/96-2242 was issued pursuant
 to said application; that the proposed works were completed on or about October 17, 1960
 with a storage/or carrying capacity of 0.20 c.f.s., said works consisting of
pump and motor; and that on October 17, 1960
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 51
 acre feet per season, with a maximum rate of diversion of 0.20 cubic feet per second of the waters
 of Schweitzer Creek, tributary of Sand Creek then Pend Oreille River,
 for the purpose of Irrigation from April 1 to October 31;
 and for _____ from _____ to _____; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, T. 58 N, R. 2 W, B.M., and
 other additional points _____, in the County of
Bonner; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 51 acre feet per year.

Description and location of place of use:

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 $\frac{1}{4}$	
58 N	2 W	35			17														17

Total number of acres irrigated 17

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

22nd day of January, 1970

96

2242

State Reclamation Engineer

96-2242
 25982

96-2242

Application For Permit To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 33857
PERMIT No. 25982
DISTRICT No.

1. Name of Applicant: FRANK A. FINNEY

Postoffice address: Rt. #1, Sandpoint

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) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: .34

cubic feet per second.

3. Source of water supply: Schweitzer Creek
Creek then Pend Oreille River

which is a tributary of Sand

4. Location of point of diversion: Approx. 2300 N. W.

feet distant from the E $\frac{1}{4}$

corner of Section 35, T. 58 N, R. 2 W, B.M., and is in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$

of section 35, T. 58 N, R. 2 W, B. M., County of Bonner

5. Water is to be used for Sprinkler Irrigation

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

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section of , 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: \$1800.00

8. Kind of works: Motor, pump, main and lateral pipes for sprinkler irrigation.

9. Height of dam None 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 None feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

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

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

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

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



Twp.	Range	Sec.	NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	Totals
58 N	2 W	35	17				17
Permit No. 25982 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that FRANK A. FINNEY of Sandpoint, County of Bonner, and State of Idaho, the holder No. 25982, issued upon Application No. 33857, bearing date of priority of September 26, 1955, authorizing the of .34 second feet of waters of Schweitzer Creek, County of Bonner, State of Idaho for sprinkler irrigation fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to t intended use .34 second feet of the waters of Schweitzer Creek, which is a tributary of Sand Creek, then Pend River; that the point of diversion of said waters is SW$\frac{1}{4}$NE$\frac{1}{4}$, Sec. 35, T. 58 N., R. 2 W., B.M. and that the l posed to be irrigated by the use of said water are described as follows, to-wit: SW$\frac{1}{4}$NE$\frac{1}{4}$, Sec. 35, T. 58 N., R. 2 W., B.M. Witness my hand this 29th day of August, A. D., 1960 /s/ GEO. N. CARTER State Reclamation Engineer Proof of Completion of Works Made: August 24, 1960 LICENSE PAGE NO. <u>22</u>							

December 3, 1973

Re: License No. 96-2242 & Permit No. 96-7127

Gary A. Finney
101 North First Ave.
Sandpoint, Idaho 83864

Dear Mr. Finney:

You are correct in your November 29, 1973, letter that License No. 96-2242 was issued to Frank Finney. However, I thought that William Finney was how the owner of the land covered by the license, and therefore, the owner of the license. If this is not the situation, please let me know so that the Findings of Fact may be amended.

You also are correct, in that William Finney has filed a claim to a water right. This claimed right is still based upon the diversion and beneficial use of the water, as noted in the Findings of Fact(1).

Enclosed is the certified copy of Permit No. 96-7127 that you requested. The charge for this copy is \$2.00, which you may remit to this office, as soon as possible.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:jc
Enc: Certified copy of Permit No. 96-7127

96-2242

STEPHEN BISTLINE
GARY A. FINNEY

LAW OFFICES OF
STEPHEN BISTLINE
101 NORTH FIRST AVENUE
SANDPOINT, IDAHO 83864
November 29, 1973

TELEPHONE
CONGRESS 3/2105
1973
Water Administration

Re: Schweitzer water rights - Our File 4003
Permit No. 96-7127

Mr. Bobby D. Fleenor
Assistant Director
State Department of Water Adm.
Statehouse - Annex 2
Boise, Idaho 83720

Dear Mr. Fleenor:

I am writing concerning the memorandum decision and order of November 9, 1973, by Mr. Higginson, Director.

I understand, in reference to the findings of fact (1), that license #96-2242 was issued to Mr. Frank Finney, not William Finney. Would you please recheck your records to see if I am not correct. Additionally, I understand that William Finney does have a claim of right to Schweitzer water under another number. If this is so, I assume the findings may need to be amended to so show.

Also, would you please send me a certified copy of application #96-7127. I will pay any charge upon your billing me for the same.

Yours very truly,

Gary A. Finney
Gary A. Finney

SC

96-2242

January 22, 1970

Re: Permit No. 25982/96-2242

Mr. Frank A. Finney
Route 1
Sandpoint, Idaho 83864

Dear Mr. Finney:

Enclosed herewith is your Water License issued on the above
numbered permit.

Also enclosed is departmental receipt No. 4069 in the amount of
\$2 covering the licensing fees.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

Enclosures

25982
96-2342

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 8, 1970

Re: Permit No. 25982/96-2242

Frank A. Finney
Route #1
Sandpoint, Idaho 83864

Dear Mr. Finney:

Enclosed please find a copy of the fee letter which the department mailed to you on September 21, 1961.

