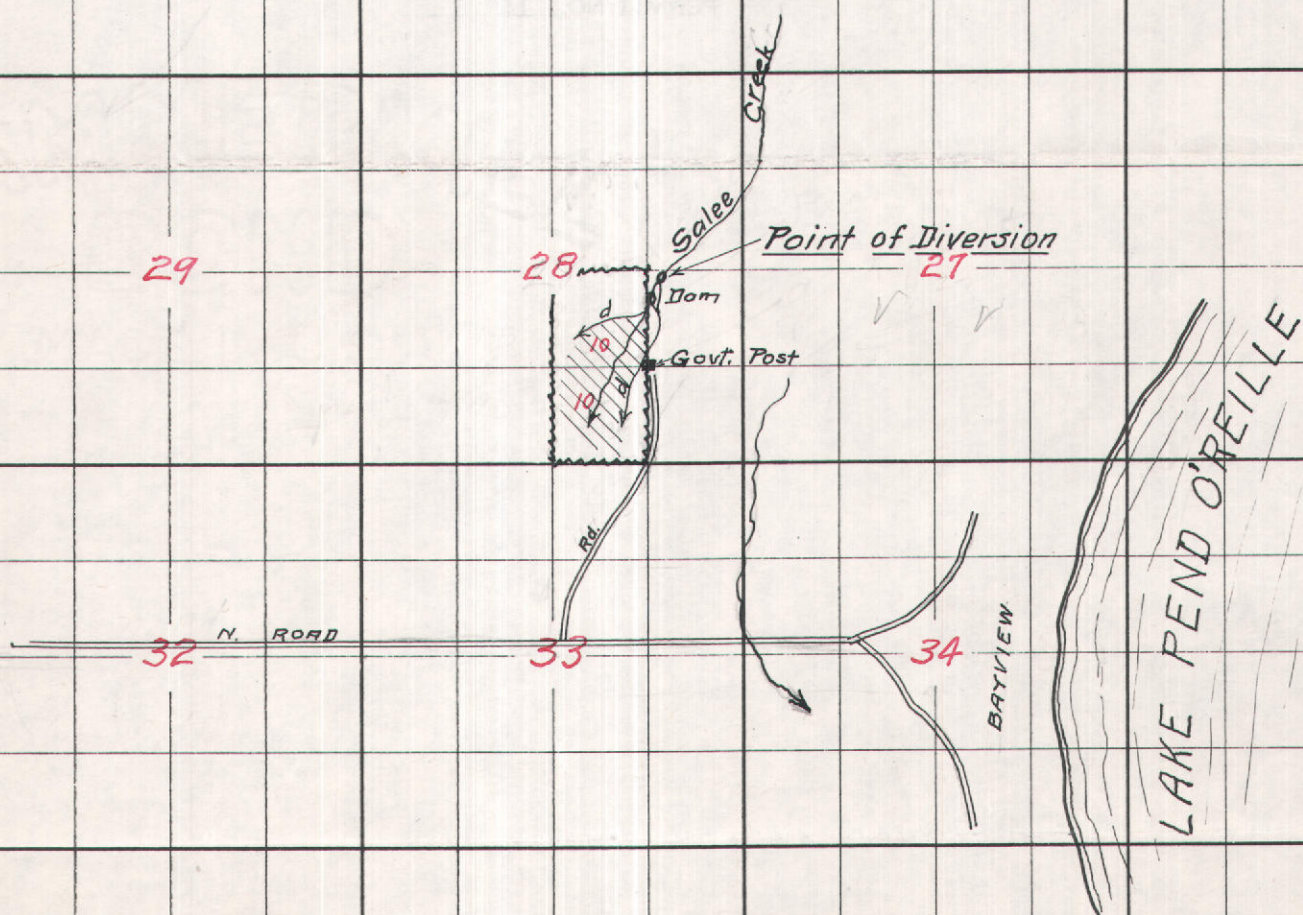




J. N. EMERSON
SID H. MANN



1517-1524 OLD NATIONAL BANK BLDG.
TELEPHONE MAIN 2899

Removed to
No. 6 Post St.
Between Riverside & Sprague.
Peyton Building.

EMERSON-MANN CO.

Wholesale and
Retail

Ladies' and Misses' Apparel
SPOKANE, WASH.

March 27 - 1926

Commissioner of Reclamation
State of Idaho
Boise, Idaho.

Dear Sir :-

Referring to my permit # 14828 dated
Aug. 2nd 1920 applying for water from Salee Creek
located in NE4 - SE4 of Sec 28 Twp 54 N Range 2W in
Kootenai County, Idaho.

Owing to illness I was unable to go
ahead with final report on this work and would like
to know what proceedings are necessary for me to com-
plete the matter and obtain the water right as orig-
inally applied for.

The diversion dam and ditches have been
completed and at the proper time was examined and the
report witnessed by a notary public

An extension was granted me on the orig-
inal permit and I would like to know if this extension
also applies for same length of time for the final re-
port to your department.

Am early reply will be appreciated as I
wish to go ahead with this at once.

Yours respectfully,

Sid H Mann

North 6 Post Street
Spokane, Washington.

*Original
Permit was issued to
M. A. Burroughs and
Sid H Mann - the former
later quit claim deed all
interest to the latter.*

14828

Name of Applicant

W. A. Burroughs and Ed H. Mann Bayview Idaho

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

T 54 N
R 2 W

Creek Sink's Herd

Salee Creek.

28

29

Legend

Dam
Ditch

Land
to be
trapped

*Decreed it.
Give same
96-2093*

State of Idaho

License and Certificate of Water Right

Water License No. 14828

Amount 0.2 second foot

Water District No.

Priority August 3, 1935

THIS IS TO CERTIFY that M. A. BURROUGHS & SID M. MANN
of Bayview, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 28, 1920; that Permit No. 14828
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.2 second feet, was issued thereunder on September 14, 1922, showing that said works
were completed on the 27th day of July, 1922; and that on the 8th
day of September, 1941,

J. N. EMERSON, ASSIGNEE

of Pullman, State of Washington, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Salee Creek
a tributary of, for the purpose of irrigation and domestic use
under Use Permit No. 14828 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 4217, on the 19th day of April, 1944;
and License issued to Wesley W. Peck, Bayview, Idaho, Assignee of J. N. Emerson
The right hereby confirmed dates from August 3, 1935;

The Point of Diversion is located
in the NE 1/4 SE 1/4, Sec. 28, Tp. 54 N., R. 2 W., B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.2
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
54 N.	2 W.	28	NW 1/4 SE 1/4 SW 1/4 SE 1/4	20 20	10 10
			Number of Acres	Actually Irrigated -	20

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

State Reclamation Engineer

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 19th day of April, 1944

MARK R. KULP

State Reclamation Engineer

(SEAL)

96-2093

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

Application No. 21057
Permit No. 14828
District No. 94

96-2093
Assigned to Wesley W. Beck
Bayview, Idaho

1. Name of Applicant: (M. A. Burroughs & Sid H. Mann (co-partners))

Postoffice address: Bayview County: Kootenai State: Idaho,

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 0.2 cubic feet per second.

3. Source of water supply: Salee Creek which is a tributary of none (water sinks)

4. Location of point of diversion: 580 ft. S. 81° W. feet distant from the 1/4 corner between
Section 27-28, T. 54 N., R. 2 W., B. M., and is in the NE 1/4
of Section 28, T. 54 N., R. 2 W., B. M., County of Kootenai, Bonner

5. Water is to be used for: Domestic & irrigation purposes.

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

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

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

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

7. Estimated cost of works: \$ 200.00

8. Kind of works: Dam & Ditch.

9. Height of dam 6 feet; length of dam at top 66 feet; length of dam at bottom 25
feet; material used in dam Logs, rock & dirt.

10. Size of headgate: Width 16 inches ~~16~~ height 20 inches ~~20~~

11. Ditch: Width at bottom 16 inches ~~16~~; width at water line 16 inches ~~16~~; depth of water 4 inches
~~4~~; dimensions of flume

Diameter of pipe inches; length of conduit 5/8 miles.

Average grade per mile 40 feet.

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

13. The time required for the complete application of the water to the proposed use is 4 additional years.

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

15. (a) Is reservoir to be used? **None.** 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.

M. A. Burroughs.
Sig H. Mann

Applicant:

By

Agent.

Commissioner of Reclamation

Date of first receipt at office of ~~Subsidiary~~ 9 A. M. June 20, 1920. July 28, 1935

Returned to applicant for correction June 30, 1920.

Corrected application received **July 10, 1920.**

COMMISSIONER OF RECLAMATION
APPROVAL OF STATE ENGINEER

The number of this permit is **14828**

Recorded in Book 52 Page 14828 Approved August 2, 1920.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before **October 1, 1920** 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 **February 2, 1921.**

The whole of said work to be completed on or before **August 2, 1921.** 172

Beneficial use of water appropriated in accordance herewith, to be made on or before **August 2, 1925.**

Witness my hand this **2nd** day of **August, 1920.**

W. G. Swendsen,
Cotton Engineer

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			
54 N.	2 W.	28	----- Upon proper request of the holder of the above numbered Permit (14828) I have this 11th day of July, 1921, extended the time for Completion of Works to the 2nd day of August, 1922. W. G. SWENDSEN, Commissioner of Reclamation By Geo. B. Archibald, Deputy. QUIT CLAIM DEED THIS INDENTURE, Made this 8th day of August in the year of our Lord One Thousand Nine Hundred and 21, between M. A. Burroughs and Alice M. Burroughs, his wife, parties of the first part and Sid E. Mann, the party of the second part: WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One Dollar lawful money of the United States of America, to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does by these presents demise, release and forever quit-claim unto the said party of the second part, and to his heirs and assigns forever all that certain lot, piece and parcel of land, situated in the said Bonner County of Idaho, described as follows, to-wit: One certain water right Permit, Fourteen thousand eight hundred and twenty-eight (14828) priority date June 28, 1920. Together with all and singular the tenements hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof: TO HAVE AND TO HOLD All and singular the said premises, together with the appurtenances unto the said party of the second part, and to his heirs and assigns forever.																20	20	40

THIS INDENTURE, Made this _____ day of _____, A. D., 1941 BETWEEN Sid H. Mann and Alys Mann, husband and wife of Spokane, County of Spokane, State of Washington, the parties of the first part, and J. N. Emerson of Pullman, County of Whitman, State of Washington, the party of the second part, WITNESSETH, That the said parties of the first part for and in consideration of the sum of one dollar and other valuable considerations--lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do these presents remise, release, convey and forever quit claim unto the said party of the second part, and to his heirs and assigns, all that certain real property situate and being in the County of Benner, State of Idaho, described as to-wit: NORTHEAST QUARTER OF NORTHEAST QUARTER (NE $\frac{1}{4}$ NE $\frac{1}{4}$) Southeast quarter of northeast quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$) southwest quarter of northeast quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) southeast quarter of northwest quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) northeast quarter of southwest quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) northwest quarter of southeast quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) northeast quarter of southeast quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) south half Southwest quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) northwest quarter of southwest quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$) all of above amounting to 440 acres more or less located in section 28 (28) township 54 N. (54N) range 2 (R2) west Boise meridian. Subject to certain mortgage held by Atlas Tie Co. of Coeur d'Alene, Idaho. Amount of eight (8) hundred dollars. Also a balance unpaid in favor of Gribb & Epperson of Spokane, Washington. Amount Six Hundred Sixty Five dollars (\$665.00) plus accrued interest which party of second part assumes and agrees to pay as part of purchase price together with all interest in a certain application for a beneficial use water permit number 14828 originally issued to M. A. BURROUGHS & SID H. MANN from State of Idaho for use of water from Sales Creek, to be used on above described land. This quit claim deed covers all above real estate, all interest in water right originally issued to M. A. BURROUGHS AND SID H. MANN. TO HAVE AND TO HOLD the said premises together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, unto said parties of the second part, his heirs and assigns forever. IN WITNESS WHEREOF, The parties of the first part have hereunto set the hand and seals the day and year first above written.

