

State of Idaho
License and Certificate of Water Right

Water License No. 25939

Amount .45 c.f.s.

Water District No.

Priority Sept. 8, 1955

THIS IS TO CERTIFY that COLBURN WATER ASSOCIATION
of Colburn, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 8, 1955; that Permit No. 25939
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.45 second feet, was issued thereunder on November 6, 1958, showing that said works
were completed on the 27th day of October, 1958; and that on the 1st
day of February, 1961,

COLBURN WATER ASSOCIATION

of Colburn, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Berry
Creek, a tributary of Pack River, for the purpose of domestic and stock
water, under Use Permit No. 25939 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
12 of Licenses at page 7229, on the 18 day of December, 1961;
The right hereby confirmed dates from September 8, 1955;

The Point of Diversion is located
in the NW 1/4 SE 1/4, Sec. 35, Tp. 59 N, R.2 W., B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.45 cubic feet per second.

Description and location of use:

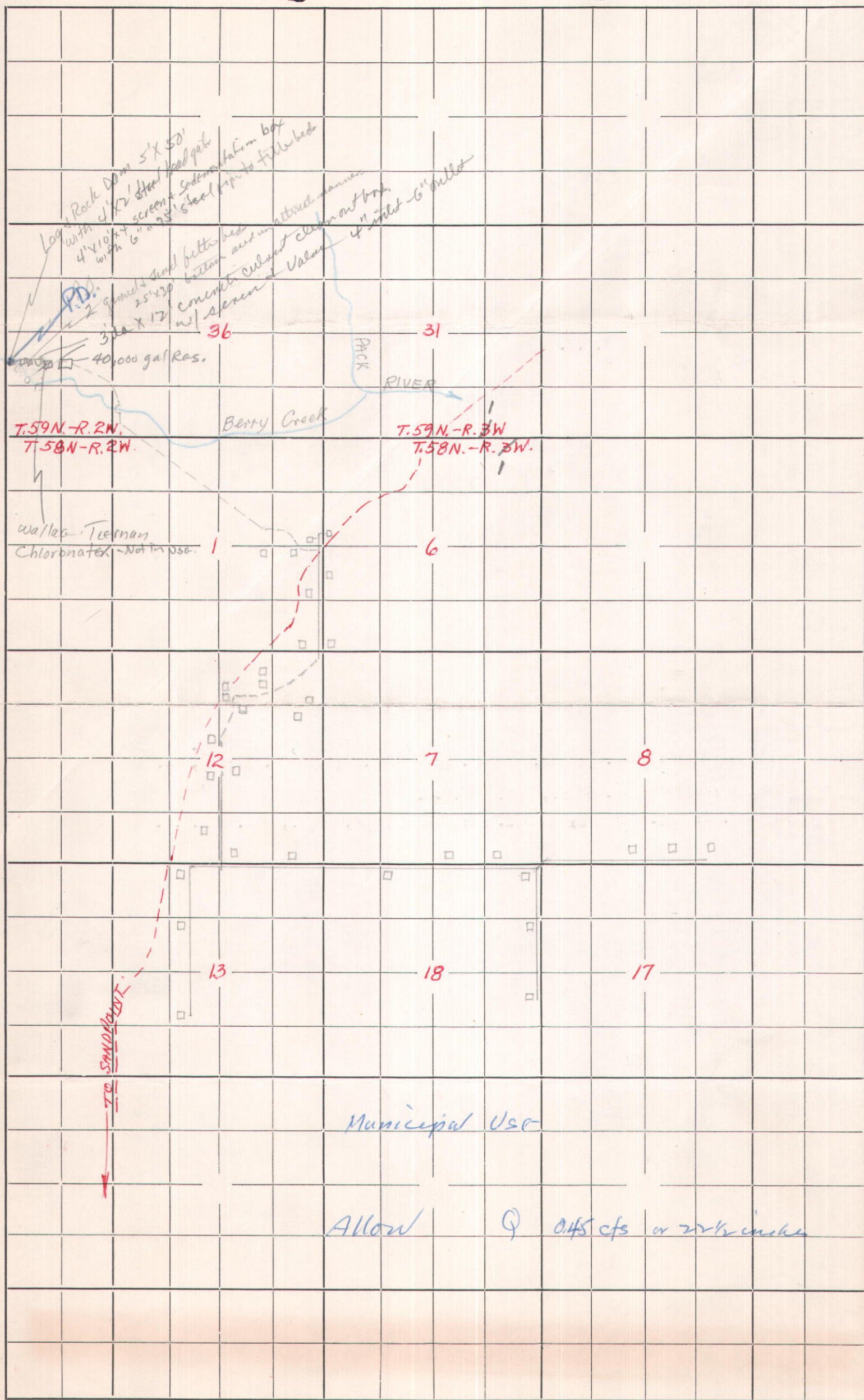
Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Lands under the Colburn Water Association pipe line as follows:		
58 N	1 W	6			
		7			
		8			
		17			
		18			
58 N	2 W	1			
		12			
		13			

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
18th day of December, 1961.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)



Load Rock Dam 5' x 50'
with 4' x 12' steel head gate
4' x 10' x 4' screen + sedimentation box
with 6" x 25' steel pipe to filter bed
2 gravel & sand filter beds
25' x 30' bottom and unfiltered water
concrete culvert clean out box
w/ screen & Valve 4" inlet 6" outlet

40,000 gal Res.

