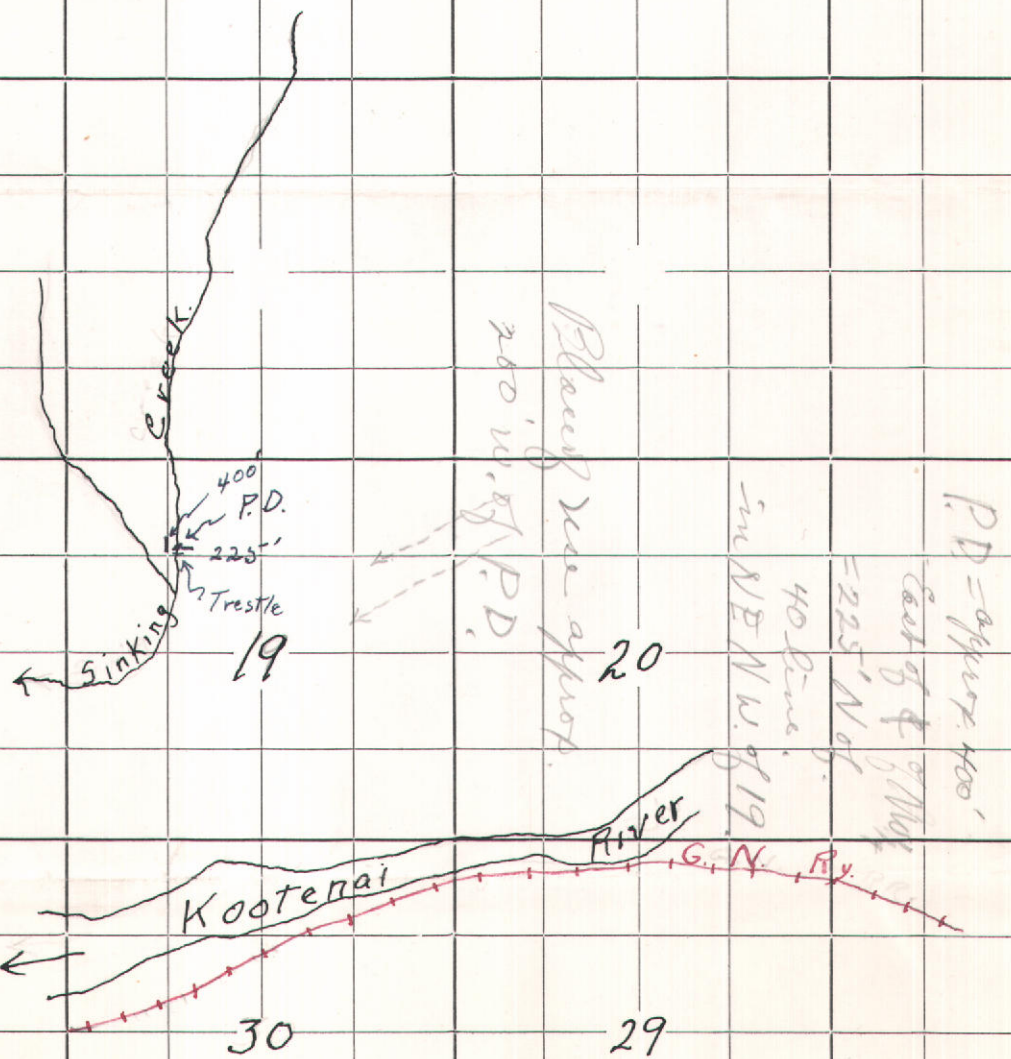


Twp 62 N. R. 2 E.



December 23, 1950

Re: Permit No. 21723

Mr. J. B. Williams, Division Engineer
Spokane International Railroad Co.
Box 2147
Spokane 1, Washington

Dear Mr. Williams:

We acknowledge receipt of your letter of December 20, 1950, enclosing depositions of yourself and two witnesses, also Affidavit of Publication in the Bonners Ferry Herald, all in proof of Beneficial Use under Permit No. 21723.

Before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We cannot say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, he will try to contact you or someone on the premises at the time the examination is made, so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21723

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION TO BENEFICIAL USE**

Notice is hereby given that at 1:30 P. M. on the 15th day of December, 1950, at Bonners Ferry, County of Boundary, State of Idaho, before J. H. McNally, Notary Public, proof will be submitted of the application to beneficial use of 0.02 cubic foot per second of the waters of Fry Creek in accordance with the terms and conditions of Permit No. 21723 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Spokane International Railroad Company, Box 2147, Spokane, Washington.

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

The amount applied to beneficial use is 0.02 cubic foot per second.

The place where said water is used at Railroad Section house, Fry Creek, Idaho, in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 62 North, Range 2 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is pipe line.

The right to take water from such works is based upon Permit No. 21723.

The source of supply from which water is diverted is Fry Creek.

The date of priority which said user is prepared to establish is September 28, 1950.

MARK R. KULP,

State Reclamation Engineer.

First publication Oct. 26, 1950.

Last publication Nov. 16, 1950.

Affidavit of Publication

STATE OF IDAHO }
County of Boundary } ss.

R. L. Myers

being first duly sworn upon his oath, deposes and says: That he is the

co-publisher

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

hereto attached notice; that the advertisement of _____

State Reclamation Engineer

a Notice of Proof Application to Beneficial
Use

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for four

consecutive issues, commencing with the issue dated Oct. 26

1950, and ending with the issue dated Nov. 16, 1950.