SID H. MANN /s/
ALY MANN /s/

State of Washington)
County of Spokane) ss

I, C. E. BARTLETT, a Notary Public in and for said County and State, do hereby certify that on this 31st day of May, 1941 personally appeared before me SID H. MANN & ALYS MANN to me personally known to be the individuals described in who executed the within instrument, and acknowledged that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned. Given under my hand and official seal this 31st of May, A.D., 1941

C. E. BARTLETT, Notary Public
Residing at Spokane, Wash.

SEAL

~~one-half interest recorded to J. N. EMERSON, Pullman, Wash. July 29, 1941~~

Recorded this 29th day of July, 1941 in the Department of Reclamation, Boise, Idaho.

E. V. BERG., COMMISSIONER OF RECLAMATION,

ASSIGNMENT

For value received, I hereby assign all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 14828, to Mr. Wesley W. Peck, of Bayview, Idaho

/s/ J. N. Emerson
Permit holder
/s/ Amelia M. Emerson
Wife of Permit holder

STATE OF WASH.)
County of Whitman) ss.

On this 17 day of April, 1944, before me, a Notary Public for the State of Washington, residing at Pullman personally appeared J. N. and Amelia W. Emerson, known to me to be the persons whose names is subscribed to the instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my notarial seal, the day and year in this certificate first above written.

/s/ L. E. Livingston
Notary Public residing at

(SEAL)
My commission expires 11/11/47

Received and filed for record in the Department
of Reclamation at Boise, Idaho, at 9:00 A.M.
April 19, 1944.

Mark R. Kulp
State Reclamation Engineer

A

LICENSE ISSUED FOR 2.2 SEC. FT.

P. 4217

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal this 8th day of August, A. D. 1921.

M. A. Burroughs (SEAL)

Alice M. Burroughs (SEAL)

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

THIS IS TO CERTIFY, That on this 8th day of August, A. D. 1921, before me, John D. Ford, Justice of the Peace, in and for the State of Idaho, duly commissioned and sworn, personally came Martin A. Burroughs and Alice M. Burroughs, his wife, to me known to be the individuals described in and who executed the within instrument, and acknowledged to me that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESSETH my hand and official seal the day and year in this certificate first above written.

John D. Ford
Justice of the Peace in and
for Kootenai County, Idaho.

Received and filed for record in the Department of Reclamation, Boise, Idaho,
at 9:00 A. M. August 19, 1922.

W. G. Swendsen,
Commissioner of Reclamation
By C. B.

Proof of Completion of Works made July 27, 1922.
Certificate of completion of Works issued September 14, 1922.

Permit No. 14828

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that Sid H. Mann of Bayview, County of Bonner, and State of Idaho, the holder of Permit No. 14828, issued upon Application No. 21057, bearing date of priority of June 28, 1920, authorizing the diversion of 0.2 second feet of the waters of Salee Creek, County of Bonner, State of Idaho, for domestic and 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 0.2 second feet of the waters of Salee Creek; that the point of diversion of said waters is in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28, Twp. 54 N., R. 2 W., B. M., and that the lands proposed to be irrigation by the use of said water are described as follows, to-wit: 20 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 20 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, Twp. 54 N., R. 2 W., B. M.

Witness my hand this 14th day of September, A. D. 1922.

W. G. SWENDSEN,
Commissioner of Reclamation

By Geo. N. Carter,
Assistant.

February 23, 1971

Raymond T. Greene, Jr.
Attorney at Law
320 North Second Avenue
Sandpoint, Idaho 83864

Dear Mr. Greene:

Attached herewith is Departmental Receipt No. 5667 in the amount of
\$6.00 for certified copies,

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

RAYMOND T. GREENE, JR.

JAMES E. HUNT

GREENE & HUNT
ATTORNEYS-AT-LAW
320 NORTH SECOND AVENUE
SANDPOINT, IDAHO 83864
TELEPHONE 263-5121

RECEIVED
FEB 23 1971
Department of Water Administration

February 18, 1971

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

Attention: M. Russell Bosch

Re: Permit no. 14828/96-2093
19523/96-2154

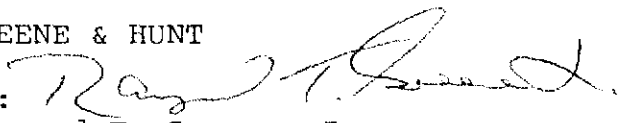
Dear Sir:

Pursuant to yours of February 17th, 1971, we enclose herewith our check for \$6.00.

Please accept our apologies for not having paid this prior to this time. It was completely overlooked.

Very truly yours,

GREENE & HUNT

By: 
Raymond T. Greene, Jr.

96 2093

February 17, 1971

RE: Permit No. 14828/96-2093
19523/96-2154

Mr. Raymond T. Greene, Jr.
GREENE and HUNT
Attorneys at Law
320 N. Second Avenue
Sandpoint, Idaho 83864

Dear Mr. Greene:

For your request of September 15, 1970, copies of the above permit and license
was mailed to you. These copies were certified.

To date we have not received the \$6.00 fee. Would you please check your records
and remit promptly?

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

September 15, 1970

Re: Permit Nos. 14828/96-2093
19523/96-2154

Mr. Raymond T. Greene, Jr.
GREENE & HUNT
320 N. Second Avenue
Sandpoint, Idaho 83864

Dear Mr. Greene:

Pursuant to your request, we are enclosing certified copies of permit and license no. 14828/96-2093 and water license no. 19523/96-2154.

The charge for the copies will \$6.00, based on \$1.00 per certification plus \$.50 per folio for the copies.

If we may be of any further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
ENCLOSURES

96 2093

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

September 15, 1970

Re: Permit Nos. 14828/96-2093
19523/96-2154

Mr. Raymond T. Greene, Jr.
GREENE & HUNT
320 N. Second Avenue
Sandpoint, Idaho 83864

Dear Mr. Greene:

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If we may be of any further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
ENCLOSURES

96-2093
14823

GREENE & HUNT
ATTORNEYS-AT-LAW
320 NORTH SECOND AVENUE
SANDPOINT, IDAHO 83864
TELEPHONE 263-5121

September 10, 1970

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Peck Water Licenses

Gentlemen:

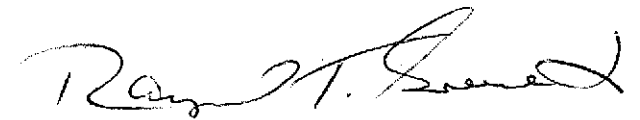
Will you be so kind as to send me certified, preferably photostat, copies of the applications for water license No. 14828 and No. 19523 and also a copy of the No. 14828 license itself.

Please advise as to your charges and I shall remit promptly.

Very truly yours,

GREENE & HUNT

By:



Raymond T. Greene, Jr.

RTG:js

14828
96-2093

RECEIVED

SEP 14 1970

Department of Water Administration

Mark R. Kulp

April 21, 1944

Re: Permit No. 14828

Mr. Wesley M. Peck
Box 52
Mayview, Idaho

Dear Mr. Peck:

We duly received from Mr. J. H. Emerson, the assignment of the above numbered permit from him to you, and also your check for \$4.50, which includes the fee for recording the assignment, and also the fee in connection with final proof- for which we enclose Departmental Receipt No. 18543.

We are also enclosing License and Certificate of Water Right, confirming your right to the use of two-tenths (0.2) of a second foot of the waters of Salee Creek, with priority date of August 3, 1935, for the irrigation of 20 acres of land in the $\frac{1}{2}$ SE $\frac{1}{4}$ Section 28, Township 54 North, Range 2 West, B.M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

14828

A S S I G N M E N T

For value received, I hereby assign all my right, title, and
interest in and to Permit to appropriate the Public Waters of the State
of Idaho, No. 14828 to Mr. Wesley W. Peck.

of Bayview Idaho

J. V. Emerson
Permit holder.

Amelia M Emerson
Wife of Permit holder.

Wash.
State of Idaho
County of Whitman ss

On this 17 day of April, 1944, before me, a Notary
Public for the State of Idaho, residing at Pullman,
personally appeared J. N. and Amelia M. Emerson, known to me to be the
persons whose names is subscribed to the within instrument, and duly
acknowledged to me that they executed the same.

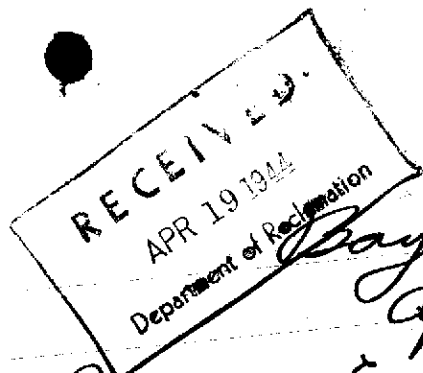
In witness whereof, I have hereunto set my hand and affixed my
Notarial seal, the day and year in this certificate first above written.

L. G. Livingston
Notary Public, residing at

My commission expires 11/11/47.

Received and filed for record in the Department
of Registration at Boise, Idaho, at
9:00 A. M. Apr. 19 1944
Mark R. Hues
State Notary Public

14828



Bay View Ida,
Apr. 14, 1944

Dear Mr Emerson

I have a letter from
the Department about the
Water License.

I am going to take
out another Permit. They
did not claim enough
water.

Please send to the
Department. an assignment
from you to me to be
recorded. and they will
make the Water License to
me. Enclosed please find \$4.00
for License and \$.50 for recording.

Yours Truly

Wesley W. Peck.
14828

Box 52.

April 6, 1944

Re: Permit No. 14828

Mr. Wesley J. Peck
Bayview, Idaho

Dear Mr. Peck:

Reference is made to your letter of March 31st, in regard to the amount of water you can receive under the above numbered permit.

