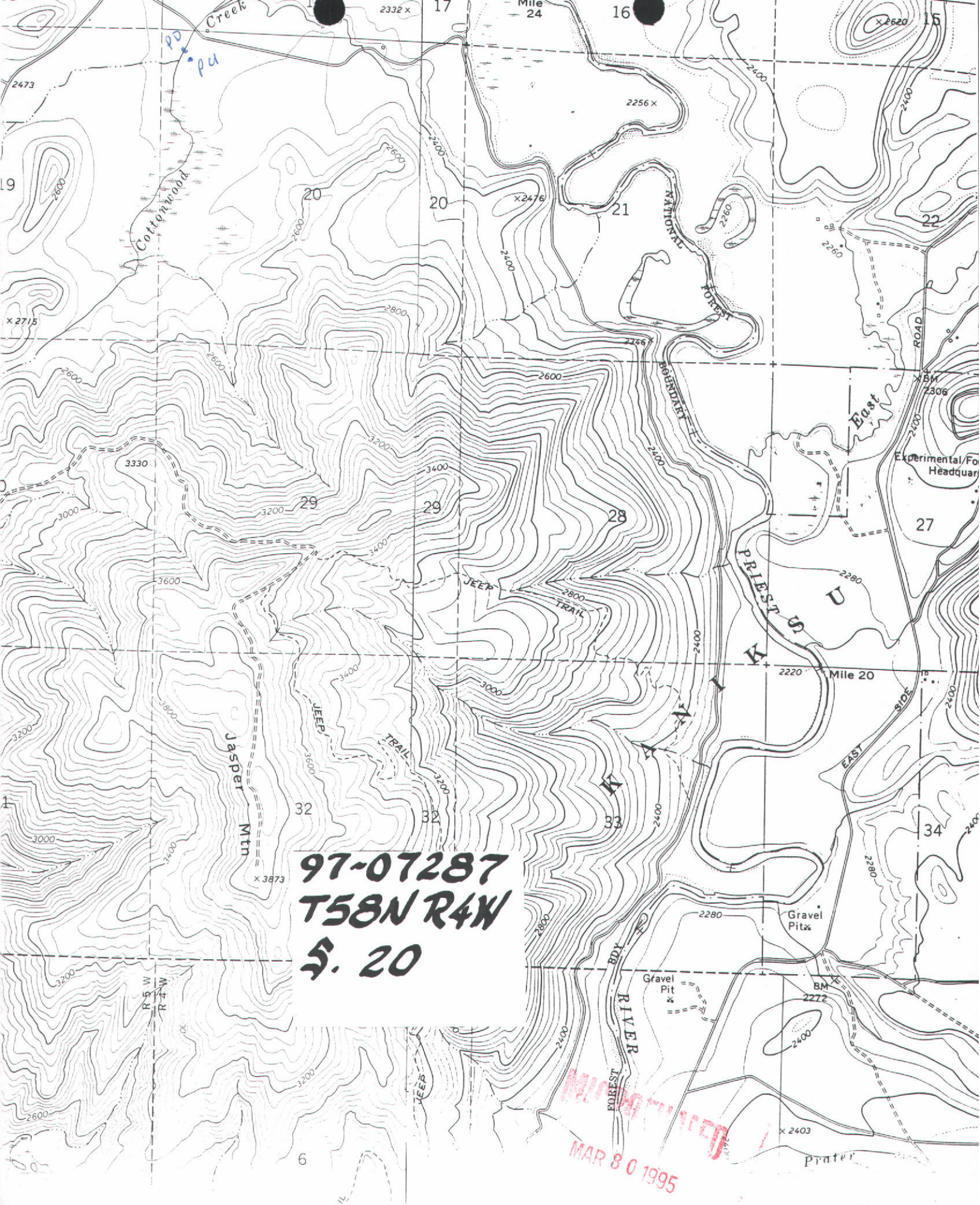




97-07287
T58N R4W
S. 20

97-07287



Pond



outlet



spillway

MIDDOCH MED

30 1995

97-07287



Point of Use
Domestic



diversion from
Pond

MICROFILMED
MAR 30 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 97-07287

Priority: August 4, 1988

Maximum Diversion Rate:

0.02 CFS

Maximum Diversion Volume:

