
Springs *
Kootenai *
2 Second feet *
Fire protection and domestic *
Priority 7-19-1904 *

S T A T E _ O F _ I D A H O
Water License No. 744

WHEREAS, On the 19th day of July, A.D. 1904, NEWPORT WATER COMPANY, of Newport, County of Stevens, State of Washington, duly made application (No. 1052) 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 6th day of August, A.D. 1904, Permit No. 744, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 6th day of August, A.D. 1906, and for the application to beneficial use of said water on or before the 6th day of August, A.D. 1910, and

WHEREAS, On the 1st day of August, A.D. 1906, 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. 744, dated August 23, 1906, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2 cubic feet per second of the waters of Springs, with date of priority of July 19, 1904, 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 NEWPORT WATER COMPANY, of Newport, County of Stevens, State of Washington, the holder and owner of said Permit No. 744, a perpetual right, dating from July 19, 1904, to the use of 2 cubic feet per second of the waters 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 56 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, when 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)

D.G.Martin
State Engineer

Recorded August 26, 1910

96-2002

Record of Application

96-2002

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, Washington, June 1st, 1904
 (b) The amount of capital stock \$ 40,000 subscribed.
 (c) The amount paid in _____
 (d) The names and addresses of directors B. L. Gorden, Spokane Wash., S. L. Thomas,
Natton, Wash., G. E. Thomas, W. C. Smith and A. E. Trille, Newport Wash.

II. The financial resources of the applicant are:

(a) Cash on hand Cash pledged by directors sufficient to install the system
 (b) Treasury stock _____
 (c) Bonds to be issued \$ 10,000 to \$ 12,000
 (d) Other resources Thirteen acres of land containing the sources
(springs) of water supply.

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

3. Source of water supply are springs on SW 1/4 of SW 1/4 Sec 29, Town 56 North Range 5 West B. M.
Idaho County

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 New-
port Washington

I. Irrigation and domestic use:

(a) Number of acres to be irrigated _____ acres
 (b) In the following legal subdivisions _____

II. Mining, power, manufacturing or transportation purposes:

(a) To be used for _____
 (b) Amount of power to be generated _____ horse power
 (c) At what point _____
 (d) If water is to be returned to stream, ("yes" or "no") No.
 (e) If "yes" at what point _____

6. Estimated cost of works \$ 15,000

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Reservoir, Dam, supply
trenches, or pipes and pipe line to town.

II. Dimensions of works:

(a) Height of dam ten feet, length of dam at top 110 feet
 length of dam at bottom 42 feet, material used in construction
 (wood, earth, stone or concrete) Timber, earth and stone
 (b) Capacity of reservoir 150 thousand gallons acre feet.
 (c) Size of headgate, width _____ feet, height _____ feet.
 (d) Ditch (flume or pipe), width at bottom Ten inch pipe and other pipe as feet, width at water
needed. line _____ feet, depth of water _____ feet. Average
 grade per mile is 50 feet. Length of ditch is Two and one-half
 miles, and it crosses the following quarter sections SW 1/4 of SW 1/4 Sec 29, SE 1/4 and SW 1/4
and NW 1/4 of Section 30 in Township 56 N. Range 5 W. B. M. Lots 6, 5 and 1 in Section 25 Town-

It is good!

Postoffice address: P. O. Newport

County Stevens, State of Washington

I. If applicant is a corporation give

(a) Date and place of incorporation Newport, Washington, June 1st, 1904

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

(c) The amount paid in

(d) The names and addresses of directors B. L. Gordon, Spokane Wash., S. L. Thomas, Natto, Wash., G. E. Thomas, W. C. Smith and A. E. Telle, Newport Wash.

II. The financial resources of the applicant are:

(a) Cash on hand Cash pledged by directors sufficient to install the system

(b) Treasury stock

(c) Bonds to be issued \$ 10,000 to \$ 15,000

(d) Other resources Thirteen acres of land containing the sources (springs) of water supply

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

3. Source of water supply are springs on SW 1/4 of SW 1/4 Sec 29, Town 50 North Range 5 West B. M. - Kootenai County

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

I. Irrigation and domestic use:

(a) Number of acres to be irrigated acres

(b) In the following legal subdivisions

II. Mining, power, manufacturing or transportation purposes:

(a) To be used for

(b) Amount, of power to be generated horse power

(c) At what point

(d) If water is to be returned to stream, ("yes" or "no") No

(e) If "yes" at what point

6. Estimated cost of works \$ 15,000

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Reservoir, Dam, supply trenches, or pipes and pipe line to town

II. Dimensions of works:

(a) Height of dam ten feet, length of dam at top 110 feet

length of dam at bottom 42 feet, material used in construction

(wood, earth, stone or concrete) Timber, earth and stone

(b) Capacity of reservoir 150 thousand gallons acre feet.

