

January 3, 1928.

Re: Permit No. 16622.- H. E. Brown.

Mr. Allen P. Asher,
Attorney at law,
Sandpoint, Idaho.

Dear Sir:-

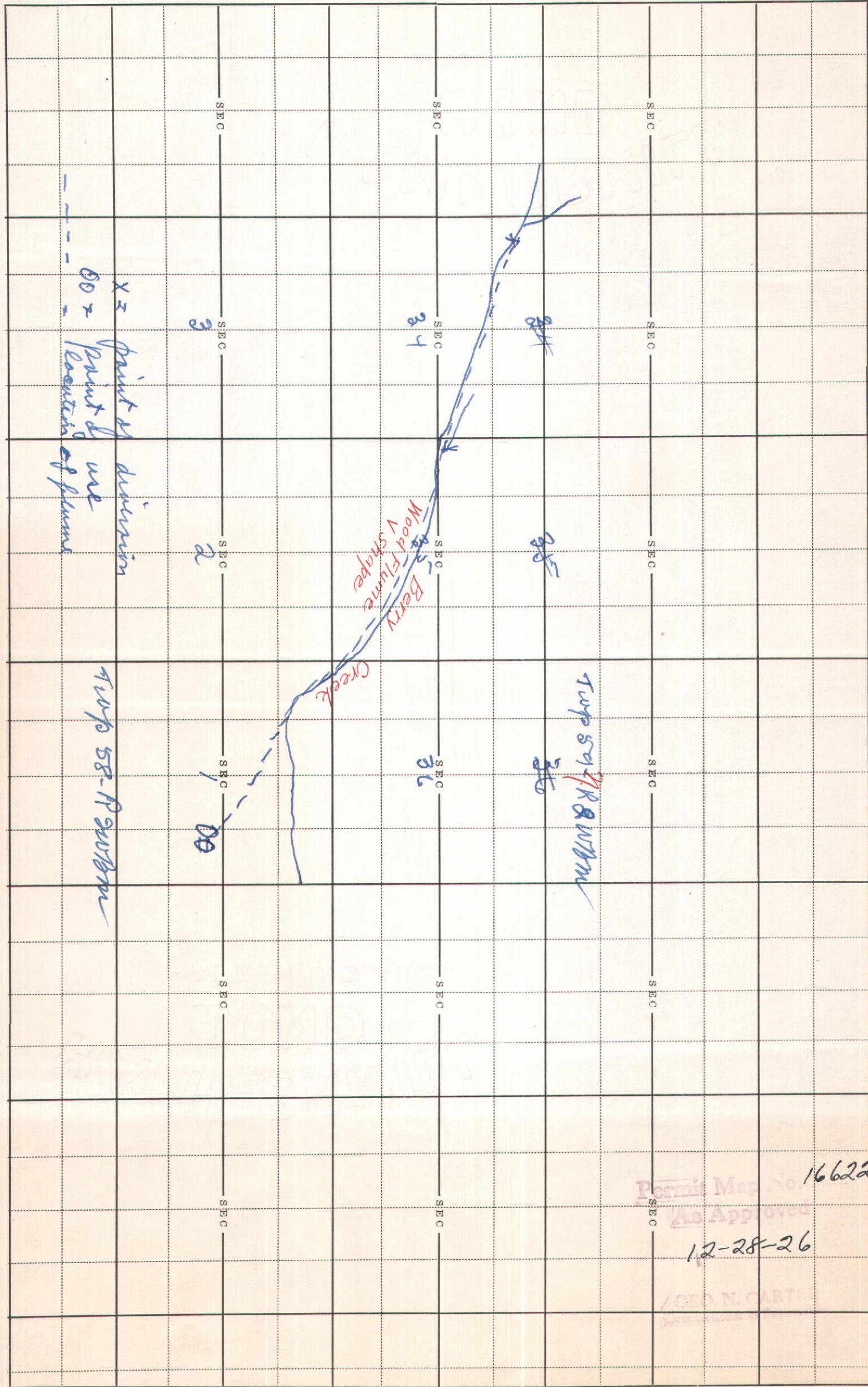
We are in receipt of your letter of the 30th ult., enclosing depositions of holder and witnesses, together with the affidavit of publication for proof of beneficial use of water under the above permit. These are in proper form and will be placed on file here without further action until the required examination can be made by our field engineer later in the year. This examination will not be made before July or August, at which time we will have an engineer in the northern part of the state for such work.

Very truly yours,
GEO. H. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

16622

H. G. Brown



16622

16622
12-28-26
/CED. N. CARTER
Commissioner

State of Idaho
License and Certificate of Water Right

Water License No. 16622
Water District No.