4.0 AF

This is to certify, that GEORGE BRAULT
JOYCE BRAULT

PO BOX 461

PRIEST RIVER ID 83856

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 4, 1988; and has submitted Proof of Beneficial Use on October 4, 1991. An examination indicates that the works have a diversion capacity of 0.020 cfs of water from:

COTTONWOOD CREEK

tributary to PRIEST RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF
RECREATION STORAGE	01/01 to 12/31		2.8 AF
	Totals	0.02 CFS	4.0 AF

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 20, Township 58N, Range 04W
BONNER County

PLACE OF USE: DOMESTIC

TWN RGE SEC

58N 04W 20

NWNW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

MAR 8 0 1995

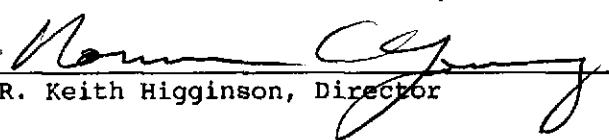
State of Idaho
Department of Water Resources

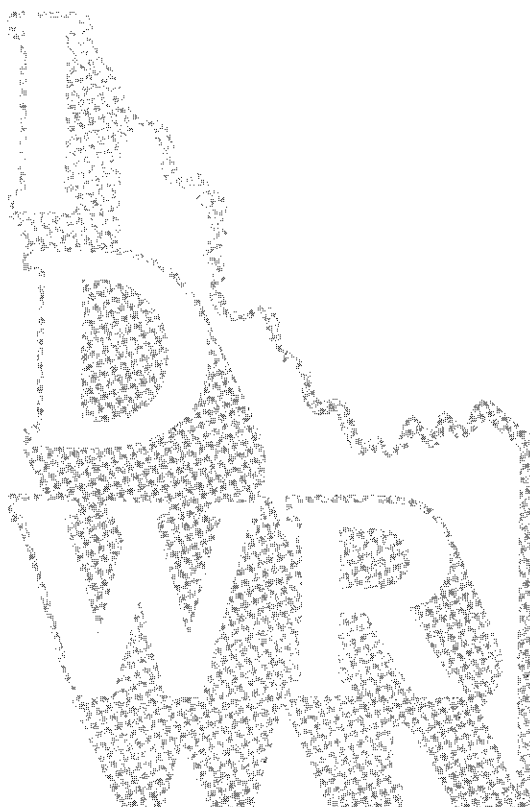
WATER RIGHT LICENSE

WATER RIGHT NO. 97-07287

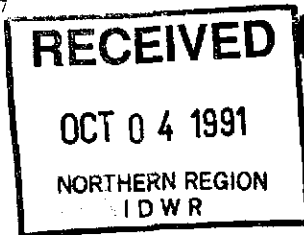
This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3rd
day of MARCH, 1995.

Acting for


R. Keith Higginson, Director



MAR 8 0 1995



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 0
Date 10/4/91
Receipt No. NA
Received by SL

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 97-07287 Telephone No. 448-2100 message only

2. Name(s) of Permit Holder(s): George + Joyce Brault

3. Post Office Address: P.O. Box 461 Priest River, ID 83856

4. Source of Water: Cottonwood Creek

a. If ground water, well driller's name: _____ Date drilled: _____

b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use:

Domestic 1 (No. of households) Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock) Other Recreation

6. Total rate and/or volume for which proof is submitted 0.02 cfs 4 acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR
Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ No

8. Fee Enclosed: \$ 0 (See License Examination Fee Schedule)

9. Person to contact to accompany the Department representative during the field examination:

George Brault 448-2100
Name Telephone No.

P.O. Box 461 PRIEST RIVER ID. 83856
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10/4/91
Date

George Brault
Signature (and title if on behalf of a company or organization)

