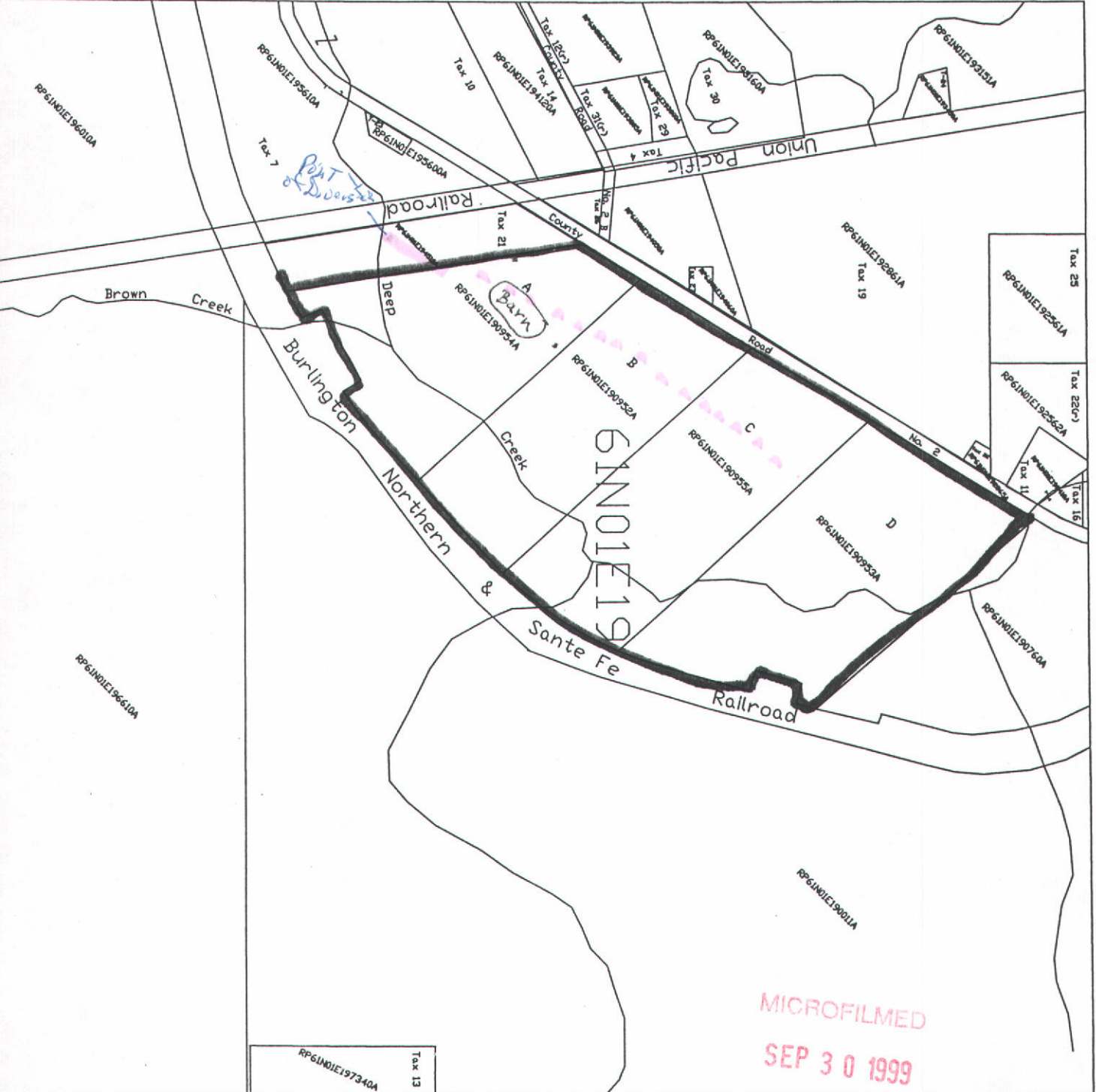


Phil Hoover
Broker
664-2828

PLAT OF PROPERTY
(SEND BACK WITH EASES OF EGRESS)

Business and the company assumes no liability for inaccuracies therein.

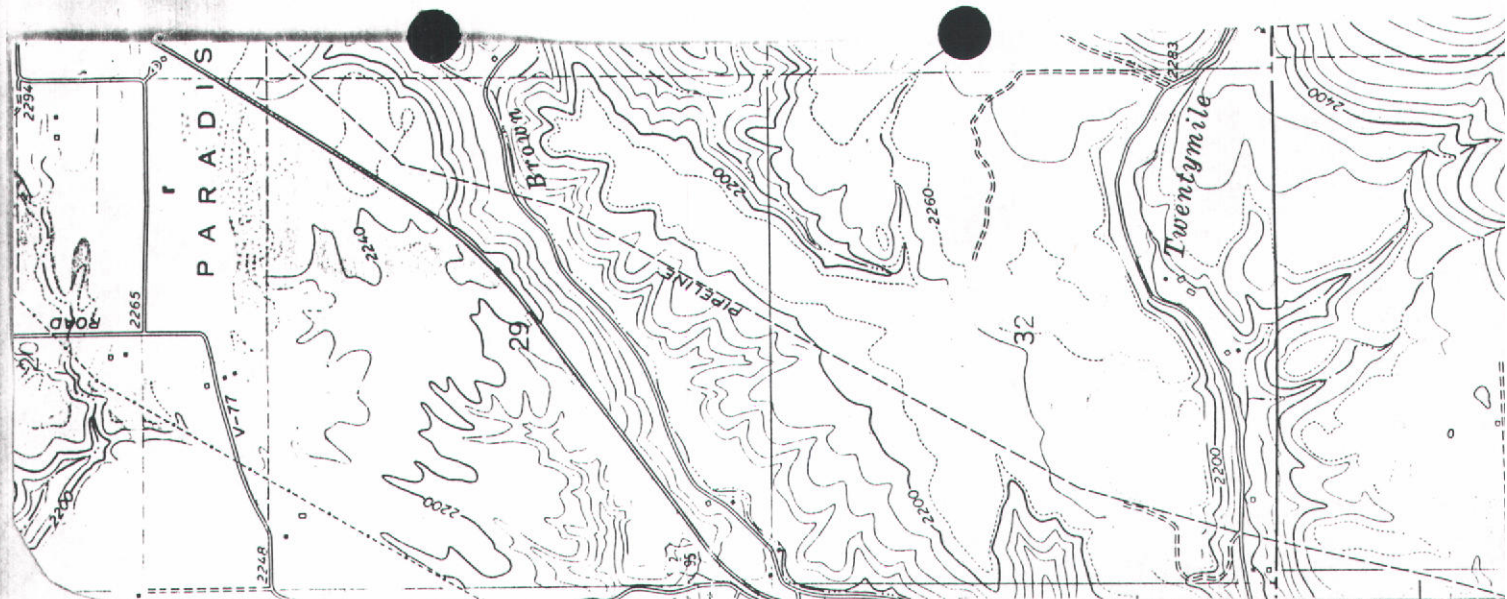
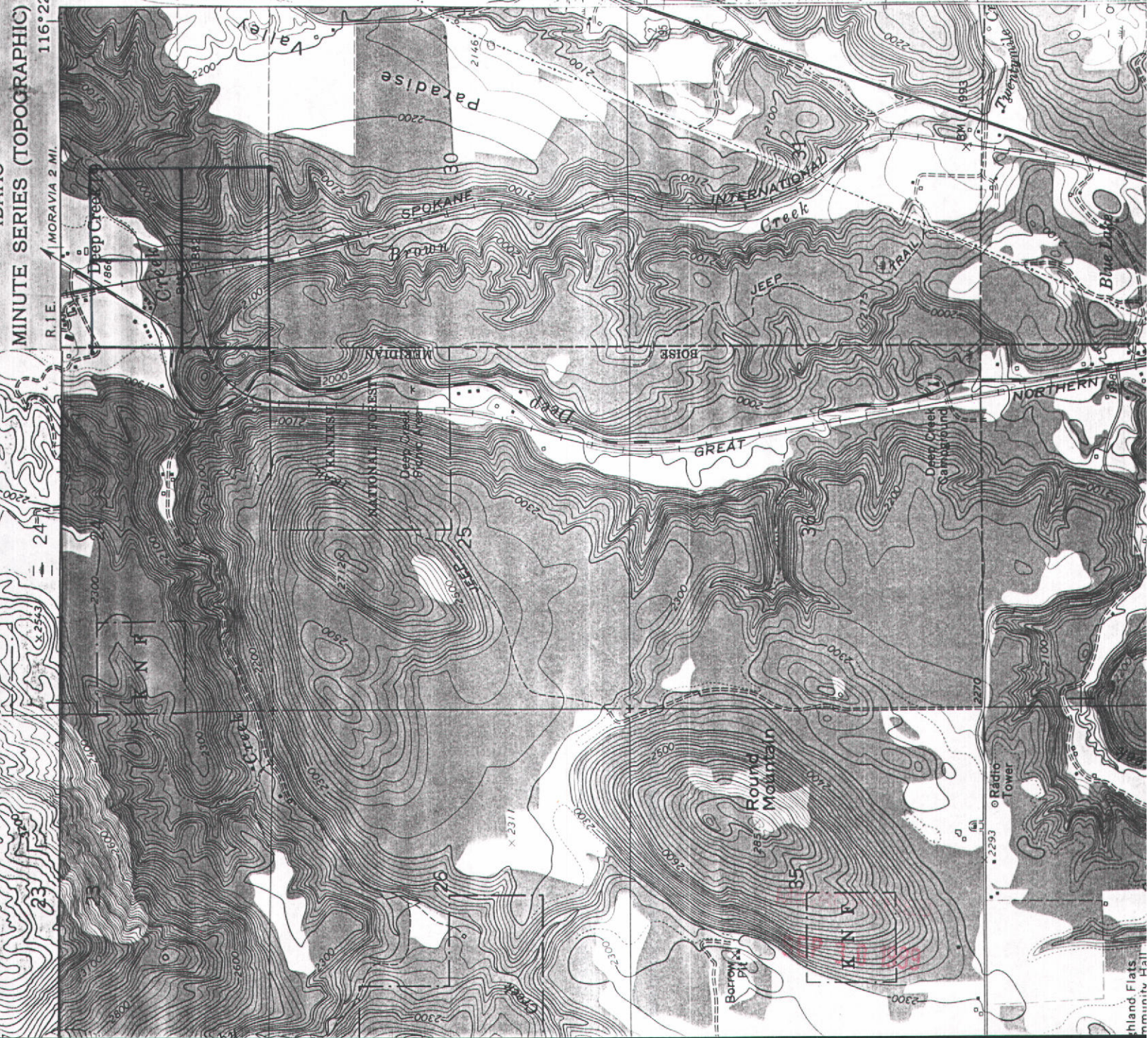


FOR YOUR RECORDS

MINUTE SERIES (TOPOGRAPHIC)

116°22'30" 48°37'30"

R.I.E. MORAVIA 2 MI.



together with the hereditaments and appurtenances thereunto belonging, or in anywise appertaining with the reservations and exceptions before stated, subject, however, to an easement in the public for any public road or roads, if heretofore laid out or established, and now existing over and across any part of said described land.

