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CERTIFICATE

RECEIVED

OCT 23 1968

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

Department of Probation

I, the undersigned Clerk of the Probate Court of Bonner County, Idaho, do hereby certify that the annexed copy
of the **Letters of Administration and Oath**
in the matter of the estate of Rasmus C. Brooks, deceased,
is a full, true and correct copy of the original thereof on file and of record in my office as such clerk.

Dated this 22nd day of October, A. D. 1968.

Velma J. Carter
Probate Clerk.

32124

WATER LICENSE

Water License No. 32124/96-2282 Priority October 30, 1964 Amount 0.04 c.f.s.

THIS IS TO CERTIFY, that R. C. Brooks - Deceased Ellen L. Brooks - Administratrix
of Sandpoint, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated October 30, 1964; that Permit 32124/96-2282 was issued pursuant
to said application; that the proposed works were completed on or about October 21, 1968,
with a storage/or carrying capacity of 0.04 c.f.s., said works consisting of
pump and plastic pipe; and that on October 23, 1968,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 6.0
acre feet per season, with a maximum rate of diversion of 0.04 cubic feet per second of the waters
of un-named spring, tributary of Pend Oreille Lake,
for the purpose of Irrigation from May 1 to September 30;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 56 N, R. 2 W, B.M., and
other additional points _____, in the County of
Bonner; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 6.0 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
56 N	2 W	2							2										2

Total number of acres irrigated 2

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

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

2nd day of December, 19 69.

R. Keith Higgins
State Reclamation Engineer

96-2282
32124

RECEIVED

OCT 23 1968

Department of Reclamation

IN THE PROBATE COURT
OF BONNER COUNTY, STATE OF IDAHO

IN THE MATTER OF THE ESTATE OF

RASMUS C. BROOKS,

Deceased.

LETTERS OF ADMINISTRATION
AND OATH

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

Ellen L. Brooks

is hereby appointed administratrix

of the estate of Rasmus C. Brooks, deceased.

WITNESS: Velma J. Cartier

Clerk of the Probate Court of the County of Bonner with the seal thereof affixed,

the 16th day of April, A. D., 1968.

By Order of the Court.

VELMA J. CARTIER

Clerk.

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

I, Ellen L. Brooks,

do solemnly swear that I will perform, according to law, the duties of Administratrix of the estate

of Rasmus C. Brooks, deceased.

ELLEN L. BROOKS

Subscribed and sworn to before me, this 16th

day of April, A. D., 1968.

FRANCES SLEEP

Probate Judge.

32124

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32124)

in the name of R. C. Brooks)

Star Route, Sandpoint, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32124 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 18th day of September, 19 68.

Jack A. Barnett, Deputy
State Reclamation Engineer

b 32124

Permit No. 32124STATE OF IDAHO
Department of ReclamationRECEIVED
JAN 30 1967

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner

ss.

R C Brooks

, 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. 32124, and that his postoffice address is Star Route
State of Idaho

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

un named spring tributary of Fry Creek, Pond Oracle Lake.

Third: That the point of diversion of said water is SW⁴ NW⁴ Sec 2.

T56N R2W B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Nov. 4th, 1966.

Fifth: That the use for which said water is intended is irrigation & domestic use.

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: Earth dam & reservoir, electric pump, plastic pipe.
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE)

II. Dimensions of work:

(a) Height of dam 10⁴ feet, length of dam at top 115 feet, length of dam at bottom 30 feet. Material used in construction earth

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir 2⁵ acre feet.

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

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

(STATE WHETHER DITCH, FLUME OR PIPE)

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

Seventh: That said works are capable of conducting to the place of intended use 45 gal/min.
2.1 second feet of water.

Eighth: That water appropriated under said permit is available for 5⁴ acres of land described as follows: SW⁴ NW⁴ Sec 2, T56N R2W B.M.

Ninth: Remarks:—That We have been using our pump system for irrigation of garden & trees, & livestock for past eight years and reservoir was completed in 1965.

