

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-11-2010 BY 60322 UCBAW

Boundary County, State of Idaho, described as follows:

THE WESTERN CHARTER OF NORTHERN OIL CO. (INC.)
NEW YORK, N. Y. 10017; 1958: TWO VOLUMES. 100 PAGES.
\$2.50 PER VOLUME. \$5.00 PER SET. \$10.00 PER SET.

780300

IDAHO
Boundary
SS

Boards and Shingles Co

30. day of Apr 1959 at 401
P.M., and recorded in Book 31
Alameda on page 307.

Meinhardt
Campy Records

Deputy

50

100

March 12, 1949

Re: Permit No. 19482

Mrs. Burton Wetters
Star Route 1
Bonners Ferry, Idaho

Dear Mrs. Wetters:

We have placed on file the depositions of yourself and two witnesses; also Affidavit of Publication in the Bonners Ferry Herald, all in Proof of Beneficial Use under your Permit No. 19482.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination, in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

19482

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

Notice is hereby given that at 2:00 P. M. on the 2nd day of March, 1949, at Bonners Ferry, county of Boundary, State of Idaho, before Wm. E. Rath, Probate Judge, proof will be submitted of the application to beneficial use of 0.10 cubic feet per second of the waters of spring in accordance with the terms and conditions of Permit No. 19482 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 Mrs. Burton Watters, Bonners Ferry, Star Route 1.

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

The amount applied to beneficial use is 5 inches or 0.10 cubic feet per second.

The place where said water is used NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 64 North, Range 1 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.

The right to take water from such works is based upon Permit No. 19482.

The source of supply from which such water is diverted is Spring, tributary of Brush Creek, in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, Twp. 64 N.. Range 1 E. B. M.

The date of priority which said user is prepared to establish is December 24, 1943.

MARK R. KULP,
State Reclamation Engineer.
First publication Jan. 27, 1949.
Last publication Feb. 17, 1949.

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 of Water
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 Jan. 27
1949, and ending with the issue dated Feb. 17, 1949

R. L. Myers

Co-Publisher
Foreman

Subscribed and sworn to before me this 21 day of

Feb.

1949

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 19482

Date: January 17, 1949

Bonnors Ferry Herald

Bonnors Ferry, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 2, 1949** the date set for proof, the expense of the publication to be paid by the applicant, **Mrs. Burton Watters** of **Dtar Route 1, Bonnors Ferry, Idaho** 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, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

19482

Permit No. 26954STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO
County of Boundary } ss.Mrs. Burton Watters

being first duly sworn, upon his oath deposes and says:

First: That ^{she} he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 26954/19482, and that his postoffice address is Star Route No. 1, Bonners Ferry, Idaho State of Idaho

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

Granite Rock Spring, a tributary of Brush CreekThird: That the point of diversion of said water is 1520 feet E. & 620 Feet So. from N 1/4 NE 1, Sec. 28, Twp. 64N., Range 1 EB.M. County of BoundaryFourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 22nd, 19 47Fifth: That the use for which said water is intended is for Domestic purposesSixth: That on the date above mentioned, the works constructed under said permit were ~~(SIX WORKS)~~ fully completed and consisted of the following:I. Kind of works: Steel Tank Reservoir

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: 6 barrell steel tank(a) Height of dam none feet, length of dam at top none feet, length of dam at bottom none feet. Material used in constructionSteel tank as above stated

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 6 barrell acre feet(c) Size of headgate: Width None feet, height none feet.(d) Conduit one inch width at bottom same feet, width at water line Same

(State whether ditch, flume or pipe)

feet, depth of water _____ feet; diameter of pipe one inches, average grade per mile is 27 feet. Length of conduit is 850 feet mks.Seventh: That said works are capable of conducting to the place of intended use .10 second feet of water.Eighth: That water appropriated under said permit is available for none acres of land described as follows: For domestic PurposesNinth: Remarks: That Said Spring is located on National Forest and a permit was granted March 16th-1944 to transmit water across said NE 1/4 NE 1/4 Sec 28, Twp. 64N. Range 1 E. to adjoining land of permit holder in NW 1/4 NE 1/4.Mrs. Burton Watters
(Sign here)Subscribed and sworn to before me this 17th day of January, 19 47W. D. BaylessMy commission expires Jan. 6th-1949

Notary Public.

19482

SEC 28

1 T&NRIE
+ 15202 U.S. Forestry
62050

Permit Map No. 19482

As Approved
MAR 22 1944JAMES SPOFFORD
State Reclamation Engineer

5. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State of Idaho, as well as the laws of the United States.

6. The permittee shall pay the United States for any damage to its property resulting from this use.

7. The permittee shall fully repair all damage, other than ordinary wear and tear, to roads and trails in the National Forests caused by the permittee in the exercise of the privilege granted by this permit.

8. Construction work (or occupancy and use) under this permit shall begin within 6 months, be completed within 1 years from the date of the permit, and this use shall be actually exercised at least 200 days each year, unless the time is extended or shortened.

9. In case of change of address, permittee shall immediately notify the Forest Supervisor.

10. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees for like privileges. A general readjustment will be made at the end of five years from the date of issuance of permit and at the end of each five-year period thereafter.

11. No National Forest timber may be cut or destroyed without first obtaining a permit from the Forest Supervisor.

12. Upon the abandonment, termination, or revocation of this permit, and in the absence of an agreement to the contrary, the permittee, if all the rental charges due the Government have been paid, may, within a reasonable period to be determined by the issuing officer, remove all structures which have been placed on the premises by him, except where the material was furnished by the Forest Service, but upon failure to remove the structures within that period they shall become the property of the United States.

13. This permit may be transferred with the approval of the officer by whom it was given or his successor, subject to such conditions as may be imposed at the time of transfer. It shall terminate upon breach of any of the conditions herein or at the discretion of the Regional Forester or the Forester.

14. The permittee shall provide, whenever requested by the Forest officers, a way across the land covered by this permit for the free ingress or egress of Forest officers and for users of National Forest land and purchasers of National Forest products.

15. ~~This permit confers no rights upon the permittee to use of the water involved.~~
(Special stipulations necessary)

16. ~~This permit is limited in area to the width along the conduit actually used or needed.~~

17. ~~Fencing of the area will be allowed at the discretion of the District Forest Ranger on the Bonners Ferry Ranger District.~~

18. ~~All debris resulting from necessary clearing for laying of pipe to be piled and burned as directed by the District Forest Ranger.~~

March 16, 1944

(Date)

ROY A. PHILLIPS

(Signature of officer issuing permit)

Forest Supervisor

(Title)

State of Idaho
License and Certificate of Water Right

Water License No. 19482
Water District No.

