

State of Idaho
License and Certificate of Water Right

Water License No. 17623

Amount One second foot

Water District No.

Priority November 8, 1931

THIS IS TO CERTIFY that KELLOGG POWER & WATER COMPANY
of Kellogg, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated November 6, 1931; that Permit No. 17623
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
20 second feet, was issued thereunder on April 18, 1938, showing that said works
were completed on the 1st day of July, 1937; and that on the 1st
day of July, 1943,

KELLOGG POWER & WATER COMPANY

of Kellogg, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Big Creek, a tributary of South fork Coeur/^{d'Alene River}, for the purpose of domestic and industrial water, supply for the City of Kellogg, Idaho, under Use Permit No. 17623 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 8 of Licenses at page 4538, on the 31st day of March, 1950; The right hereby confirmed dates from November 6, 1931;

The Point of Diversion is located

in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, Tp. 48 N., R. 3 E., B. M. Shoshone 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 One cubic foot per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
Domestic and industrial water supply for the City of Kellogg, Idaho					

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
31st day of March, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

94 2160

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

94- 2166

Application No. 24709
Permit No. 17623
District No.

1. Name of Applicant: Kellogg Power & Water Company

Postoffice address: Kellogg County: Shoshone State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: June, 1900, Kellogg, Idaho
(b) Amount of capital stock: \$65,000.00
(c) Amount paid in: \$65,000.00
(d) Names and addresses of directors: Wm. E. Vogelback, Chicago, Ill., Fred D. Ellis, Chicago, Ill., Edmond J. Haugh, Chicago, Ill., and E. E. Towles, Los Angeles, Calif.

II. The financial resources of the applicant are:

- (a) Cash on hand: \$25,000.00
(b) Treasury stock: None
(c) Bonds to be issued: None
(d) Other resources: Utilities Properties, \$5,000,000.00

2. Quantity of water claimed: Twenty cubic feet per second.

3. Source of water supply: Big Creek which is a tributary of S. Fk. of Coeur d'Alene River

4. Location of point of diversion: N. 22° 16' E. 1967 feet distant from the SW
corner of Section 22, T. 48 N., R. 3 E., B. M., and is in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$
of Section 22, T. 48 N., R. 3 E., B. M., County of Shoshone

5. Water is to be used for: Domestic and Industrial water supply for City of Kellogg, Idaho

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: \$ 150,000.00

8. Kind of works: Concrete Dam and Gravity Pipe Line & Gate Valve

9. Height of dam 20 feet; length of dam at top 150 feet; length of dam at bottom 150
feet; material used in dam: Concrete and reinforcing steel

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 20 inches; length of conduit 7 miles.
Average grade per mile 60 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. (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:

Kellogg Power and Water Co. *Applicant.*

By Willard C. Johnson Agent.

Corrected application received: January 29, 1932

The number of this permit is 17623
Recorded in Book 64 Page 17623 Approved February 1st, 1932
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 April 1, 1932 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 August 1, 1934
The whole of said work to be completed on or before February 1, 1937
Beneficial use of water appropriated in accordance herewith, to be made on or before February 1, 1943

R. W. FARIS
Commissioner of Reclamation.

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
			PERMIT NO. 17623 APPROVAL OF COMMISSIONER OF RECLAMATION WHEREAS, Application for an extension of time for completion of works under Permit No. 17623 has been made by the owner thereof, which application was duly advertised in the Wallace Press-Times of Wallace, Idaho, for a period of two consecutive weeks; and WHEREAS, A hearing in regard to the said application was then duly held at Boise, Idaho, on February 20, 1937, as specified in the said advertisement above referred to; and WHEREAS, After taking into consideration all evidence and testimony introduced at the said hearing, it appears that the owner of the said Permit is entitled to a further extension of time within which to complete work: NOW, THEREFORE, I, R. W. FARIS, Commissioner of Reclamation of the State of Idaho, by virtue of the authority vested in me under Senate Bill No. 129, Session Laws of 1935, hereby extend the time for completion of works under Permit to appropriate the Public Waters of the State of Idaho, No. 17623, to July 1, 1937. WITNESS My hand this 20th day of February, 1937. R. W. FARIS Commissioner of Reclamation																