Please be advised that if the department does not receive the required licensing fees within 10 days from the date of this letter, we shall proceed to cancel the above referenced permit.

Please contact us if you need any further assistance.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Fee letter

96-2242
25982

September 21, 1961

Re: Permit No. 25982

Frank A. Finney
Rt 1
Sandpoint, Idaho

Dear Mr. Finney:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 25982 shows the pump and sprinklers ~~are~~ capable of conveying 10 miner's inches, or .20 c.f.s. of water for the irrigation of 17 acres.

Upon receipt of the statutory fee of \$ 2.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of September 26, 1955 to the use of .20 second feet of surface water with the point of diversion in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35 for irrigation of 17 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 58 North, Range 2 West, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

25982
Fees
Received
1-16-70

RT

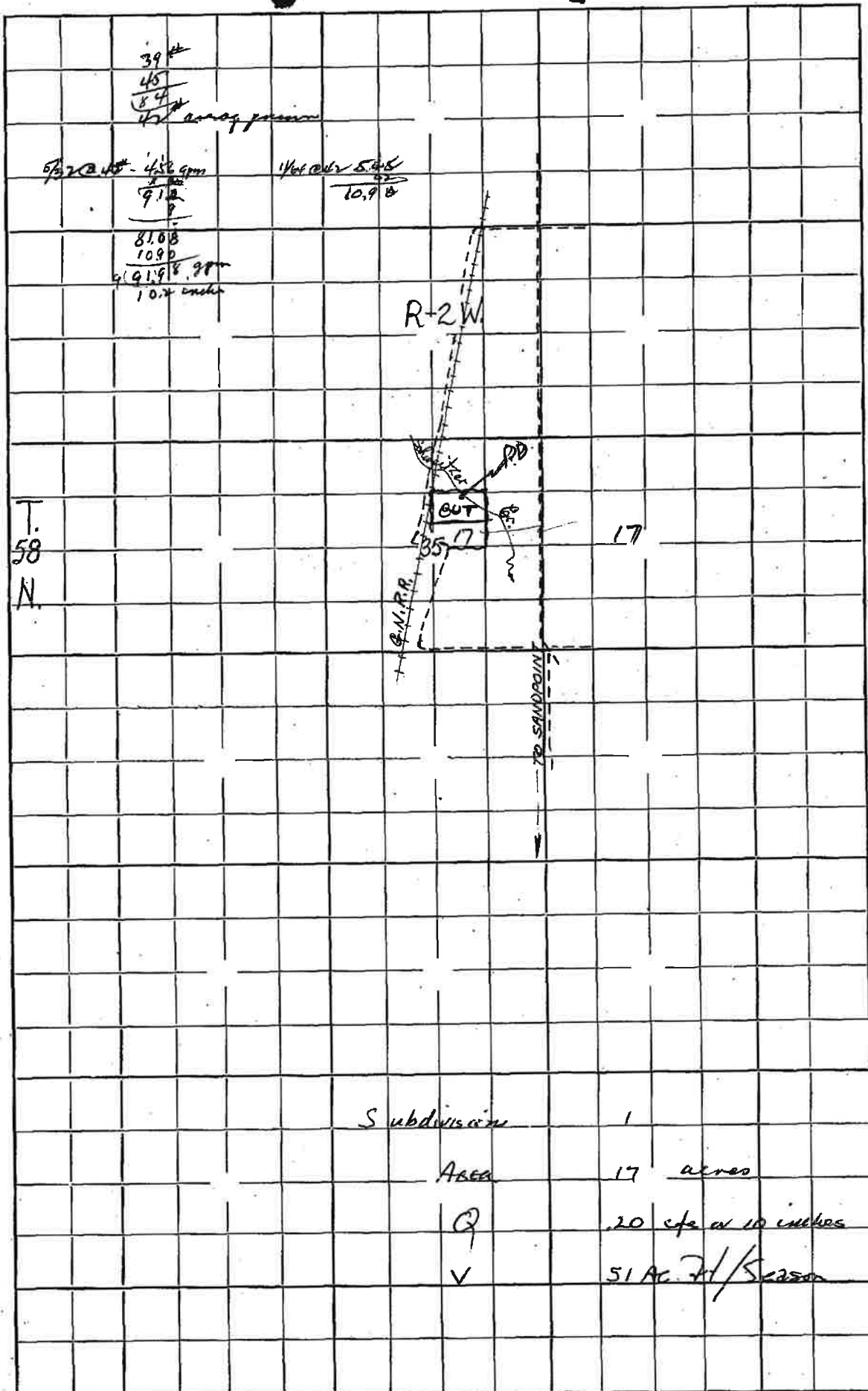
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25982

REPORT ON PROOF OF Beneficial Use

Frank A. Finney, Rt. #1, Sandpoint, Idaho



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

25982

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

Permit No. 25982This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Frank A. Finney
2. Source of water supply: Schweitzer Creek
3. Location of point of diversion: Is in the SW 1/4 NE 1/4 of Section 35
T. 58 N R. 2 W. S. 2 County of Benner
4. Describe works as they exist, giving dimensions and capacities of same: 5 HP A.O. Smith
Motor # 6122 SR2 WDA, Sta Rite # CC 2205 6 1/4" Impeller 5" x 1 1/2"
3" aluminum main - 2" x 40' lateral - 1" DI 1/2" x 1 1/4" 9-7/8 x 3/32
5. Water is used for: Sprinkler irrigation
6. State whether or not water has been turned into works of diversion: yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

17 acres in SW 1/4 NE 1/4 Sec. 35., Twp. 58 N., Rge. 2 W.B.M.