R C Brooks

(SIGN HERE)

Subscribed and sworn to before me this 24th day of Jan., 1967

David L. Luby

NOTARY PUBLIC

My commission expires 7-11-70

I declare Privately
show late project Certificate (10th)
32124

Permit No. ... 32124

**Certificate of Completion
of Work**

Dated February 10, 19 67

Stream Unnamed Spring

County Bonner

Amount 0.08 c.f.s.

Date of Priority January 18, 1965

Recorded in Book 112

of Permits 32124
of....., page

32124

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that R. C. BROOKS
 of Sandpoint , County of Bonner , and State of
 Idaho , the holder of Permit No. 32124 , issued upon
 Application No. 40259 bearing date of priority of January 18, 1965
 (late proof) , authorizing the
 diversion of 0.08 second feet of waters of Unnamed Spring

County of Bonner , State of Idaho, for irrigation
 purposes, has fully complied with the provisions of the laws of the State of Idaho
 relating to the proof of completion of the works of diversion set out and described in said
 Permit; that said works are adequate for diverting and conveying to the place of intended
 use 0.08 second feet of the waters of Unnamed Spring
 tributary of Pend Oreille Lake;

that the point of diversion of said waters SW¼NW¼, Sec. 2, T. 56 N., R. 2 W., B.M.

and that the lands proposed to be irrigated by the use or place of use of said water are
 described as follows, to-wit: SW¼NW¼, Sec. 2, T. 56 N., R. 2 W., B.M.

Proof of Completion of Works Made: January 24, 1967

Witness my hand this 10th day of February , A. D. 19 67...

R. Keith Higgins
 State Reclamation Engineer

32124

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

APPLICATION No. 40259
PERMIT No. 32124
DISTRICT No.

96-22

*Det. Letters of
Admission
in file*

1. Name of Applicant: R. C. Brooks

Postoffice address: Star Route, Sandpoint

County: Bonner

State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

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

2. Quantity of water claimed: .08 (approx. 36 gallons per minute) cubic feet per second.

3. Source of water supply: Unnamed spring which is a tributary of Pend Oreille Lake

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$

of section 2 , T. 56 N , R. 2W , B. M., County of Bonner

5. Water is to be used for Irrigation

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

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

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

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

7. Estimated cost of works: \$ 500

8. Kind of works: Electric pump, & motor, with 800 ft. 1 $\frac{1}{2}$ inch plastic pipe. Pit type reservoir

9. Height of dam 9 feet; length of dam at top 120 feet; length of dam at bottom 60
feet; material used in dam: clay

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 inches; length of conduit miles.

Average grade per mile 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 2 additional years.

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

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

16. (a) Is reservoir to be used? Yes If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit: none
 (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 water of the State of Idaho as herein set forth.

s/ R. C. Crooks Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:30 A.M. October 30, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32124
Recorded in Book 112 Page 32124 Approved November 6, 1964
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 January 6, 1965 and to continue diligently and uninterruptedly to completion,
unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before November 6, 1965
The whole of said work to be completed on or before November 6, 1966
Beneficial use of water appropriated in accordance herewith, to be made on or before November 6, 1968

WITNESS My hand this 6th day of November, 1964

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 6th

day of November, 1964
Countersigned:

STATE OF IDAHO

(SEAL) By s/ ARNOLD WILLIAMS Secretary of State.

By s/ ROBERT E. SMYLLIE Governor.