RECEIVED
JAN 02 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

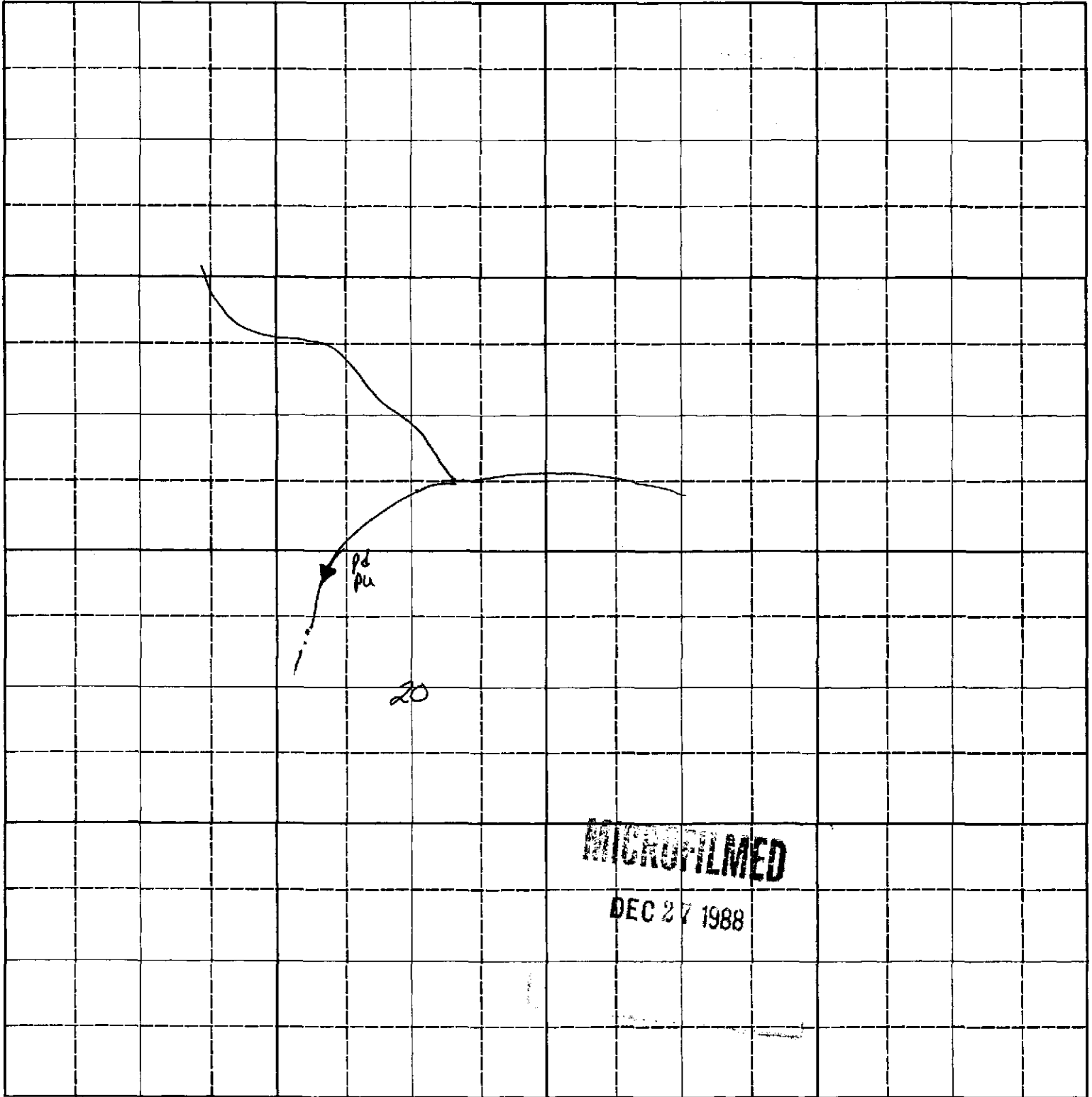
To appropriate the public waters of the State of Idaho

1. Name of applicant George or Joyce Brault Phone 448-2100 ^{message only}
Post office address P.O. Box 461 Priest River ID 83856
2. Source of water supply Cottonwood Creek which is a tributary of Priest River
3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 20 Township 58 N Range 04 W B.M. Bonner County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 4 for Recreation storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount 0.02 for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) .02 and/or (b) 4
cubic feet per second acre feet per annum
6. Proposed diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. Earth dam pump to house
- b. Height of storage dam 8 feet; active reservoir capacity 4 acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
1/1 to 12/31 inclusive.
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 90°F being sought? _____
7. Time required for the completion of the works and application of water to be proposed beneficial use is
5 years (minimum 1 year).

MICROFILMED
DEC 27 1988

12. Remarks:

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



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DEC 27 1988

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.