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

8. What large stream would the water here appropriated finally reach? Peard O. Lake

Remarks: Mr Finney along

Measurement made by taking pressure readings at nozzle

This examination was made on the 15th day of September, 1961

(Signed) _____

Larry Johnson

Examiner.

25982

Frank L. Finney
Rt. #1, Sandpoint, Idaho

Permit No. 25902

Examination for Beneficial Use

County Benewah

Sec. 35 T. 58N R. 2 E. B.M.

Quantity: 0.34 c.f.s.

Source: Schweitzer di.

P.D.: SW 1/4, Sec. 35, T. 58N. R. 2 E. B.M.

Use: Irrigation

Filed: Sept. 26, 1955

Due: Oct. 4, 1966

Extension: —

Completion of Work: 8-29-60

Other Rights: none

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
SEP 20 1961

Department of Reclamation

December 15, 1960

RE: Permit No. 25982

Mr. Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Mr. Finney:

We are enclosing State Warrant No. 105519 in the amount of \$5.00 issued to you as a refund on excess payment for Certificate of Completion of Works on Permit No. 25982.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR

Enc. - (1) State Warrant

25982

STATE OF IDAHO
Miscellaneous Expenditure Voucher

No. **157355**
FOR USE OF DIVISION
OF ACCOUNTS ONLY

FROM Reclamation
DEPARTMENT

No.
FOR USE OF DEPARTMENT

SUB-DIVISION Reclamation Administration

APPROPRIATION ACCOUNT TITLE Reclamation Administration

PAY TO:

CODE NO.

Frank A. Finney

Route #1

Sandpoint, Idaho

ACCOUNT CODES					
FUND	FUNCTION	SUB. DIV.	APPR.	OBJECT	COST CODES
1	6	11	1411	525	\$5.00
COMPUTATION CHECKED BY:				PRE-AUDITED BY:	
INCLUDED IN DAILY SUMMARY NO.				POSTED TO BUDGET CONTROL LEDGER	

DATE	EXPLANATION	AMOUNT	LEAVE BLANK
11/28/60	Refund on statutory fee for completion of works proof, paid under Departmental Receipt No. 30348 issued November 8, 1960, which fee was accepted in error because such proof had been made under date of August 24, 1960, on Permit No. 25982	\$5.00	

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Frank A. Finney SIGNATURE OF CLAIMANT

INSTRUCTIONS TO ISSUING DEPARTMENT

If this claim is to apply against an approved miscellaneous encumbrance requisition, reference to the number thereof must be made in the lower right-hand corner of this form.

To the State Auditor:

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described hereinabove. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service; that the items have been received and accounted for, and that the account as stated is correct and just.

Date 12/2/60
Geo. M. Carter
Head of Department or Institution

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

25982
State Auditor

ENCUMBRANCE
LIQUIDATION None
WARRANT NUMBER 105379
DATE PAID 12/12/60
MISCELLANEOUS ENCUMBRANCE REQUISITION None
NO.

Mr. Finney:

May I please have your signature on this copy of the miscellaneous expenditure voucher - it is the one for our permanent record file in the Department. Please return in the self-addressed envelop.

Refused 12/5/60.

28652

November 28, 1960

Mr. Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Mr. Finney:

Inclosed herewith is a miscellaneous expenditure voucher covering the refund due you as stated in the wording for the voucher. It will prove self-explanatory since you are already advised regarding it through the letter by the Chief Clerk mailed you on November 16th. Please sign all three copies of this claim in the space indicated for "Signature of Claimant" and return them in the self-addressed envelop. We will then put forward for payment through the State Auditor's Office.

Very truly yours,

Geo. N. Carter
State Reclamation Engineer

By

Secretary and Bookkeeper.

lt
Encl. 1 set DA-8

November 28, 1960

Mr. Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Mr. Finney:

Inclosed herewith is a miscellaneous expenditure voucher covering the refund due you as stated in the wording for the voucher. It will prove self-explanatory since you are already advised regarding it through the letter by the Chief Clerk mailed you on November 16th. Please sign all three copies of this claim in the space indicated for "Signature of Claimant" and return them in the self-addressed envelop. We will then put forward for payment through the State Auditor's Office.

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State Reclamation Engineer

By

Secretary and Bookkeeper.

lt
Encl. 1 set DA-8

November 28, 1960

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Very truly yours,

Geo. N. Carter
State Reclamation Engineer

By

Secretary and Bookkeeper.