TO HAVE AND TO HOLD, THE said land and appurtenances unto the said party of the second part, his heirs and assigns forever, free and clear of all liens, charges and encumbrances, except taxes and assessments, if any, levied or assessed for the year 1903 upon the conditions and subject to the reservations aforesaid.

The said party of the first part, for itself, and its successors, covenants and agrees to and with the said party of the second part, his heirs and assigns that it will warrant and defend the title to the said premises, forever, except as against the taxes and assessments, aforesaid, which if any the said party of the second part, thereby assumes to pay.

IN WITNESS WHEREOF, The said party of the first part has caused these presents to be sealed with its corporate seal and signed by its President the day and year first above written.

Corporation Seal

Northern Pacific Railway Company

Sealed and delivered in the

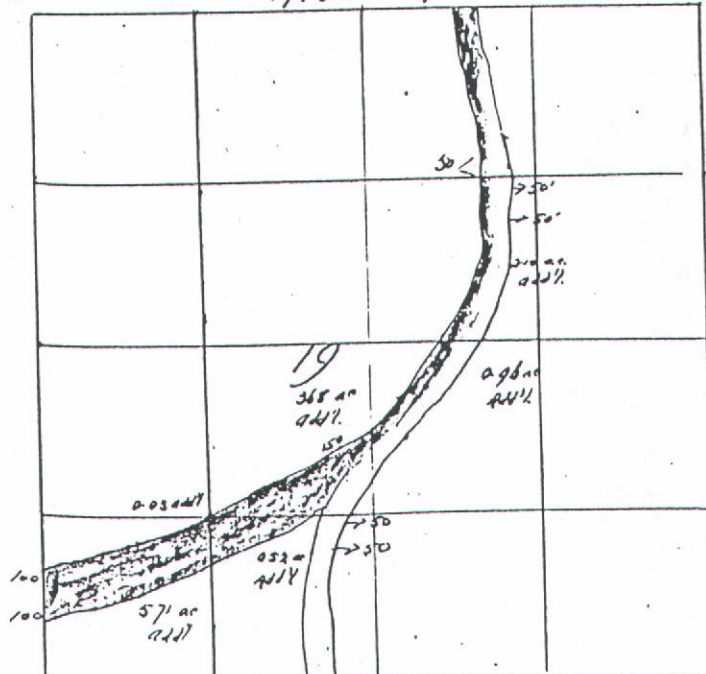
By C. S. Mellen, President

presence of, Paul Heyener, H. A.

Attest; R. H. Belf, Assistant Secretary

Fabian.

Ty. 61. N. R. 1. E. Boise Mtd.

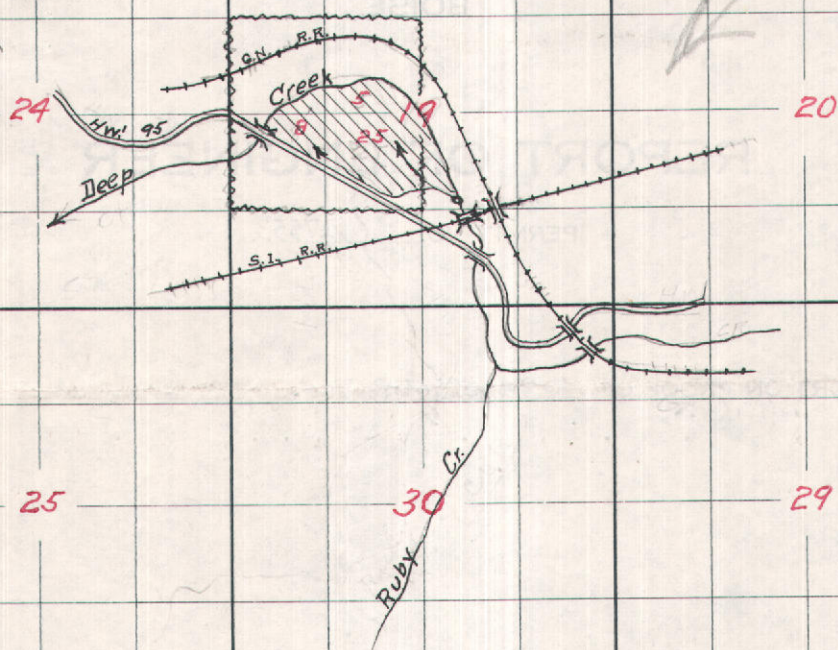


Explanation -
Right of way for Constructed line Gr. Northern Ry.
Colored yellow -
Reserved for Changed location -
Great Northern Ry. - colored red.

MICROFILMED

SEP 3 0 1999

The Vale of many Bridges

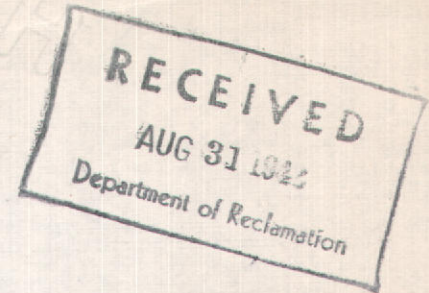


State of Idaho

DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER



BOISE, IDAHO,

August 21, 1942

Mr. H.M. Macnamara
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. 17553

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 August 29, 1942, 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 10:00 AM Bonners Ferry, before H.M. Macnamara, 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.

E.V. Berg

Commissioner of Reclamation.

By ROY W. Thompson
Deputy Commissioner,

*Dollie Bruce
county auditor*

17553

[illegible]

RECEIVED

AUG 25 1999

RECEIVED

AUG 23 1999

Department of Water Resources

IDWR/North

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

1. Water Right No(s): 17553 (98-02043)
 Adjudication Claim No(s): _____

2. The following **REQUIRED** information must be submitted with this form:

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant W.L. KINNEAR (1944)
Benners Ferry Idaho

4. New Owner/Claimant(s) X TERRIL Rasmussen Beverly K RASMUSSEN
 Name Connector (Check one): [] and, [] or, [X] and/or
 New Mailing Address P.O. Box 454

City, State and ZIP Code Coliberton MT 59218

New Telephone Number (406) 782 5798

5. Date you acquired the property 1986

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right <u>38</u>	Number and type of stock _____
Diversion rate in CFS <u>1.5</u>	Number of homes you acquired _____ Other uses <u>domestic</u>

7. Signature of New Owner(s) Terril Rasmussen
 or Claimant(s) Beverly K Rasmussen

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

MICROFILMED

SEP 30 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161



TITLE INSURANCE COMPANY

BOUNDARY ABSTRACT COMPANY, LTD.

AGENCY FOR BOUNDARY COUNTY

POST OFFICE BOX 749
BOYDERS FERRY, IDAHO — 83803
PH. NO. 267-3129

IDAHO MAIN OFFICE

LOCATED AT
BOISE, IDAHO

WARRANTY DEED

IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged by grantor, ALAN THOMSON and JO THOMSON, husband and wife, grantor does hereby grant, bargain, sell and convey unto TERRIL L. RAAUM and BEVERLY K. RAAUM, husband and wife, grantee, the following described property:

Beginning at a point in Section Nineteen (19), Township Sixty-one (61) North, Range One (1) East, B.M., which point is the intersection of the easterly line of the State Highway as the same is laid out and established across said Section Nineteen (19), and a line running on a course South 40 degrees 07' East from a point on the north line of said Section Nineteen (19), which point is 309.9 feet west of the northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Nineteen (19), said point being South 21 degrees 08' West 271.7 feet from the said Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Nineteen (19), thence south 40 degrees 07' east 1371.5 feet more or less, to a point on the west line of the Great Northern Railway Company right of way line as the same is laid out and established over and across said Section Nineteen (19), thence in a southwesterly direction 3545 feet, more or less, along the west right of way line of the Great Northern Railway to its intersection with the east line of the right of way of the Spokane International Railway Company, as the same is laid out and established over and across the said Section Nineteen (19); thence northwesterly along the said east line of the said Spokane International Railway Company 1193.5 feet; more or less, to an intersection with the east line of the right of way of the state highway as the same is laid out and established across said section Nineteen (19), thence northeasterly along the east right of way line of said State Highway 2868.6 feet to the point of beginning, all in Boundary County, Idaho.

LESS a parcel of land situate in Section Nineteen (19), Township Sixty-one (61) North, Range One (1) East, B.M., Boundary County, Idaho, more particularly described as follows:

INSTRUMENT NO.

