

17170

4 Ac. Alfalfa
2 Ac. Garden
3 Ac. Timothy
Sink
Pipe line.
Point of Diversion
Barn & Outbuildings
House
Spring

T. 53 N.

T. 52 N.

3

2

1

R. 3 W.

R. 2 W.

NAME OF APPLICANT

O. A. Burnett

Carlisle Idaho

Form No. 0

T 52 N R 3 W B.M.

T. 53 N
T. 52 N.

PIPE
HOME
Spring

Point of Diversion

R. 3 W.

R. 2 W.

Permit Map No. 17170

As Approved

SEP 20 1929

GEO. N. CARTER
Commissioner of Reclamation

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

17170

State of Idaho
License and Certificate of Water Right

Water License No. 17170

Amount .18

Water District No. _____

Priority 9-19-29

THIS IS TO CERTIFY that **O. A. BURNETT**
of **Carbon Junction**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **September 19**, 19 **29**; that Permit No. **17170**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.2 second feet, was issued thereunder on **September 17**, 19 **31**, showing that said works
were completed on the **11th** day of **September**, 19**31**; and that on the **20th**
day of **September**, 19 **32**,

O. A. BURNETT

of **Carbon Junction**, State of **Idaho**, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of a **small unnamed spring**
which sinks ~~xxxxxxxxxx~~ before it reaches any ^{stream} for the purpose of **irrigation and domestic**
use, under Use Permit No. **17170** 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 **3748**, on the **10th** day of **November**, 19 **33**;

The right hereby confirmed dates from **September 19**, 19 **29**;

The Point of Diversion is located
in the **NW ¼ NE ¼**, Sec. **2**, Tp. **52 N.**, R. **3 W.**, B. M. **Kootenai County**.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **.18**
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
52 N	3 W	2	NW ¼ NW ¼	10	9

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this **10th** day of **November**, 19 **33**.

R. W. FARIS
Commissioner of Reclamation

(SEAL)

~~55-2070~~
96-2332

State of Idaho

License and Certificate of Water Right

Water License No. 14574Amount 5.6

Water District No. _____

Priority 5-18-20

THIS IS TO CERTIFY that **FRANK D. DELBAERE & W. H. CAMPBELL** of **New Meadows**, made application for a permit to appropriate the public waters of the State of Idaho, dated **February 24**, 19 **20**, that Permit No. **14574** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **6** second feet, was issued thereunder on **August 26**, 19 **24**, showing that said works were completed on the **23rd** day of **August**, 19 **24**; and that on the **26th** day of **May**, 19 **30**,

FRANK D. DELBAERE & W. H. CAMPBELL

of **New Meadows**, State of **Idaho**, made proof to the satisfaction of the **Commissioner of Reclamation** of Idaho, of the right to use the waters of **Brown's Creek & tributaries**, a tributaries of **Little Salmon River**, for the purpose of **irrigation and domestic use**, under Use Permit No. **14574** 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 **3747**, on the **9th** day of **November**, 19 **33**;

The right hereby confirmed dates from **May 18**, 19 **20**;

The Point of Diversion is located (**Brown's Creek**) in the **SW 1/4 NE 1/4**, Sec. **17**, Tp. **20 N.**, R. **2 E.**, B. M. **Adams County**.
(See Remarks for diversions from tributaries)

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 **5.6** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated	
20 N	1 E	13	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40	
		14	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	30	
		23	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	30	
		24	NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40	
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40	
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	25	
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	35	
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40	
		(Remarks): Tributary No. 1 NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8,				
		No. 2 NE $\frac{1}{4}$ NE $\frac{1}{4}$, " 8,				
No. 3 SE $\frac{1}{4}$ SE $\frac{1}{4}$, " 5,						
No. 4 NE $\frac{1}{4}$ SE $\frac{1}{4}$, " 5,						
No. 5 NE $\frac{1}{4}$ NE $\frac{1}{4}$, " 5, all in T. 20 N., R. 2 E., B. M.						
			Adams County.			

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this **9th** day of **November**, 19 **33**.

R. W. FARIS
Commissioner of Reclamation

(SEAL)

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

Application No. 24192
Permit No. 17170
District No.

