

AFFIDAVIT OF PUBLICATION

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Albert L. Brackebusch, Rt. 1, Box 210, Bonners Ferry, Idaho has on November 10, 1977 submitted Application No. 98-7228 for a permit to appropriate 1.00 cubic feet per second of water from Mission Creek, tributary of Kootenai River by means of a pump & pipeline within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17, T64N, R1E, B.M., Boundary County to be used from March 15 to Nov. 1 for the irrigation of 65 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; & NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T64N, R1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before

December 12, 1977.

C. STEPHEN ALLRED
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on November 24 and December 1, 1977.-ldwr

STATE OF IDAHO }
County of Boundary } ss.

Echo Turnbull, bkpr. for W. H. Chubb being first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)

Publisher

of The Bonners Ferry Herald, a newspaper of general circulation, published weekly at Bonners Ferry, Boundary County, State of Idaho; that the said Bonners Ferry Herald has been continuously and uninterruptedly published in said Boundary County during a period of 18 months or 78 weeks prior to the first publication of the hereto attached notice; that

the advertisement of Idaho Dept. of Water Resources

a Notice of Application #98-7228

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated Nov. 24, 1977, and ending with the issue dated Dec. 1, 1977.

Echo Turnbull

Subscribed and sworn to before me this 2nd day of December, 1977.

W. H. Chubb

Notary Public in and for the County of Boundary, State of Idaho, residing at Bonners Ferry, Idaho.

OK
12-6-77

MICROFILMED

SWNE (16) 40
 $\frac{4,432}{4,432} = \frac{640 - 39.6}{19.62} = 33$

SENE (16) 35
 $\frac{4,432}{4,432} = \frac{400}{19.62} = 20.38 = 20$

NESE (16) 3
 $\frac{4,432}{4,432} = \frac{19.62}{19.62} = 2.5 = 3$

NWSE (16) 13
 $\frac{4,432}{4,432} = \frac{208}{19.62} = 10.6 = \frac{11}{67}$



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 98-7228 Priority November 10, 1977 Amount .8 cfs

THIS IS TO CERTIFY, that ALBERT L. BRACKEBUSCH
of Bonn timers Ferry, Idaho, has complied with the terms and conditions of Permit
No. 98-7228 issued pursuant to Application for Permit dated November 10, 1977,
and has submitted proof to the Department of Water Resources on June 30, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .8 cfs of water from Mission Creek,
tributary to Kootenai River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u> at	<u>.8</u> cfs and	<u>195</u> acre feet
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		
(both dates inclusive)			

Subject, however, to the condition that no more than .8 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
195 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, Twp. 64N,
Rge. 1E, B.M. in the County of _____ Boundary _____

Description and location of place of use:

Twp.	Range	Sec.	Section												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 $\frac{1}{4}$	
64N	1E	17				30				18	6				65

Total number of acres irrigated 65

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
July, 19 81.

Director

Identification No. _____

Application No. 98-7228

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant ALBERT L. BRACKEBUSCH Phone: 267-2384
post office address RT 1 BOX 210 BONNERS FERRY, IDAHO 83805
2. Source of water supply MISSION CREEK which is a tributary of KOOTENAI RIVER
3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17 Township 64N
Range 1E B.M. BOUNDARY County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into NO DISCHARGE at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1 CFS for IRRIGATION purpose from MARCH 15 to NOV 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1 cubic feet per second and/or
b. 100 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
ELECTRIC PUMP BY CREEK, UNDER GROUND PLASTIC PIPE TO
CENTER OF FARM, THEN ABOVE GROUND ALUMINUM MAIN
LINES TO ALUMINUM LATERALS WITH SPRINKLERS.
b. Height of storage dam NONE feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 10,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

Name of municipality to be served _____, or number of families to be
supplied with domestic water _____
If water is to be used for other purposes describe: _____

MICROFILMED

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

12 MISSION CREEK

River
Site
Upper
Lower

Sec 17

Scale: 2 inches equal 1 mile

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

Albert J. Kershner
(Applicant)

* changed according to map
Per telecon Mr. B. - 11-14-77-VR

Proposed Priority 11/10/77

Received by AK Date 11/10/77 Time 1:30

Preliminary check by TK Fee \$ 25.00

Receipted by AK Date 11/10/77 (9467)

Publication prepared by B Date 11/14/77

Published in Banner Free Press

Publication dates 11-24 & 12-1-77

Publication approved B Date 12-6-77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by AK

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 98-7228, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 83.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

The issuance of this permit in no way grants any right-of-way or easement across the land of another.

Witness my hand this 29 day of January 19 78.

