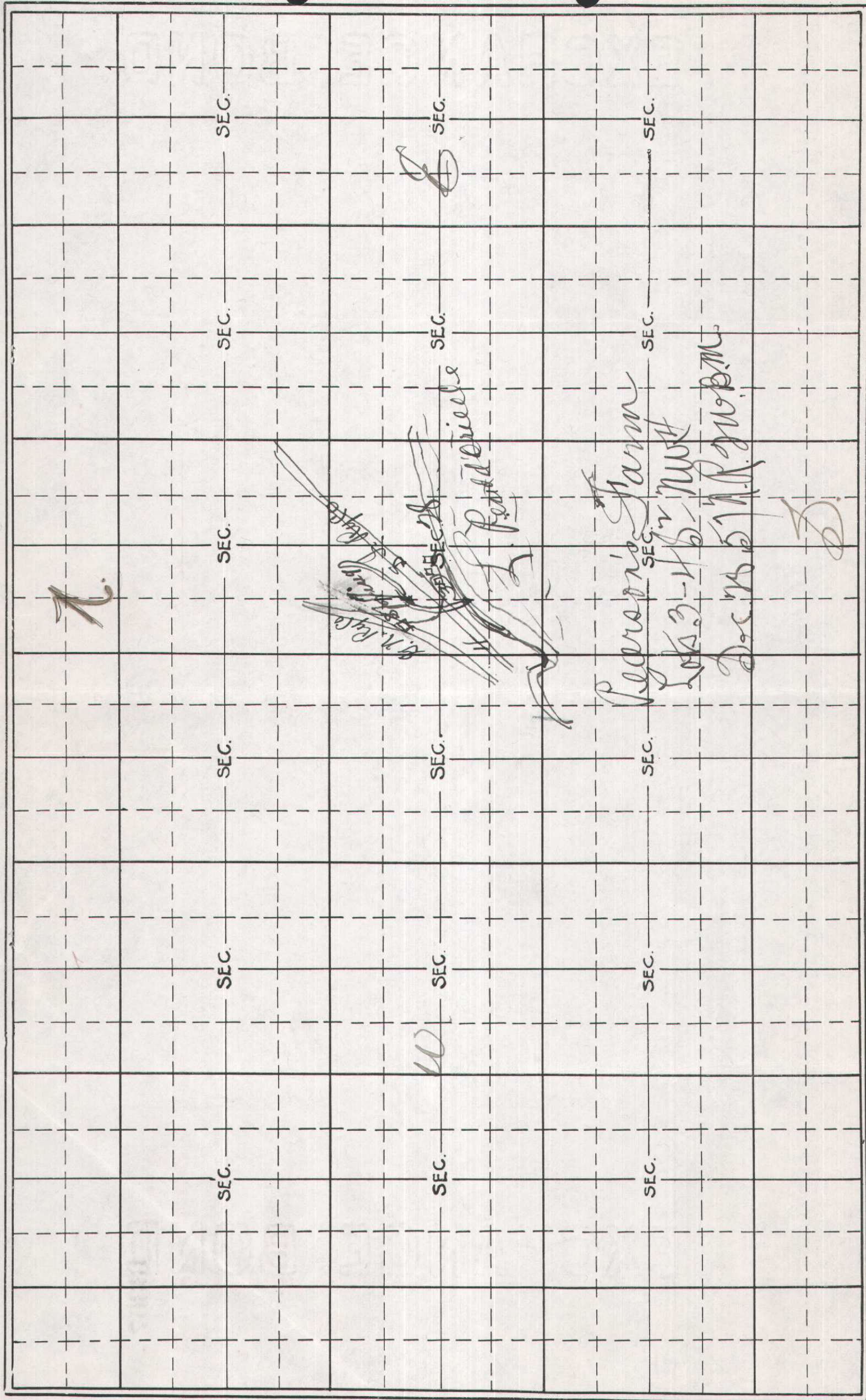


Name of Applicant J.P. Pearson, Sandpoint, Idaho. Benner County.



SCALE: 2 INCHES = 1 MILE. DRAW PLAN IN INK

13367

SW 1/4 NW 1/4

Pearson's Spring Land

SE 1/4 NW 1/4

Pearson's Land
all cleared & under cultivation

Lot 3
Pearson's Land
Garden

Center Sec.

8.

Pearson's Land
Lot 4

Lake Pond & Mills

Pearson's Farm

Lots 3-4, SE 1/4 NW 1/4

Sec. 28-57 N. R. 2, W. 3. M.

13367

State of Idaho

Water District No. 98

Priority 11 - 30-1917.

THIS IS TO CERTIFY that

J. P. Pearson

J. P. Pearson

The Point of Diversion is located

That the amount of water to which such right is entitled and hereby confirmed, for the purposes said, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.04 cubic feet per second.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
57 N	2 W	28	Lot 3	25	2

WITNESS the seal and signature of the State Engineer, affixed at Boise, Idaho, this 31st day of October, 1918.

FRED A. WILKIE

96 2085

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

Application No. 19029
Permit No. 13367
District No. 98

1. Name of Applicant: J.P. Pearson,

Postoffice address: Sandpoint,

County: Bonner,

State: Idaho,

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: One (1) cubic feet per second.

3. Source of water supply: Spring which is a tributary of

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B. M., and is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$
of Section 28 , T. 57 N. , R. 2 W. , B. M., County of Bonner, State of Idaho.

