

State of Idaho License and Certificate of Water Right

Water License No. 26845

Amount .34 c.f.s.

Water District No.

Priority April 3, 1957

THIS IS TO CERTIFY that EMIL BRAUMILLER
of Sagle, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 3, 19 57 ; that Permit No. 26845
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.36 second feet, was issued thereunder on April 6, 19 62, showing that said works
were completed on the 4th day of April, 1962 ; and that on the 9th
day of May, 19 64 ,

EMIL BRAUMILLER
of Sagle, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Cocolalla
Creek, a tributary of Pend Oreille River, for the purpose of irrigation
, under Use Permit No. 26845 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8035, on the 23 day of October, 19 64 ;
The right hereby confirmed dates from April 3, 19 57 ;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 26, Tp. 56 N, R. 3 W, B. M. Bonner County
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .34 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
56	N 3 W	26	SE 1/4 SE 1/4	35	19

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 State Reclamation Engineer, affixed at Boise, Idaho, this
23rd day of October, 19 64 .

(SEAL) RALPH W. THOMAS
Deputy State Reclamation Engineer.

Permit No. 26845STATE OF IDAHO
Department of ReclamationRECEIVED
APR 5 1962

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner

SS.

Marie E. Braumiller, wife of Emil Braumiller, 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. 26845, and that his postoffice address is Route 1, Sagle State of Idaho.Second: That the name of the stream from which said water is to be diverted is Cocolalla Creek.Third: That the point of diversion of said water is in SE 1/4 SE 1/4 S 26 T 56 N R 3 W N 12 SW.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 11, 1962.Fifth: That the use for which said water is intended is sprinkler irrigation ~~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: Sprinkler irrigation system.

(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 _____ 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 0.36 second feet of water.Eighth: That water appropriated under said permit is available for 20 acres of land described as follows: in SE 1/4 SE 1/4 S 26 T 56 N R 3 W T 56 N R 3 W.Ninth: Remarks:—That we have not completed development of irrigation of the 45 acres originally intended because of lack of money and time; however, we are now able to apply sprinkler irrigation to the 20 acres now applied for.Subscribed and sworn to before me this 4th day of April, 1962.

(SIGN HERE)

Marie E. Braumiller, wife of Emil BraumillerLester L. Earle

NOTARY PUBLIC

My commission expires _____

NOTARY PUBLIC, Kellogg, Idaho
My Commission Expires May 21, 1965

26845

B

Cacolella Creek

Point of
Diversion

N

R3W
R2WT56N
T55N

Permit Map No. 26845

As Approved

MARK R. KULP

State Reclamation Engineer

APR 11 1957

State of Idaho
License and Certificate of Water Right

Water License No. 26845

Amount .34 c.f.s.

Water District No.

Priority April 3, 1957

THIS IS TO CERTIFY that EMIL BRAUMILLER
of Sagle, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 3, 1957; that Permit No. 26845
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.36 second feet, was issued thereunder on April 6, 1962, showing that said works
were completed on the 4th day of April, 1962; and that on the 9th
day of May, 1964,

EMIL BRAUMILLER
of Sagle, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Cocolalla
Creek, a tributary of Pend Oreille River, for the purpose of irrigation
under Use Permit No. 26845 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume
13 of Licenses at page 8035, on the 23 day of October, 1964;
The right hereby confirmed dates from April 3, 1957;

The Point of Diversion is located
in the SE 1/4 SE 1/4, Sec. 26, Tp. 56 N, R. 3 W, B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed .34 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
56	N 3 W	26	SE 1/4 SE 1/4	35	19

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 State Reclamation Engineer, affixed at Boise, Idaho, this
23rd day of October, 1964.

RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

96 2249

26845
96 - 2249

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 34753
PERMIT No. 26845
DISTRICT No.

1. Name of Applicant: Emil Braumiller

Postoffice address: Rt #1, Sagle

County: Bonner

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 0.90

cubic feet per second.

3. Source of water supply: Cocolalla Creek

which is a tributary of Pend Oreille River

4. Location of point of diversion:

feet distant from the

corner of Section 26, T. 56 N., R. 3 W., B.M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 26, T. 56 N., R. 3 W., 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, 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: \$ 1,000.00

8. Kind of works: Pipe for sprinkler irrigation

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 3 inches; length of conduit 0.2 miles.