0148116

RECEPTION

INDEX

FILMED

DELIVERED

FILED

STATE OF IDAHO, COUNTY OF Boundary

I hereby certify this instrument, consisting of 3 pages

was filed for record at the request of

Peter B. Wilson
at 44 minutes past 4:00 o'clock P.m., the

30th day of August, 1985, in my office

and duly recorded in book 56 of Inst. at page 218

Fee \$ 6.00 chg. NORMA L. ESTER

Ex-officio Recorder

Mall to: Wilson By C. Thurston Deputy.

ADDRESS OF PURCHASER:

Box 454
Culbertson
Montana 59218

UNRECORDED

SEP 30 1985

Beginning at the North Quarter Corner, a brass monument, of above noted Section Nineteen (19), thence South 30 degrees 26' 30" West a distance of 3118.81 feet to the point of intersection of easterly right of way of Spokane International Railroad and the Southeasterly right of way of Old State Highway #95, 33 feet East, measured at right angles from centerline to the Point of Beginning of this description; thence North 31 degrees 15' 37" East, along the southeasterly right of way of Old State Highway #95 a distance of 361.00 feet; thence South 9 degrees 00' 02" East a distance of 1405.45 feet to a point on the northerly right of way of the Burlington Northern right of way; thence along the arc of a 2765 foot radius curve to the right a distance of 243.06 feet, the chord bears South 64 degrees 46' 34" West a distance of 242.99 feet to the point of intersection with the easterly right of way of the Spokane International Railroad; thence North 9 degrees 00' 02" West along the easterly right of way of Spokane International Railroad a distance of 1197.85 feet to the Point of Beginning of this description.

RESERVING unto Seller an easement to come on to the property for the purpose of maintaining ditches and headgates as exist for irrigation water. Buyer agrees not to obstruct or in any manner obstruct the flow of water from this property onto Seller's adjacent property.

SUBJECT to the contract interest of Don W. Tobias and Gertrude Tobias as shown by that certain instrument recorded as Instrument No. 130363 in Book 33 of Instruments at page 464, records of Boundary County, Idaho, and instrument recorded June 12, 1980, in Book 37 of Instruments at page 62, records of Boundary County, Idaho.

SUBJECT TO such rights, easements, covenants, restrictions and zoning regulations as appear of record or by use upon the premises.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the grantee, its heirs and assigns forever. And the grantor does hereby covenant to and with the said grantee that it is the owner in fee simple of said premises and that they are free from all encumbrances, and that it will warrant and defend the same from all lawful claims whatsoever.

RECORDED
SEP 30 1983

DATED this 26 day of August, 1985.

Alan Thomson
Alan Thomson

Jo Thomson
Jo Thomson

STATE OF UTAH)
County of Summit) ss.

On this 26th day of AUGUST, 1985, before me, the undersigned Notary Public, personally appeared ALAN THOMSON and JO THOMSON, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Michael J. Helt
Notary Public for Utah
Residing at Salt Lake City, Utah
Commission Expires: Jan 7, 1989

NOT RECORDED
SEP 3 1985

Hand Flap



TITLE INSURANCE COMPANY

BOUNDARY ABSTRACT COMPANY, LTD.

AGENT FOR BOUNDARY COUNTY
POST OFFICE BOX 749
BONNERS FERRY, IDAHO — 83803
PHONES: 267-3127 AND 267-3128

WARRANTY DEED

0162102

IDAHO MAIN OFFICE
LOCATED AT
BOISE, IDAHO

IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged by grantor, DON W. TOBIAS, a divorced man, and GERTRUDE TOBIAS, a divorced woman, grantor does hereby grant, bargain, sell and convey unto JOHN W. MOON and MARION E. MOON, husband and wife, and ALAN THOMSON and JO THOMSON, husband and wife, grantee, the following described property:

Beginning at a point in Section Nineteen (19), Township Sixty-one (61) North, Range One (1) East, B. M., which point is the intersection of the easterly line of the State Highway as the same is laid out and established across said Section Nineteen (19), and a line running on a course South 40 degrees 07' East from a point on the north line of said Section Nineteen (19), which point is 309.9 feet west of the northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Nineteen (19), said point being South 21 degrees 08' West 271.7 feet from the said Northeast corner of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Nineteen (19), thence south 40 degrees 07' east 1371.5 feet more or less, to a point on the west line of the Great Northern Railway Company right of way line as the same is laid out and established over and across said Section Nineteen (19), thence in a southwesterly direction 3545 feet, more or less, along the west right of way line of the Great Northern Railway to its intersection with the east line of the right of way of the Spokane International Railway Company, as the same is laid out and established over and across the said Section Nineteen (19); thence northwesterly along the said east line of the said Spokane International Railway Company 1193.5 feet, more or less, to an intersection with the east line of the right of way of the state highway as the same is laid out and established across said Section Nineteen (19), thence northeasterly along the east right of way line of said State Highway 2868.6 feet to the point of beginning, all in Boundary County, Idaho.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the grantee, its heirs and assigns forever. And the grantor does hereby covenant to and with the said grantee

INSTRUMENT NO. 511 RECEPTION INDEXED MED FILED	STATE OF IDAHO, COUNTY OF <u>Boundary</u> I hereby certify this instrument, consisting of <u>2</u> pages was filed for record at the request of <u>Terril Raam</u> at <u>44</u> minutes past <u>9:00</u> o'clock <u>PM</u>, the <u>7th</u> day of <u>August</u>, 19<u>30</u>, in my office and duly recorded in book <u>176</u> of <u>Ordn.</u> at page <u>409</u> Fee \$ <u>6.00</u> pd. Mall to <u>Box 454</u> By <u>C. Thompson</u> Ex-officio Recorder <u>Culbertson, Mt.</u> Deputy.	ADDRESS OF PURCHASER:
--	--	------------------------------

SEP 30 1930

that it is the owner in fee simple of said premises and that they are free from all encumbrances, and that it will warrant and defend the same from all lawful claims whatsoever.

DATED this 15 day of June, 1979.

Don Tobias

Gertrude Tobias

STATE OF IDAHO)
) ss
County of Boundary)

On this 15 day of June, 1979, before me, the undersigned Notary Public, personally appeared DON W. TOBIAS, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

[Signature]
Notary Public for Idaho
Residing at Bonners Ferry

STATE OF IDAHO)
) ss
County of Boundary)

On this 15 day of June, 1979, before me, the undersigned Notary Public, personally appeared GERTRUDE TOBIAS, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

[Signature]
Notary Public for Idaho
Residing at Bonners Ferry

SEP 20 1979

REELY TITLE CO., INC.

EAST 107 KOOTENAI
BONNERS FERRY, IDAHO — 83805
AN 7-2214

0174950

RIVERSIDE EDDG
SANDPOINT, IDAHO — 83864
CO 3-5315

WARRANTY DEED

For Value Received NORVAL DOBSON and HELEN DOBSON, husband and wife, Boundary County, Idaho,

the grantor s, do hereby grant, bargain, sell and convey unto DON W. TOBIAS and GERTRUDE TOBIAS, husband and wife, Boundary County, Idaho,

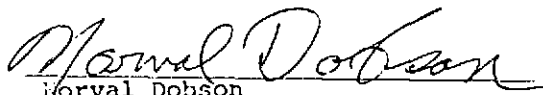
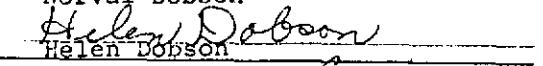
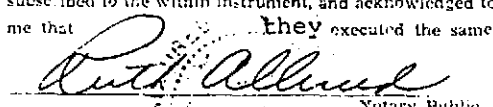
the grantees, the following described premises, in Boundary County, Idaho, to-wit:

Beginning at a point in Section Nineteen (19), Township Sixty-one (61) North, Range One (1) East B.M. which point is the intersection of the easterly line of the State Highway as the same is layed out and established across said Section Nineteen (19), and a line running on a course S 40°07' E from a point on the north line of said Section 19, which point is 309.9 feet west of the northeast corner of the Northwest Quarter (NW 1/4) of said Section 19. Said point of beginning is more definitely described as being S 21°08' W 271.7 feet from the said Northeast corner of the Northwest Quarter (NW 1/4) of said Section 19; thence S 40°07' E 1371.5 feet more or less, to a point on the West line of the Great Northern Railway Company's right of way as the same is layed out and established over and across said Section 19; thence in a southwesterly direction 3545 feet, more or less along the West right of way line of the Great Northern Railway to its intersection with the East line of the right of way of the Spokane International Railway Company, as the same is layed out and established over and across said Section 19; thence northwesterly along the said east line of the said Spokane International Railway Company 1193.5 feet, more or less to an intersection with the East line of the right of way of the State Highway as the same is layed out and established across said Section 19; thence Northeasterly along the East right of way line of said State Highway 2868.6 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that t hey are the owner in fee simple of said premises; that they are free from all incumbrances

and that t he y will warrant and defend the same from all lawful claims whatsoever.

Dated: March 13, 1970

 Norval Dobson	
 Helen Dobson	
STATE OF IDAHO, COUNTY OF Boundary	STATE OF IDAHO, COUNTY OF Boundary
On this 13 day of March, 19 70	I hereby certify that this instrument was filed for record at
before me, a notary public in and for said State, personally appeared Norval Dobson and Helen Dobson	the request of Boundary Abstract
known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.	at 30 minutes past 4:00 o'clock p.m., this 6th day of Sept, 19 94 in my office, and duly recorded in Book 97 of the at page 301
 Ruth Allard Notary Public	Inte. NORMA J. ESTER Ex-Officio Recorder
Witness at Bonners Ferry, Idaho	By C. Thornton 3:28 PM Deputy
6/1/72	

INSTRUMENT NO.