Permit No. 17623

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that KELLOGG POWER AND WATER COMPANY of Kellogg, County of Shoshone, and State of Idaho, the holder of Permit No. 17623, issued upon Application No. 24709 bearing date of priority of November 6, 1931, authorizing the diversion of twenty (20) second feet of the waters of Big Creek, County of Shoshone, State of Idaho, for domestic and industrial water supply for City of Kellogg, Idaho, 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 twenty (20) second feet of the waters of said Big Creek; that the point of diversion of said waters is N. 22° 16' E. 1967 feet distant from the SW corner of Section 22, T. 48 N., R. 3 E., B. M., and is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T. 48 N., R. 3 E., B. M., County of Shoshone.

Witness my hand this 18th day of April, A. D. 1938.

R. W. FARIS
Commissioner of Reclamation

Proof of completion of works made July 1, 1937
Certificate issued April 18, 1938

LICENSE ISSUED FOR 60 SEC. FT.
P. 4538

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17623

This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Kellogg Power & Water Company, Kellogg, Idaho

2. Source of water supply: Big Creek, tributary of south fork Coeur d'Alene River

3. Location of point of diversion: Is in the NW¹ SW¹ of Section 22

T. 48 N. R. 3 E. County of Shoshone

4. Describe works as they exist, giving dimensions and capacities of same: Diversion is by concrete Dam 22 feet long, 6½ feet high, and 6" thick at top.

Spillway crest is 5 feet long, with 6" freeboard. Sluice-gate is 18" X 18" square. The dam delivers to 1800 feet of 14" wire wound W.S. Pipe leading to a 6'X6'X 3½ft deep header box

5. Water is used for: Domestic and industrial water for city of Kellogg, Idaho

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

7. List on a separate sheet of land to be irrigated. If water is to be used for other than irrigation, state the purpose of use. If for use other than irrigation, state the purpose of use. If for use other than irrigation, state the purpose of use.

Water diverted under this Permit is used principally for general municipal needs in the City of Kellogg.

Fire protection is served through 36 hydrants, at a price of \$108.00 per hydrant per month; control valves at the Point of Diversion are designed to increase the normal pressure of 60-70 pounds ~~pressure~~, to a pressure of 150 pounds as need arises.

Water for street sprinkling is furnished at a price of \$4.95 per ~~xxxxxx~~

Flush basin service is provided provided at a price of \$20.00 per month

The City pays \$7.00 per month for City Hall requirements, and \$5.00 per month for City Garage use.

Information from the City Clerk of Kellogg was to the effect that no water was used from this system for manufacturing purposes.

Rate filed with P.U.C. is \$2.70 pr. month per hydrant, including 14 springs. (Submit map or attached plan showing location and extent of water diversion to the City of Kellogg. What large stream would the water be approached from? Coeur d'Alene River. needs

Remarks The static head from dam to the main line is 62 feet.

This examination was made on the 14th day of July, 1943.

(Signed)

Fred S. Johnson
Examiner.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17623

1. 5/

no meter was used from this system for maintaining purposes.
 information from the city clerk of Kootenai was to the effect that
 the city had \$1.00 per month for city hall requirements and \$2.00
 month
 other than water is provided provided at a price of \$30.00 per
 meter for water supplying is furnished at a price of \$4.00 per
 a license of 120 bonds as necessary.
 designed to increase the normal license of 90-10 bonds license to
 the plant per month: contract agreed at the point of diversion and
 the protection is added under the plant at a price of \$108.00
 under the plant is the city of Kootenai.
 other charges under this permit is used principally for general

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 for other than irrigation):

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

8. What large stream would the water here appropriated finally reach? Coeur D'Alene River.

Remarks: The static head from Dam to the main line is 62 feet.