T. 59 N. - R. 2 W.
T. 58 N. - R. 2 W.

T. 59 N. - R. 3 W.
T. 58 N. - R. 3 W.

Wallace T. Cernan
Chlorinated - Not in use.

TO SANDPIT

Municipal Use

Allow Q 0.45 cfs or 2 1/2 inches

Affidavit of Publication

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

RECEIVED
FEB 13 1961

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 Proof Application of

Water to Beneficial Use. Permit

No. 25939

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 29th
day of December, 19 60, and end-
ing on the 19th day of January,
19 61, 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, 19 61.

Chyllis Booth

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

Notice is hereby given that at 10:00 A. M. on the 1st day of February, 1961, at Sandpoint, County of Bonner, State of Idaho, before Walter Klunt, a Notary Public, proof will be submitted of the application to beneficial use of 0.45 cubic feet per second of the waters of Berry Creek in accordance with the terms and conditions of Permit No. 25939 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Colburn Water Association, Colburn, Idaho.

The use to which said water has been applied is Domestic & Stock. The amount applied to beneficial use is 0.45.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated). No irrigation.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Colburn Water Association Pipeline.

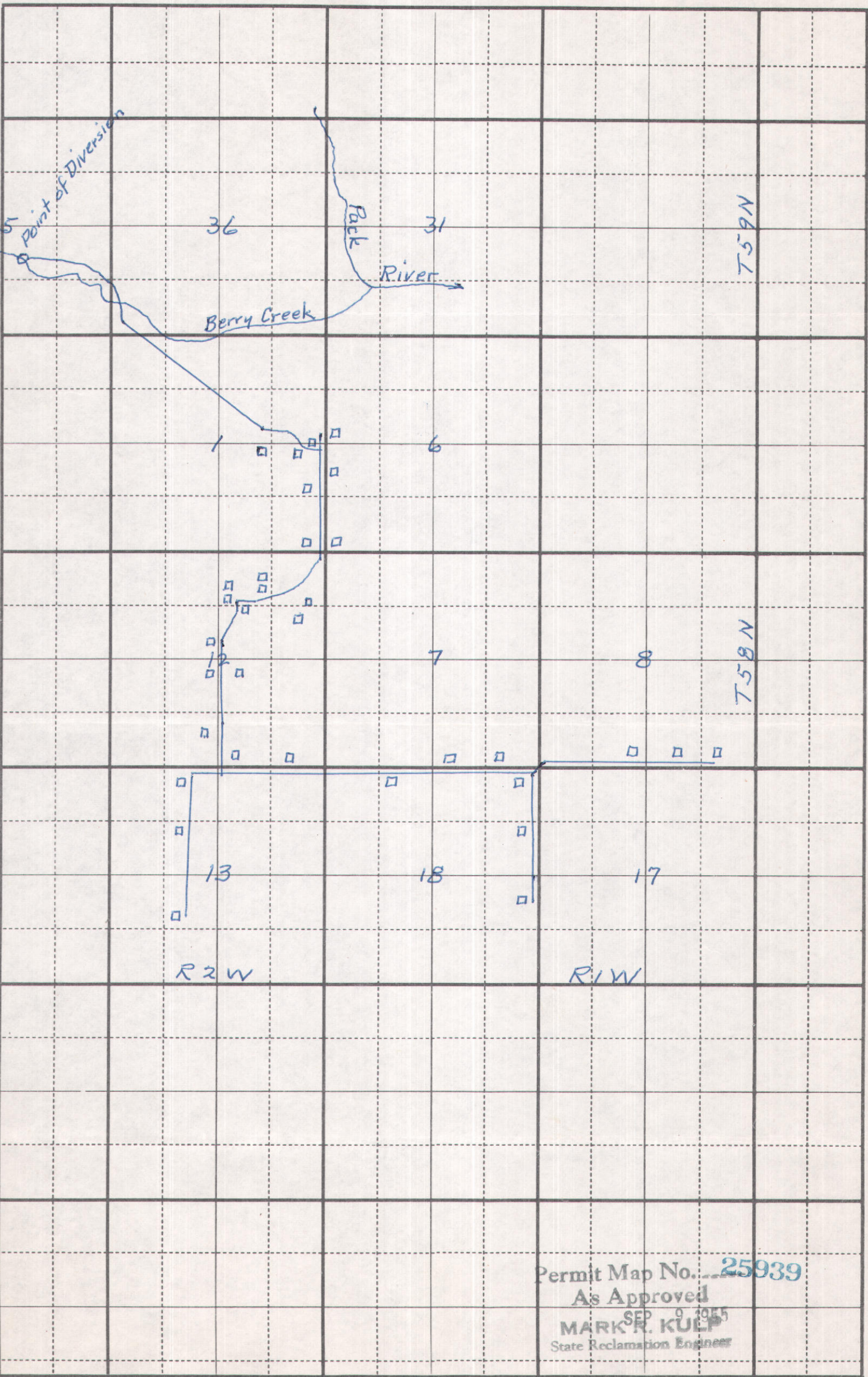
The right to take water from such works is based upon Permit No. 25939.