It
Encl. 1 set DA-8

25982

Permit No. 25982

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that FRANK A. FINNEY
 of Sandpoint, County of Bonner, and State of
Idaho, the holder of Permit No. 25982, issued upon
 Application No. 33857 bearing date of priority of September 26, 1955, authorizing the
 diversion of .34 second feet of waters of Schweitzer Creek

County of Bonner, State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho relating to
 the proof of completion of the works of diversion set out and described in said Permit; that said
 works are adequate for diverting and conveying to the place of intended use .34
 second feet of the waters of Schweitzer Creek, tributary of Sand Creek and
Pend Oreille River

that the point of diversion of said waters SW 1/4 NE 1/4, Sec. 35, T. 58 N., R. 2 W., B. M.

and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:
17 acres in SW 1/4 NE 1/4, Sec. 35, T. 58 N., R. 2 W., B. M.

Proof of Completion of Works Made: October 17, 1960

Witness my hand this 10th day of November, A. D. 19 60

Ralph W. Thomas
 Deputy State Reclamation Engineer

25982

Permit No. 25982

**Certificate of Completion
of Work**

Dated November 10, 1960

Stream Schweitzer Creek

County Bonner

Amount \$1 c.f.s.

Date of Priority September 26, 1955

Recorded in Book 91

of Permits, page 25982

25982

Here in enclosed
the papers you wanted
returned.

I thought we had
pd it once but I sent
it again, so am
returning it again as
per your letter

Thanks

Yours Truly

Frank A Finney

Sandpoint

25982
RECEIVED
NOV 23 1960

Department of Reclamation



ROBERT E. SMYLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

RECEIVED
NOV 23 1960
Department of Reclamation

November 10, 1960

Re: Permit No. 25982

Mr. Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Mr. Finney:

We enclose Certificate of Completion of Works issued
on Permit No. 25982.

We also enclose departmental receipt No. 30342 in the
amount of \$5.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Edna P. Rule*
(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

25982

November 16, 1960

RE: Permit No. 25982

Frank A. Finney
Rt 1
Sandpoint, Idaho

Dear Mr. Finney:

Kindly return the Certificate of Completion of Works which was sent to you November 10, 1960 in error and the \$5.00 fee will be refunded.

The Certificate of Completion of Works was sent to you August 24, 1960 and one such certificate is all that is required.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:mr

November 10, 1960

Re: Permit No. 25982

Mr. Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Mr. Finney:

We enclose Certificate of Completion of Works issued
on Permit No. 25982.

We also enclose departmental receipt No. 30342 in the
amount of \$5.00 covering fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. certificate
receipt

Void See
letter dated 8-29-60

25982

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

No. 30342

Boise, Idaho,

November 8, 1960

RECEIVED

FROM

Franklin A. Finney of Sandpoint, Idaho
Five and 19/100 ⁰⁰ DOLLARS

FOR

Carey Act Trust Fund	-	-	-	\$
Application for Permit No.	-	-	-	\$
Proofs 25982	-	-	-	\$ 5.00
Certified Copy	-	-	-	\$
Recording Deed	-	-	-	\$
Certificate	-	-	-	\$
25982 TOTAL	-	-	-	\$ 5.00

Geo. W. Carter

State Reclamation Engineer

By: Edward P. Gule

cash Enc. # 502



ROBERT E. SMYLER
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

RECEIVED
NOV 8 1960
Department of Reclamation

October 20, 1960

Re: Permit No. 25982

Mr. Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Mr. Finney:

Your Proof of Completion of Works under your permit is satisfactory, except you did not remit the fee for the Certificate.

Kindly remit the statutory fee of \$5.00 and the Certificate of Completion of Works will be issued.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By: *Edna P. Rule*
(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

Dear Sir - Enclosed find \$5.00 for fee of above.

Thank

Frank A. Finney

25982

October 20, 1960

Re: Permit No. 25982

Mr. Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Mr. Finney:

Your Proof of Completion of Works under
your permit is satisfactory, except you did not remit the
fee for the Certificate.

Kindly remit the statutory fee of \$5.00
and the Certificate of Completion of Works will be issued.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

RT:EPR:ew

October 20, 1960

RE: Permit No. 25982

Mr. Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Mr. Finney:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in The Sandpoint News-Bulletin, all submitted in proof of beneficial use on Permit No. 25982.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR

25982

Permit No. 25982STATE OF IDAHO
Department of ReclamationRECEIVED
OCT 1 9 1960

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner

ss.

Frank A. Finney, 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. 25982, and that his postoffice address is RT #1, Sandpoint,
State of IdahoSecond: That the name of the stream from which said water is to be diverted is Schweitzer CreekThird: That the point of diversion of said water is Approx. 2300 N.W. feet distant from E 1/4 corner of Sec 35, T58N, R2W B.M. in SW. NE. Sec. 35, S8 N. - 2W.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 4th, 1960Fifth: That the use for which said water is intended is sprinkler irrigation.