This examination was made on the 14th day of July, 1943.

(Signed)

Red L. Johnson
Examiner.

Kellogg Power & Water Co.
Kellogg, Idaho

Permit No. 17623

Examination for Beneficial Use

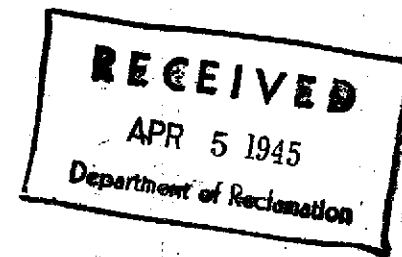
County Shoshone

Re-examination
(map inc) (city Re
22

4871 - 3E.

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 a 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.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17623

REPORT ON PROOF OF Beneficial Use

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 17623

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. T. B. Jackson, Boise, Idaho; utilities operator; 7th and Idaho Streets, Boise, 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. Kellogg Power and Water Company, its Vice President
Kellogg, Idaho

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit. Permit No. 17623; approved February 1, 1932; Certificate of

Ans. Completion of Works issued April 18, 1938; priority date November 6, 1931.

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

SOURCE OF WATER SUPPLY is "Big Creek", a tributary of the South Fork of the Coeur d'Alene River in Shoshone County, Idaho.

THE POINT OF DIVERSION is just below the confluence of "Big Creek" and the "West Fork of Big Creek", situated in NW 1/4 of Section 22, Township 48 North, Range 3 East B.M. and said point bears N. 22° 16' E. 1967 feet from the Southwest corner of Section 22, Township 48 North, Range 3 East, B.M. and in addition thereto the diversion of water has been improved and developed by extending 14" diameter pipe lines (1) 1800 feet up the West Fork of Big Creek and (2) 2600 feet up Big Creek to a point just below the confluence of the South and East Forks of Big Creek, which pipe lines convey the water to the aforesaid point of diversion. These extended pipe lines are also used as alternative points of diversion in case of necessity, instead of the point of diversion in said permit and in this deposition described.

(2) Diversion West Fork of Big Creek consists of a concrete dam 14 feet long and 6 feet high, together with a concrete collecting basin 6'x6'x6' deep from which a 14" wood stave pipe line extends directly down the West Fork of Big Creek to the point of diversion in said permit and in this deposition described, and directly connected to applicant's 14" wood stave transmission line.

(3) Diversion on Big Creek just below confluence of "Big Creek" and "West Fork of Big Creek", at the point of diversion in said Permit No. 17623 and in this deposition described. At this point of diversion water is also diverted by means of a concrete dam 20 feet long and 9 feet high, together with a fore-bay 20 feet long, 10 feet wide and 9 feet deep, from which a 16" wood stave pipe line 100 feet long extends directly down Big Creek, and with a gate valve is connected into the aforesaid 14" wood stave transmission pipe line. At this point of diversion there is also installed a completely housed chlorinating plant.

(4) Works for conveying water. From the point of diversion in said Permit No. 17623 and in this deposition described the water is conveyed to the place of use by means of a 14" wood stave transmission pipe line extending down Big Creek and the South Fork of the Coeur d'Alene River a distance of approximately 7 miles (about 1 mile of temporary 12" wood stave pipe at lower end) with a total fall of approximately 500 feet, to connect with the water

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

17623

1. Construction of the bridge
 The bridge is a concrete structure, 100 feet long, 12 feet wide, and 4 feet high. It is supported by two concrete piers, each 12 feet wide and 4 feet high. The bridge is built on a concrete foundation, which is 100 feet long and 12 feet wide. The bridge is built on a concrete foundation, which is 100 feet long and 12 feet wide. The bridge is built on a concrete foundation, which is 100 feet long and 12 feet wide.