The source of supply from which such water is diverted is Berry Creek.

The date of priority which said user is prepared to establish is Sept. 8, 1955.

GEO. N. CARTER,
State Reclamation Engineer
d29-j5-12-19

25939



State of Idaho
License and Certificate of Water Right

Water License No. 25939

Amount .45 c.f.s.

Water District No.

Priority Sept. 8, 1955

THIS IS TO CERTIFY that COLBURN WATER ASSOCIATION
of Colburn, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 8, 1955; that Permit No. 25939
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.45 second feet, was issued thereunder on November 6, 1958, showing that said works
were completed on the 27th day of October, 1958; and that on the 1st
day of February, 1961,

COLBURN WATER ASSOCIATION
of Colburn, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Berry
Creek, a tributary of Pack River, for the purpose of domestic and stock
water, under Use Permit No. 25939 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

12 of Licenses at page 7229, on the 18 day of December, 1961;

The right hereby confirmed dates from September 8, 1955;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 35, Tp. 59 N, R.2 W., B. M. Bonner County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 0.45 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Lands under the Colburn Water Association pipe line as follows:		
58 N	1 W	6			
		7			
		8			
		17			
		18			
58 N	2 W	1			
		12			
		13			

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

18th day of December, 1961.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 33822
 PERMIT No. 25939
 DISTRICT No.

Colburn Water Association
 Colburn
 Idaho

1. Name of Applicant: COLBURN WATER ASSOCIATION
 Postoffice address: Colburn County: Bonner State: Idaho
 I. If applicant is a corporation, give:
 (a) Date and place of incorporation: May 26, 1953
 (b) Amount of capital stock: none
 (c) Amount paid in: none
 (d) Names and addresses of directors: Fredolf J. Nelson, R. B. Pedersen, Clifford O. Tucker, Ardley P. Burt, A. L. Lloyd, all of Colburn, Idaho.
 II. The financial resources of the applicant are:
 (a) Cash on hand: \$850
 (b) Treasury stock:
 (c) Bonds to be issued:
 (d) Other resources: Proposed loan from U. S. Dept. of Agriculture
2. Quantity of water claimed: 0.45 cubic feet per second.
3. Source of water supply: Berry Creek which is a tributary of Pack River, 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 NW $\frac{1}{4}$ SE $\frac{1}{4}$
 of Section 35 , T. 59 N , R. 2 W , B.M., County of Bonner
5. Water is to be used for Domestic and stock
6. If for mining, milling, power or manufacturing purposes, give:
 (a) Point of use of water: feet distant from corner of Section
 Sections 6-7-8-17 & 18 Twp. 58 N. Range 1 W. and Sections 1-12 & 13 Twp. 58 N Range 2 W.
 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: \$ 50,000
8. Kind of works: Pipe line
9. Height of dam Diversion 2 feet; length of dam at top 35 feet; length of dam at bottom 35
 feet; material used in dam: log
10. Size of headgate: Width 6" pipe feet; height feet.
11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
 dimensions of flume:
 Diameter of pipe 6" to 1 $\frac{1}{4}$ " inches; length of conduit 6.517 miles.
 Average grade per mile 40 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 5 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? 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.

Applicant.

R. B. PEDERSEN,

' Sec.-Treas.

Agent.

Date of first receipt at Department of Reclamation: 4:40 P.M. Sept. 8, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 25939

Recorded in Book 92 Page 25939 Approved September 9, 1955

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 9, 1955

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

March 9, 1958

The whole of said work to be completed on or before September 9, 1960

Beneficial use of water appropriated in accordance herewith, to be made on or before September 9, 1965

WITNESS My hand this 9th day of September, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,

and IRA H. MASTERS, 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 14th

day of September, 19 55.

STATE OF IDAHO

Countersigned:

By ROBERT E. SMYLIE

Governor.

(SEAL)

By IRA H. MASTERS

Secretary of State.

REMARKS:

A log diversion dam will be constructed across Berry Creek. A 6-inch pipe will carry water to a slow sand filter and a 40,000-gallon concrete tank. A pipe line, size 6 inch to 1½ inch, will supply domestic and stock water to members of the Association.

14.