Amount 0.04 second foot
Priority December 24, 1943

THIS IS TO CERTIFY that MRS. BURTON WATTERS
of Star Route 1, Bonners Ferry, Ida. made application for a permit to appropriate the
public waters of the State of Idaho, dated December 24, 19 43 ; that Permit No. 19482
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.1 second feet, was issued thereunder on January 31, 19 47, showing that said works
were completed on the 17th day of January, 19 47 ; and that on the 2nd
day of March, 19 49 ,

MRS. BURTON WATTERS
of Bonners Ferry, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a spring, tributary
to Brush Creek, for the purpose of domestic use
, under Use Permit No. 19482 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 4592, on the 5th day of May, 19 50 ;
The right hereby confirmed dates from December 24, 19 43 ;

The Point of Diversion is located
in the NE 1/4 NE 1/4, Sec. 28, Tp. 64 N., R. 1 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 0.04 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
NW 1/4	NE 1/4	Section 28	Township 64 North, Range 1 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
5th day of May, 1950 .

MARK R. KULP
State Reclamation Engineer

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 18581

Amount 0.85 second foot

Water District No.

Priority January 14, 1938

THIS IS TO CERTIFY that LEON CHOUINARD
of Route 1, Sandpoint, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 14, 1938; that Permit No. 18581
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.3 second feet, was issued thereunder on February 12, 1943, showing that said works
were completed on the 25th day of January, 1943; and that on the 27th
day of January, 1949,
LEON CHOUINARD
of Sandpoint, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Turnip Seed
Creek, a tributary of _____, for the purpose of Irrigation and domestic
use, under Use Permit No. 18581 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 4591, on the 5th day of May, 1950;
The right hereby confirmed dates from January 14, 1938;
The Point of Diversion is located in the SW 1/4 NE 1/4 and SE 1/4 NE 1/4
in the _____ Sec. 18, Tp. 57 N., R. 2 W., B. M. Bonner 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 0.85 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
57 N.	2 W.	18	SW 1/4 NE 1/4	10	4
			SE 1/4 NE 1/4	30	18
			NE 1/4 SE 1/4	20	20
			Number of Acres Actually Irrigated -		42

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
5th day of May, 1950.

MARK R. KULP
State Reclamation Engineer

(SEAL)

No. 19482

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

98-2063

Joe Vernon
Bonners Ferry, IdahoApplication No. 26954
Permit No. 19482
District No.

1. Name of Applicant: MRS. BURTON WATERS

Postoffice address: Bonners Ferry County: Boundary State: Idaho

I. If applicant is a corporation, give:

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

II. The financial resources of the applicant are:

- (a) Cash on hand: \$200.00
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: Five inches or 0.1 cubic feet per second.

3. Source of water supply: A spring which is a tributary of Brush Creek

4. Location of point of diversion: 1520 ft. E. and 620 ft. So. feet distant from the N $\frac{1}{4}$ corner of Section 28, T. 64 N., R. 1 E., B. M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T. 64 N., R. 1 E., B. M., County of Boundary

5. Water is to be used for Domestic purposes on the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 28, Twp. 64 N., Range 1 E., B.M.

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

- (a) Point of use of water: feet distant from corner of Section T., R., B. M., in the of Section, T., R., B. M.
- (b) Amount of power generated: H. P., under feet head.
- (c) Water is to be returned to at a point feet distant from the corner of Section, T., R., B. M., in the of Section, T., R., B. M.

7. Estimated cost of works: \$ 100.00

8. Kind of works: 1 $\frac{1}{2}$ in. 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 inches; length of conduit 700 ft. miles.

Average grade per mile feet.

12. The time required for the completion of such work is Three (3) years.

13. The time required for the complete application of the water to the proposed use is Two (2) additional years.

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

15. (a) Is reservoir to be used? If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

MRS. BURTON WATERS *Applicant.*

By Joe Vernon Agent.

Date of first receipt at Department of Reclamation: 11:15 A. M. December 24, 1943

Returned to applicant for correction: December 27, 1943

Corrected application received: March 20, 1944

Approval of State Reclamation Engineer

The number of this permit is 19482
Recorded in Book 70 Page 19482 Approved March 22, 1944
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 May 22, 1944 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 September 22, 1945
The whole of said work to be completed on or before March 22, 1947
Beneficial use of water appropriated in accordance herewith, to be made on or before March 22, 1949

Witness my hand this 22nd day of March, 1944

JAMES SPOFFORD
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. BOTTOLFSSEN, Governor of the State of Idaho,
and GEO. H. CURTIS, 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 22nd
day of March, 19 44 STATE OF IDAHO
Countersigned:

(SEAL) By GEO. H. CURTIS *Secretary of State.* By C. A. BOTTOLFSEN *Governor*

Remarks: Time required depends on how soon can get the pipe

The Spring is on Forestry land
(See copy of Special Use permit in file)

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. 19482 CERTIFICATE OF COMPLETION OF WORKS																
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that MRS. BURTON WATERS of Bonners Ferry, County of Boundary, and State of Idaho, the holder of Permit No. 19482, issued upon Application No. 26954 bearing date of priority of December 24, 1943, authorizing the diversion of five inches or 0.1 second feet of the waters of an unnamed spring, County of Boundary, 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 0.1 second feet of the waters of said spring; that the point of diversion of said waters is located 1520 feet East and 620 feet South of the North quarter corner of Section 28, Twp. 64 North, Range 1 East, B.M., and in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 28; and that the place of use of said waters is in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, Township 64 North, Range 1 East, B.M.																
			Witness my hand this 31st day of January, A. D. 1947																
			MARK R. KULP State Reclamation Engineer																
			Proof of completion of works made January 17, 1947. Certificate of completion of works issued January 31, 1947.																
LICENSE ISSUED FOR 0.04 SEC. FT. p. 4592																			

file

W. J. NIXON
W. W. NIXON
JAMES F. LYONS
STEVE F. BELL
MARSHALL C. AUNGIER

NIXON, NIXON, LYONS & BELL
ATTORNEYS AT LAW
225 MAIN STREET
P. O. BOX 368
BONNERS FERRY, IDAHO 83805
(208) 267-3133

200 NORTH FOURTH
P. O. BOX 1577
COEUR D'ALENE, IDAHO 83814
(208) 667-4655

OF COUNSEL
GEORGE M. BELL

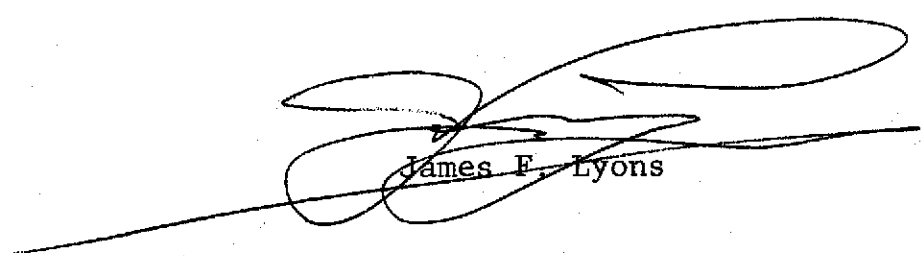
June 21, 1978

Department of Water Resources
Suite 1
4055 Government Way
Coeur d'Alene, Idaho 83814

Gentlemen:

Enclosed find Easement Agreement in regard to
Certificate No. 19482. Current owners of this Easement
Agreement are Jerome and Barbara Smith.