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. Water is for domestic and industrial water supply for the cities of Kellogg and Wardner and the surrounding communities, including fire protection, mining and milling uses. (The improvements in the service area are the result of the use of said water and its availability.)

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

Ans. See answer to Question 6.

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

Ans. 12.75 cubic feet per second

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. Kellogg Power and Water Company is the original applicant for this permit.

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

10
Water appropriated under this Permit No.17623 is now and ever since November 6, 1931, has been used for domestic, industrial and fire protection in the cities of Kellogg and Wardner, Shoshone County, Idaho, and surrounding communities. That the amount of water used under this Permit No.17623 has varied from three (3) to in excess of five (5) cubic feet per second, depending on stream conditions and upon service demands.

Ans. July 16, 1888 - Water Right Location - from "Silver Creek" (also known and designated as "Brewery Creek" and also as "Slaughter House Gulch Creek") in NE 1/4, Sec. 7, Twp. 48 N., R. 3 E. B.M. - Amount is nominal.

Dec. 21, 1915 - Idaho Water License 11212 - from Big Creek 5 cu. sec. ft.

Nov. 7, 1928 - Idaho Water License 16245 - from Big Creek 2.75 cu. sec. ft.

(Sign) *T. B. Jackson*

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 Boise City, County of Ada,

State of Idaho, on this 1st day of July, A. D. 1943.

C. J. [Signature]
Notary Public for the State
of Idaho, residing at Boise.

My commission expires April 7, 1944.

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

Ans. 12.75 cubic feet per second

[illegible]

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. July 16, 1888 - Water Right Location - from "Silver Creek" (also known
and designated as "Brewery Creek" and also as "Slaughter
House Gulch Creek") in NE $\frac{1}{4}$, Sec. 7, Twp. 48 N., R. 3 E.
B.M. - Amount is nominal.

Dec.21,1915 - Idaho Water License 11212 - from Big Creek 5 cu.sec.ft.

Nov. 7, 1928 - Idaho Water License 16245 - from Big Creek 2.75 cu.sec.ft.

(Sign)

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 Boise City, County of Ada

State of Idaho, on this 1st day of July, A. D. 1943.

My commission expires April 7, 1944.

Notary Public for the State
of Idaho, residing at Boise.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17623

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. G. C. Scharf, over the age of 21 years, residing at 905 N. 18th Street, in Boise, Idaho. By occupation a Civil Engineer.

Ques. 2. Are you acquainted with Kellogg Power and Water Company, the holder of Permit No. 17623? How long have you known him and where does he reside?

Ans. Yes, for a period of several months, at Kellogg, Idaho

Ques. 3. Have you read or heard read said Permit No. 17623, and are you familiar with its provisions and conditions?

Ans. Yes, I am familiar with its provisions and conditions.

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

SOURCE OF WATER SUPPLY is "Big Creek", a tributary of the South Fork of the Coeur d'Alene River in Shoshone County, Idaho.

THE POINT OF DIVERSION is just below the confluence of "Big Creek" and the "West Fork of Big Creek", situated in NW1/4 of Section 22, Township 48 North, Range 3 East B.B.M. and said point bears N. 27°16' E. 1967 feet from the Southwest corner of Section 22, Township 48 North, Range 3 East, B.B.M.; and in addition thereto the diversion of water has been improved and developed by extending 14" diameter pipe lines (1) 1800 feet up the West Fork of Big Creek and (2) 2600 feet up Big Creek to a point just below the confluence of the South and East Forks of Big Creek, which pipe lines convey the water to the aforesaid point of diversion. These extended pipe lines are also used as alternative points of diversion in case of necessity, instead of the point of diversion in said permit and in this deposition described.

WORKS FOR DIVERTING AND CONVEYING WATER:

(1) **Diversions from "Big Creek" just below confluence of South and East Forks of Big Creek** consists of a concrete dam 15 feet long and 6 feet high, together with a concrete collecting basin 5'x5'x6' deep, from which a 14" wood stave pipe line extends directly down Big Creek to the point of diversion in said Permit No. 17623 and in this deposition described, and directly connected to applicant's 14" wood stave transmission pipe line.

