

State of Idaho  
License and Certificate of Water Right

Water License No. 15626 Amount 1 sec. ft.  
Water District No. 97 Priority 10-5-22

THIS IS TO CERTIFY that Newport Water Company  
of Newport, Washington, made application for a permit to appropriate the  
public waters of the State of Idaho, dated October 5, 1922; that Permit No. 15626  
was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
1.0 second feet, was issued thereunder on December 3, 1925, showing that said works  
were completed on the 21st day of November, 1925; and that on the 21st  
day of November, 1925,

Newport Water Company  
of Newport, State of Washington, made proof to the satisfaction of the  
Commissioner of Reclamation of Idaho, of the right to use the waters of Carter's  
Spring, a tributary of no stream, for the purpose of domestic use  
, under Use Permit No. 15626 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 Commissioner of Reclamation of Idaho and entered of record in Volume 6  
of Licenses, at page 3390, on the 1st day of September, 1926;

The right hereby confirmed dates from October 5, 1922;

The Point of Diversion is located  
in the NW ¼ NW ¼, Sec. 30, Tp. 56 N., R. 5 W., B. M. Bonner County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,  
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.0  
cubic feet per second.

Description and location of use: domestic use in town of Newport, Washington

CERTIFICATE CORRECTING WATER LICENSE #15626

STATE OF IDAHO )  
                  ) ss:  
County of Ada )

I, GEO. N. CARTER, Commissioner of Reclamation of the  
State of Idaho, hereby certify that;

WHEREAS, An error was made in the original application  
for water right upon which Permit No. 15626 was issued in des-  
cribing the location of the point of diversion; that the said ap-  
plication and permit described the point of diversion as in the  
NW ¼ of NW ¼ of Sec. 30, Twp. 56 North, Range 5 W., B. M., whereas  
said point is actually located in the E ½ of SE ¼ of said Sec. 30,  
Twp. 56 North, Range 5 W., B. M., and that the holder of said per-  
mit has filed an affidavit making such correction, said affidavit  
showing the location of the point of diversion to have always been  
in the E ½ of SE ¼ of Sec. 30, Twp. 56 N., R. 5 W., B. M. and that  
no actual change has taken place; and,

WHEREAS, An omission occurred in issuing Water License  
#15626, dated September 1, 1926, in describing the place of use of  
water as the town of Newport, Washington, only, instead of the towns  
of Newport, Washington, and Newport, Idaho:

IT IS, THEREFORE, Hereby ordered that Water License No.  
15626 be, and the same is, hereby corrected as follows:

Paragraph 3 is hereby corrected to read: "The Point of  
Diversion is located in the E ½ SE ¼ Sec. 30, Tp. 56 N., R. 5 W., B.  
M. Bonner County."

Paragraph 5 is hereby corrected to read: "Description  
and location of use: "Domestic use in towns of Newport, Washington,  
and Newport, Idaho."

2103

public waters of the State of Idaho, dated October 5, 1922; that Permit No. 15626 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.0 second feet, was issued thereunder on December 3, 1925, showing that said works were completed on the 21st day of November, 1925; and that on the 21st day of November, 1925,

Newport Water Company

of Newport, State of Washington, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Carter's Spring, a tributary of no stream, for the purpose of domestic use, under Use Permit No. 15626 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 Commissioner of Reclamation of Idaho and entered of record in Volume 6 of Licenses, at page 3390, on the 1st day of September, 1926;

The right hereby confirmed dates from October 5, 1922;

The Point of Diversion is located

in the NW ¼ NW ¼, Sec. 30, Tp. 56 N., R. 5 W., B. M. Bonner County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.0 cubic feet per second.

Description and location of use: domestic use in town of Newport, Washington

CERTIFICATE CORRECTING WATER LICENSE #15626

STATE OF IDAHO )  
 ) ss:  
County of Ada )

I, GEO. N. CARTER, Commissioner of Reclamation of the State of Idaho, hereby certify that;

WHEREAS, An error was made in the original application for water right upon which Permit No. 15626 was issued in describing the location of the point of diversion; that the said application and permit described the point of diversion as in the NW ¼ of NW ¼ of Sec. 30, Twp. 56 North, Range 5 W., B. M., whereas said point is actually located in the E ½ of SE ¼ of said Sec. 30, Twp. 56 North, Range 5 W., B. M., and that the holder of said permit has filed an affidavit making such correction, said affidavit showing the location of the point of diversion to have always been in the E ½ of SE ¼ of Sec. 30, Twp. 56 N., R. 5 W., B. M. and that no actual change has taken place; and,

WHEREAS, An omission occurred in issuing Water License #15626, dated September 1, 1926, in describing the place of use of water as the town of Newport, Washington, only, instead of the towns of Newport, Washington, and Newport, Idaho:

IT IS, THEREFORE, Hereby ordered that Water License No. 15626 be, and the same is, hereby corrected as follows:

Paragraph 3 is hereby corrected to read: "The Point of Diversion is located in the E ½ SE ¼ Sec. 30, Tp. 56 N., R. 5 W., B. M. Bonner County."

Paragraph 5 is hereby corrected to read: "Description and location of use: "Domestic use in towns of Newport, Washington, and Newport, Idaho."

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office, at Boise, Idaho, this 23th day of December, 1928.

(SEAL)

GEO. N. CARTER  
Commissioner of Reclamation

2103

|  |  |  |  |  |  |
|--|--|--|--|--|--|
|  |  |  |  |  |  |
|--|--|--|--|--|--|

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 Commissioner of Reclamation, affixed at Boise, Idaho, this 1st day of September, 1926.

(SEAL)

W. G. SWENDSEN  
Commissioner of Reclamation  
By Geo. N. Carter  
Assistant.

96-2103

# APPLICATION FOR PERMIT 96-2103

## TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 22203  
Permit No. 15626  
District No. 97

*See Record  
to water right*

1. Name of Applicant: **Newport Water Company,**

Postoffice address: **Newport,** County: **Pend Oreille,** State: **Washington.**

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: **Newport, Washington, June 1st, 1904.**
- (b) Amount of capital stock: **\$40,000.**
- (c) Amount paid in: **\$40,000**
- (d) Names and addresses of directors: **G. W. Sutherland, Newport, Wash. Fred Stevens, Spokane, Washington, F. C. Krause, Fullerton, California.**

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources: **System has cost about \$60,000**

2. Quantity of water claimed: **one** cubic feet per second.

3. Source of water supply: **springs** which is a tributary of  
(Known as **Carters Springs**)

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

corner of Section , T. , R. , B. M., and is in the **NW $\frac{1}{4}$**  of **NW $\frac{1}{4}$**   
of Section **30** , T. **56 N.**, R. **5 W.**, B. M., County of **Bonner**

5. Water is to be used for: **domestic and fire protection, Newport, Idaho and Newport Washington, addition to the present system.**

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: \$ **Reservoir. 500,000** gallons

8. Kind of works:

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

10. Size of headgate: width feet; height feet

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

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet

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

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

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

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.