SEP 10 1970

No. 4 2 8 7 7

WARRANTY DEED

W. L. Kinnear et ux

TO

Norval Dobson et ux

STATE OF IDAHO, COUNTY OF BOUNDARY, ss.

I hereby certify that this instrument was filed for record at request of
 Norval Dobson
 at 15 minutes past 10 o'clock A. M., this
 10 day of June, A. D. 1914,
 in my office, and duly recorded in Book 23
 at page 483. of Deeds.

Dollie Bruce Ex-Officio Recorder.

By Deputy.

Fees \$ 1.50

THIS INDENTURE, Made this 31st day of May in the year of our Lord one thousand nine hundred and forty-four, between W. L. Kinnear and Mary Jane Kinnear, his wife of the County of Boundary, State of Idaho the parties of the first part, and Norval Dobson and Helen Dobson, his wife of the County of Boundary, State of Idaho the parties of the second part, WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One and no/100----- (and other valuable consideration)----- DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, he do granted, bargained and sold and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, the following described real estate, situated in

Boundary County ~~Boundary~~, State of Idaho, to-wit:
 Beginning at a point on the north line of Section 19, Township 61 North, Range 1 East, 309.9 feet west of the Northeast corner of the Northwest quarter of said Section 19; thence South 41 degrees 7' East, 1677.5 feet to the West line of the Great Northern Railway Company's right-of-way as the same is laid out and established over and across said Section 19; thence in a Southwesterly direction along the West line of said right-of-way of the Great Northern Railway to its intersection with the East line of the right-of-way of the Spokane International Railway Company as the same is laid out and established over and across said Section 19; thence Northwesterly along said East line of said right-of-way with the East line of right-of-way of the State Highway as the same is laid out and established across said Section 19; thence Northeasterly along the East right-of-way line of said State Highway to the intersection of said East right-of-way line with the first course and distance described above set forth (line along the South 40 degrees 7' East, 1677.5);

Subject to all taxes and assessments of record; and subject to rights-of-way for road purposes.

(\$3.30 in revenue stamps attached and duly cancelled.)

TOGETHER With all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of said parties of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs, and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of

W. D. Baxter

W. L. Kinnear (SEAL)

Mary Jane Kinnear (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO, }
COUNTY OF BOUNDARY, } ss.

On this 31st day of May, in the year 1914, before me, the undersigned Notary Public in and for said County, personally appeared W. L. Kinnear and Mary Jane Kinnear, his wife 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 affixed my official seal, the day and year in this certificate first above written

O. C. Allison
 O. C. Allison, Notary Public in and for the State of Idaho, residing at Bonanza Park, Idaho

(Official Seal)

SEP 30 1914

WARRANTY DEED.

THIS INDENTURE, made this 12th day of April, in the year of our Lord one thousand and nine hundred and twenty, between E. M. Kinnear a single man of Bonners Ferry County of Boundary, State of Idaho, the party of the first part, and W. L. Kinnear, of Bonners Ferry County of Boundary, State of Idaho, the party of the second part,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE & 00/100 ~~##~~ Dollars lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs, and assigns forever, all the following described real estate, situate in Boundary County, State of Idaho, to wit: Beginning at a point on the North line of Section 19, Township 61 North Range 1 East Boise Meridian 309.9 feet West of the Northeast corner of the Northwest quarter of said Section 19; thence South 40° 7' east 1677.5 feet to the west line of the Great Northern Railway Company's right of way as same is laid out and established over and across said Section 19; thence in a Southwesterly direction along the west line of said right of way of the Great Northern Railway Company to its intersection with the West line of said Section 19; Thence North along the West line of said Section 19 to the Northwest corner of said Section 19; thence East along the North line of said Section 19 567.5 feet to the point of intersection of said North line of Section 19, and the east side of the county road running in a Northwesterly and Southeasterly direction parallel with the right of way of the Spokane International Railway Company; thence in a Southeasterly direction along the east side of said county road 591.65 feet; thence North 685 feet to the North line of the said Section 19, thence east along the North line of said Section 19 to place of beginning, save and excepting therefrom all public highways laid out and established over and across said land and save and excepting therefrom right of way of the Spokane International Railway Company's same is now laid out and established over and across said Section 19, containing 214.7 acres more or less, subject to the reservations in deed of the Northern Pacific Railway Company and indeed from David T. Ham. Also beginning at a point East 570.9 feet and South 25.0 feet from the Northwest Corner of Section 19, Township 61 North, Range 1 East of Boise Meridian, same being on the South line of the County Road; thence East 708.0 feet along said South line; thence South 660.0 feet; thence West 615.6 feet to the intersection with the County Road; thence North 7° 58' 00" West 666.4 feet along the easterly line of said North and South County Road to the point of beginning; said tract containing ten (10) acres more or less.

Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, rights, title and interest in and to the said property, as well in law as in equity, of the said party of the first part:

To have and to Hold, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and his heirs and against all and every person and persons whomsoever, lawfully claiming or to

claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed Sealed and Delivered in the
presence of

R. G. Ehrman

E. M. Kinnear (Seal)

D. M. Hough

(\$1.00 revenue stamps attached and duly cancelled)

State of Maryland)
City of Baltimore) ss.

On this 10th day of July in the year 1920 before me a Notary Public, in and for said City personally appeared E. M. Kinnear known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Raymond C. Ehrman

(Notarial Seal)

My commission expires May, 11, 1922

State Of Idaho)
County of Boundary,) ss.

I hereby certify that this instrument was filed for record at the request of W. L. Kinnear at 25 minutes past 9 oclock A. M., this 2 day of August A. D. 1920 in my office and duly recorded in Book 12 of Deeds, at page 515.

Fees \$1.50

J. B. Brody, Ex-officio Recorder.

6208

WARRANTY DEED

COMPARED
1920
THIS INDENTURE, Made the 21st day of October A.D. 1912 A.D. 1920 between E. C. Gale, and Ida M. Gale Husband and Wife of Bonners Ferry, Idaho the party of the first part, and Albert H. Featherstone of Wallace, Idaho, the party of the second part, WITNESSETH, That the said party of the first part, for and in consideration of the sum of TWELVE HUNDRED (\$1200.00) lawful money of the United States of America, to him in hand paid by the said party of the second part the receipt whereof is hereby acknowledged, these presents grant, bargain, sell convey and confirm unto the said party of the second part, and to his heirs and assigns forever the following described real property to-wit: All of Lot Number Five (5) and, the South Four (4) Feet of Lot Four (4) In Block three, (3) of Bonnerport, Now Bonners Ferry, Bonner County Idaho.

Book 2 of Deeds Page 268 K. Co.

INDEXED

Book 15 of Deeds Page 129 B. Co.

Idaho Contract No. 888 (D. R. C.) Special Deed No. 10613 W.

Northern Pacific Railway Company.

THIS DEED, made the nineteenth day of July in the year of our Lord one thousand nine hundred and two by the NORTHERN PACIFIC RAILWAY COMPANY, a corporation duly incorporated under the laws of the State of Wisconsin, party of the first part and DAVID T. HAM of the City of Spokane, in the County of Spokane, and State of Washington, party of the second part,

WITNESSETH, Whereas the party of the first part has contracted to sell and convey to the party of the second part, the parcels of lands hereinafter described free from incumbrance, for the price hereinafter specified.

Therefore, in compliance with said contract, the party of the first part in consideration of the sum of Eight Hundred forty four and 35/100 (\$44.35) Dollars, unto it paid, the receipt of which is hereby acknowledged, does grant, bargain, and convey unto the said party of the second part, his heirs and assigns, the following described tracts of lands, situate in the County of Kootenai in the State of Idaho, that is to say:

The Northeast quarter of Northeast quarter (NE $\frac{1}{4}$ of NE $\frac{1}{4}$) the South Half of Northeast quarter (S $\frac{1}{2}$ of NE $\frac{1}{4}$) the East Half of Southwest quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) the Southeast Quarter (SE $\frac{1}{4}$) and Lots Two (2), Three (3), and Four (4) of Section Nineteen (19) in Township Sixty One (61) North of Range One (1) East of the Boise Principal Meridian, containing according to the United States Government Survey, exclusive of the following described strip of land, four hundred forty four and 40/100 (44.40) acres, more or less, excepting a strip of land for railroad right of way, one hundred (100) feet in width, being fifty (50) feet on each side of the center line of the main track of the St. Paul, Minneapolis and Manitoba Railway as now constructed across said lands, said strip being shown upon the plat attached, colored yellow, also excepting and reserving herefrom a strip of land of irregular width shown upon the plat attached hereto, and colored red, said additional strip being a right of way for St. Paul, Minneapolis and Manitoba Railway for proposed change of location of track as now staked out upon grounds. The plat referred to above which described the strips herein excepted is hereby made a part hereof, reserving and excepting from said lands such as are now known or shall hereafter be ascertained to contain coal or iron, or other minerals, and also the use of such surface ground as may be necessary for mining operations, and the right of access to such reserved and excepted coal and iron or mineral lands, for the purposes of exploring, developing and working the same.

19-61-1E



State of Minnesota,)
County of Ramsey,) ss.

On this third day of September, 1902 before me personally appeared C. S. Mellen to me personally known, who being duly sworn, did say, that he is the President of the Northern Pacific Railway Company, the corporation which executed the foregoing instrument and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said C. S. Mellen acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the City of St. Paul the day and year last aforesaid.

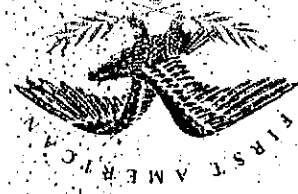
H. A. Fabian Notary Public
Ramsey County, Minnesota.

Notarial Seal.

Nor. Pac. Ry. Co. to D. T. Ham

State of Idaho,)
County of Kootenai,) ss.