R. L. Myers
Co-Publisher
Bonners Ferry, Idaho

Subscribed and sworn to before me this 18 day of

December, 1950

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

residing at Bonners Ferry, Idaho

My Commission Expires Aug. 10, 1951

21723

State of Idaho
License and Certificate of Water Right

Water License No. 21723 Amount 0.02 second foot
Water District No. Priority September 28, 1950

THIS IS TO CERTIFY that SPOKANE INTERNATIONAL RAILROAD
of Spokane, Washington, made application for a permit to appropriate the
public waters of the State of Idaho, dated September 28, 19 50; that Permit No. 21723
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.02 second foot, was issued thereunder on November 3, 19 50, showing that said works
were completed on the 16th day of October, 19 50; and that on the 15th
day of December, 19 50,

SPOKANE INTERNATIONAL RAILROAD
of Spokane, State of Washington, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Fry
Creek, a tributary of Kootenai River, for the purpose of domestic uses
, under Use Permit No. 21723 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 4838, on the 31st day of October, 19 51;
The right hereby confirmed dates from September 28, 19 50;

The Point of Diversion is located
in the NE 1/4 NW 1/4, Sec. 19, Tp. 62 N., R. 2 E., B. M. Boundary 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 0.02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Railroad section house in NE 1/4 NW 1/4 Section 19, Township 62 North, Range 2 East, B.M.		

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 October, 19 51.

(SEAL) MARK R. KULP
State Reclamation Engineer

State of Idaho
License and Certificate of Water Right

Water License No. 20878

Amount 1.8 second foot

Water District No. _____

Priority January 8, 1949

THIS IS TO CERTIFY that E. M. CARTER
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 8, 19 49; that Permit No. 20878
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.8 second feet, was issued thereunder on June 8, 19 50, showing that said works
were completed on the 7th day of May, 19 50; and that on the 10th
day of July, 19 50,

E. M. CARTER
of Caldwell, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of
a well ~~, a tributary of~~ (subterranean flow) for the purpose of irrigation and domestic
use, under Use Permit No. 20878 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 ^{to R. C. FISHER, Assignee, of E. M. Carter, Nampa, Idaho} and entered of record in Volume
8 of Licenses at page 4837, on the 31st day of October, 19 51;
The right hereby confirmed dates from January 8, 19 49;

The Point of Diversion is located
in the N¹/₂ NE ¹/₄ SW ¹/₄, Sec. 35... , Tp. 4 N., R. 4 W., B. M. Canyon 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 1.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	4 W.	35	SW ¹ / ₄ NE ¹ / ₄	40	40
			SE ¹ / ₄ NW ¹ / ₄	40	40
			NE ¹ / ₄ SW ¹ / ₄	10	10
			Number of Acres Actually Irrigated - -		90

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 October, 19 51.

(SEAL)

MARK R. KULP
State Reclamation Engineer

Nº 21723
98-2095

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 29431
PERMIT No. 21723
DISTRICT No.

J. B. Williams,
Spokane-International R.R.
Box 2147- Spokane, Wash.

1. Name of Applicant: SPOKANE-INTERNATIONAL RAILROAD

Postoffice address: Box 2147, Spokane

County: Spokane

State: Washington

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:

- (b) Treasury stock:
- (d) Other resources:

- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: 0.02

cubic feet per second.

3. Source of water supply: Fry Creek

which is a tributary of Kootenai River

4. Location of point of diversion: 2050

feet distant from the Northwest

corner of Section 19, T. 62 N., R. 2 E., B. M., and is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 19, T. 62 N., R. 2 E., B. M., County of Boundary

5. Water is to be used for, Domestic purposes by railroad employees.

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

(a) Point of use of water: 1900 feet distant from N. W. corner of Section 19
T. 62 N., R. 2 E., B. M., in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, T. 62 N., R. 2 E., B. M.

(b) Amount of power generated: None 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: \$ 850.00

8. Kind of works: Pump and pipe

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.

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

Diameter of pipe 1 $\frac{1}{4}$ inches; length of conduit miles.

Average grade per mile 100' head in 300 feet.

12. The time required for the completion of such work is Immediate years.

13. The time required for the complete application of the water to the proposed use is Immediate additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

16. (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 water of the State of Idaho as herein set forth.

SPOKANE-INTERNATIONAL R. R. *Applicant.*

By

J. B. Williams

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. September 28, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21723

Recorded in Book 78 Page 21723 Approved September 29, 1950

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 November 29, 1950 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 - -

The whole of said work to be completed on or before December 29, 1950

Beneficial use of water appropriated in accordance herewith, to be made on or before December 29, 1950

WITNESS My hand this 29th day of September, 1950

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 29th

day of September 19 50

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

REMARKS: A draw of about 15 to 30 gallons in a 5 or 10 second period is made by pump and supplies water sufficient that pump does not operate for considerable time. It is estimated employees will have total consumption of less than 1,000 gallons per day. Occasionally work equipment is stationed at this location and would draw up to 500 gallons per day.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
			Permit No. 21723 CERTIFICATE OF COMPLETION OF WORKS TO ALL WHOM IT MAY CONCERN: This is to certify that SPOKANE-INTERNATIONAL RAILROAD of Spokane, County of Spokane, and State of Washington, the holder of Permit No. 21723, issued upon Application No. 29431 bearing date of priority of September 28, 1950, authorizing the diversion of 0.02 second foot of the waters of Fry Creek, a tributary of Kootenai River, County of Boundary, State of Idaho, for domestic purposes of railroad employees, 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 0.02 second foot of the waters of Fry Creek; that the point of diversion of said waters is in the NE$\frac{1}{4}$ NW$\frac{1}{4}$ Section 19, Township 62 North, Range 2 East, B.M. and that the place of use of said water is the same legal subdivision. Witness my hand this 3rd day of November, A. D. 1950. Proof of Completion of Works made October 16, 1950. Certificate of Completion of Works issued November 3, 1950. MARK R. KULP State Reclamation Engineer																

LICENSE ISSUED FOR 0.02 SEC. FL₃
page 4838

July 28, 1971

Re: License No. 98-2095

Mr. August Barfuss
Route #1
Post Office Box #54
Priest River, Idaho 83856

Dear Mr. Barfuss:

With reference to your letter of June 28, 1971, please find enclosed a copy of License No. 98-2095, issued to Spokane International Railroad. We have no record of any rights-of-way or easements appurtenant to the conveyance system for your water right.