Newport Water Company                      Applicant.

By G. W. Sutherland. Agent.

Date of first receipt at Department of Reclamation. 9 A. M. October 5, 1922.

Returned to applicant for correction.

Corrected application received.

## APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 15626  
Recorded in Book 56 Page 15626 Approved October 19, 1922.  
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 December 18, 1922, 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 October 19, 1924.  
The whole of said work to be completed on or before October 19, 1926.  
Beneficial use of water appropriated in accordance herewith, to be made on or before October 19, 1927.

Witness my hand this 19th day of October, 1922.

W. G. SWENDSEN.  
Commissioner of Reclamation.

Remarks: We own the land on which these springs are located.

| 14 Twp. | Range | Sec. | NE1/4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |       |       |       | NW1/4 |       |       |       | SW1/4 |       |       |       | SE1/4 |       |       |       | Totals |
|---------|-------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
|         |       |      | NE1/4                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 | NE1/4 | NW1/4 | SW1/4 | SE1/4 |        |
|         |       |      | <p style="text-align: center;">Permit No. 15626<br/>           CERTIFICATE OF COMPLETION OF WORKS</p> <p>-----</p> <p>TO ALL WHOM IT MAY CONCERN:</p> <p>This is to certify that Newport Water Company, of Newport, County of Pend Orielle, and State of Washington, the holder of Permit No. 15626, issued upon Application No. 22203, bearing date of priority of October 6, 1922, authorizing the diversion of 1.0 second feet of the waters of springs (known as Carter's Springs), County of Bonner, State of Idaho, for domestic and fire protection 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 1.0 second feet of the waters of springs (known as Carter's Springs); that the point of diversion of said waters is in the NW1/4 NW1/4 Section 30, T. 56 N., R. 5 W.B.M., the place of use being at Newport, Idaho and Newport, Washington.</p> <p style="text-align: right;">Witness my hand this 3rd day of December, A. D. 1925.</p> <p style="text-align: right;">W. G. SWENDSEN<br/>           Commissioner of Reclamation</p> <p style="text-align: right;">By GEO. N. CARTER<br/>           Assistant</p> <p>Proof of completion made Nov. 21, 1925<br/>           Certificate issued Dec. 3, 1925</p> <p>License issued for 1.0 second feet</p> <p style="font-size: 1.5em; font-family: cursive;">Vol. 6 - Page 3390</p> |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |        |

DEED TO WATER RIGHTS.

THIS INDENTURE Made this 8th day of January, 1929, by and between NEWPORT WATER COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Washington, party of the first part, and PUBLIC UTILITIES CONSOLIDATED CORPORATION, a corporation duly organized and existing under and by virtue of the laws of the State of Arizona, party of the second part, WITNESSETH:

That the said party of the first part, for and in consideration of the sum of Ten Dollars and other good and valuable considerations to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey unto the party of the second part, its successors and assigns, the following described water rights, to-wit:

together with any and all rights in and to the foregoing water acquired by the Newport Water Company by virtue of the following described water licenses issued by the State of Idaho, to-wit:

Water license No. 15626, granted to the Newport Water Company, Sept. 1, 1926, granting the right to the use of 1 cu. ft. per sec. of the waters of Carter Springs located on the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 30, Township 56, North, Range 5, W.B.M.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be executed by its President and its corporate seal to be hereunto affixed and attested by its Secretary the day and year first above written.

NEWPORT WATER COMPANY,

By G. W. SUTHERLAND  
President

Attest:  
FRED STEVENS  
Secretary.

(SEAL)

STATE OF WASHINGTON, )  
 ) ss.  
COUNTY OF PEND OREILLE. )

On this 8th day of January, 1929, before me personally appeared G. W. SUTHERLAND, to me known to be the President of the Newport Water Company, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

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

A. M. TOURTELLOTT  
Notary Public in and for the State of  
Washington, residing at Newport, Wn.

(SEAL)

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF SPOKANE. )

On this 9th day of January, 1929, before me personally appeared FRED STEVENS, to me known to be the Secretary of the Newport Water Company, the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument, and that the seal affixed is the corporate seal of said corporation.

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

C. A. NICHOLSON  
Notary Public in and for the State  
of Washington, residing at Spokane.

(SEAL)

FOR VALUE RECEIVED, the undersigned does hereby transfer and assign to CITIZENS UTILITIES COMPANY, a Delaware corporation, all right, title and interest in and to Permit to appropriate the public waters of the State of Idaho, No. 15626.

PUBLIC UTILITIES CONSOLIDATED CORPORATION

(SEAL)

By R. J. ANDRUS  
Its President  
H. F. WELCH  
Its Assistant Secretary

STATE OF MINNESOTA )  
 ss  
COUNTY OF HENNEPIN )

On this 24th day of October, 1936, before me, a Notary Public within and for said county and state. personally appeared R. J. Andrus and H. F. Welch, personally known to me to be the President and Assistant Secretary, respectively, of Public Utilities Consolidated Corporation, the corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

(SEAL)

WALDO F. MARQUART  
Waldo F. Marquart, Notary Public, Henn. Co., Minn.  
My commission expires October 29, 1940.

Received and filed for record in the  
Department of Reclamation at Boise,  
Idaho, at 9:00 A. M., Oct. 29, 1936.

R. W. FARIS  
Commissioner of Reclamation  
By P.L.H.

STATE OF WASHINGTON )  
County of Spokane ) ss.

G. W. SUTHERLAND, being first duly sworn on oath, deposes and says: That he is President and chief operating officer of the Newport Water Company, and has been identified with said company since the year 1903, having been in charge of the original construction of the water system of said company;

That on the first day of September, 1926, W. G. Swendsen, then commissioner of reclamation of the state of Idaho, duly issued to the Newport Water Company a license and certificate of water right, No. 15626, water district No. 97, confirming the right to use 1 cu. ft. per sec. of the waters of Carters Springs for domestic use in the town of Newport, Washington, the point of diversion being in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 30, Township 56 North, Range 5 W., B. M.; that the certificate of completion of works issued on the 3rd day of December, 1925, also referred to the point of diversion of said waters as being in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 30, Township 56 North, Range 5 W., B. M. That said water license and certificate of completion of works are in error in stating that the point of diversion is located in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; that Carters Springs, also known as Culp Springs, are located in the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 30, Township 56 North, Range 5 W., B. M., and particularly described as follows:

Beginning at a stake 1174 feet north and 1602 feet east of the quarter post or stake on the south line of section 30, Township 56 North, Range 5 W., B. M., thence south 72° 30' East 330 feet; thence north 17° 30' East, 396 feet; thence north 72° 30' west 330 feet; thence south 17° 30' West 396 feet to the place of beginning, containing 3 acres, more or less;

That the point of diversion of the waters from said springs by means of a pipe line is located in the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of said Section 30, instead of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section, as set forth in the water license certificate herein referred to, and that said water has been diverted from said springs by the Newport Water Company continuously since the year 1922, and the point of diversion has always been located in the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of said section.

