

Frank Carl, Harlem
Rev. 1915
1915

NOTICE FOR PUBLICATION.—Notice of Proof of Application of Water to Beneficial Use. Notice is hereby given that at 9 a. m. on the 5th day of April 1915, at Laclede, county Bonner, state of Idaho, before A. F. White, notary public, proof will be submitted of the application to beneficial use of $\frac{1}{4}$ of 1 cubic foot per second of the waters of overflow from spring, in accordance with the terms and conditions of permit No. 9202, heretofore issued by the state engineer of the state of Idaho.

1. The name and postoffice address of the person holding said permit are Frank Carl, Harlem, Idaho.
2. The use to which said water has been applied is irrigation and domestic use.
3. The amount applied to beneficial use is $\frac{1}{4}$ of 1 sec. ft.
4. The place where said water is used is nw $\frac{1}{4}$ of nw $\frac{1}{4}$, sec. 4, twp. 54 n. r 4 w B. M., n containing the east 10 acres.
5. The right to take the water from such works is based upon permit No. 9202.
6. The source of supply from which such water is diverted is overflow from spring on se $\frac{1}{4}$ of se $\frac{1}{4}$, sec. 5, twp. 55 n, r 4 w B. M.
7. The date of the priority which said user is prepared to establish is January 24, 1913.

HERBERT WING,
Acting State Engineer.

feb 26-mar19

9202

State of Idaho
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Frank Carl,
Harlem, Idaho.

Boise, Idaho, Jan. 1, 1914.

Dear Sir:

Under the terms of your permit No. 9202, you are required to complete your diversion works on or before April 5, 1914. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,
F. P. KING,
State Engineer

9202

Name of Applicant.....

Frank Bond

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

6

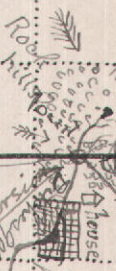
5

4

3

2

1



not to be irrigated

Sec 22

Sec 30

Corral 54 9. 1/2 1/2

all 8. 1/2 1/2

Shaded by Government

4 West 1/2

1/2 1/2

9202

DEC 7 1912

OF STATE ENGINEER

County: Bonner
Stream: Spring
Amount: 1/4 secft.
Use: Irrigation
Priority: 1-24-1913

STATE OF IDAHO

Water License No. 9202

WHEREAS, On the 24th day of January, A. D. 1913 Frank Carl

of Harlem, County of Bonner, State of Idaho, duly made application (No. 13665) to me for a permit to use 1/4 of 1 cubic foot per second of the waters of a spring in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 5, T. 54 N., R. 4 W.B.M.,
County of Bonner, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 5th day of April, A. D. 1913 Permit No. 9202 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 5th day of April, A. D. 1914, and for the application to beneficial use of said water on or before the 5th day of April, A. D. 1915, and,

WHEREAS, On the 3rd day of April, A. D. 1914, Frank Carl

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1/4 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9202, dated April 11, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1/4 of 1 cubic foot per second of said water, with date of priority of January 24, 1913, and

WHEREAS, On the 5th day of April, A. D. 1915, Frank Carl

the holder of said permit, duly made proof of the application to beneficial use of 1/4 of 1 cubic foot 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

Frank Carl

of Harlem, County of Bonner, State of Idaho, the holder and owner of said Permit No. 9202, a perpetual right, dating from January 24, 1913, to the use of 1/4 of 1 cubic foot per second of the waters of a spring in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 5, T. 54 N., R. 4 W.B.M.,

in the County of Bonner and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted on north and south line of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 5, T. 54 N., R. 4 W.B.M.-300 ft. from corner of Secs. 4 and 5 and 32 and 33, T. 54 & 55 N., R. 4 W.B.M.,

and conducted to and upon 4 acres in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, known as Lot 4, Sec. 4, T. 54 N., R. 4 W.B.M.,

for the purpose of irrigation 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 8th day of May, A. D. nineteen hundred and fifteen.

J. H. Smith,

(Seal)

State Engineer:

16 2068

No. 13665

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant: Frank Carl.

Postoffice address: Harlem

County: Bonner

State: Idaho.