Amount 25 sec. ft.
Priority 12-22-1926

THIS IS TO CERTIFY that H. E. BROWN, of Sandpoint, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 22, 1926; that Permit No. 16622 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 25 second feet, was issued thereunder on March 29, 1929, showing that said works were completed on the 29th day of December, 1927; and that on the 29th day of December, 1927,

H. E. BROWN, of Sandpoint, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Berry Creek, a tributary of Columbia River, for the purpose of floating logs and other timbers, under Use Permit No. 16622 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3574, on the 29th day of March, 1929; The right hereby confirmed dates from December 22, 1926;

The Point of Diversion is located in the NW 1/4 NW 1/4, Sec. 34, Tp. 59 N., R. 2 W., B. M., Bonner County. That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 25 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			About 800 feet southeast from the NW 1/4 NW 1/4 Sec. 34, Twp. 59 N., R. 2 W., B. M., running by flume to pond about 1200' west from the East Quarter Corner of Sec. 1, Twp. 58 N., R. 2 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 Commissioner of Reclamation, affixed at Boise, Idaho, this 29th day of March, 1929.

GEO. N. CARTER
Commissioner of Reclamation

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 16756

Amount 2.0 sec. ft.

Water District No.

Priority **9-7-1927**

THIS IS TO CERTIFY that the **HIGHLAND-SURPRISE CONSOLIDATED MINING COMPANY,**
of **Kellogg, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **September 7**, 19 **27**; that Permit No. **16756**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
two (2) second feet, was issued thereunder on **March 30**, 19 **29**, showing that said works
were completed on the **22nd** day of **March**, 19 **28**; and that on the **28th**
day of **March**, 19 **28**, the

HIGHLAND-SURPRISE CONSOLIDATED MINING COMPANY,
of Kellogg, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Stewart Creek
, a tributary of Pine Creek, for the purpose of mining, milling
and domestic use, under Use Permit No. 16756 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 6
of Licenses, at page 3575, on the 30th day of March, 1929;

The right hereby confirmed dates from **September 7**, 19**27** ;

The Point of Diversion is located
in the **SE** $\frac{1}{4}$ **NE** $\frac{1}{4}$, Sec. **26**, Tp. **48 N.** R. **2 E.**, B. M.
Shoshone County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **2.0** cubic feet per second.

Description and location of use: At mining property of applicant, located in

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
48 N.	2 E.	26			

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 30th day of March, 1929.

GEO. N. CARTER

Commissioner of Reclamation

(SEAL)

APPLICATION FOR PERMIT 96-2117

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 23517
Permit No. 16622
District No.

1. Name of Applicant: H. E. Brown.

Postoffice address: 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:

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

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 25 cubic feet per second.

3. Source of water supply: Berry Creek, which is a tributary of Pack River.

4. Location of point of diversion: 800 (S.E.) feet distant from the NW corner of Section 34, T. 59 N., R. 2 W., B. M., and is in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34, T. 59 N., R. 2 W., B. M., County of Bonner.

5. Water is to be used for: log flume.

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

(a) Point of use of water: West 1200 feet distant from E $\frac{1}{4}$ corner of Section 1, T. 58 N., R. 2 W., B. M., in the SE $\frac{1}{4}$ of Section 1, T. 58 N., R. 2 W., B. M.

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

(c) Water is to be returned to Colburn Creek at point of use. feet distant from the corner of Section, T., R., B. M., in the of Section, T., R., B. M.

7. Estimated cost of works: \$

8. Kind of works: Dam, flume and mill pond.

9. Height of dam 10 feet; length of dam at top 120 feet; length of dam at bottom 100 feet; material used in dam: logs and earth.

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 V-shape, 42-inch sides.

Diameter of pipe inches; length of conduit 3 $\frac{1}{2}$ miles.

Average grade per mile 50 feet.

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

13. The time required for the complete application of the water to the proposed use is no additional years.

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

15. (a) Is reservoir to be used? 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.

H. E. Brown, Applicant.

By Allen P. Asher, Agent.

Date of first receipt at Department of Reclamation: 9.00 a.m. December 22, 1926.

Returned to applicant for correction:

2. **Corrected application received:**

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 16622.

Recorded in Book 60; Page 16622. Approved December 29, 1926.

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 \$2000 to be filed on or before

Work to begin on or before **February 27, 1927,** and to continue diligently and uninterruptedly to completion,

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

One-fifth of the work above specified to be completed on or before June 29, 1927.

The whole of said work to be completed on or before December 29, 1927.

Beneficial use of water appropriated in accordance herewith, to be made on or before December 29, 1927.

Witness my hand this 29th day of December, 1926.

GEO. N. CARTER,
Commissioner of Reclamation.

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	
			Dam located on NW¼ of NW¼ of Sec. 34, Township 59 N., Range 2 W., B.M. for purpose of storing water for flume. Later, similar dam will be located at point further up on creek and as work progresses flume will be extended and dam located at a third location. Length of flume will be about 3½ miles with fall of about 100 feet to mile. Proof of Completion of Works made December 29, 1927 Certificate of Completion of Works issued March 29, 1929 Permit No. 16622 Certificate of Completion of Works To All Whom It May Concern: This is to certify that H. E. Brown, of Sandpoint, County of Bonner, and State of Idaho, the holder of Permit No. 16622, issued upon Application No. 23517, bearing date of priority of December 22, 1926, authorizing the diversion of 25 second feet of the waters of Berry Creek, County of Bonner, State of Idaho, for floating logs and other lumber 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 25 second feet of the waters of Berry Creek; that the point of diversion of said waters is in the NW¼NW¼ Sec. 34, Twp. 59 N., R. 2 W., B. M., and that the place of use of said water is about 800 feet southeast from the NW¼NW¼ Sec. 34, Twp. 59 N., R. 2 W., B. M., running by flume to pond about 1200' west from the East quarter corner of Sec. 1, Twp. 58 N., R. 2 W., B. M. Witness my hand this 29th day of March, A. D. 1929. GEO. N. CARTER Commissioner of Reclamation																

March 29, 1929

Re: Permit No. 16622

MR. H. E. BROWN
Sandpoint, Idaho

Dear Sir:

There are transmitted herewith
Certificate of Completion of Works and Water
License, issued under the above numbered Per-
mit, together with receipt for fees.