George Brault
(Applicant)

Proposed Priority 8/4/88

Received by

Date 8/4/88

Time 2:55pm

Preliminary check by

Fee \$ 30

Received by

11000 899

Date

8/4/88

Publication prepared by

Date

8/10/88

Published in

8/17/88

Publication approved

Date

9/13/88

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. 97-7287

, 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 92

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete. The issuance of this permit in no way grants any right-of-way or easement across the land of another. The storage of water under this permit is contingent upon the certification of the dam and authorization of storage per the dam safety provisions of the Idaho Code.

Witness my hand this 8th day of December, 1988.

J. Lewis Sawyer

RECORDED

DEC 27 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 6, 1995

GEORGE BRAULT
JOYCE BRAULT
PO BOX 461
PRIEST RIVER ID 83856

RE: WATER RIGHT NO. 97-07287

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MAR 30 1995

LICENSE REVIEW CHECKLIST



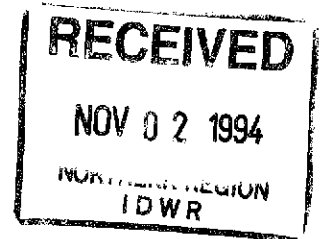
PERMIT NO. 97-0 7287 DATE 2/22/95

NAME	Yes ☐	No ☒	Or Address Change?
PRIORITY DATE	Yes ☐	No ☒	Advance? ☐ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? <u>NA</u>
SOURCE	Yes ☐	No ☒	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	Yes ☐	No ☒	Amendment needed? _____ Overlaps? _____
PLACE OF USE	Yes ☐	No ☒	Amendment needed? _____ Overlaps? _____
DIV RATE	Yes ☒	No ☐	Permit/fee limits: <u>.02</u> Meas Q = <u> </u> Theo Q = <u> </u> Recommend: <u>.02</u> <i>Is a storage right only - but don't want to prevent them from getting water if pond doesn't fill.</i> Combined rates exceed capacity _____
ANNUAL VOLUME	Yes ☐	No ☒	Volume Limit: _____ Season: <u>1-1 to 12-31</u> Calculations: <u>100 x 200 x 6</u> } = <u>2.75</u> <u>43560</u> Flow limit: _____ cfs x _____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
POND CAPACITY	<u>= 2.75 af</u> <u>or 2.8</u>		
USES	Yes ☐	No ☒	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
REMARKS	Yes ☐	No ☒	Multiple p/d(s) in 1/4 1/4? _____ Other _____
CONDITIONS	Yes ☐	No ☒	Measuring/Locking Devices _____ Watermaster control - District _____ Irrigation Overlap _____ Water Quality _____ Other _____ Heat/Cool/ Fish verified _____

COMMENTS: _____

RECOMMENDED	CFS	VOL	SRBA Claim Filed	
<u>RECREATION STOR</u>	<u> </u>	<u>2.8</u>	Adjustment Memo Needed	<u>NA</u>
<u>Domestic</u>	<u>.02</u>	<u>1.2</u>		<u>YES</u>
<u>Total</u>	<u>.02</u>	<u>4.0</u>	LICENSE	☒
			1ST AMENDMENT LETTER	☐
			FINAL AMENDMENT LETTER	☐

MEMORANDUM



Date: October 28, 1994 FEB. 6, 1995
From: Jim Johnson BEAROSLEE
To: Bob Haynes KEEN
Subject: Field Exam

=====

Bob, I am returning this field exam because I am not sure what the field examiner intended to recommend for the license. You'll see what I mean when you look at the exam.

NEGATIVE
FEB 14 1995
Department of Water Resources

RECEIVED

FEB 14 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

RECEIVED

JUN 30 1994

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 97-07287

1. Owner: George & Joyce Brault Phone No. No phone

Current Address: PO Box 461, Priest River ID 83856

2. Accompanied by: Joyce Brault EXAM DATE: 10/4/93

Address: Same Phone No. _____

Relationship to Permit Holder: Same

3. Source: Cottonwood Creek tributary to Priest River.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: None

2. Other water rights with the same point of diversion: None

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NW	NW	NW	20	58N	4W	Bonner	Map

2. Place(s) of Use:

Indicate Method of Determination Map

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
58N	4W	20						DR											

RECEIVED
JUN 30 1994
DEPARTMENT OF WATER RESOURCES

2. Measurements:

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

D. FLOW MEASUREMENTS

*Code to correspond with No. on map and aerial photo

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Homelite		4401549	Some	
			111130123		