Average grade per mile feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 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? 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 water of the State of Idaho as herein set forth.

s/ Emil Braumiller

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M., April 3, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 26845

Recorded in Book 95 Page 26845 Approved April 11, 1957

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 June 11, 1957 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 October 11, 1959

The whole of said work to be completed on or before April 11, 1962

Beneficial use of water appropriated in accordance herewith, to be made on or before April 11, 1968

WITNESS My hand this 11th day of April, 1957

MARK R. KULP,
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, 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 11th

day of April, 19 57.

STATE OF IDAHO

Countersigned:

(SEAL)

By ... ROBERT E. SAYLIE

Governor.

By JAS. E. YOUNG

Secretary of State.

REMARKS:

14.

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	3 W	26														10	35	45	
Permit No. 26845 ✓ CERTIFICATE OF COMPLETION OF WORKS																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that EMIL BRAUMILLER of Sagle, County of Bonner, and State of Idaho, the holder of Permit No. 26845, issued upon Application No. 34753 bearing date of priority of April 3, 1957, authorizing the diversion of 0.90 second feet of the waters of Cocolalla Creek County of Bonner, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.36 second feet of the waters of Cocolalla Creek, tributary of Pend Oreille River; that the point of diversion of said waters is SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 56 N., R. 3 W., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 20 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 26, T. 56 N., R. 3 W., B.M.																			
Witness my hand this 6th day of April, A. D. 1962.																			
/s/ CARL E. TAPPAN Assistant State Reclamation Engineer																			
Proof of Completion of Works Made: April 4, 1962																			
LICENSE ISSUED FOR <u>0.34 SEC. FT.</u> LICENSE PAGE NO. <u>8035</u>																			

