

No Color
Documents
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County: ^{Bonner} Spokane
 Stream: Pearl Creek
 Amount: 1/5 of 1 sec. ft.
 Use: domestic
 Priority: June 3, 1914

STATE OF IDAHO

Water License No. 10286

WHEREAS, On the 3rd day of June, A. D. 1914,
 W. S. Gilbert

of Spokane, County of Spokane, State of Washington, duly made application
 (No. 15247) to me for a permit to use 1/5 of 1 cubic foot per second of the waters of
 Pearl Creek

County of Bonner, State of Idaho, for domestic purposes, and,

WHEREAS, On the 20th day of June, A. D. 1914, Permit No. 10286 was issued
 to said applicant for the diversion of said water and providing for the completion of the works of diversion
 therein described on or before the 20th day of June, A. D. 1915, and for the application to ben-
 efitial use of said water on or before the 20th day of June, A. D. 1916, and,

WHEREAS, On the 16th day of July, A. D. 1914,
 W. S. Gilbert

the holder of said permit, duly made proof of the completion of adequate works for the diversion of
 1/5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 10286
 dated July 28, 1914, confirming the completion of works of sufficient capacity for diverting and
 conveying to the place of intended use 1/5 of 1 cubic foot per second of said water,
 with date of priority of June 3, 1914, and

WHEREAS, On the 27th day of August, A. D. 1914,
 W. S. Gilbert

the holder of said permit, duly made proof of the application to beneficial use of 1/5 of 1 cubic
 foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I
 hereby grant and confirm to W. S. Gilbert

of Spokane, County of Spokane, State of Washington, the holder and owner
 of said Permit No. 10286, a perpetual right, dating from June 3, 1914
 to the use of 1/5 of 1 cubic foot per second of the waters of Pearl Creek

in the County of Bonner and State of Idaho, or so much thereof as may be necessary for the
 purposes hereinbelow mentioned, to be diverted at a point in the NW₄ of SE₄, Sec. 7,
 T. 55 N. R. 1 W.B.M.,

and conducted to ~~the~~ the Crescent Mining Lode, No. 2309, situated in the NW₄ of
 Sec. 18, T. 55 N., R. 1 W.B.M.,

for the purpose of domestic use, subject, however, to the laws of the
 State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local
 or community customs, rules and regulations which have been or may be adopted from time to time by
 a majority of the users from a common source of supply, canal or lateral from which such water may
 be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 16th day of September
 A. D. nineteen hundred and fourteen.

J. P. King,

(Seal)

State Engineer:

2073

No. 15247.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: W. S. Gilbert

Postoffice address: 804 Paulsen Bldg., Spokane County: Spokane

State: Washington

I. If applicant is a corporation, give

- (a) Date and place of incorporation.
- (b) The amount of capital stock.
- (c) The 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. The quantity of water claimed is One-fifth cubic feet per second.

3. Source of water supply: Pearl Creek

4. Location of point of diversion: NW-4 of SE-4 Sect. 7, Tp. 55, North R. 1 WBM

County of Bonner

5. To be used for: Domestic purposes, to be used on Crescent Mining Lode No. 2309 situate in NW-4 Sec. 12, T. 55 N. R. 1 W. B. M.

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: None acres.
- (b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

[a] At what point:

[b] Amount of power to be generated:

H. P. under ft. head

[c] Is water to be returned to any stream? return:

[d] If so, name stream and locate point of

6. Estimated cost of works: \$500.00

7. Description of works for diversion:

I. Kind of works: Intake box and pipe line.

II. Dimensions of works:

[a] Height of dam feet, length of dam at top feet,

length of dam at bottom feet. Material used in construction:

[b] Capacity of reservoir acre feet. (c) Size of headgate, width feet,

Height feet. (d) Conduit one inch pipe width at bottom feet,

width at water line feet, depth of water feet, diameter of pipe

one inches; average grade per mile is 600 feet. Length of conduit is 3500 ft. ~~miles~~,
 and it crosses the following quarter sections: Southeast quarter of Sect. 7, Southwest
 quarter of Sect. 7, Northwest quarter of Sect. 12, all Township 55, North
 of Range 1 W. B. M.

8. The time required for the completion of the construction of such work is one years.

9. Time required for the complete application of the water to the proposed use is one additional years.

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

W. S. Gilbert

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 A. M. June 3, 1914.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 10286

Recorded in Book 34 Page 10286 Approved June 20, 1914.

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 August 19, 1914 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 December 20, 1914.

The whole of said work to be completed on or before June 20, 1915.

Beneficial use of water appropriated in accordance herewith, to be made on or before June 20, 1916.

Witness my hand this 20th day of June, 1914.

F.P. KING,

State Engineer.

Remarks:

Proof of completion of works made July 16, 1914.

Certificate of completion issued July 28, 1914.

Permit No. 10286.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that W. S. Gilbert, of Spokane, County of Spokane, and State of Washington, the holder of Permit No. 10286, issued upon Application No. 15247, bearing date of priority of June 3, 1914, authorizing the diversion of 1/5 of 1 second foot of the waters of Pearl Creek, County of Bonner, State of Idaho, for domestic 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 1/5 of 1 second foot of the waters of Pearl Creek; that the point of diversion of said waters is at a point in the NW 1/4 of SE 1/4, Sec. 7, T. 55 N., R. 1 W. B. M., and that the place of use of said water is at the Crescent mining lode, No. 2309, situated in the NW 1/4 of Sec. 12, T. 55 N., R. 1 W. B. M.