That the map attached hereto was prepared in May, 1928, by H. A. Sewell, a duly licensed civil engineer, and correctly shows the location of Carters Springs, also known as Culp Springs, the pipe line as actually laid out and constructed being indicated in red, showing clearly that the point of diversion is in the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of said Section, instead of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said section 30.

That water license No. 15626 is also in error in that it refers to the place of use of said water as being in the town of Newport, Washington, whereas, the certificate of completion of works states the place of use as being at Newport, Idaho, and Newport, Washington; that said certificate of completion of works is correct as to this point; that said water has at all times been used in Newport, Idaho, as well as in Newport, Washington.

G. W. SUTHERLAND

Subscribed and sworn to before me this 22d day of December, 1928.

(SEAL)

E. E. Jones  
Notary Public in and for the State  
of Washington, residing at Newport

Received and filed for record in the Department of Reclamation at Boise, Idaho, at 9:00 A. M., December 26, 1928.

GEO. N. CARTER  
Commissioner of Reclamation

**NOW  
STARTING  
RIGHT  
SIDE OF  
FILE**



State of Idaho  
**DEPARTMENT OF WATER RESOURCES**  
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS  
Governor

A. KENNETH DUNN  
Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

Wanita Lenzi, Clerk  
West Bonner Water Dist. #1  
Box 522  
Newport, WA 99156

Re: West Bonner Water District No. 1 Water Rights

Dear Mrs. Lenzi:

Your letter dated March 23, 1983, regarding the status of water rights for the West Bonner Water District No. 1 has been forwarded to this Department for response. Thank you for taking the interest to insure that the water district's water rights are properly recorded.

As described in your letter, there is a licensed water right for the use of springs within the E $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 30, Twp. 56 N, Rge. 5 W. This license, No. 96-2103 (old No. 15626) pertains to 1.0 cubic feet per second (cfs) for municipal purposes.

The junior water right for springs in the same tract is described by Permit No. 96-8052. You have indicated that this water right "replaced" the earlier water right, so I presume that the licensed right was lost through forfeiture or abandonment. However, there is no indication in the file of what actually happened to the licensed water right.

To properly advise you regarding the future disposition of Permit No. 96-8052 with respect to the requirement to commence the construction of diverting works within one year from the date the permit was issued, we need to receive information regarding the current status of the water delivery system from the springs that existed in 1922. If you would be kind enough to provide this information to the attention of Mr. David Tuthill of this office, he will be happy to respond.

Sincerely,

A. KENNETH DUNN  
Director

AKD:DRT:sc

cc: Mr. Pat Vaughn  
Governor's Office

RECEIVED

FEB 16 1978

COOKE & LAMANNA  
CHARTERED  
ATTORNEYS AND COUNSELORS AT LAW  
PRIEST RIVER PROFESSIONAL CENTER  
P. O. BOX 789  
PRIEST RIVER, IDAHO 83856

Department of Water Resources

(208) 448-1221  
KAREN M. SATTERLEE  
LEGAL ASSISTANT

THOMAS E. COOKE  
NICK M. LAMANNA  
FRED R. PALMER

February 14, 1978

Marcia L. Brown  
Record Supervisor  
State of Idaho  
Department of Water Resources  
Statehouse  
Boise, ID 83720

RE: West Bonner Water District Licenses (Formerly Newport  
Water Company, et al)

Dear Miss Brown:

Thank you for your letter of February 7, 1978.

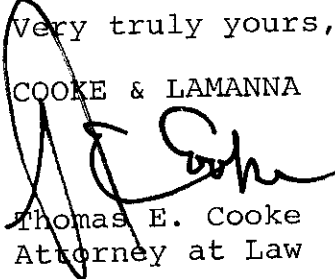
I am enclosing herewith a document entitled "Declaration of Succession of Interest" and ask that you file this with your permanent records and note that all water licenses currently outstanding in Bonner County, Idaho, either in the name of the Newport Water Company, Public Utilities Corporation or Citizens Utilities Corporation are now the property of West Bonner Water District No. 1.

It is my understanding that there were some other licenses which may still be outstanding in the name of Citizens Utilities Company in other parts of North Idaho, but West Bonner Water District makes no claim to any such licenses other than those located within Bonner County.

If you have any questions, please advise.

Very truly yours,

COOKE & LAMANNA

  
Thomas E. Cooke  
Attorney at Law

TEC:jav

RECEIVED

FEB 16 1978

Department of Water Resources

DECLARATION OF SUCCESSION OF INTEREST

KNOW ALL MEN BY THESE PRESENTS:

That we, the Board of Directors of the West Bonner Water District #1, a lawfully organized and functioning water district within Bonner County, Idaho, do hereby state and declare that we are the lawful successors in interest of the Newport Water Company, the Public Utilities Corporation, and Citizens Utilities Corporation, all being now defunct organizations and as such lawful successor, the said West Bonner District #1 is the lawful owner, in fee simple absolute, of the following described real properties situated in Bonner County, Idaho, to-wit:

Parcel #1:

Commencing at the Southwest corner of Section 29, Township 56 North, Range 5, West of the Boise Meridian, thence North 450 feet; thence East 1050 feet; thence South 450 feet; thence West 1050 feet to the point of beginning.

Parcel #2:

Beginning on the section line 450 feet North of the Southwest corner of Section 29, Township 56 North, Range 5, West of the Boise Meridian; thence East 1050 feet; thence North 150 feet; thence East 100 feet; thence North 450 feet; thence West 1150 feet; thence South 600 feet to the point of beginning.

Parcel #3:

Beginning at a point 1050 feet East of the Southwest corner of Section 29, Township 56 North, Range 5, West of the Boise Meridian; thence North 600 feet; thence East 100 feet; thence North 450 feet; thence East 25 feet; thence South 1050 feet; thence West 125 feet to the place of beginning.

Parcel #4:

Lots 2, 3, 6 and 7 in Block 21 of the original townsite of Newport, Idaho.

We further state, that as successors in interest to the above-named defunct corporations, the West Bonner Water District #1 is the owner and lawful appropriator of the following

Page One  
DECLARATION

existing water rights:

State of Idaho Water License No. 744, dated July 19, 1904.

State of Idaho Water License No. 2456, dated December 11, 1906.

License and Certificate of Water Right showing a priority date of October 5, 1922, and allowing the diversion of water from a point in the East Half of the Southeast Quarter of Section 30, Township 56 North, Range 5, West of the Boise Meridian, Bonner County, Idaho.

Application for Permit dated approximately May, 1974, applying for 0.2676 cubic feet per second from a well in Lot 2, Block 21, Original Townsite of Newport, Idaho.

All other existing water rights presently in use by the West Bonner Water District, whether perfected by permit, license, Certificate of Water Right, other documentation, or by the constitutional method of diversion and application to beneficial use.

DATED this 6th day of February, 1978.

  
Chairman

ATTEST:

  
Secretary

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

On this 6th day of February, 1978, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Harold A. Ockert and Earl Lenzi, known to me to be the Chairman and Secretary respectively of the West Bonner Water District #1, and known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they

Page Two  
DECLARATION

executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and  
seal the day and year first above written.