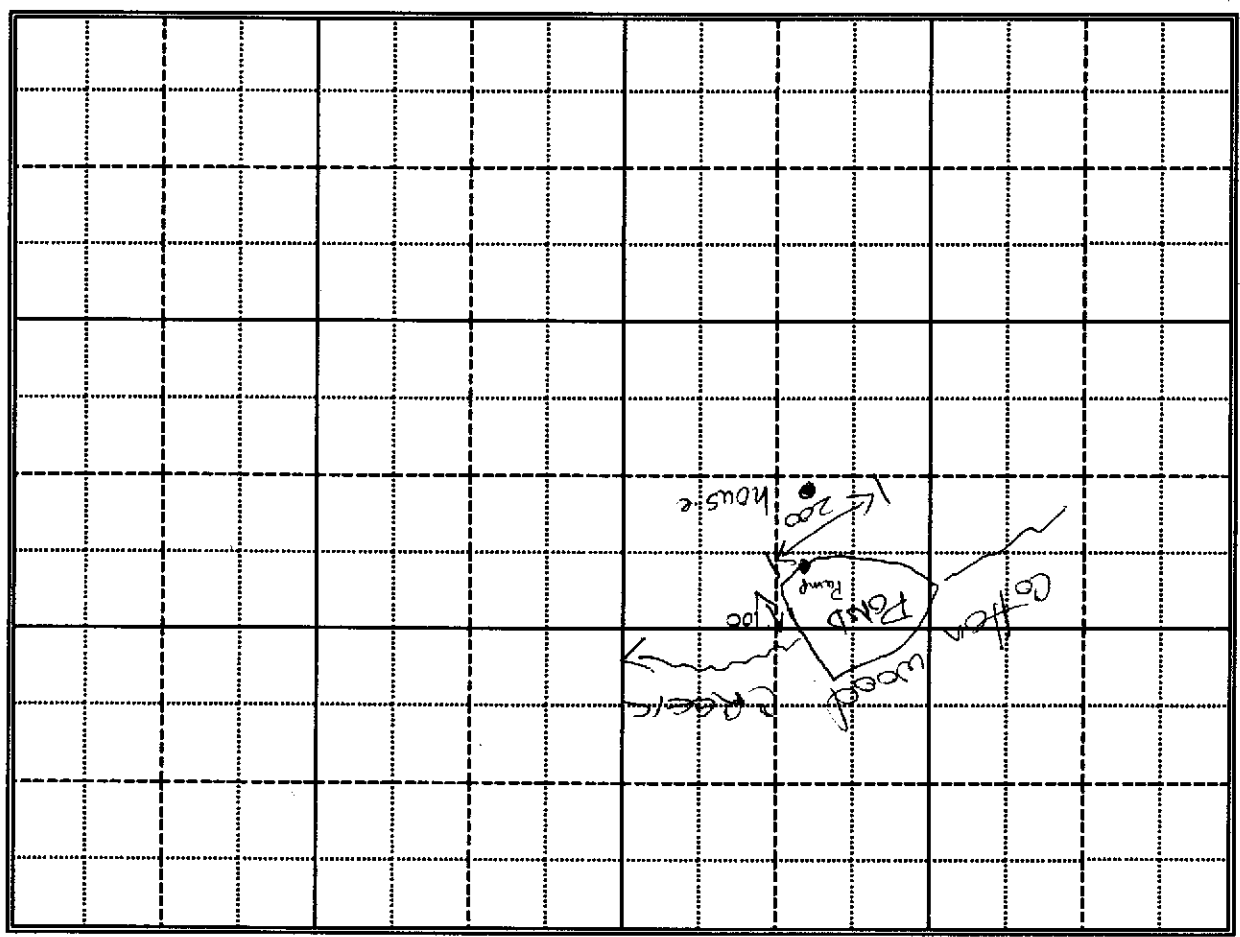
4.

Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

Scale: 1" = 1/4 mi.