Very truly yours,

GEO. H. CARTER
Commissioner of Reclamation

By
Chief Clerk

Encls.

16622

H. E. BROWN TIMBER COMPANY
LUMBER AND CEDAR PRODUCTS

P. O. DRAWER C

PHONE 500

SANDPOINT, IDAHO March 25th, 1929.

H. E. BROWN, MANAGER

Mr. Geo. N. Carter,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:-

Your letter of the 22d inst., We are enclosing check
for \$14.50 to pay for Permit No. 16622.

Yours very truly,

H. E. Brown Timber Company.

16622

March 22, 1929.

Re: Permit No. 16622.

MR. H. E. BROWN
Sandpoint, Idaho.

Dear Sir:-

The report of our examining engineer for completion of works and beneficial use of water under your above permit is now on file in this office and is satisfactory. Upon receipt of fees in the sum of \$14.30 the certificate of completion of works and water license will be issued you.

The fees are based upon a capacity of 25 second feet, being \$5.00 for the first 10 second feet capacity and 30 cents additional for each additional second foot, or fraction, for completion of works, and \$5.00 for proof of use of water.

Very truly yours,
GEO. W. CARTER
Commissioner of Reclamation.

By _____
Chief Clerk.

16622

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

Permit No. 16622

This proof is for BEN. USE WATER

In Water District No.

1. Name of applicant: H. E. Brown

2. Source of water supply: Berry Creek

3. Location of point of diversion: Is in the NW 1/4 of Section 34

T. 59 N. R. 2W County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: Log crib dam

80 ft long x 10 ft high. Outlet gate 4 ft wide x 8 ft high
"V" flume with 4 ft sides x 3 miles long terminating
at saw mill pond on Colburn Creek

5. Water is used for: float logs to saw-mill

6. State whether or not water has been turned into works of diversion: yes

List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): In T. 58 N., R. 2 W.

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

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

Remarks:

This examination was made on the 3rd day of Sept 1928

16622

(Signed)

Examiner.

82-
H. E. BROWN
Sandpoint

Permit No. 16622.....

Examination for Beneficial Use.....

Bonne r

County

INSTRUCTIONS TO EXAMINERS

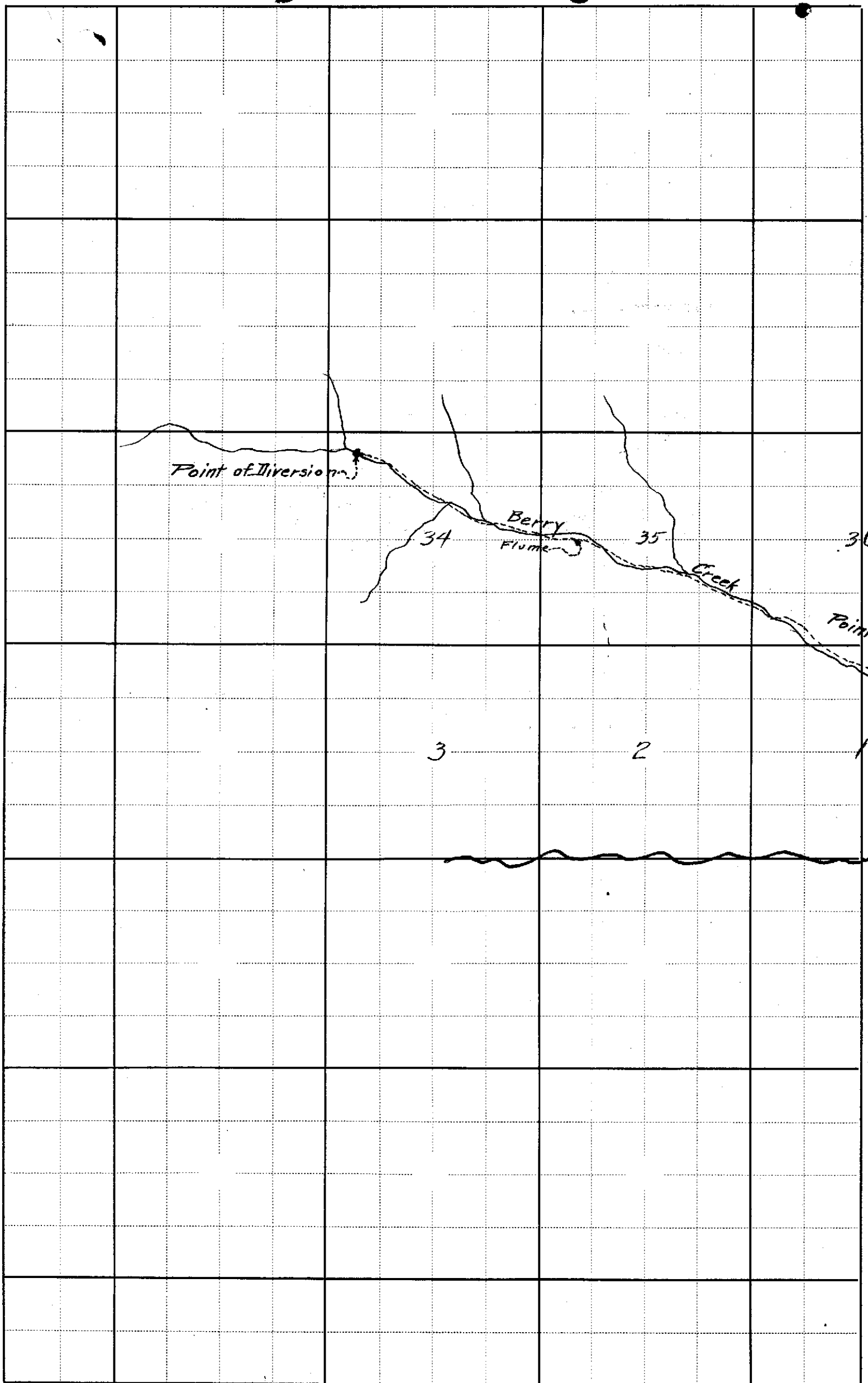
1. Always carefully note the location of the point of diversion, and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the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