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	
58 N	1 W	6	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	640	
		7					x	x	x	x	x	x	x	x	x	x	480		
		8									x	x	x	x	x	x	320		
		17	x	x	x	x	x	x	x	x							320		
58 N	2 W	18	x	x	x	x	x	x	x	x				x	x	x	480		
		1	x	x	x	x								x	x	x	320		
		12	x	x	x	x	x	x	x	x	x	x	x	x	x	x	640		
		13	x	x	x	x	x	x	x	x	x	x	x				480		
Total Number of Acres to be ~~Excluded~~ Served																	3,680		

Permit No. 25939
 Certificate of Completion of Works ✓

✓
 TO ALL WHOM IT MAY CONCERN:

This is to certify that COLBURN WATER ASSOCIATION of Colburn, County of Bonner, and State of Idaho, the holder of Permit No. 25939, issued upon Application No. 33822 bearing date of priority of September 8, 1955, authorizing the diversion of 0.45 second feet of waters of Berry Creek, tributary of Pack River County of Bonner, State of Idaho, for Domestic and stock 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 0.45 second feet of the waters of Berry Creek that the point of diversion of said waters NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 35, Township 59 North, Range 2 West, B.M. and that the proposed use of said water is described as follows, to-wit: Livestock and Domestic use in Sections 6, 7, 8, 17 & 18, Township 58 North, Range 1 West, B.M. and Sections 1, 12, 13, Township 58 North, Range 2 West, B.M. (Pipeline serves families located in above sections) Proof of Completion of Works made: October 27, 1958

Witness my hand this 6th day of November, A.D. 1958

/s/ Geo. N. Carter
 State Reclamation Engineer

Proof of Completion of Works made: October 27, 1958
 Certificate of Completion of Works issued: November 6, 1958

LICENSE ISSUED FOR 0.45 SEC. FT.

Page 7229

STATE OF IDAHO -----
DEPARTMENT OF RECLAMATION

December 18, 1961

Re: Permit No. 25939

Robert B. Pedersen, Sec.-Treas.
Colburn Water Association
Colburn, Idaho

Dear Mr. Pedersen:

/ We enclose License and Certificate of Water Right
issued on Permit No. 25939.

Also enclosed is departmental receipt No. 30882
in the amount of \$5.00 covering the fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(MRS.) Edna P. Rule
Chief Clerk

EPR:ew

Enc. license
receipt

25939

in rec'd 00
R.E. Permit # 25939

Calburn Idaho

12-13-61-

State of Idaho

Dept. of Reclamation

Boise

Idaho

Dear Sir:

RECEIVED

DEC 14 1961

Department of Reclamation

In reference to your
letter dated on Sept. 21, 1961
enclosed you will find
check for \$5.00 for the
statutory fee for the issuing
of the License and Certificate
of Water Right.

Sincerely,

Calburn Water Assn.

Calburn, Ida.

E. R. B. Pedersen

Secretary

25939

September 21, 1961

RE: Permit No. 25939

Robert B. Pedersen
Colburn Water Association
Colburn, Idaho

Dear Mr. Pedersen:

Our field engineer's report on his inspection of the application of water to beneficial use under the terms of Permit No. 25939 shows the dam and pipe lines are capable of conveying 22.5 miner's inches, or 0.45 c.f.s. of water for municipal use.

Upon receipt of the statutory fee of \$5.00 we will issue the License and Certificate of Water Right, confirming the right with priority of September 8, 1955 to the use of 0.45 second feet of surface water with the point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 59 North, Range 2 West for domestic and stock water use in Sections 6, 7, 8, 17, and 18, Township 58 North, Range 1 West, B.M., and Sections 1, 12, and 13, Township 58 North, Range 2 West, B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