1. Name of Applicant: **O. A. Burnett**

Postoffice address: **Corbin Jct.** 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: **Small unnamed mountain spring** which is a tributary of **no stream**, sinks when it leaves the hill.

4. Location of point of diversion: **660' South & 440' East** feet distant from the **N $\frac{1}{2}$** corner of Section **2**, T. **52 N**, R. **3 W**, B. M., and is in the **NW $\frac{1}{4}$ NE $\frac{1}{4}$** of Section **2**, T. **52 N**, R. **3 W**, B. M., County of **Kootenai**

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: \$ **600.00**

8. Kind of works: **Drain pipe direct from spring to garden.**

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

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

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

Diameter of pipe **1 $\frac{1}{2}$** inches; length of conduit **3000 feet** miles.

Average grade per mile **200** feet.

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

13. The time required for the complete application of the water to the proposed use is **1** additional years.

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

15. (a) Is reservoir to be used? **No.** If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

O. A. Burnett Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. September 19, 1929.

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17170

Recorded in Book 62 Page 17170 Approved September 20, 1929.

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 **November 19, 1929** 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 **September 20, 1930.**

The whole of said work to be completed on or before **September 20, 1931.**

Beneficial use of water appropriated in accordance herewith, to be made on or before September 20, 1932.

Witness my hand this 20th day of September, 1929.

GEO. N. CARTER
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
52 N.	3 W.	2					10A												10 A
Same spring was filed on by Nels Nelson as it leaves the mountain N & E of the NE corner of the NW¼ of Sec 2, T. 52 N., R. 3 W., B. M. but has not been in use for about seven years. Spring is now dry where it leaves the hills but runs strong ¼ mile further up the mountain. The Spring is on the Forest Reserve.																			
Proof of Completion Works made September 11, 1931 Certificate of Completion issued September 17, 1931																			
PERMIT NO. 17170																			
CERTIFICATE OF COMPLETION OF WORKS																			
To All Whom it May Concern:																			
This is to certify that O. A. Burnett of Corbin Junction, County of Kootenai, and State of the holder of Permit No. 17170, issued upon Application 24192, bearing date of priority of Sept 19, 1929, authorizing the diversion of 0.2 second feet of the waters of an Unnamed Spring, Coun Kootenai, State of Idaho, for Domestic & Irrigation purposes, has fully complied with the prov of the laws of the State of Idaho relating to the proof of completion of the works of diversio out and described in said Permit; that said works are adequate for diverting and conveying to place of intended use 0.2 second feet of the waters of said Unnamed spring; that the point of version of said waters is in the NW¼ NE¼ of Section 2, Twp. 52 N, R. 3W, B.M.; and that the la proposed to be irrigated by the use of said water are described as follows, to-wit: NW¼ NW¼, Section 2, Twp. 52 N. Range 3 W. B.M.																			
Witness my hand this 17th day of September, A.D. 1931.																			
R.W. FARIS																			
Commissioner of Reclamation																			
LICENSE ISSUED FOR 0.18 SEC. FT. Volume 7, Page 3748																			

November 10, 1933

Re: Water License No. 17170

MR. O. A. BURNETT
Athol,
Idaho

Dear Sir:

We are enclosing herewith Water License No. 17170 which constitutes the final certificate under your permit.

We wish to advise you that your check for \$2.00, in payment of fees due in connection with beneficial use proof, was received in this office some time ago and you will note our office receipt, in this amount, attached to the license. We are sorry that the issuance of the license has been delayed until this time, however, there were a number of other matters which were quite pressing that made it impossible to take care of this matter at an earlier date.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLM:RG

17170

Athol Idaho
Nov 6 - 1933

Mr R.W. Faris
Boise Idaho

Dear Sir.

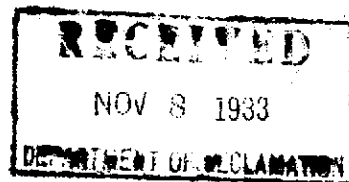
On Sept 18. '33 I mailed you a
check No. 8. on American Trust Co Coeur d'Alene
for \$2.00 to cover the cost of inspecting
water permit No 17170. of Sept 20 - 1929.

So far I have had no reply to
this letter with inclosed check.

Please let me know if there is
some loss or mistake.