3. Delivery System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe l.d. as applicable.

E. NARRATIVE/REMARKS/COMMENTS

A pond is created on Cotton wood Creek by a dam 50' across and 8' high. There is a concrete spillway as well as a culvert outlet with a valve. Pond formed is 100' x 200' with an approximate depth of 10 feet. Water is pumped from this pond to a 50 gallon barrel on the second story of the house by a Homelite gasoline pump with a 2 inch PVC intake and a 1/2 inch vinyl hose for delivery to the 50 gallon barrel. Water is gravity fed ~~for~~ from the barrel to Kitchen sink on first floor.

~~Permit is for Domestic and has no provision for storage, however the volume element of 4.0 cfs indicates that was the intention at the time of filing application~~
ASSUMED LAWN & GARDENS (DOMESTIC) IRRIGATION.

By 2/6/95

Have conditions of permit approval been met? ☒ yes ☐ no

MAR 30 1995

F. FLOW CALCULATIONS

Measured Method:

Additional Computation Sheets Attached

0.02 as per permit

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} =$$

2. Volume Calculations for Other Uses:

$$\text{POND} - 100' \times 200' \times 6' = \frac{43560}{2.75}$$

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use

STORAGE FOR RECREATION

DOMESTIC FROM STORAGE

To 1 1/2
From 1 1/2

Period of Use

Rate of Diversion

Q (cfs)

Annual Volume
V (afa)
8.75
1.2

2. Recommended Amendments

Change P.D. as reflected above

Add P.D. as reflected above

None

Change P.U. as reflected above

Add P.U. as reflected above

Other

I. AUTHENTICATION

AL BTA0527

Field Examiner's Name

TERESA BLOTT Date 2/6/95

Reviewer

Date

* See attached explanation memo.

3 0 1995

SEAL

MEMORANDUM

TO: File 97-07287 / George Brault
FROM: Brenda Chapman
DATE: February 22, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

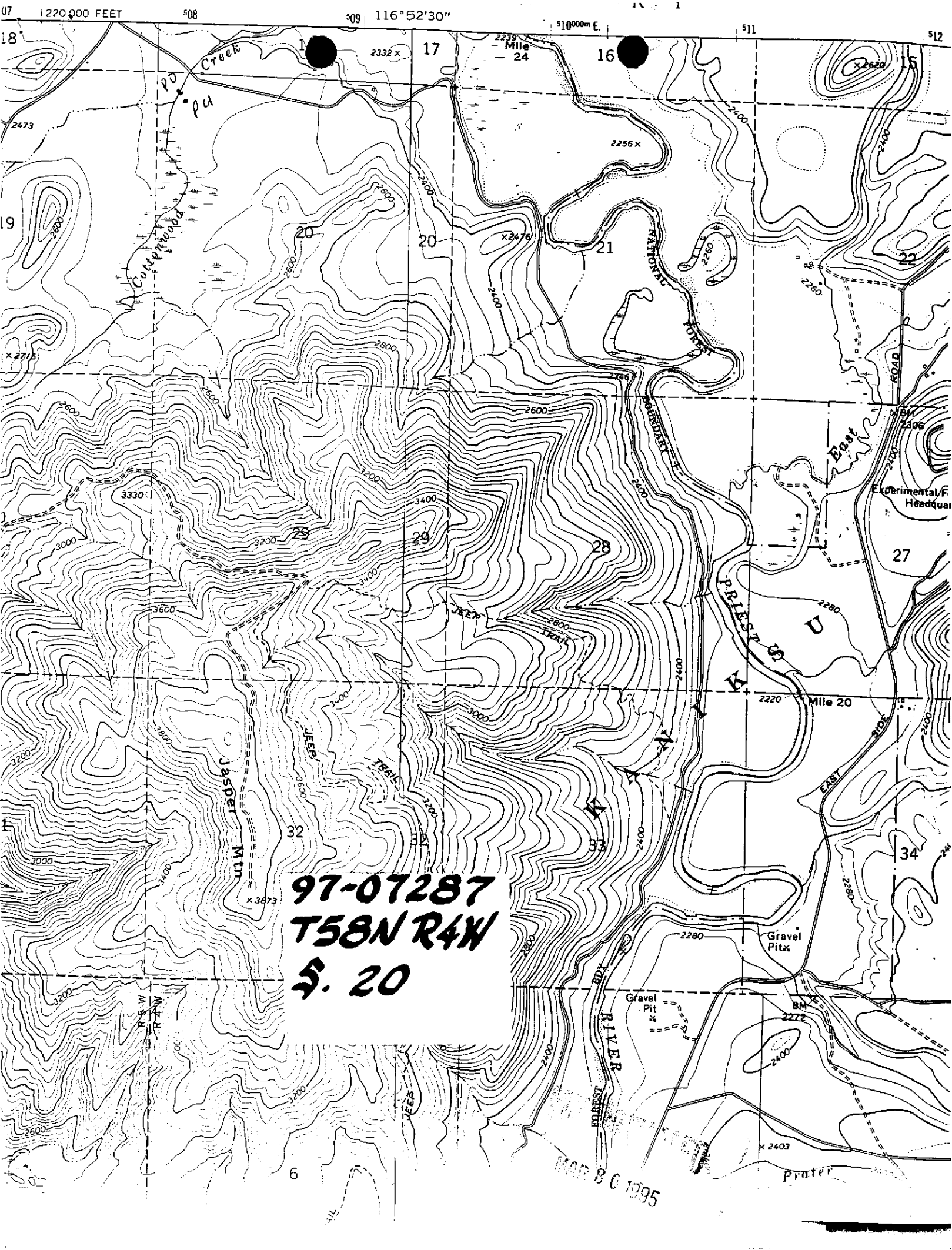
1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Domestic	1-01 to 12-31	.02	1.2
Recreation Stor	1-01 to 12-31		2.8