REMARKS: Reservoir has not been constructed. Spring has been used for many years and water has been used for irrigation of garden and farmstead. It is planned to develop additional water by pit type excavation and dam to impound snow water runoff in spring and tap spring source by excavating into water bearing strata of sand and gravel below clay.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
56N	2 W	2					4												4
Permit No. 32124+																			
CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that R. C. BROOKS of Sandpoint, County of Bonner, and State of Idaho, the holder of Permit No. 32124, issued upon Application No. 40259 bearing date of priority of January 18, 1965 (late proof), authorizing the diversion of 0.08 second feet of waters of Unnamed Spring County of Bonner, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.08 second feet of the waters of Unnamed Spring tributary of Pend Oreille Lake; that the point of diversion of said waters SW ¹ / ₄ NW ¹ / ₄ , sec. 2, T. 56 N., R. 2 W., b.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit: SW ¹ / ₄ NW ¹ / ₄ , Sec. 2, T. 56 N., R. 2 W., b.M.																			
Proof of Completion of Works Made: January 24, 1967																			
Witness my hand this 10th day of February, A. D. 1967																			
/s/ R. KEITH HIGGINSON State Reclamation Engineer																			
See letters of Administration and Oath naming ELLEN L. BROOKS, Administratrix.																			
LICENSE ISSUED FOR 0.04 sec. 2																			
LICENSE PAGE NO. _____																			

Affidavit of Publication

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

Department of Reclamation

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

Water, R.C. Brooks

as it was published in the regular and entire issue
of the said paper for a period of two
consecutive weeks, commencing on the 28th
day of December, 1968, and end-
ing on the 1st day of January,
1969, and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this

21st day of January, 1969

Angela Borrelli

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

NOTICE OF APPROVED
APPLICATION FOR WATER
NOTICE IS HEREBY GIVEN
that R. C. BROOKS, Star Route,
Sandpoint, Idaho has received an
approved permit No. 32124 to di-
vert .08 cubic feet per second of
water from an unnamed spring,
tributary of Pend Oreille Lake.
The priority to be established
under this permit is October 30,
1964. Water will be diverted by
an electric pump, motor, pipe,
and pit type reservoir within the
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 56N, R. 2
W, B.M., Bonner County and is
to be used for irrigation pur-
poses in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 2,
T. 56N, R. 2W, B.M.
Any protests against the intent
of the permit must be filed with
the Department of Reclamation
within ten days from the last
date of publication of this notice.
R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Sandpoint
News-Bulletin, Sandpoint, Idaho
on December 25, 1968 and Janu-
ary 1, 1969.
D25-J1

32124

RECEIVED

OCT 28 1968

Identification No. _____

Department of Reclamation

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder RC Brooks
b) Post Office Address Star Route, Sandpoint, Idaho 83864
2. Permit Number 32124
3. Date of Priority that you are prepared to establish Nov. 6, 1964
4. a) Source from which water was appropriated Unnamed spring
b) Location of the point of diversion: SW 1/4 NW 1/4, Section 2
Township 56N, Range 2W Boise Meridian. Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount .08 cfs. for irrigation purposes from 5/1 to 9/30 incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
b) Total amount appropriated .08 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: 5 sprinkler heads #20 H w/ 3/32 nozzle @ 35" pressure.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder: Not applicable.
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 1 HP electric motor, & pump, 800 ft 1 1/2" plastic pipe, put type reservoir and 10 ft dam.

32124

~~69/75~~

[Signature]

signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed

• 44

State of Idaho County of Bonner

Administrative (Signature)

Oct 21 1968

permut has been developed.

10. Remarks: *Applicant is deceased*

Total number of acres irrigated

[illegible]

40 acre subdivision.

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each

water and the place of use

8. If for other than irrigation, describe the beneficial use to which you have applied the

(c) Give well drillers name and address and date the well was completed

of diversion:

b) Describe the type and size of measuring device which you have installed at your point

December 4, 1969

Re: Permit No. 32124/96-2282

Ellen L. Brooks
Star Route
Sandpoint, Idaho 83864

Dear Mrs. Brooks:

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

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh
Enclosure

96-2282
32124

November 21, 1969

Re: Permit 32124/96-2282

Ellen L. Brooks
Star Route
Sandpoint, Idaho 83864

Dear Mrs. Brooks:

A representative from this department made an examination of your works covered by permit 96-2282. The works were found capable of producing 0.04 c.f.s. of which 0.04 c.f.s. can be recognized as beneficially used and licensed under Idaho law. The water is used for irrigation of 2 acres within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 2, Twp. 56 N., Rge. 2 W., B.M..