Respectfully
O. A. Burnett

17170



July 24, 1933

Re: Permit No. 17170

MR. O. A. BURNETT
Carbon Junction,
Idaho

Dear Sir:

This is to inform you that we are now in receipt of the engineer's report covering his examination made in connection with proof of beneficial use of water under the above permit. Upon receipt of a fee in the amount of \$2.00 we will issue a license to you under this permit for .18 of one second foot of water. The amount of water is determined by the number of acres which you have irrigated, being at the rate of one inch per acre.

This fee is fixed by law as follows: in the case of irrigation permits it shall be at the rate of \$2.00 for each 40 acre legal subdivision of fraction thereof that is being irrigated. This is to partially cover the expenses of making a field examination.

Very truly yours,

R. W. FANIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:RG

17170

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17170

This proof is for BEN USE

In Water District No.

1. Name of applicant O. A. Burnett
2. Source of water supply: Unnamed Spring
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2
T. 52 N. R. 3 W.B.M. County of Kootenai
4. Describe works as they exist, giving dimensions and capacities of same: Wooden box imbedded in stream bed. Box 1'X1'X4' creating head for 25 feet of 2" pipe thence into 1800 feet 1 $\frac{1}{2}$ inch pipe thence into 1255 feet 1 $\frac{1}{2}$ inch pipe leading to distributing system and house and out buildings. Capacity at intake of pipe 7.32 inches and 6.85 inches measured at discharge end on date of report.
5. Water is used for: Irrigation and domestic 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): NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T. 52 N. R. 3 W. B. M.
2 acres garden; 4 acres alfalfa and 3 acres timothy.
Taps in pipe line provide for house, stock water and milk cooler.

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

8. What large stream would the water here appropriated finally reach? Stream sinks before reaching any stream.
- Remarks: This pipe line is fully exposed, in fair state of maintenance and is not used in the winter time. More water could be carried by increasing the entrance head. This could be easily accomplished. The discharge at the point of diversion varies from a few inches to several feet.

This examination was made on the 7th. day of July, 1933.

(Signed)

Harry R. Foster

Examiner.

17170

O. A. Burnett
Corbin Junction, Idaho

Permit No. 17170

Examination for BEN USE

County Kootenai

INSTRUCTIONS TO EXAMINERS

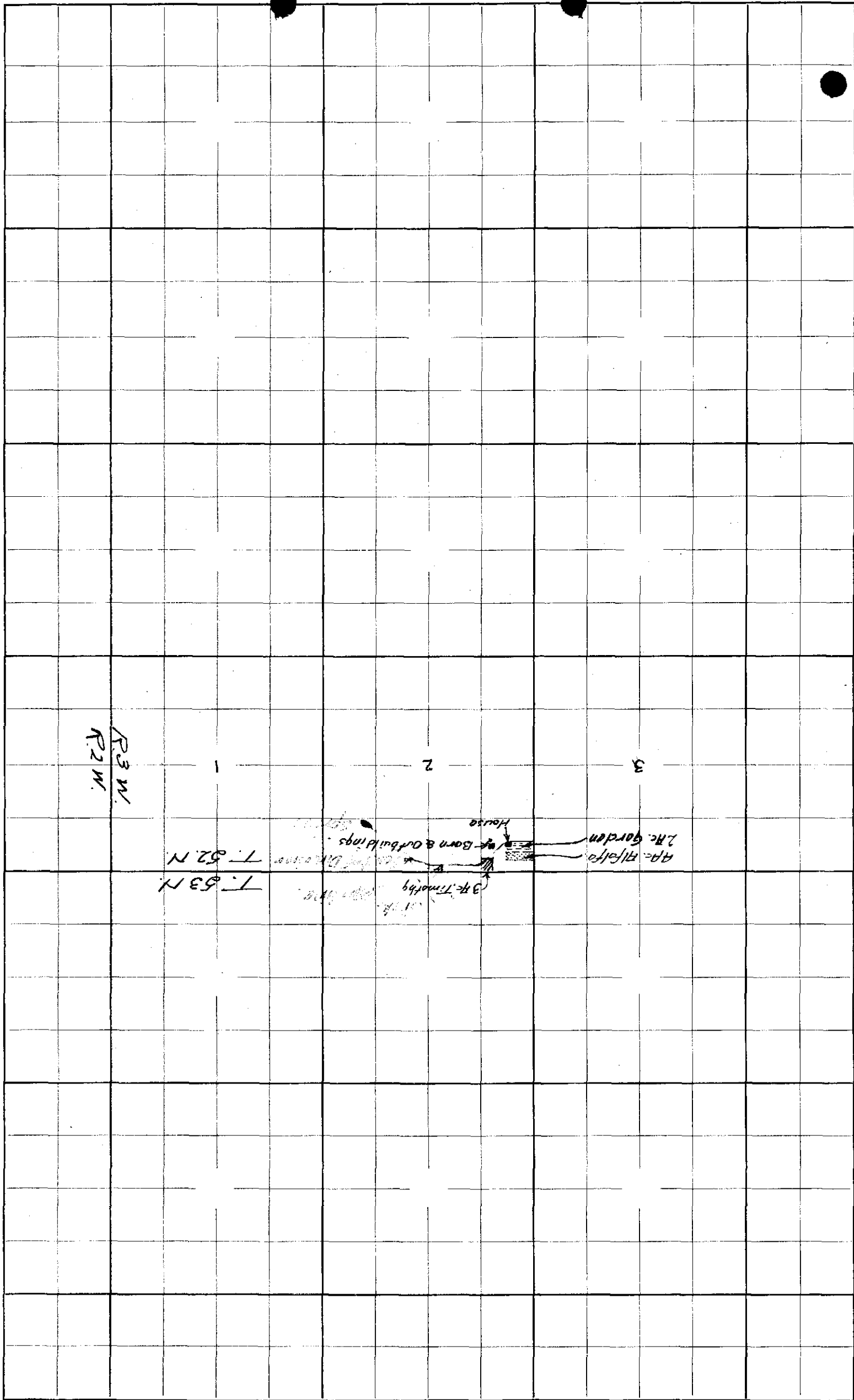
1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated 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. 17170

