
 Springs *
 Kootenai County *
 2 second feet *
 Fire protection and **
 domestic use, *
 Priority 12-11-1906 *

S T A T E _ _ O _ F _ _ I D A H O _

Water License No. 2454

WHEREAS, On the 11th day of December, A.D.1906, NEWPORT WATER COMPANY, of Newport, County of Stevens, State of Washington, duly made application (No. 3453) to me for a permit to use 2 cubic feet per second of the waters of SPRINGS, County of Kootenai, State of Idaho, for fire protection and domestic purposes, and

WHEREAS, On the 15th day of December, A.D.1906, Permit No. 2454, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion there in described on or before the 15th day of December, A.D. 1910, and for the application to beneficial use of said water on or before the 15th day of December, A.D. 1913, and

WHEREAS, On the 16th day of August, A.D. 1910, NEWPORT WATER COMPANY, the holder of said permit duly made proof of the completion of adequate works for the diversion of 2 cubic feet per second of said waters, as evidenced by my Certificate No. 2454, dated August 26, 1910, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2 cubic feet per second of said water, with date of priority of December 11, 1906, and

WHEREAS, On the 16th day of August, A.D. 1910, Newport Water Company, the holder of said permit duly made proof of the application to beneficial use of 2 cubic feet per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to THE NEWPORT WATER COMPANY, of Newport, County of Stevens, State of Washington, the holder and owner of said Permit No. 2454, a perpetual right, dating from December 11, 1906, to the use of 2 cubic feet per second of SPRINGS, in the County of Kootenai, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the southwest quarter of southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of section 29, township 36 North of Range 5 West of the Boise Meridian, and conducted to the towns of Newport, Washington, and Newport, Idaho, for the purpose of fire protection and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, such such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 26th day of August, A.D.

Nineteen hundred and ten.

(SEAL)

Recorded August 26, 1910

D.G.Martin

State Engineer

No. 3453

A P P L I C A T I O N F O R P E R M I T

To Appropriate the Public Waters of the State of Idaho.

1. Name of applicant - NEWPORT WATER COMPANY

Postoffice address: P. O. Newport

County - Stevens, State of Washington.

I. If applicant is a corporation give:

(a) Date and place of incorporation - Newport, Wash. June 1st, 1904.

(b) The amount of capital stock - \$40,000 subscribed.

(d) The names and addresses of directors at present are S. L. Thomas, Hatton, Wash., and G. S. Thomas, D. H. Thomas, G. W. Sutherland and Fred Stevens of Newport, Wash.

II The financial resources of the applicant are:

(a) Cash on hand - \$500.

(b) Treasury stock - None.

(d) Other resources - Thirteen acres of land containing springs, the source of the water supply.

2. The quantity of water claimed is two cubic feet per second.

3. Source of water supply - Springs on SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 29, Twp. 56 North, Range Five West B. M., Kootenai County, Idaho.

4. Location of point of diversion - same as source of supply.

5. To be used for: Domestic use and fire protection for Newport, Idaho, and Newport, Washington.

6. Estimated cost of works - \$15,000 originally.

7. Description of works for diversion:

I. Kind of works - Sixteen hundred feet of tile supply trenches leading into reservoir.

II. Dimensions of works:

(d) Eight and ten inch tiling in ditches Average grade per mile is 13 ft. Length of ditch is 1600 feet, and it crosses the following quarter sections in part SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 29, Twp. 56 N. R. 5 West B. M. In Kootenai County, Idaho, to reservoir of Newport Water Company, which is the point of intended use.

8. Time required for the completion of the construction of such work is four years.

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

Approval of State Engineer

The number of this permit is 2454.

Date of first receipt of application 9:00 A. M. December 11, 1906.

Blank notice for proof of completion of works and beneficial use mailed applicant
Notice received June 24, 1910, fixing August 16, 1910, as date and Newport, Idaho as place of
proof.
Publication notice mailed Northern Idaho News, July 7, 1910.
Deposition blanks mailed R.T. Ankerson, J.P. July 9, 1910
J.R. Patterson, authorized July 9, 1910, to make examination of works.
Engineer's report, received August 4, 1910
Depositions, affidavit of publication and fees received August 19, 1910.
Certificate and license issued August 26, 1910.

Permit No. 2454

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that NEWPORT WATER COMPANY, of Newport, County of Stevens, and
State of Washington, the holder of Permit No. 2454, issued upon Application No. 3453, bear-
ing date of priority of December 11, 1906, authorizing the diversion of 2 second feet of the
waters of Springs in the southwest quarter of southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of section 29,
township 56 North of Range 5 West of the Boise Meridian, County of Kootenai, State of Idaho,
for fire protection 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 convey-
ing to the place of intended use 2 second feet of the waters of Springs, that the point of
diversion of said waters is at a point in the southwest quarter of southwest quarter (SW $\frac{1}{4}$
SW $\frac{1}{4}$) of Section 29, Township 56 North of Range 5 West of the Boise Meridian, and that the
proposed place of use of said water is at the Towns of Newport, Washington, and Newport, Idaho.