We hope that the enclosed information will offer some assistance and if you should have any further questions in the future, please feel free to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:cm

Enclosure

~~98 2095~~
98 2095

Idaho Dept of Water Admin.
Boise Idaho
Spokane International R.R.
was named Spring
N 1/2 13 SSN 4W
Blanner County

Pratt River Idaho
June 26 1971

21723

98-2095

Dear Sir

I am a Track Foreman on the Spokane International Railroad at Cay Idaho and I am writing you for information and possibly advise.

This Railroad has a pipe line from a spring to this Railroad house that I live in for about 50 years or more. I understand that the railroad has a "Water use" permit on this water and a deed for the pipe line (Hinch pipe 1/2 mile long) from the Humbird Lumber Company.

Now a man owns a small tract of land that joins the Railroad Right of way and the ~~pipe~~ pipe line lies under his land. He claims the railroad has no easement for this pipe line so therefore he has a right to all of the water in the pipe line and the Railroad has lost their right to ~~at~~ the water.

98-2095

2
Will you please advise me if you have
something on your records about this
water right or use permit ~~or~~

If not could you please advise me where
I can get information about this

the water and pipe line are located
on N $\frac{1}{2}$ SEC. 13 T55N R.4 W. BM.

Thanking you for any help you
can give me

Yours truly

August Barfuss

AUGUST BARFUSS
Route 1 - Box 54 - CO 3-3306
Priest River, Idaho 83856

✓
November 1, 1951

RE: Permit No. 21723

Spokane International Railroad
Box 2147
Spokane 1, Washington

ATT: Mr. J. F. Williams
Division Engineer

Dear Mr. Williams:

We enclose license and certificate of water right issued under Permit No. 21723, confirming the right of the Spokane International Railroad to the use of 0.02 second foot (or 1 inch) of water from Fry Creek, with priority of September 28, 1950, for domestic use at the railroad section house in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19, Township 62 North, Range 2 East, B.M.

We also enclose departmental receipt No. 23879 for the \$5.00 fee paid in connection with these proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21723

October 5, 1951

RE: Permit No. 21723

Spokane International Railroad Co.
Box 2147
Spokane 1, Washington

ATT: Mr. J. F. Williams
Division Engineer

Dear Mr. Williams:

We now have on file the report of our field engineer on examination for beneficial use under Permit No. 21723.

Therefore, upon receipt of the statutory fee of \$5.00 a license will be issued for .02 of a second foot of water from Fry Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21723

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21723

This proof is for Beneficial use

In Water District No.

1. Name of applicant Spokane International Railroad, J.B. Williams, Division Engineer,
Box 2147, Spokane, 1, Washington
2. Source of water supply: Fry Creek

2. Source of water supply: Fry Creek

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19

T. 62 N. R. 2 E. County of Boundary

4. Describe works as they exist, giving dimensions and capacities of same:.....

5. Water is used for: Domestic purposes.

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

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 other than irrigation):

Place of use: Railroad section house in NE¹/₄ NW¹/₄ Section 19, Twp. 62 North,
Range 2 East, B. M.

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

8. What large stream would the water here appropriated finally reach?.....

Remarks: _____

This examination was made on the 28 day of August, 1957

(Signed) E. M. Humphrey Examiner.

21723

Spokane International Railroad
J.B. Williams, Division Engineer
Spokane, Washington
Permit No. 21723

Examination for Beneficial use

County Boundary

627-25
19

Q-222

P. D. = 2050 from NW cor. of 1.19

F 62N. R. 2E. a-1

in $N\bar{L}$, NW , $S19$, $TL2$, $R2$

ingress = die in, for H.R. English p. 1.

Pumps approx. 15-30 gal. - 5 H.R.

Est. res. - less than 100 gal per bar.

$$\begin{array}{r} 100 \\ 20 \\ \hline 120 \end{array}$$

$2 - \frac{1}{2}$ " Outlet in Alameda Park

1-3/4	"	at bank house.
1-3/4	"	"
1-3/4	"	"

hot & cold water in house.