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

I. Kind of Works: Motor, pump, main & lateral pipes for sprinkler irrigation.
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:

(a) Height of dam None feet, length of dam at top None feet, length of dam at bottom None feet. Material used in construction None

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir None acre feet.(c) Size of headgate: Width None feet, height — feet.(d) Conduit None width at bottom — feet, width at water line —

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water — feet; diameter of pipe — inches, average grade per mile is — feet. Length of conduit is — miles.Seventh: That said works are capable of conducting to the place of intended use .34 second feet of water.Eighth: That water appropriated under said permit is available for 17 acres of land described as follows: SW 1/4 of NE 1/4 of Section 35, Township 58 North, Range 2 West of Boise Meridian in Bonner County, IdahoNinth: Remarks:—That NoneVoid see Proof dated
8-24-60Frank A. Finney
(SIGN HERE)Subscribed and sworn to before me this 17 day of October, 1960Walter AhlundtNOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHOMy commission expires MY COMMISSION EXPIRES JANUARY 6, 1962

NOTARY PUBLIC

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

25982

RT

AFFIDAVIT

RECEIVED
OCT 19 1960

Department of Reclamation

State of Idaho }
County of Bonner } ss

I, Walter A. Klundt, hereby depose and say that my office was open on October 3 and that no protests were received in connection with the Proof of Completion of Works for Mr. Frank A. Finney, Route #1, Sandpoint, Idaho.

The depositions were not made on October 3, 1960 as originally scheduled due to the fact that Mr. Finney was out of the county at the time.

Subscribed and sworn to before me this 17th day of October, 1960.

Walter A. Klundt

Alice W. Klundt

Notary Public

My Commission expires

2/10/63

25982

Affidavit of Publication

STATE OF IDAHO,)
County of Bonner,) ss.

L. E. Pietsch being first duly sworn on
oath deposes and says that he is Publisher
of The Sandpoint News-Bulletin, a weekly
newspaper printed and published at Sandpoint,
Bonner County, Idaho; that the said Sandpoint
News-Bulletin has been continuously and unin-
terruptedly published in said Bonner County
during a period of 18 months or 78 weeks
prior to the first publication of the hereto
attached notice for publication in the case of
Notice for Publication ; Notice of
Proof Application of Water to Beneficial
Use. Permit # 25982; Frank A. Finney

as it was published in the regular and entire issue
of the said paper for a period of Four
days beginning on the 1st
day of September, 1960, and end-
ing on the 22nd day of September,
1960, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch
Subscribed and sworn to before me this

23rd day of September, 1960

Reginald Carter

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

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

Notice is hereby given that at 8:00 A. M. on the 3rd day of October, 1960, at FHA office, County of Bonner, State of Idaho, before Walter Akundt, proof will be submitted of the application to beneficial use of .34 cubic feet per second of the waters of Schweitzer Creek in accordance with the terms and conditions of Permit No. 25982, heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Frank A. Finney, Rte. No. 1, Sandpoint, Idaho.

The use to which said water has been applied is sprinkler irrigation. The amount applied to beneficial use is .34 cu. ft.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW 1/4 NE 1/4 Sec. 35, T 58N, R 2 W.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is none.

The right to take water from such works is based upon Permit No. 25982.

The source of supply from which such water is diverted is Schweitzer Creek.

The date of priority which said user is prepared to establish is Sept. 26, 1955.

GEO. N. CARTER,
State Reclamation Engineer.
sl-8-15-22

RECEIVED
OCT 19 1960
Department of Reclamation

25982

afw provision
RECEIVED
 OCT 19 1960

Department of Reclamation

STATE OF IDAHO
 DEPARTMENT OF RECLAMATION
 BOISE, IDAHO

Permit No. 25982

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Frank G. Finney, Route #1, Sandpoint,
Idaho, Farmer

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

Ans. _____

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

Ans. No. 25982, October 4, 1955 9-26-55

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

Ans. Schweitzer Creek, SW 1/4 NE 1/4, Sec. 35, T. 58 N, R. 2 W B M
(2300 N.W. feet distant from E 1/4 Corner of Sec 35, T. 58 N, R. 2 W B M)

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

Ans. approx. 2300 NW feet distant from E 1/4 of Sec 35 T. 58 N, R. 2 W B M.
Schweitzer Creek, 34 second feet of water. Pump with 5 HP motor,
12 heads, 7 1/2 gallons per minute per head. Pressure
40 pounds per square inch.

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. Sprinkler irrigation in SW 1/4 NE 1/4 of Section 35,
Township 58 North Range 3 West of Boise Meridian

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. _____

25982

RT

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

Ans. _____

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

Ans. 50 acre feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

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

Ans. Been sprinkler irrigating the 17 acres as indicated above.

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) Frank A. Finney

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 Bonner State of Idaho, on this 17 day of October, A. D. 1960.

Walter A. Klundt

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

My commission expires _____

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

25982

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
OCT 19 1960
Department of Reclamation

PERMIT NO. 25982

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. Thomas J. Wilson, age 45, Soil Conservationist
Route 1, Sandpoint, Idaho.

Ques. 2. Are you acquainted with Frank A. Finney, the holder of Permit No. 25982? How long have you known him and where does he reside?

Ans. I have known Mr. Finney approximately 1 year.
Mr. Finney resides at Sandpoint, Idaho, Bureau Co.

Ques. 3. Have you read or heard read said Permit No. 25982, 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. Schweitzer creek source; Mr. Finney sprinkler
irrigates from this creek by pumping & land
in SW 1/4 NE 1/4 Sec 35 T58N, R24W B.M. Point of
diversion is a location' above.

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. 90 gal/min. 17 sprinkler heads 1 1/2 gal each.

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 is used for irrigation 17 ac. SW 1/4 NE 1/4
Sec 35 T58N R24W B.M. on cultivated land
with hay, grain, berries, potatoes & pasture.