S. Kenneth Shinn
DEPUTY Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

Echo Turnbull, bkpr. for W. H. Chubb being
first duly sworn upon his oath, deposes and says that he is the publisher (or foreman)

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Echo Turnbull

Subscribed and sworn to before me this 2nd day of December, 1977

Veronika Smith
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Albert L. Brackebusch, Rt. 1, Box 210, Bonners Ferry, Idaho has on November 10, 1977 submitted Application No. 98-7228 for a permit to appropriate 100 cubic feet per second of water from Mission Creek, tributary of Kootenai River by means of a pump & pipeline within the SE1/4NW1/4 Sec. 17, T64N, R1E, B.M., Boundary County to be used from March 15 to Nov. 1 for the irrigation of 65 acres within the SW1/4NE1/4 SE1/4NW1/4; NE1/4SW1/4; & NW1/4SE1/4 Sec. 17, T64N, R1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055

Director

Published in the Bonners Ferry Herald, Bonners Ferry, Idaho on November 24 and December 1, 1977. 4dwr

O/K
12-6-77

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Boundary } ss.

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a Notice of Application #98-7228

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for 2 consecutive issues, commencing with the issue dated Nov. 24, 1977, and ending with the issue dated Dec. 1, 1977

Subscribed and sworn to before me this 2nd day of December, 1977.

Verity Smith
Notary Public in and for the County of Boundary, State of Idaho,
residing at Bonners Ferry, Idaho.



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

~~E. STEPHEN ALKREX~~

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

July 29, 1981

Albert L. Brackebusch
Rt. 1, Box 210
Bonners Ferry, ID 83805

Dear Mr. Brackebusch,

RE: Permit No. 98-7228

Enclosed is a copy of the Water Right License issued on the above referenced Permit.

Please be advised that one of the conditions of your permit was that a measuring device be installed as part of your diversion works. That requirement has been waived with issuance of the enclosed license. However, in the event that water supply shortages become a problem installation of measuring devices may be required.

Sincerely,

JIM JOHNSON

Water Distribution Supervisor

JJ:mr

Enclosure





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

July 9, 1981

Albert L. Brackebusch
Rt. 1, Box 210
Bonners Ferry, ID 83805

Dear Mr. Brackebusch,

A representative of this Department has made an examination of the works covered by your Permit No. 98-7228, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: .8 cfs Source: Mission Creek

The maximum quantity diverted shall not exceed 195 acre feet per year.

Point(s) of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 17, Twp. 64N, Rge. 1E, B.M.

Beneficial use: Irrigation of 65 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 17, Twp. 64N, Rge. 1E.

Priority date established: November 10, 1977

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

MICROFILMED

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

SEP 24 1980

Department of Water Resources

98-7228

Permit No.
11-2

CONTACT WITH PERMIT HOLDER

DATE

INITIALS

REMARKS

☐ Appointment letter mailed:☐ Telephone call made:

(List Telephone No. used)

☐ Appointment scheduled for:

(Date, time, location)

267-2384-Town

267-5384-Farm - part school part home
take next drive - how to use store

EXAMINATION

Date 9-8-80

Accompanied by App.

Total Q measured

360 gpm / 0.8 cfs

If source is surface water, estimate total flow of source

Methods of measurement meter / Press

Meets Permit requirements?

Measurement calculations: 100 series Nelson w/ 7102212 (1) Toro gun @ 70 PSI = 120 gpm
 $120(3) = 360 \text{ gpm} = .80 \text{ capacity}$
 $(65)(3) = 195 \text{ AFA}$ $0.80(1.98)245 = 388.08$

 $V = 65 \times 3 = 195.0$ or $.8 \times 1.9835 \times 245 = 388.8$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	50	GE	AP	Cornell	25010-9	badger	good	

System Description Small (1') Division down with pump and pipe line to 3 big gun sprinklers

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 3.0

AFA/Acre

USE

Irrigation

Q (cfs)

0.80 ✓

V (afa)

195.0 ✓

FROM

3-15

TO

11-15

Total

Remarks Applicant stated that he uses 4 big guns at times but system does not operate efficiently when he does so.

Acreage calculation shows: SW NE = 33 AC
SE NW = 20 AC
NE SW = 3 AC
NW SE = 11 AC
67 AC

Since my calculations are similar to the App's I feel we need to change Amend the Permit.

MICROFILMED

Examiner's Signature _____

Date

ANNONCE

☐ Add P.U. as reflected above

Exchange P.O. as reflected above

Amendments:

[illegible]

Place(s) of Use

Point(s) of diversion: ~~SENAL, 17, CYN, RIE~~

12/2/91 to 6/24/91
Submitted
working 91%

(Include distance from pump to measuring device, if applicable.)