20" x 10" Tank in house.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

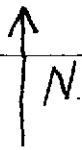
REPORT OF ENGINEER

PERMIT NO. 21723 _____

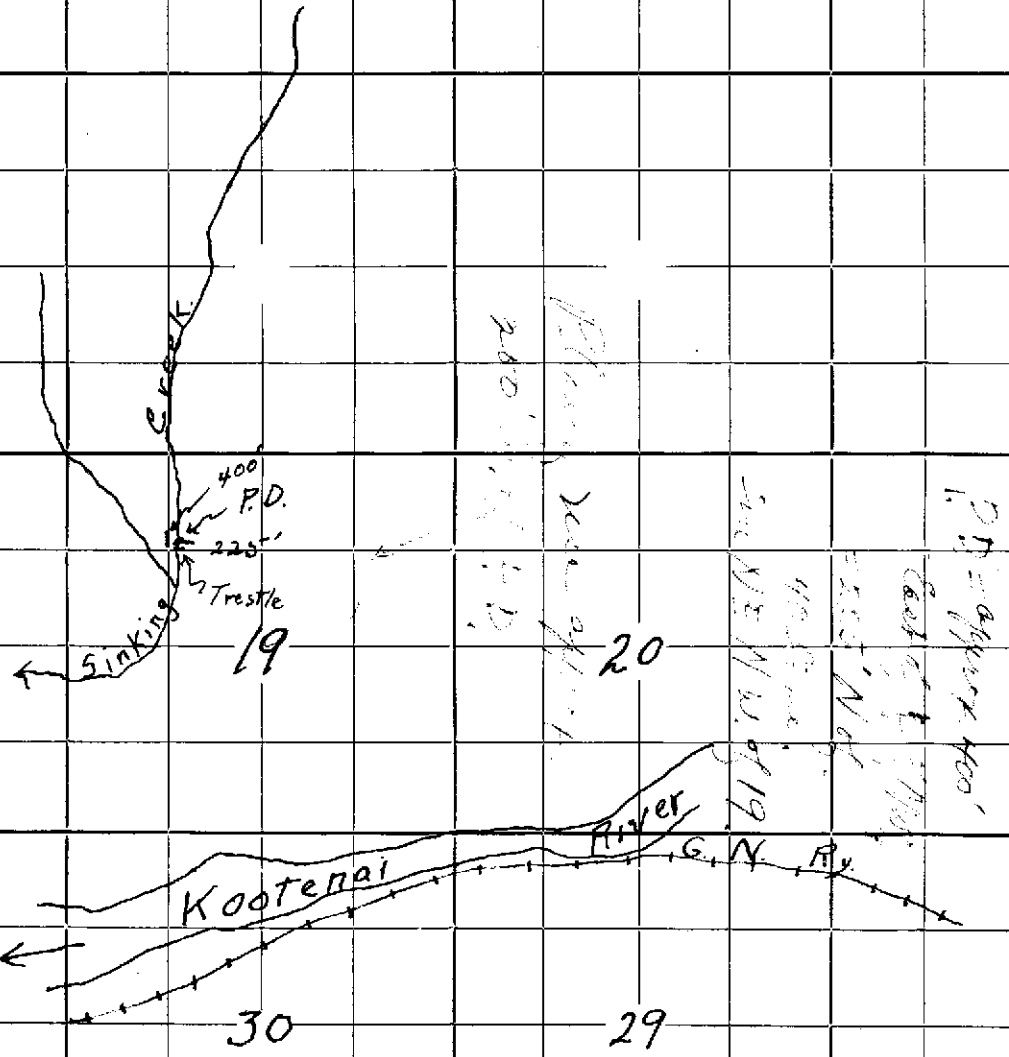
REPORT ON PROOF OF Beneficial use _____

.02 of
must

0.02



Twp 62 N. R. 2 E



Permit No. 21723

4. This work consists of a small pressure pump electrically operated, located in a frost proof pump-house, over a sump immediately along side the stream on the West or South bank of same a short distance above the trestle of the Spokane International Railroad, ^{across the trestle} A 3 $\frac{1}{2}$ inch pipe with a screen over the end, leads from the up-stream side into a sump, under the pump-house and an overflow of the same size leads back into the stream. The pump-house is 6 feet by 4 feet by 53 inches high on the inside. There are insulated walls packed with sawdust. This house is 36 feet up-stream from the trestle footing and 8 feet from the West bank of the stream. The sump is concrete pipe, 30 inches in diameter, and 8 feet dept. The pump is a Fairbanks Morse No. 1150-T. It is a centrifugal type with 1 $\frac{1}{2}$ " intake and 1 $\frac{1}{4}$ " outlet. It is operated at 80 Lbs. pressure. It can throw 100 gal. per hour under a maximum of 125 lbs. The motor is a Wagner electric, 1 $\frac{1}{2}$ H.P., 7950 ~~r.p.m.~~ r.p.m. 60 cycle, single phase, 110 Volts, 19.2 amps. or 220 Volts at 9.6 amps. Motor No. B 647 M 180. The water lift is approximately 95 feet and pressure is 80 Lbs in the pump-house. The pressure in the tanks in the house ^{at top of lift} is 50 lbs. 450 feet of 1 $\frac{1}{4}$ inch diameter pipe from the pump-house to the place of use. There are 2, $\frac{1}{2}$ inch outlets in the Section house. 2, 3/4 inch outlets in the section house delivering both hot and cold water in the house ^{and} The water ^{tank} ~~is~~ 20 inches in diameter ^{Frame Two} by 5 feet tall. The fine sand used normally in the sump, required cleaning approximately 4 times a year. There are two light bulbs used to heat the pump-house in the winter time. The trestle height was measured as 91 $\frac{1}{2}$ feet. Point of diversion is in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 9.

21723

SPOKANE INTERNATIONAL RAILROAD CO.
ENGINEERING AND RIGHT OF WAY DEPARTMENT

BOX 2147

SPOKANE 1, WASHINGTON

August 17, 1951

RECEIVED
AUG 20 1951
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Attention: Mr. E. N. Humphrey,
Deputy State Reclamation Engineer

Dear Sir:

Your plan to visit the site of the facilities installed under Permit No. 21723 on August 28th is suitable to us, and we can arrange to have our Section Foreman meet you there that day. He is familiar with the pumping station and the pipe line required to bring the water to the point of use.