This Department has no way of knowing why the amount of water applied for was only two-tenths (0.2) of a second foot, for the irrigation of the 40 acres described in said application; but there is no question of its being a misprint, because all the proofs agree in describing the amount of water as 0.2 second foot.

As stated in office letter addressed to Mr. Emerson under date of March 10, 1944, copy of which was sent to you, a license can be issued for 0.2 second foot, for the irrigation of 20 acres, upon receipt of the fee of \$4.00; and this license will have to be in the name of J. N. Emerson, the present record holder of the permit, unless an assignment from him to you is sent to this Department to be recorded, the fee for which is fifty cents.

We have partially filled out a form of application for your use in filing on additional water, and also a sketch map to accompany same. You may fill in the rest of the application according to the present conditions; and if you expect to irrigate more than the 40 acres included in the original permit you may indicate under question 14 the acreage in each subdivision that you expect to irrigate.

We assume that the water is to be diverted from the same point, and have made the application and map accordingly, but if there is any change, you may so indicate upon the enclosed forms.

The filing fee on this new application will be at the rate of \$5.00 for the first second foot, or fraction thereof, and 25 cents for each additional second foot or fraction thereof.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

A
C.C. J. N. Emerson

14828

Chief Clerk

RECEIVED

APR 5 1944

Department of Reclamation

Boys View Ida.

Mar 31, 1944

Mr James Spofford
State Reclamation Engineer
Boise Idaho.

Dear Sir:

I have received your letter of March 24, 1944 in regard to the misunderstanding of Permit No. 14828. I understood that the amount of Water Claim was 2 second foot. I don't understand why they should only file a claim 0.2 second foot and file for 40 acres and prove up on 20 acres when the State allows 1 minor inch per acre. it might of been a misprint.

14828

Please send The License
as you have it if it
cannot be changed to 2
Second fut. and give me the
right amount of Water for
20 acres.

However please send
me the papers for additional
Water.

I wish to know if I can
claim the right amount of
Water for the same 20 acres
and if I will have to prove
up again. You said when
you looked at the water there
was enough for 20 acres.

Yours truly
Wesley W. Peck.

14828 L.P.S.
over

I would like to know
if I can fall the new
papers myself or if I
have to have some
certain person make it out.

I will close for this time
hoping for the get it
straightened up.

Please let me know so I
can write Mr. Emerson.

14828

March 24, 1944

Re: Permit No. 14828

Mr. Wesley S. Peck
Bayview, Idaho

Dear Mr. Peck:

Mr. J. N. Emerson has referred to us your letter of March 14th, 1944, in regard to Permit No. 14828, and its contents have been carefully noted.

Reference to the file of this permit discloses that although the original permit describes 40 acres of land to be irrigated, or 20 acres in each 40-acre subdivision, the depositions in proof of beneficial use executed by Mr. Emerson as holder, and M. A. Burroughs and yourself as witnesses, all state that the water was used for the "irrigation of 20 acres of cultivated meadow land", which is in accord with the report of our Field Engineer, which shows 10 acres in each 40-acre tract, or a total of 20 acres.

The original application and permit calls for two-tenths (0.2) of a second foot, and even though you were irrigating 40 acres, the license could not be issued for more than that amount, or 0.2 of a second foot, as called for in the permit. This covers for both irrigation and domestic use.

However, if you wish, you may file another application for additional water, which of course will have a later priority date than the present permit. We shall be glad to send you the necessary application form, upon request.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A
CC to J. N. Emerson

14828

14828

Bay View Ida

March 14, 1944

Dear Mr Emerson

I have here a letter
in regard to the Water
Permit. I must say There
must be a mistake. it
say for 20 acres. Our
Permit call for 40 acres.
The work has been done
ditches and everything for 40
and I am using it for
that much. The place
has been surveyed for
125 acres of farm land
land. There can be more
than 40 acres irrigated.
The state allows 1

Miner inch per acre
for irrigating which in
right according to $\frac{2}{5}$ of
1 foot or 20 acres. But
how about domestic water

The engineer looked
it over for 40 acres
and said he would map it
for that I do not under-
stand. The water is here
with out interfering with
any one else. We should
have it for 40 like
our permit call for and
when he looked it over
he said he would map
it for that. He should come again,
yours Truly
Wesley W. Beck.

EMERSON MERCANTILE COMPANY

EXCLUSIVE DISTRIBUTORS for MARSHALL FIELD & COMPANY
PULLMAN, WASHINGTON

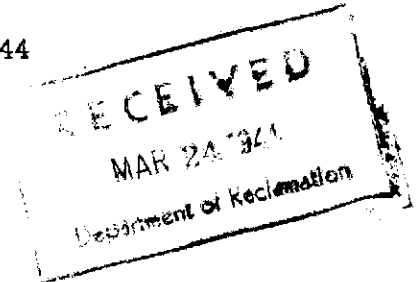
Associated with

THE PARIS, Lewiston, Idaho
THE PARISIAN, Moscow, Idaho
EMERSON-HULL CO., Pomeroy, Wash.
EMERSON-KNOX CO., Colfax, Wash.

J. N. EMERSON, President
J. F. GERDING, Vice President
W. M. COX, Secretary

March 22 1944

Mr James Spofford
State Reclamation Engineer
Boise Idaho.



My Dear Mr Spofford;

I have your letter of Mar.10th relative to Permit No. 14828 for water right on land that I sold recently to Mr Wesley Peck of Bayview Idaho. You sent Mr Peck a copy of the letter to me, and he wrote me at once saying that it was not according to his understanding. It is alright to issue the license to him but he seems to want some matters clarified first

I am enclosing Mr Pecks letter to me and will you please write him and answer the questions he has on his mind. I am willing to the transfer of title to Mr Peck but wish you would clear up this matter with him and then let me know and I will assign as requested.

It seems that there is 40 acres to be irrigated instead of 20 and also provision for water for domestic use. Please reply to Mr Peck and send me copy of the letter and I will then know what Mr Peck wishes me to do.

Sincerely yours

J.N. Emerson

14828

March 10, 1944

Re: Permit No. 14828

Mr. J. N. Emerson
Pullman, Washington

Dear Mr. Emerson:

We now have on file the report of our Field Engineer on examination for beneficial use under the above numbered permit, which shows that you are irrigating 20 acres of land in the $W\frac{1}{2}$ SE $\frac{1}{4}$ Section 28, Township 54 North, Range 2 West, B.M.

Therefore, upon receipt of the statutory fee of \$4.00 a license can be issued for Two-tenths of a second foot of water from Salce Creek.

However, our Field Engineer reports that he was informed by Mr. Wesley W. Peck, of Bayview, Idaho, who was living on the place, that he is the present owner of the property.

If such is the case, and the license should go to him instead of to you, will you please execute the enclosed form of assignment, and return to this Department, with the fee of fifty cents for recording same.

Otherwise the license will have to be issued in your name as the record owner of the permit.

We are sending a copy of this letter to Mr. Peck for his information.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

A

Encl.

C. Wesley W. Peck

14828

(0,2)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 14828

This proof is for Beneficial Use

In Water District No.

1. Name of applicant J. N. Emerson, Pullman, Wash.
2. Source of water supply Salee Creek
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28
T. 54 N R. 2 W County of Bonner
4. Describe works as they exist, giving dimensions and capacities of same: Diversion is at a Crib and Plank Dam 8 feet high, and 50 feet long; thence by "V" flume 12" X 12"; and ditches 12" X 12" width and depth respectively.
5. Water is used for: domestic and irrigation purposes
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28, 54 N, 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? None (it sinks)

Remarks Works are in dilapidated condition;

Stream flow 0.5 Sec. Feet.

This examination was made on the 14th day of July, 1943.

(Signed)

Fred A. Johnson
Examiner.

14828

~~J. H. Bess~~ Now *Wesley W. Peck*
Pullman, Wash. *Bayview Ida*
Permit No. *14828*

Examination for... Beneficial Use.....

County.....*Bonner*.....

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.
-

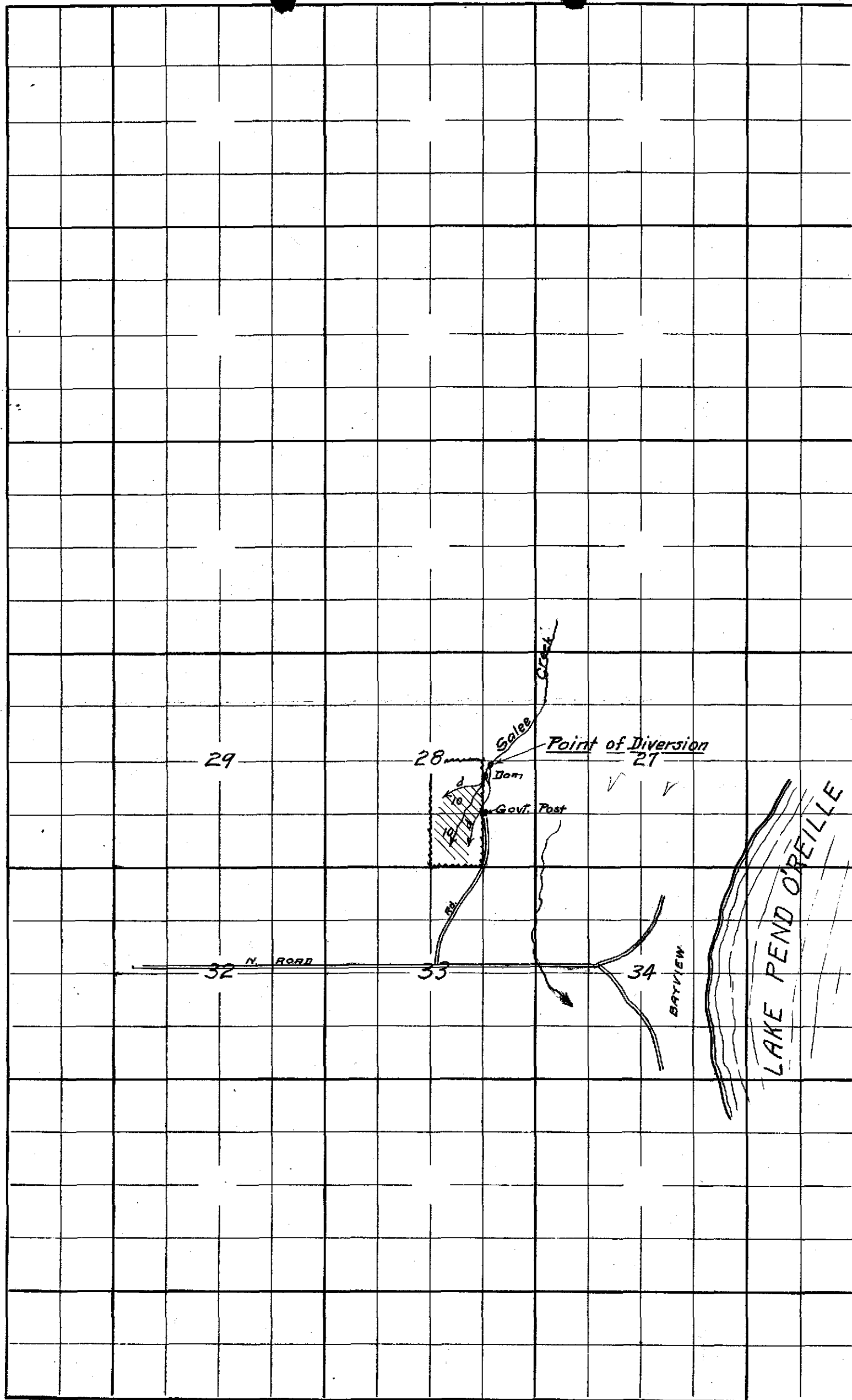
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 14828

REPORT ON PROOF OF Beneficial Use Proof

*W.H.
Hunt.* → { 20 acres
2-40's
4.00 per
0.25 c/s



October 1, 1941

Re: 14828

Mr. J. N. Emerson
Pullman, Washington

Dear Mr. Emerson:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of proof of publication from the Northern Idaho News, all in connection with beneficial use proof under the above numbered permit.