5. Water is to be used for: Domestic and Irrigation.

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T. , R. , B. M., in the of Section , T. , R. , B. M.

(b) Amount of power generated: H. P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B. M., in the
of Section , T. , R. , B. M.

7. Estimated cost of works: \$350.00

8. Kind of works: Shaft sunk, ditch made and galvanized pipes laid.

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam

10. Size of headgate: Width feet; height feet.

Conveyed by pipe, and ditches only used to distribute the waters.

11. Ditch: Width at bottom feet; width at water line feet; depth of water
feet; dimensions of flume

Diameter of pipe 3/4 inches; length of conduit 2100 feet miles.

Average grade per mile I am unable to say, but the water runs freely from the spring to point
of use.

required for the completion of such work is completed years.

for the complete application of the water to the proposed use is no additional years.

See Remarks

15. (a) Is reservoir to be used? **No** If so, fill in (b) and (c) below.
 (b) Name of reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

J.P. Pearson,

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. November 30, 1917.

Returned to applicant for correction November 30, 1917

Corrected application received December 17, 1917.

APPROVAL OF STATE ENGINEER

The number of this permit is 13367

Recorded in Book 47 Page 13367 Approved January 2, 1918;

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 March 3, 1918. 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 April 2, 1918.

The whole of said work to be completed on or before July 2, 1918.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 2, 1918.

Witness my hand this 2nd day of January, 1918.

J.H. Smith.

State Engineer.

Remarks:

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	
57	N. 2 W.	28					Designated as Lots 3 & 4.												50
							25	25											-50
							Total Number of acres to be irrigated - - - - -												-50

I have lived upon my farm herein described for 20 years, taking it up as a Homestead. Immediately after settling on the land I discovered the spring, and sunk a shaft, and used the water for my self and my stock. Nine years ago, I tapped the spring by a pipe line digging from 2 to 3 feet in the ground, and placing the pipe therein, and running it to my house and gardens, the length of the pipe line is 2100 feet. I use the water in the house, for the stock in the winters, and irrigate my gardens.

The spring is located about 75 feet from the main track of the Great Northern Ry. Company; and during my period on the homestead, I cleared the land up to 50 feet of the right-of-way. Now the G.N. Ry. Co. makes claim to 200 feet of right-of-way over my land, and the Spring is within that distance, it claiming 100 feet on each side of its main track. I deny the Ry. Co. right or claim to any part of my land in excess of 50 feet on each side of its main track.

Regardless of the outcome of the controversy between myself and the Ry. Co., I must have the water from the Spring and the use of the Spring. Hence make this application, and trust you will give it due consideration.

AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS.

I, J.P. Pearson of Sandpoint, County of Bonner, state of Idaho, do hereby certify that I claim to be the owner of the land on which the spring mentioned in the application now herewith made is located, to-wit: SW¼ of the NW¼ Sec. 28, Tp. 57 N., Rg. 2 W.B.M.

J.P. Pearson.

STATE OF IDAHO,)
County of Bonner.) SS:

On this 24th day of November, 1917, before me, a Notary Public for the State of Idaho, residing at Sandpoint, personally appeared J.P. Pearson, known to me to be the person whose name is subscribed to the foregoing certificate and acknowledged to me that he executed the same. Witness my hand and seal, the day and year in this certificate first above written

Notarial Seal.

My commission expires Oct. 9, 1919.

Peter Johnson.

Proof of Completion of Works made April 30, 1918.
Certificate of Completion of Works issued May 10, 1918.

PERMIT NO. 13367

CERTIFICATE OF COMPLETION OF WORKS

To All Whom It May Concern:

This is to certify that J. P. PEARSON, of Sandpoint, County of Bonner, and State of Idaho, the holder of Permit No. 13367, issued upon Application No. 19029, bearing date of priority of November 30, 1917, authorizing the diversion of one (1) second foot of the waters of a spring, County of Bonner, State of Idaho, for domestic and irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one (1) second foot of the waters of a spring; that the point of diversion of said waters is in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 28, T. 57 N., R. 2 W., B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Parts of Lots 3 and 4, and the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 28, T. 57 N., R. 2 W., B. M.

WITNESS my hand this 10th day of May, A. D. 1918.

FRED A. WILKIE
State Engineer of the State of Idaho.

License issued for 0.04 second foot

P. 2353

November 13, 1918.

Re: Permit No. 13367-Pearson.

Mr. Peter Johnson,
Sandpoint, Idaho.

Dear Sir:--

Per your request the 8th inst.,
I enclose herewith water license issued under
the above permit.

Very truly yours,

FRED A. WILKIN,

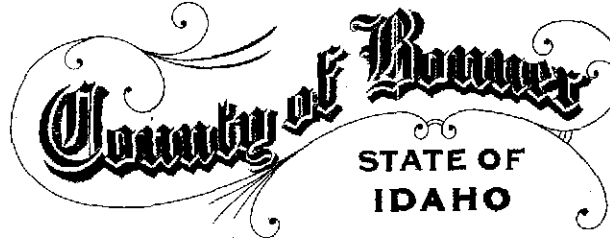
State Engineer.