Janet Little  
Notary Public - State of Idaho  
Residing at Priest River therein  
My commission expires: life

Page Three  
DECLARATION



State of Idaho

## DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 384-2215

February 7, 1978

Mr. Thomas E. Cooke  
Cooke & Lamanna  
P.O. Box 789  
Priest River, Idaho 83856

RE: Water Right Licenses  
96-2002, 96-2015, 96-2103

Dear Mr. Cooke:

Please refer to your letter of February 3, 1978 in which you have requested information on transferring the licenses into the present right holders, West Bonner Water District. I have sent you copies of the subject licenses for the Water District's files.

The licenses were originally issued in the name of Newport Water Company. After a right is licensed, it is kept in the original licensed owner's name. The correct procedure at this time would be for you to send us a letter, together with a copy of the deed or papers showing the newly acquired name, to the effect that the rights of the Newport Water Company are now owned by the West Bonner Water District. This letter will be kept in the permanent file together with the license for further reference.

If we can be of further assistance, please advise.

Sincerely,

Marcia L. Brown  
Records Supervisor

mlb  
Enc.

RECEIVED

FEB 6 1978

COOKE & LAMANNA  
CHARTERED  
ATTORNEYS AND COUNSELORS AT LAW  
PRIEST RIVER PROFESSIONAL CENTER  
P. O. BOX 789  
PRIEST RIVER, IDAHO 83856

Department of Water Resources

THOMAS E. COOKE  
NICK M. LAMANNA  
FRED R. PALMER

February 3, 1978

(208) 448-1231  
KAREN M. SATTENLEE  
LEGAL ASSISTANT

Ms. Kay Weaver  
Records Supervisor  
Idaho State Department of Water Resources  
Statehouse  
Boise, Idaho 83720

RE: West Bonner Water District

Dear Ms. Weaver:

During the latter part of the summer months of 1977, you and I were corresponding about what water licenses were held in the name of the "West Bonner Water District No. 1", a legally organized water district under Idaho state law operating in the western part of Bonner County, Idaho.

From information which you provided to me it appears that Idaho State Water Licenses No. 744 and 2456, dated July 19, 1904 and December 11, 1906 respectively, are waters which the West Bonner Water District is using in its system and to which it is lawfully entitled. The records reflect, however, that these licenses are carried in the name of the "Newport Water Company. Also you advised me that you had a license and certificate of water right showing a priority date of October 5, 1922 and allowing diversion of water from a point in the east half of the southeast quarter of Section 30, Township 56 North, Range 5, W.B.M., which I believe is carried in the name of "Citizens Utility Company".

The West Bonner Water District No. 1 was organized in the early 1950's to take over the water system which was run, I believe at that time, by the Citizens Utility Company. It is my understanding that Citizens Utility Company was a successor in interest to the former Newport Water Company. Evidently, at the time the organization of West Bonner Water District No. 1, the existing Citizens Utility Company and the Newport Water Company permits were never transferred into the West Bonner Water District name. The district

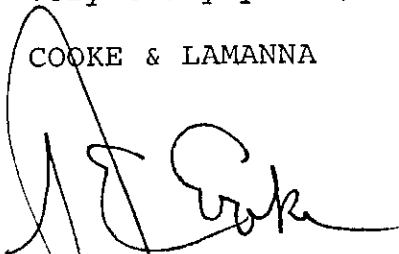
Ms. Kay Weaver  
February 3, 1978  
Page Two

is concerned that this be accomplished as soon as possible.  
Would you please advise what the procedure would be to accomplish this so that these licenses may be properly transferred.

Thank you very much for your attention to this matter.

Very truly yours,

COOKE & LAMANNA

A handwritten signature in dark ink, appearing to read 'T E Cooke', is written over a large, loopy circular flourish.

Thomas E. Cooke  
Attorney at Law  
TEC:jt

L. R. HAMBLÉN

R. S. BROOKE

W. S. GILBERT

**HAMBLÉN & GILBERT**  
**ATTORNEYS AND COUNSELORS**  
PAULSEN BUILDING  
SPOKANE, WASHINGTON

January 5, 1929

Mr. Geo. N. Carter,  
Commissioner of Reclamation,  
Boise, Idaho.

Dear Sir:

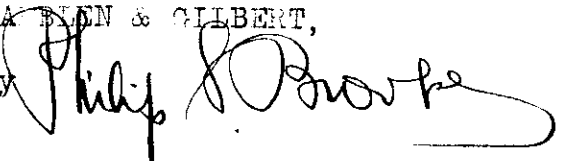
RE: Permit No. 15626 - Newport Water Company.

This is to acknowledge receipt of yours of Jan.  
3, 1929, enclosing recorded affidavit in connection with  
the correction of the above numbered permit, together  
with order and certificate correcting the water license  
issued under this permit. The order and certificate  
satisfactorily take care of this matter, and we wish to  
thank you very much for your prompt attention to the  
same.

Yours very truly,

HAMBLÉN & GILBERT,

By



PSB-s.

15626

January 3, 1929.

Re: Permit No. 15626.  
Newport Water Company.

Messrs. Hamblen & Gilbert,  
Attorneys at law,  
Paulsen Building,  
Spokane, Washington.

Gentlemen:-

Enclosed you will find the affidavit for correction of the above numbered permit, the same having been recorded under the permit in this office. You will also find enclosed an order and certificate correcting the water license issued under said permit.

We trust you will find this satisfactory and in accordance with your request of December 24.

Very truly yours,  
GEO. M. CARTER,  
Commissioner of Reclamation.

By \_\_\_\_\_  
Chief Clerk.

Encl.

HAMBLÉN & GILBERT  
ATTORNEYS AND COUNSELORS  
PAULSEN BUILDING  
SPOKANE, WASHINGTON

December 24, 1928.

Mr. George W. Carter,  
Commissioner of Reclamation,  
Boise, Idaho.

Dear Sir:

RE: Permit No. 15626 - Newport Water Company.

For the purpose of correcting the discrepancy which exists in the water license issued in connection with the above permit, we now enclose herewith corrected map showing the location of Culp Springs, also known as Carter Springs, the map having been prepared by H. A. Sewell, Civil Engineer, in May, 1928. We also enclose affidavit of G. W. Sutherland, President and Chief Operating Officer of the Newport Water Company, which affidavit shows the original proceedings to be in error in referring to the point of diversion as being in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 30, and correctly showing the point of diversion to be in the E $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 30, Township 56, North, Range 5, W.B.M.

Inasmuch as some sort of order is to be entered correcting this error there is one other slight discrepancy which should also be taken care of at the same time. All of the proceedings up to the issuance of the final water license state that the water is to be used in the town of Newport, Washington, and Newport, Idaho, but the water license only refers to the place of use as being in the town of Newport, Washington. As you know, the town of Newport is situated partly in Idaho and partly in Washington, and the water is used in both states, so we would like very much to have the order cover this correction also.