25939

21

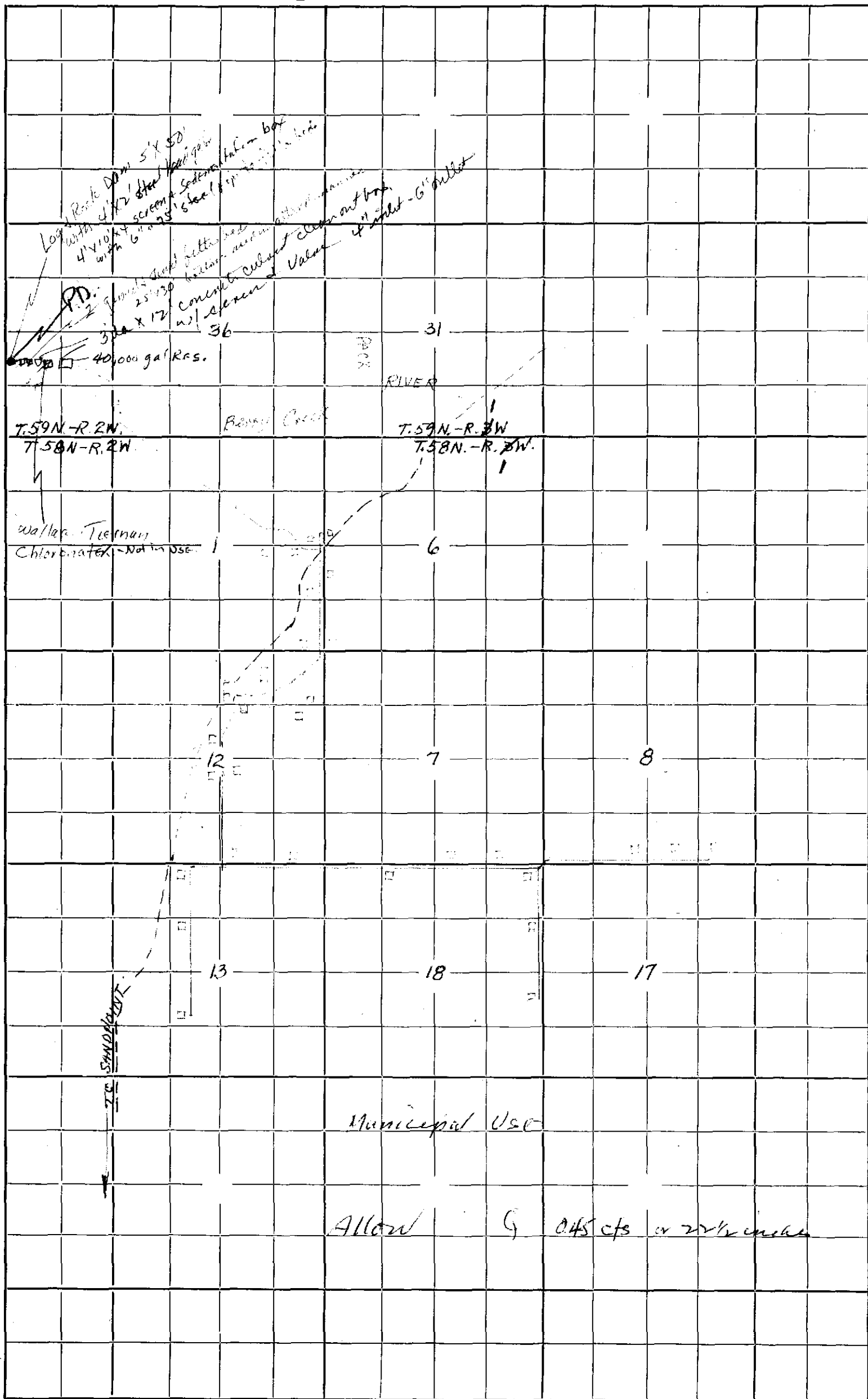
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 25939

REPORT ON PROOF OF Beneficial Use

Colburn Water Association, Robert B. Pederse,
Colburn, Idaho



25939

Robert B. Pedersen, acting in behalf of
Colburn Water Association
Colburn, Idaho 25939
Permit No. _____

Main line 6" pp
reduced to 12" on end
check to see if other
rights on creek
Sec. 35 T.59 N R. 2 W.B.M.
was an old Log flume
carried by Brownhulce

Examination for Beneficial Use

County: Bomer

Quantity: 0.115 cfs

Source: Berry Co.

P.D.: NW. 35, Sec. 35, T.59 N. R. 2 W.B.M.

Use: Domestic & Stock

Filed: Sept. 8, 1965

Due: Sept. 9, 1965

Extension: —

Completion of Works: 11-6-58

Other Rights: none

52.00
0
52.00

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.

February 28, 1961

Re: Permit No. 25939

Mr. Robert B. Pedersen
Colburn Water Association
Colburn, Idaho

Dear Mr. Pedersen:

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 works and beneficial use on~~ Permit No. 25939.

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:

25939

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

RECEIVED
FEB 17 1956

Department of Reclamation

Permit No. 25939

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Robert B. Pedersen Colburn, Idaho Store owner Colburn, Idaho

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

Ans. ☒ Colburn Water Association, Colburn, Idaho Secretary, Treasurer

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

Ans. Permit No. 25939 Sept. 9, 1955 Priority Date September 8, 1955

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

Ans. Berry Creek - Tributary of Pack River NW 1/4 Sec. 35 Twp. 59 N., Range 2 WBM

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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Dam 35 ft. in length through 6 inch pipeline supplying .45 c. f. s.
Colburn Pipeline

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. Domestic and livestock through pipeline 6.517 miles long.

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

Ans. _____

25939

JD

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

Ans. Not applicable

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

Ans. —

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. Not applicable

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

Ans. Continuous use since September, 1956 to supply water for domestic and livestock use to 30 families. System designed to serve 50 families.

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)

Robert B. Pedersen
Robert B. Pedersen

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, Idaho, County of Bonner.

State of Idaho, on this 1st day of February, A. D. 1961

Walter A. Klundt

My commission expires

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

3.0 enfiled

25939

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
FEB 13 1961

Department of Reclamation

PERMIT NO. 25939

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. Thomas J. Wilson, 45, Sandpoint, Idaho
Soil Conservation Service, Rt. 1, Sandpoint, Idaho

Ques. 2. Are you acquainted with Robert B. Pedersen, the holder of Permit No. 25939? How long have you known him and where does he reside?

Ans. Yes, 1 1/2 years, Colburn, Idaho

Ques. 3. Have you read or heard read said Permit No. 25939, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Berry Creek Tributary of Pack River;
Rt. 7 diversion - NW 1/4 & E 1/4, Sec 35, T59N, R2W.
Conveyed - 6" pipeline to several families. System
Designed for approximately 50 families.