Witness my hand this 26th day of August, A.D. 1910

D.G. Martin
State Engineer of the State of Idaho

License issued for 2 second feet
P. 672

Recorded in Book 7, page 2454. Approved December 15, 1906.

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 grant the same, subject to the following limitations and conditions:

Work to begin on or before February 13, 1907, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 15, 1908.

The whole of said work to be completed on or before December 15, 1910.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to December 15, 1913.

Witness my hand this 15 day of December, 1906.

Jas. Stephenson, Jr.

State Engineer

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. 2454, granted to the Newport Water Company, August 26, 1910, granting the right to the use of 2 cu. ft. per sec. of the waters of "Springs" located upon the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, 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.

(SEAL) NEWPORT WATER COMPANY,
By G. W. SUTHERLAND
President
Attest:
FRED STEVENS
Secretary.

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
(SEAL) A. M. TOURTELLOTTE
Notary Public in and for the State of
Washington, residing at Newport, Wn.

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

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. 2454.

PUBLIC UTILITIES CONSOLIDATED CORPORATION
by R. J. ANDRUS
Its President
H. F. WELCH
Its Assistant Secretary

(SEAL) 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.

**NOW
STARTING
RIGHT
SIDE OF
FILE**

RECEIVED

FEB 16 1978

Department of Water Resources

COOKE & LAMANNA
CHARTERED
ATTORNEYS AND COUNSELORS AT LAW
PRIEST RIVER PROFESSIONAL CENTER
P. O. BOX 788
PRIEST RIVER, IDAHO 83856

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

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

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.

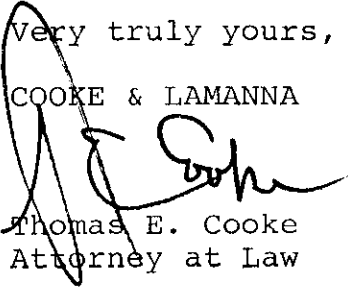
I am enclosing herewith a document entitled "Declaration of Succession of Interest" and ask that you file this with your permanent records and note that all water licenses currently outstanding in Bonner County, Idaho, either in the name of the Newport Water Company, Public Utilities Corporation or Citizens 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

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

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



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) 448-1221
KAREN M. SATTERLEE
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 2454, 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

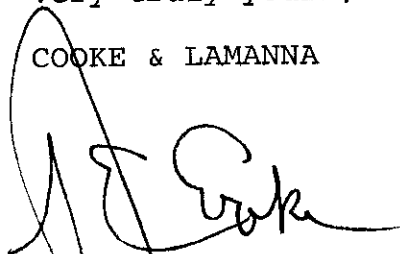
Ms. Kay Weaver
February 3, 1978
Page Two

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 black ink, appearing to read 'T. E. Cooke', is written over a large, loopy circular mark.

Thomas E. Cooke
Attorney at Law
TEC:jt

April 21, 1975

Re: License No. 96-2002 - Newport Water Company
" " 96-2015 - " " "

Mr. Matt Rougle
Route 2, Box 17-A
Newport, Washington

Dear Mr. Rougle:

We discovered two licenses issued to the Newport Water Company with priority dates of 1904 and 1910. These licenses were issued prior to the adoption of Section 42-411, Idaho Code (appropriation of water for use in Washington).

We have also enclosed a copy of Section 42-220, Idaho Code, for your reference. Please contact us if we may be of any further assistance.

Very truly yours,

Kenneth Knoblock
Water Resource Technician
Northern District

KK:cp

Enclosures

MICROFILMED

September 30, 1910.

Permit 2454

Fred Stevens, Sec.
Newport Water Co.,
Newport, Washington

Sir:-

Am inclosing you herewith certificate and license issued under
above permit.

Very truly yours,

State Engineer.

CAL

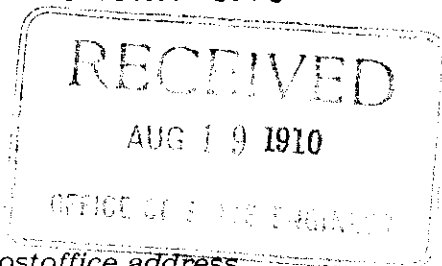
By...

2454

Permit No. 2454

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS



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

Ans. Frank D Bennett, ages 58 years, Blacksmith
Residence, Newport, Washington

Ques. 2. Are you acquainted with Newport Water Company, a corporation, the holder of Permit No. 2454? How long have you known him and where does he reside?

Ans. About 6 years the principal place of business
of the company is at Newport Washington

Ques. 3. Have you read or heard read said Permit No. 2454, 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. Springs on the S.W. 1/4 of S.W. 1/4 Sec. 29, Twp. 56 N.R. 5 W.B.M., in
Bonner County (formerly Kootenai), State of Idaho; and the location
of the point of diversion is the same as source.