Yours truly,


James F. Lyons

JFL:ds

encl.

RECEIVED
JUN 23 1978

Department of Water Resources
Bozeman District Office

19482

98-2063

98-2063

EASEMENT AGREEMENT

THIS AGREEMENT, Made this 11th day of April, 1959, between BURTON WATTERS and CHARLOTTE WATTERS, his wife, parties of the first part, and INEZ BOURASSA, a widow, party of the second part,

WITNESSETH:

WHEREAS, parties of the first part are the owners of certain lands in Boundary County, State of Idaho, described as follows:

The Northwest Quarter of Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) of Sec. 28 Twp. 64N, R 1 E.B.M.; LESS: the South 10 acres, and less Tax #3, and less right-of-way;

also:

A tract known as Tax #7 in Sec. 28, Twp. 64N, R 1 E.B.M.

and said party of the first part holds a license and certificate of water rights being State of Idaho Certificate No. 19482, for the purpose of drawing water from a spring located in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 28, Twp. 64N, R 1 E.B.M.

AND WHEREAS the first parties are desirous of granting to the second party the use of said water, for domestic purposes only.

NOW THEREFORE, this Agreement witnesseth: That inconsideration of the sum of One (\$1.00) Dollar and other good and valuable consideration, the parties of the first part hereby grant, bargain and sell unto the party of the second part, her heirs, administrators, and assigns and successors in interest, an easement and right, use and privilege to draw and use from said spring, water for domestic purposes only, through the pipe line now in use and established, from and NE $\frac{1}{4}$ NW $\frac{1}{4}$ less So. ten acres, second party's property described as Tax #3, /Sec. 28, Twp. 64N, Range 1 E.B.M. over, through and across the lands of the parties of the first part, together with ingress and egress, maintenance of said pipeline to be the responsibility of each party on his or her own property."

IN WITNESS WHEREOF we have hereunto set our hands this 11th day of April, 1959.

Burton Watters
Charlotte Watters
Inez Bourassa

STATE OF IDAHO)
County of Boundary) ss:

On this 11th day of April, 1959, before me the undersigned, a Notary Public in and for said County, personally appeared Burton Watters, Charlotte Watters, and Inez Bourassa, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and seal this day and year in this certificate first above written.

John M. Nally

780500

DAHO
Secretary
SS

Bound by Chatfield &

30 May 1959, 1401

P. M., and recorded in Book 3/4.

Alfredo on page 307

Theresa Thelander

Campy Records

1570
Deputy

1000

October 14, 1965

RE: License No. 19482
Mrs. Burton Watters

Peter B. Wilson
Attorney at Law
Bonners Ferry, Idaho 83805

Dear Mr. Wilson:

Enclosed is departmental receipt No. 32969 in the amount of \$1.75 covering the fee for a certified copy of the above numbered water license which was mailed to you previously.

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

19482

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

October 8, 1965

RECEIVED
OCT 14 1965

Department of Reclamation

RE: License No. 19482
Mrs. Burton Watters

Peter B. Wilson
Attorney at Law
Bonners Ferry, Idaho 83805

Dear Mr. Wilson:

On August 12, 1965 we sent you a certified copy of License No. 19482 which you requested in your letter of August 11, 1965.

The fee for this copy was \$1.75 which we requested you to please remit to this office.

Up to date we have not received this fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By: *Edna P. Rule*
(Mrs.) Edna P. Rule
Chief Clerk

EPR

10/11/65
Please accept my apologies for
the oversight. See enclosed
[Signature] 19482

October 8, 1965

RE: License No. 19482
Mrs. Burton Watters

Peter B. Wilson
Attorney at Law
Bonners Ferry, Idaho 83805

Dear Mr. Wilson:

On August 12, 1965 we sent you a certified copy of License No. 19482 which you requested in your letter of August 11, 1965.

The fee for this copy was \$1.75 which we requested you to please remit to this office.

Up to date we have not received this fee.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR

19482

August 12, 1965

RE: License No. 19482
Mrs. Burton Watters

Peter B. Wilson
Attorney at Law
Bonners Ferry, Idaho
83805

Dear Mr. Wilson:

Enclosed is the certified copy of the above numbered
license you requested in your letter of August 11, 1965.

The fee for the copy is \$1.75 which you may remit to
this office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. copy of license

19482

PRATHER & WILSON
ATTORNEYS AT LAW
BONNERS FERRY, IDAHO — 83805

August 11, 1965

AIRMAIL

RECEIVED
AUG 12 1965

Department of Reclamation

Department of Reclamation
State of Idaho
State House
Boise, Idaho

Re: Water Right Certificate
#19482

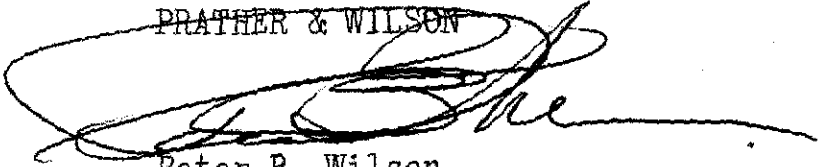
Gentlemen:

page 4592

Would you please forward a certified copy of the above certificate and of any assignments thereof that your records show? Thank you. If you will enclose your billing for this we will remit immediately.

Very truly yours,

PRATHER & WILSON


Peter B. Wilson

PBW/rb

cc: Mr. Robert J. Whaley
Copeland, Idaho

19482

August 9, 1965

RE: License 19482
Mrs. Burton Watters

Mr. Robert J. Whaley
Star Route # 1
Bonners Ferry, Idaho 83805

Dear Mr. Whaley:

From all the information available in our office it seems that both you and Mr. Sam Bruce have purchased part of the above licensed permit. As stated in my letter to Mr. Bruce we have no record of how Mrs. Burton Watters divided the license when she sold the property. This is merely an administrative office and if you can find no records from the County Court indicating how much of the spring you each own, then you may need some legal counsel.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

M. RUSSELL BOSCH
State Water Rights & Records Clerk

MRB:ct

19482

Department of Reclamation

Star Route 1; 83805
Bonners Ferry, Idaho
August 5, 1965.