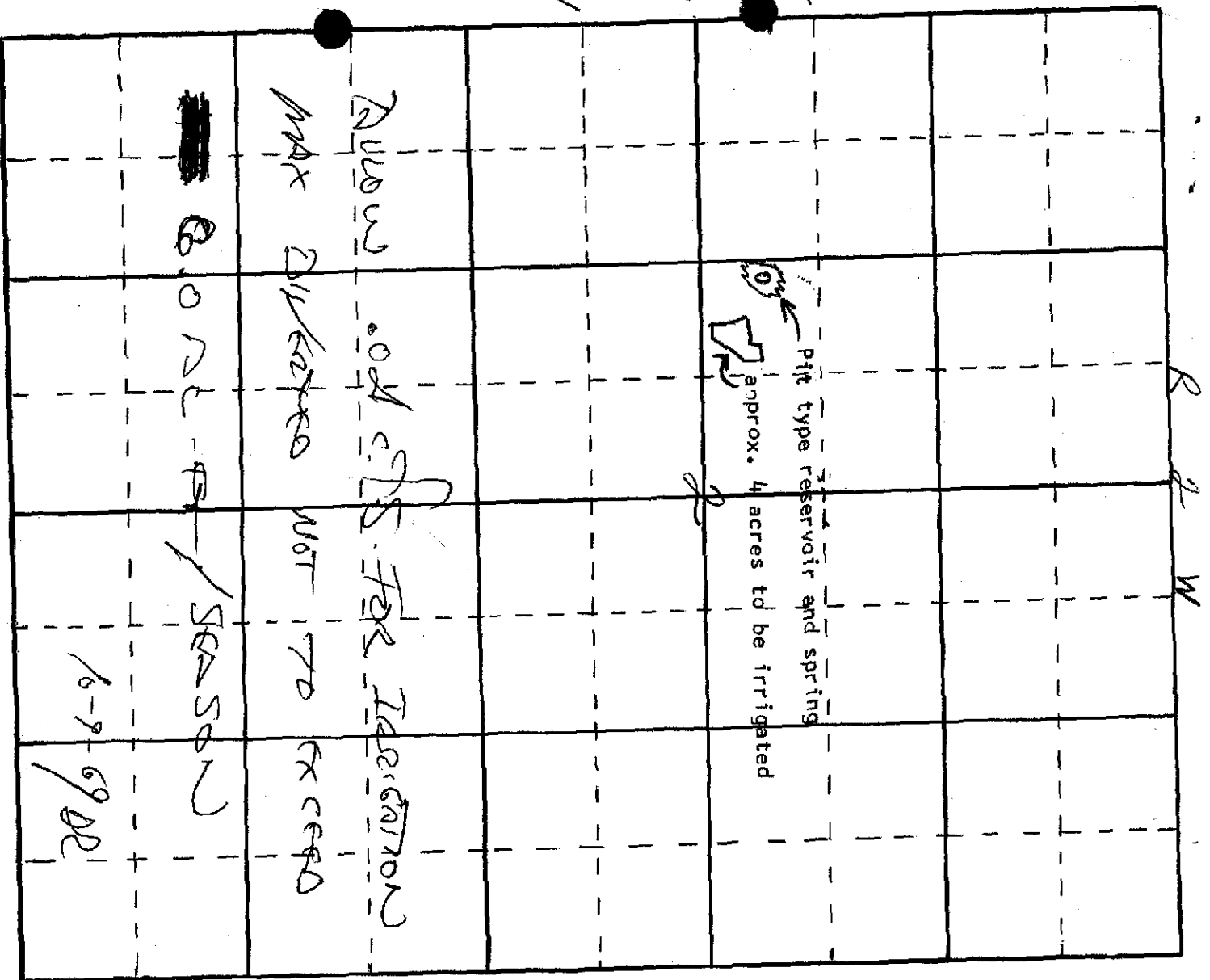
If you disagree with the findings, please advise within 10 days. Otherwise a license will be issued showing the findings as set forth in this letter.