By _____

WL

13367

R. N. DUNN, DISTRICT JUDGE
JOHN M. FLYNN, CLERK DISTRICT COURT
ROBT. S. MCCREA, AUDITOR AND RECORDER
ANDREW CHASE, TREASURER AND TAX COLLECTOR
W. W. VON CANON, ASSESSOR
HIRAM S. REYER, SHERIFF
F. A. MCCALL, PROSECUTING ATTORNEY
JESSIE HAWKINS TUCK, Supt. of Public Instruction
CARYL W. WILSON, SURVEYOR
WILL F. WHITAKER, PROBATE JUDGE
DR. W. M. KNAPP, CORNER



COMMISSIONERS
FRANK J. MEBRIDE
R. G. PRICHARD
C. E. HAGMAN

SANDPOINT, IDAHO

Nov. 8, 1918.

Hon. Fred A. Wilkie,
State Engineer,
Boise, Idaho.

Dear Sir:

In answer to your favor of
September 16, 1918, in re permit
#13367 to J. P. Pearson, I shall
be pleased to receive the li-
cense now.

Thanking you in advance for
this favor, I am,

Yours very truly,

Peter Johnson

J:5

RECEIVED

NOV 10 1918

13367

September 16, 1918.

Re Permit 13367. - J. P. Pearson.

Mr. Peter Johnson,
Attorney at law,
Sandpoint, Idaho.

Dear Sir:--

We are just in receipt of the report of Mr. Albert Searles on beneficial use of water under above permit and find same satisfactory. License will, therefore, issue under the permit just as soon as we can get to it.

Very truly yours,

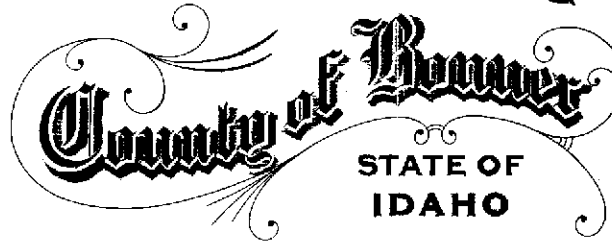
FRED A. WILKIE,

State Engineer.

By _____

13367

R. N. DUNN, DISTRICT JUDGE
JOHN M. FLYNN, CLERK DISTRICT COURT
ROBT. A. MCSREAY, AUDITOR AND RECORDER
ANDREW CHRISTENSON, TREASURER AND TAX COLLECTOR
W. W. V. CANON, ASSESSOR
HIRAM S. REMER, SHERIFF
F. A. MCSALL, PROSECUTING ATTORNEY
JESSIE HAWKINS TUCK, Supt. of Public Instruction
CARYL W. WILSON, Surveyor
WILL F. WHITAKER, PROBATE JUDGE
DR. W. M. KNAPP, CORONER



COMMISSIONERS
FRANK J. MCBRIDE
R. G. PRICHARD
C. E. HAGMAN

SANDPOINT, IDAHO, Sept. 13, 1918.

Fred A. Wilkie,
State Engineer,
Boise, Idaho.

Dear Sir:

In the matter of water permit #13367
of J. P. Pearson and your letter of June 28th
authorizing E. H. Edgerton to make the ex-
amination I desire to say that your author-
ization to him, dated August 22nd, did not
reach him while here. He had left Sandpoint
on the date of your authorization, hence the
same did not reach him so as to enable him
to make the examination.

In order to avoid further delay I have
had a competent person, Mr. Albert Searles
make the examination and trust you will con-
firm his appointment as of proper date, and
I am herewith enclosing his report to-gether
with a map.

Thanking you for an early reply, I beg
to remain,

Yours very truly,

Jeff Johnson
13367

J:5

RECEIVED
SEP 16 1913
OFFICE OF STATE ENGINEER

REPORT OF ENGINEER

This proof is for _____

In Water District No. _____

1. State name of applicant and number of permit: J.P. Pearson No. 13367.
2. State source of water supply: Spring.
3. Location of point of diversion: from Spring in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Twp. 57. N. Rg. 2, W.B.M. Irrigates land in Lot 3, same sec. twp. and rg.
4. Describe works as they exist, giving dimensions and capacities of same: Shapt sunk in Spring where water is taken by 3/4 inch gal. pipe 2100 feet to point of use, capable of transmitting 167 cubic feet inches per minute; this by actual measurement.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location 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): Tracts in Lot 3 of above sec. twp. and range. Amount now irrigated is about 2 acres, however, when there is a enough flow of water. All of lot 3 should be irrigated and also about $\frac{1}{4}$ of the 40 acre tract north of it should have water, but do not think enough in the Spring to do it.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? Just J.P. Pearson.
9. Give names and amount of each right: None but Pearson.
10. What large stream would the water here appropriated finally reach? None.
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream: I could not give any, as none of the water runs into any stream. Chuck Slough is near by, but has no connection.

Remarks: _____

This examination was made on the 7th day of September, 1918.

(Signed) _____

Examiner.

(This report must be sworn to when not made by an attache of the State Engineer's office.)

STATE OF IDAHO,
County of Bonner. } ss.

Albert Searles, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 7th day of September, 1918.

My commission expires October 9th, 1919.

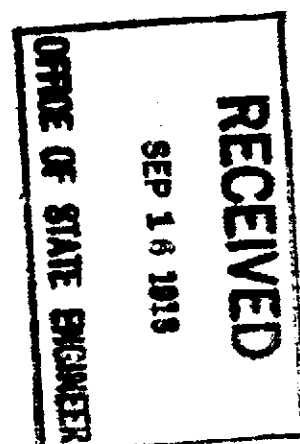
John Johnson
Notary Public.

13367

Instructions To Examiners

1. Examiners will not be permitted to examine any of the records in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own rights in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. 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.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. 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.