Filed for record at the request of D. T. Ham on the 23rd day of Dec. 1902 at 9 o'clock A. M. and recorded in 2 Book of Deeds on page 268. Jno. C. Callahan, County Recorder, By P. L. Morton, Deputy Fee \$2.50



State of Idaho
License and Certificate of Water Right

Water License No. 17553

Amount 0.76 second foot

Water District No.

Priority August 26, 1931

THIS IS TO CERTIFY that W. L. KINNEAR
of Bonners Ferry, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 26, 1931; that Permit No. 17553
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.5 second feet, was issued thereunder on February 15, 1937, showing that said works
were completed on the 7th day of February, 1937; and that on the 29th
day of August, 1942,

W. L. KINNEAR

of Bonners Ferry, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Deep Creek
, a tributary of Kootenai River, for the purpose of irrigation and domestic
use, under Use Permit No. 17553 of the Commissioner 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 Licenses, at page 4223 on the 8th day of June, 1944;
and license is issued to NORVAL AND HELEN DOBSON, of Bonners Ferry, Idaho,
The right hereby confirmed dates from August 26, 1931;

The Point of Diversion is located
in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, Tp. 61 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 0.76
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
61 N.	1 E.	19	SW $\frac{1}{4}$ NW $\frac{1}{4}$	10	5
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	1
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	15	25
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	10	7
			Number of acres actually irrigated	-	38

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
the Commissioner of Reclamation, affixed at Boise, Idaho,
this 15th day of June, 1944

(SEAL)

MARK R. KULP
Commissioner of Reclamation
State Reclamation Engineer

98-2043

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

Application No. 24648
Permit No. 17553
District No.

1. Name of Applicant: W. L. Kinnear

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:
- (b) Treasury stock
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 1.5 cubic feet per second.

3. Source of water supply: Deep Creek which is a tributary of Kootenai River

4. Location of point of diversion: S. 8° 10' E. 3289 feet distant from the N. W.

corner of Section 19, T. 61 N., R. 1 E., B. M., and is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 19, T. 61 N., R. 1 E., B. M., County of Boundary

5. Water is to be used for: Irrigation & domestic purposes

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: \$ 1500.00

8. Kind of works: Dam and ditches

9. Height of dam 4 feet; length of dam at top 100 feet; length of dam at bottom 75

feet; material used in dam: Wood and Rock.

10. Size of headgate: Width 3 feet; height 3 feet.

11. Ditch: Width at bottom 3 feet; width at water line 4 feet; depth of water

feet; dimensions of flume:

Diameter of pipe inches; length of conduit one miles.

Average grade per mile 5 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

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

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

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

W. L. Kinnear
Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 9 A.M., August 26, 1931

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17553

Recorded in Book 63 Page 17553 Approved August 29, 1931

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 October 28, 1931

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 February 28, 1934

The whole of said work to be completed on or before August 29, 1936

Beneficial use of water appropriated in accordance herewith, to be made on or before August 29, 1942

Witness my hand this 29th day of August, 1931

R. W. FARIS

Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
61 N	1 E.	19						10	40			15	10					75	
STATE OF IDAHO DEPARTMENT OF RECLAMATION IN THE MATTER OF THE REINSTATEMENT) OF PERMIT NO. 17553 UNDER THE) ORDER REINSTATING PERMIT PROVISIONS OF SECTION 41-311, I.C.A.) WHEREAS, Permit No. 17553 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the Permit, to-wit: August 29, 1936; and, WHEREAS, On the 22nd day of December, 1936, notice to show cause why said permit should not be canceled, under the provisions of Section 41-311, I.C.A., was duly served on the holder of said permit; and, WHEREAS, On the 21st day of January, 1937 the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and, WHEREAS, On the 12th day of February, 1937 depositions of the holder and two witnesses were received at the Department of Reclamation showing that the said works of diversion were completed within the time required in the permit; and, WHEREAS, After examination of the said depositions, the Commissioner of Reclamation of the State of Idaho, is fully satisfied that the works of diversion were completed as required under the terms of said Permit No. 17553, and that the holder has acted in good faith; IT IS, THEREFORE, Hereby Ordered that said Permit No. 17553 be, and the same is, hereby reinstated, and that a certificate of completion of works be issued to the applicant herein. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of this Department, at Boise, Idaho, this 15th day of February, 1937. R. W. FARIS Commissioner of Reclamation (SEAL)																			

Permit No. 17553

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that W. L. KINNEAR of Bonners Ferry, County of Boundary, and State of Idaho, the holder of Permit No. 17553, issued upon Application No. 24648 bearing date of priority of August 26, 1931, authorizing the diversion of 1.5 second feet of the waters of Deep Creek, County of Boundary, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.5 second feet of the waters of Deep Creek; that the point of diversion of said waters is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 61 N., R. 1 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19, T. 61 N., R. 1 E., B. M.

Witness my hand this 15th day of February, A. D. 1937

R. W. FARIS
Commissioner of Reclamation

Proof of Completion of Works made February 9, 1937
Certificate of Completion of Works issued February 15, 1937

ASSIGNMENT

For value received, I hereby assign all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. 17553, to Norval and Helen Dobson of Bonners Ferry, Boundary County, Idaho

/s/ W. L. KINNEAR
Permit Holder
/s/ MARY J. KINNEAR
Wife of Permit Holder

STATE OF IDAHO)
County of Boundary) ss.

On this 3rd day of June, 1944, before me, a Notary Public for the State of Idaho, residing at Bonners Ferry, Idaho, personally appeared W. L. Kinnear and Mary J. Kinnear, known to me to be the persons whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

(SEAL) My commission expires Jan'y. 6th, 1945

/s/ W. D. BAXTER
Notary Public, residing at _____

Received and filed for record in the Department of Reclamation
at Boise, Idaho, at 9:00 A.M. June 7, 1944.

Mark R. Kulp
State Reclamation Engineer

A

LICENSE ISSUED FOR 0.76 SEC. FT.

P. 4223



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

August 31, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

TERRIL RAAUM
BEVERLY K RAAUM
PO BOX 454
CULBERTSON MT 59218

RE: Water Right 98-02043

Dear Mr. & Mrs. Raaum:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jeff Peppersack'.

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MAILED
SEP 30 1999

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

April 9, 1974

Mr. Neil Walter
WILSON & WALTER
P.O. Box 749
Bonners Ferry, ID 83805

Dear Mr. Walter:

In searching our files, we find the following water rights for Section 19, Township 61 North, Range 1 East, B.M.:

✓ License No. 98-2043 (W. L. Kinnear)

Source: Deep Creek
Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 61N, R. 1E
Purpose: Domestic and Irrigation of 38 acres
Quantity of Water: 0.76 cubic feet per second
Place of Use: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19, T. 61N, R. 1E
Date of Priority: August 26, 1931

Permit No. 98-7045 (Wayland Davis)

Source: Spring
Point of Diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 61N, R. 1E
Purpose: Domestic for 16-unit trailer court
Quantity of Water: 0.08 cubic feet per second
Place of Use: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T. 61N, R. 1E
Proposed Priority: Application Submitted September 13, 1971

We have enclosed an assignment form which you should complete and have Mr. Davis sign. This would then transfer the permit to the new owners. The Proof of Beneficial Use for Permit No. 98-7045 is due on November 11, 1976.

Please contact us if we may be of any further assistance.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp
Enclosure

WILSON & WALTER

ATTORNEYS AT LAW

PETER B. WILSON
NEIL O. WALTER

205 W. KOOTENAI
PHONE AN 7-3127
AN 7-3128
P. O. BOX 749
BONNERS FERRY, IDAHO — 83805

April 5, 1974

RECEIVED
APR 11 1974
IDAHO WATER DEPARTMENT
ADMINISTRATION

Idaho Water Department Administration
401 East Front Street
Coeur d'Alene, Idaho

Re: Deep Creek Resort, Inc.

Gentlemen:

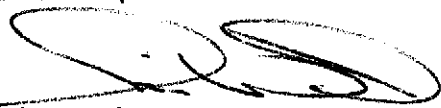
We represent Deep Creek Resort, Inc., which purchased the property known as the Deep Creek Motel and Cafe from Wayland H. Davis last year. At the time the sale was completed, Mr. Davis advised that he had acquired certain water rights and, if he has in fact done so, then it is our desire to have them transferred from Mr. Davis over to Deep Creek Resort, Inc.

The property is located in Section 19, Township 61 North, Range 1 East B. M., and I would assume that the waters appropriated would be out of Deep Creek. I would appreciate your checking this for me, and in the event that Mr. Davis has not, in fact, acquired any water rights, that you would send me a set of forms so that my client can make an application.

Thank you.

Very truly yours,

WILSON & WALTER


Neil Walter

nw:rs

June 15, 1944

Re: Permit No. 17553

Mr. Norval J. Dobson
Route 1
Bonners Ferry, Idaho

Dear Mr. Dobson:

We have duly recorded the assignment of the above numbered permit from W. L. Kinnear and wife to you, and enclose Departmental Receipt No. 18587 for the 50 cent fee for same.

We enclose License and Certificate of Water Right issued under the above numbered permit, confirming your right to use 0.76 of a second foot of water from Deep Creek, a tributary of Kootenai River, with date of priority of August 26, 1931, for irrigation and domestic use on the S₂ NE₄ and N₂ SW₄ Section 19, Township 61 North, Range 1 East, B. M.

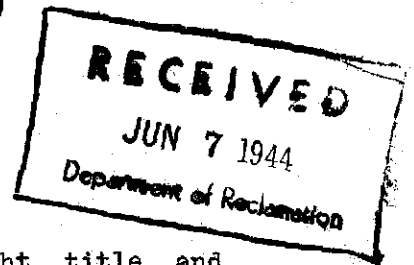
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

▲
Encl.

17553



ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 17553 to Nowalan Helen Dobson of Bannock Ferry Boundary County Idaho

W L Kinnear
Permit holder.