Carl E. Tappan, Department of Reclamation; Reclamation Engineer
State of Idaho, 107 State House
Boise 83701, Idaho

% Russell Bosch, State Water Rights and Records Clerk;
Dear Mr. Bosch;

We have read the letter of reply you sent to Mr. and Mrs. Sam Bruce concerning water information.

We purchased the property above the Bruce (Sam) property and the necessary water rights that went with the place.

You stated that Mrs. Watters hadn't indicated how the water was used. Please notify me how this may be done. Does this have to be registered with the State of Idaho in the State Capital? The Water Rights have already been registered with the County Court House. Is this sufficient to hold the Water Right? We will appreciate any information you may have on this all important issue.

Reference;

License; 19482 Mrs. Burton Watters

N.E. 1/4--N.W. 1/4, Section 28, T 64 N-R 1E

Thank you very much for your counsel.

Sincerely,

Mr. Robert J. Whaley

Mr. Robert J. Whaley

19482

June 15, 1965

RE: License 19482
Mrs. Burton Watters

Mr. Samuel D. Bruce
Star Route 1
Bonners Ferry, Idaho

Dear Mr. Bruce:

In reply to your letter of June 9, 1965, the following information is forwarded:

The only information we have is the above numbered license for .04 cubic feet per second of water from a spring located in the NE 1/4 NE 1/4, Section 28, T.64N-R1E, in the name of Mrs. Burton Watters. We have no record of what Mrs. Watters did or how she divided the water from the license, this should be filed in the county clerk's office. If you own part of this license you are entitled to the use of the amount of water as stated in your deed from the previous owners.

It seems your plans for improving your storage will improve your water supply, and as long as you do not exceed the amount of the license we see no reason for not installing the new 550 gallon galvanized tank.

If you are presently using all the water from the spring and it does not exceed .04 c.f.s. there isn't any water left to file on in that spring and this should protect your water rights.

Very truly yours,

CARD E. TAPPAN
State Reclamation Engineer

M. RUSSELL BOSCH
State Water Rights & Records

MRB:ct

19482

RECEIVED

JUN 14 1965

Conners Ferry, Ida
June 9, 1965

Department of Reclamation

Dep. Of Reclamation

Boise, Ida. Bounding County

Dear Sirs:

People by the name of
Whaley and we are using
water from a spring located
in the Konitsen Nat. Forest
the disc. is NW¹/₄ - NE¹/₄
Sec 28 - T6H N - R1E.
The reservoir now is two
wooden barrels we run
out of water all the time.
it is not a very large spring
we want to put in a 550
gal. galvanized tank and
seal it with boards and
black plastic with insulation
19482

to keep it clean and keep it
from freezing. will this
meet with your approval?
Also we want to be sure we
have a legal right to use
the spring. This is all the
information I can find.

In the beginning both the
whaley property and ours was
once owned by Walter Watters
who filed on the spring in
1935. He then sold a part to
August and Inez Bourassa,
our property, and part to
Burton + Charlotte Watters
who filed again on the
spring and gave the permit
to the whaleys when he sold
to them, and gave a permit &
an easement to Inez Bourassa
to lay a pipe through his
property and permission to
19482

use the water from the spring.

There is a third party trying to get the spring who has a very fine spring on his own property but he would have to pump it and getting ours would be cheaper.

So I want to know what to do to safe guard our water system.

This is confusing so hope I have made it understandable, please look this up and advise us.

Sincerely

Samuel D. and
Francis E. Bruce
Star RT. 1 19482
Bonners Ferry, Idaho

✓
May 6, 1950

Re: Permit No. 19482

Mrs. Burton Watters
Star Route 1
Bonners Ferry, Idaho

Dear Mrs. Watters:

We enclose License and Certificate of Water Right issued under Permit No. 19482, confirming your right to the use of 0.04 of a second foot of water from a spring, tributary to Brush Creek, with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, Township 64 North, Range 1 East, B.M. for domestic use in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 28.

We also enclose Departmental Receipt No. 22323 for the \$5.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

19482

May 2. 1950

Dear Sir:

Enclosed is \$5.00 for the
license on permit number 19482.

Mrs. Burton Watters

Bonniers Ferry

Idaho

Star Rt. 5

RECEIVED
MAY 5 1950
Department of Reclamation

19482

✓
April 19, 1950

Re: Permit No. 19482

Mrs. Burton Watters
Bonners Ferry, Idaho

Dear Mrs. Watters;

We now have on file the report of our Field Engineer on examination for Beneficial Use under your Permit No. 19482.

Therefore, upon receipt of the statutory fee of \$5.00, a License will be issued for .04 second foot of water from a spring, tributary to Brush Creek, located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, Township 64 North, Range 1 East, B.M. for domestic use in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

19482

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

Permit No. 19482This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Mrs. Burton Watters, Bonners Ferry, Idaho
2. Source of water supply: A spring, tributary to Brush Creek
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28
T. 64 N. R. 1 E. County of Boundary
4. Describe works as they exist, giving dimensions and capacities of same: _____
Diversion direct from creek to 300' of 4" pipe and 750' of 2" pipe
Piped to garden and house.
5. Water is used for: Domestic purposes
6. State whether or not water has been turned into works of diversion: Yes
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 is NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, Twp. 64 N., Range 1 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?
- None

Remarks: _____

This examination was made on the 7th day of Oct, 1949

(Signed) _____

F. A. Robinson
Examiner.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
 6. Give general characteristics of soils, topography, and crops raised.
-