The recommendation to keep the active flow diversion is being made in case the storage pond should ever fail to fill up. Should that situation occur, the active flow diversion would allow the right holders to pump their domestic water directly from Cottonwood Creek.

The total volume does not exceed the original permitted volume of 4 af.

RECEIVED
MAR 20 1995



97-07287
T58N R4W
S. 20

MAR 8 1995

97-07287



Pond

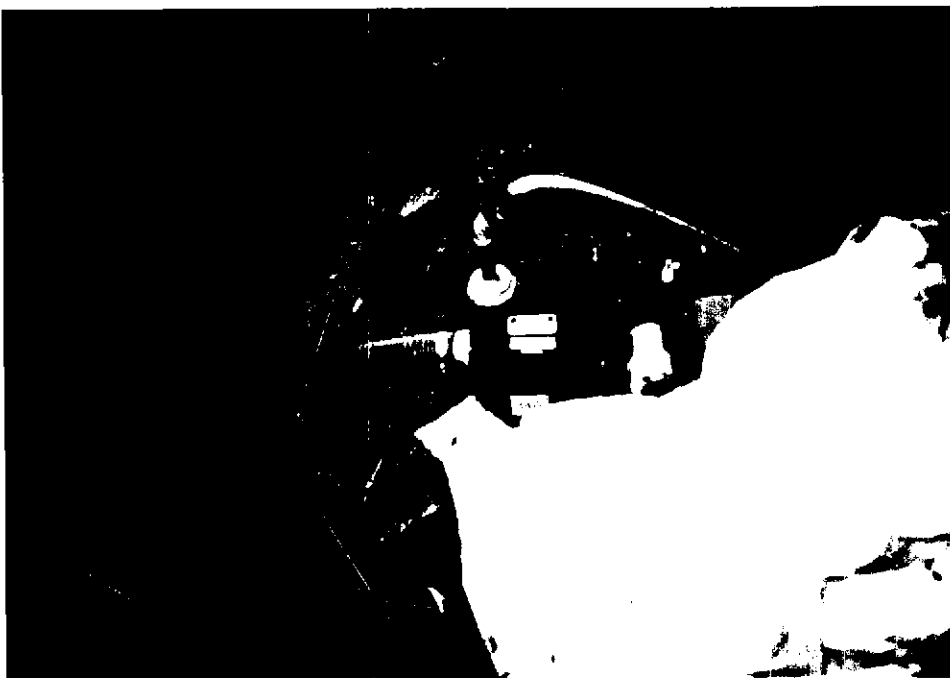
outlet

spillway

NO 1995



Point of Use
Domestic



diversion from
Pond

Photograph by
[illegible]
10001346

December 5, 1991

GEORGE BRAULT
JOYCE BRAULT
P.O. BOX 461
PRIEST RIVER ID 83856

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 97-07287

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the NORTHERN Regional Office in Coeur D' Alene at (208)765-4639.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
JAN 02 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 97-07287
Name(s) of Permit Holder(s): George & Joyce Brault
Post Office Address: P.O. Box 461
Priest River, ID 83856 Tel. No. 448-2100

☒ I hereby certify that construction of diversion works for the above referenced permit began on 12/1/1989 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is
not an acceptable reason.