Mary J Kinnear
Wife of permit holder.

State of Idaho)
County of Boundary) ss

On this 3rd day of June, 1944, before me, a Notary Public for the State of Idaho, residing at Bannock Ferry - Idaho personally appeared W L Kinnear and Mary J Kinnear known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

W. D. Baxter

Notary Public, residing at

My commission expires January 6th 1945

Received and filed for record in the Department of Reclamation at Boise, Idaho, at

2:00 A. M. June 7 1944

Mark R. Kutz
State Reclamation Engineer

17553

✓
Mark R. Kulp

May 22, 1944

Re: Permit No. 17553

Mr. Norval J. Dobson
Route 1
Bonners Ferry, Idaho

Dear Mr. Dobson:

Reference is made to your notation on the bottom of office letter addressed to Mr. W. L. Kinneer, under date of April 26, 1944, in connection with final proof under the above numbered permit.

In order for the license to be issued in your name it will be necessary to have a record in this Department of the instrument transferring the title from Mr. Kinneer to you.

For that purpose we enclose a form of assignment, to be executed by Mr. Kinneer and wife before a Notary Public, and returned to this Department, with a fifty cent fee for recording.

Upon receipt of this assignment, a license will be issued to you for 0.76 second foot of water from Deep Creek, for the irrigation of 38 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19, Township 61 North, Range 1 East, B. M.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl. Assignment
Receipt # 18577

17553



C. A. BOTTOLFSSEN
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Mark R. Kulp
JAMES SPOFFORD, STATE RECLAMATION ENGINEER

BOISE

April 26, 1944

Re: Permit No. 17553

Mr. W. L. Kinneer
Bonners Ferry, Idaho

Dear Mr. Kinneer:

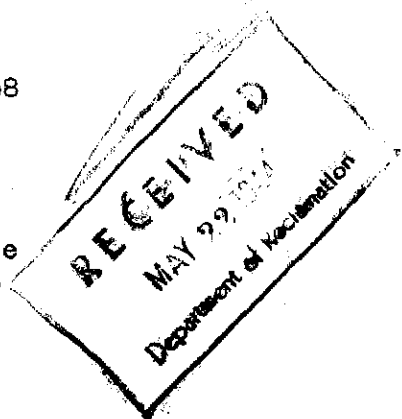
We now have on file the report of our field engineer on examination for beneficial use under the above numbered permit.

This report shows that you are irrigating 38 acres of land in four 40-acre subdivisions, namely the $S\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19, Township 61 North, Range 1 East, B.M.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for 0.76 of a second foot of water from Deep Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By Jeanne L. Anderson
Chief Clerk



Dear Sirs
I have bought W.L. Kinneer's place and wish you to make out the license in my name
Enclosed please find check for \$8.00

17553
Bonners Ferry
R.I. Idaho

Sincerely yours
Norval J. Dobson
NORVAL J. DOBSON

Mark R. Kulp

April 26, 1944

Re: Permit No. 17553

Mr. W. L. Kinnear
Bonners Ferry, Idaho

Dear Mr. Kinnear:

We now have on file the report of our field engineer on examination for beneficial use under the above numbered permit.

This report shows that you are irrigating 38 acres of land in four 40-acre subdivisions, namely the $S\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 19, Township 31 North, Range 1 East, B.M.

Therefore, upon receipt of the statutory fee of \$8.00, a license will be issued for 0.76 of a second foot of water from Deep Creek.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
by

Chief Clerk

A

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

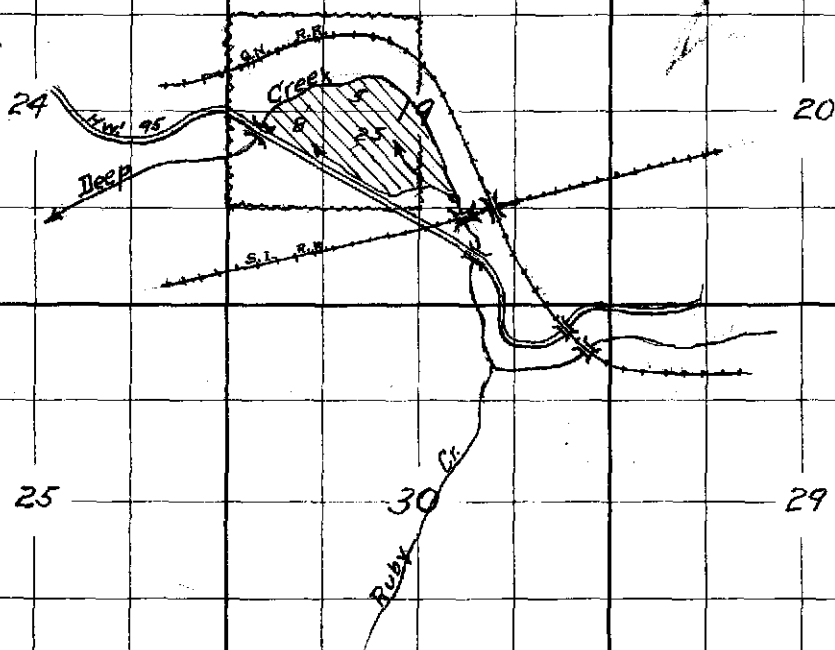
REPORT OF ENGINEER

PERMIT NO. 17553

REPORT ON PROOF OF Beneficial Use.

*P.H.
17553* → { *1.76 cfs.
38 acres
4-40's
8" pipe*

The
Vale of many Bridges



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17553

This proof is for Beneficial Use In Water District No.

1. Name of applicant W.L. Kinneer Bonnors Ferry,
2. Source of water supply: Deep Creek
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19
T. 61. N. R. 1. E County of Boundary
4. Describe works as they exist, giving dimensions and capacities of same: Diversion is by
wing-wall of rocks and earth; a head gate 3 feet wide X 2.5 feet
high X 12 feet long built of lumber, and a ditch 2-3 feet wide X
1.5 feet deep.
5. Water is used for: Domestic and Irrigation
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 for other than irrigation): S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 19, Twp. 61.N. R.1.E.

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

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

Remarks:

This examination was made on the 16th. day of July, 1943.

(Signed) Fred H. Dolman
Examiner.

Permit No. 17553

Examination for Beneficial Use

County Boundary

Applicant, W.L. Kinneer, Bonners Ferry,

Section 19, T.61.N.R.1.E.

INSTRUCTIONS TO EXAMINERS

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

September 15, 1942

Re: Permit No. 17553

Mr. W. L. Kinnear
Bonners Ferry, Idaho

Dear Mr. Kinnear:

This will acknowledge receipt of the deposition of the holder, depositions of two witnesses, and the affidavit of proof of publication from the Bonners Ferry Herald, all in connection with beneficial use proof under the above numbered permit.

Before final action can be taken in this 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, since this Department has but one Field Engineer, who makes examinations all over the State.

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

Very truly yours,

E. V. BERG
Commissioner of Reclamation

By: ROY W. THOMPSON
Deputy Commissioner

RWT:
djb

17553

Bonners Ferry, Idaho, Sept 8 1942

M

W. J. Kinney

IN ACCOUNT WITH

BONNERS FERRY HERALD

BONNERS FERRY, IDAHO

SUBSCRIPTION

From 19 To 19

ADVERTISING

Balance rendered

inches Display Adv. weeks

folios Legal Adv. weeks

lines Local Adv. weeks

7/16

Notice of Proof Application
 of Water to Beneficial use
 6 inches 5 times

\$

18 00

Paid Checks
 9/8/42
 WJ Kinney

Total

17553

Notice for Publication
Notice of Proof Application of
Water to Beneficial Use

Notice is hereby given that at 10 A. M. on the 29th day of August, 1942, at Bonners Ferry, County of Boundary, State of Idaho, before H. M. Macnamara, Notary Public, proof will be submitted of the application to beneficial use of 1.5 cubic feet per second of the waters of Deep Creek, in accordance with the terms and conditions of Permit No. 17553 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are: W. L. Kinneer, Bonners Ferry, Idaho.

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

The amount applied to beneficial use is 1.5 second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S $\frac{1}{2}$ of NW $\frac{1}{4}$; N $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 19-61 N. R. 1 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 (No name, hand and plowed ditch).

The right to take water from such works is based upon Permit No. 17553.

The source of supply from which such water is diverted is Deep Creek.

The date of priority which said user is prepared to establish is August 29, 1942.

E. V. BERG,
Commissioner of Reclamation.
First publication July 16, 1942,
5th and last pub., Aug. 12, 1942.

Affidavit of Publication

STATE OF IDAHO } ss.
County of Boundary }

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

Proprietor 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 E. V. Berg,

Commissioner of Reclamation

a Notice of Proof Application of Water to
Beneficial Use (W. L. Kinneer)

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

consecutive issues, commencing with the issue dated July 16

1942, and ending with the issued dated August 12, 1942.

C. W. King

Proprietor
Foreman

Subscribed and sworn to before me this 8 day of

September, 1942
[Signature]

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

17553

September 2, 1942

Mr. W. L. Kinnear
Bonners Ferry, Idaho

Dear Mr. Kinnear:

We are returning herewith your proof, marked "Affidavit of Holder, Proof of Completion of Works," which is presented by you on the wrong form.

Your deposition should have been given on Form No. 16, Proof of Application of Water to Beneficial Use.

We hope we are not responsible, by sending you the wrong form. However, it looks like that was what happened.

We are enclosing herewith the correct form for you to execute, which I am sure Mr. Bruce will notarize under date of August 29, 1942, as a correction.

Please return as soon as possible to this office. Also please forward affidavit from publisher of Bonners Ferry Herald.

We are very sorry to have caused you this additional inconvenience.