We presume that with the enclosed affidavit and map you will now be ready to enter some formal order upon the records correcting the discrepancy and issue an amended or corrected water license.

Thanking you very kindly for your prompt attention to this matter, we are

Yours very truly,

15626

HAMBLÉN & GILBERT,

By

*Philip S. Brooke*

PSB-s.  
Encl.  
CC-Mr. Mabry  
Juell Dorsey Oakley & Driscoll.



RECEIVED

DEC 26 1928

DEPARTMENT OF COMMERCE

Amended Map

Permit No. 15626

December 12, 1928

Re: Permit No. 15626

MESSRS. HAMBLEY & GILBERT  
Attorneys at Law  
Paulsen Building  
Spokane, Washington

Gentlemen:

Reference is had to your communication of December 10, regarding the discrepancy in the location of the point of diversion for the Newport Water Company's pipeline.

I suggest that you file an affidavit setting up the facts in the case, accompanying such affidavit by a clear and complete map prepared in acceptable form by a civil engineer, covering the features involved. The map originally filed with the application for permit is enough to confuse anyone or cause most any sort of error to creep into the record. It is observed that the examining engineer's report, your affidavits and the statement you now make regarding the location of this point of diversion are all at variance.

Upon receipt of the affidavit and map, as mentioned in the foregoing, some form of order will be made upon the records, correcting the discrepancy that now appears to exist.

Yours very truly,

Commissioner of Reclamation

CNC/eq

15626

**HAMBLÉN & GILBERT**  
**ATTORNEYS AND COUNSELORS**  
PAULSEN BUILDING  
SPOKANE, WASHINGTON

December 10, 1928

Mr. Geo. H. Carter,  
Commissioner of Reclamation,  
Boise, Idaho.

Dear Sir:

RE: Water License No. 15626 - Newport Water Co.

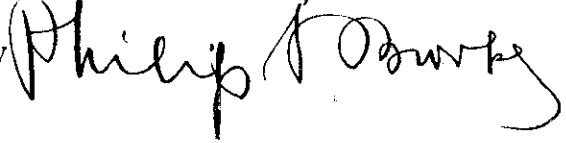
In checking over the proceedings in connection with the issuance of the certificate referred to above, we find that the description of the point of diversion is in error. The point of diversion is given in the certificate of completion of works and the final license as being located in the NW<sub>1/4</sub> of the NE<sub>1/4</sub> of Section 30, Township 56, North, Range 6, N.B.M., Bonner County. This is in error as Culp Springs, also known as Carter Springs, are located in the E<sub>1/2</sub> of the SW<sub>1/4</sub> of Section 30. In this case the amount of water having been less than 6.4 sec. ft., there was no publication, but we do not have a copy of the affidavit furnished by the Newport Water Company, and it is possible that the affidavit was in error.

We wish you would kindly advise whether or not under the circumstances it would be possible to secure an amended water license rectifying this order by furnishing a corrected affidavit or whatever proof you desire as to the correct location of Culp Springs.

Thanking you for an early reply, we are

Yours very truly,

HAMBLÉN & GILBERT,

By 

PSB-1.

15626

*Reprint 15626*

July 25, 1928.

PUBLIC UTILITIES COMMISSION,  
The Capitol,  
Boise.

Gentlemen:

The enclosed request of SIGNEY W. ROGERS for a certificate regarding orders issued applying to Newport Water Company should apparently be certified to by the Utilities Commission.

Records in this office disclose that Newport Water Company has a Certificate of Completion of Works and Water License for one cubic foot per second of the waters of Carter Springs. The water right, therefore, is established and this Department has no further jurisdiction in that respect.

Very truly yours,

Commissioner of Reclamation.

GNC/tp

15626

September 2, 1926

Re: Permit No. 15626

Mr. G. W. Sutherland, Pres.  
Newport Water Co.,  
Newport, Washington.

Dear Sir:-

Inclosed herewith you will  
find the Water License issued under  
the above numbered permit, together  
with receipt for fees paid.

Very truly yours,

W. C. SWENDSEN  
Commissioner of Reclamation

By \_\_\_\_\_ Chief Clerk

CB:HH  
Encls.

15626

# NEWPORT WATER COMPANY

NEWPORT, WASHINGTON,

August, 30th, 1926.

Mr. W.G.Swendsen, Commissioner of Reclamation.  
Boise. Idaho.

Dear Sir:

We are enclosing Money Order for \$5.00 for license  
for permit Re: No 15626 as per your letter of the 26th,

Yours truly,  
Newport Water Co.

15626

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

Permit No. 15626

This proof is for Beneficial Use

In Water District No. 97

1. Name of applicant: Newport Water Company
2. Source of water supply: Carter's Spring
3. Location of point of diversion: Is in the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of Section 30  
T. 56 N. R. 5 W., B.M. County of Bonner
4. Describe works as they exist, giving dimensions and capacities of same:

Spring has concrete curb and 2" pipe 35'  
long from curb to 1961 supply main for domestic use in town of Newport.  
Normally flows about 30 gals per min. 2" Rotary pump is used to boost  
water from spring to main. 3200' of 10" wood pipe main to distributing  
laterals.

5. Water is used for: Domestic use
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): Domestic use in the town of Newport., Washington.

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

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

Remarks:

This examination was made on the 13 day of August 1926

(Signed) W. J. Blaine Examiner.

15626

Newport Water Co.  
Newport, Wn.

Permit No. 15626

Examination for BEN. USE WATER

County BONNER

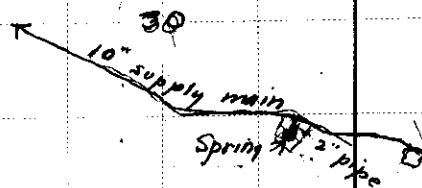
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### INSTRUCTIONS TO EXAMINERS

---

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.
-

T-56 N R 5 W B.M.



15626

December 3, 1926

In Re: Permit No. 15626

NEWPORT WATER COMPANY,  
G. W. Sutherland, President,  
Newport, Wash.

Gentlemen:

Enclosed please find certificate of completion of works, issued under the above numbered permit, together with receipt for fees paid.

Very truly yours,

W. C. SWENDSEN  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk

CB-H

15626

# AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }  
County of Bonner, } ss.

*J. Parson* being duly  
sworn, says that he is the *publisher*  
of the

## PRIEST RIVER TIMES,

a weekly newspaper printed and published at Priest River, Bonner County, Idaho, and that said newspaper during all the time herein mentioned is, and was, a newspaper of general circulation, published weekly, and that the annexed is a true copy of the notice for publication in the case of

*Notice of proof application  
of Water to Beneficial Use*

as it was published in the regular and entire issue of said paper for a period of *four* consecutive weeks, commencing on the *29th* day of *October* 192*5* and ending on the *19th* day of *November* 192*5* and that the said notice was published in said newspaper proper, and not in supplement form.

*J. Parson*  
Subscribed and sworn to before me  
this *20th* day of *Nov.* A.