95
Mrs. Burton Watters
Bonners Ferry, Idaho

Permit No. 19482

Examination for Beneficial use

County Boundary

APR 18 1950
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

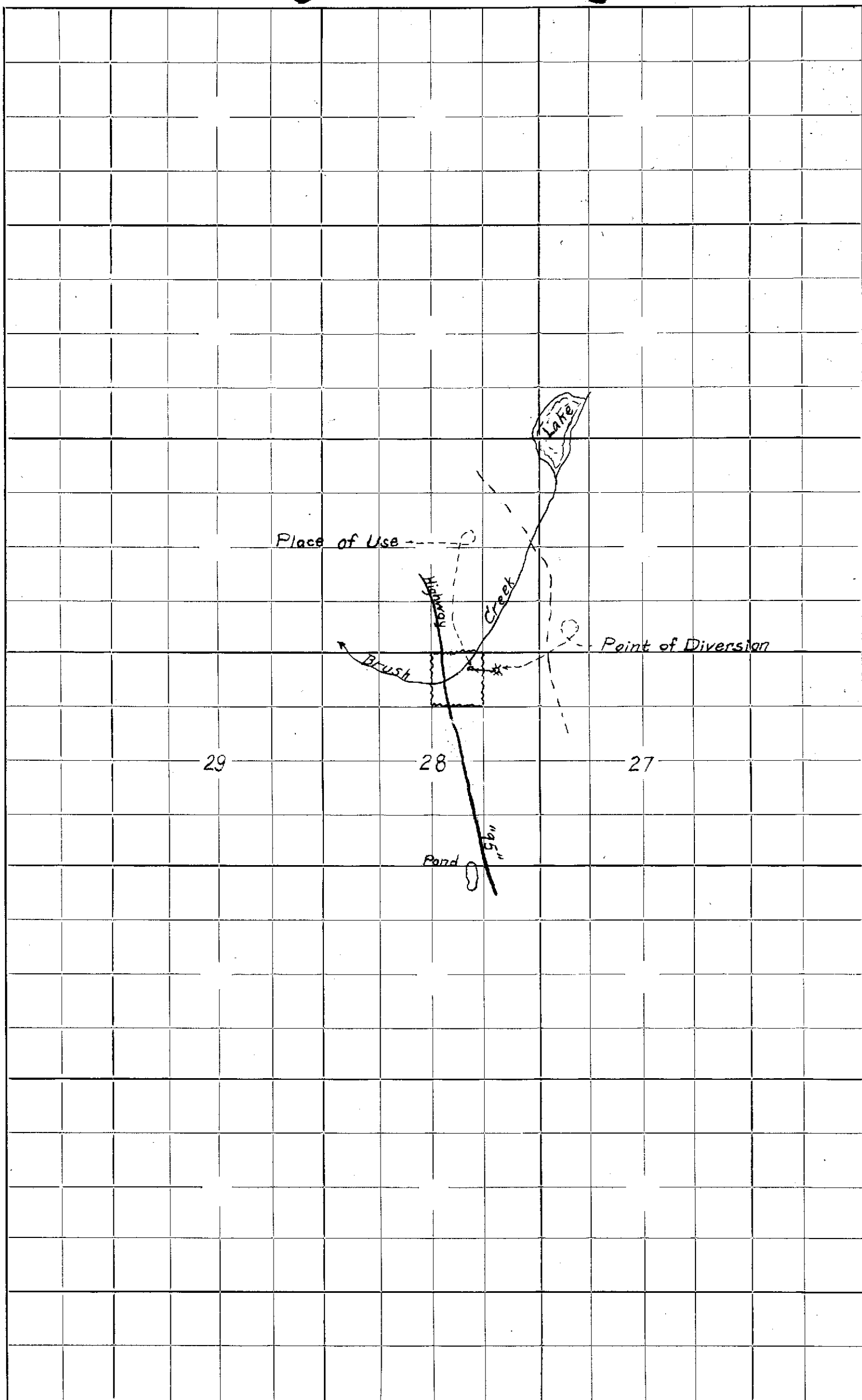
REPORT OF ENGINEER

PERMIT NO. 19482

REPORT ON PROOF OF Beneficial use

.04 cfs
mark

app. 0.1 cfs



March 12, 1949

Re: Permit No. 19482

Mrs. Burton Wetters
Star Route 1
Bonnere Ferry, Idaho

Dear Mrs. Wetters:

We have placed on file the depositions of yourself and two witnesses; also Affidavit of Publication in the Bonners Ferry Herald, all in Proof of Beneficial Use under your Permit No. 19482.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination, in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

19482

NOTICE OF PUBLICATION
TION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 P. M. on the 2nd day of March, 1949, at Bonners Ferry, county of Boundary, State of Idaho, before Wm. E. Rath, Probate Judge, proof will be submitted of the application to beneficial use of 0.10 cubic feet per second of the waters of spring in accordance with the terms and conditions of Permit No. 19482 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 Mrs. Burton Watters, Bonners Ferry, Star Route 1.

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

The amount applied to beneficial use is 5 inches or 0.10 cubic feet per second.

The place where said water is used NW1/4 NE1/4, Section 28, Town-

The right to take water from such works is based upon Permit No. 19482.

The source of supply from which such water is diverted is Spring, tributary of Brush Creek, in NE1/4 Section 28, Twp. 64 N., Range 1 E. B. M.

The date of priority which said user is prepared to establish is December 24, 1943.

MARK R. KULP,
State Reclamation Engineer.
First publication Jan. 27, 1949.
Last publication Feb. 17, 1949.

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 of Water
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 Jan. 27

194 9, and ending with the issue dated Feb. 17, 194 9.

R. L. Myers

Co-Publisher
Foreman

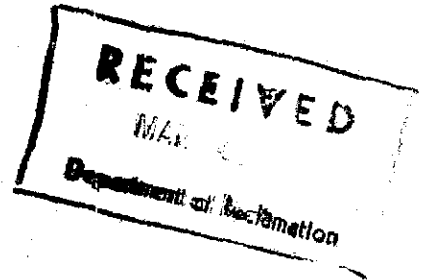
Subscribed and sworn to before me this 21 day of

Feb.

194 9.

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 19482

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Mrs. Burton Watters, housewife, Bonners Ferry, Idaho.

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

Ans. no

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

Ans. 19482 March 22, 1944. Priority on September 22, 1945

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

Ans. Spring located 1520 feet East and 620 feet South of the
North quarter corner of Section 28, twp. 64 North, Range 1 East, B. M.,
in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 28.

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. 1 inch pipe line and 6 barrel tank.
a spring which is on the NE $\frac{1}{4}$ NE $\frac{1}{4}$ to a residence on the NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Section 28.

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. NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28
Domestic use

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

Ans. _____

19482

BWT

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

Ans. 1/10 of a second foot or 5 inches

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. domestic

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) Mrs. Burton Waters

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 Bonanza, County of Boundary
State of Idaho, on this 2nd day of March, A. D. 1949.

Wm S. Park

My commission expires
The Monday January 1951

My commission expires

PROBATE JUDGE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19482**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. Glenn Avery, 36 years, Copeland, Idaho, Farmer.

Bonnere Ferry, Idaho.

Ques. 2. Are you acquainted with Mrs. Burton Watters, the holder of Permit No. 19482? How long have you known him and where does he reside?

Ans. 12 years.

Ques. 3. Have you read or heard read said Permit No. 19482, 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. NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28

Use at NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28.

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. 1/10 of a 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. domestic

19482

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

Ans. _____

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. _____

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

Ans. no

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. _____

(Signed)

Glenn Avery

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 Bonnors Ferry,
County of Boundary, State of Idaho, on this 2nd day of March,
A. D. 1949.