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) 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 One fourth ($\frac{1}{4}$) or $12\frac{1}{2}$ inches. cubic feet per second.3. Source of water supply: Overflow from Spring on NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 5 T. 54 R. 4 W.B.M.4. Location of point of diversion: On the North & South line, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sect. 5 Township 54 N.R. 4 W.B.M. 300 ft. from the corner of Sec. 4 & 5 & 32 & 33 Township 54 & 55 N. of Range 4 West Boise Meridian.
County of Bonner,

5. To be used for: Domestic and Irrigation.

I. Irrigation and domestic use: (a) Amount of land to be irrigated: Ten (10) acres.

(b) In the following legal subdivisions: NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Section 4 Township 54, N Range 4 West B.M. known as Lot 4 Sect. 4 Town. 54 N.R. 4 W.B.M.

II. Mining, milling, power, manufacturing, transportation or other purposes:

[a] At what point:

[b] Amount of power to be generated:

H. P. under

ft. head

[c] Is water to be returned to any stream?
return:

(d) If so, name stream and locate point of

6. Estimated cost of works: \$250.00

7. Description of works for diversion:

I. Kind of works: Clearing draining and raising ditches and laterals 1000 ft. and over.

II. Dimensions of works:

[a] Height of dam

feet, length of dam at top

feet,

length of dam at bottom

feet. Material used in construction:

[b] Capacity of reservoir

acre feet.

[c] Size of headgate, width

feet,

Height

feet.

(d) Conduit

Ditch

width at bottom One

feet,

width at water line

One & $\frac{1}{2}$

feet, depth of water

One & Fourth feet, diameter of pipe

inches, average grade per mile is

feet. Length of conduit is 900 ft. ~~miles~~,and it crosses the following quarter sections: NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec. 4. 54 N.R. 4 W.B.M. a Southeastern course.

8. The time required for the completion of the construction of such work is 1 years.

9. Time required for the complete application of the water to the proposed use is 1 additional years.

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

Frank Carl.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9.00 A.M. January 24, 1913.
 Returned to applicant for correction February 23, 1913.
 Corrected application received March 19, 1913.

APPROVAL OF STATE ENGINEER.

The number of this permit is 9202
 Recorded in Book 30 Page 9202 Approved April 5, 1913.
 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 June 4, 1913. 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 5, 1913.
 The whole of said work to be completed on or before April 5, 1914
 Beneficial use of water appropriated in accordance herewith, to be made on or before April 5, 1915

Witness my hand this 5th day of April, 1913.

F.P. King,

State Engineer.

Remarks:

Applicant is now prepared to submit proof to the above at any time within 60 days as work was completed during 1909 and 1911 and 1912 in compliance to a former application.

Applicant is asking for permit of use of water overflow from spring or Springs located on the NE of the NE quarter of Sec. 5 Township 54 North, Range 4 West Boise Meridian to use on the NW of NW quarter on Sec. 4 Township 54 North, Range 4 West Boise Meridian. The NW of NW quarter sec. 4 Township 54 North 4 West is owned by applicant, Frank Carl. Point of diversion shall be as indicated on maps. The descriptions are taken from government surveyes. Point of diversion is 300 ft. to the South from the Section corner of Sec. 4 Town. 54 North of Range 4 West B.M., beginning at point of diversion, the ditch runs in a south eastern course across the 40 acres tract known as Lot 4 Sect. 4 Township 54 N. Range 4 W. B.M. which is owned by Frank Carl.

Applicant, Frank Carl, is not asking for a permit of Spring directly located on the NE of NE quarter in Sect. 5 Township 54 North, Range 4 West B.M., owned by the Humbird Lumber Co., Sandpoint, Idaho. Frank Carl, the applicant is applying for the over flow and seepage from spring running through NW of the NW quarter of Sect. 4 Township 54 North, Range 4 W.B.M. The NW of the NW quarter Sect. 4 Township 54, North 4 W.B.M. is deeded land owned by Frank Carl, applicant.

Recorded by
 Checked by

L.C.
EPB

Proof of Completion of Works made April 3, 1914.

Certificate of Completion of Works issued April 11, 1914.