D. 192*5*

*Mercedes Tremblay*

## NOTICE FOR PUBLICATION

### NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 a. m. on the 21st day of November, 1925, at Newport, State of Washington, before A. M. Tourtelotte, notary public, proof will be submitted of the application to beneficial use of One (1) cubic foot per second of the waters of what is known as Carter's spring in accordance with the terms and conditions of Permit No. 15626 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Newport Water Co., Newport, Washington.

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

The amount applied to beneficial use is One (1) cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) in the town of Newport, Idaho, and Newport, Washington.

The right to take water from such works is based upon Permit No. 15626.

The source of supply from which such water is diverted is Carter's spring.

The date of priority which said user is prepared to establish is October 5, 1922.

W. G. SWENDSEN,  
Commissioner of Reclamation.

15526

# NEWPORT WATER COMPANY

NEWPORT, WASHINGTON,

Dec.1st, 1925.

Mr. W.C.Swendsen,  
Commissioner of Reclamation,  
Boise, Idaho.

Re: Permit No 15626

Dear Sir:

We are enclosing a Money Order for \$5.00 fees as per  
yours of November 27th,

Yours truly,  
Newport Water Co.

15626

November 27, 1925

Re: Permit No. 15626  
Newport Water Co.,

Mr. C. W. Sutherland,  
Pres. Newport Water Co.,  
Newport, Wash.

Dear Sir:

We are today in receipt of affidavit of holder for proof of completion of works, together with depositions of holder and witnesses and affidavit of publication, under the above numbered permit. These have been checked and are found to be in proper form. Upon receipt of fees in the amount of \$5.00, the certificate of completion of works will be issued and mailed to you.

The papers filed for proof of beneficial use of water will be held without further action, pending the report of our examining engineer. You will then be advised as to fees due before the issuance of a license.

Very truly yours,

W. C. SWENDSEN  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk

CS-H

15626

Permit No. ....

STATE OF IDAHO  
Department of Reclamation

# Proof of Completion of Works

## AFFIDAVIT OF HOLDER

Washington

STATE OF ~~IDAHO~~,County of ~~Pend Oreille~~

} ss

Newport Water Co.

G.W. Sutherland, Pres. of the, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the state of Idaho, No. 15626, and that his postoffice address is Newport, Washington State of Washington

Second: That the name of the stream from which said water is to be diverted is Carter Springs

Third: That the point of diversion of said water is at the springs in the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 30, Tp. 56N., R. 5 W.B.M. in Bonner County, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Oct. 19th, 1926.

Fifth: That the use for which said water is intended is domestic for towns of Newport, Wash. and Newport, Ida.

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

I. Kind of works: open ditch and pipe line, pump house and pump

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

II. Dimensions of work:

(a) Height of dam 3 feet, length of dam at top 15 feet, length of dam at bottom 15 feet. Material used in construction wood and dirt

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir          acre feet.

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

(d) Conduit ditch width at bottom 2 feet, width at water line 4 feet, depth of water 6 in. / 18 in. at present time; diameter of pipe 8 inches, average grade per mile is          feet. Length of conduit is          miles.

Seventh: That said works are capable of conducting to the place of intended use 1 sec. ft.          second feet of water.

Eighth: That water appropriated under said permit is available for          acres of land described as follows: Towns of Newport, Idaho and Newport, Washington for domestic uses and for fire protection

Ninth: Remarks: That         

*G.W. Sutherland*

(Sign here)

Subscribed and sworn to before me this 21st. day of November, 19 25

*Alm. Taurillo*

My commission expires May 22nd. 1927

Notary Public.

15626

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT No. 15626

## Proof of Application of Water to Beneficial Use

### Deposition of Holder

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

Ans. G.W. Sutherland, 70 yrs., Newport, Wash., Mgr. Newport Water Co.,  
Newport, Wash.

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

Ans. Newport Water Co., President, Superintendent and Gen. Manager.

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

Ans. # 15626, Oct. 5th, 1922

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

Ans. Carter Springs in the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 30, Tp. 56N., R 5 W, B.M.  
Bonner County Idaho.

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. 250' open ditch, 90' of 8" tiling; 1 sec. foot; pump house 10'x 12'  
housing gas engine and 2" rotary pump; pumping direct into city mains.

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 cultivate or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Domestic purposes for towns of Newport, Idaho and Newport, Wash.  
and for fire protection in said towns

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

Ans. Household uses, fire protection etc. in towns of Newport, Idaho  
and Newport, Washington.

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

Ans. 750 gal. per min.

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. representative of the corporation to whom above 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. Domestic uses and for irrigating lawns etc. and for fire protection  
in the towns of Newport, Washington and Newport, Idaho.

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 right claimed thereunder.

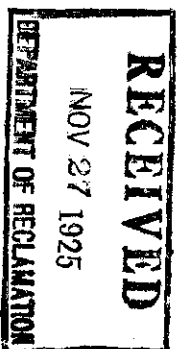
X Ans. Other springs under permit # 744/ 2454 and 2770 for domestic uses etc. in  
Newport, Idaho and Newport, Wash. through distribution system of  
Newport Water Co.

(Sign) G. M. Sutherland

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 Newport, County of Pend Oreille  
Washington  
State of ~~Idaho~~, on this 21st. day of November A. D. 19 25.

W. J. Tourtellot  
Notary Public, in and for the State of Washington,  
residing at Newport, Wash.

15626



STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT No. 15626

## 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. A.E.Leavitt; 62 yrs.; painter Newport, Washington

Ques. 2. Are you acquainted with G.W.Sutherland of the Newport Water Co., the holder of Permit No. 15626? How long have you known him and where does he reside?

Ans. Yes. 15 yrs. Newport, Washington

Ques. 3. Have you read or heard read said Permit No. 15626, 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. Carter Springs; at the springs: open ditch and pipe line

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

Ans. one sec. foot, now running about 50 gal. per min.

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

Ans. Domestic purposes for the towns of Newport, Idaho and Newport, Wash.  
and for fire protection in said towns

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

Ans. household uses and irrigating lawns etc. and for fire protection

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. \_\_\_\_\_

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

Ans. No.

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

Ans. domestic uses in the twons of Newport, Idaho and Newport, Washington.  
Worked for the Company off and on for the last 6 years.

(Sign) A Leavitt

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 Newport, County of Pend Oreille, State of Washington on this 21st day of November A. D. 1925.

Alb. L. L. L.  
Notary Public.

My commission expires May 22nd. 1927

15626

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

PERMIT No. 15626

## 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. C.A.Dingee, 32 years; Newport, Washington, Mechanic

Ques. 2. Are you acquainted with G.W.Sutherland of the Newport Water Co., the holder of Permit No. 15626? How long have you known him and where does he reside?

Ans. Yes. 6 yrs., Newport, Wash.

Ques. 3. Have you read or heard read said Permit No. 15626, 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. Carter Springs; at the springs; open ditch and pipe line

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

Ans. about one second foot, now running about 50 gal. per min.