25982

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

Ans. No other use.

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. Good silt loam soil. Approximately
50 acre feet minimum water required

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

Ans. None

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

Ans. Witnessed sprinklers running occasionally
during visits to ranch.

(Signed) Thomas J. Wilson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Sandpoint
County of Bonner, State of Idaho, on this 17 day of October
A. D. 1960.

Walter Ahlundt

Notary Public.

My commission expires NOTARY PUBLIC IN & FOR THE STATE OF IDAHO

RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

25982

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 19 1914
Department of Reclamation

PERMIT NO. 25982

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. Dale R. Sanner, Age 44, Box 614, Sandpoint, Idaho
County Supervisor, Farmers Home Adm.

Ques. 2. Are you acquainted with Frank A. Finney, the holder of Permit No. 25982? How long have you known him and where does he reside?

Ans. I have known Mr. Finney thirteen years and he
resides at Route 1 Sandpoint, Idaho

Ques. 3. Have you read or heard read said Permit No. 25982, 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 of water - Schweitzer Creek. Point of Diversion
SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 35, Twp 58 N. Range 2 W B.M. Sprinkler Irrigation
system by means of Electric motor, pump and aluminum
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. 12 heads at approximately 7 $\frac{1}{2}$ Gal per minute.

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 Irrigation of 17 acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$
Sec 35, Twp 58 North Range 2 W. Water used to Irrigate
garden, hay, grain, Straw berries, potatoes and pasture

25982

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

Ans. None other than Irrigation

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

Ans. Soil is Silt loam. Estimate 50 Acre feet of water for 12 acres.

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

Ans. None

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

Ans. Have witnessed the Irrigation System in use for five years

(Signed)

Walter A. Klundt

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 Bonne, State of Idaho, on this 17 day of October, A. D. 19 60.

Walter A. Klundt

Notary Public.

My commission expires

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

25982

September 19, 1960

Re: Permit No. 25982
Frank R. Finney

Walter A. Klundt
Farmers Home Adm.
Sandpoint, Idaho

Dear Mr. Klundt:

The legal notice has been printed in the paper giving the date of October 3, 1960 at 8:00 A. M. as the time the proofs are to be made.

In case you cannot be in your office at that time, you can have another Notary Public appear in your place and you must make an affidavit that your office was open October 3 and that no protests, or that protests were filed in regard to the proofs. Any protests in regard to proofs must be transmitted to this office.

In case that Mr. Finney cannot be in your office at that time, he and his two witnesses can appear before you on October 17th. You must make an affidavit that your office was open on October 3, and that no protests were received and explain why the depositions were not made at the proper time.

The secretary in your office must be instructed to receive protests in regard to any proofs to be made before you.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS
Office Engineer

25982

RT:ew

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION
Sandpoint, Idaho
September 16, 1960

RECEIVED
SEP 19 1960
Department of Reclamation

Geo. N. Carter
State Reclamation Engineer
Boise, Idaho

Re: Permit No. 25982
Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Mr. Carter:

Reference is made to your letter of August 26, 1960 to the above individual in which you advised him to appear before me to make proof of Beneficial Use under the above permit number.

Both Mr. Finney and myself would like an extension of time to October 17, 1960 at 8:00 o'clock A.M. Please advise if this is satisfactory with your office.

Sincerely yours,

Walter A. Klundt

Walter A. Klundt

25982

August 29, 1960

RE: Permit No. 25982

Frank A. Finney
Rt 1
Sandpoint, Idaho

Dear Mr. Finney:

Enclosed is Certificate of Completion of Works on the above mentioned permit.

Also enclosed is departmental receipt No. 30248 in the amount of \$5.00 for payment of the fee for the Certificate.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. certificate
receipt

25982

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

August 26, 1960

Re: Permit No. 25982

Mr. Frank A. Finney,
Route #1,
Sandpoint, Idaho.

Dear Mr. Finney:

This acknowledges the Notice of Proof of ~~Acceptance of~~ Application of Water to Beneficial Use under Permit No. 25982. The proofs are to be made at 8:00 o'clock A.M., on the 3rd day of October, 1960, ~~xxxx~~, before Walter A. Klundt, FMA office, Sandpoint, Idaho, Notary Public.

As of this date we have mailed the Notice to the Sandpoint News Bulletin with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

Rule
(Mrs.) Edna P. ~~xxxxxx~~
Chief Clerk

Encl.
EPR: puk
cc: Notary

25982

500
8-15-60

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

Re: Permit No. 25982
Frank A. Finney

Date: August 26, 1960

Sandpoint News Bulletin
Sandpoint, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **October 3, 1960** the date set for proof; the expense of the publication is to be paid by the applicant

Frank A. Finney of **Route #1, Sandpoint, Idaho** to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the first publication.**

Very truly yours,


GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense

Encl

25982

RECEIVED
AUG 2 6 1960
Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 24, 1960
Rt # 9
Address Sandpoint, Idaho
City State

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

By Frank A. Finney

(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

25982

RECEIVED
AUG 2 61960

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

Department of Reclamation

Notice is hereby given that at 8:00 A. M. on the 3rd day of October, 1960
at Bonaire County of Bonner, State of Idaho, before
Walter A. Klundt, proof will be submitted of the
application to beneficial use of .34 cubic feet per second of the waters of Schweitzer
Creek in accordance with the terms and conditions of Permit No. 25982
heretofore issued by the Department of Reclamation of the State of Idaho.
The name and postoffice address of the person or corporation holding said permit are: Frank A. Finney, R#1,
Sandpoint, Idaho
The use to which said water has been applied is sprinkler irrigation
The amount applied to beneficial use is .34
The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
SW 1/4 NE 1/4 Sec 35, T58N, R2WB M.