CAPITAL NEWS PUBLISHING CO., BOISE



Office of the State Engineer

Boise, Idaho, Aug. 22 1912 8

Mr. E. H. Edgerton,
Sandpoint, Idaho.

DEAR SIR:

Mr. Peter Johnson, _____, residing at Sandpoint
County of _____, State of Idaho _____, has requested that
you make examination required under Permit No. 13367 Will you
therefore, arrange with the holder of said Permit to make such examination as will
enable you to answer the questions on the enclosed blank? Also, make a sketch on
the enclosed blank plat showing source of supply, point of diversion, route of ditch
and place of use. You should, also, arrange with the holder of said Permit for the
payment of your fee for your services, and such proper expenses as you will incur in
making this examination and report.

Please advise me promptly of receipt of this communication, and whether or not
you will be able to make the examination and report as required.

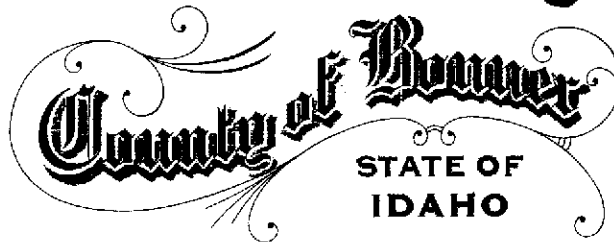
Very truly yours,

FRE A. WILKIE, ~~XXXXXXXXXXXX~~
A. E. ROBINSON,

State Engineer.

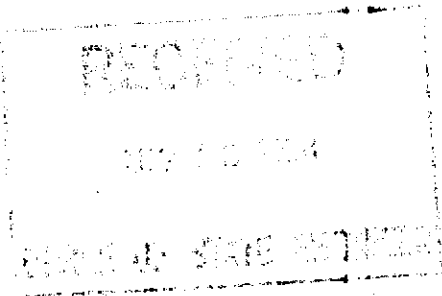
13367

R. N. DUNN, DISTRICT JUDGE
JOHN M. FLYNN, CLERK DISTRICT COURT
R. S. MCSREA, AUDITOR AND RECORDER
ANDREW CHRISTENSEN, TREASURER AND TAX COLLECTOR
W. W. VON CANON, ASSESSOR
HIRAM S. REMER, SHERIFF
F. A. MCCALL, PROSECUTING ATTORNEY
JESSIE HAWKINS TUCK, Supt. of PUBLIC INSTRUCTION
CARYL W. WILSON, SURVEYOR
WILL F. WHITAKER, PROBATE JUDGE
OR. W. M. KNAPP, CORONER



COMMISSIONERS
FRANK J. MCBRIDE
R. G. PRICHARD
C. E. HAGMAN

SANDPOINT, IDAHO, August 20, 1918.



Hon. Fred A. Wilkie,
State Engineer,
Boise, Ida.

Dear Sir:

In re permit #13367 of J. P. Person and your favor of June 28th advising me that you will authorize Mr. E. H. Edgerton to make the required examination and report on beneficial use of water under the above permit I desire to say that since that time we have been waiting patiently for Mr. Edgerton to report to you. I presume that I have also somewhat overlooked the same and now ask you to kindly forward the necessary papers to Mr. Edgerton so that we may have this matter out of the way.

Thanking you for the above,
I am,

Yours very truly,

J:5

Peter Johnson

13367

June 28, 1918.

Re Permit 13367.

Mr. Peter Johnson,
Sandpoint, Idaho.

Dear Sir:--

Per your request the 24th inst., we will today authorize Mr. E. H. Edgerton to make the required examination and report on beneficial use of water under above permit. No charge for this proof is made where the expense of the examination is paid by the holder of the permit. The money order for \$2.00 is accordingly returned herewith.

Very truly yours,

FRED A. WILKIE,

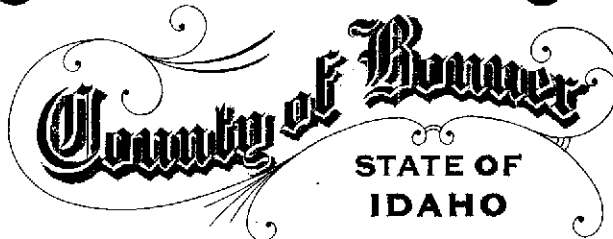
State Engineer.

NO:2

By _____

13367

R. N. DUNN, DISTRICT JUDGE
JOHN M. FLYNN, CLERK DISTRICT COURT
JOSEPH S. MCCREA, AUDITOR AND RECORDER
ANDREW CHRISTENSEN, TREASURER AND TAX COLLECTOR
W. W. VON CANON, ASSESSOR
HIRAM S. REMER, SHERIFF
F. A. MCCALL, PROSECUTING ATTORNEY
JESSIE HAWKINS TUCK, SUPT. OF PUBLIC INSTRUCTION
CARYL W. WILSON, SURVEYOR
WILL F. WHITAKER, PROBATE JUDGE
DR. W. M. KNAPP, CORONER



COMMISSIONERS
FRANK J. MEBRIDE
R. G. PRICHARD
C. E. HAGMAN

SANDPOINT, IDAHO, June 24, 1918.

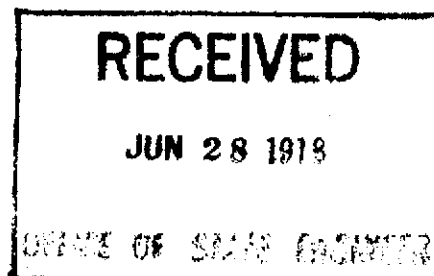
Hon. Fred A. Wilkie,
State Engineer,
Boise, Idaho.