My Commission Expires

2nd Monday January 1951

My commission expires

H. S. Rath

Notary Public.
PROBATE JUDGE

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 19482**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. Vernie Stockton, age 39, Copeland, Idaho, farmer

Address: Bonners Ferry, Idaho.

Ques. 2. Are you acquainted with Mrs. Burton Watters, the holder of Permit No. 19482? How long have you known him and where does he reside?

Ans. 10 years

Copeland, Idaho.

Ques. 3. Have you read or heard read said Permit No. 19482, 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. NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28,

Use at (NE $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 28.

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. 1/10 of a 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. domestic

19482

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

Ans. _____

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. _____

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

Ans. no _____

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. _____

(Signed) Vennie Stochton

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 Bonnors Ferry,
County of Boundary, State of Idaho, on this 2nd day of March,
A. D. 19 49.

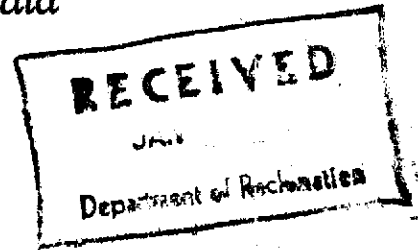
My commission expires _____
My commission expires 2nd Monday January 1951

[Signature]
Notary Public
PROBATE JUDGE

The Bonners Ferry Herald

PUBLISHERS AND COMMERCIAL PRINTERS

Bonnors Ferry, Idaho



January 19, 1949

Department of Reclamation
State of Idaho
Boise, Idaho

Gentlemen:

This will acknowledge receipt of your letter of Jan. 17 enclosing notice for publication on the application of Mrs. Burton Watters.

This publication will be published starting with our issue of Jan. 27 and concluding with the issue dated Feb. 17.

Yours very truly,

BONNERS FERRY HERALD

R. T. Myers

19482



State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, February 19, 1949

Re: Permit No. 19482
Mrs. Burton Watters

Mr. Wm. E. Rath
Probate Judge
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. 19482

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 March 2, 1949, 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 Wm. E. Rath, Probate Judge

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

19482

✓
January 18, 1949

Re: Permit No. 19482

Mrs. Burton Watters
Star Route 1
Bonners Ferry, Idaho

Dear Mr. Watters:

We acknowledge receipt of your letter stating that you would like to make proof of beneficial use under Permit No. 19482 on March 2, 1949, at 2:00 P.M.

We have accordingly corrected the notice and have sent a copy to the Bonners Ferry Herald with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

About ten days prior to the date set for proof, we shall send Judge Rath the necessary forms of deposition consisting of one for yourself and one for each of two witnesses so that he may have them in ample time for the proof.

At the time set you should appear before Judge Rath together with two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder for the purpose of executing the depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt
CC: Mr. J. C. Vernon

19482

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 19488

Date: January 17, 1949

Bonnors Ferry Herald

Bonnors Ferry, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **March 2, 1949** the date set for proof, the expense of the publication to be paid by the applicant, **Mrs. Burton Waters** of **Star Route 1, Bonnors Ferry, Idaho** 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, in order that we may check same.

Very truly yours,

MARK R. KULP

State Reclamation Engineer
By

Chief Clerk

19482

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 7, 1949

(P. O.) Mrs. Burton Watters, Bonners Ferry, Idaho Star Route 1

STATE RECLAMATION ENGINEER

TO THE ~~COMMISSIONER OF RECLAMATION~~:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

the Bonnors Ferry Herald of Boundary County, Idaho^{XX}, published in
the county in which the works are situated.

Mrs. Burton Watters

Subscribed and sworn to before me this 7 day of January, 1949.

Joe C. Vernon

(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.

Joe C. Vernon
County Engineer.

19482

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

Notice is hereby given that at 2:00 P.M. on the 2nd day of March, 1949,
at Bonniers Ferry, County of Boundary, State of Idaho, before
H. S. Rath - Probate Judge, proof will be submitted of the
application to beneficial use of 0.10 cubic feet per second of the waters of spring
in accordance with the terms and conditions of Permit No. 19482
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.....

Mrs. Burton Watters, Bonniers Ferry, Star Route 7

The use to which said water has been applied is Domestic

The amount applied to beneficial use is 5 inches or 0.10 cubic foot per second

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) NW 1/4 NE 1/4 Section 28 Township 64 North
Range 1 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.....

The right to take water from such works is based upon Permit No. 19482

The source of supply from which such water is diverted is Spring

tributary of Brush Creek, in NE 1/4 NE 1/4 Section 28, Twp. 64 N.
Range 1 E. B.M.

The date of priority which said user is prepared to establish is December 24, 1948
January 7, 1949

Mark R. Kuep
State Reclamation Engineer.

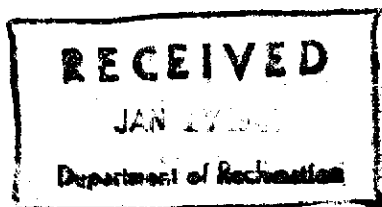
19482

Bonnerville, Idaho
Jan. 15 - 1949

Dear Sirs:

In regard to Permit 19482
we would like to make
proof March 2 - 1949 at
2:00 P. M.

Very Truly Yours,
Mrs. Burton Watters
Bonnerville
Idaho
Star Rt. F



19482

January 11, 1949

Re: Permit No. 19482

Mrs Burton Matters
Star Route 1
Bonners Ferry, Idaho

Dear Mrs. Matters:

We acknowledge receipt of duplicate notice of proof of beneficial use to be made under your Permit No. 19482, together with your authorization for us to have it published at your expense in the Bonners Ferry Herald.

However, this notice which is post marked 6:00 P.M., January 7, 1949, and which reached us this morning states that the proof is to be made at 2:00 P.M., January 7, 1949.

We assume that this is a typographical error as the date must be set far enough ahead to allow for the four weeks publication. Please advise us to the date on which you wish to make this proof as it may be anytime on or before March 22, 1949.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

this was a typographical error and should be March 7, 1949.

Joe Vernon
JOE VERNON, County Surveyor

A/gt

CC: J. C. Vernon

19482

RECEIVED
Jan 17 1949
Department of Reclamation

January 11, 1949

Re: Permit No. 19482

Mr. Burton Watters
Star Route 1
Bonners Ferry, Idaho

Dear Mr. Watters:

We acknowledge receipt of duplicate notice of proof of beneficial use to be made under your Permit No. 19482, together with your authorization for us to have it published at your expense in the Bonners Ferry Herald.

However, this notice which is post marked 6:00 P.M., January 7, 1949, and which reached us this morning states that the proof is to be made at 2:00 P.M., January 7, 1949.