PERMIT NO. 9202

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Frank Carl of Harlem, County of Bonner, and State of Idaho, the holder of Permit No. 9202, issued upon Application No. 13665, bearing date of priority of January 24, 1913, authorizing the diversion of $1/4$ of 1 secondfoot of the waters of overflow from spring on NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 5, T. 54 N. R. 4 W. B. M., County of Bonner, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use $1/4$ of 1 secondfoot of the waters of overflow from spring on NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 5 T. 54 N. R. 4 W. B. M., that the point of diversion of said waters is at a point on the North and South line NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 5, Tp. 54 N. R. 4 W. B. M. 300 ft. from the corner of Sec. 4 and 5 and 32 and 33, Tp. 54 and 55 N. of R. 4 W. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ Sec. 4, Tp. 54 N. R. 4 W. B. M., known as Lot 4 Sec. 4, Tp. 54 N. R. 4 W. B. M., containing 10 acres.

Witness my hand this 11th day of April, A. D. 1914.

F. P. KING,

State Engineer of the State of Idaho.

License issued for $1/4$ second foot

Page 1806

March 7, 1923.

Re: Permit No. 9202.

Mr. Allen P. Asher,
Sandpoint, Idaho

Dear Sir:

Consideration has been given your letter of March 5th regarding the above mentioned permit.

License No. 8756 being a prior right is, of course, entitled to the full use of the springs which are the source of supply for this water right, if this amount is necessary to satisfy the terms of the license.

Reference to Paragraph 2 of our letter to you under date of February 15, 1923, indicates that the application of Frank Carl for permit was in regular form accompanied by the necessary data, and hence permit was issued thereunder. The only provision in the law for cancellation of permits is contained in Article 2 of Chapter 218, Idaho Compiled Statutes, 1919, from which you may observe that this office has no authority to cancel this permit, upon the grounds set up in your communication.

Assuming that the water in question was not subject to appropriation because of its origin, etc., and because of the fact that the permit holder did not gain the necessary permission from the property holder, this office is still without authority to act in the premises, since it involved a question as to title etc., and can only be decided by a court of competent jurisdiction. This office is purely administrative, possessing no judicial authority.

Very truly yours,

W. G. SWENDSEN
Commissioner of Reclamation
By

Assistant

GNC:P

9202

March 2-20

NOTICE FOR PUBLICATION.—NOTICE
of Proof of Beneficial Use of Water to
that at 9 o'clock a.m. hereby given
1915, at La Barge, county of Bonner, state
of Idaho, before J. H. White, notary pub-
lic, proof will be submitted of the applica-
tion to beneficial use of $\frac{1}{4}$ of 1 cubic foot
per second of the waters of overflow from
spring, in accordance with the terms and
conditions of Permit No. 9202, heretofore
issued by the state engineer of the state
of Idaho.

1. The name and postoffice address of
the person holding said permit are Frank
Carl, Harlem, Idaho.

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

3. The amount applied to beneficial
use is $\frac{1}{4}$ of 1 sec. ft.

4. The place where said water is used
is $\text{nw}\frac{1}{4}$ of $\text{nw}\frac{1}{4}$, sec. 4, twp. 54 n. r 4 w
B. M. n containing the east 10 acres.

5. The right to take the water from
such works is based upon permit No.
9202.

6. The source of supply from which
such water is diverted is overflow from
spring on $\text{se}\frac{1}{4}$ of $\text{se}\frac{1}{4}$, sec. 5, twp. 58 n,
r 4 w B. M.

7. The date of the priority which said
user is prepared to establish is January
24, 1913.

HERBERT WING,
Acting State Engineer.

March 19

Allen H. Asher
Attorney
FIDELITY BUILDING
SANDPOINT, IDAHO

PROSECUTING ATTORNEY
BONNER COUNTY

March 5, 1923.

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

Dear Sir:

Re: Permit #9202.

I have your favor of the 15th relative to the application of Frank Carl for permit #9202 and covering a spring directly located on the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, Twp. 54 N. R. 4 W. B. M., which land was owned by the Humbird Lumber Company at that time, but which has since been purchased by my client, John Weichsl.

I further notice that part of your letter advising that "at the time filings were made on the springs in question, an affidavit for permission to file upon the waters of a spring was not required".

I know that you will pardon my calling this matter to your attention because it is of considerable importance to client, but as I understand, Carl filed his application on the 24th of January, 1913 and any priority that he has would have to be based and accrue as of that date. The legislature in 1911, Chapter 230 provided: "That the State Engineer is hereby prohibited from issuing or granting permits to divert or appropriate the water of any lake*****pool, or spring in this state, which is located wholly or entirely upon the lands of a person or corporation, except, etc.*****"

It would seem to me that under the law in force on January 23th, 1913, that it was necessary to have the written permission of the owner of this land in order for Mr. Carl to acquire any rights to the waters of this spring, and by such rights to preclude the owner of the land from appropriating the entire waters of said spring to such beneficial use as he may see fit.