Dear Sir:-

In re permit #13367 and your favors concerning the same, I beg to say that Mr. E. H. Edgerton of this place, a competent man for the purpose and who is familiar with measuring water, will make examination and will report upon the matter - - hence I will appreciate it, if you will forward the necessary blanks either to me or to him.

Yours very truly,

J:5



13367

June 20, 1918.

Re Permit 13367- J. P. Pearson.

Peter Johnson, Attorney,
Sandpoint, Idaho.

Dear Sir:--

We are in receipt of depositions, affidavit of publication and money order for fees for proof of use of water under above permit. As soon as the report of the engineer is in, the matter of issuing license will be taken up.

Very truly yours,

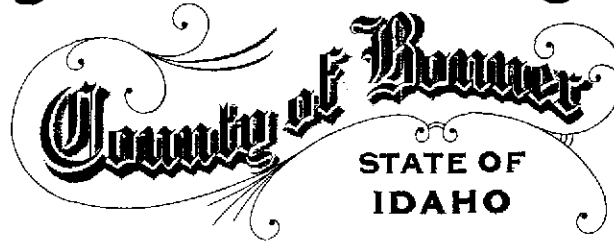
FRED A. WILKIE,

State Engineer.

By _____

13367

R. N. DUNN, DISTRICT JUDGE
JOHN M. FLYNN, CLERK DISTRICT COURT
R. S. MCCREA, AUDITOR AND RECORDER
ANDREW CHRISTENSON, TREASURER AND TAX COLLECTOR
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HIRAM S. REMER, SHERIFF
F. A. MCCALL, PROSECUTING ATTORNEY
JESSIE HAWKINS TUCK, Supt. of Public Instruction
CARYL W. WILSON, SURVEYOR
WILL F. WHITAKER, PROBATE JUDGE
DR. W. M. KNAPP, CORONER



COMMISSIONERS
FRANK J. MCBRIDE
R. G. PRICHARD
C. E. HAGMAN

SANDPOINT, IDAHO , June 17, 1918.

Hon. Fred A. Wilkie,
State Engineer,
Boise, Idaho.

Dear Sir:

In re permit #13367 J.P. Pearson, I am here-
with enclosing affidavit of publication, deposi-
tion of holder and of two witnesses together with money
order for \$2.00.

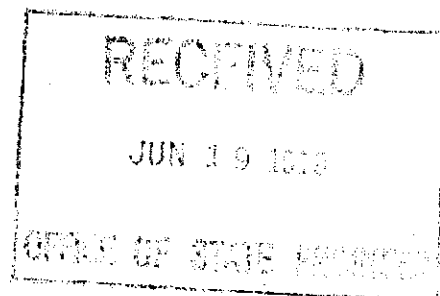
I will forward to you in a few days the name
of some reliable person who is capable of making
examination and measure the water.

I take it that as the matter is of little concern
the incurring of the expense of an engineer will not
be necessary.

Yours very truly,

Peper Johnson

J:5



13367

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,

County of Bonner,

ss.

George R Barker being duly sworn, says that he is the publisher of the PEND D'OREILLE REVIEW, a weekly newspaper printed and published at Sandpoint, Bonner County, Idaho, and that said newspaper during all the time herein mentioned is, and was a newspaper of general circulation, published weekly, and that the annexed is a true copy of the notice for publication in the case of the above water application as it was published in the regular and entire issue of said paper for a period of five consecutive weeks, commencing on the 17th day of May, 1918 and ending on the 14th day of June, 1918 and that said notice was published in said newspaper proper, and not in supplement form.

Subscribed and sworn to before me this 15th day of

June, A. D. 1918

Peter Johnson

NOTICE FOR PUBLICATION.—Notice of Proof of Application of Water to Beneficial Use. Notice is hereby given that at 11 a. m. on the 15th day of June, 1918, at Sandpoint, county of Bonner, state of Idaho, before Peter Johnson, Notary Public, proof will be submitted of the application to beneficial use of one (1) cubic foot per second of the waters of a spring, in accordance with the terms and conditions of Permit No. 13367, heretofore issued by the state engineer of the state of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is J. P. Pearson, Sandpoint, Idaho.
2. The use to which said water has been applied is domestic and irrigation.
3. The amount applied to beneficial use is one cubic foot per second.
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated), parts of lots three (3) and four (4), the southwest quarter of the northwest quarter, (SW $\frac{1}{4}$ NW $\frac{1}{4}$), section 28, township 57, N. range 2 W. B. M., Bonner county, Idaho.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is: Water is conveyed by a galvanized pipe line.

6. The right to take water from such works is based upon Permit No. 13367.
7. The source of supply from which water is diverted is a spring in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, section 28, Twp. 57, N. range 2 W. B. M., in Bonner county, Idaho.

FRED A. WILKIE,
May 17-June 14 State Engineer.

13367

PERMIT NO. 13367.**Proof of Application of Water to Beneficial Use**M.O. 159871
J. 2**DEPOSITION OF HOLDER**

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

Ans. J. P. Pearson, I am 56 years old, Farmer, live upon my farm in
Section 28, Twp. 57 N.R. 2 W.B.M., Address, Sandpoint, Idaho.

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

Ans. I am not.