Unless I hear from you further, I will ask him to meet you between 11:00 and 12:00 a.m., and if possible I will try to be there too. You can reach this place by taking the farm road along the west side of the diking district No. 2 to a point about 3 miles north of Bonners Ferry, where you come to Fry Creek. The railroad trestle can be seen from the road, and the pumping facilities are at the bottom of the trestle. The Section House is at the top of the trestle, and is the point where the water is used.

Yours very truly,


Division Engineer

21723

SPOKANE INTERNATIONAL RAILROAD CO.
ENGINEERING AND RIGHT OF WAY DEPARTMENT

BOX 2147

SPOKANE 1, WASHINGTON

August 14, 1951

RECEIVED
AUG 16 1951

Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

It has been quite a while since you wrote me regarding Water Permit No. 21723. Last December 23 you wrote that final disposition could not be made of the matter until a field engineer had made an inspection of the water site. Perhaps he has made an inspection already, and I failed to receive the notice.

Can you look into this, and advise whether we have had a Permit granted, and whether it has been registered or filed? If the engineer has not yet made an examination, I can arrange to have someone meet him at anytime on the site so that he can see the facilities we have installed.

Yours very truly,

J. Williams
Division Engineer

21723

August 15, 1951

Re: Permit No. 21723

Spokane International Railroad
J. B. Williams, Division Engineer
Spokane, Washington

Gentlemen:

I intend to be in North Idaho on regular inspections during the week of August 27. I intend to make inspection in relation to your Permit No. 21723 on Tuesday, August 28.

I will need someone representing your Company that is familiar with all the details regarding this Permit to accompany me on the inspection.

Please advise me as to time and place for meeting a representative of your Company. If I do not hear from you before leaving Boise on Friday, August 24, I will expect to drive to the place of use referred to in this Permit.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

KNH:bb

21723

December 23, 1950

Re: Permit No. 21723

Mr. J. B. Williams, Division Engineer
Spokane International Railroad Co.
Box 2147
Spokane 1, Washington

Dear Mr. Williams:

We acknowledge receipt of your letter of December 20, 1950, enclosing depositions of yourself and two witnesses, also Affidavit of Publication in the Bonners Ferry Herald, all in Proof of Beneficial Use under Permit No. 21723.

Before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We cannot say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, he will try to contact you or someone on the premises at the time the examination is made, so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

21723

SPOKANE INTERNATIONAL RAILROAD CO.

ENGINEERING AND RIGHT OF WAY DEPARTMENT

BOX 2147

SPOKANE 1, WASHINGTON

December 20, 1950

RECEIVED
DEC 22 1950
Department of Reclamation

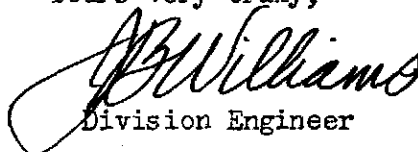
Mr. Mark R. Kulp
State Reclamation Engineer
Boise, Idaho

Dear Mr. Kulp:

Enclosed are the forms for Proof of Application to Beneficial Use in connection with the filing for water rights on Fry Creek, Boundary County, Idaho. These are fully executed before Mr. McNally, Notary Public, and should complete the information you require for the granting of a water right.

Also enclosed is an Affidavit of Publication by the Bonners Ferry Herald for the notice required to be published in their paper.

Yours very truly,


Division Engineer

21723

NOTICE OF PROOF APPLICATION TO BENEFICIAL USE

Notice is hereby given that at 1:30 P. M. on the 15th day of December, 1950, at Bonners Ferry, County of Boundary, State of Idaho, before J. H. McNally, Notary Public, proof will be submitted of the application to beneficial use of 0.02 cubic foot per second of the waters of Fry Creek in accordance with the terms and conditions of Permit No. 21723 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Spokane International Railroad Company, Box 2147, Spokane, Washington.

The place where said water is used at Railroad Section house, Fry Creek, Idaho, in NE 1/4 NW 1/4 of Section 19, Township 62 North, Range 2 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is pipe line.

The right to take water from such works is based upon Permit No. 21723.

The source of supply from which water is diverted is Fry Creek.

The date of priority which said user is prepared to establish is September 28, 1950.

MARK R. KULP,
State Reclamation Engineer.

First publication Oct. 26, 1950.

Last publication Nov. 16, 1950.

Affidavit of Publication

STATE OF IDAHO }
County of Boundary } ss.

R. L. Myers

being first duly sworn upon his oath, deposes and says: That he is the

co-publisher

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

hereto attached notice; that the advertisement of

State Reclamation Engineer

a Notice of Proof Application to Beneficial Use

Notice for Publication, a printed copy of which is attached hereto was published in said newspaper and not in a supplement thereof for four consecutive issues, commencing with the issue dated Oct. 26

1950, and ending with the issue dated Nov. 16, 1950.

R. L. Myers
Co-Publisher
Bonners Ferry, Idaho

Subscribed and sworn to before me this 18 day of

December, 1950

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

residing at Bonners Ferry, Idaho
My Commission Expires Aug. 10, 1951

21723

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21723

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. J. B. Williams, Opportunity, Wash., Division Engineer & R.W. Agent
of Spokane International Railroad, P. O. Box 2147, Spokane, Wash.

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. Spokane International R. R., Spokane, Wash. Div Engineer & R.W. Agent.

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

Ans. 21723, Sept. 29, 1950, priority date Sept. 28, 1950

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

Ans. Fry Creek, 2050 ft. from N.W. corner of Sec. 19, T62N, R2E, B1M
in the NE 1/4 of NW 1/4 of said section.