We assume that this is a typographical error as the date must be set far enough ahead to allow for the four weeks publication. Please advise us to the date on which you wish to make this proof as it may be anytime on or before March 22, 1949.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

CC: J. C. Vernon

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

January 3, 1949

Mrs. Burton Walters
Bonners Ferry, Idaho

Dear Sir:

We enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 19482. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than March 23, 1949, and if proof is submitted later than said date, your priority will be brought down a length of time equal to the time elapsing between the date the proof is due and the date proof is actually made.

Very truly yours,

MARK R. KILP

State Reclamation Engineer

19482

C. A. Robins
~~XXXXXXXXXX~~

January 31, 1947

Re: Permit No. 19482

Mrs. Burton Watters
Star Route No. 1
Bonners Ferry, Idaho

Dear Mrs. Watters:

We enclose herewith Certificate of Completion of Works issued under your Permit No. 19482, to appropriate C.1 of a second foot of water from an unnamed spring, located in the NE¹ NE¹ Section 28¹ Township 64 North, Range 1 East, B.M., with priority of December 24, 1943, for domestic use on the NW¹ NE¹ of said Section 28, Twp. 64 North, Range 1 East, B.M., Boundary County.

We also enclose Departmental Receipt No. 19772 for the \$5.00 fee paid by you in connection with completion of works proof.

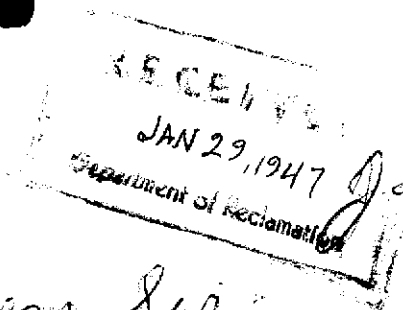
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

19482



January 25 26.

Dear Sir:

I wish to correct the error made by the notary, on the affidavit permit number 19482.

The correct location is 1520 ft. east 620 ft. south distances from the north $\frac{1}{4}$ of section 28 townships 64 north, range 1 east and is in the north east quarter, of the north east quarter: section 28 townships 64 north range 1 east of Boundary County.

W. B. Barton & Walter.

Bonniers Ferry
Idaho, Star Route

19482

C. A. Robbins

January 23, 1947

Re: Permit No. 19482

Mrs. Burton Watters
Star Route No. 1
Bonners Ferry, Idaho

Dear Mrs. Watters:

We acknowledge receipt of your affidavit in proof of completion of works under the above numbered permit, also check for the \$5.00 fee in connection therewith.

However, this affidavit states that the point of diversion of said water is located 1520 feet East and 620 feet South from the NE $\frac{1}{4}$ Sec. 28, Twp. 64 N., Range 1 E., B.M., whereas the permit itself describes the point of diversion as being that same distance from the North quarter corner of the section.

Please advise if there has been a change in the point of diversion, or if there is an error in description in either the affidavit of proof or the original application and permit.

In other words, which is the correct point of diversion?

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

19482

Permit No. 26954STATE OF IDAHO
Department of ReclamationRECEIVED
JAN 20 1948
DEPT. OF RECLAMATION

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Boundary

SS.

Mrs. Burton Watters

, being first duly sworn, upon his oath deposes and says:

First: That ^{she}he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 26954/19482, and that his postoffice address is Star Route No. 1, Bonners Ferry, Idaho State of Idaho

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

Granite Rock Spring, a tree box on Granite Creek

Third: That the point of diversion of said water is 1580 feet E. & 620 Feet So. from N 1/4 corner NE 1/4 Sec. 28, Twp. 64N., Range 1 E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by March 22nd, 19 47

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

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(incomplete)~~ fully completed and consisted of the following:

I. Kind of works: Steel Tank Reservoir

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: 6 barrell steel tank

(a) Height of dam none feet, length of dam at top none feet, length of dam at bottom none feet. Material used in construction

Steel tank as above stated

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 6 barrell feet.

(c) Size of headgate: Width None feet, height none feet.

(d) Conduit one inch width at bottom same feet, width at water line Same

(State whether ditch, flume or pipe)

feet, depth of water _____ feet; diameter of pipe one inches, average grade per mile is 27 feet. Length of conduit is 850 feet mts.

Seventh: That said works are capable of conducting to the place of intended use .10 second feet of water.

Eighth: That water appropriated under said permit is available for none acres of land described as follows: For domestic Purposes

Ninth: Remarks: That Said Spring is located on National Forest and a permit was granted March 16th-1944 to transmit water across said NE 1/4 Sec 28, Twp. 64N., Range 1 E. to adjoining land of permit holder in NW 1/4 NE 1/4.

Mrs. Burton Watters
(Sign here)

Subscribed and sworn to before me this 17th day of January, 19 47

My commission expires Jan. 6th-1949

W. D. Bayless
Notary Public.

19482

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mrs. Burton Watters
c/o Mr. Joe Vernon
Bonners Ferry, Idaho

Boise, Idaho January 2, 1947

Dear Sir:-

Under the terms of your permit No. 19482-----you are required to complete your diversion works on or before March 22, 1947----- I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

MARK R. KULP

State Reclamation Engineer

19482

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 19482

Date March 28, 1944

Dear Sir:

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

Mrs. Burton Watters
C/o Joe Vernon
Bonners Ferry, Idaho
Enc. Permit # 19482

JAMES SPOTFORD
State Reclamation Engineer
Commissioner of Reclamation,

19482

SEC 28

1 167 NRIE
* 15202 U.S. Forestry
6 500
62050

Permit Map No. 19482

As Approved
MAR 22 1944

JAMES S. OFFORD
State Reclamation Engineer

App. 26954



U
USES - Kaniksu
Watters, Mrs. Burton
Water Transmission, 2-4-44

SPECIAL USE PERMIT

(Case designation)

Permission is hereby granted to Mrs. Burton Watters
of Bonnars Ferry, Idaho
to use the following-described lands: NE¹NE¹ Section 28, T64N, R1E8M.
(Describe the lands to be occupied, if unsurveyed, by metes and bounds, with reference to a road or
stream or well-known landmark; right of way by terminal points, direction, and lands occupied)

for the purpose of Water transmission - right of way for 278' of 3/4" pipeline
(Briefly but clearly describe the use, giving area of inclosures, length and width of right of way, etc.)
for domestic water supply. Pipeline to be buried below ground level.

subject to the following conditions:

1. The permittee shall pay to the Regional Fiscal Agent designated by the Forest officer for deposit to the credit of the Treasurer of the United States, in consideration for this use, the sum of No charge, Reg. L-2(h) dollars (\$) for the period from , 19 , to December 31, 19 , and thereafter annually, on January 1, dollars (\$).
2. The permittee shall comply with the regulations of the Department of Agriculture governing the National Forest, shall observe all sanitary laws and regulations applicable to the premises, and shall keep the premises in a neat and orderly condition and dispose of all refuse and locate outhouses and cesspools as required by the Forest officers.
3. This permit is subject to all valid claims.
4. The permittee shall take all reasonable precaution to prevent and suppress forest fires.