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

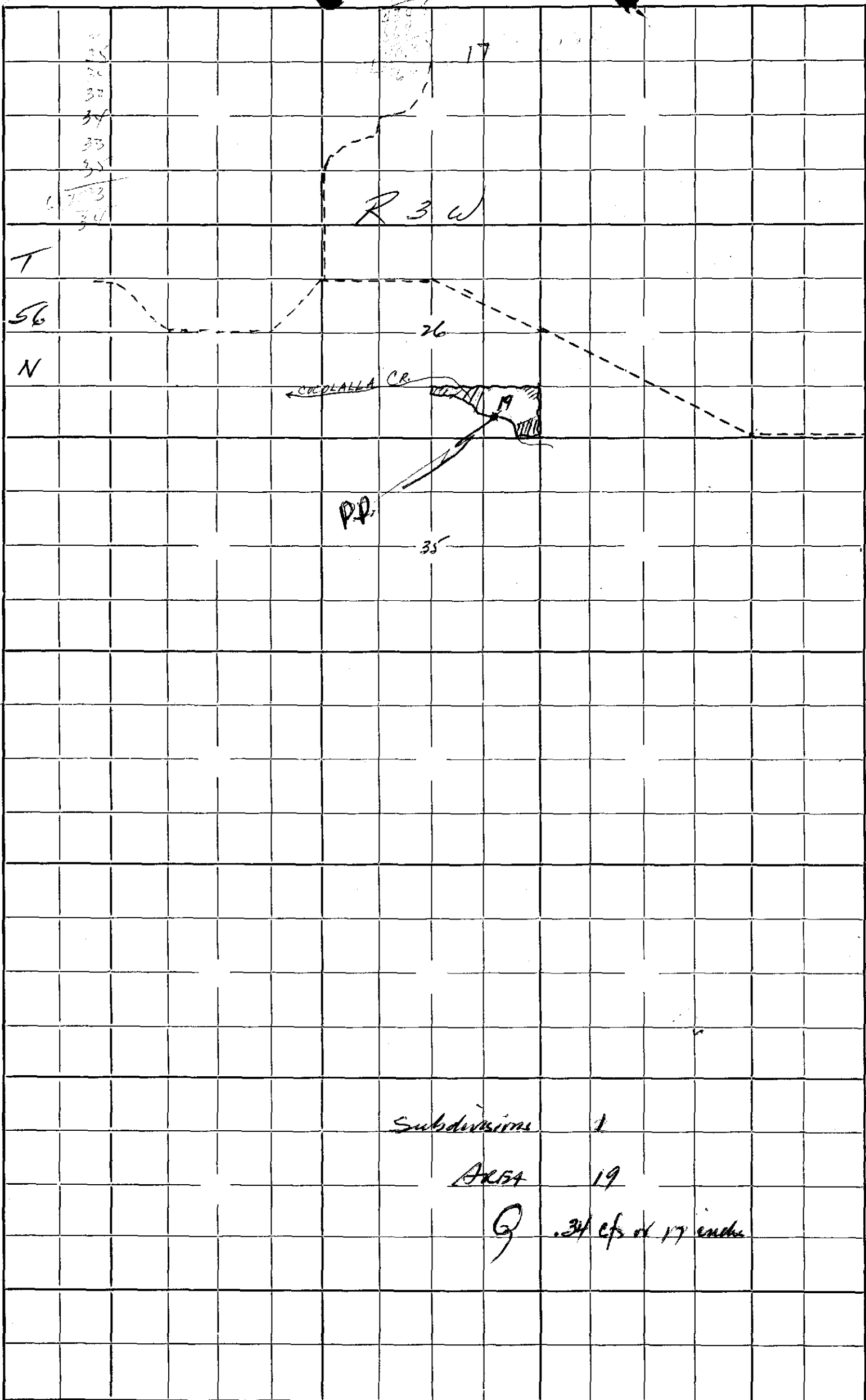
REPORT OF ENGINEER

PERMIT NO. 26845

REPORT ON PROOF OF Beneficial Use

Emil Braumiller, Rt. #1, Sagle, Idaho

26845



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

26 845

Emil Braumiller
Route #1
Sagle, Idaho
Permit No. 26845

Examination for Beneficial Use

County Bonner

Sec 26 T56N R3 W6W

Quantity: 0.90 Cfs

Source: Coccolalla Cr.

P.D.: SESE, 26-56N-3W

Use: Irrigation

Filed: 4-3-57

Due: 4-11-68

Extension:

Protest:

Completion of Works: 4-4-62

Other Rights: None

INSTRUCTIONS TO EXAMINERS

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



APR 23 1957

26845

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

Permit No. 26845

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Emil Braumiller

2. Source of water supply: Cocolalla Creek

3. Location of point of diversion: Is in the SE¹SE¹ of Section 26

T. 56N R. 3 W.B.M. County of Bonner

4. Describe works as they exist, giving dimensions and capacities of same: Cornell Centrifugal pump unit, 5 HP 65 Motor TKI 2320, Pump # 2735-B-1 1/2" X 2" 3" suction pipe reduced to 2" - 1 1/2" outlet increased to 3" portable Aluminum main line and lateral - 15 3/4" x 1 1/2" pipes.

5. Water is used for: irrigation

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

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

45 acres in S¹SE¹ Sec. 26., Twp. 56 N., Rce. 3 W.B.M.

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

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

Remarks: Mr. Emil Braumiller along

Measured by taking pressure readings along each lateral.

This examination was made on the 15th day of August, 19 64

(Signed) Loren Johnson Examiner.

26845

October 23, 1964

Re: Permit No. 26845

Emil Braumiller
315 S. Maple St.
Kellog, Idaho

Dear Mr. Braumiller:

Enclosed is your License and Certificate
of Water Right issued on the above numbered permit, which
has been recorded in this office.

Also enclosed is departmental receipt No.
32502, in the amount of \$2.00 covering the fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. license
receipt

26845

RECEIVED
OCT 22 1964

Department of Reclamation

October 21, 1964

Department of Reclamation
Room 107, State House
Boise, Idaho

Dear Sirs:

This year we were granted a water right under Application # 34753 and Permit # 26845 which was to become active upon payment of a \$2.00 fee which is enclosed.

I do not have our final papers at hand and am therefore making the payment out to the Department of Reclamation, etc. and hope it will be proper.

All water is applied within one forty acre division.

Sincerely,

Marie E. Braumiller

Marie E. Braumiller for
Emil Braumiller
Route 1
Sagle, Idaho

Please address mail for the winter months to 315 S. Maple St., Kellogg, Idaho

26845

August 26, 1964

Re: Permit No. 26845

Emil Braumiller
Rt 1
Sagle, Idaho

Dear Mr. Braumiller:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. shows the pump & pipe line are ~~inc~~ capable of conveying 17 miner's inches, or 0.34 c.f.s. of water for the irrigation of 19 acres.