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 Two (2) Cubic feet per second.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.)

Ans. Additional reservoir supply; and then used for domestic
purposes and fire protection, at Newport, Idaho, and Newport,
Washington.

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

Ans. By pipe line and conduits. No power developed.

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. None

2454

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 the water diverted under said permit.

Ans. Water has been used from time of diversion continuously up to the present time to the extent of about Two cubic feet per second by conducting it into reservoir.

(Sign) Frank W. Bennett

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 Newport, County of Bonner, State of Idaho, on this 16th. day of August, A. D. 1910.

W. D. L. (S) 2710 1910

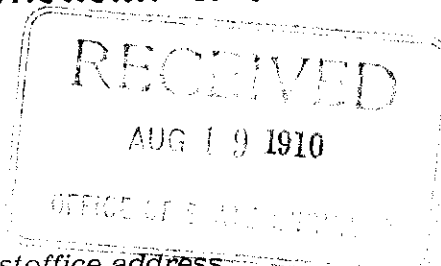
W. D. L. (S) 2710 1910
Justice of the Peace in and for Newport
Precinct, Bonner County, State of Idaho.

Permit No. _____
Proof of Application of Water to
Beneficial Use

DEPOSITION OF WITNESS

Received and filed

BY NEW-YORK CO., PRINTERS & BINDERS, BOISE
7517

Permit No. 2454.**Proof of Application of Water to Beneficial Use****DEPOSITION OF WITNESS**

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

Ans. Chas A. Fiedler, age 38 years, Hotelkeeper
Residence, Newport, Washington

Ques. 2. Are you acquainted with The Newport Water Company, a corporation the holder of Permit No. 2454? How long have you known him and where does he reside?

Ans. yes

Ques. 3. Have you read or heard read said Permit No. 2454, 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. Springs on S.W. 1/4 of S.W. 1/4 of Sec 29 Twp. 56 N.R. 5W.B.M.
in Bonner County (formerly Kootenai) State of Idaho; and the point
of diversion is same as source.

Ques. 5. How many second feet of water do you estimate ^{State of Idaho} ~~will~~ ^{can be} safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. From about One to Two cubic feet.

Ques. 6. ^{purpose} 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.)

Ans. Additional reservoir supply; and then used for domestic, and
fire protection at Newport, Idaho, and Newport, Washington.

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

Ans. By pipe line and conduits. No power developed.

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. None.

2454

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 whatever.

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

Ans. Water has been used continuously from time of diversion up to the present time to the extent of about two cubic feet of water per second by conducting it into reservoir

(Sign) C. M. Tiedler

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 Newport

County of Bonner, State of Idaho, on this 16 th.

day of August A. D. 1910.

P. J. Anderson
Justice of the Peace in and
for Newport Precinct, Bonner County,
State of Idaho.

Permit No. _____
Proof of Application of Water to
Beneficial Use

DEPOSITION OF WITNESS

Received and filed _____

Permit No. 2454.

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

RECEIVED

AUG 19 1910

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

Ans. Fred Stevens, age 28 years, Newport, Stevens County, Wash-
ington, Assistant Cashier of Bank; Newport, Washington.

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

Ans. Acting in behalf of the Newport Water Company a Washington
corporation with its principal place of business at Newport, Wash.,
Secretary acting by order of Board of Directors of said Company.
Idaho statutory agent is John Gowanlock, Priest River, Idaho.

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

Ans. No. 2454, date Dec. 15th. 1906; priority date is Dec. 11th. 1906.

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

Ans. Springs on S.W. 1/4 of S.W. 1/4 of Sec. 29, Twp. 56 N.R. 5 W.B.M., in
bonner County (formerly Kootenai), State of Idaho; location of
point of diversion same as source.

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. They consist of about 1600 feet of tiling capable
of conducting of about two cubic feet of water per second from
point of diversion to reservoir.

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.)

Ans. Additional Reservoir supply, used for domestic, and fire pro-
tection at Newport, Idaho, and Newport, Washington.

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

Ans. By pipe lines and ⁿ conduits. No horse-power generated.

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

Ans. Two cubic feet per second.

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

Ans. We are the original permit holders.

2454

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

Ans. Water has been used from time of diversion to the extent of about two cubic feet per second by conducting it into reservoir.

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. In August 1904 under permit 7444 about two cubic feet of water per second from reservoir to some of Newport Idahos and Newport Washington.