REPORT OF ENGINEER

PERMIT NO._____

REPORT ON PROOF OF_____



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

16622

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery.

APR 9 1928

16622

Form 2511

U. S. GOVERNMENT PRINTING OFFICE: 1927

Post Office Department

OFFICIAL BUSINESS

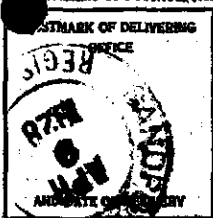
REGISTERED ARTICLE

No. 6010

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE TO ANY OTHER PAYMENT OF POSTAGE, \$300



Return to _____

COMMISSIONER OF RECLAMATION

(NAME OF SENDER)

**Street and Number, }
or Post Office Box, }** _____

BOISE,

IDAHO.

January 3, 1922.

Re: Permit No. 16622.- H. H. Brown.

Mr. Allen P. Asher,
Attorney at law,
Sandpoint, Idaho.

Dear Sir:-

We are in receipt of your letter of the 30th ult., enclosing depositions of holder and witnesses, together with the affidavit of publication for proof of beneficial use of water under the above permit. These are in proper form and will be placed on file here without further action until the required examination can be made by our field engineer later in the year. This examination will not be made before July or August, at which time we will have an engineer in the northern part of the state for such work.

Very truly yours,
GEO. H. CARTER,
Commissioner of Reclamation.

By _____
Chief Clerk.

16622

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ALLEN P. ASHER
ATTORNEY & COUNSELLOR AT LAW
SANDPOINT, IDAHO

December 30, 1927.

Dept. of Reclamation
Boise, Idaho

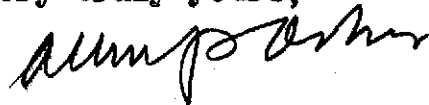
Gentlemen:

Re: Permit #16622
H. E. Brown

I hand you herewith
deposition of H. E. Brown, holder of per-
mit as to Proof of Completion of Works
and Proof of Beneficial Use. Affidavits
of Abe Johnson and H. A. Sewell, Civil
Engineer and Affidavit of Publication of
Notice are also inclosed.

Trusting that you will
find these papers in due form, I beg to
remain,

Very truly yours,



apa:Ab
Encs.

16622

AFFIDAVIT OF PUBLICATION

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

J. G. Parsons being first duly sworn on oath deposes and says, that he is publisher of the Pend d' Oreille Review, a weekly newspaper printed and published at Sandpoint, Bonner County, Idaho; that the said Pend d' Oreille Review has been continuously and uninterruptedly 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 of proof of completion of works and application of water to Beneficial use. as it was published in the regular and entire issue of the said paper for a period of four consecutive weeks, commencing on the 17th day of November, 1927, and ending on the 8th day of December, 1927, and that said notice was published in said newspaper proper, and not in supplement form.

Subscribed and sworn to before me this 8th day of December, 1927.

W. E. E. E. E. E.
Notary Public for Idaho.
Residing at Sandpoint, Idaho

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at Sandpoint, Idaho, on the 29th day of December, 1927, at 10 o'clock a. m., county of Bonner, State of Idaho, before Allen P. Asher, proof will be submitted of the completion of works for the diversion of 25 cubic feet per second of the waters of Berry creek and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 16622, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation, holding said permit, are H. E. Brown, Sandpoint, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is 25 cubic feet per second.