Upon receipt of the statutory fee of \$ 2.00 -based at the rate of \$2.00 for each 40-acre subdivision - we will issue the License and Certificate of Water Right, confirming the right with priority of April 3, 1957 to the use of 0.34 second feet of surface water with the point of diversion in the SE 1/4, Sec. 26 from Cocolalla Creek for irrigation of 19 acres in the SE 1/4, Sec. 26, T. 56 N., R. 3 W., B.M.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

26845

1M April 1962

May 19, 1964

Re: Permit No. 26845

Emil Braumiller
Route #1
Sagle, Idaho

Dear Mr. Braumiller:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the SANDPOINT NEWS-BULLETIN, all submitted in proof of ~~completion of work~~ ²⁶⁸⁴⁵ and beneficial use on Permit No. 26845.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

26845

Affidavit of Publication

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

RECEIVED
MAY 14 1964

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 for Publication; Notice of Proof
Application of Water to Beneficial Use;
Emil Braumiller

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 19th
day of March, 19 64, and end-
ing on the 9th day of April,
19 64 and that said notice was published in said
newspaper, and not in supplemental form.

L. E. Pietsch

Subscribed and sworn to before me this
15th day of June, 19 64.

Phyllis Grant

Notary Public for Idaho,
Residing at Sandpoint, Idaho.

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

Notice is hereby given that at 11
A.M. on the 9th day of May, 1964,
at Sandpoint, County of Bonner,
State of Idaho, before Notary Pub-
lic Ray Pepper, 109 1/2 N. 1st Ave.,

Sandpoint, Idaho, proof will be
submitted of the application to
beneficial use of 0.90 second feet
of the waters of Cocolalla Creek,
tributary of Pend Oreille River
in accordance with the terms and
conditions of Permit No. 26845
heretofore issued by the Depart-
ment of Reclamation of the State
of Idaho.

The name and postoffice address
of the person or corporation hold-
ing said permit: Emil Braumiller,
Route 1, Sagle, Idaho.

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

The amount applied to beneficial
use is 20 acres as noted.

The point of diversion of said
water is SE 1/4 SE 1/4, Sec. 26, T.
56N., R. 3 W., B.M.

The place where said water is
used (legal description): 20 acres,
SE 1/4 SE 1/4, S. 26, T. 56 N., R. 3 W.,
B. M.

The date of priority which said
user is prepared to establish is
4/3/57.

CARL E. TAPPAN,
State Reclamation Engineer
m19-26-a2-9

26845

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHORECEIVED
MAY 14 1964
Department of ReclamationPERMIT NO. 26845**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. Roger Harris, 22 years, Morton, Idaho, Surveyor and Rancher,
Rte 1, Sagle, IdahoQues. 2. Are you acquainted with Emil Braumiller, the holder of Permit No. 26845? How long have you known him and where does he reside?Ans. 8 years Morton, IdahoQues. 3. Have you read or heard read said Permit No. 26845, 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. Cocolalla Creek, a tributary of Pend O'Reille River in Bonner
County. Diverted at SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 26 Twp 56N R3W B.M. Conveys
by means of 5 H.P. Elect. motor and Pump with 160' of 3"
Alum. Pipe.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.90 sec. ft. and have seen 15 3/16" sprinkler heads operating
at 40 lb pressure.

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

Ans. Sprinkler Irrigation Perm & Natural Pasture on 20 acres in SE $\frac{1}{4}$
SE $\frac{1}{4}$ Sec. 26 Twp 56N R3W B.M. and now has 10 acres Perm. Pasture,
5 acres hay crop land and 5 acre natural pasture in full
production.

26845

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

Ans. _____

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. Flat to slightly rolling cut over land which has been cleared.
Soil is Ponderay Silt. 0.90 sec. ft. water.

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

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. Over past 3 years have often seen all sprinkler in full
operation and have sometimes helped move the irrigation
lines to all areas of the 20 acres.

(Signed) Roger Hamis

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 Bonner,
County ~~of~~ Sandpoint City, State of Idaho, on this 9th day of May,
A. D. 19 64.

R. A. [Signature]
Notary Public.

My commission expires March 10, 1968.

26845

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 14 1964
Department of Reclamation

PERMIT NO. 26845

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. A.G. Irish 68 yrs Morton, Idaho Farmer Rte 1 Sagle
Idaho

Ques. 2. Are you acquainted with Emil Braumiller, the holder of Permit No. 26845? How long have you known him and where does he reside?