(Sign)

Inf. String

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 Newport

County of Bonner, State of Idaho, on this 16

day of August A. D. 1904

R. P. Anderson

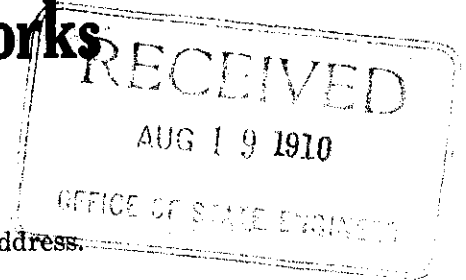
Justice of the Peace Newport, Bonner County, Idaho

Permit No. _____	Proof of Application of Water to Beneficial Use	DEPOSITION OF HOLDER	Amount of Water _____ second feet	Source _____	County _____	Purpose _____	Place of use _____	Date of Priority _____	Received and filed _____
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PERMIT NO. 2454

Proof of Completion of Works

DEPOSITION OF HOLDER



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

Ans. Fred Stevens, 28 years, Newport, Stevens County, Washington,
Assistant Cashier of Bank, Newport, Washington.

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. Acting ^{as Secretary of and} in behalf of The Newport Water Company, a corporation,
with its principal place of business at Newport, Washington;
Secretary, and acting by order of Board of Directors of said Company.

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

Ans. No. 2454, dated Dec. 15th, 1906; Two cubic feet per second; sources
are springs on S.W. 1/4 of S.W. 1/4 Sec. 29, Twp. 56 N.R. 5 W.B.M., Bonner
County, (formerly Kootenai), State of Idaho; same as source of supply.

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 intend to reclaim.

Ans. Domestic use and fire protection for Newport, Idaho, and
Newport, Washington.

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. Yes, in the month of December 1906, to the extent of approximately two cubic feet per second.

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

Ans. Yes, and they conform fully with terms of permit.

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. None.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. 1600 feet of tile supply trenches conducting water
into reservoir, and cost laid in the ground about \$ 800.

(Sign here.)

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 Newport Precinct, County of Bonner, state of Idaho, on this 16th day of August, A. D. 1910.

R. L. Anderson
Justice of the Peace in and for
Newport Precinct, Bonner County, Idaho. 2454

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

PERMIT No. 2454

Proof of Completion of Works

DEPOSITION OF WITNESS

RECEIVED

AUG 19 1910

OFFICE OF STATE ENGINEER

OFFICE OF STATE ENGINEER

AUG 19 1910

RECEIVED

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

Ans. Frank D Bennett age 58 years, Blacksmith
Residence Newport, Washington

Ques. 2. Are you acquainted with The Newport Water Company, a corporation, the holder of Permit No. 2454, authorizing the diversion of Two second-feet of the waters of

Spring on BLW 1/4 of BLW 1/4 Sec 29 Twp 56 N B 54 E 27 in Bonner County, it for domestic use & fire protection purposes? How long have you known him, and where does he reside?

Ans. About 6 years at Newport Wash

Ques. 3. Have you read or heard read said Permit No. 2454, and are you familiar with its terms and conditions?

Ans. I have and am familiar with same.

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. None

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?

Ans. Yes such is my opinion.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans. they consist of a bout 1600 feet of tile supply trenches
conducting water into reservoir and I beleive they can conduo t
about two cubic feet of water per second

(Sign here.)

Frank D Bennett

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 Newport, County

of Bonner, State of Idaho, on this 16th day of

August, A. D. 1910

Justice of the Peace in and for Newport
Precinct, Bonner County, Idaho.

2454

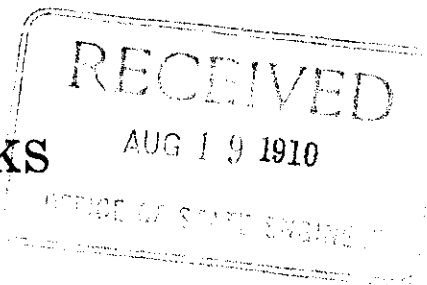
Fee paid recd Aug 19 1910
(See P. 754)

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

PERMIT No. 2454

Proof of Completion of Works

DEPOSITION OF WITNESS



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

Ans.

Chas. A. Fiedler, age 38, Hotelkeeper
Residence Newport Washington

Ques. 2. Are you acquainted with **The Newport Water Company, a corporation**, the holder of Permit No. **2454**, authorizing the diversion of **Two (2)** - second-feet of the waters of

Spring No. 10 W 1/4 of NW 1/4 Sec 29 Twp 56 N R 54 E M in Bonner County
 for **Domestic uses and** *fire protection purposes.* How long have you known *it*, and where does *it* reside?

Ans.

6 years and *it* is a principal place of business is at **Newport, Washington**

Ques. 3. Have you read or heard read said Permit No. **2454**, and are you familiar with its terms and conditions?

Ans.

I have.

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.

None

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?

Ans.

They are.

Ques. 6. Describe the works of diversion as they now exist, and give your estimate of their capacity.

Ans.

1600 feet of tile supply trenches conducting water into
reservoir and I should judge they are capable of conducting
about two to three cubic feet per second.

(Sign here.)

C. A. Fiedler

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 **Newport**, County of **Bonner**, State of Idaho, on this **16th** day of **August**, A. D. 1910.