Witness my hand this 28th day of July, A. D. 1914.

F. P. King,

State Engineer of the State of Idaho.

License issued for 1/5 second feet

Page 1655

L. R. HAMBLEN

W. S. GILBERT

HAMBLEN & GILBERT
ATTORNEYS AND COUNSELORS
PAULSEN BUILDING
SPOKANE, WASHINGTON

September 26th, 1914.

State Engineer,

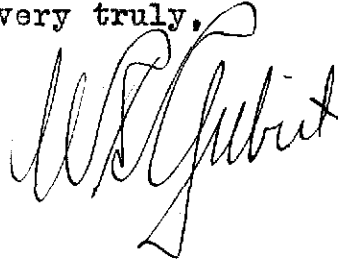
Boise, Idaho.

Dear Sir:

Re: Permia No. 10286

I acknowledge with many thanks yours of September 24th
enclosing water license issued under this permit.

Yours very truly,



G:L

10286

September 24, 1914.

Permit 10286

Mr. W. S. Gilbert,
Paulsen Building,
Spokane, Washington.

Sir:

Am enclosing herewith water license issued
under above permit.

Very truly yours,

F. P. KING,

State Engineer.

L

By _____

10286

September 2, 1914.

Permit 10286.

Mr. W. S. Gilbert,
Paulsen Bldg.,
Spokane, Washington.

Sir:

Am just in receipt of your letter enclosing check for \$3.00 and report of examining engineer for proof of use of water under above permit. In reply would say that the report is satisfactory. The license will be issued and mailed to you in a few days. Am herewith enclosing receipt for fees.

Very truly yours,

F. P. KING,

State Engineer.

B6756

By _____

10286

HAMBLÉN & GILBERT
ATTORNEYS AND COUNSELORS
PAULSEN BUILDING
SPOKANE, WASHINGTON

August 31st, 1914

Mr. F. P. King, State Engineer,
Boise, Idaho.

Dear Sir:

Re: Permit No. 10286

We have yours of August 29th, and note that the final fee should be \$5.00 instead of \$2.00.

We are enclosing our check for \$3.00, which with the \$2.00 already received will make up the \$5.00.

We are also enclosing herewith report of Engineer together with map, as requested. May I say in explanation that this report is made by my brother, who ^{had me} has 4 years' engineering course at Ann Arbor University, and some other experience, and who has been over the grounds repeatedly, and is familiar with the situation. I trust that you can accept his report, because in view of the fact that the water is being carried entirely by a pipe the report of the engineer ought to be largely a formality. In addition to this, the expense in connection with this has been considerable and it would be quite a hardship if we had to employ a licensed engineer to inspect the work and make a special report.

If you now find everything in order I shall be greatly pleased to receive final papers.

Yours very truly,

G:L

Encls.

10286



REPORT OF ENGINEER

1. State name of applicant and number of permit: W. S. Gilbert Permit No. 10286
 2. State source of water supply: Pearl Creek, near Blacktail, Idaho.
 3. Location of point of diversion: NW-4 of SE-4 of Sect. 7, Tp. 55, North of Range 1, W.B.M., County of Bonner, Idaho.
 4. State whether or not the works of diversion are *fully* completed and in accordance with terms of permit:
Works fully completed as per terms of permit.
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) ~~Width of water at intake~~ One inch iron pipe, Line run out of intake box, 3x4x6 feet. First 500 ft. 2" pipe,
 - (b) ~~Width of water line~~ second 500 ft. 1-1/2" pipe, and 2500 ft. of 1" pipe.
 - (c) Depth of water: _____
 - (d) Grade per mile: 600 feet. Most of fall is in last 2500 feet.
 - (e) Capacity of ~~one~~ pipe: One-fifth cu. ft. per second. second feet.
 6. State whether or not water has been turned into works of diversion and if so, to what extent: _____
Water turned on about July 1st, 1914, to full capacity of pipe.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: Water to be used for domestic purposes and on Crescent Mining lode No. 2309, situated in the NW-4 of Sect. 18, Tp. 55, North of Range 1, W.B.M. No lands under cultivation.
 8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.
- Remarks: Map is submitted herewith. Pearl Creek which furnishes source of supply is a small spring run lying wholly within the Pend O'Reilly Forest Reserve, Bonner County, Idaho. The expense of installing the system above described was a little over \$500.00

Wm A Gilbert

STATE OF ~~Idaho~~ Washington } ss.
County of Spokane

Wm. A. Gilbert, 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.