Before final action can be taken in this matter, the law requires that a field examination be made by an engineer from this department. We are unable to say just when this examination will be made, since this department has but one field engineer, who makes examinations all over the State.

However, Mr. Tolman, field engineer for the Department, will try and contact you at the time set for examination, so that you may arrange to show him over the grounds.

When the engineer's report is filed, you will be notified of the amount due for beneficial use proof and upon receipt of your remittance a license will be issued.

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

BY: E. V. BERG.

ML.

14828

BANDELIN & BANDELIN
ATTORNEYS-AT-LAW

SANDPOINT, IDAHO

September 26, 1941

Maude Lile, Chief Clerk
Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permit No. 14828

Dear Madam:

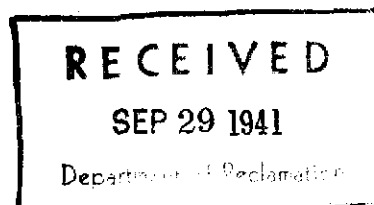
Enclosed herewith are deposition of permit holder, signed by J. N. Emerson, and depositions of Wesley W. Peck and M. A. Burroughs in support thereof.

I have also enclosed affidavit of publication.

Very truly yours,

Glenn E. Bandelin

GEB:ef
Encls. 4



14828

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 14828

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. J. N. Emerson; Pullman, Washington; Merchant; Pullman, Washington.

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. Acting individually.

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

Ans. No. 14828; August 2, 1920; August 2, 1920.

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

Ans. Salee Creek; 580 feet South, 81° West from the Quarter corner between Secs. 27 and 28, Township 54 North, Range 2 W.B.M., in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 28, Township 54 North, Range 2 W.B.M., Bonner County, Idaho.

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. Logs, rock and dirt dam; headgate 16" wide, 20" high; width of ditch at bottom, 16", width at water line, 16"; depth of water, 4". Capable of conveying 0.2 cubic feet per second; Ditch has no name.

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

Ans. For domestic use of household and livestock and irrigation of 20 acres of cultivated meadow land.

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

Ans. Domestic purposes for household and livestock.

9-14
1921

14828

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

Ans. 0.2 cubic feet per second.

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

Ans. Permit originally issued to M. A. Burroughs and Sid H. Mann. Land deeded by Burroughs to Mann and Mann has deeded same to J. N. Emerson.

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

Ans. Has been used since the time applied for. Used for domestic and irrigation purposes. 0.2 cubic feet per second.

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

Ans. No other waters diverted.

(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 8th day of September, A. D. 1941.

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

My commission expires July 12, 1943.

14828

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 14828

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. M. A. Burroughs; age, 72; retired; residence and postoffice address, Bayview, Idaho.

Ques. 2. Are you acquainted with J. N. Emerson, the holder of Permit No. 14828? How long have you known him and where does he reside?

Ans. Yes. Have known Mr. Emerson for twelve (12) years. He resides at Pullman, Washington.

Ques. 3. Have you read or heard read said Permit No. 14828, 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. Salée Creek; 580 feet South, 81° West distant from the 1/4 corner between Secs. 27 and 28, Twp. 54 N., Range 2 W.B.M., in the NE 1/4 of Section 28, Twp. 54 North, Range 2 W.B.M., Bonner County, Idaho. Logs, rock and dirt dam; headgate 16" wide, 20" high; width of ditch at bottom, 16", width at water line, 16"; depth of water, 4".

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. 0.2 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 improvement which have been made as a direct result of said use.

Ans. For domestic use for household and livestock. Also used for irrigating 20 acres of cultivated meadow land.

14828

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

Ans. No other purposes.

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. Cultivated meadow land. 0.2 cubic feet per second.

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

Ans. No, not at the present time.

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

Ans. I used the dam myself for a number of years and knew the parties that used the dam for three years prior thereto for irrigating purposes.

(Signed)

M. A. Bunnough

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 8th day of September, A. D. 19 41

My commission expires July 12, 1943.

Clarence Bonner
Notary Public

14828

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 14828

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. Wesley W. Peck; age, 40; residence and postoffice address,
Bayview, Idaho.

Ques. 2. Are you acquainted with J. N. Emerson, the holder of Permit No. 14828? How long have you known him and where does he reside?

Ans. Yes. Have known him for approximately ten (10) years. He resides
at Pullman, Washington.

Ques. 3. Have you read or heard read said Permit No. 14828, 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. Salée Creek; 580 feet South, 81° West distant from the 1/4 corner
between Secs. 27 and 28, Township 54 N., Range 2 W.B.M., in the NE 1/4 of
SE 1/4 of Section 28, Township 54 North, Range 2 W.B.M., Bonner County, Idaho.
Logs, rock and dirt dam; headgate 16" wide, 20" high; width of ditch at
bottom, 16", width at water line, 16"; depth of water, 4".

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. 0.2 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 improvement which have been made as a direct result of said use.

Ans. For domestic and irrigation purposes. Used for irrigating 20 acres
of cultivated meadow land. Domestic use for household and livestock.

14828

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

Ans. No other purposes.

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. Cultivated meadow land. 0.2 cubic feet per second.

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

Ans. Yes. At the present time, I am farming said lands and plan to buy same. Have a lease, with contract to purchase.

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 farming said lands off and on for about six years and worked on place with former owner.

(Signed)

Wesley W. Dick

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 8th day of September, A. D. 19 41

Charles B. Bunker
Notary Public

My commission expires July 12, 1943.

14828

Sept. 19, 1941

Re: 14828

Mr. Lynn Bandelin
Sandpoint, Idaho

Dear Mr. Bandelin:

Depositions were to have been made by J. N. Emerson and two witnesses before you on the 8th of September. Please forward same to this office along with the affidavit of publication.

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

BY: Chief Clerk.

ml.

14828

Sept. 3, 1941

Re: 14828

Mr. J. N. Emerson
Pullman, Wash.

Dear Mr. Emerson:

Our permanent permit records are made from the original application on which the permit is issued, in other words, the application becomes the permit when approved by the Commissioner. Whoever made and obtained the permit, #14828, listed Section 28 as being in Kootenai County. That is why we insisted that the publication be made at Coeur d' Alene. Since being corrected by you regarding the County, we have made a pencil correction on our permanent record of your permit--showing Section 28 as being in Bonner Co. We are glad to have this information as your license would also show Kootenai County when issued.

Proof is to be made before Lynn Bandelin of Sandpoint, Idaho at 10:00 A. M. on the 8th of Sept. I don't know his address as it was not furnished. He has the depositions and all you will need to do is to appear on that date with two witnesses who are familiar with the works.

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

ml.

BY: Chief Clerk.

14828

EMERSON MERCANTILE COMPANY

EXCLUSIVE DISTRIBUTORS for MARSHALL FIELD & COMPANY
PULLMAN, WASHINGTON

Associated with

THE PARIS, Lewiston, Idaho
THE PARISIAN, Moscow, Idaho
EMERSON-HULL CO., Pomeroy, Wash.
EMERSON-KNOX CO., Colfax, Wash.

J. N. EMERSON, *President*
J. F. GERDING, *Vice President*
W. M. COX, *Secretary*

Aug. 29 1941

Department of Reclamation

Boise Idaho.

Attention Chief Clerk.

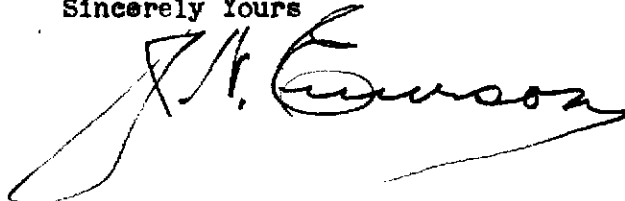
On my return home today I find your letter of the 13th where you say that whoever made application for permit listed section 28 as being in Kootneal county, but your are mistaken for I sent in the application and I want you to go to it again and see that it listed it as being in Bonner County. For I have owned this land for some time and have been to Sand Point on several occasions about it and the records show there that it is in Bonner County. Some one in your office mis read the application and as soon as I got your letter I at once notified you that there was a mistake.

Now I have not heard from you as to when to appear in Sand Point and who before. Please let me know at once for I have to arrange for the two witnesses to be there at that time also.

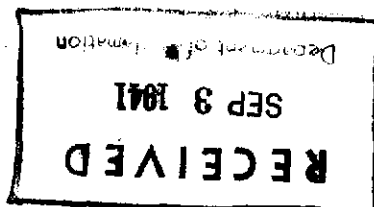
In ~~my~~ letter I asked that Sept. 8th be the day for proof, and you say in your letter of the 13th that the first publication will be Friday the 15th and that the last will be on Friday the 5th of Sept. and that will be three days before proof is to be made. So I am counting on making proof the 8th of Sept. at Sand Point, but please advise me who to appear before, but if it is not necessary to state any particular person I will select a man at the court house there.

Please advise me at once.

Sincerely Yours



14828



State of Idaho

DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

Boise, Idaho,
August 28, 1941

Re: 14828.

Mr. Lynn Bandelin
Sandpoint, Idaho

J. N. EMERSON

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 14828.

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 Sept. 8, 1941, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Ly Sandpoint, Idaho before Lynn Bandelin, 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,

E. V. BERG.

Commissioner of Reclamation.

14828

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

Notice is hereby given that at **10:00** A. M. on the **8th** day of **Sept.**, 19**41**,
 at **Sandpoint**, County of **Bonner**, State of Idaho, before
Lynn Bandelin, proof will be submitted of the
 application to beneficial use of **0.2** cubic feet per second of the waters of **Salle Creek**
 in accordance with the terms and conditions of Permit No. **14828**
 heretofore issued by the **Commissioner of Reclamation** of the State of Idaho.