(c) Size of headgate, width feet, height feet.

(d) Ditch (flume or pipe) width at bottom Ten inch pipe and other pipe as needed feet, width at water

line feet, depth of water feet. Average

grade per mile is 50 feet. Length of ditch is Two and one-half

miles, and it crosses the following quarter sections SW 1/4 of SW 1/4 Sec 29, SE 1/4 and SW 1/4

and NW 1/4 of Section 30 in Township 50 N. Range 5 W. B. M. Lots 6, 5, and 1 in Section 25 Township 50 N. R. 5 West B. M. to corner of Groves Avenue and Fourth street in Norton's Addition to Newport Kootenai County, Idaho, thence through said Addition to Newport Washington, to which are the places of intended use. which is the point of intended use.

State of Idaho. No. 1048.

Permit-No 743

Certificate of Completion of Works

To All Whom It May Concern:

This is to certify that Solon Barber & Franklin Lindholm of Freedom County of Uinta, and State of Wyoming, the holder of Permit No 743, issued upon Application No 1048, bearing date of priority of July 18, 1904, authorizing the diversion of 3.28 second-feet of the waters of Jackknife Creek County of Bannock, State of Idaho, at a point S. $78^{\circ}58'$ W. 2414 feet from $\frac{1}{4}$ corner between Sections 20 and 29 Township 4 S., R. 46 E. B. M., for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit, that said works are adequate for diverting and conveying to the place of intended use 3.28 second-feet of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northeast Quarter ($NE\frac{1}{4}$) of Northeast Quarter ($NE\frac{1}{4}$) of Section Twenty-nine (29); North Half ($N\frac{1}{2}$) of Northwest Quarter ($NW\frac{1}{4}$); Southwest Quarter ($SW\frac{1}{4}$) of Northwest Quarter ($NW\frac{1}{4}$); Northwest Quarter ($NW\frac{1}{4}$) of Northeast Quarter ($NE\frac{1}{4}$) of Section Twenty-eight (28), Township Four (4) South, Range Forty-six (46) East of Boise Meridian.

Witness my hand this nineteenth day of September A.D. 1906

Jas. Stephenson Jr.
State Engineer of the State of Idaho.

or Permit to Appropriate

8. Time required for the completion of the construction of such work is One year
years. (The time must in no case exceed five years after date of approval of application.)
9. Time required for the complete application of the water to the proposed use is Five
years. (The time must in no case exceed four years after the date set for the completion of works as defined in Section 8.)

Remarks:

the Public Waters of the

APPROVAL OF STATE ENGINEER.

The number of this permit is 743.

Date of first receipt of application 8 a.m. July 18, 1904.

Returned to applicant for correction 190.

Corrected application received 190.

Recorded in Book 3, Page 743.

Approved August 6, 1904.

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:

One-fifth of the work above specified to be completed on or before August 6, 1905.

The whole of said work to be completed on or before August 6, 1906.

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

August 6, 1910.

Witness my hand this sixth day of August, 1904.

Wayne Darlington
State Engineer.

Form 103. Notice of Proof of Completion of Works mailed applicant May 1, 1906
Notice of Proof of Completion received June 15th fixing August 6, 1906 as the
date and Glen Bingham Co as the place of proof. Notice for Publication
sent the Idaho Falls Register, Idaho Falls July 2, 1906 also same date blank
Deposition Blanks for holder and witnesses with instructions were sent to
applicant. Depositions of Holder and Witnesses received Aug 20, 1906
Affidavit of Publication received Aug 20, 1906. Fee of 5⁰⁰ received Aug 22,
1906. D.W. Ross of Freedom Wyo requested to make examination Aug 31
1906 his report being received Sept 16, 1906 All papers being in
certificate was duly issued the 19th September 1906

the Public Waters of the

APPROVAL OF STATE ENGINEER.

The number of this permit is 744
Date of first receipt of application 7 a.m. July 17, 1904
Returned to applicant for correction 190
Corrected application received 190
Recorded in Book 5 Page 744
Approved ✓ August 6, 1904

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:

One-fifth of the work above specified to be completed on or before February 6, 1905

The whole of said work to be completed on or before August 6, 1906

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

August 6, 1910

Witness my hand this 6th day of August 1904

Wayne Darlington
State Engineer.