R. J. Duperson
 Justice of the Peace in and
 for the Precinct of Newport, Bonner County
 Idaho.

2454

Report of Engineer

1. State name of applicant and number of permit: *Newport Water Company No. 2454*
2. State source of water supply: *Springs in S.W. of S.W. Sec. 29 T. 56 R. 5 W. B.M.*
3. Location of point of diversion: *S.W. of S.W. Sec. 29 T. 56 R. 5 W. B.M.*
Several Springs with park of 24 acres owned by Newport Water Co.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: *Yes*

5. Describe works as they exist, giving dimensions of same as follows:

- (a) Width of conduit at bottom: *Two principal pipe lines. One of*
- (b) Width at water line: *78 ft of 12 inch tile feed by two lines of 6 inch*
- (c) Depth of water: *tile about 1500 feet in length, and one line*
- (d) Grade per mile: *of 6 inch tile 109 ft long discharging the contents*
of a reservoir 55 ft long 63 ft wide
6. State whether or not water has been turned into works of diversion and if so, to what extent:
Yes! these lines of tile are running nearly full of water

7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *The water of the above works is discharged into the company's reservoir in their park of 24 acres in S.W. of S.W. Sec. 29 T. 56 R. 5 W. B.M.*

8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.

Remarks: *The company is now engaged in making trenches to catch underflow and seepage that will make an aggregate of 4 cubic ft per second flow or perhaps more when fully developed*

STATE OF ~~Idaho~~ **Washington**

County of **Stevens**

ss.

J.R. Patterson

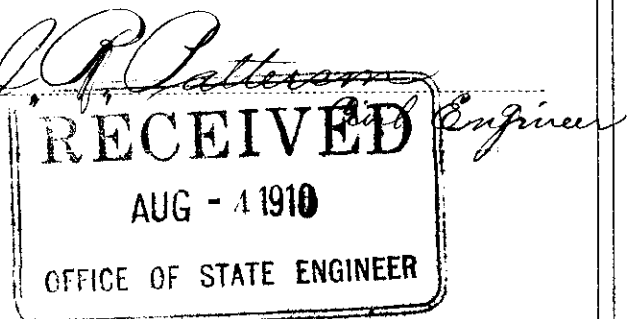
, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this **30th** day of **July** 19**10**.

My Commission Expires *May 8th 1912*

Alva Shulock
 in and for the State of **Washington** residing at **Newport Washington.**

2454



OFFICE OF STATE ENGINEER

Report on Transport Water Companies Improvements
Newport Idaho No 2454

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Reservoir park

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State Time

July 9, 1910.

Permits 744-2454

Mr. J. R. Patterson,
Newport, Washington.

Sir:-

The Newport Water Co., of Newport, Washington, has asked that you be authorized to make report on completion of works and beneficial use of water under above permits. I am, therefore, inclosing you herewith blanks for reports and maps. These permits are for two second feet, each, of the waters of Springs on SW4 SW4 Sec. 29, Tp. 56 N., R. 5 W. B. M.

Very truly yours,

State Engineer.

Inc.

By...

P. S. - please make separate report for each permit.

D.G.M.

2454

State of Idaho

ENGINEERING DEPARTMENT

BOISE

JAMES STEPHENSON, JR.,
ENGINEER

INSTRUCTIONS.

Proof of Completion of Works
and

Proof of Beneficial Use of Water.

Newport Water Co.
c/o R. T. Ankerson, J.P.
Newport, Idaho.

Boise, Idaho,

July 7, 1910.

Dear Sir:

I enclose herewith the following forms to be used in connection with proof of completion of works and beneficial use of water under permit

No.

2454.

Deposition of Permit Holder,

Depositions of Two Witnesses.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On..... the date set for proof, the enclosed forms (two ^{August 16, 1910,} for permit holder and two each for two disinterested witnesses) should be filled out and sworn to, at before..... Newport, Idaho,

2. When the depositions have been taken ^{R. T. Ankerson,} they should be mailed to this office, together with affidavit of publication of notice and fees as follows: Fee for proof of completion of works is \$5.00 for ten second feet or less. Over ten second feet a charge of 30 cents a second foot is made. The fee for beneficial use of water, for power purposes is \$5.00; if for irrigation, \$2.00 for each 40-acre tract, or fraction, to which water has been beneficially applied.

When these have been received, together with report of the Water Commissioner, if everything is properly executed, Certificate of Completion of Works and License will issue.

Yours truly,

JAS. STEPHENSON, JR.,
~~XXXXXXXXXXXXXXXXXXXX~~
State Engineer.

2454

Newport Water Company

NEWPORT, WASH., June 2 1910

State Engineer.

Boise, Idaho.

Dear Sir:

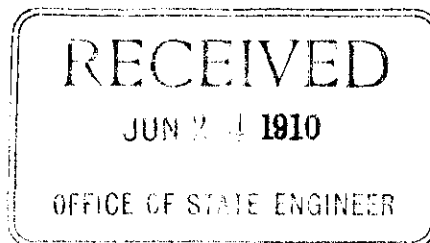
Agreeable to your favor of
the 17th inst herewith find forms as to proof of
Beneficial Use and completion of works under permit
2454 filled out.