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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Works consist of electric motor driven pump and 1 1/2" pipe
line 300 ft. long. Pump discharges 20 gallons per
minute. This measured at faucet in house.

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 by railroad employees and small
amounts for railroad work equipment. At section laborers
dwellings 300 ft. from point of diversion.

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

Ans. Domestic use in dwelling and for small garden. Small amount for steam pile driver and work crews.

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

Ans. _____

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. _____

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

Ans. Daily by station laborers and families according to their needs for domestic purposes.

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) James B. Williams

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 Barnes Ferry County of Barnes, State of Idaho, on this 15 day of December A. D. 1950,

My commission expires August 1, 1957

J. M. Mally

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21723

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. Richard O. Morris, 23, Bonanza Ferry, Idaho.
Section Laborer. Rural Route 1 Fry Creek

Ques. 2. Are you acquainted with J. B. Williams, the holder of Permit No. 21723? How long have you known him and where does he reside?

Ans. Yes, 2 years, Opportunity, Washington

Ques. 3. Have you read or heard read said Permit No. 21723, 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. Fry Creek, 2050 ft from N.W. Corner of Sec. 19,
T62N R2E B.M. in the NE 1/4 of NW 1/4 of said section
Pump & Pipe line of 300'

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. 0.04 cu. ft. per sec.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 20 gallons per minute with pail at
Faucet.

Ques. 7. 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. Household use + Fuel Used Equipment

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None

Ques. 9. (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. None

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I am living in house where water is used.

Ques. 11. 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. Daily by Section man + my family

(Signed) Richard O. Morris

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 Bonner County

County of Bonner, State of Idaho, on this 15 day of December, A. D. 1950

Wm. Nally
Notary Public.

My commission expires August 1, 1951

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21723

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. Allen Kellar age 34 Bonanza Ferry Idaho P.O. Box 151
Section Foreman for Spokane Int. Co. Id.

Ques. 2. Are you acquainted with J. B. Williams, the holder of Permit No. 21723? How long have you known him and where does he reside?

Ans. yes 10 years opportunity Wash.

Ques. 3. Have you read or heard read said Permit No. 21723, 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. Fry Creek 2050 ft. from N.W. corner of Sec. 19, T62N, R28M
in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said section
a Pump and 300 ft. Pipe line

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. 0.04 sec. ft.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 20 gal. Per min. with a Pail at Faucet

Ques. 7. 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. Household use & Rail Road Equipment

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. None

Ques. 9. (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. None

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I am living in section house where water is used

Ques. 11. 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. Daily by section men and my family

(Signed) Allen Kellar

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 Bonanza Ferry, County of Bonanza, State of Idaho, on this 15 day of December A. D. 1950.

J. Ann Nally
Notary Public.

My commission expires August 1, 1951

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, December 5, 1950

Re: Permit No. 21723
Spokane International Railroad

Mr. J. H. McNally
Notary Public
Bonners Ferry, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 21723.....

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 rights:

1. On.....~~December 15, 1950~~....., the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at.....
~~Bonners Ferry, Idaho~~..... before J. H. McNally, Notary Public.....

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

.....
MARK R. KULP
Commissioner of Reclamation
State Reclamation Engineer

21723

✓
November 6, 1950

Re: Permit No. 21723

Mr. J. B. Williams, Division Engineer
Spokane International Railroad Co.
Box 2147
Spokane 1, Washington

Dear Mr. Williams:

We enclose Certificate of Completion of Works issued under Permit No. 21723 of the Spokane International Railroad Company for the diversion of 0.02 second foot of water from Fry Creek, with point of diversion in the NE¹/₄ NW¹/₄ Section 19, Township 62 North, Range 2 East, B.M. for domestic use by the railroad employees.

We also enclose Departmental Receipt No. 22745 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

21723

November 2, 1950

Re: Permit No. 21723

Mr. J. B. Williams, Division Engineer
Spokane International Railroad Co.
Box 2147
Spokane 1, Washington

Dear Mr. Williams:

We acknowledge receipt of your letter of October 16, 1950, enclosing Proof of Completion of Works under Permit No. 21723, accompanied by your check for the \$5.00 fee, and Certificate of Completion of Works will be issued and sent you within a few days.

We enclose necessary forms for making Proof of Beneficial Use, consisting of a deposition for the Permit Holder and one for each of two witnesses. These should be executed before Mr. McNally, the Notary Public, and returned to this Department, together with the Affidavit of Publication which the Bonners Ferry Herald has been instructed to send you.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

21723

The Bonners Ferry Herald

PUBLISHERS AND COMMERCIAL PRINTERS

Bonners Ferry, Idaho

October 20, 1950

Department of Reclamation
Boise, Idaho

Gentlemen:

This will acknowledge receipt of notice for publication for the applicant, Spokane International Railroad Co., which is to be run four times. The first publication will be in our issue of Oct. 26 and a copy will be furnished your office.

Yours very truly,

BONNERS FERRY HERALD

Richard L. Myers

Co-Publisher

RECEIVED
OCT 24 1950
U.S. DEPT. OF RECLAMATION
BOISE, IDAHO



PUBLISHED EVERY THURSDAY

21723
COMPLETE NEWSPAPER COVERAGE OF BOUNDARY COUNTY

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **October 18, 1950**

**Bonnars Ferry Herald
Bonnars Ferry, Idaho**

Gentlemen:

Enclosed you will find notice for publication once
a week for four consecutive weeks prior to **December 15, 1950**
the date set for proof, the expense of the publication to be
paid by the applicant, **Railroad Co.**
Spokane International/ ^{of} **Spokane,**
Washington, to whom you should furnish proof of publication on
or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish
this office with a copy of the first publication.