Very truly yours,

C. Stephen Allred, Deputy
State Reclamation Engineer

CSA:kh

96-2282
32124



Permit No. 32124 96

Name of Applicant Ellen L. Brooks, Star Route, Sandpoint, Idaho

Source of Water Un-named spring

a tributary of Pand Oreille Lake

Location of P.D. SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, T. 56N, R. 2W, B.M., Bonner County

Water is used for Irrigation

Quantity of water claimed: Permit .08 cfs Depositions .08 cfs

Type of measuring device installed or method of measurement and general description of diversion works Electric pump, 6 motor, with 8008 - 1 $\frac{1}{2}$ inch plastic pipe. Pit type reservoir.

Land to be irrigated or place of use:

TWP.	RGE.	SEC.	Description
56N	2W	2	SW $\frac{1}{4}$ NW $\frac{1}{4}$

Filed - October 30, 1964 Total acreage 4

Due - November 6, 1968

Made - October 23, 1968

Priority - October 30, 1964

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

None

32124
96-2282

(64)

Source of supply SHAWNEE SPRING
a tributary of
Location of P.D.(s) SUNNYSIDE STATION

Water is used for irrigation
Quantity of water found 0.04 cfs
How was the measurement made? Based upon
Measurement calculations DESIGN (16-17 gpm)

Diversion works description and diagram

HP #56 11/230
WINDMILL ROAD
#GBR 3523A
CONCRETE PUMP
1 1/2" PUMP - 1 1/2"
OUTLET - THROUGH
PLASTIC PIPE TO
FACE OF USE - GRAVITY IRRIGATION
7 TRACES - SWAYS
4 FINE PROTECTION
Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 2 acres

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

SUNNYSIDE STATION
DESIGN SERVICE PLANT

Who represented the permit holder at the examination?
MRS. ELLIOTT
Recommended allowance for licensing 0.04 cfs
Description of required amendments. Comments.

Report checked?
Examination date 8-19-69

Signature [Signature]

March 14, 1969

Re: Permit No. 32124
R. C. Brooks

Ellen L. Brooks
Administratrix
Star Route
Sandpoint, Idaho

Dear Mrs. Brooks:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will take place, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

exam typed
10-9-69 RC
32124

March 6, 1969

Re: Permit No. 32124

Ellen L. Brooks,
Administratrix
Star Route
Sandpoint, Idaho

Dear Mrs. Brooks:

A legal notice concerning the existence of your permit was published on December 26, and January 2, in the Sandpoint News-Bulletin, Sandpoint, Idaho. However, as of this date, we have not yet received the affidavit of publication. We must be in receipt of this affidavit to process your permit any further. Please submit it within ten (10) days of this notice.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

32124

J December 16, 1968

Re: Permit No. 32124
R. C. Brooks

Sandpoint News-Bulletin
Sandpoint, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

R. C. Brooks,

The expense of the publication is to be paid by
Ellen L. Brooks, Administratrix, Star Route, Sandpoint, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWN:tg

Enc: Legal Notice

cc: R. C. Brooks, Ellen L. Brooks, Administratrix

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

32124

December 16, 1968

Re: Permit No. 32124

R. C. Brooks
Ellen L. Brooks, Administratrix
Star Route
Sandpoint, Idaho

Dear Mrs. Brooks:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit 32124.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: copy of letter to newspaper (please read note marked in red)

32124

November 27, 1968

Re: Permit No. 32124

Ellen L. Brooks
Sandpoint, Idaho 83864

Dear Mrs. Brooks:

Enclosed herewith is a copy of your letters of administration and oath you submitted for recording. The original has been placed in our files.

If we can be of further assistance please contact us. If the above is not your correct address, we would appreciate your advising us as to what changes to make.