(2) **Diversions West Fork of Big Creek** consists of a concrete dam 14 feet long and 6 feet high, together with a concrete collecting basin 6'x6'x6' deep from which a 14" wood stave pipe line extends directly down the West Fork of Big Creek to the point of diversion in said permit and in this deposition described, and directly connected to applicant's 14" wood stave transmission line.

(3) **Diversions on Big Creek just below confluence of "Big Creek" and "West Fork of Big Creek"**, at the point of diversion in said Permit No. 17623 and in this deposition described. At this point of diversion water is also diverted by means of a concrete dam 20 feet long and 9 feet high, together with a fore-bay 20 feet long, 10 feet wide and 9 feet deep, from which a 16" wood stave pipe line 100 feet long extends directly down Big Creek, and with a gate valve is connected into the aforesaid 14" wood stave transmission pipe line. At this point of diversion there is also installed a completely housed chlorinating plant.

(4) **Works for conveying water.** From the point of diversion in said Permit No. 17623 and in this deposition described the water is conveyed to the place of use by means of a 14" wood stave transmission pipe line extending down Big Creek and the South Fork of the Coeur d'Alene River a distance of approximately 7 miles (about 1 mile of temporary 12" wood stave pipe at lower end) with a total fall of approximately 500 feet, to connect with the water distribution system of Kellogg Power and Water Company serving the cities of Kellogg, Wardner and surrounding communities in Shoshone County, Idaho.

Ans.

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? Said works will safely conduct to place of use in excess of 12.5 cubic feet per second and I have
Ans. seen in excess of 5.0 cubic feet per second being so conveyed.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Water is for domestic and industrial water supply for the cities of Kellogg and Wardner and the surrounding communities, including fire protection, mining and milling uses. (The improvements in the service area are the result of the use of said water and its availability.)

17623

to questions 4, 5 and 6 above.

Ans. For domestic and industrial uses as set forth in answers

to what extent

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

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

Ans. For domestic and industrial uses as set forth in answers
to questions 4, 5 and 6 above.

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 for irrigation

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. On June 23/25 I was personally present at the diversion works and collecting basins described in Permit No. 17623 and observed the operation of said diversion works and pipe lines, with which I am familiar and by such observations and computations made by me I witnessed in excess of five (5) cubic feet per second of water being diverted by and delivered into the pipe lines of Kellogg Power and Water Company, and which water was being applied to beneficial use for a municipal water supply in Kellogg and Wardner, Idaho, and surrounding communities.

(Signed)

Gl. Scharf

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 Boise City, County of Ada, State of Idaho, on this ~~day of~~ 1st day of July, A. D. 1943.

My commission expires April 7, 1944

Notary Public.
for the State of Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17623

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. Myron Swendsen, residing in Ada County, Idaho, Civil Engineer
over the age of 21 years; P.O. Box 156, Boise, Idaho.

Ques. 2. Are you acquainted with Kellogg Power and Water Company, the holder of Permit No. 17623? How long have you known him and where does he reside?

Ans. Yes, for a period of several years, at Kellogg, Idaho.

Ques. 3. Have you read or heard read said Permit No. 17623, and are you familiar with its provisions and conditions?

Ans. Yes, I am familiar with its provisions and conditions.

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

SOURCE OF WATER SUPPLY is "Big Creek", a tributary of the South Fork of the Coeur d'Alene River in Shoshone County, Idaho.