REPORT ON PROOF OF BENEFICIAL USE



September 22, 1932

Re: Permit No. 17170

Mr. O. A. Burnett
Corbin Junction, Idaho

Dear Sir:

We are in receipt of the following papers in connection with Beneficial Use proof on the above numbered permit, to-wit: Deposition of the holder, depositions one each of two witnesses, and affidavit of proof of publication from the newspaper.

These papers have been properly executed, and they will be placed on file in this department until such time as a field examination can be made.

When the Engineer's Report has been filed you will be further notified as to fees due for Beneficial Use proof before your license is issued.

Very truly yours,

R. W. PARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:MC

17170

AFFIDAVIT OF PUBLICATION

RECEIVED

SEP 22 1932

DEPARTMENT OF RECLAMATION

STATE OF IDAHO,

County of Kootenai,

ss.

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

Notice is hereby given that at 10:00 a. m. on the 20th day of September, 1932, at Coeur d'Alene, Idaho, County of Kootenai, State of Idaho, before H. H. Barton, Justice of the Peace, proof will be submitted of the application to beneficial use of Two Tenths cubic feet per second of the waters of unnamed mountain spring in accordance with the terms and conditions of Permit No. 17170 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 O. A. Burnett, Corbin Junction, Idaho.

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

The amount applied to beneficial use is two tenths cubic feet per sec

The place where said water is used (If for irrigation, give full and accurate description of the lands irrigated) (10) Ten acres in the NW¼ NW¼ Section 2, T. 52W., R. 3 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 Iron pipe.

The right to take water from such works is based upon Permit No. 17170.

The source of supply from which such water is diverted is unnamed mountain spring, in the NE¼, Section 2, T52N., R. 3 W. B. M.

The date of the priority which said user is prepared to establish is Sept. 19, 1929.

R. W. FARIS,

Commissioner of Reclamation
Aug. 1-8-15-22-D.

Ann M. Gerdie being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party to the above entitled action.