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

Ans. Domestic purposes and for fire protection for the towns of  
Newport, Washington and Newport, Idaho.

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

Ans. Domestic purposes and for fire protection in the towns of  
Newport, Washington and Newport, Idaho.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans.

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

Ans. No.

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

Ans. domestic uses in the towns of Newport, Idaho and Newport,  
Washington. Worked upon the construction of same.

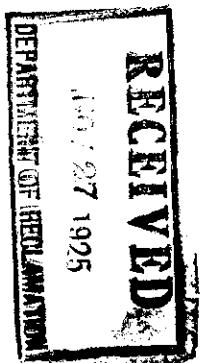
(Sign) *Dr. Lingee*

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 *Newport* County of *Paul Breille* State of *Washington*

on this *21st* day of *November* A. D. *1925*  
*Alb Saurtwell*  
Notary Public.

My commission expires *May 22, 1927*

15626



# State of Idaho

## DEPARTMENT OF RECLAMATION BOISE

### INSTRUCTIONS

#### PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

Nov. 13, 1925.

Mr. G. W. Sutherland, Pres.,  
Newport Water Company,

c/o A. M. Tourtellotte,  
Notary Public,  
Newport, Washington.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 15626.

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 November 21, 1925, 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 Newport before A. M. Tourtellotte, 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.

W. G. SWENDSEN,

Commissioner of Reclamation.

15626

# State of Idaho

## DEPARTMENT OF RECLAMATION BOISE

### INSTRUCTIONS

#### PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,      **Nov. 13, 1925**

**Newport Water Co.,**

**By Mr. G. W. Sutherland, President,**

**Newport, Washington.**

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. **15626**.

#### 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 ~~November 21, 1925~~, 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 ~~Newport~~ before ~~A. M. Tourtellotte, 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.

W. G. SWENDSEN,

Commissioner of Reclamation.

**15626**

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

DATE October 23, 1925

**The Times,**  
**Priest River, Idaho.**

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to November 21, 1925, the date set for proof, the expense of the publication to be paid by the applicant, Newport Water Co., Newport, Washington, to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

**W. G. SWENDSEN,**

*Commissioner of Reclamation.*

**15526**

October 23, 1926.

Re: Permit No. 15626.

Mr. G. W. Sutherland,  
President, Newport Water Co.,  
Newport, Washington.

Dear Sir:-

Referring to your letter of the 21st inst. would say that the notice for publication for proof under the above permit has been completed in accordance with the information given and a copy has today been mailed to the Priest River Times for the required four weeks publication prior to the date set for proof. A copy of the notice is enclosed for your files.

Deposition blanks for proof of beneficial use of water, one for the holder and one each for two witnesses, also, an affidavit form for holder for proof of completion of works, will be mailed to you in time for proof to be made November 21st. A set of these blanks will also be mailed to the notary public.

Very truly yours,  
W. G. SWENDSEN,  
Commissioner of Reclamation.

By \_\_\_\_\_  
Chief Clerk.

Enc.

15626

# NEWPORT WATER COMPANY

NEWPORT, WASHINGTON,

October, 21st. 1925.

Mr W.G.Swendsen,  
Commissioner of Reclamation,  
Boise. Idaho.

Re: Permt No. 15626

Dear Sir:

In answer to yours of the 16th. Nov. 21<sup>st</sup>. will be satisfactory to us for the proof in this case.

I will name A.M. Tourtellotte Notary, and A.E. Levitt and C.A. Dingee. witnesses. These are all residence of Washington. There is no Justice or Notary nearer than Priest River, in Idaho. and it will be more convenient for us to offer the proof here if it can be done.

Yours truly.

Newport Water Co.

By. 

15626

October 16, 1925.

Re: Permit No. 15626

Mr. G. . Sutherland,  
Pres., Newport Water Company,  
Newport, Wash.

Dear Sir:

Referring to the notice for proof of beneficial use of water under the above numbered permit, would say that this proof may be made before any Notary Public, or Justice of the Peace in case there is no Notary, and at any place most convenient to the holder and two witnesses. If you can send us the name of the Notary Public most convenient to you for this proof, the notice for publication will be completed in this respect and mailed to the Priest River Times.

If this information can reach us early next week the publication will be made at once and proof can be made November 21st. However, you may set any other date most convenient to you if you desire, not earlier, however, than November 21st.

Very truly yours,

W. G. SWENDSEN  
Commissioner of Reclamation

By

Chief Clerk

CH-H

15626

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) Aug 13<sup>th</sup> 1925  
(P. O.) Newport Nash

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at <sup>an</sup>~~my~~ expense in the Pied River Review of Pied River, published in the county in which the works are situated.

Newport Nash  
124 S. Main Street  
Boise, Idaho

(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.

## NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER  
TO BENEFICIAL USE

Notice is hereby given that at 10:30 a. m. on the 21st day of November, 1925,  
 at Newport, County of Washington, State of Idaho,  
 before A. M. Tourtellette, notary public, proof will be submitted  
 of the application to beneficial use of one (1) cubic foot per second of the  
 waters of what is known as Carter's Spring in accordance with the terms and conditions of  
 Permit No. 15626 heretofore issued by the Commissioner of Reclamation  
 of the State of Idaho.

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

Newport Water Co., Newport, Washington.

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

The amount applied to beneficial use is one (1) cubic foot per second.

The place where said water is used (if for irrigation, give full and accurate description of the  
 lands irrigated) in the town of Newport, Idaho, and Newport, Washington.

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

The right to take water from such works is based upon Permit No. 15626

The source of supply from which such water is diverted is Carter's Spring

The date of the priority which said user is prepared to establish is October 5, 1922.

W. G. Swendsen,

Commissioner of Reclamation.

# NOTICE OF PROOF OF ~~COMPLETION OF WORKS~~

## APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:30 A.M. on the 21<sup>st</sup> day of November, 1925, at Newport Washington, County of Banner State of Idaho, before A. M. Tomlinson, N. P. proof will be submitted of the completion of works for the diversion of one cubic feet per second of the waters of that is known as Carter's Spring and of the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 15626, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

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

Newport Water Co.

20 Newport Wash

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of use, in accordance with the plans accompanying the application for such permit, is one cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic purposes and the amount applied to beneficial use is one cubic feet per second.

4. The place where said water is used is in the Town of Newport Idaho  
& Newport Washington

5. The date of priority which said user is prepared to establish is Oct 5 1922

mw mw - 30 - 56H - 5W

Banner

97-

Newport Water Co.

By [Signature] and President

15626

August 25, 1925.

Re: Permit No. 15626.

Mr. G. W. Sutherland, President,  
Newport Water Company,  
Newport, Washington.

Dear Sir:-

Referring to your letter of the 22nd inst. would say that proof of completion of works may be made upon the works as completed under the above numbered permit and the certificate of completion of works will be granted for the amount of water developed, not to exceed, however, the one cubic foot per second as set forth in the permit.

Very truly yours,  
W. G. SWENDSEN,  
Commissioner of Reclamation.