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

J. H. EMERSON, PULLMAN, WASHINGTON

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

The amount applied to beneficial use is **0.2 cubic feet per second**

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) ~~SW 1/4 Sec. 28, Twp. 34 N., Rge. 2 W., B. M.~~

SW 1/4 Sec. 28, Twp. 34 N., Rge. 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. **14828**

The source of supply from which such water is diverted is **Salle Creek**

The date of priority which said user is prepared to establish is **August 3, 1935**

E. V. BERG.

Commissioner of Reclamation.

14828

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE.**

Notice is hereby given that at 10:00 a. m. on the 8th day of Sept., 1941, at Sandpoint, County of Bonner, State of Idaho, before Lynn Bandelin, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of Salle creek, in accordance with the terms and conditions of Permit No. 14828, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are J. N. Emerson, Pullman, Washington.

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

The amount applied to beneficial use is 0.2 cubic feet per second.

The place where said water is used, SW¼ SE¼, NW¼ SE¼, Sec. 28, Twp. 54 N., Rge. 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. 14828.

The source of supply from which said water is diverted is Sallee creek.

The date of priority which said user is prepared to establish is August 3, 1935.

E. V. BERG,

Commissioner of reclamation

Aug. 15-Sept. 5

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date **August 13, 1931**

Re: **14828 Northern Idaho News
Sandpoint, Idaho**

Dear Sir:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **Sept. 8, 1941**, the date set for proof, the expense of the publication to be paid by the applicant, **J. N. Emerson, Pullman, Washington**

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,

E. V. BERG.

Commissioner of Reclamation

14828

August 13, 1941

Re: 14828

Mr. J. N. Emerson
Pullman, Wash.

Dear Mr. Emerson:

Our records show you point of diversion in Kootenai County, but when we checked the plat books in the State Land Department, this morning after receiving your letter, we discovered that part of that Township was in Bonner County as stated in your letter. Who ever made the application for this permit listed Section 28 as being in Kootenai County instead of Bonner County.

We wired the Northern Idaho News and learned that they went to Press on Thursday. We made a new notice with time set for proof on the 8th of September and sent it air mail special delivery, a few minutes ago. The first publication will appear on Friday the 15th and the last on Friday the 8th of Sept., or three days before proof is to be made.

We also wired the Coeur d' Alene Press to stop publication as the point of diversion lies in Bonner County. We trust that we were in time to stop publication as they go to press today.

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

BY: Chief Clerk.

ml.

14828

EMERSON MERCANTILE COMPANY

EXCLUSIVE DISTRIBUTORS for MARSHALL FIELD & COMPANY
PULLMAN, WASHINGTON

Associated with
THE PARIS, Lewiston, Idaho
THE PARISIAN, Moscow, Idaho
EMERSON-HULL CO., Pomeroy, Wash.
EMERSON-KNOX CO., Colfax, Wash.

J. N. EMERSON, *President*
J. F. GERDING, *Vice President*
W. M. COX, *Secretary*

Aug. 12 1941

Department of Reclamation

Boise Idaho.

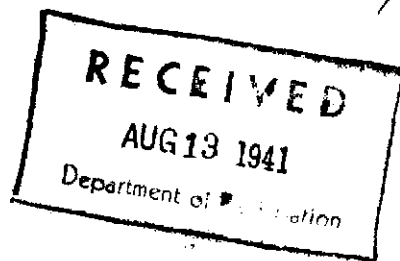
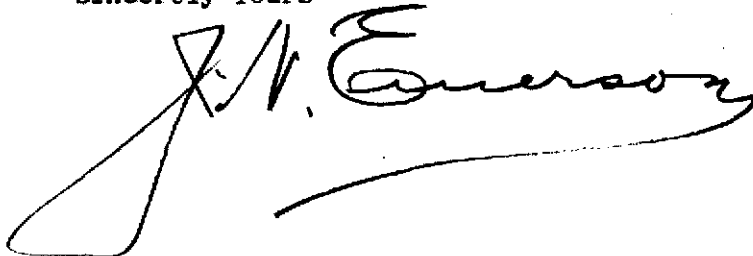
Last week I sent you notice for publication for proof of beneficial use, and asked that it be published in The Northern News Sand Point.

You replied that you had instructed it to be published in the Coeur d'Alene Press at Coeur d'Alene Idaho, saying that it was necessary to publish same in county in which point of diversion lies.

Now it so happens that this property is in Bonner County as the south line of section 28 is the county line so it will be necessary for you to immediately the Coeur d'Alene paper to not publish and send the notice to the Sand Point paper. Since we have lost some time it will be necessary to make the date for appearance a week later so please make it Sept. 8th Monday at SandPoint.

Please give this immediate attention so there will be time for the publications necessary before the date named.

Sincerely Yours



CHECK SERVICE DESIRED OTHERWISE MESSAGE WILL BE SENT AT FULL RATE	
DOMESTIC	FOREIGN
FULL RATE	FULL RATE
DAY LETTER	COE RATE
NIGHT LETTER	URGENT
SERIAL	DEFERRED
RESERVATION	NIGHT LETTER
TOUR-RATE	SHIP RADIO



CHARGE ACCOUNT NUMBER	
CASH NO.	TOLLS
CHECK	
TIME FILED	(STANDARD TIME)

Form 2 Dbl

Send the following message, subject to the Company's rules, regulations and rates set forth in its tariffs and on file with regulatory authorities

Mr. Burl Hagadone
Coeur d'Alene Press
Coeur d'Alen, Idaho

Stop publication on notice for J. N. Emerson as point of diversion lies in
Bonner County and must be published in that County. Sorry.

E. V. BERG.
Commissioner of Reclamation.

Chg. to 107 State House
Dept. of Reclamation

14828

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	☒ ORDINARY
DAY LETTER	URGENT RATE
SERIAL	DEFERRED
OVERNIGHT TELEGRAM	NIGHT LETTER
SPECIAL SERVICE	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise the message will be transmitted as a telegram or ordinary cablegram.

COPY OF WESTERN UNION TELEGRAM

**Northern Idaho News
Sandpoint, Idaho**

MAILING AIR MAIL SPECIAL DELIVERY NOTICE FOR FRIDAYS PUBLICATION

**E. V. BERG.
COMMISSIONER OF RECLAMATION**

**GEO TO STATE RECLAMATION
107 State House.**

14828

CHECK SERVICE DESIRED OTHERWISE MESSAGE WILL BE SENT AT FULL RATE	
DOMESTIC	FOREIGN
FULL RATE	FULL RATE
DAY LETTER	CDE RATE
NIGHT LETTER	URGENT
SERIAL	DEFERRED
RESERVATION	NIGHT LETTER
TOUR-RATE	SHIP RADIO

Postal Telegraph

Mackay Radio

Commercial Cables



All America Cables

Canadian Pacific Telegraphs

CHARGE ACCOUNT NUMBER	
CASH NO.	TOLLS
CHECK	
TIME FILED	(STANDARD TIME)

Form 2 Dbl

Send the following message, subject to the Company's rules, regulations and rates set forth in its tariffs and on file with regulatory authorities

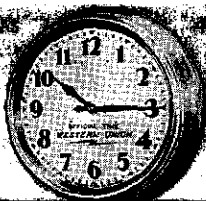
Mr. Burl Hagadone
Coeur d'Alene Press
Coeur d'Alene, Idaho

Start publication as of August 13th and publish each Wednesday for four consecutive weeks. On the notice, change date of appearance from the second to the fourth of September and the priority date to July 30, 1935.

E. V. BERG.
Commissioner of Reclamation

Chg. to State Reclamation
107 State House.

14828



ESTERN UNION (10)

SYMBOLS

DL = Day Letter

NT = Overnight Telegram

LC = Deferred Cable

NLT = Cable Night Letter

Ship Radiogram

SAVE TIME by having the CORRECT TIME

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

Letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

PRA90 10 COLLECT=SANDPOINT IDA 13 1035A

E V BERG=

1941 AUG 13 PM 12 13

COMMISSIONER OF RECLAMATION BOISE IDA=

FORMS ARE CLOSED THURSDAY BUT PRESS DAY IS FRIDAY=

NORTHERN IDAHO NEWS.

2:27 - 9:55 AM.
9:22 -
8:20 -
RECEIVED

AUG 13 1941

Department of Reclamation

14828

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM ☒	ORDINARY
DAY LETTER	URGENT RATE
SERIAL	DEFERRED
OVERNIGHT TELEGRAM	NIGHT LETTER
SPECIAL SERVICE	SHIP RADIOGRAM

Patrons should check class of service desired; otherwise the message will be transmitted as a telegram or ordinary cablegram.

COPY OF WESTERN UNION TELEGRAM

**Northern Idaho News
Sandpoint, Idaho.**

What day of the week do you go to press

**E. V. BERG.
Commissioner of Reclamation**

Chg. to

**107 State House
Reclamation Dept.**

14828

STANDARD TIME INDICATED
RECEIVED AT <i>2946-W</i>
TELEPHONE YOUR TELEGRAMS TO POSTAL TELEGRAPH

Form 16

Postal Telegraph

Mackay Radio
Commercial Cables



J N 2ND
Canadian Pacific Telegraphs

THIS IS A FULL RATE TELEGRAM, CABLE-GRAM OR RADIOGRAM UNLESS OTHERWISE INDICATED BY SYMBOL IN THE PREAMBLE OR IN THE ADDRESS OF THE MESSAGE. SYMBOLS DESIGNATING SERVICE SELECTED ARE OUTLINED IN THE COMPANY'S TARIFFS ON HAND AT EACH OFFICE AND ON FILE WITH REGULATORY AUTHORITIES.

,RXV53 22/26 COLLECT=TCO COEURDALENE IDA 11 319P

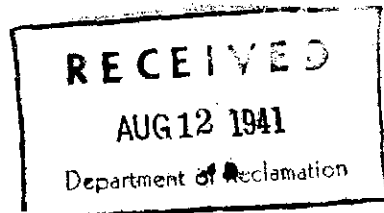
E V BERG=

1941 AUG 11 PM 5 10

DEPT OF RECLAMATION BOISE IDA=

IMPOSSIBLE TO PUBLISH NOTICE PROOF APPLICATION OF WATER FOR
J N EMERSON FOUR ISSUES WEEKLY BEFORE SEPTEMBER 2ND SUGGEST
DAILY PUBLICATIONS PLEASE ADVISE BY POSTALTELEGRAPP=

BURL HAGADONE COEURDALENE PRESS.



14828

600 /
649 /
731 /
10 /

August 12, 1941

Mr. J. N. Emerson
Pullman, Wash.

Dear Mr. Emerson:

We were notified that it was too late to place the first publication in the Coeur d' Alene press on the 11th, so your date of appearance must be changed to Sept. 4th, and your priority to July 30, 1935.

So on the 4th of Sept., appear before Mr. J. Ward Arney of Coeur d' Alene and make your proof.

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

By: Chief Clerk.

ml.