Form 103. Notice of Proof of Completion of Works mailed applicant May 1, 1906
Notice of Proof of Completion received fiscus Newport, Kootenai Co before O.R.F
Rush and the date of proof First of August-1906. Notice sent to Coeur d'Alene
Press for publication and blanks of holder and witnesses to applicant
with instructions June 27, 1906 also J.R. Patterson of Newport Washington
requested to examine and report on works. Notice of Publication
fee of 5⁰⁰ and Depositions of holder and Witnesses received Aug 9, 1906
also report of Engineer all papers being in and satisfactory Certificate
of Completion was duly issued the 23 day of August-1906

or Permit to Appropriate

JANUARY 1911, IDAHO

8. *Time required for the completion of the construction of such work is* _____ 4 _____
years. (The time must in no case exceed five years after date of approval of application.)
9. *Time required for the complete application of the water to the proposed use is* _____ 4 _____
years. (The time must in no case exceed four years after the date set for the completion of works as defined in Section 8.)

Remarks:

State of Idaho. No. 1052.

Permit No 744

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 744, issued upon Application No 1052, bearing date of priority of July 19, 1904, authorizing the diversion of two second-feet of the waters of springs, County of Kootenai, State of Idaho, at SW¼ of SW¼ of Section 29, Township 56 North, Range 5 West of Boise Meridian, 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 conveying to the place of intended use two second-feet of water and that the place where said water is to be used is Newport Idaho and Newport Washington

Witness my hand this twenty-third day of August A.D. 1906.

Geo Stephenson Jr
State Engineer of the State of Idaho.

License issued for 2 second feet
p. 670

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. 744, 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 SW¼ of the SW¼ 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:

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. 744, 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

DEED TO MYLES BIRCH

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

(2271)
the day and year that above written.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal
that the seal affixed is the corporate seal of said corporation.

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.

Record of Application f

1. Name of applicant Edwin M. Yearian
 Postoffice address: P. O. Limb Agency, Idaho
 County Limb

CANCELLED pursuant to Sec. 5594,
 Compiled Statutes of Idaho, by
 order of Commissioner of Reclamation
 dated JAN 12 1922

I. If applicant is a corporation give

- (a) Date and place of incorporation
 (b) The amount of capital stock
 (c) The amount paid in
 (d) The names and addresses of directors

II. The financial resources of the applicant are:

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

2. The quantity of water claimed is equivalent of a continuous flow of ten (10) cubic feet per second

3. Source of water, supply surplus flood and winter flow of South Branch of West Fork
Timber Creek, Limb County

4. Location of point of diversion N. 1/4 Sec. 24, T. 15 N. R. 25 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Number of acres to be irrigated 500 acres

(b) In the following legal subdivisions E. 1/2 N. 1/4, N. E. 1/4, S. 1/4, N. 1/2 S. E. 1/4, S. N. 1/4, N. E. 1/4 Sec. 30, S. 1/2, N. 1/4, N. 1/2, S. 1/4, N. 1/2 S. E. 1/4, S. 1/4, N. E. 1/4 Sec. 29, T. 16 N. R. 26 E.

II. Mining, power, manufacturing or transportation purposes:

- (a) To be used for
 (b) Amount, of power to be generated horse power
 (c) At what point
 (d) If water is to be returned to stream, ("yes" or "no")
 (e) If "yes" at what point

6. Estimated cost of works Six hundred (\$600.00) Dollars. Both Ditch and
reservoir

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Reservoir & Ditch

II. Dimensions of works:

- (a) Height of dam 30 feet, length of dam at top 109 feet
 length of dam at bottom 12 feet, material used in construction
 (wood, earth, stone or concrete) wood, earth & stone
 (b) Capacity of reservoir 520 acre feet.
 (c) Size of headgate, width 3 feet, height 2 feet.
 (d) Ditch (~~flume or pipe~~) width at bottom 6 feet, width at water
 line 7 feet, depth of water 1 feet. Average
 grade per mile is 130 feet. Length of ditch is 5

miles, and it crosses the following quarter sections N. 1/4 Sec. 24, S. 1/4, N. E. 1/4 Sec. 13, E. 1/2 Sec. 12, S. E. 1/4 Sec. 1, T. 15 N. R. 25 E., N. 1/4 Sec. 6, T. 15 N. R. 26 E., N. 1/2 Sec. 31, S. 1/4 Sec. 30, T. 16 N. R. 26 E.

to N. E. 1/4 S. 1/4 Sec. 30, T. 16 N. R. 26 E. which is the point of intended use.