Ans. 8 years Morton Idaho

Ques. 3. Have you read or heard read said Permit No. 26845, 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. Cocolalla Creek, a tributary of Pend O'Reille River in Bonner
County. Diverted at SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 Twp 56N R 3W BM. Conveys
by means of 5H.P. Elect Motor and Pump with 160' of 3" Alum.
Pipe

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.90 sec .ft. and have seen 15 3/16" sprinkler heads operating
at 40 lb. pressure.

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

Ans. Sprinkler Irrigation Perm. & Natural Pasture on 20 acres in SE $\frac{1}{4}$
SE $\frac{1}{4}$ Sec. 26 Twp. 56N R3W BM and now has 10 acres perm pasture,
5 acres hay crop land and 5 acre natural pasture in full production.

26845

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

Ans. _____

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. Flat to slightly rolling reclaimed forest cut over land of
Ponderay Silt. 0.90 sec. ft. water

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

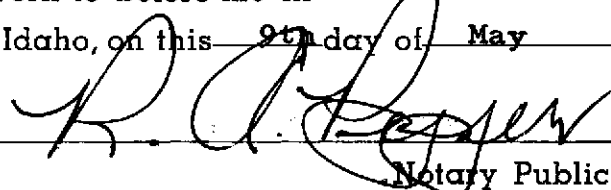
Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Over past 3 years on many occasions have seen sprinklers in
full operation and have sometimes helped move irrigation lines
to all areas of the 20 acres.

(Signed)



I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Bonner,
County ~~of~~ Sandpoint City, State of Idaho, on this 9th day of May,
A. D. 19 64.


Notary Public.

My commission expires March 10, 1968

26845

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

MAY 14 1964

Department of Reclamation

Permit No. 26845

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address: Emil
Braumiller, Rte 1, Sagle, Idaho

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

Ques. 3. State number, approval date of permit, and date of priority you propose to establish under the permit; 26845, April 11, 1957, April 3, 1957

Ques. 4. State source of water supply: Cocolalla Creek, Trib. of Pand O'Reille River
Give location of point of diversion, showing subdivision, section, township and range:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26 Twp. 56N R.3W B.M.

Ques. 5. Describe your works of diversion: 5 H.P. Electric Motor with 160' of
3" Alum. Pipe; state amount of water they are capable of conveying from point of diversion to place of use 0.90 Sec. Rt Give name of canal or ditch or other works by which water is conducted to such place of use: 3" Alum Pipe

_____; if a well, state depth of well _____; depth and size of casing: _____; depth to water _____; if pump is used, state discharge of pump: 1 $\frac{1}{2}$ "; tell how it was measured or determined: Full rated Specification Capacity if sprinkler irrigation, give number and size of nozzles and operating pressure: 15,3/16" at 40 lbs. Pres.

Ques. 6. State for what purpose water is used: Sprinkler Irrig. perm. & Natural Pastur
If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water: 20 acres in SE $\frac{1}{4}$

SE $\frac{1}{4}$ Sec. 26 Twp 56N R 3W BM

State nature of all improvements which have been made as a direct result of said use:

10 acre perm. pasture 5 acres hay crop land 5 acres natural pasture
now in full production

26845
ER

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

Ques. 7. If for other than irrigation purposes, state purpose and how used: _____

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

0.90 sec. ft. of water

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: _____

Ques. 10. State when and in what amount the water diverted under above mentioned permit has been first used: 6/1/60 Time used since first use: _____

Full use in past 3 years

Ques. 11. Describe all other water rights appurtenant to same place of use: _____

None

(sign)

Emil Braumiller

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 9th day of May, A.D. 1964.

My Commission expires: March 10, 1968

26845

Re: Permit No. 26845
Emil Braumiller

Date: March 11, 1964

Sandpoint News Bulletin,
Sandpoint, Idaho.

Gentlemen:

Enclosed you will find Notice for Publication, once a week
for four consecutive weeks prior to May 9, 1964
the date set for proof; the expense of the publication is to be paid
by the applicant Emil Braumiller
of Rt. 1, Sagle, Idaho to whom you should
furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

Carl E. Tappan
CARL E. TAPPAN
State Reclamation Engineer

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

26845

March 11, 1964

Re: Permit No. 26845

Mr. Emil Braumiller,
Route #1,
Sagle, Idaho.