Yours very truly,

Newport Water Company.

By Fred Stevens.

Secretary.



2454

**NOTICE OF PROOF OF COMPLETION OF WORKS
AND
APPLICATION OF WATER TO BENEFICIAL USE.**

Notice is hereby given that at _____ 2 P. M. _____ on the _____ 16th
day of _____ August _____ 19 ¹⁰ _____, at _____ Newport _____
County of _____ Bonner _____ State of Idaho, before _____ R. T. Ankerson, J.P.
proof will be submitted of the completion of works for the diversion of
_____ two _____ cubic feet per second of the waters of _____ Springs _____
_____ and of the application to
beneficial use of said water in accordance with the terms and condi-
tions of Permit No. _____ 2454 _____ heretofore issued by the State Engineer
of the State of Idaho; also, proof of the application to beneficial use of 2 cubic
feet per second of the waters of Springs, according to the conditions of Permit No. 744,
1. The name and postoffice address of the person, or corpora-
tion, holding said permit, ^s are _____ Newport Water Company, Newport, Washington. _____

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 _____ 4 _____
cubic feet per second. _____ fire protection

3. The use to which said water has been applied is ~~irrigation~~
and domestic _____ purposes, and the amount applied
to beneficial use is _____ 4 _____ cubic feet per second.

4. The place where said water is used is _____ at the town of Newport,
Washington and Newport, Idaho. _____

5. The date of priority which said user is prepared to establish
is _____ under permit No. 744 is July 19, 1904, and under permit No. 2454-December 11, 1906.

~~_____
JAS. STEPHENSON, J.P.,~~

2454

State Engineer.

see App. Pub. under Per. 744

June 24, 1910.

Permit 2454

Fred Stevens, Sec'y
Newport Water Company,
Newport, Washington.

Sir:-

I am today in receipt of yours of the 2nd inst. inclosing notices for proof of completion of works and beneficial use of water under above permit. Publication notice will be mailed in due time to the Northern Idaho News and deposition blanks will be furnished Mr. R. T. Ankerson, J.P., before whom proof is to be taken.

It will also be necessary for the works to be examined by some one competent to make an intelligent report and if you will send the name of some one whom you wish to make this examination, instructions will be sent him.

Very truly yours,

State Engineer.

By...

2454

Notice of Proof of Completion of Works

(This blank must be filled out by holder of permit and forwarded by registered mail to the State Engineer at least 60 days before the time set for completion of works.)

RECEIVED

JUN 24 1910

OFFICE OF STATE ENGINEER

(P. O.) Newport Washington

(Date) June 1st 1910

TO THE STATE ENGINEER OF THE STATE OF IDAHO, BOISE, IDAHO:

DEAR SIR: Notice is hereby given that at 2 P.M. on the 16th day of August, 1910, at Newport, County of Bonner, State of Idaho, before R.T. Ankerson .J.P. proof will be submitted of the completion of works for the diversion of Two cubic feet per second of the waters of Springs on S.W. 1/4 of S.W. 1/4 Sec 29 Twp 56 N.R. 6 W.B.M in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of Idaho.

1. The name of the person or corporation holding said permit is Newport Water Company
2. The postoffice address of such person or the place of business of such corporation is Newport County of Stevens State of Washington
3. The number of such permit is 2454, and the date set for the completion of such work is December 15 1910
4. Said water to be used for domestic and fire protection purposes.
5. 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 intended use in accordance with the plans accompanying the application for such permit, is 2 cubic feet per second.
6. The amount of lands for which said water is available is _____ acres, particularly described as follows: _____

(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 above notice are true.

Engineer.

_____ desires that the above notice be published, according to law, in the Northern Idaho News of Sandpoint Idaho published in the county in which said works are situated; the expense of which publication will be borne by us

(Signature) Newport Water Company

by [Signature] its secretary.

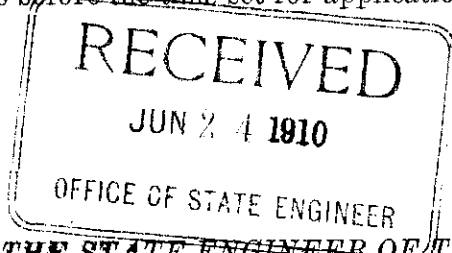
2454

See P 444

PERMIT NO.

Notice of Proof of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Engineer at least 60 days before the time set for application of water.)