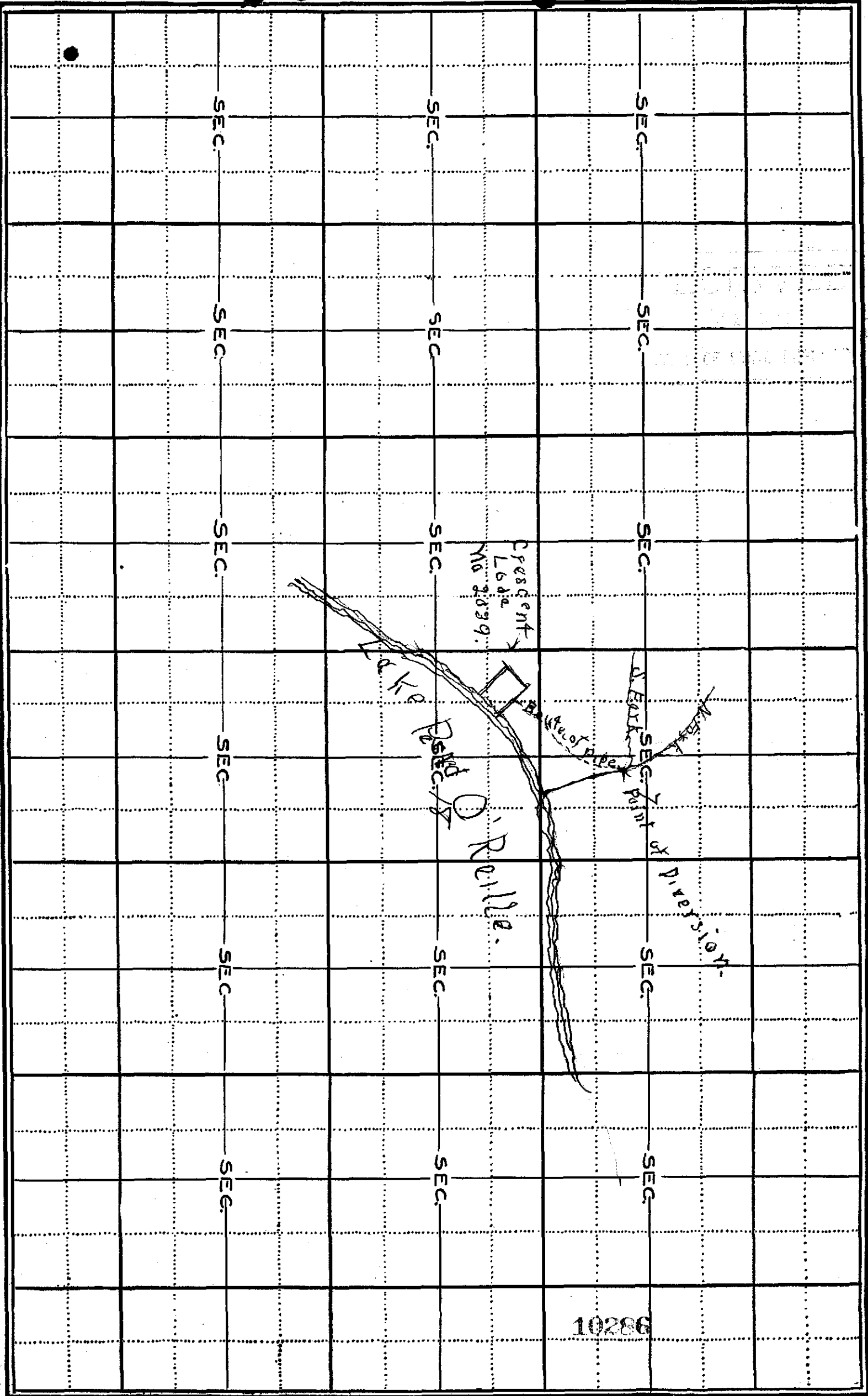
Subscribed and sworn to before me this 29th day of August 1914.

My Commission Expires Nov 12, 1918

St. Antworth
Notary Public.

10286

Name of Applicant W.S. Lightfoot



August 29, 1914.

Permit 10286

Mr . W* S. Gilbert,
Paylsen Bldg.,
Spokane, Washington.

Sir:

We are just in receipt of depositions, affidavit of publication and check for fees in the sum of \$2.00. In regard to fees required I would say that where the water is used for other than irrigation purposes, the fees for final proof are \$5.00. The check for \$2.00 will be held pending receipt of balance due. There also remains the report of the examining engineer.

Very truly yours,

F. P. KING,

State Engineer.

By _____

10286

FIDELITY TRUST COMPANY

LOANS-INSURANCE-ABSTRACTS

SANDPOINT, IDAHO.

August 27, 1914

F. P. King, Esq.,

Boise, Idaho.

Dear Sir: In re. Water right #10286.

Herewith I hand you the following papers in the above matter;;

Affidavit of Publication of Notice of Proof of Application for water for beneficial use.

Deposition of Two witnesses, L. R. Hamblen, and James E. Drake.

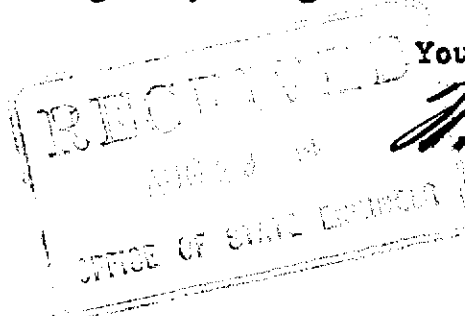
Deposition of Holder, W. S. Gilbert.