Very truly yours,

E. V. BERG
Commissioner of Reclamation

By: ROY W. THOMPSON
Deputy Commissioner

RWT:djb

17553

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 17553

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. W. L. Kinnear Bonnors Ferry Idaho Retired
Bonnors 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 corporation,

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

Ans. 17553 Aug. 26, 1931

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

Ans. DEEP CREEK (1.5) Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, T.61N., R.1 E.
B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Ditch and Small flume (No name) 2ft by 2ft flume; 2 or 3 Cu
Feet. Flume is about 14ft long Balance all ditches

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. Irrigation & domestic S $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; Sec 19, 61N., R. 1E.
Cultivated land 40 Acres Improved Crops

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

Ans. Only for Irrigation and Domestic use

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

Ans. 1.5

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I W.L.Kinnear am the person to whom permit was issued

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

Ans. During summer months, Through ditches and for about
10 years

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. Deep Creek flows trough my property used for stock and household
the entire year

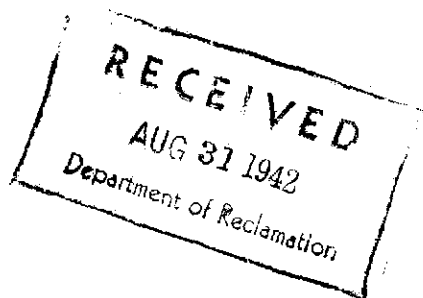
(Sign) W.L. Kinnear

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 Boundary, County of _____, State of Idaho, on this 29 day of Aug, A. D. 1942

Hallie Bruce
County Auditor

My commission expires _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 17553

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.

W. B. Lawrence 187 Bonnera Ferry Ida

Ques. 2. Are you acquainted with W. L. Kinnear, the holder of Permit No. 17553? How long have you known him and where does he reside?

Ans.

yes - 50 years
Bonner Ferry Idaho

Ques. 3. Have you read or heard read said Permit No. 17553 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.

Deep Creek.

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 1/2 sec. ft.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans.

Irrigation and domestic use
about 40 acres
S 1/2 NW 1/4 N 1/2 SW 1/4 Sec 19 - 61-1E
Sandy & Rich Soil. Good alfalfa ground

17553

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. 1 1/2 of 2 plenty

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

Ans. None

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. Help Complete works

(Signed)

H. B. Spencer

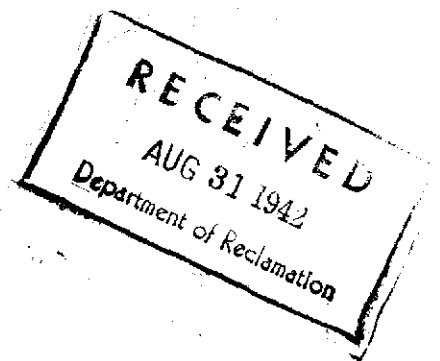
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Conners Ferry, County of Boundary State of Idaho, on this day of Aug. 29th, A. D. 1942

Nellie Bruce
Notary Public.

My commission expires _____

County Auditor
Boundary County

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 17553

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. Joe C. Ceresa Bonners Ferry, Ida.
Civil Engineer

Ques. 2. Are you acquainted with William J. Kinnear, the holder of Permit No. 17553? How long have you known him and where does he reside?

Ans. Yes I made the original survey. Have known him 18 yrs since Bonners Ferry Idaho

Ques. 3. Have you read or heard read said Permit No. 17553, 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. Deep Creek intake gate. Ditches made and completed in 1932 and it was expected cause and found the land in question irrigated

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 1.5 second ft

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. S $\frac{1}{2}$ NW $\frac{1}{4}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ SEC 19 T61 R1E B.M.
about 70 acres Rocky sub-soil

17553

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. 2 second fl. Rocky sub-soil

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. Surveyed the original and inspected same at different times

(Signed)

L. E. C. Vernon

I hereby certify that the foregoing testimony was read to the above subbscriber 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 Conness Ferry, County of Boundary State of Idaho, on this day of Aug. 29th, A. D. 1942

My commission expires _____

Dollie Bruce
Notary Public.
County Auditor
Boundary County, Idaho

**Notice for Publication
of Application of
Water to Beneficial Use**

Notice is hereby given that at 10 A. M. on the 29th day of August, 1942, at Bonners Ferry, County of Boundary, State of Idaho, before H. M. Macnamara, Notary Public, proof will be submitted of the application to beneficial use of 1.5 cubic feet per second of the waters of Deep Creek, in accordance with the terms and conditions of Permit No. 17553 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are: W. L. Kinneer, Bonners Ferry, Idaho.

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

The amount applied to beneficial use is 1.5 second feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) S $\frac{1}{2}$ of NW $\frac{1}{4}$; N $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 19-61 N. R. 1 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 (No name, hand and plowed ditch).

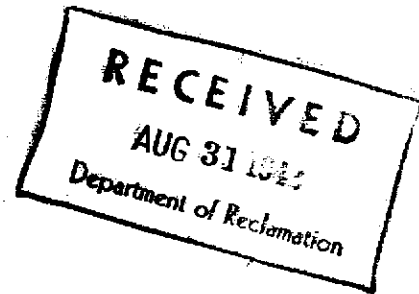
The right to take water from such works is based upon Permit No. 17553.

The source of supply from which such water is diverted is Deep Creek.

The date of priority which said user is prepared to establish is August 29, 1942.

E. V. BERG,
Commissioner of Reclamation.
First publication July 16, 1942.
5th and last pub., Aug. 12, 1942.

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE



INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

August 21, 1942

Mr. H.M. Macnamara
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. 17553

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 August 29, 1942, 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 ~~1942~~ Bonners Ferry, before H.M. Macnamara, 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.

E.V. Berg

Commissioner of Reclamation.

By Roy W. Thompson
Deputy Commissioner,

17553

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

1201

SYMBOLS

DL = Day Letter
NT = Overnight Telegram
LC = Deferred Cable
NLT = Cable Night Letter
Ship Radiogram

R. B. WHITE
PRESIDENT

NEWCOMB CARLTON
CHAIRMAN OF THE BOARD

J. C. WILLEVER
FIRST VICE-PRESIDENT

The filing time shown in the date line on telegrams and day letters is STANDARD TIME at point of origin. Time of receipt is STANDARD TIME at point of destination

PRA20 25 NT=BONNERSFERRY IDA 26

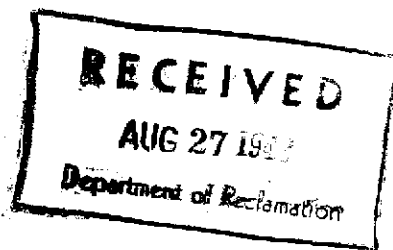
1212 AUG 27 AM 7 32

E V BERG=

COMMISSIONER OF RECLAMATION CAPITOL BLDG BOISE IDA=

H M MCNAMARA OUT OF TOWN FOR SOMETIME CAN YOU SET DATE
SEPT FIFTH FOR FINAL PROOF OR APPOINT DOLLIE BRUCE COUNTY
AUDITOR ALSO NOTARY=

H B KINNEAR.



CLASS OF SERVICE DESIRED	
DOMESTIC	CABLE
TELEGRAM	☒ ORDINARY
DAY LETTER	☐ URGENT RATE
SERIAL	☐ DEFERRED
NIGHT LETTER	☐ NIGHT LETTER
SPECIAL SERVICE	☐ SHIP RADIOGRAM

Patrons should check class of service desired; otherwise the message will be transmitted as a telegram or ordinary cablegram.

COPY OF WESTERN UNION TELEGRAM

August 27, 1942

H. B. KINNAR
BONNERS FERRY, IDAHO

SATISFACTORY TO HAVE COUNTY AUDITOR TAKE PROOF
AT TIME AND PLACE SET.

E. V. BERG
COMMISSIONER OF RECLAMATION

CHGE: Department of Reclamation
Room 107, State House

17553

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

August 21, 1942

Mr. H.M. Macnamara
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. 17553

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 August 29, 1942, 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 Idaho Bonners Ferry, before H.M. Macnamara, 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,

E.V. Berg

Commissioner of Reclamation.

By Roy.W.Thompson
Deputy Commissioner,

17553

17553

July 22, 1942

Mr. W. L. Kimmear
Bonners Ferry, Idaho

Dear Sir;

This will acknowledge receipt of notice in duplicate for publication in connection with proof of beneficial use, and also your authorization to have the notice published in the Bonners Ferry Herald, Bonners Ferry, Idaho, all in connection with Permit No. 17553.

A copy of notice has been sent to the News paper with instructions to publish it once a week for four (4) consecutive weeks, prior to August 29th, 1942 at ten (10) A.M.

About ten days prior to this date depositions, consisting of one for holder and one for each of two witnesses will be sent to Mr. Macnamara, Notary Public, Bonners Ferry, Idaho, so that he will have ample time for the proof.

On the date designed you should appear at Mr. H. M. Macnamara's office, with two (2) disinterested witnesses, who are familiar with the terms of the permit, and the works constructed thereunder, for the purpose of executing the depositions.

Very truly yours,

E. V. Berg
Commissioner of Reclamation

By
Dupty Commissioner

RWT:lap

17553

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

DATE July 8, 1942

Bonnars Ferry Herald
Bonnars Ferry, Idaho.

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to August 29, the date set for proof, the expense of the publication to be paid by the applicant, **W.L. Kinnear of Bonnars 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.

Very truly yours,

E.V. Berg

Commissioner of Reclamation.

17553

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) July 3, 1942
(P. O.) Bonnors Ferry, Idaho

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

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

W. L. Kimmman
By J. H. Kimmman

(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.