14828

August 9, 1941

Re : 14828

Mr. J. N. Emerson
Pullman, Wash.

Dear Mr. Emerson:

We are in receipt of your notice to publish in the Northern Idaho News at Sandpoint your proof of beneficial use notice, which we have changed to the Coeur d'Alene Press at Coeur d'Alene as the notice must be published in the county in which the point of diversion lies. We selected the name of J. Ward Arney of Coeur d'Alene as the Notary Public before whom you must appear with two witness to make proof on the 2nd of Sept. at 10:00 A. M.

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

BY: Chief Clerk

ml.

14828

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: 14828

Coeur d'Alene Press
Coeur d'Alene, Idaho

Date . August 9, 1941

Dear Sir:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **Sept. 2, 1941**, the date set for proof, the expense of the publication to be paid by the applicant, **J. N. Emerson, Pullman, Wash.**

to whom you should furnish proof of publication on or prior to the date set for proof.

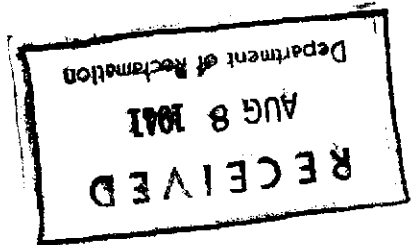
Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

E. V. BERG.

Commissioner of Reclamation

14828



NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date)

(P. O.)

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

~~Cosmos D. Allen~~ ~~Cosmos D. Allen, Idaho~~
You are hereby authorized to have the attached notice published at my expense in the
~~Northern Idaho News~~ of ~~Sandpoint, Idaho~~, published in
the county in which the works are situated.

+ J. K. Emerson

(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.

14828

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

Notice is hereby given that at 10:00 A. M. on the 4th day of Sept., 1941
 at Coeur d'Alene, County of Kootenai, State of Idaho, before
J. Ward Arney, Notary Public, proof will be submitted of the
 application to beneficial use of 0.2 cubic feet per second of the waters of Saloe Creek
 in accordance with the terms and conditions of Permit No. 14828
 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

J. M. EMERSON, Pullman, Washington

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

The amount applied to beneficial use is 0.2 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) SW 1/4, NW 1/4, Sec. 28, Twp. 54 N., Rge. 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. 14828

The source of supply from which such water is diverted is Saloe Creek

The date of priority which said user is prepared to establish is July 28, 1935

E. V. BERG.

Commissioner of Reclamation.

14828

July 29, 1941

Re: 14828

Mr. Martin A. Burroughs
Bayview, Idaho

Dear Mr. Burroughs:

J. N. Emerson.

We are enclosing notice for publication for beneficial use proof. We have not filled in the time, day, year, or name of the notary public. The notice must be published once a week for four consecutive weeks in a Kootenai County newspaper of your choice--the expense to be paid by Mr. Emerson. We are enclosing form #11 to be signed by Mr. Emerson, which gives us the authority to have the notice published.

The permit applied for irrigation on the W¹SE¹ of Sec. 28, Twp. 54 N., Rge. 2 W. Please fill in the lands that have been irrigated in the space provided on the notice. If other lands are being irrigated, write us and an amendment will be forwarded for your signature, so that the correctly irrigated lands made be advertised in the newspaper.

The priority date will be advanced the time that the proof is late or 15 years and one month if proof is made on Sept. 2, 1941. If the enclosed papers are filled in and signed at once, we can use Sept. 2, 1941 as the date of proof.

Inspection of the works will be made sometime in the future by our field engineer, after proof depositions are on file in this office.

We are also enclosing Quit Claim Deed to Mr. Emerson from Mr. & Mrs. Mann which has been recorded in this office and signed by the Commissioner. Receipt No. 17907 for dollar assignment fee is also enclosed.

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

BY: Chief Clerk.

ml.
encl.

14828

Payview Idaho.
July 21-41

State of Idaho Department of Reclamation
Gentleman,

Inclosed you will find a Suit Claim Deed
to be recorded. I do not know the fees, but
am sending One Dollar P.O. Order if this is
not enough, let me know.

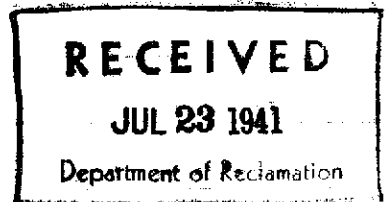
The dam was completed and used for several
years but we find now final proof was
neglected. Is it best for us to put every
thing in shape now and make final Proof
but in the mean time should we file
Beneficial use proof. if so please send the
Blanks.

Water is very low in all the mountain streams
In this part of the state

Thanking you

I am Very Resp Yours
Martin A Burroughs
Payview Idaho.

Permit - 14828
Send to send blanks
for making B.U. proof.
1941.



14828

May 7, 1941

14828
Mr. M. A. Burroughs
Box 74
Bayview, Idaho

Dear Mr. Burroughs:

We wish to acknowledge receipt of your letter of May 5th. in which you ask for information on Salee Creek. In answer to your first question, I am enclosing a copy of permit number 14828. Our records show that M. A. Burroughs and wife conveyed their interests in permit number 14828 by Quick Claim Deed to Sid H. Mann.

In answer to your second question, permit number 18440 was issued to Harry L. Hornbeck for 0.1 sec. ft. of the water in Salee Creek. Point of diversion being in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, Twp. 54 N., Rge. 2 W.; point of use, 5 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, Twp. 54 N., Rge. 2 W.; priority date, May 12, 1937; Completion of Works proof due, May 12, 1938; Beneficial Use proof due May 12, 1938. The above proofs were not made and this permit is listed for cancellation.

There is also a valid permit number 6208 for water on Salee Creek in the name of Bayview Townsite and Water Company for ten sec. ft. This permit was issued years ago and is in good standing.

The above lists include all the filings on Salee Creek which are in good standing. Our records show that permit number 14828 is not complete. Beneficial Use proof was never made. However, it can be made at any time, the only difference it will make, is the date of priority. In this case the priority date of August 2, 1920 will be advanced the same length of time that the Beneficial Use proof is late.

By writing this department we will send you blanks for making Beneficial Use proof or new application blanks, whichever you prefer.

Very truly yours,

E. V. BERG.
Commissioner of Reclamation.

BY: ROY W. THOMPSON.
Deputy Commissioner.

RWT:ml.

14828

Bayview Idaho

May 5-4

Dept. of Reclamation Boise Idaho.
Gentlemen?

Am asking for Information
Q¹ - How can I get a Copy of the
filing of a water right on
Salem Creek Township 54 N-R2 W-
B-M filed by Burroughs & Mann
about 1919.

② has there been any other applications
filed to date

③ If there has, could we file a
second Right now

④ who would be the proper person
to do the work, County Surveyor
or Range?

The property at present
belong to J N Emerson
of Pullman Wn.

I have a lease on it.
The Party above us took
the water last summer
claiming he had filed
on it he had all the water
he could use without
touching this creek. If we
file a new Right can he
take the water and waste it.

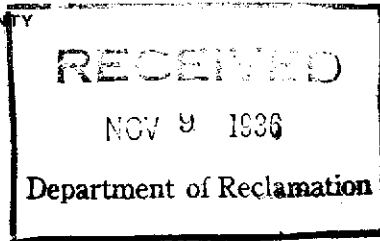
Please let know soon

Very Resp Yours

M. A. Burroughs.

14828 Box 74 - Bayview
Idaho

ROBT. E. MCFARLAND
PROSECUTING ATTORNEY OF BONNER COUNTY
COURT HOUSE
SANDPOINT, IDAHO
November 6th, 1936



Re: Permit No. 14828
M. A. Burroughs & Sid H. Mann

Hon. R. W. Paris
Commissioner of Reclamation
Boise, Idaho

Dear Sir:

I received your letter relative to the above and wish to state that I was not representing R. J. Nye. I was representing the State of Idaho

Nye had a man arrested for stealing water, and hence, it was necessary to secure a copy of the permit to prove Nye's right to the water.

Very truly yours,

A handwritten signature in cursive script, reading "Robt. E. McFarland".

Robt. E. McFarland
Prosecuting Attorney

REM/g

14828

October 23, 1936

Re: Permit No. 14828
M. A. Burroughs & Sid H. Mann

ROBERT E. MC FARLAND
Prosecuting Attorney
Sandpoint, Idaho

Dear Mr. McFarland:

On August 6th, and again on August 7th, we received letters from Mr. R. J. Nye asking that we forward him with all possible haste, a certified copy of the above permit to appropriate the public waters of the State of Idaho. In these letters, he stated that this copy was to be used in a law suit and that he would pay this department for the preparing of such certified copy.

On August 10th, the papers were forwarded to him, together with a letter requesting that he remit \$2.00 for this service. As we heard nothing farther from him, we again wrote on September 15th, calling the matter to his attention. We have as yet had no reply of any kind from him, and are therefore requesting your assistance in the matter, as you apparently acted for him in this suit.

The State Treasurer's office is insisting upon the collection of this item. As you probably know, the rate for copies of this kind is fixed by law, and this department is required to collect all such accounts. We will greatly appreciate it if you would contact Mr. Nye and explain to him that this charge must be paid. Any assistance you can give us in this matter will be very greatly appreciated.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

by
Ass't Chief Clerk

September 15, 1936

Re: Permit No. 14828
M. A. Burroughs & Sid H. Mann

R. J. NYE
Bayview, Idaho

Dear Mr. Nye:

On August 7th, this department received a letter from you to the effect that you desired a certified copy of the above permit for use in a court action with reference to the water right on property which is being leased by your wife and yourself, which was being brought to trial on August 13th, and that you would remit for such certified copy.

Therefore, a certified copy of the permit, Extension of Time, Quit Claim Deed and Certificate of Completion of works, was forwarded to you at Sandpoint, as requested by you. At that time, we informed you that the fee for this service was \$2.00. To date, we have not received this \$2.00 from you, and ask that you forward that amount to this department at your earliest convenience.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

by
Ass't Chief Clerk

oj

14828

August 10, 1936

Re: Permit No. 14828
M. A. Burroughs & Sid H. Mann

MR. R. J. NYE
c/o Robert E. McFarland, Prosecuting Atty.
Sandpoint, Idaho

Dear Mr. Nye:

We are in receipt of your letter dated August 6th in which you inquire concerning the water right to certain property, now being leased by you.

We are herewith enclosing, certified copy of the above described water permit, which is evidently the one to which you refer, together with Extension of Time, Quit Claim Deed, and Certificate of Completion of works. The fee for this service will be \$2.00.