SCHEMATIC DIAGRAM OF SYSTEM

[illegible]

MAP (Attach Aerial Photo)

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 98-7218.

Name(s) of Permit Holder: Albert L. Brackebusch

Post Office Address: Rt. 1 Box 210

Bonnors Ferry, Idaho 83805

Source of Water: Mission Creek

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 65 Acres JUN 07 1980
☐ Other

Measuring Device: Required? ☒ Yes ☐ No Department of Water Resources
 Access Port: Required? ☐ Yes ☒ No Northern District Office

The above information is a true statement of the extent to which the above numbered permit has been developed.

June 27, 1980

Date

Signature of Permit Holder

MICROFILMED

RECEIVED

RECEIVED

JUN 30 1980

Department of Water Resources



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

PLACE
TEN CENT
STAMP
HERE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
C. STEPHEN ALLRED
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

July 17, 1980

Mr. Albert L. Brackebusch
Rt. 1 Box 210
Bonners Ferry, Idaho 83805

RE: 98-7238

Dear Mr. Brackebusch:

We acknowledge receipt of your statement of completion of water development and use for the above-referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We do not know at this time when he will be able to conduct the examination; however, the examiner will try to contact you at the time he makes the examination so that you may show him the system. Your permit will remain valid until the examination is made.

If you have any questions concerning the field examination, please contact this office.

Very truly yours,

TOM D. KING
Senior Water Resource Agent

TDK/pms

cc: IDWR - State Office

MICROFILMED

January 30, 1978

Re: Permit No. 98-7228

Albert L. Brackebusch
Route 1, Box 210
Bonners Ferry, ID 83805

Dear Mr. Brackebusch:

Enclosed is a copy of your approved Application for Permit No. 98-7228 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to either install and maintain a measuring device at your point of diversion or to provide the Department a certified measurement of the systems diversion capacity prior to submitting proof of beneficial use of water. We have enclosed a letter describing the different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

Enclosure

RECEIVED
FEB 1 1978

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 98-7228 Brackebusch

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) DR 10-14-77

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) DR 11-14-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: none known

(11) _____

Affidavit of Publication received(date) 12-6-77

(12) _____

Final date for protests 12-12-77

Protests received: yes _____ no _____

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

11-10-77 Proposed Priority

Reason for Reduction _____

☒ Measuring device required

See attached sheet for other conditions of approval

☒ No special conditions for approval

(15) District Northern

By Bob Haynes Date 12-12-77

MICROFILMED
Rosemont Condition



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

November 17, 1977

RE: Application No. 98-7228
Claim No. 98-4091

Bonnors Ferry Herald
PO Box 539
Bonnors Ferry, Id 83805

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week 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 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

ROBERT G. HAYNES, P.E.
District Supervisor

RGH:ab

Enc: Legal Notice(s)

Bill moved
12-6-77

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Albert L. Brackebusch
Rt 1 Box 210, Bonners Ferry, Id
has on November 18, 1977 submitted Application No. 98-7228
for a permit to appropriate 1.00 cubic feet per second ~~acre-foot per annum~~
of water from Mission Creek, tributary of Kootenai River
by means of a pump & pipeline
within the SE1/4 NW1/4 Sec 17, T64N, R1E, B.M., Boundary County

to be used from March 15 to Nov 1
for the irrigation of 65 acres

within the SW1/4 NE1/4; SE1/4 NW1/4; NE1/4 SW1/4; & NW1/4 SE1/4 Sec 17, T64N, R1E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 4055 Government Way, Coeur d'Alene, Idaho 83814, on or before December 12, 1977.

C. STEPHEN ALLRED
Director

Published in the Bonners Ferry Herald, Bonners Ferry, Id
on November 24 and December 1, 1977

MICROFILMED

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that

Albert L. Brackebusch, Rt. 1,
Box 210, Bonners Ferry, Idaho
has on November 10, 1977 sub-
mitted Application No. 98-7228

for a permit to appropriate
100 cubic feet per second of

water from Mission Creek,
tributary of Kootenai River by

means of a pump & pipeline
within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17,

T64N, R1E, B.M. Boundary
County to be used from March

15 to Nov. 1 for the irrigation
of 65 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$

SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; &
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 17, T64N, R1E,

B.M.
If issued, this permit will be

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granting of the permit must be
filed with the Idaho Depart-

ment of Water Resources, 4055
Government Way, Coeur d'

Alene, Idaho 83814, on or be-
fore December 12, 1977.

C. STEPHEN ALFRED
Director

Published in the Bonners
Ferry Herald, Bonners Ferry,

Idaho on November 24 and De-
cember 1, 1977-ldwr

RECEIVED

Water
Dept

11-22-77