The above depositions were taken before me on this date in accordance with your letter of the 19th of August 1914 to W. S. Gilbert, addressed in my care. The persons whose names are subscribed the several depositions, appeared personally before me and made answer to the questions therein contained and were duly sworn as to the verity of said answers.

I also enclose herewith draft for \$2.00, as fee in accordance with your letter aforesaid. Trusting that you will find the papers regular, I beg to remain,

Yours very truly,

Myrvin Davis



10286

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Bonner } ss.

W. J. Macdonald being duly sworn, says that he is the Printer 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 Proof of Application of Water to Beneficial Use as it was published in the regular and entire issue of said paper for a period of four consecutive weeks, commencing on the 24th day of July, 1914 and ending on the 14th day of August, 1914 and that said notice was published in said newspaper proper, and not in supplement form.

W. J. Macdonald
Subscribed and sworn to before me this 15th day of August, A. D. 1914

Myron Rane
Notary Public in and for Bonner Co.,
Idaho residing at Sandpoint, Idaho.

NOTICE FOR PUBLICATION.—NOTICE of proof of application of water to beneficial use. Notice is hereby given that at 11 a. m. on the 27th day of August, 1914, at Sandpoint, county of Bonner, state of Idaho, before Marvin Davis, a notary public, proof will be submitted of the application to beneficial use of one-fifth cubic feet per second of the waters of Pearl creek, in accordance with the terms and conditions of permit No. 10286 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 W. S. Gilbert, 804 Paulsen building, Spokane, Washington.

2. The use to which said water has been applied is domestic purposes.

3. The amount applied to beneficial use is about one-fifth cubic feet per second.

4. The place where said water is used is on Crescent Mining Lode No. 2309, in northwest quarter of section 12, township 55, north range 1 west 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

6. The right to take the water from such works is based upon permit No. 10286.

7. The source of supply from which such water is diverted is Pearl creek, one quarter mile south of Blacktail, Idaho.

8. The date of the priority which said user is prepared to establish is June 3, 1914.

F. P. KING, State Engineer.
July 24-aug 13.

10286

PERMIT No. 10286

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. W. S. Gilbert, 36, Spokane, Washington, Lawyer, Spokane, Washington.

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. Am not.

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

Ans. #10286, date June 20th 1914, Priority June 3, 1914.

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

Ans. Pearl Creek near Blacktail, diversion is at the forks of the Creek in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of section 7, township 55, N range, 1 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. Intake box about 3x4x5 feet, about 1/5 foot second, the pipe line has not name or designation.

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 purposes. Place of use Crescent Mining Lode, Patented, No. 2309, in Section eighteen township 55, north range 1 W B M.

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

Ans. No power generated, used for domestic purposes only.

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

Ans. About 1/5 foot 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. -----

10286

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

Ans. Since about 20th of June 1914, for domestic purposes in four houses, and has been used to the full capacity of the pipe.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None.

(Sign)

W. S. Gilbert

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 Sandpoint, County of Bonner, State of Idaho, on this 27th day of August

A. D. 1914.

Myron Davis
Notary Public in and for the
said County and State.

10226

Permit No. 10286

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. L. R. Hamblen, 40, Spokane, Washn. Lawyer, Spokane, Wahn

Ques. 2. Are you acquainted with W. S. Gilbert, the holder of Permit No. 10286? How long have you known him and where does he reside?

Ans. I am, I have known him 18 years, and he resides at Spokane, Washington.

Ques. 3. Have you read or heard read said Permit No. 10286, and are you familiar with its provisions and conditions?

Ans. I am,

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. Pearl Creek, point of diversion at forks of Creek in NW 1/4 of SE 1/4 of 7-55-N Range, 1 W B M. Water is conveyed in iron pipe.

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. 1/5 foot second.

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 domestic purposes only.

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

Ans. Is not

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. Is not

10286

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

and to what extent?

Ans. Have one fourth interest in the pipe line and water right.

and am using it now for domestic purposes

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. Constantly since the 20th of June 1914, to the full extent

of the capacity of the pipe.

(Sign)

T. J. Johnston

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 27th day of August A. D. 1914

Notary Public.

Myrta Davis

My Commission Expires February 27th, 1915

10286

10288

Permit No. 10286.....

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. James E. Drake, 37, Blacktail, Idaho, Physician, Blacktail, Ida

Ques. 2. Are you acquainted with W. S. Gilbert, the holder of Permit No. 10286? How long have you known him and where does he reside?

Ans. Yes, I have known him eight years, he resides at Spokane, Washn.

Ques. 3. Have you read or heard read said Permit No. 10286, and are you familiar with its provisions and conditions?

Ans. I have, and am familiar with it.

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. Pearl Creek, Point of Diversion at forks of Pearl Creek, In NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of 7, 55, N Range 1 W B M. water is conveyed in iron pipe

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. 1/5 second foot.

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 domestic purposes only.

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

Ans. is not.

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. Is not

10286

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

and to what extent?

Ans. Have one fourth interest in the pipe line and water right.

and am using it now for domestic purposes.

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. Constantly since the 20th of June 1914, to the full extent of the capacity of the pipe.

(Sign)

James E. Shaw

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 27th day of August A. D. 1914

Notary Public.