Very truly yours,

M. Russell Bosch
Administrative Assistant

MRB:dj
Enclosure

32124

RECEIVED

OCT 28 1968

NOTICE OF APPROVED APPLICATION FOR WATER

Department of Reclamation

Notice is hereby given that R. C. Brooks, Star Route, Sandpoint,

Idaho
has received an approved permit No. 32124 to divert ~~store~~ ////
.08 cubic feet per second ~~across~~ //////// of water from

an unnamed spring, tributary of Pend Oreille Lake
. The priority to be established

under this permit is October 30, 1964

Water will be diverted by an electric pump, motor, pipe, and pit type reservoir
within the
SW 1/4, sec. 2,
T. 56 N, R. 2 W, B.M., Bonner County

and is to be used for irrigation purposes
in the SW 1/4, sec. 2, T. 56 N, R. 2 W, B.M.,

Any protests against the intent of the permit must be filed with the
Department of Reclamation within ten days from the last date of publication
of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Sandpoint News-Bulletin, Sandpoint, Idaho
on December 26, 1968 and January 2, 1969

State Reclamation Engineer: Permit No. 32124
You are hereby authorized to have the attached notice published at my expense
in the Sandpoint News-Bulletin of Sandpoint, Idaho;
published in the county in which the works are situated.

R. C. Brooks, Estate
(signature)
Star Route, Sandpoint Idaho
(address)
October 21, 1968
(date)

32124

October 17, 1968

Re: Permit No. 32124
R. C. Brooks

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

Dear Mr. Greene:

Enclosed is an application for extension of time as requested in your letter of October 4, 1968. The Department of Reclamation must receive the request for extension of time prior to November 6, 1968 so that the extension may be processed prior to the proof due date.

The Department of Reclamation feels however that it would be better if Mrs. Brooks, as administratrix of the estate, completed the permit in its present form and name. If the permit is not completed in the name of R. C. Brooks a problem may arise inasmuch as the permit, in its present form, is personal property and not real property.

Once a license is issued however the water right is vested in the property and is then real property.

Please bear in mind that proof of beneficial use or an application for extension of time must be received prior to November 6, 1968.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:hs

enclosure: Extension of time form

32124

GREENE & HUNT
ATTORNEYS-AT-LAW
320 NORTH SECOND AVENUE
SANDPOINT, IDAHO 83864
TELEPHONE CONGRESS 2-2100

RECEIVED

OCT 9 1968

October 4, 1968

Department of Reclamation

State of Idaho
Department of Reclamation
Statehouse Annex 2
Boise, Idaho 83707

Re: Permit No. 32124

Attention: Donald W. McEldowney
Appropriation Examiner

Dear Mr. McEldowney:

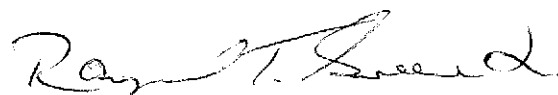
Mr. Rasmus C. Brooks is now deceased and his wife, Ellen L. Brooks the administratrix, will probably close his estate, which will be decreed to her within the next several weeks.

She has your letter of September 10, 1968, and I believe could sign this as administratrix, but she wishes you best advise her as to whether or not there should be a continuation granted, so that she might sign the application in her own right.

Will you please advise, so that the notice be printed at the correct time.

Very truly yours,

GREENE & HUNT

By: 
Raymond T. Greene, Jr.

rtg:sld

32124

September 16, 1968

Re: Permit No. 32124

R. C. Brooks
Star Route
Sandpoint, Idaho

Dear Mr. Brooks:

One of the conditions of the approval of your permit 32124 was that proof of application of the water to beneficial use be submitted to this office on or before November 6, 19 68.