2. I am now and at all times hereinafter mentioned was the ~~print~~ (principal clerk) of the "Coeur d'Alene Evening Press" a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The *Notice for Publication* of which the annexed is a printed copy, was published in the regular

daily issue of said newspaper for *four* consecutive

Aug 1-8-15-22 commencing on the *1st* day of *August*

19*33*, and ending on the *22nd* day of *August* 19*33*, and

such publication was made as often during said period as said *daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publica-

tion of said *Notice for Publication*

Ann M. Gerdie

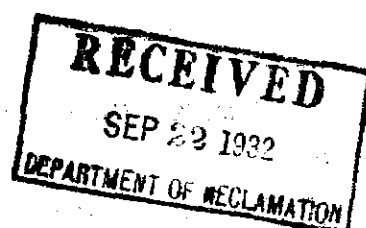
Subscribed and sworn to before me this *22nd* day of *Sept*

19*33*.

Notary Public for the State of Idaho, residing at Coeur d'Alene, Idaho

17170

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 17170

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. O.A. Burnett, Corbin Post office, Kootenai County, Idaho.

My occupation is farmer.

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

Ans. My application is for myself only.

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

Ans. 17170, September 20, 1929, September 19, 1929.

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

Ans. An unnamed mountain spring, situate 400 feet south and 200 feet east of northeast corner of the northwest quarter of Sec. 2, Township 52 N., R. 3 W. on the northeast quarter of said section 2, County of Kootenai.

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. Small wooden box attached to which is 3080 feet of iron pipe from 2 inches to 1 1/2 inches in diameter.

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 and irrigation purposes. The land irrigated consists of ten acres in the northwest quarter of the northwest quarter of Section two of Township Fifty-two north, range three west of Boise meridian in Kootenai county Idaho. Cultivated land. The improvements resulting from this irrigation are, lawn, flowers, garden, shrubbery and trees.

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

Ans. -----

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

Ans. Two-tenths of a cubic foot 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. -----

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

Ans. Full amount of the spring during the irrigation season.

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

Ans. None

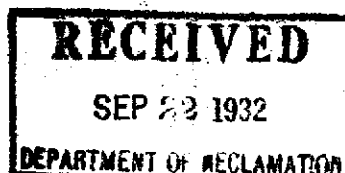
(Sign) Q. A. Burnett

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 Coeur d'Alene, County of Kootenai, State of Idaho, on this 20th day of September, A. D. 1932.

Hubert H. Burton
JUSTICE OF THE PEACE and
Notary Public for Idaho, residing at
Coeur d'Alene, Idaho.

My commission expires June 2, 1933.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 17170

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. Louis A. Weaver, 29 years, Athol, Idaho, Rt. #1, Farmer, Athol, Idaho

Ques. 2. Are you acquainted with O. A. Burnett, the holder of Permit No. 17170? How long have you known him and where does he reside?

Ans. I have known him Fifteen years. He resides at Corbin, Idaho

Ques. 3. Have you read or heard read said Permit No. 17170, and are you familiar with its provisions and conditions?

Ans. I have read permit 17170 and am familiar with its provisions and Conditions of same.

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. The water is diverted from an unnamed spring on the Northeast quarter of Section Two, Township 52 North, Range 3 W. B. M. by an iron pipe to the Northwest quarter of the Northwest quarter of Section Two of Township 52 North, Range 3 West B. M.

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. I have seen the full capacity of the spring used through the above described pipe but do not know the capacity of the pipe.

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. It is used for domestic and irrigation purposes. Ten acres of land is irrigated on the Northwest quarter of the Northwest quarter of Section 2, Township 52 North, Range 3 west B. M. the improvements resulting therefrom are flowers, lawn, garden, shrubbery and trees.

17170

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

Ans. For domestic 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. The land is dry and can be made profitable by cultivation when sufficient water has been used on it.

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, I have no interest in the above described lands and water.

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 have witnessed the use of said water used the past three seasons in sufficient quantity to irrigate the ten acres above described

(Signed)

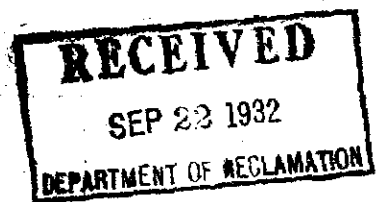
Louis A. Weaver

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 Coeur d'Alene, County of Kootenai, State of Idaho, on this 20th day of September, A. D. 1932.

Robert R. Robertson
Justice of the Peace & Notary Public for
Idaho, residing at Coeur d'Alene, Idaho.