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

Ans. No. No. 13367, Nov. 24th, 1917. More than nine years prior to
that date.

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

Ans. Spring, in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Twp. 57 N.R. 2 W.B.M.

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.

Ans. 2100 feet of 3/4 inch galvanized pipes, and the pipe is
capable of carrying 1 cubic foot per second of water.

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, for my house, horses and cattle, and I irrigate tracts
in Lots 3 and 4, Sec. 28, Twp. 57 N.R. 2 W.B.M. they consist of Card-
end, and I would say about 1 acre, which is all that the- I can get
out of the Spring at the present time, aside what I need for my
house and stock.

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

Ans. None.

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

Ans. All there is in the Spring, and I could use more, I estimate it
to be 1 cubic foot 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. I am the person, using the water, and no corporation has anything
to do with it, and I am not representing any corporation.

13367

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

Ans. I began to use the water for domestic and irrigation purposes more than nine years ago, and have continuously used it ever since, and at that all the water in the Spring.

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 whatever, excepting I used the water a long time before I made application for permit under the law.

(Sign)

J. P. Pearson

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sandpoint, County of Bonner, State of Idaho, on this 15th day of June, A. D. 1918.

My commission expires,
October 9th, 1919.

Notary Public, State of Idaho,
Residing at Sandpoint, Idaho.

13367

Permit No. 13367.

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

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

Ans. P.H.Moran, am almost 55 years old, Farmer, address,
Sandpoint, Idaho.

Ques. 2. Are you acquainted with J.P.Pearson, the
holder of Permit No. 12267? How long have you known him and where does he reside?

Ans. Yes, I have. am, I have known him about 15 years, he resides
upon his Farm in Sec. 28, Twp. 57 N.R. 2 W.B.M.

Ques. 3. Have you read or heard read said Permit No. 13367, 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. Spring in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Twp. 57 N.R. 2 W.B.M., place of divers-
ion is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Twp. 57 N.R. 2 W.B.M. The Water is conveyed
by 3/4 inch galvanized pipe. The pipe line is 2100 feet.

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. I judge it to be 1 cubic foot per second, however, I do not
think that much water is running through the pipe line.

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. For his house, and stock, and he irrigates a small tract in
lots 3 and 4, Sec. 28, Twp. 57 N.R. 2 W.B.M.

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

Ans. It is not used for power purposes.

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. Gardens. He needs all the water in the Spring.

13367

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

to what extent?

Ans. I have not any.

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. I have been all over the land many times in the last 13

years, and have seen every part of the works, and the use of the

water, I was there the last time last evening, and drank out of

the spring.

(Sign)

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, County of Bonner, State of Idaho,

on this 15th day of June, A. D. 1918

Notary Public.

My commission expires October 9th, 1919.

13367

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

May 28, 1918.

INSTRUCTIONS
PROOF OF BENEFICIAL USE

Mr. J. P. Pearson,
c/o Peter Johnson, W. P.,
Sandpoint, Idaho.
DEAR SIR:

BOISE, IDAHO,

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. 13367.

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On ~~June 15, 1918~~, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Sandpoint, before Peter Johnson, W. P.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

FRED A. WILKIE,

State Engineer.

13367

(P. O.)

(Date)

State Engineer, Boise.

Dear Sir:

I have your letter of May 13 enclosing Notice of Proof
of ~~Completion of Work and~~ Beneficial Use of Water under Permit No. 13367 which
will be published as you request, beginning with our issue of May 17.

Geo R Benton

County Engineer

13367

Thank you!

May 14, 1918.

Mr. Peter Johnson,
Sandpoint,
Idaho.

In re Permit #13367

Dear Sir:

I enclose you herewith Certificate of
Completion of Works issued under Per-
mit Number 13367.

Very truly yours,

FRED A. WILKIE,
State Engineer.

By

13367

May 2nd, 1918.

Re Permit 13367 J.P. Pearson.

Mr. Peter Johnson,
Sandpoint, Idaho.

Dear Sir:—

Am in receipt of yours letter enclosing affidavit and fee for proof of completion of work, together with notices for final proof under above permit. The affidavit is satisfactory. Certificate of completion of work will be mailed to you soon.

Notice of final proof will be mailed to the Pond d'Oreille Review in time for the required four weeks publication prior to June 15th, the date set for making proof, and deposition blanks will be mailed to you.

If the holder will send us the name of some one near him to make the required examination and report, the necessary blanks will be furnished him. This examination should be made by some one familiar with measuring water and must not be one of the witnesses.

VERY TRULY YOURS;

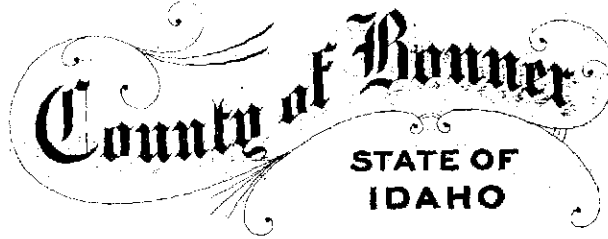
FRED H. WILKIE,

State Engineer.