By \_\_\_\_\_  
Chief Clerk.

15626

# NEWPORT WATER COMPANY

NEWPORT, WASHINGTON,

August, 22nd. 1925.

Mr. W. G. Swendsen, Commissioner of Reclamation,  
Boise, Idaho.

Dear Sir:

In our application No 22203 permit No 15626 when we made the application we had expected to have built a new reservoir by this time. owing to financial matters we have not done so. But have developed the springs applied for by running ditches and putting in tile, building a small house and installed a gas engine and a pump and have been using the water by pumping direct into our mains. in doing this we have spent about ~~\$4400~~ \$650.00 The springs furnish about forty gallons per minute.

Now what would like to know can we prove up on these springs with the present developement? We are asking this before making out the blank which you sent. We still expect to build the new reservoir in the near future but just when we cannot tell at present.

Yours truly,  
Newport Water Co.  
By *G. W. Sutherland* President.

15626

August 5, 1925

Re: Permit No. 15626

Mr. G. W. Sutherland, President  
Newport Water Company  
Newport, Washington

Dear Sir:

Per your request the 3rd instant, you will find enclosed blank notices for proof of completion of works and beneficial use of water under the above numbered permit.

The date for making proof should be set far enough ahead to allow for five publications of the notice. When these notices have been returned to this office one copy will be mailed to the paper, to be designated by you, and deposition blanks will be mailed to the notary public, two for the holder and two each for two witnesses.

The notice is required to be published in some paper printed in the county in which the water right is located.

Very truly yours,

W. G. SWENDSEN  
Commissioner of Reclamation

By \_\_\_\_\_  
Chief Clerk

CB:FK  
Encl.

15626

# NEWPORT WATER COMPANY

NEWPORT, WASHINGTON,

August 3rd, 1925.

Department of Reclamation,  
W. C. Swendsen, Commissioner.  
Boise, Idaho.

Dear Sir:

We would like to make proof on our permit No 22202  
please send us all necessary blanks and obliged.

Yours truly,

Newport Water Co,

By *G. H. Herland* President,

15626

15626

10-11

State of Idaho  
DEPARTMENT OF RECLAMATION

BOISE

Re: Permit No. 15626.

Newport Water Co.,  
Newport, Washington.

Boise, Idaho, October 19, 1922.

Dear Sir:

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

W. G. SWENDSEN.  
Commissioner of Reclamation.

15626

RECEIVED  
SEP 21 1922  
DEPARTMENT OF AGRICULTURE

Sec 32-56-5

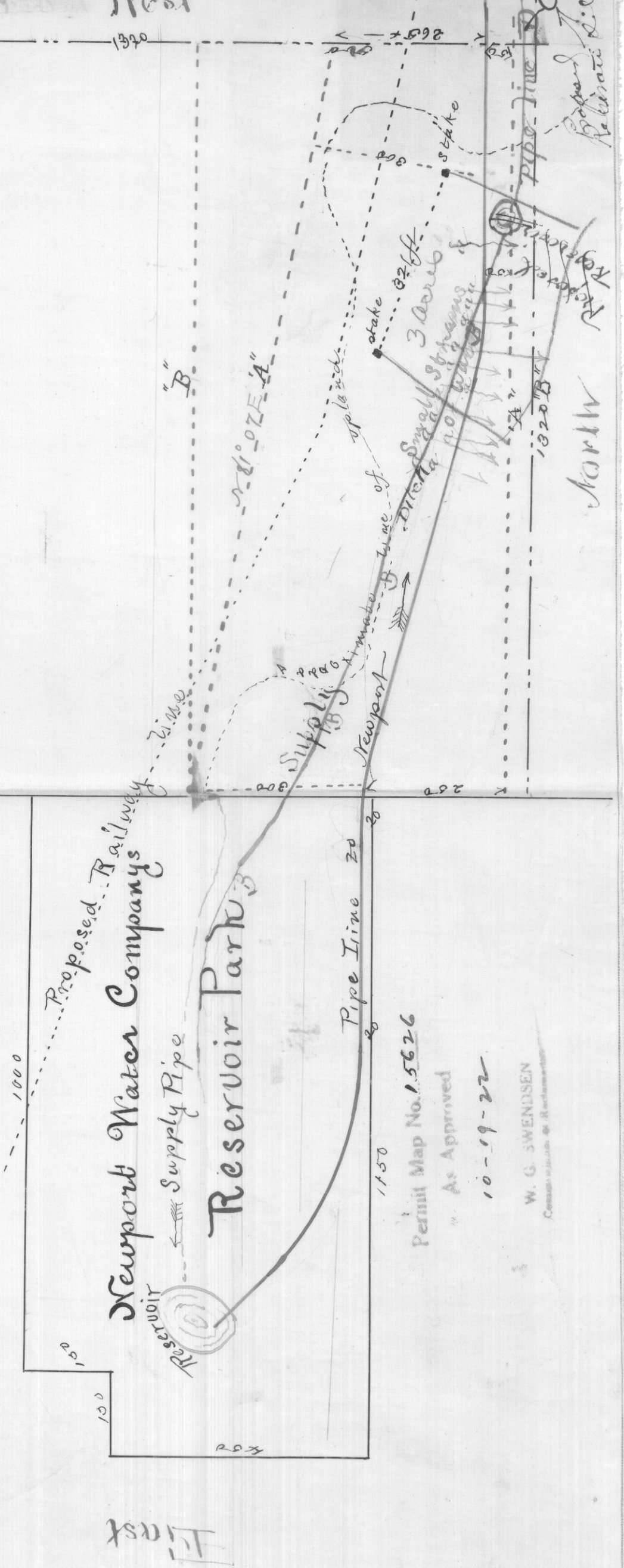
South

Sec 31-56-5

15626

Sec 29-56-5

Section 30 Tp 56 N of Rg 5 W BM  
Bonner County, Idaho.



First

Permit Map No. 15626

As Approved

10-19-22

W. G. SWENDSEN

Consulting Engineer & Reclamation



D. W. DAVIS, GOVERNOR

**STATE OF IDAHO**  
**DEPARTMENT OF RECLAMATION**  
W. G. SWENDSEN, COMMISSIONER  
**BOISE**

BUREAU OF WATER RESOURCES  
WATER APPROPRIATIONS  
CAREY ACT DEVELOPMENT

Sept. 28, 1922

22203

Newport Water, Co.  
Newport, Washington,

Gentlemen:-

The within application has been rejected for  
lack of fees in the sum of \$1.00.

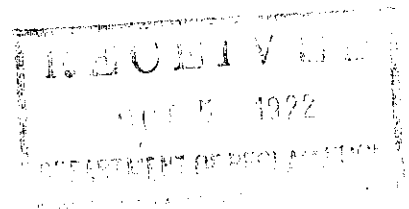
Upon receipt of this amount together with  
the application, we will be glad to issue permit thereon.

Very truly yours,

W. G. SWENDSEN,  
Commissioner of Reclamation

By

*W. H. Whitaker*



15626