My commission expires June 2, 1933

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 17170

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. Scottie Bomar, 29 years, Corbin Junction, Idaho, My occupation is
farmer

Ques. 2. Are you acquainted with O.A. Burnett, the holder of Permit No. 17170? How long have you known him and where does he reside?

Ans. I have known him three months. He resides at Corbin, Idaho.

Ques. 3. Have you read or heard read said Permit No. 17170, and are you familiar with its provisions and conditions?

Ans. I have read Permit 17170 and am familiar with its provisions and conditions of same

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. The water is diverted from an unnamed spring on the northeast-quarter of Section Two, Township 52 north, range 3 west B.M. by an iron pipe to the Northwest quarter of the Northwest quarter of Section Two of Township 52 north, range 3 west B.M.

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. I have seen the full capacity of the spring used through the above described pipe but do not know the capacity of the pipe

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. It is used for domestic and irrigation purposes. Ten acres of land is irrigated on the northwest quarter of the northwest-quarter of Section 2, Township 52 North, Range 3 west B.M. The improvements resulting therefrom are flowers, lawn, garden, shrubbery and trees

17170

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

Ans. For domestic 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. The land is clay loam and becomes profitable in cultivation in proportion to the amount of water used to irrigate it.

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

Ans. I have no interest in the works, water or lands above described.

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 have witnessed the use of the above described water nearly every day during the past three months.

(Signed)

Victor Bannor

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 Coeur d'Alene, County of Kootenai,
twentieth
State of Idaho, on this/day of September, A. D. 1932.

Robert A. Burton
Justice of the Peace and Notary Public for

My commission expires June 2, 1933. Idaho, residing at Coeur d'Alene, Idaho.

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,
September 13, 1932

Mr. H. H. Barton
Justice of Peace
Coeur d'Alene, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17170.....

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 September 20th....., 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 Coeur d'Alene..... before H. H. Barton, Justice of Peace.....

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,

R. W. FARIS

Commissioner of Reclamation.

17170

July 28, 1932

Re: PERMIT No. 17170

Mr. O. A. BURNETT,
Corbin Junction,
I d a h o

Dear Sir:

We are in receipt of your notice, in duplicate, for publication in the matter of beneficial use proof on the above mentioned permit, together with Form 11, which is an authorization from you to this Department to have the notice published.

The date proof is to be made has been changed from September 26th to September 20th, the last mentioned date being the date proof is due in accordance with the terms of your permit.

A copy of the notice will be mailed to the COEUR D'ALENE PRESS, of Coeur d'Alene, Idaho, with instructions to publish it once a week for four successive weeks. Depositions, one of the holder and one each for two witnesses, will be mailed about September 10th to Mr. H. H. BARTON, Justice of the Peace, Coeur d'Alene, Idaho, so that he will have them in ample time to acknowledge your proof.

Very truly yours,

R. W. FARIS,
Commissioner of Reclamation

By _____
Chief Clerk

PH/mt

17170

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date July 28, 1932

COEUR D'ALENE PRESS,
Coeur d'Alene,
I d a h o

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to September 30, 1932, the date set for proof, the expense of the publication to be paid by the applicant, O. A. BURNETT

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,

R. W. FARIS

Commissioner of Reclamation

Enc.

17170

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 21, 1932
(P. O.) Griffin Junction Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Coeur d'Alene Press of Coeur d'Alene, Idaho, published in
the county in which the works are situated.

O. A. Burnett

(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.

17170

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 20th day of September, 1932,
at Coeur d'Alene, Idaho, County of Shoshone, State of Idaho,
before H. H. Curtis Justice of the Peace, proof will be submitted
of the application to beneficial use of Two Tenths cubic feet per second of the
waters of Unnamed Mountain Spring in accordance with the terms and conditions of
Permit No. 17170 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.....

O. A. Burnett Coeur d'Alene Junction, Idaho

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

Domestic and Irrigation
Purposes

The amount applied to beneficial use is.....

Two Tenths cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) (10) Ten acres in the N. W. 4 N. W. 4

Section 2 T. 52 N. R. 3 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 Iron Pipe

The right to take water from such works is based upon Permit No. 17170

The source of supply from which such water is diverted is an Unnamed
mountain Spring, in the N. W. 4 Section 2, T. 52 N.
R. 3, W. B. M.

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

Sept. 19, 1929.