My Commission Expires February 27th 1918

2286

STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

W. S. Gilbert,
c/o Marvin Davis,
Sandpoint, Idaho.

BOISE, IDAHO, August 19, 1914.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. **10286.**

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.....**August 27th,**....., 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 Marvin Davis, E.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,

F. P. KING,

State Engineer.

10286

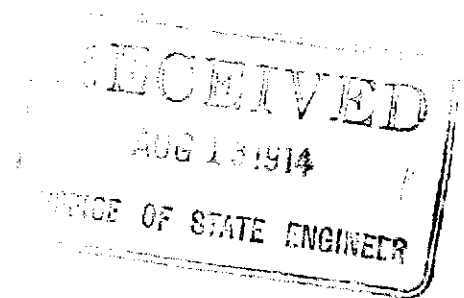
L.R. HAMBLÉN

W. S. GILBERT

HAMBLÉN & GILBERT
ATTORNEYS AND COUNSELORS
PAULSEN BUILDING
SPOKANE, WASHINGTON

August 11, 1914.

Mr. F. P. King,
State Engineer,
Boise, Idaho.



Dear Sir:

Subject: Permit No. 10286.

Your favor of August 7th to Mr. W. S. Gilbert of this city came duly to hand. Mr. Gilbert is absent from the city for a period of about two weeks. Upon his return, we will call his attention to it and you will receive reply thereto.

Yours very truly,

LRH:A

A handwritten signature in cursive script, appearing to read "L.R. Hamblen".

P10286

10286

August 7, 1914.

Permit 10286.

Mr. W. S. Gilbert,
Paulsen Bldg.,
Spokane, Washington.

Sir:

Replying to your letter of the 4th inst. would say that we could not accept the report of an engineer who has never seen the water right. I would say, however, that we do not require the report to be made by a licensed engineer. If you know of any one working at the mine who would be competent to give us the information called for in the blank sent you, he could report.

Very truly yours,

F. P. KING,

State Engineer.

By _____

10286

L. R. HAMBLEN
W. S. GILBERT
HAMBLEN & GILBERT
ATTORNEYS AND COUNSELORS
PAULSEN BUILDING
SPOKANE, WASHINGTON

August 4, 1914.

State Engineer,
Boise, Idaho.

Dear Sir:

Re Permit No. 10286.

I have before me yours of July 31st, with ^{blank for} report of engineer in connection with my water permit.

I understood from a former letter of yours in this connection that it would be permissible to secure the report of an engineer who has not actually visited the land, giving his opinion (based upon figures which I will supply him) as to the amount of water flowing through the pipe of the size such as I have laid.

It is my idea that if I supplied him with the fall, the length of pipe and the size of the same, he could give his written report as to the amount of water applied to beneficial use, and that this would save me the expense of hiring an engineer to visit the works, which is considerable in view of the out-of-the-way location.

If I have a correct understanding in regard to the matter, then the blank report which you enclosed in yours of July 31st would not be suitable, as the engineer, of course, could not state most of the facts required in the blank.

I regret to trouble you so frequently in regard to this matter, but shall be pleased to hear from you further.

Yours very truly,

WSG:A

W. S. Gilbert

10286

August 3, 1914.

Permit 10286

Mr. W. S. Gilbert,
Paulsen Building,
Spokane, Wash.

Sir:

Am herewith enclosing you certificate of completion of works issued under above permit.

Very truly yours,

F. P. KING,

State Engineer.

CCW

By _____

10286

July 31, 1914.

Permit 10286.

Mr. W. S. Gilbert,
Paulsen Bldg.,
Spokane, Washington.

Sir:

Am herewith enclosing you blanks for report
and map for proof of use of water under above
permit.

Very truly yours,

P. P. KING,

State Engineer.

RMF

By _____

10286

HAMBLÉN & GILBERT
ATTORNEYS AND COUNSELORS
PAULSEN BUILDING
SPOKANE, WASHINGTON

July 29, 1914.

Mr. F. P. King,
State Engineer,
Boise, Idaho.

Dear Sir:

Re Permit 10286.

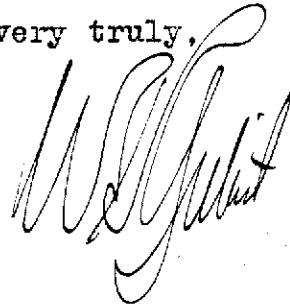
I have before me yours of July 18th in regard to final proof in connection with this permit, and note that you will be satisfied with a report of some local engineer based upon data furnished him in lieu of a personal examination of the land by him.

May I now inquire whether or not you have printed form for such report, or shall I merely follow the requirements of the printed rules which you sent?

Again thanking you, I remain

Yours very truly,

WSG:A



(P. O.)

(Date)

Blackfoot Ida.

July 22, 1914

State Engineer, Boise.

Dear Sir:

I have your letter of *July 20* enclosing Notice of Proof of Beneficial Use of Water under Permit No. *2309* which will be published as you request, beginning with our issue of *July 24*

Revised

RECEIVED

Ex R B
10286

SECTION OF STATE ENGINEER

Aug 27

July 20, 1914.

Permit 10286.