THE POINT OF DIVERSION is just below the confluence of "Big Creek" and the "West Fork of Big Creek", situated in NW1/4 of Section 22, Township 48 North, Range 3 East B.B.M. and said point bears N. 22°16' E. 1967 feet from the Southwest corner of Section 22, Township 48 North, Range 3 East, B.B.M.; and in addition thereto the diversion of water has been improved and developed by extending 14" diameter pipe lines (1) 1800 feet up the West Fork of Big Creek and (2) 2600 feet up Big Creek to a point just below the confluence of the South and East Forks of Big Creek, which pipe lines convey the water to the aforesaid point of diversion. These extended pipe lines are also used as alternative points of diversion in case of necessity, instead of the point of diversion in said permit and in this deposition described.

WORKS FOR DIVERTING AND CONVEYING WATER:

(1) Diversion from "Big Creek" just below confluence of South and East Forks of Big Creek consists of a concrete dam 15 feet long and 6 feet high, together with a concrete collecting basin 5'x5'x6' deep, from which a 14" wood stave pipe line extends directly down Big Creek to the point of diversion in said Permit No. 17623 and in this deposition described, and directly connected to applicant's 14" wood stave transmission pipe line.

(2) Diversion West Fork of Big Creek consists of a concrete dam 14 feet long and 6 feet high, together with a concrete collecting basin 6'x6'x6' deep from which a 14" wood stave pipe line extends directly down the West Fork of Big Creek to the point of diversion in said permit and in this deposition described, and directly connected to applicant's 14" wood stave transmission line.

(3) Diversion on Big Creek just below confluence of "Big Creek" and "West Fork of Big Creek", at the point of diversion in said Permit No. 17623 and in this deposition described. At this point of diversion water is also diverted by means of a concrete dam 20 feet long and 9 feet high, together with a fore-bay 20 feet long, 10 feet wide and 9 feet deep, from which a 16" wood stave pipe line 100 feet long extends directly down Big Creek, and with a gate valve is connected into the aforesaid 14" wood stave transmission pipe line. At this point of diversion there is also installed a completely housed chlorinating plant.

(4) Works for conveying water. From the point of diversion in said Permit No. 17623 and in this deposition described the water is conveyed to the place of use by means of a 14" wood stave transmission pipe line extending down Big Creek and the South Fork of the Coeur d'Alene River a distance of approximately 7 miles (about 1 mile of temporary 12" wood stave pipe at lower end) with a total fall of approximately 500 feet, to connect with the water distribution system of Kellogg Power and Water Company serving the cities of Kellogg, Wardner and surrounding communities in Shoshone County, Idaho.

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

Ans. For domestic and industrial uses as set forth in answer
to questions 4, 5 and 6 above.

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 for irrigation

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. On June 17th and 18th I was personally present at the diversion works and collecting basins described in
Ans. Permit No. 17623 and observed the operation of said diversion
works and pipe lines, with which I am familiar, and by such observations and
computations made by me I witnessed in excess of five (5) cubic feet per sec-
ond of water being diverted by and delivered into the pipe lines of Kellogg
Power and Water Company, and which water was being applied to beneficial use
for a municipal water supply in Kellogg and Wardner, Idaho, and surrounding
communities.

(Signed)

Myron Swenson

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 Boise City, County of Ada, State of Idaho, on this xxxx 1st day of July, A. D. 19 43

My commission expires April 7, 1944

Notary Public.
For the State of Idaho,
Residing at Boise, Idaho.

Willard C. Johnson, Mgr.
Kellogg, Idaho.

Permit No. 17623

Examination for Completion of Works

County Shoshone

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 a 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.