Dear Mr. Braumiller:

This acknowledges the Notice of Proof of ~~Completion of Work~~ Application of water to Beneficial Use under Permit No. 26845. The proofs are to be made at 11:00 o'clock A.M., on the 9th day of May, 1964, before Ray Pomer, 102 1/2 W. 1st St., Sandpoint, Idaho, Notary Public.

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

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

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

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Notary

26845

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

March 6, 1964

RECEIVED
MAR 10 1964

Department of Reclamation

Re: Permit No. 26845

Emil Braumiller
Route #1
Sagle, Idaho

Dear Mr. Braumiller:

Returned herewith is your notice for publication
of the Notice of Proof of Application of water to beneficial use.

It is necessary for you to give the name of
the Notary Public before whom you will appear to make proof.
Please fill this information in on the form and return it to
this office as soon as possible.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. Rhodes
D. L. RHODES, Assistant
State Water Rights Clerk

DLR;ew

26845

RECEIVED

MAR 10 1964

Department of Reclamation

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER

TO BENEFICIAL USE

Notice is hereby given that at 11 A.M. on the 9th day of May, 1964,
 at Sandpoint, County of Bonner, State of Idaho, before
 Notary Public Ray Pepper, 109 1/2 N. 1st St., Sandpoint, Idaho, proof will be submitted of the
 application to beneficial use of 0.90 cubic feet per second of the waters of Coccolalla
Creek, tributary of Pend Oreille River in accordance with the terms and conditions of
 Permit No. 26845 heretofore issued by the Department of Reclamation of the State of
 Idaho.

The name and post office address of the person or corporation holding said permit _____
Edil Braundiller, Route 1, Sagle, Idaho

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

The amount applied to beneficial use is 20 acres as noted.

The point of diversion of said water is SE 1/4, Sec. 26, T. 56N., R. 3 W., B.M.

The place where said water is used (LEGAL DESCRIPTION) 20 acres,
SE 1/4, S. 26, T. 56 N., R. 3 W., B. M.

The date of priority which said user is prepared to establish is 4/3/57 Application approved
April 11, 1957; Proof of Completion of Works Made April 4, 1964.

CARL E. TAPPAN
 State Reclamation Engineer

26845

CR

March 6, 1964

Re: Permit No. 26845

Emil Braumiller
Route #1
Sagle, Idaho

Dear Mr. Braumiller:

Returned herewith is your notice for publication
of the Notice of Proof of Application of water to beneficial use.

It is necessary for you to give the name of
the Notary Public before whom you will appear to make proof.
Please fill this information in on the form and return it to
this office as soon as possible.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

D. L. RHODES, Assistant
State Water Rights Clerk

DLR;ew

26845

RECEIVED
MAR 6 1964

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 3, 1964

(P. O.) Route 1, Sagle, Idaho. (Resident farm address)

Mail can be directed to 315 S. Maple St., Kellogg, Idaho during school semester.

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

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

Emil Braumiller

(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

26845

August 21, 1963

Re: Permit No. 26845

Mrs. Emil Braumiller
Route #1
Sagle, Idaho

Dear Mrs. Braumiller:

Enclosed find forms you requested in your letter of August 20, 1963.

Will you kindly supply this office with your Kellogg address.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RH:RWT:vj

encl. forms

26845

August 20, 1963

State Reclamation Engineer
Idaho Dept. of Reclamation
107 State House
Boise, Idaho

Dear Sir:

Please send us the necessary forms and instructions for the final obtaining of our Certificate and License of Water Right under permit # 26845.

We hope that we have not allowed too much time to elapse before requesting final examination, etc. Frankly in the press it simply slipped our minds. We have been sprinkling throughout the summer and added some new pipe to our system.

Your office mentions that a man from your office will examine the works and the land irrigated. This presents one difficulty, September 3 we are returning to Kellogg for the school year (during the summer I and my daughters live full time on the ranch--and pack irrigation pipe in our spare time--but in school time we return to Kellogg where my husband works); therefore, we are home any weekend or by appointment. If our presence is necessary, would you be kind enough to let us know when the examiner is likely to be here and we shall arrange to also be here.

Sincerely,

Mari Braumiller - for the family.