Mr. W. S. Gilbert,
Attorney at law,
Paulsen Bldg.,
Spokane, Washington.

Sir:

We are today in receipt of notices for proof of use of water under above permit and find same satisfactory. The notice for publication will be mailed to the Pend d'Oreille Review in time for the required four weeks publication prior to August 27th and deposition blanks will be mailed to Marvin Davis, notary public at Sandpoint.

Very truly yours,

F. P. KING,

State Engineer.

By _____

10286

HAMBLEN & GILBERT
ATTORNEYS AND COUNSELORS
PAULSEN BUILDING
SPOKANE, WASHINGTON

July 18th, 1914

Mr. F. B. King,

State Engineer,

Boise, Idaho.

Dear Sir:

I am handing to you herewith, authority for publication of notice in regard to water right of W.S.Gilbert Permit No. 10286 together with notice of application filled in.

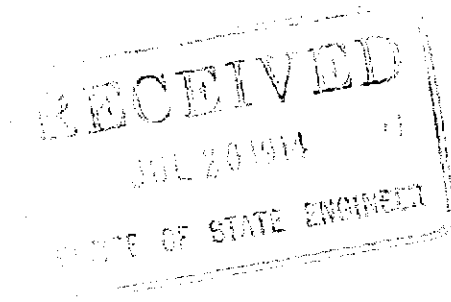
I do not know what day of the week the paper is published but have allowed ample time so if you return promptly to the paper no difficulty should be experienced in having same inserted next week.

Trusting that you will find these papers in proper form,
I remain,

Yours very truly,

G:L

Encl.



10286

10286

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 18th, 1914

(P. O.) Spokane, Washington

To the State Engineer,
Boise, Idaho.

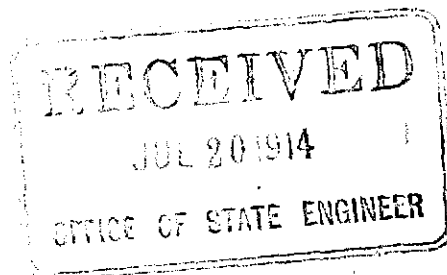
Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Pond O'Reille News, of Sandpoint, Idaho, published in the
county in which the works are situated.

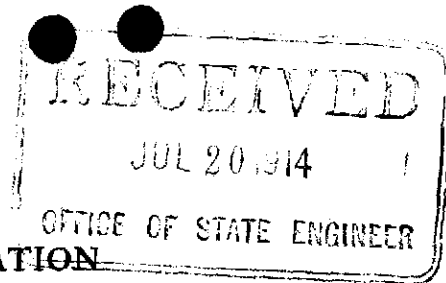
W. S. Gubert

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water
per second, the following certificate must be signed by a well known and competent engineer.)
I hereby certify that the facts set forth in the attached notice are true.

Engineer.



10286



NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 11 a. m. on the 27th day of August, 1914,
 at Sandpoint, County of Bonner, State of Idaho,
 before Marvin Davis, a Notary Public,, proof will be submitted
 of the application to beneficial use of one-fifth cubic feet per second of the waters of
Pearl Creek, in accordance with the terms and conditions of Permit No. 10286
 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 W.S. Gilbert,
804 Paulsen Building, Spokane, Washington.
2. The use to which said water has been applied is Domestic purposes.
3. The amount applied to beneficial use is about one-fifth cubic foot per second
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)
On Crescent Mining Lode No. 2309, in Northwest quarter of
Sect 12, Township 55, North Range 1, 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 _____
6. The right to take the water from such works is based upon Permit No. 10286
7. The source of supply from which such water is diverted is Pearl Creek, one quarter
mile south of Blacktail, Idaho.
8. The date of the priority which said user is prepared to establish is June 3rd, 1914.

July 18, 1914.

Permit 30286.

Mr. W. S. Gilbert,
Paulsen Bldg.,
Spokane, Washington.

Sir:

Am today in receipt of satisfactory affidavit for proof of completion of works under above permit, together with fee, for which I am herewith enclosing receipt. The certificate of completion of works will be mailed to you in a few days.

In regard to the final proof would say that the report examination can be made as suggested in your letter .

Very truly yours,

F. P. KING,

State Engineer.

R6635.

By _____

10286

HAMBLÉN & GILBERT
ATTORNEYS AND COUNSELORS
PAULSEN BUILDING
SPOKANE, WASHINGTON

July 16th, 1914

Mr. F. B. King,
State Engineer,
Boise, Idaho.

Dear Sir:

Re: Water permit W.S. Gilbert No. 10286

I am handing to you herewith affidavit of holder giving proof of completion of work under water permit No. 10286; also money order for \$5.00 payable to your order to cover fee.

In regard to making proof as to appropriation for beneficial uses, I note what is said in printed instructions and in your recent letter relative to securing report of engineer as to capacity of pipe-line. In view of the fact that the water is carried entirely in a pipe-line the major portion of which is 1" in diameter, I am wondering if there is some way we can avoid the expense of having the engineer actually visit the site and inspect the works. Could we not secure a report from an engineer here based upon the size and length of the pipe and the amount of fall, etc., which would be satisfactory to your office.

I will forward notice of final hearing, etc., in the next day or two.