Will you kindly examine the matter from this viewpoint and advise if I am correct in my deductions?

Thanking you very kindly, I beg to remain,

Very truly yours,



AA/D

9202

February 15, 1923.

Re: Permit No. 9202.

Mr. Allen P. Asher.
Attorney at law,
Sandpoint, Idaho.

Dear Sir:-

Referring to your letter of the 13th inst. would say that, at the time the filings were made on the springs in question, an affidavit for permission to file upon the waters of a spring was not required.

Under the head of "remarks", of the original application and permit, No. 9202, the applicant, Frank Carl, states that he is not asking for a permit on the spring directly located on the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5, T. 54 N., R. 4 W., B.M., owned by the Humbird Lumber Co., but that he is applying for the over-flow and seepage of a spring running through the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4, T. 54 N., R. 4 W., B.M., being deeded land owned by him.

In any event, the records show that Mr. Weichel holds the prior right to 2/50 of 1 second foot of the unnamed stream arising from springs in the NE $\frac{1}{4}$ of Sec. 5, T. 54 N., R. 4 W.

The owner of land upon which springs arise would not be entitled to the full flow of the springs unless he had perfected title to such flow and unless the water remained on his land and did not flow off into an unnamed stream. Mr. Carl would, therefore, be entitled to the water granted him in his license under Permit 9202.

Very truly yours,

W. G. SWENDSEN,

Commissioner of Reclamation.

By
Chief Clerk.

9202

Allen J. Asher
Attorney
FIDELITY BUILDING
SANDPOINT, IDAHO

PROSECUTING ATTORNEY
BONNER COUNTY

February 13, 1923.

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

Dear Sir:

Re: John Weichsl permit and license #8756,
Frank Carl permit and license #9202.

In this matter, John Weichsl is the owner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 5, Twp. 54, N. R. 4 W. B. M. and upon this land certain springs arise which apparently are the basis for both water rights.

Mr. Weichsl piped the water from this spring to his house for irrigation and domestic use under permit #8756 and apparently Mr. Carl has gotten a filing on the same springs.

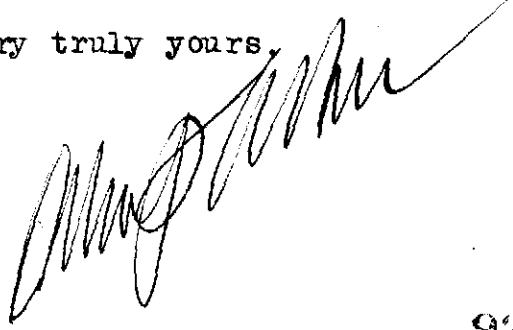
It was my understanding under section 5572, that before you could obtain a license or permit for water arising from definite springs, that the party owning the land had to sign a consent to the appropriation.

Mr. Weichsl needs all of the water from these springs for his own use, part of it being piped to the house a considerable distance away and the balance is needed for his stock and irrigation on the 40 acres where the spring arises.

Will you kindly advise us if we are in error in assuming that we have a right to the full flow of these springs as long as same is put to beneficial use?

Very truly yours,

AA/D



9202

February 6, 1923.

Re: Water Right.

Mr. Allen P. Asher,
Attorney at law,
Sandpoint, Idaho.

Dear Sir:-

Referring to your letter of the 1st inst. would say that Frank Carl filed an application on June 10, 1909, for the diversion of one-fifth of one second foot of the waters of a spring, on the NE¹/₄NE¹/₄ Sec. 5, Twp. 54 N., R. 4 W., B.M. Under the terms of this permit, proof of completion of works should have been made by June 11, 1911, but no proof has ever been submitted hence the permit lapsed and is subject to cancellation.

On January 24, 1913, Frank Carl filed a new application, under which Permit No. 9202 was issued, for the diversion of one-fourth of a second foot of the "overflow of a spring located on the NE¹/₄NE¹/₄ Sec. 5, T. 54 N., R. 4 W." Both proof of completion of works and proof of beneficial use of water were made under this permit and the certificate and license issued for the amount claimed, hence this right is in good standing upon the records of this office.