(P. O.) Newport Washington(Date) June 1st 1910

TO THE STATE ENGINEER OF THE STATE OF IDAHO, BOISE, IDAHO:

DEAR SIR: Notice is hereby given that at 2 P M. on the 16th day of August 1910, at Newport County of Bonner State of Idaho, before R.T. Ankerson J.P. proof will be submitted of the application to beneficial use of 2 cubic feet per second of the waters of Springs on S.W. 1/4 of S.W. 1/4 Sec 29 Twp 56 N.R. 5W.B.M. in accordance with the terms and conditions of Permit No. 2454 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Newport Water Company P.O. Newport Washington

2. The use to which said water has been applied is domestic use and fire protection

3. The amount applied to beneficial use is all

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

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

6. The right to take the water from such works is based upon Permit No. 2454 and 744.

7. The source of supply from which such water is diverted is Springs on S.W. 1/4 of S.W. 1/4 sec 29 TWP. 56 N.R. 5 W.B.M. Bonner County Idaho

8. The date of the priority which said user is prepared to establish is under this permit December 11th 1906

I desire that the above notice be published, according to law, in the Northern Idaho News of Sandpoint Idaho, published in the county in which said water is to be used; the expense of which publication will be borne by me

(Sign) Newport Water Company

2454

By

Boise, Idaho, June 22, 1907.

Permit 2454.

Mr. Edward Murphy,
McCammon, Idaho.

Sir:

Your favor of the 20th inst. at hand enclosing notice of proof of completion of works properly filled out.

In regard to the Cordelia Warner permit would say that I think the proper way would be for the administrator of the estate to make this proof for and in behalf of the heirs of Providence Verrips, as otherwise it might complicate matters considerably. Kindly let me hear from you at once in regard to this.

Very truly yours,

Dic.S.

State Engineer.

Boise, Idaho, December 28, 1906.

Newport Water Co.,

Newport, Washington.

Gentlemen:-

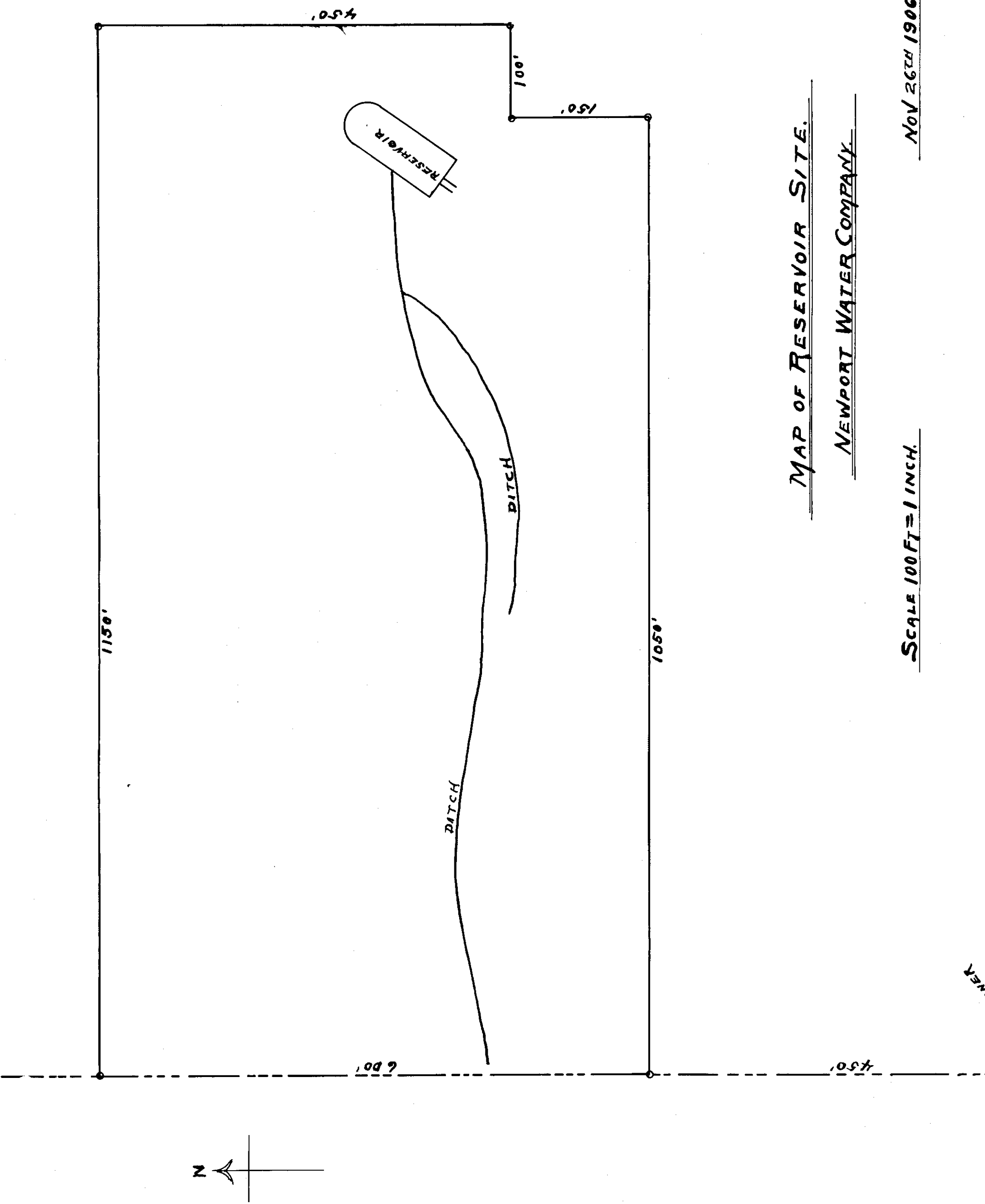
I enclose herewith permit No. 2454 in your favor.