10286

Yours very truly, JUL 18 1914

H:L

Encl.

RECEIVED

OFFICE OF STATE ENGINEER

Permit No.

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF ~~WASH~~ WASHINGTONCounty of SPOKANE

} ss.

W. S. Gilbert

, 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. 10,286 and that his postoffice address is 804 Paulsen Building, Spokane, State of Washington

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by June 20th, 191 5

Third: That the use for which said water is intended is Domestic purposes.

Fourth: That on July 1st, 1914 ~~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: Intake box; 500 ft. 2" pipe; 500 ft 1-1/2" pipe;
(Reservoir, dam, ditch, flume, pipe or otherwise.)
and 2500 ft. 1" pipe.

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.

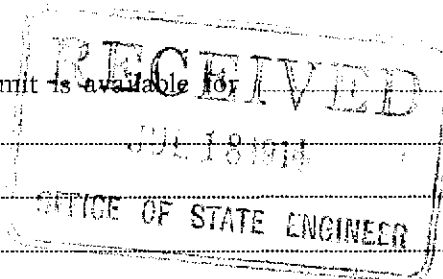
(c) Size of headgate: Width.....feet, height.....feet.

(d) Conduit Pipe.....width at bottom.....feet, width at water line.....feet, depth of water.....feet; diameter of pipe 2, 1-1/2 & 1 inches;

average grade per mile is 500 feet. Length of conduit is 3500 ~~ft~~ ft

Fifth. That said works are capable of conducting to the place of intended use about 1/5 second feet of water.

Sixth. That water appropriated under said permit is available for acres of land described as follows:



Seventh. Remarks: That the upper 1000 ft. of the pipe-line where the two inch and 1-1/2 Inch pipe is used has a fall of only five feet per hundred. The capacity of the pipe line given above is only a rough estimate of my own.

W. S. Gilbert
Sign here.

Subscribed and sworn to before me this 16th day of July, 1914.

My commission expires Nov. 6th 1914

L. R. Lawler
Notary Public.

10286

June 25, 1914.

Permit 10286.

Mr. W. S. Gilbert,
Paulsen Building,
Spokane, Washington.

Sir:

Replying to your letter of the 23rd inst. would say that, for proof of completion of works under a permit, where the amount of water does not exceed 6.4 second feet, the affidavit of holder and fee of \$5.00 are all that are required. For proof of beneficial use of water the notice of proof is required to be advertised for a period of thirty days prior to the date of making proof. On the date set for proof, the holder and two witnesses should appear before the officer taking the proof and fill out deposition blanks which will be furnished him. It will also be necessary for us to have the report of an engineer, or some other person competent to give measurements and capacities, etc., and the amount of water used. When you file your notices, you should give us the name of the party whom you desire to make the report and the required blanks will be furnished him. I am enclosing herewith affidavit form for holder, together with blank notices for proof of beneficial use. When these have been received by us, filled out, the notice for publication will be mailed from this office to the paper designated by you and deposition blanks will be mailed to the notary public, or other officer before whom proof is to be made.

Very truly yours,
B. P. KING,
State Engineer.

10286

F5-6-3NU

By _____

75-6-371W

L.R. HAMBLÉN

W.S. GILBERT

HAMBLÉN & GILBERT
ATTORNEYS AND COUNSELORS
PAULSEN BUILDING
SPOKANE, WASHINGTON

June 23rd, 1914

State Engineer,

Boise, Idaho.

Dear Sir:

Re. Permit No. 10286 W.S. Gilbert

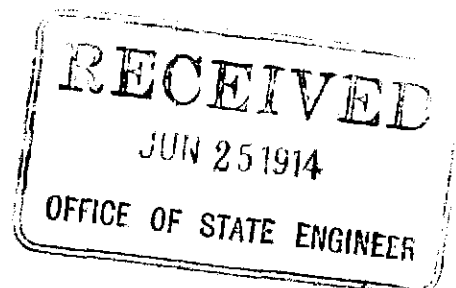
I am in receipt of yours of June 20th, enclosing permit of the above number. I beg to advise you that the pipe line referred to in the application for the permit, has been completed and water is applied to the uses for which it was appropriated.

Will you be good enough to advise me what is necessary further to complete my rights. Possibly you have printed regulations governing future steps in matters of this kind.

Yours very truly,



G:L



10286

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

Permit No. 10286

BOISE, IDAHO. June 20, 1914.

Mr. W. S. Gilbert,
Paulsen Bldg., Spokane, Wash.