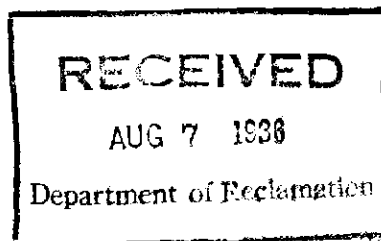
Very truly yours

R. W. FARIS
Commissioner of Reclamation

by
Ass't Chief Clerk

cj
encl

14828



Sandpoint, Idaho
August 6, 1936

Commissioner of Reclamation
Boise, Idaho

Dear Sir:

My wife and I are leasing the following described property:
NE $\frac{1}{4}$ of NE $\frac{1}{4}$, S $\frac{1}{2}$ of NE $\frac{1}{4}$; SE $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$; NE $\frac{1}{4}$ of SE $\frac{1}{4}$;
W $\frac{1}{2}$ of SE $\frac{1}{4}$, in Section 28, TWP 54 N, Range 2 WBM.

The present owner's name is J. N. Emerson. There is a creek that runs through the place and a dam is erected on the place. I understood that the owner has a water right on the creek. Recently one of my neighbors obstructed the flow of the creek and caused the water to go away from my place, and I had him arrested. Of course, I must now prove the water right.

The original owner of the property was Sid H. Mann, and I understand that he secured a water right. Will you kindly write and let me know if the water right was ever granted to him or to anyone else on that land, and if so, I would like to have you send me a certified copy of the permit, and I will pay for the same.

The trial comes on the 13th, and I would appreciate a prompt reply. You may address your reply in care of Robt. E. McFarland, Prosecuting Attorney, Sandpoint, Idaho.

Very truly yours,

R. J. Nye

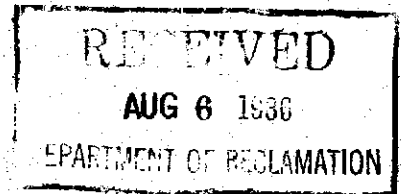
R. J. Nye

14828

14828

Bayview, Idaho

August 3, 1936



Commissioner of Reclamation
Boise, Idaho

Dear Sir:

Please write me regarding the Water Right on the following piece of land: Section 28 54 2 West, Bonner County, Bayview, Idaho, listed under the name of Sid H. Mann. The Water Right, I believe was filed approximately around the year 1916.

Mrs. Nye and Myself, have a lease on this said property of 320 acres, from the present owner, Mr. J.N. Emerson of Pullman, Wash. We are having trouble in locating the said water right at this time. Any assistance that you may be able to give me will be appreciated.

Please give me the law on Water Rights. How many inches per person. Does this happen to be an overflow water right, or the first Water Right on the place?

The people above said property are turning this water on to their place. We are having a trial in Sandpoint August 13, 1936. We would like to have this information before that time, and any other information that will be of importance. This property has been farmed most of the time during the last ten years.

Yours truly,

Roy J. Nye

14828

March 31, 1926.

Re: Permit No. 14826.

Mr. Sid H. Mann,
North 6 Post Street,
Spokane, Washington.

Dear Sir:-

Referring to your letter of the 27th inst. would say that proof of completion of works under the above permit was made in regular order and the certificate issued.

The time for proof of beneficial use of the water was extended to August 2, 1926. If you will not be prepared to offer this proof at that time, a further extension of four years may be granted upon receipt of proper application being made to this office, blank for which is enclosed.

Very truly yours,
W. G. SWENDSEN,
Commissioner of Reclamation.

By _____
Chief Clerk.

P3

14828

EMERSON-MANN CO.

REMOVED TO
NO. 6 POST ST.
BETWEEN RIVERSIDE & SPRAGUE.
PEYTON BUILDING.

EMERSON-MANN CO.

Wholesale and
Retail

Ladies' and Misses' Apparel
SPokane, Wash.

March 27 - 1926

Commissioner of Reclamation
State of Idaho
Boise, Idaho.

Dear Sir :-

Referring to my permit # 14828 dated
Aug. 2nd 1920 applying for water from Salee Creek
located in NE4 - SE4 of Sec 28 Twp 54 N Range 2W in
Kootenai County, Idaho.

Owing to illness I was unable to go
ahead with final report on this work and would like
to know what proceedings are necessary for me to com-
plete the matter and obtain the water right as orig-
inally applied for.

The diversion dam and ditches have been
completed and at the proper time was examined and the
report witnessed by a notary public

An extension was granted me on the orig-
inal permit and I would like to know if this extension
also applies for same length of time for the final re-
port to your department.

An early reply will be appreciated as I
wish to go ahead with this at once.

Yours respectfully,

Ed H Mann

North 6 Post Street
Spokane, Washington.

*Original
Permit was issued to
M. A. Burroughs and
Ed H Mann - the former
later quit claim deeded all
interest to the latter.*

14828

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Mr. Sid H. Mann
Bayview, Bonner Co., Idaho
Dear Sir:

May 6, 1925

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 14828, 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,

W. G. SWENDSEN
Commissioner of Reclamation.

14828



D. W. DAVIS, GOVERNOR

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

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

August 22, 1922.

Re: Permit No. 14828.

Mr. Sid H. Mann,
Bayview, Idaho.

Dear Sir:-

Your personal check for \$5.00 sent in payment of fees for proof of completion of works under the above numbered permit is returned herewith together with notice giving requirements now in force relative to fees due the department. This action became necessary for the reason that so many banks were being closed the past year that we were continually having to take up checks that could not be cashed. When the remittance is sent in, an additional fifty cents should be added for recording the deed sent with your letter. The deed will be recorded and returned to you.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By *F. Brown*,

Chief Clerk.

Ch\$5

Commissioner of Reclamation
Enclose cashier's check for \$5.00 covering
500 permit fee and 50 cent filing fee for
first claim deed RE Water Right
14828
Sid H. Mann

August 22, 1932.

Re: Permit No. 14828.

Mr. Sid H. Mann,
Bayview, Idaho.

Dear Sir:-

Your personal check for \$5.00 sent in payment of fees for proof of completion of works under the above numbered permit is returned herewith together with notice giving requirements now in force relative to fees due the department. This action became necessary for the reason that so many banks were being closed the past year that we were continually having to take up checks that could not be cashed. When the remittance is sent in, an additional fifty cents should be added for recording the deed sent with your letter. The deed will be recorded and returned to you .

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

CH55

Chief Clerk.

14828

September 15, 1922.

Re: Permit No. 14828.

Mr. Sid H. Mann,
Bayview, Idaho.

Dear Sir:

We inclose herewith Certificate of Completion
of Works, issued under the above numbered Permit, together
with receipt for fees and Quit Claim Deed.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

Chief Clerk.

Incls.

14828



THE COHEN, FRIEDLANDER & MARTIN CO.

CLOAK MANUFACTURERS

TOLEDO, OHIO

August 14 - 1922.

Commissioner of Reclamation
Dept. of Reclamation
Boise, Idaho.

Dear Sir :- Your recent letter requesting that I file release from M. A. Burroughs for any interest he may have had in permit # 14828 for water right on land i own in Bonner county Idaho reached me several days late, owing I presume to the poor mail service now.

I enclose quit claim deed from Mr. Burroughs and wife made to me one year ago, this covers all interest he ever had in this water right. I also enclose the \$5.00 filing fee necessary as mentioned in your recent letter.

Kindly return this deed to me u less you are obliged to keep it on file with water permit.

Mail will reach me more promptly for the next 30 days if addressed as below.

Yours respectfully,

Sid. H. Mann

Address
1517 - 1526 Old National Bank Bldg
Spokane, Washington.

14828

August 4, 1922.

Re: Permit No. ¹⁴⁸²⁸ 14732

Mr. Sid H. Mann,
Bayview, Idaho.

Dear Sir:-

Yours of recent date received, enclosing affidavit
for proof of completion of works under the above permit.
The affidavit is satisfactory and, upon receipt of statutory
fee of \$5.00, the certificate of completion of works will issue.
I would say, however, that, unless you file an assignment of
the other holder's right to you, the certificate will have
to be issued in the names of both applicants.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By

Chief Clerk.

14828

AFFIDAVIT OF PUBLICATION

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

H. R. Standacher, being duly sworn, says that he is the Publisher of the NORTHERN IDAHO NEWS, a weekly newspaper printed and published at Sandpoint, Bonner County, Idaho, and that said newspaper during all the time herein mentioned is, and was, a newspaper of general circulation, published weekly for 78 weeks prior to January 1, 1941, and that the annexed is a true copy of the notice for publication in the case of

Notice for Publication
as it was published in the regular and entire issue of said paper for a period of 2 consecutive weeks, commencing on the 15 day of Aug 1941, and ending on the 5 day of Sept 1941, and that said notice was published in said newspaper proper, and not in supplement form.

H. R. Standacher
Subscribed and sworn to before me this 5 day of

Sept A. D., 1941

Earl E. Olson
14828 Notary Public

NOTICE FOR PUBLICATION.

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 10:00 a. m. on the 8th day of Sept., 1941, at Sandpoint, County of Bonner, State of Idaho, before Lynn Bandelin, proof will be submitted of the application to beneficial use of 0.2 cubic feet per second of the waters of Salle creek, in accordance with the terms and conditions of Permit No. 14828, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are J. N. Emerson, Pullman, Washington.

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

The amount applied to beneficial use is 0.2 cubic feet per second.

The place where said water is used, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28, Twp. 54 N., Rge. 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. 14828.

The source of supply from which said water is diverted is Salee creek.

The date of priority which said user is prepared to establish is August 3, 1935.

E. V. BERG,
Commissioner of reclamation.
Aug. 15-Sept. 5

Permit No.

14828

STATE OF IDAHO
Department of Reclamation

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Boyer

ss.

Sid H Mann, 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 14828, and that his postoffice address is Bayview State of Idaho.Second: That the name of the stream from which said water is to be diverted is Sallee Creek.Third: That the point of division of said water is 580 ft S. 81° W. from 1/4 Cornerbetween Sec 27 & 28 Twp 54 N. R. 2 W. B.M. and is in the SE 1/4 of Sec 28 Twp 54 N. 2 W. B.M. County of Boyer.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug 2nd, 1922.Fifth: That the use for which said water is intended is Domestic & 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: Dam & flume & ditches.

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 6 feet, length of dam at top 66 feet, length of dam at bottom 23 feet. Material used in construction logs lumber rock & dirt.

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

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width 16 in feet, height 20 in feet.(d) Conduit flume & ditch width at bottom 16 in feet, width at water line 16 in feet, depth of water 4 in feet; diameter of pipe none inches, average grade per mile is 40 feet. Length of conduit is 5/8 miles.Seventh: That said works are capable of conducting to the place of intended use 0.2Cubic feet per second foot of water.Eighth: That water appropriated under said permit is available for 40 acres of land described as follows:20 acres in NW 1/4 & 20 acres in SW 1/4 of the SE 1/4 of Sec 28 Twp 54 N. Range 2 W.

Ninth: Remarks: That

I, Sid H Mann have fulfilled all requirements of law for converting the use of the waters of Sallee Creek for domestic & irrigation purposes for above described land.

(Sign here)

Subscribed and sworn to before me this 27th day of July, 1922Warren O Rapp

Notary Public.