Enclosed is an affidavit form which must be used to submit this proof. You may also request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension must be received by this department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



State Reclamation Engineer

Enclosure: Proof form

September 10, 1968

Re: Permit No. 32124

R. C. Brooks
Star Route
Sandpoint, Idaho 83864

Dear Mr. Brooks:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

enclosure: Order

Proof due notice
Proof package
Advertising package

32124

February 10, 1967

RE: Permit No. 32124

R. C. Brooks
Star Route
Sandpoint, Idaho

Dear Mr. Brooks:

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

Very truly yours,

M. Russell Bosch
Office Manager

MRB:mr

Enc. certificate

32124

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

RECEIVED
JAN 30 1967

Department of Reclamation

December 27 1966

Re: Permit No. 32124

To: R. C. Brooks
Star Route
Sandpoint, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 32124 to Appropriate the Public Waters of the State of Idaho, have not been complied with as to Completion of Works due November 4, 1966

you are hereby notified in compliance with Sec. 42-311, Idaho Code that said Permit No. 32124 is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 32124 claims the use of .97 .98 cubic feet per second of the waters of unfamed spring with point of diversion located in SW1/4NW1/4, Sec. 2, T. 56 N., R. 2 W., B. M. County of Bonner and was approved November 4, 1964.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the _____ day of _____ 19____

[Signature]
State Reclamation Engineer

By: _____

Assistant

Sandpoint, Idaho
January 23, 1967

I am sorry this was overlooked. I hope the enclosed papers are completed satisfactorily and will comply with requirements. We are ready to file Proof of ~~Completion of Works~~ Beneficial Application of Water if you will send us the necessary papers.

632124

Sincerely yours,

R C Brooks

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom and when delivered

☐ Show to whom, when, and address where delivered

☐ Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

R. C. Brooks

19186

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Ray A. Lamb

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

DEC 30 1966

c55-16-71548-8 GPO

632124

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**



**RETURN
TO**

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moistened gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

Eda West & Richardson

STREET AND NO. OR P.O. BOX

Rm 107 Steilhouse

POST OFFICE, STATE, AND ZIP CODE

Long Beach 83701

B32124

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

POSTMARK OF

DELIVERING OFFICE

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

R. C. Brooks

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

By Mrs. R. C. Brooks.

DATE DELIVERED

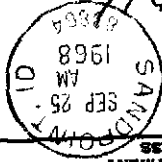
SHOW WHERE DELIVERED *(only if requested)*

SEP 25 1962

e55-16-71548-10 GPO

32124

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Address returned ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

STREET AND NO. OR P.O. BOX

NAME OF SENDER

POST OFFICE, STATE, AND ZIP CODE

32124

Box, Suite 83701

Statehouse Annex 2

Department of Education

Remember, only you can
POSTMARK OF
DELIVERING OFFICE
PREVENT
FOREST FIRES

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

December 27 1966

Re: Permit No. 32124

To: R. C. Brooks
Star Route
Bandpoint, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. 32124 to appropriate the Public Waters of the State of Idaho, have not been complied with as to
Completion of Works due November 4, 1966

you are hereby notified in compliance with Sec. 42-311, Idaho Code that said Permit No. 32124 is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before forty days from date of this notice why said Permit should not be cancelled.

Said Permit No. 32124 claims the use of .97 .98 cubic feet per second of the waters unfunded spring with point of diversion located in
SWNW 1/4, Sec. 2, T. 56 N., R. 2 W., B. M. County of
Bonner and was approved November 4, 1964.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the _____ day of _____ 19____

State Reclamation Engineer

By: _____

Assistant

B32124

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

Sept. 1, 1966

Re: Permit No. 32124

R. C. Brooks
Star Route
Sandpoint, Idaho

Dear Mr. Brooks:

Under the terms of your Permit No. 32124 you are required to complete your diversion works on or before Nov. 4, 1966. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public, or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the said 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, 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.

Very truly yours,

R. KEITH HIGGINSON

State Reclamation Engineer

Enc. Form 6

B32124

November 13, 1964

Re: Permit No. 32124

Mr. R. C. Brooks,
Star Route,
Sandpoint, Idaho.