3. The use to which said water has been applied is log flume and mill pond purposes and the amount applied to beneficial use is 25 cubic feet per second.

4. The place where said water is used is about 800 feet southeast from NW quarter of NW quarter of Section 24, Twp. 53 N. R. 2 W. B. M., running by flume to pond about 1200 feet west from E $\frac{1}{4}$ corner of Section 1, Twp. 53 N. R. 2 W. B. M.

5. The date of priority which said user is prepared to establish is December 22, 1926.

GEO. N. CARTER,
Commissioner of Reclamation.
N17-24 D1-8

16622

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. H. E. Brown, age 53, Lumberman, Sandpoint, Idaho.

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

Ans. Self

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

Ans. No. 16622. Dec. 22nd, 1926, 25 Sec. feet. Berry Creek

NW 1/4 NW 1/4 Sec. 34 Twp 59 N R. 2 W.B.M.

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

Ans. Fluming logs and timber products

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

Ans. Yes. Full amount of 25 sec. feet turned in about June 20th 1927 and used continuously since

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

Ans. yes fully completed

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

Ans. Fully comply

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

Ans. Earth and log pressure type dam. 10 feet high by 80 feet long. V type flume 3.2 miles long. Log pond and saw-mill. Capacity 50 second feet. Flume, dam and mill pond cost about \$28,000.00

(Sign here.)

H. E. Brown

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 29th

day of

December

A. D. 19127

Alvin P. Allen

Notary Public.

My Commission expires Nov 12, 1929

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

Permit No. 16622

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Abe Johnson, 50 years, Woodsman, Sandpoint, Idaho.

Ques. 2. Are you acquainted with H. E. Brown, the holder of Permit No. 16622, authorizing the diversion of 25 second-feet of the waters of Berry Creek NW $\frac{1}{4}$ NW $\frac{1}{4}$ 34-59-2W., at flume purposes? How long have you known him, and where does he reside?

Ans. 20 years Lives at Sandpoint, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16622, and are you familiar with its terms and conditions? Yes.

Ans.

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

Ans.

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

Ans. Yes

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

Ans. Earth and log dam about 80 feet long. 3 $\frac{1}{2}$ miles or flume V shape with 3 $\frac{1}{2}$ foot sides. Capacity of flume 50 cubic feet per second. Dam is about 10 feet high.

(Sign here.)

Abe Johnson

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sandpoint, County of Bonner, State of Idaho, on this 29th day of December, A. D. 1912

Allen P. Allen
Notary Public

My Comm. Expires 2012/2/29

16622

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

Permit No. 16622

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. H. A. Sewell; 38; Newport, Wash., residence; Civil Engineer;
P.O., Newport, Wash.

Ques. 2. Are you acquainted with H. E. Brown, the

holder of Permit No. 16622, authorizing the diversion of 2.5 second-feet of the waters of

Berry Creek, tributary of Pack River, at NW 1/4 of NW 1/4, of
Sec. 34, T 59 N, R 2 W, B. M., for manufacturing purposes? How long have you known him, and where does he reside?

Ans. I have known him for thirteen months, residing at Sandpoint, Idaho.

Ques. 3. Have you read or heard read said Permit No. 16622, and are you familiar with its terms and conditions?

Ans. Yes.

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

Ans. No use claimed for irrigation.

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

Ans. Yes.

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

Ans. A log crib, earth, and pressure type dam, 10 ft. high and
eighty feet long provides a small storage for sluicing purposes and
diverts water to a 42" V-type Flume, 3.2 miles long, with an
average grade of 6%, minimum grade 1%, capacity 50 cu. ft.
per second, used for transportation of logs, poles, posts, etc.

(Sign here.)

H. A. Sewell,

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

of Bonner, State of Idaho, on this 29th day of

December

A. D. 1927

Arthur
Notary Public

16622 my Comm. expired Nov 12 - 1927

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16622

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. N. E. Brown, 53 yrs. Sandpoint, Idaho, Lumberman
Sandpoint, Idaho

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. for self

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

Ans. Dec. 22nd, 1926. # 16622. Dec. 22nd, 1926

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

Ans. Berry Creek. NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34 Twp 59 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.

Ans. Earth and log dam 10 feet high 80 feet long. 3.2 feet miles
of V flume 42 in. high. Capable of carrying 50 second feet
Use 25 Second feet.

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. Used to float logs and timber products from woods to
saw-mill

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

Ans. Flume purposes no irrigation or water power.

16622

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

Ans. 25 second feet

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

Ans. _____

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

Ans. Used continuously since June 20th, 1927. 25 second feet

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

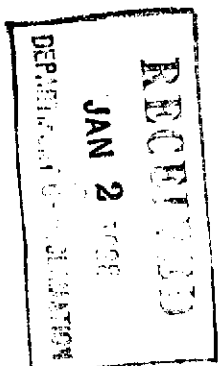
Ans. None

(Sign) _____

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 29th day of December A. D. 1927.

Alvin Parker
Notary Public

My commission expires Nov 12, 1929



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16622

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. H. A. Sewell; 38; Newport, Wash. residence; Civil Engineer; P.O. Newport, Wash.