Date

Signature of Permit Holder

George Brault

PLACE
STAMP
HERE

FILED

JAN 02 1992



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
OCT 04 1991
NORTHWEST REGION
I D W R

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 334-7900
December 12, 1988

GEORGE BRAULT
JOYCE BRAULT
P.O. BOX 461
PRIEST RIVER, ID 83856

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 97-07287

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

If the diversion dam is 10 feet or more in height, or has an impounding capacity of 50 acre-feet or more, certain dam safety requirements must be met. Please contact the regional office nearest you for details.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Rights Permits Section

GS:sc
Enclosures

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DEC 27 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 9 • 4055 Government Way • Coeur d'Alene, Idaho 83814 • (208) 765-4639

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

August 5, 1988

George or Joyce Brault
P.O. Box 461
Priest River, ID 83856

RE: Water Right Application 97-07287

Dear Mr. Brault:

Enclosed is a copy of the first two pages of the water right application which I helped you file yesterday. Due to my inexperience I incorrectly listed the uses for the water (item 4) as both fish and wildlife storage, and recreation storage. Since it was my understanding that you were not going to raise fish commercially these uses should be shown together. Please note the changes shown on the enclosed copies and if these changes are not correct please give me a call in Coeur d'Alene (phone 765-4639).

Sincerely

David D. LePard
Dam Safety, Northern Region

MICROFILMED
DEC 27 1988

Affidavit of Publication

STATE OF IDAHO
County of Bonner,

ss.

Mike McLean

being duly sworn, says that he is the *news editor*
of the PRIEST RIVER TIMES, a weekly newspaper printed and
published at Priest River, Bonner County, Idaho, and has been con-
tinuously and uninterruptedly published in said County during a period
of 78 consecutive weeks prior to the first publication of the annexed
notice for publication, is a newspaper of general circulation made up of
at least eight pages of at least six columns each, printed from typemat-
ter or stereotyped forms of at least nineteen and three-fourths inches
depth, has at least 1250 bona fide subscribers living within said Bonner
County, and is published at regular weekly intervals. That the annexed
is a true copy of the notice for publication in the case of

661 Notice of Application
Brault

as it was published in the regular and entire issue of said paper for a
period of *two* consecutive weeks, commencing on
the *17* day of *August*, 19 *88*,
and

ending on the *24* day of *August*, 19 *88*,
and that said notice was published in said newspaper proper, and not in
supplement form.

H. Michael McLean

Subscribed and sworn to before me this

24 day of *August*, 19 *88*.

Leid L. Loney

Notary Public for Idaho,

Residing at Priest River, Idaho

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:

97-07287

BRAULT, GEORGE
BRAULT, JOYCE
BOX 461

PRIEST RIVER, ID 83856

Source: COTTONWOOD CREEK

Tributary: PRIEST RIVER

Diversion Pt: NWNW Sec 20 T 58N R
04W

Use: DOMESTIC (.020 CFS)

RECREATION STORAGE (4.00
AF)

Date Filed: 8/04/1988

In: T58N R04W S20 NWNW

The permit(s) will be subject to all
prior water rights. Protests must be
filed with the Director, Dept. of
Water Resources, Northern Region,
Government Way, Suite 9, Coeur
d'Alene, Idaho 83814 on or before
SEPTEMBER 6, 1988.

R. Keith Higginson, Director

#661 August 17, 24, 1988

OK
9/15/88

RECEIVED
WATER RESOURCES
DIVISION
OCT 17 1988

DEC 17 1988

97-07287

BRAULT, GEORGE
BRAULT, JOYCE
BOX 461
PRIEST RIVER, ID 83856

Source: COTTONWOOD CREEK

Tributary: PRIEST RIVER

Diversion Pt: NWNW Sec 20 T 58N R 04W

Use: DOMESTIC (.020 CFS)
 RECREATION STORAGE (4.00 AF)

Date Filed: 8/04/1988

In: T58N R04W S20 NWNW

MICROFILMED

DEC 27 1988