Aug 30 1942 17553

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Re: 17553

BOISE

June 11, 1942

W. L. Kinnear
Bannock Ferry, Idaho

Dear Sir:

I enclose herewith blank notice for proof of application of water to beneficial use under your Permit No. 17553, which should be filled out and returned to this office at least 40 days before the date upon which you wish to make proof. The 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 Aug. 29, 1942, and if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

E. V. BERG

Commissioner of Reclamation

17553

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

Notice is hereby given that at 10 A. M. on the 29th day of August, 1942,
 at Bonnars Ferry, County of Boundary, State of Idaho, before
H. M. Macnamara, Notary Public, proof will be submitted of the
 application to beneficial use of 1.5 cubic feet per second of the waters of Deep Creek
17553
Deep Creek in accordance with the terms and conditions of Permit No. 17553
 heretofore issued by the Dep't. of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

W. L. Kinnear Bonnars Ferry, Idaho

The use to which said water has been applied is Irrigation & Domestic Use

The amount applied to beneficial use is 1.5 second feet

The place where said water is used (if for irrigation, give full and accurate description of the
 lands irrigated) 3 1/2 of NW 1/4; N 1/2 of SW 1/4, Section 19-61N., R 1 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 (No name, hand and plowed ditch)

The right to take water from such works is based upon Permit No. 17553

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

Aug 29, 1942

The date of priority which said user is prepared to establish is.....

.....
 Commissioner of Reclamation.

17553

XXXXXXXXXX

Barzilla W. Clark

February 16, 1937

Re: Permit No. 17553

W. L. KINNEAR
Bonners Ferry, Idaho

Dear Sir:

We are enclosing herewith, Order Reinstating Permit and Certificate of Completion of Works to a capacity of 1.5 second feet of water.

You will also find attached, Office Receipt No. 16118 in the amount of \$5.00 covering fee remitted by you in connection with this proof.

Very truly yours

R. W. FARIS
Commissioner of Reclamation

by
Ass't Chief Clerk

cj
encl

17553

PERMIT No.

Proof of Completion of Works

RECEIVED

FEB 12 1937

Department of Reclamation

DEPOSITION OF HOLDER

In compliance with Sec. 5594, Compiled Statutes of Idaho.
Sec. 40-311, Idaho Code Annotated

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

Ans. W.L. Kinnear... Bonners Ferry Idaho... Farmer and Retired Merchant
 Bonners Ferry Idaho.

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

Ans. No.

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

Ans. 17553, Aug. 29, 1931... 1.5 Cubic feet... Deep Creek,
 NW 1/4 SW 1/4 Sec. 19, T. 61N., R. 1E., E. M.

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

Ans. Irrigation, About 65, or 75 Acres All in Sec. 19, 61, 1, E.

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

Ans. Water has been used each year since the completion of ditch
 In Sept. 1931. As weather condition demands.

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

Ans. Yes. Sept 1931, I believe I have.

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

Ans. I may have to clean part of ditch this year. About one days
 work

Ques. 8. Give description of works and state dimensions and capacity of each part as they existed on... Sept... 1931..., 19..., and give cost of same.

Ans. Plowed ditch, 2ft. on bottom 3ft. on top 2ft. deep. About 3500ft
 long. Intake 2'-7"-16' 2" plank flume. About 600.00 Dollars.

(Sign here.)

W.L. Kinnear
By H.B. Kinnear acting agent.

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 Bonners Ferry County of

Boundary, State of Idaho, on this 9th day of Feb. A. D. 1937

NOTARY PUBLIC for the State of Idaho
 Residing at Bonners Ferry, Ida. My
 Commission Expires October 26, 1937

My Commission expires...

H.M. Macnamara
 Notary Public.

17553

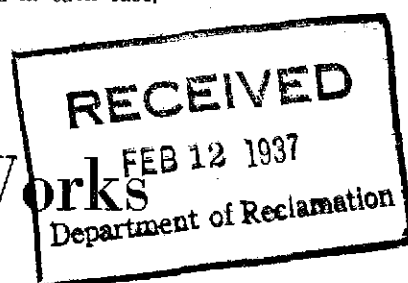
The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No.

Proof of Completion of Works

DEPOSITION OF WITNESS

*Sec. 41-511, Idaho Code Annotated
In compliance with Sec. 5594, Compiled Statutes of Idaho.*



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

Ans.

*J. H. Cave Civil Engineer
Bonners Ferry, Idaho*

Ques. 2. Are you acquainted with W. L. KINNEAR, the

holder of Permit No. 17553 authorizing the diversion of 1.5 second-feet of the waters of Deep Creek, at Moravia, Idaho for Irrigation purposes? How long have you known him, and where does he reside?

Ans.

Yes about 30 years

Ques. 3. Have you read or heard read said Permit No. 17553, and are you familiar with its terms and conditions?

Ans.

Yes

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

Ans.

*Yes In Sec. 19 - T. 61 - R. 1 E. B.M.
Cultivated land - Gravel underlying soil in varying depths - requires all water granted in the permit.*

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

Ans.

Works were completed in 1931 - Will carry full amt.

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans.

The works of diversion about Aug 29 - 1931 consisted of a timber rock and earth dam with headgate and ditch

(Sign here.)

J. H. Cave

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Bonners Ferry, County of Boundary, State of Idaho, on this 9th day of Feb.

A. D. 19 37
NOTARY PUBLIC for the State of Idaho
Residing at Bonners Ferry, Ida. My
Commission expires October 26, 1939

N. M. Marnamara
Notary Public.

My Commission expires October 26, 1939

17553

The Depositions of Witnesses, in this form, taken separately, required in each case.

PERMIT No.

RECEIVED
FEB 12 1937

Department of Reclamation

Proof of Completion of Works

DEPOSITION OF WITNESS

In compliance with Sec. 5594, Compiled Statutes of Idaho.

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

Ans.

Joe C. Vernon civil Engineer
Banner Ferry Ida

Ques. 2. Are you acquainted with ... W. L. KINNEAR ... the

holder of Permit No. 17553 authorizing the diversion of 1.5 second-feet of the waters of Deep Creek, at Moravia, Idaho, for Irrigation purposes? How long have you known him, and where does he reside?

Ans.

Twelve years

Ques. 3. Have you read or heard read said Permit No. 17553, and are you familiar with its terms and conditions?

Ans.

Yes

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

Ans.

Farm land in NW 1/4 SW 1/4 sec 19-61-1E and needs about 1/2 acre of water filed for irrigation

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

Ans.

Works fully completed in Sept. 1931

Ques. 6. Describe the works of diversion as they existed on the date stated in answer to Question 5, and give your estimate of their capacity on that date.

Ans.

Dam and ditch at that time would carry about two second ft

(Sign here.)

Joe C. Vernon

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in ... Banner Ferry, County of ...

... Banner Ferry, State of Idaho, on this 9th day of Feb. A. D. 1937

My Commission expires

NOTARY PUBLIC for the State of Idaho
Residing at Banner Ferry, Ida. My
Commission Expires October 26, 1939

J. M. Mammanna
Notary Public.

17553

NOTICE OF APPEARANCE

To Commissioner of Reclamation

Boise, Idaho.

Dear Sir:

Receipt of notice that Permit No. 17553
is held for cancellation, under the provisions of Section
41-311, Idaho Code Annotated, is acknowledged.

I hereby enter an appearance and will offer proof
to show that the works required thereunder were fully com-
pleted on the date proof of completion of works was due.

Dated at Boise, this 21 st
day of January, 19 37.

W. L. Kinnison
Applicant.

By W. B. Kinnison
Agent.

17553

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Kinnear

(Signature or name of addressee)

Myrtle Marie Jackson

(Signature of addressee's agent)

Date of delivery, *12-26*, 193 *4*

Form

U. S. GOVERNMENT PRINTING OFFICE

17553

Post Office Department

OFFICIAL BUSINESS

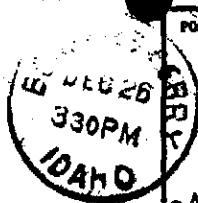
REGISTERED ARTICLE

No. 3704

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE **NO PAYMENT OF POSTAGE, \$300**



POSTMARK OF DELIVERING OFFICE

AND DATE

Return to _____

(NAME OF SENDER)

*Street and Number,
or Post Office Box,* }

BOISE,

IDAHO.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

JUL 12 1936

....., 192.....

Re: Permit No. 17553To W. L. KINNEARBonnere Ferry, Idaho

It appearing to the Commissioner of Reclamation that the terms and conditions of Permit No. 17553,
to Appropriate the Public Waters of the State of Idaho, have not been complied with as to.....

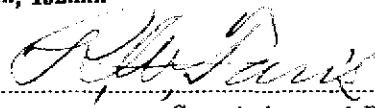
Completion of Works

you are hereby notified in compliance with Sec. 5594, Compiled Statutes of Idaho, that said Permit No. 17553.....
is hereby held for cancellation.

You are hereby required to show cause before the Commissioner of Reclamation on or before forty days
from date of this notice why said Permit should not be cancelled.

Said Permit No. 17553 claims the use of 1.5 cubic feet per second of the
waters of Deep Creek, with point of diversion located
NW 1/4 SW 1/4, Sec. 19, T. 61 N., R. 1 E., B. M., and
was approved Aug. 29, 1931

In Witness Whereof, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, this
22nd day of December, 19236



Commissioner of Reclamation.

By

Assistant.

17553

State of Idaho
DEPARTMENT OF RECLAMATION

BOISE

June 3, 1936

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

W. L. Kinnar
Bonnere Ferry, Idaho

Boise, Idaho,

Dear Sir:—

Under the terms of your permit No.....**17553**.....you are required to complete your diversion works on or before.....**Aug. 29, 1936**..... 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,

R. W. FARIS
Commissioner of Reclamation.

17553

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 17553

W. L. Kinnear

Ponnors Ferry
Idaho

Boise, Idaho, Sept. 2, 1931

Dear Sir:

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

R. W. FARIS

Commissioner of Reclamation.

17553

[illegible]

1755-2