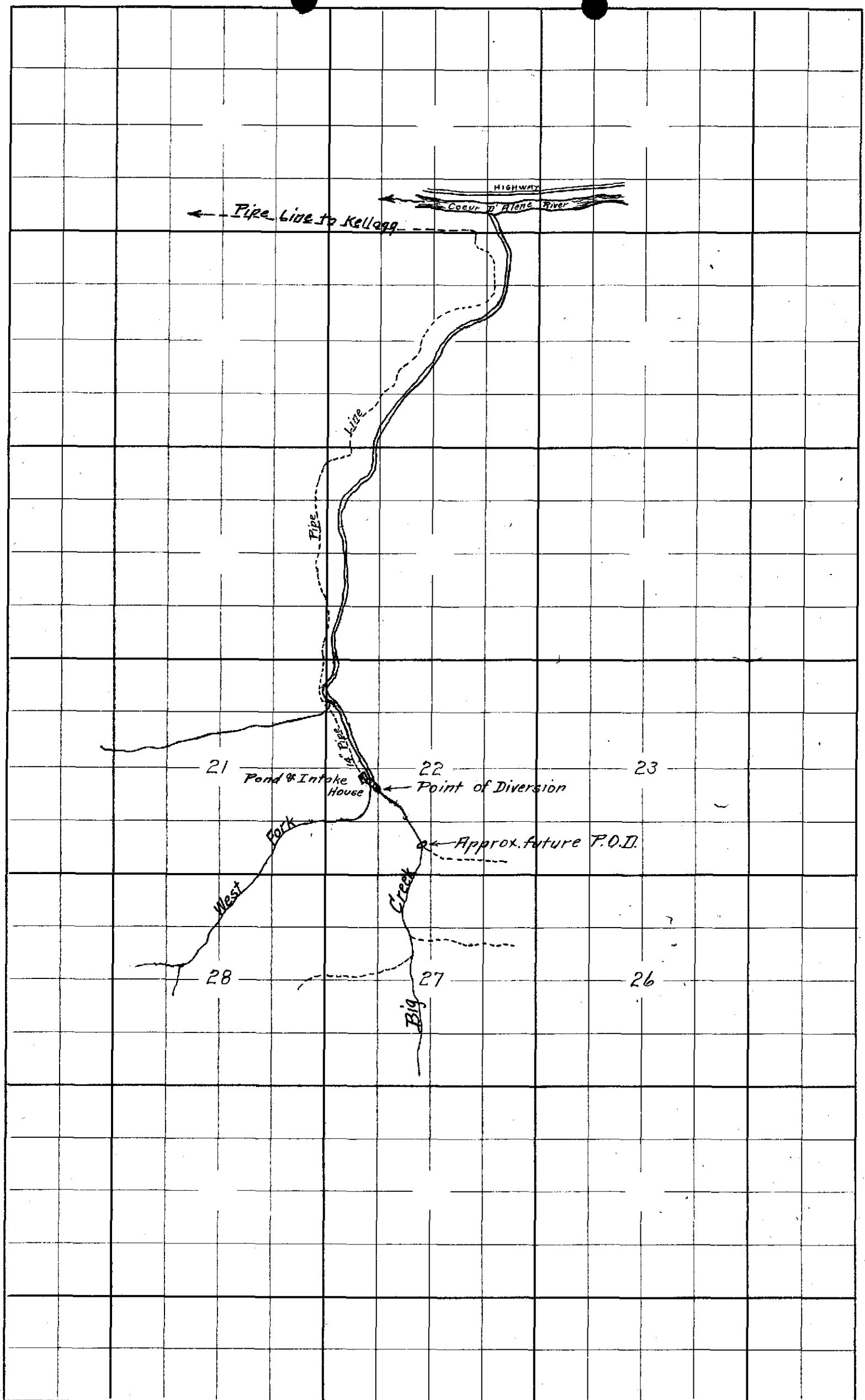
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 17623

REPORT ON PROOF OF Completion of Works

OK 20 S.F.
Fee 6.00



PERMIT NO.

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. Willard C. Johnson, 118 Gold Street, Kellogg, Idaho.

Post Office Box 636, Manager Kellogg Power and Water Company.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans. Kellogg Power and Water Company. Principal place of business is Kellogg, Idaho. I am manager and local director and am in full

charge of the company's business in and about Kellogg, Idaho.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. No. 17623. February 1st, 1932. Twenty cubic feet per second. Source is "Big Creek" a tributary of the South Fork of the Couer d'Alene river in Shoshone County, Idaho. Point of diversion is N22 deg 16' E 1967 feet from SW corner, Sec. 22 T 48 N R 3, E.B.M. in NW 1/4 Sec. 22.