Very truly yours,

MARR R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Supervisor of Water Distribution

21723

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

P. M.

Notice is hereby given that at 1:30 ~~noon~~ on the 15th day of December, 1950
at Bonniers Ferry, County of Boundary, State of Idaho, before
J. H. McNally, Notary Public, proof will be submitted of the
application to beneficial use of 0.02 cubic ^{foot} ~~foot~~ per second of the waters of Fry Creek
in accordance with the terms and conditions of Permit No. 21723
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are
Spokane International Railroad Company, Box 2117, Spokane, Washington

The use to which said water has been applied is Domestic

The amount applied to beneficial use is 0.02 cubic foot per second

The place where said water is used ~~(if for irrigation give full and accurate description of the~~
~~lands irrigated)~~ at Railroad Section house, Fry Creek, Idaho, in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19,
Township 62 North, Range 2 East, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is pipe line

The right to take water from such works is based upon Permit No. 21723

The source of supply from which such water is diverted is Fry Creek

The date of priority which said user is prepared to establish is September 28, 1950

MARK R. KULP

State Reclamation Engineer.

21723

SPOKANE INTERNATIONAL RAILROAD Co.

ENGINEERING AND RIGHT OF WAY DEPARTMENT

BOX 2147

SPOKANE 1, WASHINGTON

October 16, 1950

Mr. Mark R. Kulp
State Reclamation Engineer
State of Idaho
Boise, Idaho

Dear Mr. Kulp:

Enclosed are the papers and check for \$5.00 in connection with our Application for Water Rights on Fry Creek, Boundary County, Idaho. This is according to the instructions in your last letter dated October 5, 1950. I have arranged to furnish the Proof of Beneficial Use on December 15, at 1:30 p.m. in Bonners Ferry before Mr. J. H. McNally, who is in the local bank there. Can you please furnish the forms for this, if there are any, or let me know what form is necessary to sign?

Yours very truly,


Division Engineer

21723

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) October 11, 1950

(P. O.) Box 2147 Spokane, Washington

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Bonnars Ferry Herald of Bonnars Ferry, Idaho published in
the county in which the works are situated.

SPOKANE INTERNATIONAL RAILROAD COMPANY

By A. B. Williams

(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.

21723

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 1:30 P.M. on the 15th day of December, 1950,
at Bonnara Ferry, County of Boundary, State of Idaho, before
J. H. Mc Hally, Notary Public, proof will be submitted of the
application to beneficial use of 0.02 cubic feet per second of the waters of Fry
Creek in accordance with the terms and conditions of Permit No. 21723
heretofore issued by the _____ of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____
SPOKANE INTERNATIONAL RAILROAD COMPANY, Box 2147, Spokane, Wash

The use to which said water has been applied is Domestic

The amount applied to beneficial use is 0.02 cu. ft. per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) at Railroad Section house, Fry Creek, Idaho,
in N.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of Sec. 19, T. 62 N., R. 2 E. B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is pipe line

The right to take water from such works is based upon Permit No. 21723

The source of supply from which such water is diverted is Fry Creek

The date of priority which said user is prepared to establish is October 16, 1950

State Reclamation Engineer.

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 1:30 P.M. on the 15th day of December, 1950,
at Bonners Ferry, County of Boundary, State of Idaho, before
J. H. McNally, Notary Public, proof will be submitted of the
application to beneficial use of 0.02 cubic feet per second of the waters of Fry
Creek in accordance with the terms and conditions of Permit No. 21723
heretofore issued by the _____ of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are _____
SPOKANE INTERNATIONAL RAILROAD COMPANY, Box 2147, Spokane, Washington

The use to which said water has been applied is Domestic

The amount applied to beneficial use is 0.02 cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) at Railroad Section house, Fry Creek, Idaho,
in N.E. $\frac{1}{4}$ of N.W. $\frac{1}{4}$ of Sec. 19, T. 62N, R. 2E, B.M.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is pipe line

The right to take water from such works is based upon Permit No. 21723

The source of supply from which such water is diverted is Fry Creek

The date of priority which said user is prepared to establish is Sept. 28 - 1950
October 16, 1950

State Reclamation Engineer.

21723

Permit No. 21723

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

WASHINGTON
~~STATE OF IDAHO~~

County of SPOKANE

SS.

J. B. WILLIAMS (For Spokane International Railroad), 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. 21723, and that his postoffice address is Box 2147, Spokane, Wash. State of WASHINGTON.

Second: That the name of the stream which said water is to be directed is Fry Creek

Third: That the point of diversion of said water is in the NE 1/4 of the NW 1/4 of Section 19, T62N, R2E, B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 29, 1950.

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

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: Electric driven pump and pipe line
(Reservoir, dam, ditch, flume, pipe or otherwise)

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 _____
(State whether ditch, flume or pipe)

feet, depth of water _____ feet; diameter of pipe 1 1/4 inches, average grade per mile is 1700 feet. Length of conduit is 1/20 miles.

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

Eighth: That water appropriated under said permit is available for _____
acres of land described as follows: domestic water for household use by railroad employees

Ninth: Remarks: That From time to time small quantities of water are required for work equipment on the railroad.

SPOKANE INTERNATIONAL RAILROAD COMPANY

By James B. Williams
(Sign Here)

Subscribed and sworn to before me this 16th day of October, 1950

My commission expires Jan 27, 1954

A. R. Beckman
Notary Public.

October 5, 1950

Mr. J. B. Williams, Division Engineer,
Spokane-International Railroad
Box 2147, Spokane, Washington

Dear Mr. Williams:

We enclose Permit No. 21723 in the name of the Spokane-International Railroad, together with Departmental Receipt No. 22696 for the \$5.00 filing fee.