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

None

The right to take water from such works is based upon Permit No. 25982

The source of supply from which such water is diverted is

Schweitzer Creek

The date of priority which said user is prepared to establish is

Sept. 26, 1955

Geo. H. Carter

State Reclamation Engineer.

25982

2

Permit No. 25982

STATE OF IDAHO
Department of Reclamation

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner }
Frank A. Finney, SS.

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. 25982, and that his postoffice address is R#1 Sandpoint State of IdahoSecond: That the name of the stream from which said water is to be diverted is Schweitzer CreekThird: That the point of diversion of said water is approx 2300 NW feet from
2 1/4 corner of Sec 35 T58N, R2W.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by October 4, 1960Fifth: That the use for which said water is intended is sprinkler irrigation

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

I. Kind of works: Motor, pump, main & later pipes for sprinkler irrigation
(Reservoir, dam, ditch, flume, pipe or other use)

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.....

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir.....acre feet.

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

(d) Conduit.....width at bottom.....feet, width at water line.....
(State whether ditch, flume or pipe)

feet, depth of water.....feet; diameter of pipe.....inches, average grade per mile is.....feet. Length of conduit is.....miles.

Seventh: That said works are capable of conducting to the place of intended use.....
.34 second feet of water.Eighth: That water appropriated under said permit is available for 17
acres of land described as follows: SW 1/4 NE 1/4 Sec 35, T58N,
R2W-B.M.

Ninth: Remarks: That.....

Frank A. Finney
(Sign Here)Subscribed and sworn to before me this 24 day of August, 1960Walter O. Klundt

My commission expires

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

Notary Public.

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 8, 1962

25982

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho

July 29, 1960

Frank A. Finney
Route #1
Sandpoint, Idaho

Dear Sir:

Under the terms of your permit No. 25982 you are required to complete your diversion works on or before October 4, 1960. I enclose 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 of Works 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.

Very truly yours,

GEO. N. CARTER

STATE RECLAMATION ENGINEER

Enc. Form 6

25982

July 18, 1957

RE: Permit No. 25982

Mr. Frank A. Finney
Route #1, Box 174
Sandpoint, Idaho

Dear Mr. Finney:

In reply to your letter of July 15th, stating that you are prepared to make proof on your Permit. As you did not state whether you are prepared to make both completion of works and beneficial use proof at this time, as your completion of Works proof on this Permit No. 25982 is not due until October 4, 1960 and beneficial use proof not due until October 4, 1966, we are enclosing both forms in case you are prepared to make both proofs.

In making your completion of works proof use Form 6, complete and have sworn to by you before a Notary Public and return to this office together with a fee of \$5.00. Upon recording same we will issue you a Certificate of Completion.

notice of
Beneficial use/proof is made on Form 10 (in duplicate). before this proof is made, the statutes require publication of a notice once a week for four consecutive weeks in a county newspaper. In completing this form be sure to set the time, the date, place, and naming the Notary Public before whom the final proofs will be made, the quantity of water filed on and the lands which are irrigated.

Form 11, which is the authorization for us to have the notice of proof published in the designated county newspaper at your expense.

All forms to be returned to this office. We will then send the notice to the newspaper and send you the forms for the depositions of yourself and two disinterested witnesses, which are to be executed at the time, on the date set and before the Notary Public as advertised in the publication notice.

Very truly yours,

MARK R. KUTP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:vm
Encl.

25982

RECEIVED

JUL 18 1957

Department of Reclamation

#25982
Schweitzer Creek

4/3 Ave - 34
B) - Oct. 4 - 1960
- Oct 4 - 1966

Sandpoint Ida

July 15/57

Water Right Lin -

Boise Ida

Dear Sirs - I have my irrigation
system in operation now
I want to "pump up" my
water right

Please let me know the
procedure how & what I
am supposed to do to
get it completed.

Thanking you in advance
I remain

Yours Truly

Frank A Finney
Sandpoint

P1

Idaho

Box 174

25982

October 10, 1955

RE: Permit No. 25982

Mr. Frank A. Finney
Route # 1
Sandpoint, Idaho

Dear Mr. Finney:

We enclose Permit No. 25982 and direct your attention to the limitations and conditions as given on the fourth page under Approval of the State Reclamation Engineer.

We also enclose departmental receipt No. 27575 for the \$5.00 fee.