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. .45 c.f.s. - Have seen water conveyed for
approximately 30 families.

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. Water is used for livestock and domestic
use by thirty families on pipeline at present.

25939

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

Ans. None for irrigation. Used for livestock and domestic use only by approximately thirty families.

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. None

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

Ans. None

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

Ans. In continuous use by approximately thirty families since Sept 1956. I have witnessed use only for approximately 1 1/2 years for livestock & domestic use. System designed for approximately 50 families.

(Signed) Sharon I. Wilson

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 Sandpoint County of Bonner, State of Idaho, on this 1 day of February A. D. 19 61.

Walter Klundt

Notary Public.

My commission expires

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

25939

RECEIVED
FEB 13 1961

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Department of Reclamation

PERMIT NO. 25939

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. Dale R. Sanner, Age 44, Box 614, Sandpoint, Idaho
County Supervisor Farmers Home Adm

Ques. 2. Are you acquainted with Colburn Water Association, the holder of Permit No. 25939? How long have you known him and where does he reside?

Ans. yes, May 26 1953 at which time Articles of Incorporation
were completed

Ques. 3. Have you read or heard read said Permit No. 25939, and are you familiar with its provisions and conditions?

Ans. yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Berry Creek a tributary of Pack River, Point of Diversion
located in NW 1/4 of SE 1/4 of Section 35, Township 59 North,
Range 2 West Boise Meridian, Bonner County Idaho

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. .45 CFS Capacity, Thirty families being served

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. Water being distributed through a pipeline to thirty
families and being used for domestic and livestock use

25939

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

Ans. No Irrigation

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. Not Applicable

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 Interest in above System or lands.

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. Continuous use Since Sept. 1956 furnishing water for Domestic and livestock use for thirty families. System capable of serving fifty families.

(Signed)

Subt Sanner

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Sandpoint, Idaho, County of Bonneville, State of Idaho, on this 1st day of February, A. D. 1961.

Walter A. Alundt

Notary Public.

My commission expires

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

25939

Affidavit of Publication

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

RECEIVED

FEB 13 1961

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 Proof Application of
Water to Beneficial Use, Permit
No. 25939

as it was published in the regular and entire issue
of the said paper for a period of Four
consecutive weeks, commencing on the 29th
day of December, 19 60, and end-
ing on the 19th day of January,
19 61, 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, 19 61

Chyllis Porath

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

Notice is hereby given that at 10:00 A. M. on the 1st day of February, 1961, at Sandpoint, County of Bonner, State of Idaho, before Walter Klant, a Notary Public, proof will be submitted of the application to beneficial use of 448 cubic feet per second of the waters of Berry Creek in accordance with the terms and conditions of Permit No. 25939 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Colburn Water Association, Colburn, Idaho.

The use to which said water has been applied is Domestic & Stock.

The amount applied to beneficial use is 0.48.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated). No irrigation.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Colburn Water Association Pipeline.

The right to take water from such works is based upon Permit No. 25939.

The source of supply from which such water is diverted is Berry Creek.

The date of priority which said user is prepared to establish is Sept. 8, 1955.

GEO. N. CARTER,
State Reclamation Engineer
d29-j5-12-19

25937

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

December 22, 1960

Re: Permit No. 25939

Colburn Water Assn.,
Colburn, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of ~~Completion of Work and~~ Application of Water to Beneficial Use under Permit No. 25939. The proofs are to be made at 10:00 o'clock A.M., on the 1st day of February, 1961 ~~1960~~ before Walter Klunt, Sandpoint, Idaho, Notary Public.

As of this date we have mailed the Notice to the Sandpoint News Bulletin with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and 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,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ^{Rule} ~~Rutledge~~
Chief Clerk

Encl.

EPR: pak

cc: Notary

25939

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. 25939
Colburn Water Assn.

Date: Dec. 22, 1960

Sandpoint News Bulletin
Sandpoint, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to February 1, 1961 the date set for proof; the expense of the publication is to be paid by the applicant

Colburn Water Association of Colburn, 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,


GEO. N. CARTER
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

Encl.

25939

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Dec. 19, 1960
(P. O.) Colburn, Idaho

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.

Bonner Co.

COLBURN WATER ASSOCIATION

By Robert B. Pedersen Sec. Treas.

(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.

25939

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

Notice is hereby given that at 10:00 A. M. on the 1st day of February, 1961,
at Sandpoint, County of Bonner, State of Idaho, before
Walter Klunt,
a Notary Public, proof will be submitted of the
application to beneficial use of 0.15 cubic feet per second of the waters of Berry Creek
in accordance with the terms and conditions of Permit No. 25939
heretofore issued by the Department of Reclamation of the State of Idaho.