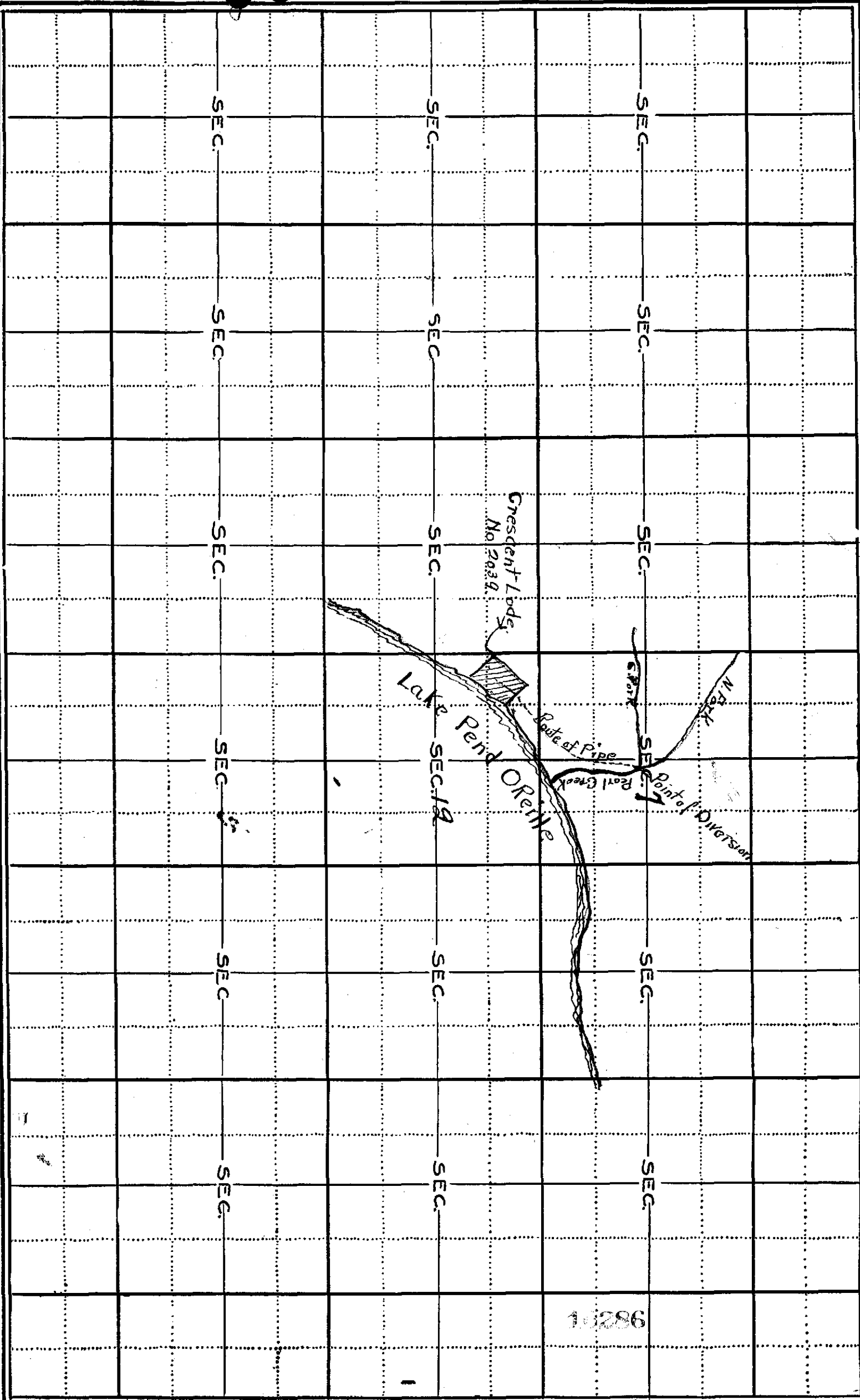
Dear Sir:

*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.*

F. P. KING,
State Engineer.

10286

Name of Applicant W.S. Gullet



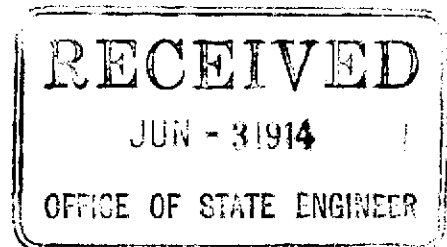
HAMBLÉN & GILBERT
ATTORNEYS AND COUNSELORS
PAULSEN BUILDING
SPOKANE, WASHINGTON

June 1st, 1914.

State Engineer,

Boise, Idaho.

Dear Sir:



I enclose herewith application for permit for one-fifth cubic foot water to be taken from Pearl Creek, a small stream running into Lake Pend O'Reille about half a mile south of Blacktail Landing, Bonner County, Idaho.

You will note by the application that this is for domestic purposes only. Three of my friends and myself have summer cottages on Lake Pend o'Reille, being the owners of about twenty acres of land known as Crescent Mining Lode No. 2039, a patented mining claim. We have no spring upon our place and it is very important that we secure water for domestic purposes, to avoid carrying it from the Lake.

Pearl Creek is a very small stream and lies wholly in the Forest Reserve, and there are no ranches or dwellings of any kind along this stream.

We have already employed a couple of men to run this pipe for us, and are awaiting your approval to proceed with the work, as our families are already at the Lake and we desire to get the water in as soon as possible.

In view of this, and of the small amount of water that we will require, may I ask that you give this application your very

No. 2.

early attention, and wire me at my expense as soon as you have given your approval, so that we may proceed to have the pipe run.

I trust that the information given in the application is all that is required.

I enclose herewith Money Order for \$1.00 to cover fee.

Thanking you in advance for your prompt attention to this matter, I remain,

Yours very truly,

A handwritten signature in cursive script, appearing to read "W. J. Gilbert".

G:L

Encls.

10286

10286