Yours truly,

State Engineer.

2454

Handwritten initials or signature in the top right corner.

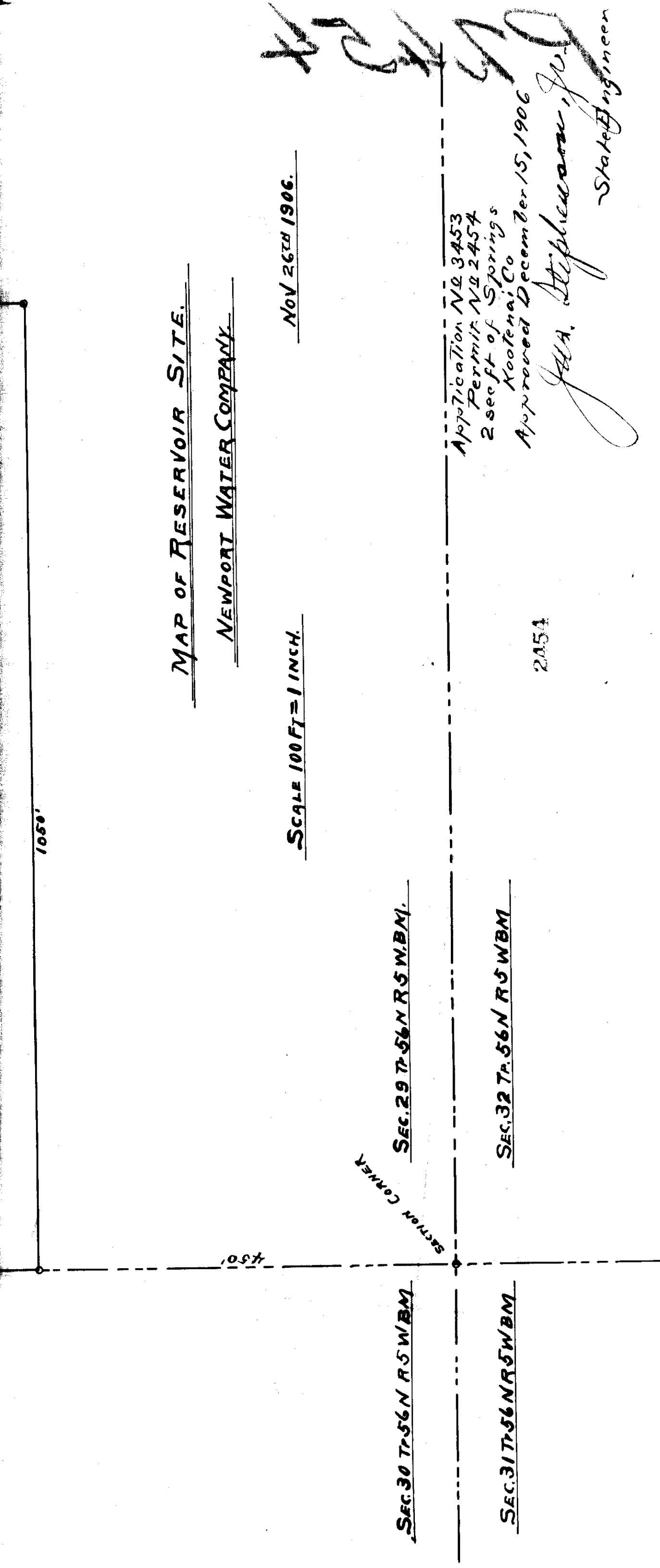


MAP OF RESERVOIR SITE.
NEWPORT WATER COMPANY

NOV 26TH 1906.

SCALE 100 FT = 1 INCH.

ORNER



MAP OF RESERVOIR SITE.

NEWPORT WATER COMPANY.

NOV 26TH 1906.

SCALE 100 FT = 1 INCH.

SECTION CORNER

SEC. 29 TP. 56 N. R. 5 W. BM.

SEC. 32 TP. 56 N. R. 5 W. BM.

SEC. 30 TP. 56 N. R. 5 W. BM.

SEC. 31 TP. 56 N. R. 5 W. BM.

Application No 3453
Permit No 2454
2 sect of Springs
Kootenai Co
Approved December 15, 1906

2454

J. H. Stephenson, Jr.
State Engineer