My commission expires June 26 - 1926

14828

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Sid H. Mann

Bayview, Idaho

May 11, 1922

all future
communications in
connection with
this water right are
to be addressed
to Sid H Mann
Bayview
Idaho

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No. 14828 you are required to complete your diversion works on or before Aug. 2, 1922. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

W. G. SWENDSEN
Commissioner of Reclamation.

14828

14828

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

May 11, 1922

Mr. M. A. Burroughs
Bayview, Idaho

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No.....14828.....you are required to complete your diversion works on or before Aug. 2, 1922..... I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

W. G. SWENDSEN
Commissioner of Reclamation.

14828



SID. H. MANN
1507 OLD NATIONAL BANK BLDG.
SPOKANE, WASH.

THE COHEN, FRIEDLANDER & MARTIN CO.
CLOAK MANUFACTURERS
TOLEDO, OHIO

Spokane, Washington,
July 9 - 1921

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

Dear Sir :--

Answering your favor of June 11th
signed by Geo. B. Archibold regarding the extension of time on permit for water right #14828

As stated in request for extension
I find it impossible to complete the diversion dam within the time limit and request this extension although I do not feel that I will need as much time as mentioned. We have been unfortunate in getting material for construction as the saw mill furnishing the lumber closed owing to poor business the past 3 months and we cannot ship the lumber in except at prohibitive price

Since the water dissapears on my land and there for could not be made use of by any one else I feel that this extension is justified and also because of the work already done, ditch lines all staked and surveyed, timber work of dam all completed, all that remains to be done is the lumber facing and spillway which will require only a few days when we are able to get lumber.

Awaiting your reply I remain,

Yours very truly,

Sid H Mann

14828

RECEIVED
JUL 11 1921
DEPARTMENT OF RECLAMATION

14828

Permit No.

Application for Extension of Time

FOR COMPLETION OF WORKS

Sid. H. Mann, of Spokane,

State of Washington, being first duly sworn, upon his oath deposes and says:

He is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho

No. 14828

Under the terms and conditions of said permit, construction work thereunder was required to be completed by August 2, 1921.

That he has heretofore performed the following work described under said permit: ~~Cleared necessary site for the diversion dam, constructed all log framework for said dam, as well as foundation work for same and diversion dam is now complete except plank facing and spillway which has been delayed owing to saw mill closing down which furnished the lumber and in addition to this the foreman in charge of the work has been ill intermittently for several weeks and unable to attend to this work. He is getting better now and we will be able to get lumber within a few more days but it will be impossible to complete the dam before August 2nd, 1921. Have also had surveyed and staked all ditch lines, this surveying costing about \$60.00 costing \$ work on dam so far cost approximately \$150.00~~

THAT he is unable to complete the remainder of the work within the required time, for the following reasons, to-wit: as noted above

WHEREFORE, He asks that the Commissioner of Reclamation extend the time for the completion of works under said permit to August 2nd, 1922.

Subscribed and sworn to before me this 9th day of July, 1921.

My commission expires Sept 4, 1924.

Notary Public.

Date of receipt at office of Department of Reclamation July 11, 1921.

APPROVAL OF COMMISSIONER OF RECLAMATION.

I, W. G. Swendsen, Commissioner of Reclamation of the State of Idaho, hereby extend the time for the completion of construction work under Permit to Appropriate the Public Waters of the State of Idaho, No. 14828, to August 2nd, 1922.

Witness my hand this 11th day of July, 1921.

W. G. SWENDSEN,
Commissioner of Reclamation

By *Geo. B. Archibald* Deputy

14828

June 11, 1921.

Mr. Sid H. Mann,
c/o 1507 Old Nat. Bank Bldg.,
Spokane, Washington.

Dear Sir:

Receipt is acknowledged of your letter of June 8th concerning the time for completion of works under your Permit 14828. The records of this Department disclose that work was to be commenced by October 1st, 1920 and completed by August 2, 1921. So, if you received a notice stating that it was to be completed by October 2, 1921, the said notice was in error.

However, if you desire to have an extension of time beyond October 2, 1921 of say, one year, the same will be duly granted upon due application being made if said application sets forth facts which warrant the extension. I am therefore enclosing herewith an application blank for you to fill out, and return before August 2, 1921 and in this manner secure sufficient time to complete your work without difficulty.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation

By

GBA:MB
Encl.

Assistant.

Brown 14828

14828

No 14828
TOURIST HOTEL

MODERN

MRS. H. D. SHEPARD. PROP.

AMERICAN
DINING ROOM
IN CONNECTION

SAMPLE
ROOMS

HAMILTON, MONT.,

June 8

1921

Dept of Reclamation
Bureau Idaho
Puncheon

My partner M. A. Burroughs
of Bayview Idaho - ~~Bureau~~
recently rec'd a letter stating
that division work we are
erecting in Sec 28. Bonner
County for irrigation purposes
must be completed by Aug 2nd
1921 - Our first notice said we
had till Oct 2nd 1921 for
this work. Why has date been
advanced today?

We can not possibly get dam &
ditches all completed by Aug 2
we may by very hard work get
dam completed by that time.
The original permit for this

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

May 9, 1921

M. A. Burroughs
Bayview, Idaho.

Dear Sir:—

Under the terms of your permit No. ~~14828~~—, you are required to complete your diversion works on or before ~~Aug. 2, 1921~~— I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

W. G. Swendsen,

State Engineer.

14828

September 29, 1920.

Re Permit 14828.

Mr. Sid. H. Mann,
1507 Old National Bank Bldg.,
Spokane, Washington.

Dear Sir:--

Replying to yours of the 27th inst. would say that no showing is required to be made in this office on commencing work or on completion of one-fifth of the work, unless a protest has been filed against the permit on these grounds, and such is not the case under this permit. The first proof required to be made is for completion of works.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By _____

14828



A.S. COHEN,
PRES. & TREAS.

L.S. OTTENHEIMER,
V. PRES. & SECY.

THE COHEN, FRIEDLANDER & MARTIN CO.

CLOAK MANUFACTURERS

TOLEDO, OHIO

Spokane, Wash. Sept. 27 - 1920.

Department of Reclamation

State of Idaho,

Boise.

Gentlemen :--

Under date of Aug. 2nd. 1920 I recieved a permit #I4828 to put in a small dam and ditches for irrigation proposes on portion of Section 28 Twp 54 N Range 2 W.B.M. in Bonner County Idaho and this permit specified that work must commence on this project before Oct. 1st 1920 but did not state how much must be completed by that date. I have therefor had a surveyor lay out the ditches and the dam and we have done some work on the construction

Is it necessary to make any affadavit before notary or is any other notice than this letter necessary to comply with the state laws of Idaho. I can if you require it get a signed statement from the surveyor who did the location work on the dam and ditches.

Will you please advise me by return mail if I must furnish any other notification other than this letter.

Yours very truly,

Did H. Mann.

1507 Old National Bank Building.

14828

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 14828

Sid H. Mann

1507 Old Nat. Bank Bldg.

Dear Sir: Spokane, Wash.

Boise, Idaho,

Aug. 7, 1920.

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

W. G. Swendsen

Commissioner of Reclamation.

14828

D. S. MORGAN, PRESIDENT

J. C. ANDERSON, SECRETARY

THE MORAN-ANDERSON COMPANY

MANUFACTURERS OF

HOME PHONE MAIN 2884
BELL PHONE MAIN 5973


Marguerite
WAISTS & DRESSES

826-828-830 SUMMIT STREET
NEAR CHERRY

TOLEDO, OHIO Spokane, Wash. Aug. 4 - 20

Commissioner of Reclamation
Boise, Idaho.
Dept. of Reclamation.

Gentlemen :--

Several weeks ago the writer returned to you the first paper making application for a permit for water right on some land I own in Sec 28 twp 54 North Range 2 West B.M. Bonner county Idaho

These had been returned to me two or three times for minor corrections and I have complied with all instructions and would like to hear from you relative to this permit which will enable me to start work on the dam and ditches for the season is here now when we must do this work while the water is low and ground dry and hard enough to build dam etc.

Kindly give this matter your immediate attention and advise me when I may expect some reply to this application.

Yours very truly

L. H. Mann
1807 Old Nat'l Bank Building
Spokane, Wash.

Address

*application for
Permit no*

21057

14828

Name of Applicant

McBurrigho and Ed H Mann Bayview Idaho

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

*T 54 N
R 2 W*

Creek Sink's Herd



Salee Creek.

Legend.

Dam

Ditch



Pond



A.S. COHEN,
PRES. & TREAS.

L.S. OTTENHEIMER,
V. PRES. & SECY.

THE COHEN, FRIEDLANDER & MARTIN CO.

CLOAK MANUFACTURERS

TOLEDO, OHIO

Spokane, Washington.

July 8 - Nineteen Twenty.

Commissioner of Reclamation,

Boise, Idaho.

Dear Sir :--

As per instructions in your letter of June 30th I am returning corrected maps showing the lands we wish to irrigate with the waters of Salee Creek under our application for permit # 21057

The dam, proposed ditches, course of the creek, where the water of the creek sinks and disappears entirely are all shown and the area we wish to irrigate is shown by the blue lined portion .

We have gone over this carefully and measured it as accurately as we knew how and trust that our maps will meet with your approval in every way.

Awaiting further instructions in regard to this permit and asking that you address any communication to me at the following point I am

Yours Respectfully,

Sid. H. Mann

1507 Old National Bank Building

Spokane, Washington.

Referring to
Application
21057.

14828

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Boise, Idaho, ...June 30, 1920.....

Application No. 21057.....

Mr. Sid H. Mann,
Bayview, Idaho.

SIR:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

On maps show lands to be irrigated.

You are allowed until 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application will be refiled under a new number with later priority, requiring additional fee.

Yours truly,

COMMISSIONER OF RECLAMATION.

By 7 J B Whitaker

Encl.: App. 21057.....

14828

June 30, 1920

21057

Mr. Sid H. Mann,
Bayview, Idaho.

On maps show lands to be irrigated.

21057

14828



D. W. DAVIS, GOVERNOR

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

BUREAU OF WATER RESOURCES
WATER APPROPRIATIONS
CAREY ACT DEVELOPMENT

June 8, 1920.

Re: Application Unacceptable.

Mr. Sid H. Mann,
1507 Old National Bank Building,
Spokane, Washington.

Dear Sir:

The application filed by E. A. Burroughs and yourself on 10 inches of Salee Creek in Kootenai County is being returned as unacceptable as the same was not accompanied by the statutory fee, which on the amount claimed is \$1.00. On the maps show the lands to be irrigated, and maps are required in duplicate.

Very truly yours,

W. G. SWENDSEN,
Commissioner of Reclamation.

By

J. J. Zess
Assistant.

STB:LB
Encl.

Commissioner of Reclamation, 14828
Boise Idaho
Dear Sir: Complying with above instructions I Enclose remittance of \$1.00 also maps in duplicate of land we wish to irrigate.
Please return necessary permit to my office address as given above
Sid H. Mann