By _____

13367

P. DUNN, DISTRICT JUDGE
J. M. ELYNN, CLERK DISTRICT COURT
ROBT. S. MCCREA, AUDITOR AND RECORDER
ANDREW CHRISTENSON, TREASURER AND TAX COLLECTOR
W. W. VON CANON, ASSESSOR
HIRAM S. REMER, SHERIFF
F. A. MCCALL, PROSECUTING ATTORNEY
JESSIE HAWKINS TUCK, SUPT. OF PUBLIC INSTRUCTION
CARYL W. WILSON, SURVEYOR
WILL F. WHITAKER, PROBATE JUDGE
DR. W. M. KNAPP, CORONER



COMMISSIONERS:
FRANK J. MEBRIDE
R. G. PRICHARD
C. E. HAGMAN

SANDPOINT, IDAHO

April 30th, 1918.

Hon. Fred A. Wilkie,
State Engineer,
Boise, Idaho,

Dear Sir:

For Mr. J. P. Pearson of Sandpoint, Idaho, holder of Water Permit No. 13367, I am herewith enclosing affidavit together with notices and money order for \$5.00.

I have left the date of proof to be fixed by you and desire the notice published in the Pend d' Oreille Review, a weekly newspaper of this place, with which I have arranged for the publication and the payment thereof.

Kindly advise me if any thing else is needed.

Yours very truly,

PJ:FW

13367

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 11 a. m. on the 15th day of June, 1918,
 at Sandpoint, County of Bonner, State of Idaho,
 before Peter Johnson, Notary Public, proof will be submitted
 of the application to beneficial use of One (1) cubic feet per second of the
 waters of a spring in accordance with the terms and conditions of
 Permit No. 13367 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are J. P. Pearson, Sandpoint, Idaho.
2. The use to which said water has been applied is domestic and irrigation.
3. The amount applied to beneficial use is one cubic foot per second.
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) parts of Lots three (3) and four (4), the Southwest quarter of the Northwest quarter, (SW $\frac{1}{4}$, NW $\frac{1}{4}$) Section 28, township 57, N. Rg. 2 W. B. M., Bonner County, Idaho.
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is water is conveyed by a galvanized pipe line.
6. The right to take water from such works is based upon Permit No. 13367.
7. The source of supply from which such water is diverted is a Spring in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 28, Twp. 57, N. Rg. 2 W. B. M., in Bonner County, Idaho.
8. The date of the priority which said user is prepared to establish is _____

Fred A. Wilkie,

State Engineer.

D-98 (COPY)

13367

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO,
County of Bonner, } ss.

J. P. Pearson, 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. 13367, and that his postoffice address is Sandpoint,
State of Idaho.

Second: That the name of the stream from which said water is to be diverted is a Spring
in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 28, Twp. 57 N. Rg. 2 W. B. M., Bonner County, Idaho.

Third: That the point of diversion of said water is in the SW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 28, Twp. 57,
N. Rg. 2 W. B. M., Bonner County, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 2nd, 1918.

Fifth: That the use for which said water is intended is Domestic and Irrigation.

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

I. Kind of works: Shaft Sunk, Ditch made, 2100 feet of galvanized Pipe
(Reservoir, dam, ditch, flume, pipe or otherwise)
laid, conveying water to use.

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____
(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir _____ acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit _____ width at bottom _____ feet, width at water line _____ feet, depth of water _____ feet; diameter of pipe _____ inches; average grade per mile is _____ feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use one cubic foot
_____ second feet of water.

Eighth: That water appropriated under said permit is available for 50 acres of land described as follows: parts of Lots 3 and 4, and the SW $\frac{1}{4}$, NW $\frac{1}{4}$,
Sec. 28, Twp. 57 N. Rg. 2 W. B. M. Bonner County, Idaho.

Ninth: Remarks: That _____

Subscribed and sworn to before me this 30th day of April, 1918.

My commission expires October 9th, 1919.

(Sign here)

Notary Public.

13367

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Boise, Idaho,

J. P. Pearson,
 Dear Sir:—
 Sand Point, Ida.

May 1, 1918

Under the terms of your Permit No. _____, you are required to complete your diversion works on or before _____ **13367** enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

J. H. SMITH,

State Engineer.

FRED A. WILKIE

~~XXXXXXXXXX~~

13367

State of Idaho
ENGINEERING DEPARTMENT

J. P. Pearson,
Sand Point, Ida.

BOISE

May 1, 1918

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. **13367**---, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

FRED A. WILKIE,

State Engineer

13367

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit No. 13367-
Mr. J.P. Pearson,
Sandpoint, Idaho.

Boise, Idaho,

Jan. 2, 1918.

Dear Sir:

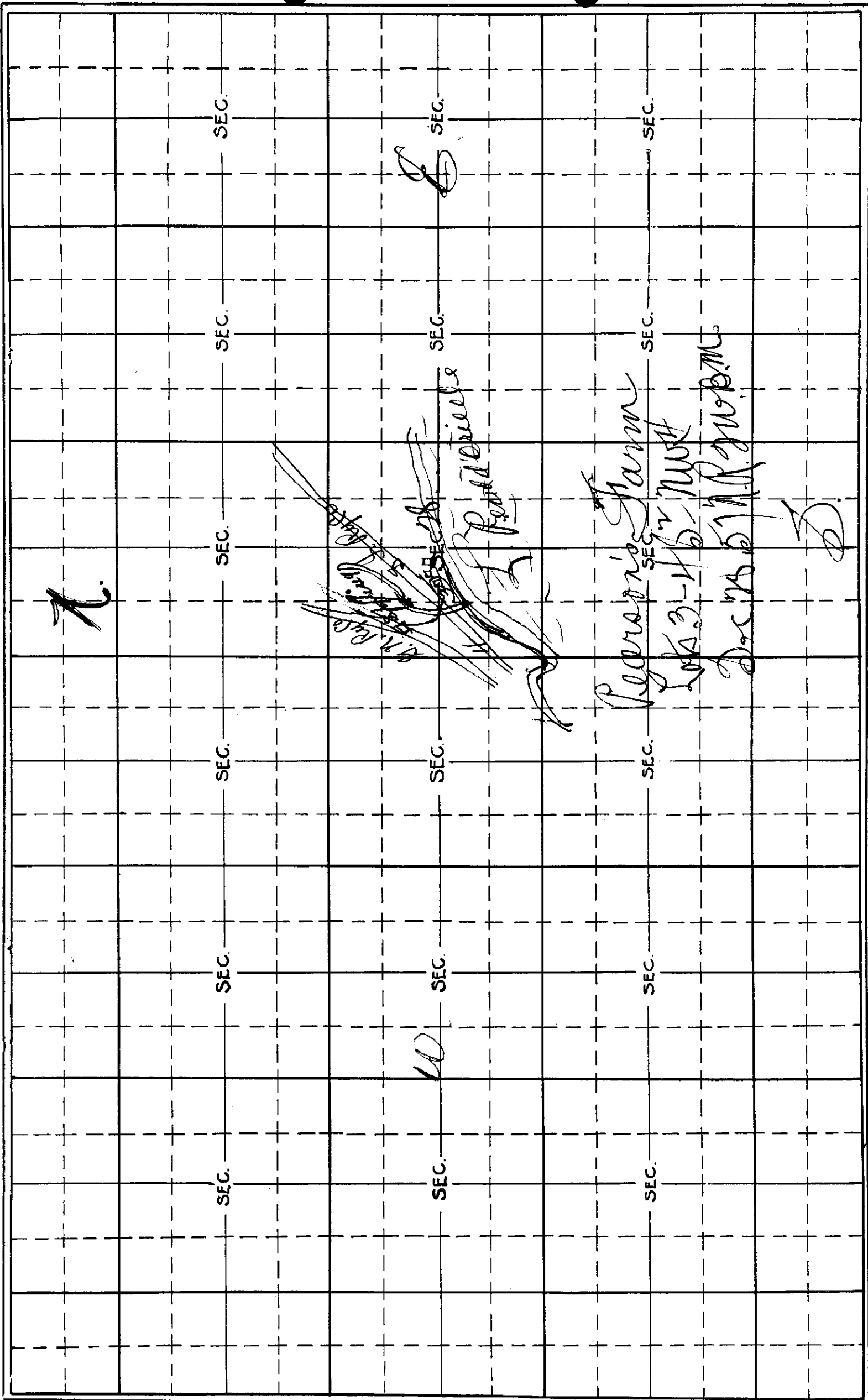
I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND
CONDITIONS OF SAME as given under approval of State Engineer on the third page.

J. H. SMITH,

State Engineer.

13367

Name of Applicant J. P. Pearson, Sandpoint, Idaho. ----- Bonner County.



S.W. 1/4 Sec. 28
Pearson's Land

Spring

S.E. 1/4 Sec. 28

Pearson's Land
All cleared & are
under cultivation

Lot 3
Pearson's Land
Center Sec. 28

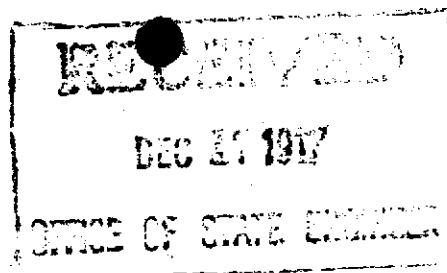
Pearson's Land
Lot 4

Lake Pond & Orville

Pearson's Farm
Lots 3-4, S.E. 1/4 Sec. 28

Sec. 28-57 N.P. 2, W.P.M.

Peter Johnson
Attorney at Law
Sandpoint, Idaho



December 15, 1917.

Hon. J. H. Smith
State Engineer
Boise, Idaho.

19029

Dear Sir:

I beg to acknowledge the receipt of your kind favor of the 1st, inst. in re: Application No. 19029 of J. P. Pearson of this place and note the correction pointed out.

You indicate that it is required "In paragraph eleven to give the size of the ditch". I have inserted, "Conveyed by pipes, and ditch ~~is~~ only used to distribute the water." The fact of the matter is that the pipes convey the water to the point of intended use and the ditch^a for distribution are not permanent but only temporary to distribute the water needed throughout the gardens and then done away with.

In answer to paragraph fourteen I have stated that the water for irrigation is to be used upon the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ designated by the government as Lots Three and Four.

Trusting this will be sufficient and if not kindly advise me and I will endeavor to comply with your wishes.

Yours very truly,

Peter Johnson.

PJ-ZS

December 1, 1917.

19029

Mr. J. P. Pearson,
Sandpoint, Idaho.

In Paragraph 11, give the size of ditch.

If for irrigation, Paragraph 14 must be filled in.

Peter Johnson
Attorney at Law
Sandpoint, Idaho

November 24th, 1917.

19029

Hon. J. H. Smith,
State Engineer,
Boise, Idaho.

Dear Sir:-

I am herewith enclosing Application of J. P. Pearson,
of this place, for Water Permit, together with one dollar in
currency, and trust you will give this due consideration in
view of the circumstances of the condition prevailing.

Should the same need amendment, kindly advise me,
as I am looking after this for Mr. Pearson.

Yours very truly,





13367