R. W. PARIS

Commissioner of Reclamation.

17170

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. **32386**

INSURED PARCEL

No. _____

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



Return to **COMMISSIONER OF RECLAMATION**

(NAME OF SENDER)

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

BOISE,

IDAHO.

RETURN RECEIPT

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

C. A. Burnett

(Signature or name of addressee.)

Charles C. Burnett

(Signature of addressee's agent.)

Date of delivery, _____, 193

Form 3811

7170

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

July 2, 1932

O.A. Burnett
Corbin Junction, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 17170, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is Sept. 20, 1932, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARIS
~~XXXXXXXXXX~~
Commissioner of Reclamation.

17170

September 19
1931

Re: Permit 17170

Mr. O. A. Burnett
Corbin Junction, Idaho

Dear Sir:

Enclosed you will find certificate of completion
of works issued under the above numbered permit,
together with receipt for fees paid.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk

CB/LP
Encl.

17170

Permit No. 17170STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO,

County of Kootenai

} SS

O. A. Burnett, 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. 17170, and that his postoffice address is Corbin Id.
State of Idaho

Second: That the name of the stream from which said water is to be diverted is

Small unnamed mountain SpringThird: That the point of diversion of said water is 660 ft South & 440 ft E
N 1/2 S 2 T 52 N R 3 W B M and is in the NW 1/4 NE 1/4 S 2 T 52Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Sept 19, 1931. Kootenai Co. B. M.Fifth: That the use for which said water is intended is Domestic & Irrigation PurposesSixth: 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: 3000 (three thousand ft) of iron pipe from
2 in. 1 1/4" direct from spring bot in spring
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

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

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

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

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

(d) Conduit.....width at bottom.....feet, width at water line.....

(State whether ditch, flume or pipe.)

feet, depth of water.....feet; diameter of pipe 2" to 1 1/4" inches, average grade per mile is 2.00 feet. Length of conduit is 3/5 miles.Seventh: That said works are capable of conducting to the place of intended use.
0.2 second feet of water.Eighth: That water appropriated under said permit is available for 10 acres of land described as follows: SE-NW-NW S 2 T 52 N R 3 W B M.Ninth: Remarks: That That the above works are in constant use all summer & part of the winter. The system is complete in every way.O. A. Burnett
(Sign here)Subscribed and sworn to before me this 11th day of September, 1931My commission expires Feb. 23rd 1934

Notary Public.

17170

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

O. A. Burnett

Corbin Junction,
Kootenai Co., Idaho

Boise, Idaho,

July 6, 1931

Dear Sir:—

Under the terms of your permit No. 17170 you are required to complete your diversion works on or before Sept. 20, 1931. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

R. W. FARIS

Commissioner of Reclamation.

17170

August 27, 1930

Re: Permit 17170.

Mr. O. A. Burnett
Corbin, Idaho

Dear Sir:

Referring to your letter of the 25th inst., would say that no proof is required to be made for completion of one-fifth of the work.

Your first proof to be made under your above numbered permit will be for completion of works, due September 20, 1931. The second proof, for beneficial use of water, is due one year later. Blank notices for proof will be mailed out from this office ninety days in advance of the date specified in the permit.

Very truly yours,

GEO. N. CARTER
Commissioner of Reclamation

By

Chief Clerk

GB/co

17170

Aug 25 1930

Commissioner of Reclamation,

Boise Idaho

Dear Sir:

In reference to permit issued to me
Sept 30, 1929 Near Corbin Idaho N.E. $\frac{1}{4}$.
S. 2, T. 52, N. R. 3, W. B. M. to be used on N.W. $\frac{1}{4}$.

I cant send permit no. as the permit
is in town in s.d.

I had one year to complete one
fifth of the work.

The whole system was completed
last Spring and has ben in use
all Summer.

Is there any prog. of work to
be made at this time?

Respectfully

O. A. Burnett

17170 -

no on $\frac{1}{3}$ -

17170

Cor - 2 - 20 - 1931

BK - " " 1932

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 17170
O. A. Burnett
Corbin Junction, Idaho
Dear Sir:

September 30, 1929
Boise, Idaho,

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

Enc. Receipt for fee paid.

GEO. N. CARTER
Commissioner of Reclamation.

17170