Since the application states that the work is to be completed immediately, we have allowed three months, or until December 29, 1950, within which to make the statutory proofs required to complete the water right.

The first proof, or proof of completion of works, should be made on Form 6, enclosed, executed before a Notary Public, and returned to this Department with the statutory fee of \$5.00.

The statutes require publication of a notice in a county newspaper for four consecutive weeks prior to making proof of beneficial use. This notice should be made in duplicate on Form 10, setting time and place, and naming the Notary Public before whom the proof is to be made. The time, of course, should be set sufficiently far ahead to allow for the four weeks publication.

Both copies of Form 10 to be returned to this Department, together with Form 11, which is your authorization for us to have the notice published at your expense in the designated newspaper. We shall then send a copy of the notice to the newspaper, with instructions in regard to publishing.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

21723

NAME OF APPLICANT.....

Form No. 0

21723
94723

As Approved
SEP 29 1950
MARK R. KULP
State Reclamation Engineer

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

SPOKANE INTERNATIONAL RAILROAD CO.
ENGINEERING AND RIGHT OF WAY DEPARTMENT

BOX 2147

SPOKANE 1, WASHINGTON

September 26, 1950

RECEIVED
SEP 28 1950
9 AM
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State of Idaho
Boise, Idaho

Dear Mr. Kulp:

Enclosed is our application for the use of water for domestic purposes from Fry Creek, near Bonners Ferry, Idaho. It would have been considerable trouble for me to get the information about capitalization and resources of our company, and I thought that it was probably not necessary in this case, since the full record of this corporation is open to the authorities of the State of Idaho at all times. Our installation consists of only a small pump and short pipe line, and could scarcely make an impression on the flow of Fry Creek at most any time of the year.

We hope that this is all the information you need, and that the State of Idaho will be able to grant us the use of this water.

Yours very truly,

W. Williams
Division Engineer

21723

August 16, 1950

Mr. J. B. Williams, Division Engineer
Spokane International Railroad Co.
Box 2147
Spokane 1, Washington

Dear Mr. Williams:

We are sending forms for application for permit to appropriate public water.

The general claim for such purposes is .02 cubic foot per second (1 miners inch, or 9 gallons per minute) which would amount to 12,960 gallons per day.

The withdrawal of 50 gallons in a 5 second period would be several times the rate of the suggested appropriation but probably would not interfere with any other rights on the stream and would not be objected to.

The data in your letter could be included in the application under "Remarks" on page three.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

MRK:bn
Enc.

21723

August 15, 1950

RECEIVED
AUG 16 1950

Dept of Reclamation

Mr. J. B. Williams, Division Engineer
Spokane International Railroad Company
Box 2147
Spokane 1, Washington

Dear Sir:

We are referring your letter of August 10 1950 to State Reclamation Engineer, Mark R. Kulp. Any application for water rights in Idaho must be filed in his office and I am sure you will hear from him within a reasonable time.

Very truly yours,

EDWARD WOZLEY
State Land Commissioner

EW:mh:p
cc - Mark R. Kulp

21723

SPOKANE INTERNATIONAL RAILROAD CO.
ENGINEERING AND RIGHT OF WAY DEPARTMENT

BOX 2147

SPOKANE 1, WASHINGTON

August 10, 1950

Idaho State Land Department
Boise, Idaho

Gentlemen:

Can you please advise us whether we can obtain water rights for a small part of the flow of Fry Creek, located about three miles north of Bonners Ferry, Idaho. The water is to be used for domestic purposes for a railroad Section Foreman's dwelling (the house is owned by the railroad), and at rather infrequent intervals for fire protection or water for work equipment.

We would like to draw about 1000 gallons per minute (2 sec. ft.) for periods of duration about 5 sec. long (50 gal. per pumping period), and for the majority of the year this would only occur often enough to maintain a domestic water supply for two families. Work equipment would require up to 500 gallons per day.

Please let me know what we should do in the way of preparing an application for such water rights.

Yours very truly,

J. Williams
Division Engineer



10-26-50

reason against such a change of name.

WITNESS my hand and seal of said District Court this 9th day of October, 1950.

OWEN CRITCHFIELD,
Clerk of the District Court.

(SEAL)

Watt E. Prather
Attorney for Petitioner
Residence and P. O. Address
Bonners Ferry, Idaho.

First Publication Oct. 12, 1950.

Last Publication Nov. 2, 1950.

10-26-50
NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION TO BENEFICIAL USE

Notice is hereby given that at 1:30 P. M. on the 15th day of December, 1950, at Bonners Ferry, County of Boundary, State of Idaho, before J. H. McNally, Notary Public, proof will be submitted of the application to beneficial use of 0.02 cubic foot per second of the waters of Fry Creek in accordance with the terms and conditions of Permit No. 21723 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Spokane International Railroad Company, Box 2147, Spokane, Washington.

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

The amount applied to beneficial use is 0.02 cubic foot per second.

The place where said water is used at Railroad Section house, Fry Creek, Idaho, in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 19, Township 62 North, Range 2 East, B. M.

The name of the canal or ditch or other works by which said water is conducted to such place of use is pipe line.

The right to take water from such works is based upon Permit No. 21723.

The source of supply from which water is diverted is Fry Creek.

The date of priority which said user is prepared to establish is September 28, 1950.

MARK R. KULP,

State Reclamation Engineer.

First publication Oct. 26, 1950.

Last publication Nov. 16, 1950.