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

COLBURN WATER ASSOCIATION - Colburn, Idaho

The use to which said water has been applied is Domestic & Stock

The amount applied to beneficial use is 0.15

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)

No irrigation

The name of the canal or ditch or other works by which said water is conducted to such place of use is

COLBURN WATER ASSOCIATION PIPELINE

The right to take water from such works is based upon Permit No. 25939

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

The date of priority which said user is prepared to establish is Sept. 8, 1955

GEO. N. CARTER
State Reclamation Engineer.

25939

[Handwritten signature]

Sept. 21, 1959

Re: Permit No. 25939

Robert B. Pedersen, Sec.-Treas.
Colburn Water Association
Colburn, Idaho

Dear Mr. Pedersen:

We enclose necessary forms and instructions for making proof of beneficial use on your Permit No. 25939. When the advertising and proofs are completed the license will be issued.

Very truly yours,

GEO. M. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rutledge
Chief Clerk

SPH:ew
Enc. Form 10
Form 11
instructions

25939

Colburn Idaho

9-18-59

State Department of Reclamation
Room 107 State House
Boise, Idaho

Att E. M. Humphrey

Dear Sir:

Some time ago our President Arley Burt
talk to you in regards to a permanent license
for our water assn.

The number of our permit is #25939.
Would you please check our present status and
what should we do to get a permanent license.

The proof of Completion of Works was
made on Oct. 27, 1958.

Yours truly

Colburn Water Assn

Robert B Pedersen Secy Treas

Colburn

Idaho

RECEIVED
SEP 21 1959
Department of Reclamation

25939

B/V 45

November 6, 1958

Re: Permit No. 25939

Colburn Water Association
Colburn
Idaho

Attention: Ardley R. Burt, President

Dear Mr. Burt:

Enclosed is the Certificate of Completion of Works issued under Permit No. 25939 for the diversion of 0.45 second foot of water from Berry Creek, with point of diversion in the NW¹/₄ SE¹/₄ of Section 35, Township 59 North, for livestock and domestic use in Sections 6, 7, 8, 17 & 18 Township 58 North, Range 1 West, B.M. and Sections 1, 12, 13, Township 58 North, Range 2 West, B.M.

Enclosed also is departmental receipt #29352 for \$5.00, issued as receipt of the fee for the Certificate of Completion of Works.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EFR:nls
Enc.

25939

RT

Colburn Idaho

10-27-58-

State of Idaho
Dept. of Reclamation
Boise
Idaho.

RECEIVED
OCT 29 1958
Department of Reclamation

Dear Sir,

Enclosed please find check for \$500 for certificate of Completion also the affidavit.

In reference to your letter dated June 1st 1958 we note you have reference to Permit # 24392 and our permit was changed to # 25939 and was to be completed by Sept. 9, 1960.

From our understanding we have been using the water for beneficial use for the past year half. We would appreciate information for last proof that is necessary to complete the completion of works.

Yours truly

Robert B. Pedernier
Colburn Water Area

25939

Permit No. 25939STATE OF IDAHO
Department of ReclamationRECEIVED
OCT 29 1958

Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner } ss.Colburn Water Association, 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. 25939, and that his postoffice address is Colburn, Idaho
State of Idaho.

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

Berry CreekThird: That the point of diversion of said water is in NW 1/4 SE 1/4 of Sec 35,
Twp 59N, Range 2W.B.M.Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Sept 9, 1960.Fifth: That the use for which said water is intended is Domestic + livestock useSixth: 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: Log Dam with a concrete Reservoir + Pipe line
(RESERVOIR, DAM, DITCH, FLUME, PIPE OR OTHERWISE) (Storage)

II. Dimensions of work:

(a) Height of dam 2 feet, length of dam at top 35 feet, length of dam at bottom 35 feet. Material used in construction Log

(STATE WHETHER WOOD, EARTH STONE OR CONCRETE)

(b) Capacity of reservoir practically infinite feet.(c) Size of headgate: Width 6" pipe feet, height feet.(d) Conduit 6" pipe width at bottom feet, width at water line

(STATE WHETHER DITCH, FLUME OR PIPE)

feet, depth of water feet; diameter of pipe 6" inches, average grade per mile is 40 feet. Length of conduit is 6.517 miles.Seventh: That said works are capable of conducting to the place of intended use 0.45 second feet of water.Eighth: That water appropriated under said permit is available for acres of land described as follows: livestock and Domestic use for
lilly families in sections 6, 7, 8, 17 + 18 Twp 58N Range 1W.B.M.
and sections 1, 12, 13 Twp 58N, Range 2W.B.M.Ninth: Remarks: That Pipe line serves families located in item 8.Subscribed and sworn to before me this 27th day of October, 1958Colburn Water Association -
By Shelby R. Burt, President
(SIGN HERE)Walter A. KlundtNOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962NOTARY PUBLIC
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

My commission expires

NOTARY PUBLIC IN & FOR THE STATE OF IDAHO
RESIDING AT SANDPOINT, IDAHO
MY COMMISSION EXPIRES JANUARY 6, 1962

25939

RT

September 20, 1955

RE: Permit No. 25939

Farmers' Home Administration
205 S. 9th Street
Boise, Idaho

ATTENTION: Mr. Ralph Thomas

Dear Mr. Thomas:

We enclose Permit No. 25939 in the name of the Colburn Water Association and direct 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. 27541 for the \$5.00 filing fee.