19482

5. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State of Idaho, as well as the laws of the United States.

6. The permittee shall pay the United States for any damage to its property resulting from this use.

7. The permittee shall fully repair all damage, other than ordinary wear and tear, to roads and trails in the National Forests caused by the permittee in the exercise of the privilege granted by this permit.

8. Construction work (or occupancy and use) under this permit shall begin within 6 months, be completed within 1 years from the date of the permit, and this use shall be actually exercised at least 200 days each year, unless the time is extended or shortened.

9. In case of change of address, permittee shall immediately notify the Forest Supervisor.

10. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees for like privileges. A general readjustment will be made at the end of five years from the date of issuance of permit and at the end of each five-year period thereafter.

11. No National Forest timber may be cut or destroyed without first obtaining a permit from the Forest Supervisor.

12. Upon the abandonment, termination, or revocation of this permit, and in the absence of an agreement to the contrary, the permittee, if all the rental charges due the Government have been paid, may, within a reasonable period to be determined by the issuing officer, remove all structures which have been placed on the premises by him, except where the material was furnished by the Forest Service, but upon failure to remove the structures within that period they shall become the property of the United States.

13. This permit may be transferred with the approval of the officer by whom it was given or his successor, subject to such conditions as may be imposed at the time of transfer. It shall terminate upon breach of any of the conditions herein or at the discretion of the Regional Forester or the Forester.

14. The permittee shall provide, whenever requested by the Forest officers, a way across the land covered by this permit for the free ingress or egress of Forest officers and for users of National Forest land and purchasers of National Forest products.

15. ~~This permit confers no rights upon the permittee to use of the water involved.~~
(Special stipulations necessary)

16. ~~This permit is limited in area to the width along the conduit actually used or needed.~~

17. ~~Roosting of the area will be allowed at the discretion of the District Forest Ranger on the Bonners Ferry Ranger District.~~

18. ~~All debris resulting from necessary clearing for laying of pipe to be piled and burned as directed by the District Forest Ranger.~~

March 16, 1944
(Date)

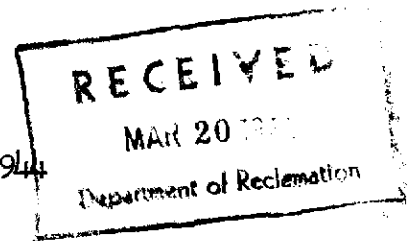
ROY A. PHILLIPS
(Signature of officer issuing permit)

Forest Supervisor
(Title)

BOUNDARY COUNTY
Office of County Surveyor

J. C. VERNON, SURVEYOR
BONNERS FERRY, IDAHO

March 18, 1944



Dear Sir:

I am enclosing application of Mrs. Burton Watters together with the Government Permit.

It has been impossible to get this permit in less time as the Forest Rangers have been sick with the flu.

On February 15 you wrote that if this filing was not completed by February 25, it would be necessary to make a new filing which would cost an additional fee. As above stated, the Forestry Officers were sick and it has been impossible to get the permit any sooner.

The applicant is not in possession of much money and it will be appreciated if no additional expense is made.

Very truly yours

A handwritten signature in cursive script that reads "Joe C. Vernon".

Joe C. Vernon

19482

February 15, 1944

Re: Application No. 26954
Mrs. Burton Watters

Mr. Joe Vernon
Bonners Ferry, Idaho

Dear Mr. Vernon:

Your attention is called to office letter addressed you on December 27, 1943, returning the application of Mrs. Burton Watters for certain corrections.

By referring to the last paragraph of this letter, you will note that sixty days are allowed from the date of same within which to return the corrected application- otherwise it will be necessary to make a new filing, and pay an additional fee.

The sixty days will expire February 25, 1944.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By
Chief Clerk

A

1948 2

February 15, 1944

Re: Application No. 26954
Mrs. Burton Watters

Mr. Joe Vernon
Bonners Ferry, Idaho

Dear Mr. Vernon:

Your attention is called to office letter addressed you on December 27, 1943, returning the application of Mrs. Burton Watters for certain corrections.

By referring to the last paragraph of this letter, you will note that sixty days are allowed from the date of same within which to return the corrected application- otherwise it will be necessary to make a new filing, and pay an additional fee.

The sixty days will expire February 25, 1944.

Very truly yours,

JAMES SPOFFORD
State Reclamation Engineer
By

Chief Clerk

19482

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

December 27, 1943

Boise, Idaho, ...

26954

Application No.
Mrs. Burton Watters

Mr. Joe Vernon
Bonners Ferry, Idaho

SIR:

Application which has been filed under the above number is herewith returned for correction in the following particulars:

If the spring is on land owned by the applicant, so state under "Remarks".

If on land owned by some one else than the applicant, the Affidavit of Permission found on the third page of the application must be executed by the owner, before a Notary Public

You are allowed 60 days from date of first return for correction, as stamped in second line on back of application, to file completed application. If received after that date application can be refiled under a new number with later priority, requiring additional fee.

Yours truly, JAMES SPOFFORD

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
STATE RECLAMATION ENGINEER
COMMISSIONER OF RECLAMATION.

By Chief Clerk

26954

Encl: Receipt # 18415
App.

19482

**NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICA-
TION OF WATER BENE-
FICIAL USE**

Notice is hereby given that at 2:00 P. M. on the 2nd day of March, 1949, at Bonners Ferry, county of Boundary, State of Idaho, before Wm. E. Rath, Probate Judge, proof will be submitted of the application to beneficial use of 0.10 cubic feet per second of the waters of spring in accordance with the terms and conditions of Permit No. 19482 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 Mrs. Burton Watters, Bonners Ferry, Star Route 1.

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

The amount applied to beneficial use is 5 inches or 0.10 cubic feet per second.

The place where said water is used NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, Township 64 North, Range 1 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.

The right to take water from such works is based upon Permit No. 19482.

The source of supply from which such water is diverted is Spring, tributary of Brush Creek, in NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, Twp. 64 N., Range 1 E. B. M.

The date of priority which said user is prepared to establish is December 24, 1943.

19482
MARK R. KULP,

State Reclamation Engineer.

First publication Jan. 27, 1949

Last publication Feb. 17, 1949.