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Domestic and industrial water supply for the City of Kellogg, Idaho. Not for irrigation.

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. About May 1st, 1937. Full twenty second feet.

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Fully completed and comply in all respects with permit.

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans. There is some variance in dimensions of dam. Dam as constructed is 40 feet wide, ten feet deep and 96 feet long.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Diversion dam, 40 feet wide, ten feet deep and 96 feet long. Capacity 20 cubic feet per second. Cost \$6000.00. Transmission line 16 inch and 14 inch. Total structural cost of dams and transmission line, aside from distribution system \$150,000.00

(Sign here: *Willard C. Johnson*)

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 Kellogg,

County of Shoshone, State of Idaho, on this 1st day of July A. D. 1937.

Robert L. Duval

My Commission expires 3/15/1941.

For the State of Idaho, Notary Public. Residing at Kellogg, Idaho.

Permit No. 17623

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Mike DeJanovich, 462E, Railroad Ave., Kellogg, Idaho.

Kellogg Power and Water Co.

Ques. 2. Are you acquainted with a corporation, the holder of Permit No. 17623, authorizing the diversion of twenty second-feet of the waters of Big Creek, a tributary of the South Fork of the ~~NW 1/4 SW 1/4 S 22 T 48~~ ~~Coeur d'Alene River~~, at R. 3 E. B. M. for domestic purposes? How long have you known him, and where does he reside?

Ans. Have been familiar with the corporation for about twelve years. Have known Willard Johnson, its manager, for that same time.

Ques. 3. Have you read or heard read said Permit No. 17623, and are you familiar with its terms and conditions?

Ans. Yes. I am familiar with its terms.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. It is not for irrigation purposes.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Concrete diversion dam 40 feet wide, 10 feet deep and 96 feet long. Water conveyed from dam in 16 inch pipe. I estimate dam and pipe adequate to handle twenty second-feet of water.

(Sign here.)

Mike DeJanovich

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, at my office in Kellogg

County of Shoshone, State of Idaho, on this 1st day of July, A. D. 1937.

NOTARY PUBLIC, residing at Kellogg, Idaho
My commission expires March 15, 1941

17623

Permit No. 17623.

Proof of Completion of Works**DEPOSITION OF WITNESS**

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

Ans. Archie Rowland, 609 Third Street, Kellogg, Idaho.

Kellogg Power and Water Co.

Ques. 2. Are you acquainted with a corporation, the holder of Permit No. 17623, authorizing the diversion of twenty second-feet of the waters of Big Creek, a tributary of the South Fork of the at NW 1/4 SW 1/4 S. 22 T. 4 N. Couer d'Alene, River. R 3 E. B. M. for domestic purposes? How long have you known him, and where does he reside?

Have been familiar with this corporation for eight years.

Ans. Have know Mr. Willard Johnson, its manager for ten years.

Ques. 3. Have you read or heard read said Permit No. 17623, and are you familiar with its terms and conditions?

Ans. Yes I have read it and am familiar with its terms.

Ques. 4. (If for irrigation purposes). Are you acquainted with the land proposed to be irrigated under said permit? If so, describe same, state its character, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The water is not for irrigation purposes.

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to convey the entire amount of water set out in the permit from point of diversion to place of use?

Ans. Yes.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. Concrete diversion dam 40 feet wide, 10 feet deep and about 96 feet long. Water conveyed from dam in 16 inch pipe. I estimate the capacity of the dam and conduit to be ample to handle twenty cubic feet of water per second.

(Sign here.)

Archie Rowland

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, at my office in Kellogg

County of Shoshone, State of Idaho, on this 1st day of July, A. D. 1937.

Robert L. Drivall