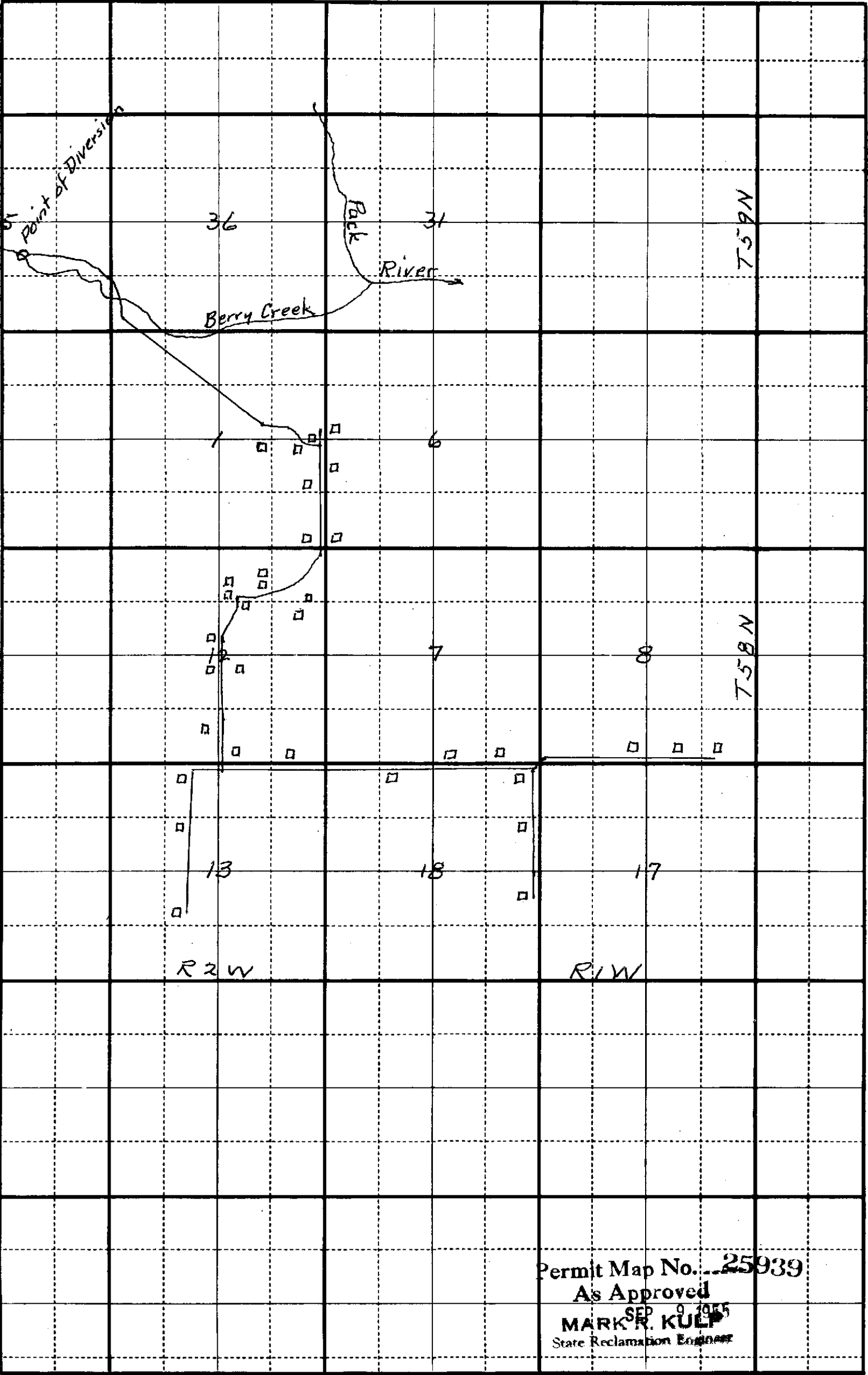
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

25939



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

Notice is hereby given that at 10:00 A. M. on the _____ day of February, 1961, at Sandpoint, County of Bonner, State of Idaho, before Walter Klunt, a Notary Public, proof will be submitted of the application to beneficial use of 0.45 cubic feet per second of the waters of Berry Creek in accordance with the terms and conditions of Permit No. 25939 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Colburn Water Association, Colburn, Idaho.

The use to which said water has been applied is Domestic & Stock.

The amount applied to beneficial use is 0.45.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated). No irrigation.

The name of the canal or ditch or other works by which said water is conducted to such place of use is Colburn Water Association Pipeline.

The right to take water from such works is based upon Permit No. 25939.

The source of supply from which such water is diverted is Berry Creek.

The date of priority which said user is prepared to establish is Sept. 8, 1955.

GEO. N. CARTER,
State Reclamation Engineer
d29-j5-12-19