Emil Braumiller
Route 1
Sagle, Idaho

26845

January 30, 1963

Re: Permit No. 26845

Emil Braumiller
Route #1
Sagle, Idaho

Dear Mr. Braumiller:

A legal notice must be published in your county paper for four weekly issues prior to your making proof of beneficial use of the water. The proof requires that you and two witnesses complete depositions, answering certain questions in regard to your use of the water.

A field examiner from this office will examine the works and land irrigated, after which you will be notified of the fees which must be paid before the Certificate and License of Water Right can be issued. The fees are \$2.00 for each 40-acre subdivision included in the land you are irrigating. If you are irrigating 5 acres in one subdivision and the same amount in another subdivision, the fee is \$4.00.

The water right goes with the property in case of sale, except until the license has been issued, it is necessary for you to assign the permit to the purchaser.

Forms will be sent to you on request, also instructions.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

26845

JAN 30 1963

Department of Reclamation

January 29, 1963

Department of Reclamation
State of Idaho
Boise, Idaho

Dear Sirs:

Last year we submitted a notarized affidavit and \$5.00 fee to your office for a Certificate of Completion, on permit # 26845.

This summer we plan to have full sprinkler diversion of water to our land. What is the final steps we must take to obtain perpetual right to the use of this water?

Sincerely,

Marie E. Braumiller

Emil Braumiller
Route 1
Sagle, Idaho

P.S. In case of the sale of the property does the water right go with the property? We have no intentions of selling; however, it is a question which we should like to know.

26845

April 6, 1962

Re: Permit No. 26845

Emil Braumiller
Rt 1
Sagle, Idaho

Dear Mr. Braumiller:

Enclosed is the Certificate of Completion of Work on your Permit
No. 26845.

Also enclosed is departmental receipt No. 31008 in the amount of
\$5.00 for the fee for the Certificate.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. certificate
receipt

26845

RT

Permit No. 26845STATE OF IDAHO
Department of Reclamation

RECEIVED

APR 5 1962

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner

ss.

Marie E. Braumiller, wife of Emil Braumiller, 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. 26845, and that his postoffice address is Route 1, Sagle
State of Idaho.Second: That the name of the stream from which said water is to be diverted is Cocola CreekThird: That the point of diversion of said water is in SE 1/4, S 26, T 56 N, R 3 E, N 12 S WFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 11, 1962.Fifth: That the use for which said water is intended is sprinkler irrigation

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

I. Kind of Works: Sprinkler irrigation system

(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 _____ 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 _____
0.36 second feet of water.Eighth: That water appropriated under said permit is available for 20 acres of land described as follows: in SE 1/4, S 26, T 56 N, R 3 E, N 12 S WNinth: Remarks:—That we have not completed development of irrigation of the 45 acres originally intended because of lack of money and time; however, we are now able to apply sprinkler irrigation to the 20 acres now applied for.Subscribed and sworn to before me this 4th day of April, 1962Marie E. Braumiller, wife of
(SIGN HERE) Emil BraumillerLester L. Earle

NOTARY PUBLIC

NOTARY PUBLIC, Kellogg, Idaho
My Commission Expires May 21, 1965

My commission expires _____

26845

B

Depends on
120 and
20.7 sprinkler
heads you are
using.

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

BOISE.

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

RE: Permit No. 26845

Boise, Idaho

February 1, 1962

Emil Braunmiller

Rt 1

Sagle, Idaho

Dear Sir:-

Under the terms of your permit No. 26845 you are required to complete you diversion works on or before April 11, 1962. I enclose blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Very truly yours,

GEO. N. CARTER

State Reclamation Engineer

GNC:mr

Enc. Form 6

26845

May 9, 1957

RE: Permit No. 26845

Mr. Emil Braumiller
Route #1
Segle, Idaho

Dear Mr. Braumiller:

We enclose Permit No. 26845 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental receipt No. 28527 enclosed, covering payment of the \$5.00 filing fee in connection with the above captioned Permit.