Dear Mr. Brooks:

We enclose Permit No. 32124 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 32517 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

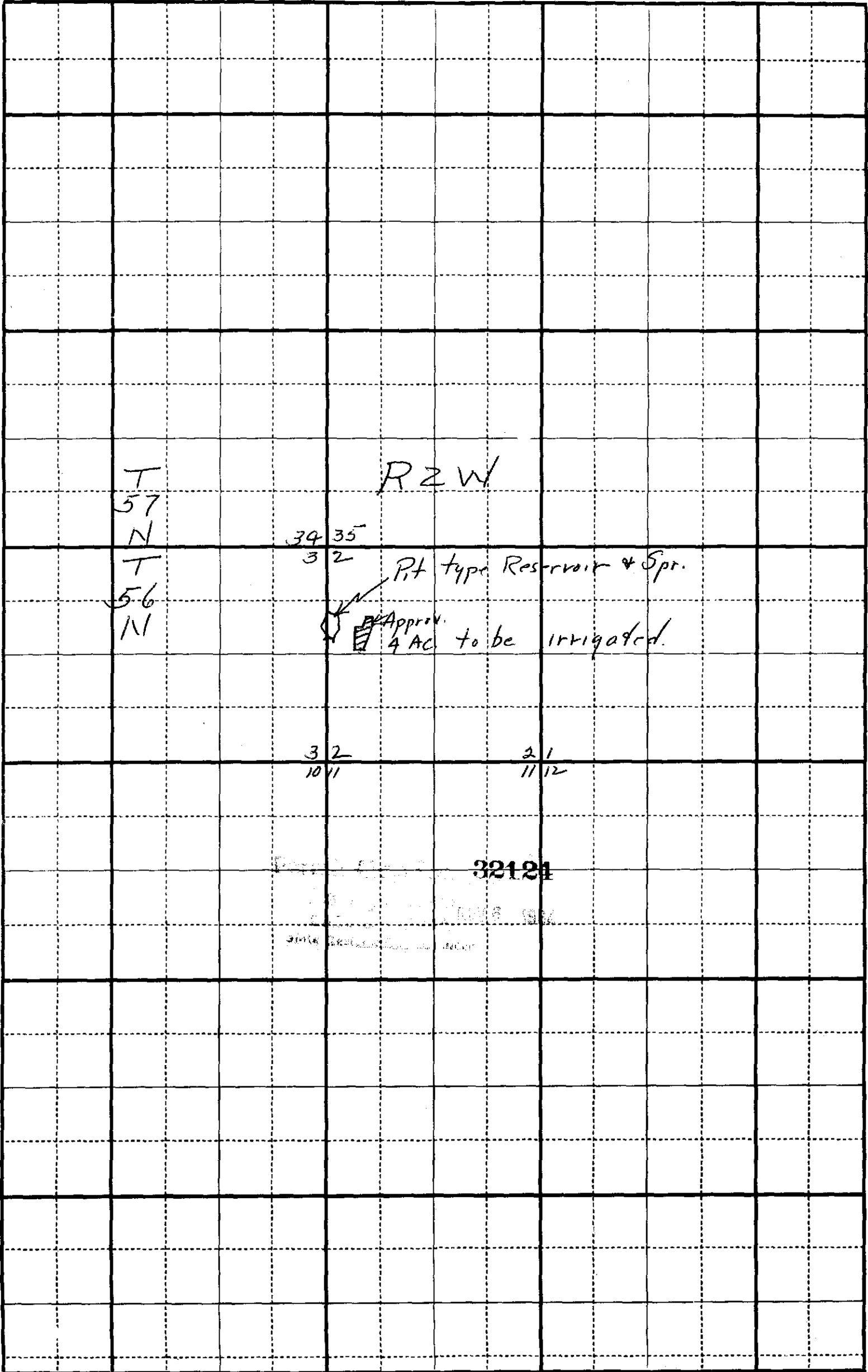
Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

b 32124



32124