(d) The names and addresses of directors

II. The financial resources of the applicant are:

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

2. The quantity of water claimed is equivalent of a continuous flow of ten (10) — cubic feet per second
3. Source of water supply surplus flood and winter flow of South Branch of West Fork Timber Creek, Lemhi County
4. Location of point of diversion N. 1/4 Sec. 24 T. 15 N. E. 25 E.

5. To be used for:

I. Irrigation and domestic use:

- (a) Number of acres to be irrigated 500 acres
- (b) In the following legal subdivisions E 1/2 N. 1/4 N. E. 1/4 S. 1/4 N. 1/2 S. E. 1/4 S. 1/4 N. E. 1/4 Sec. 30 S. 1/2 N. 1/4 N. 1/2 S. 1/4 N. 1/2 S. E. 1/4 S. 1/4 N. E. 1/4 Sec. 29 T. 16 N. R. 26 E.

II. Mining, power, manufacturing or transportation purposes:

- (a) To be used for
- (b) Amount of power to be generated _____ horse power
- (c) At what point
- (d) If water is to be returned to stream, ("yes" or "no")
- (e) If "yes" at what point

6. Estimated cost of works Six hundred (\$600.00) Dollars. Both Ditch and reservoir

7. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise) Reservoir & Ditch

II. Dimensions of works:

- (a) Height of dam 30 feet, length of dam at top 10.9 feet
length of dam at bottom 12 feet, material used in construction
(wood, earth, stone or concrete) wood, earth & stone
- (b) Capacity of reservoir 520 acre feet.
- (c) Size of headgate, width 3 feet, height 2 feet.
- (d) Ditch (~~flume or pipe~~) width at bottom 6 feet, width at water line 7 feet, depth of water 1 feet. Average grade per mile is 130 feet. Length of ditch is 5 miles, and it crosses the following quarter sections

N. 1/4 Sec. 24 S. 1/4 N. E. 1/4 Sec. 13 E. 1/2 Sec. 12 S. E. 1/4 Sec. 1 T. 15 N. R. 25 E. N. 1/4 Sec. 6 T. 15 N. R. 26 E. 1/2 Sec. 31 S. 1/4 Sec. 30 T. 16 N. R. 26 E.

to N. E. 1/4 S. 1/4 Sec. 30 T. 16 N. R. 26 E. which is the point of intended use.

**NOW
STARTING
RIGHT
SIDE OF
FILE**

RECEIVED

FEB 16 1978

COOKE & LAMANNA
CHARTERED
ATTORNEYS AND COUNSELORS AT LAW
PRIEST RIVER PROFESSIONAL CENTER
P. O. BOX 780
PRIEST RIVER, IDAHO 83856

Department of Water Resources

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

(208) 448-1881
KAREN M. HATTENLEE
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.

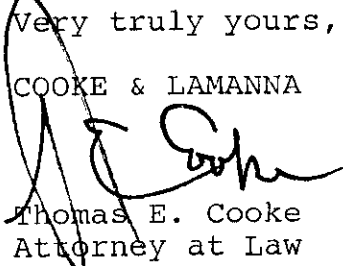
I am enclosing herewith a document entitled "Declaration of Succession of Interest" and ask that you file this with your permanent records and note that all water licenses currently outstanding in Bonner County, Idaho, either in the name of the Newport Water Company, Public Utilities Corporation or Citizens 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 West Linn 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 788
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. HATTERLEE
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

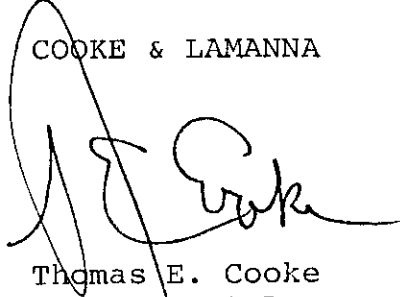
Ms. Kay Weaver
February 3, 1978
Page Two

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 mark that also encircles the typed name 'COOKE & LAMANNA'.

Thomas E. Cooke
Attorney at Law
TEC:jt

April 21, 1975

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

Mr. Donald Ellersick
Pacific Environmental Consultants
East 7202 Sprague, Suite B
Spokane, Washington

Dear Don:

Enclosed are copies of the above referenced licenses for the Newport Water Company. There is some of the paperwork for License No. 96-2015 which may be of interest to you. We are also enclosing a copy of Section 42-220, Idaho Code, for your reference.

We are also sending copies of these licenses and the code to Matt Rougle. 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