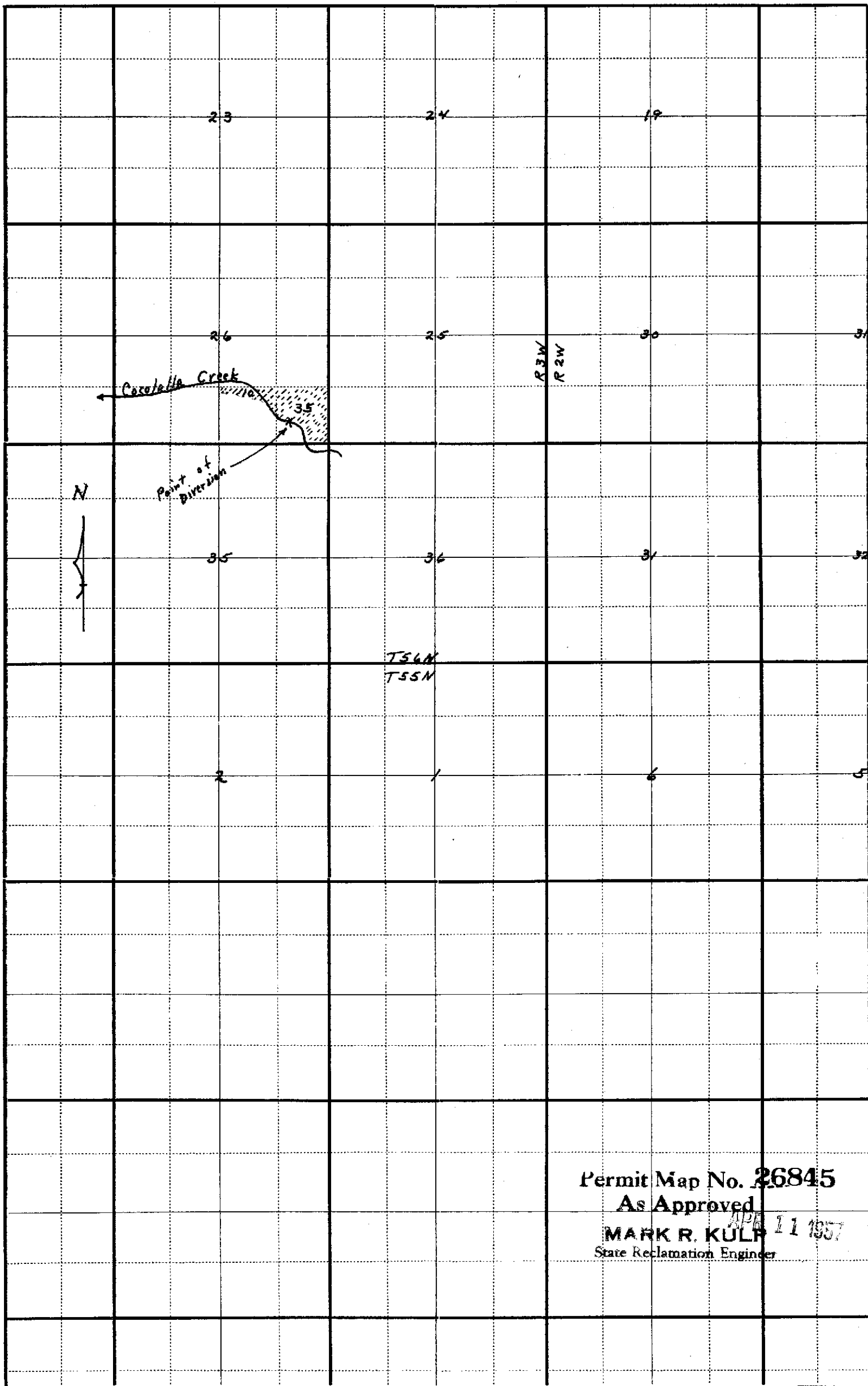
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:vm
Encl.

26845



Permit Map No. 26845
As Approved
MARK R. KULP
State Reclamation Engineer

APR 11 1957

June 25, 1956

Mr. Emil Braumiller
Route 1
Sagle, Idaho

Dear Mr. Braumiller:

In reply to your letter of June 23, 1956, we enclose a form of application for permit to appropriate the public waters of the State of Idaho, together with a pamphlet giving regulations and instructions in regard to filing same.

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

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

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

R:hll
Enc.

26845

June 23, 1956

Dear Sir:

Would you be kind enough to send us the necessary application blanks and any information and instructions for obtaining water rights on the creek flowing through the property which we now own and reside upon.

West end, prior to becoming Albeni Falls water
The farm is located at the far end of Cocolalla Creek in Bonner County and some water has been used from it by the previous owners for limited irrigation. However, we do not know if they ever had a water right or not.

Sincerely yours,

E. Braumiller

Emil Braumiller

Route 1

Sagle, Idaho

26845