Ques. 2. Are you acquainted with H. E. Brown, the holder of Permit No. 16622? How long have you known him and where does he reside?

Ans. Yes, I have known him for thirteen months

Ques. 3. Have you read or heard read said Permit No. 16622, 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. A log crib, pressure type, and earth dam, 10 ft. high and eighty feet long in NW 1/4 of NW 1/4 of Sec 34, T 59 N, R 2 W, B. M. diverts waters of Berry Creek, Tributary of Pack River, into a 92" V-type Flume, 3.2 mi. long, average grade 6.7%, minimum grade 1.7%, capacity 50 cu. ft. per sec., used for transportation of logs, poles, posts, etc.

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. Fifty Cu. Ft. per second is capacity; have seen at least 25 cu. ft. per sec. in Flume

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

Ans. For Transportation of logs, poles, posts, etc.

16622

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

Ans. Entire Flow of creek outside of what is necessary to maintain Fish

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. _____

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.

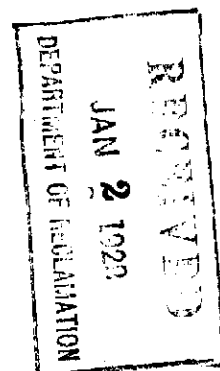
Ans. Am Manager and Engineer of Interstate Eng. & Const. Co. who built dam and Flume for Mr. Brown.

(Signed) _____

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 Boise, County of Boise, State of Idaho, on this 29th day of December, A. D. 1927.

Alvin C. Carter
Notary Public.

My commission expires Nov 12 1929



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

PERMIT NO. 16622

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. Abe Johnson, 50 years, Woodsman, Sandpoint, Idaho

Ques. 2. Are you acquainted with H. E. Brown, the holder of Permit No. 16622? How long have you known him and where does he reside?

Ans. 20 years, Resides at Sandpoint, Idaho

Ques. 3. Have you read or heard read said Permit No. 16622, 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. Berry Creek, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2234, Twp 59 N. R. 2 W. B.M.

Earth and log dam, 10 feet high, and about 80 feet long.

3.2 miles of V flume, 42 inch sides.

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. 25 cubic feet per second

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

Ans. Used for fluming timber products from woods to

saw-mill. Improvements are mill pond and saw mill

16622

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

Ans. Water is conducted from dam into flume and conducted a
long flume to mill pond about 3.2 miles. Timber products
are floated down flume to mill.

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. _____

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.

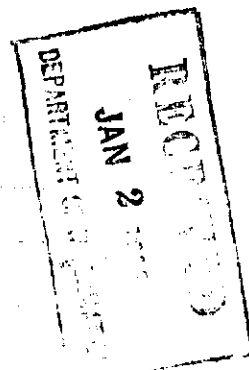
Ans. Have been working on this operation since February 1927
and have seen the flume in daily operation. 3,000,000 feet
of saw logs flumed and about 9,000 cedar poles.

(Signed) _____

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 29th day of December, A. D. 19 27.

Notary Public.

My commission expires Nov 12 1929



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS
AND
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

Dec. 20, 1927

H. E. Brown,

c/o Allen P. Asher,
Sandpoint, Idaho.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under Permit No. 16622

DEPOSITION OF PERMIT HOLDER.

DEPOSITIONS OF TWO WITNESSES.

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

1. On Dec. 29, 1927, the date set for proof, the enclosed forms (two for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at Sandpoint before Allen P. Asher, notary public.

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

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

Yours truly,

GEO. N. CARTER ~~W. G. SWENDSEN~~
Commissioner of Reclamation.

16622

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date Nov. 9, 1927

PUBLISHER THE PEND D'OREILLE *Review*

Sandpoint, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 29, 1927, the date set for proof, the expense of the publication to be paid by the applicant, H. E. Brown, of Sandpoint, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

SEO. W. CARTER,

Commissioner of Reclamation.

16622

November 9, 1927.

Re: Permit No. 16622-H. E. Brown.

Mr. Allen P. ⁶¹Asser,
Attorney at law,
Sandpoint, Idaho.

Dear Sir:

Referring to your letter of the 31st ult.,
would say that notice for publication for proof
of completion of works and beneficial use of
water under the above numbered permit has today
been mailed to the Pend O'Reille Review at
Sandpoint.

Deposition blanks for holder and two witnesses
will be mailed to you in time for proof to be made
on the date set.

Very truly yours,

GEO. N. CARTER,
Commissioner of Reclamation,

By

Chief Clerk.

B:P

16622

ALLEN P. ASHER
ATTORNEY & COUNSELLOR AT LAW
SANDPOINT, IDAHO

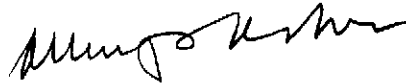
October 31, 1927.

George N. Carter
Department of Reclamation
Boise, Idaho

Dear Sir: In re: Permit #16622
 H. E. Brown

I am inclosing you
Notice of Proof, completion of works and
Letter of Instructions for publication
in the Pend d'Oreille Review; also Notices
for Publication, which I presume should be
filled out.

Very truly yours,



APA:AB
Encs.