Very truly yours,

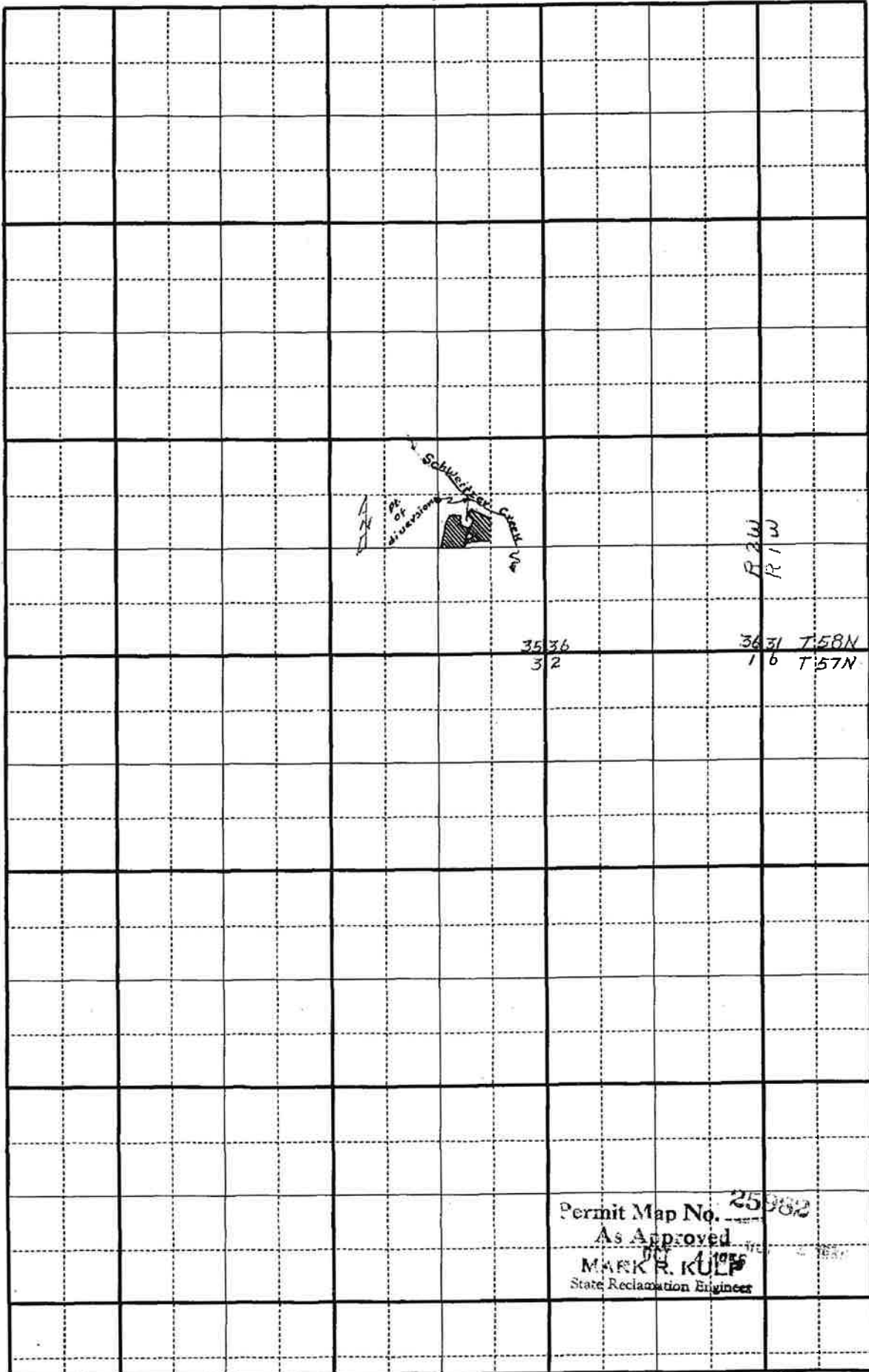
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu
Enc.

25982

NAME OF APPLICANT Frank A. Eusey M. line Form No. 0



Permit Map No. 25982
As Approved
MARK R. KULP
State Reclamation Engineer

SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

25982

Permit No. 25982

August 22, 1955

Mr. Frank A. Finney
Route 1
Sandpoint, Idaho

Dear Mr. Finney:

In reply to your letter of August 19, we enclose a form of application for permit to appropriate the Public Waters of the State of Idaho, together with a pamphlet giving regulations and instructions in regard to filing same.

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

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

25982

RECEIVED
AUG 22 1955
Department of Reclamation

Sandpoint Ida
Aug 19/55

Dear Sir -

Please send me Form no 1 for the
appropriation of public waters
Water to be used for sprinkler
irrigation of farm lands.

Thanks.

Yours Truly
Frank A. Finney
Sandpoint
Ida

25982

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

Notice is hereby given that at 8:00 A. M. on the  day of October, 1960, at FHA office, County of Bonner, State of Idaho, before Walter Aklundt, proof will be submitted of the application to beneficial use of .34 cubic feet per second of the waters of Schweitzer Creek in accordance with the terms and conditions of Permit No. 25982 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Frank A. Finney, Rte. No. 1, Sandpoint, Idaho.

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

The amount applied to beneficial use is .34 cu. ft.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T. 8N, R. 2 W.B.M.

The name of the canal or ditch or other works by which said water is conducted to such place if use is none.

The right to take water from such works is based upon Permit No. 25982.

The source of supply from which such water is diverted is Schweitzer Creek.

The date of priority which said user is prepared to establish is Sept. 26, 1955.

GEO. N. CARTER,
State Reclamation Engineer.