16622

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 31 - 1927

(P. O.) Idaho Falls Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Pand d'Veille Review of Idaho Falls, published in the county in which the works are situated.

H. E. Brown
Reginald J. Smith
Attorney

(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.

16622

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at Sandpoint Idaho on the 29th
day of December, 1927, at 10 o'clock am, County of
Bonner State of Idaho, before Clump Asher
proof will be submitted of the completion of works for the diversion of 25
cubic feet per second of the waters of Berry Creek
and of the application to beneficial use of said water in accordance with the terms and conditions
of Permit No. 16622, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

J & Brown
Sandpoint Idaho

2. Said works of diversion will be fully completed on the date set for such completion, and the
amount of water which said works are capable of conducting to the place of use, in accordance with
the plans accompanying the application for such permit, is 25 cubic feet per second.

3. The use to which said water has been applied is log flume mill pond
irrigation and domestic purposes and the amount applied to beneficial use is 25 cubic feet per second.

4. The place where said water is used is about 800 feet South east from
no quarter of two quarters of sec 34 Twp 59N
R 2 W Bm running by flume to pond about
1200 ft West from E 1/4 corner of sec 1 - Twp 58N R 2 W Bm

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

December
29 - 1926

J & Brown

October 28, 1927

Re: Permit No. 16622-H. B. Brown

MR. ALLEN P. ASHER
Attorney at Law
Sandpoint, Idaho

Dear Sir:

In reply to your letter of October 25, relative to Permit No. 16622, I beg to advise that both proofs may be made on this permit at this time. I am enclosing appropriate blanks for such proofs.

In the matter of filing on the water of Colburn Creek for mill pond: It is my opinion that this is unnecessary if the water is backed-up for pondage only. If the pond is used for purposes of storing water and released into various ditches it is entirely possible that you should file an application for permit, but if used for pondage only and the natural flow is not interrupted once the pond is full, I take it that you are within your rights in using the pond without appropriation.

Very truly yours,

Assistant Commissioner
of Reclamation

MS/e
Enclosures

16622

ALLEN P. ASHER
ATTORNEY & COUNSELLOR AT LAW
SANDPOINT, IDAHO

October 25, 1927.

George N. Carter, Commissioner
Department of Reclamation,
Boise, Idaho

Dear Sir:

Am writing you relative to permit
#16622 on behalf of H. E. Brown, permit holder.

The entire work under this permit
has been completed and Mr. Brown is ready to make
final proof at this time. Can this be done at
this time and thus avoid making two different
proofs?

In looking over the completed works
that Mr. Brown has constructed, I find that his
mill pond is located on what is known as "Colburn
Creek." This is improved by a considerable dam
and makes a pond several acres in extent. The
flow in Colburn Creek is increased rather than
diminished. The mill pond is on land owned by Mr.
Brown and it occurred to me that no permit was
necessary as to the mill pond on Colburn Creek.
If, in your opinion, it would be necessary to make
filing to cover the mill pond, will have applica-
tion prepared and forwarded.

Very truly yours,



APA:AB

16622

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Sept. 8, 1927

H. E. Brown,
Sandpoint, Idaho.

Boise, Idaho,

DEAR SIR:

I enclose herewith blank form upon which to give notice that you are prepared and desire to submit proof of completion of works under your permit No. 16622.

This form should be filled out and mailed to the Department of Reclamation, at least 60 days before the date upon which proof is to be submitted, which proof MUST be on or before Dec. 29, 1927. Upon receipt of the blank properly filled out, notice for publication will be sent to the paper direct from this office, which notice must be published a period of four weeks prior to the date of proof.

The proof may be submitted at any place convenient to you and two witnesses, where there is a notary public or other officer authorized to administer oaths.

The certificate that shall be issued under this proof does not give you a perpetual right to the use of the water for which application is made, as it only confirms the completion of the 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

Commissioner of Reclamation.

16622

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Sept. 8, 1927.

H E. Brown,
Sandpoint, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **16622**, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and date it is submitted.

Yours truly,

GEO. H. CARTER.

Commissioner of Reclamation.

16622

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

Permit No. 15622.

Mr. Allen P. Asher,

Boise, Idaho,

Dec. 29, 1926.

Sandpoint, Idaho.

Dear Sir:

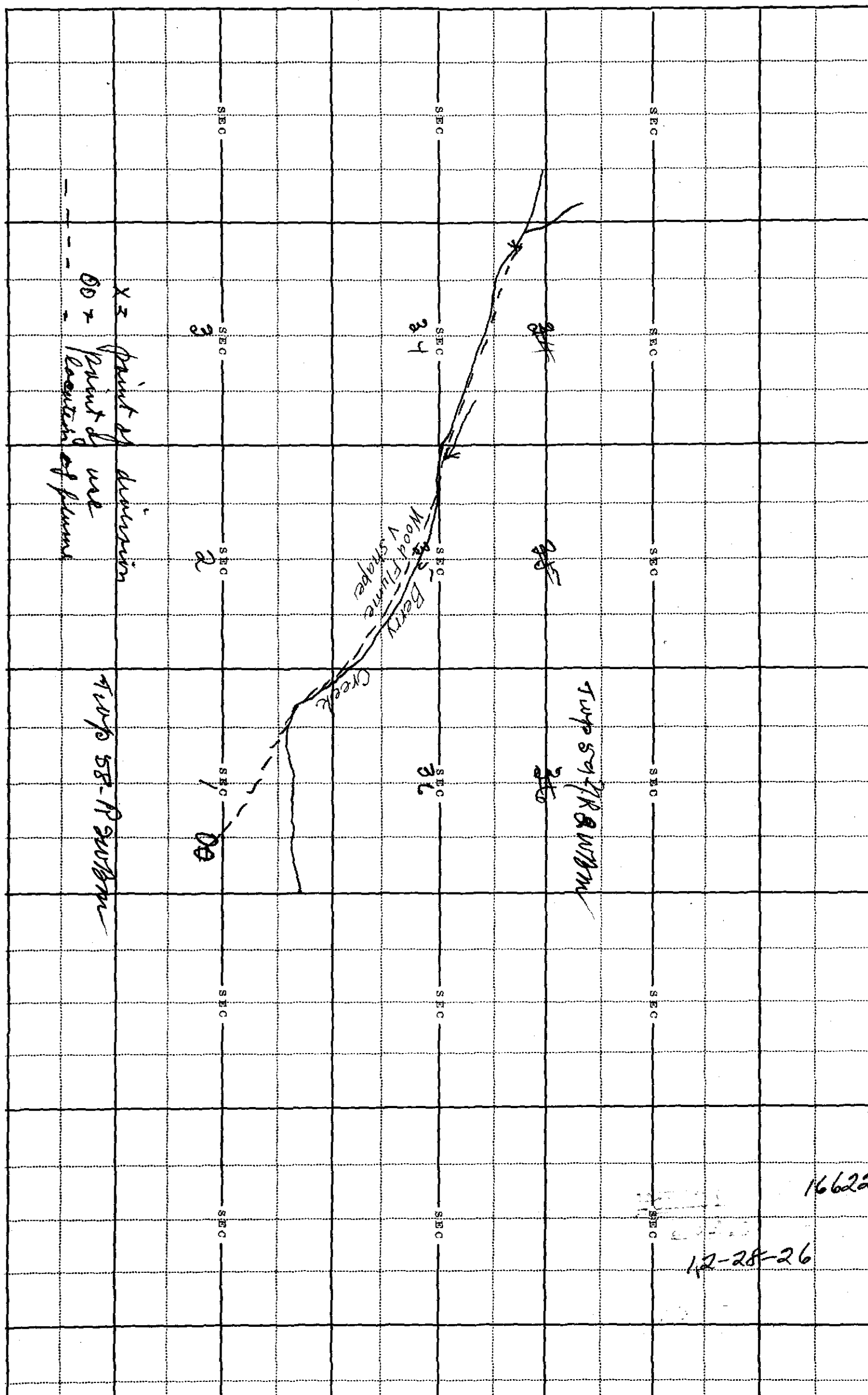
I enclose herewith above numbered permit. BE SURE AND NOTE
LIMITATIONS AND CONDITIONS OF SAME as given under approval of
the Commissioner of Reclamation on the third page.

We are enclosing herewith check for \$2.60, refund on fee submitted.

GEO. N. CARTER,
Commissioner of Reclamation.

ENC.

16622



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

16622

ALLEN P. ASHER
ATTORNEY & COUNSELLOR AT LAW
SANDPOINT, IDAHO

December 20, 1926

George N. Carter
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

I am enclosing Application on behalf of H. E. Brown Timber Company for the appropriation of sufficient water from Berry Creek to operate a 42-inch log flume. I am aware that the data given in the application is not complete, but the engineers are now working on the survey, and will not be able to submit you definite information until they have finished, but client wishes to have their application filed and priority to date from the filing of this application. This company has purchased all of the timber in the Berry Creek water shed so there is no possible conflict with any other concern that might wish to operate a log flume, and I am satisfied from observation and from your letter of December 16th that there is no irrigation water right that would in any wise be interfered with.

The logging and saw-mill operations that will be dependent on this flume is quite extensive, and will call for the fluming of over seventy-five million feet of logs besides a very large quantity of Cedar poles. A mill pond and saw-mill is to be constructed and the whole operation will employ about seventy-five men over a period of five to ten years.

As you will notice from the application the first point of diversion is located in about the middle NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 34, Twp. 59N. Rge 2 W. B. M., and at this point of diversion a dam will be built about 120 feet in length and possibly ten (10) feet high, constructed of logs and dirt. As the operation proceeds the dam location will be changed and moved further up the creek to accommodate the fluming of the timber higher up.

16622

ALLEN P. ASHER

SANDPOINT, IDAHO

TO Geo. N. Carter

No. 2.

2

All of the engineering data will be supplied by the report of the surveyors that are now working.

I trust that you will be able to file the application at once and permit client to furnish the surveyors' plat and other data just as soon as the survey is complete.

I am enclosing money-order for \$6.00 as an estimate on the filing fees.

Very truly yours,



APA/FC
Encls.

16622