Very truly yours,

W. G. SWENDSEN.

Commissioner of Reclamation.

By
Chief Clerk.

Allen H. Ash
Lawyer
FIDELITY BUILDING
SANDPOINT, IDAHO

PROSECUTING ATTORNEY
BONNER COUNTY

February, 1, 1923.

Dept. of Reclamation,
Boise, Idaho.

Gentlemen:

My client, John Weichsl of Clagstone, Idaho has consulted me relative to water from some springs that rise on land belonging to him described as NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 5, Twp. 54, N. R. 4 W. B. M.

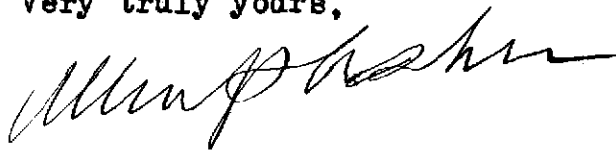
The water from the springs is piped down to his home place located on the S $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 4, Twp. 54 N. R. 4 W. B. M.

Mr. Weichsl holds permit and license #8756 from the State of Idaho recorded in Book 5 of Water Licenses at Page 2205. The present owner of the adjoining piece of land, the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Sec. 4, Twp. 54, N. R. 4 W. B. M. claims that he has a prior right to the use of this water, said prior right being based upon a water permit granted to one Frank Carl about the year 1910 for the appropriation of five second feet of water.

Mr. Natvig of Clagstone, has advised me that he was a witness at the time Mr. Carl attempted to prove up and that his claim for water was disallowed and his permit revoked.

Kindly advise me the status of this matter at your early convenience and oblige,

Very truly yours,



9202

4752

4752 ^{0.2} 81 - Spry - 797E-5-542-42
Apr June 11-1911

RECEIVED
FEB - 8 1923
DEPARTMENT OF COMMERCE

May 19, 1915.

Permit 9202.

Mr. Frank Carl,
Harlem, Idaho.

Sir:

Am enclosing herewith water license, with
receipt for fee.

Very truly yours,

J. H. SMITH,

State Engineer.

L-R7353

By _____

9202

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Bonner } ss.

Wm Hallenback being duly sworn, says that he is the publisher of the PEND D'OREILLE REVIEW, a weekly newspaper printed and published at Sandpoint, 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

Application for Water Use by Frank Carl
as it was published in the regular and entire issue of said paper for a period of four consecutive weeks, commencing on the 26th day of February, 1915 and ending on the 19th day of March, 1915 and that said notice was published in said newspaper proper, and not in supplement form.

Wm Hallenback
Subscribed and sworn to before me this 20th day of March, A. D. 1915

Myron Harris
Notary Public in and for Bonner Co.
Idaho residing at Sandpoint, Idaho.

NOTICE FOR PUBLICATION.—NOTICE of Proof of Application of Water to Beneficial Use.—Notice is hereby given that at 9 a. m. on the 5th day of April, 1915, at Laclede, county of Bonner, state of Idaho, before A. F. White, notary public, proof will be submitted of the application to beneficial use of $\frac{1}{4}$ of 1 cubic foot per second of the waters of overflow from spring, in accordance with the terms and conditions of Permit No. 9202, heretofore issued by the state engineer of the state of Idaho.

1. The name and postoffice address of the person holding said permit are Frank Carl, Harlem, Idaho.
2. The use to which said water has been applied is irrigation and domestic use.
3. The amount applied to beneficial use is $\frac{1}{4}$ of 1 sec. ft.
4. The place where said water is used is nw $\frac{1}{4}$ of nw $\frac{1}{4}$, sec. 4, twp. 54 n, r 4 w B. M. n containing the east 10 acres.
5. The right to take the water from such works is based upon permit No. 9202.
6. The source of supply from which such water is diverted is overflow from spring on sec 4 of sec 4, sec. 5, twp. 55 n, r 4 w B. M.
7. The date of the priority which said user is prepared to establish is January 24, 1913.

HERBERT WING,
Acting State Engineer.

feb 26-mar 19

9202

PERMIT No. _____

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLDER

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

Ans. Frank Carl age 43, Farmer
Harlem Ida

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. None

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

Ans. 9202 Jan 24 1913 Date of priority Jan 24 - 1913

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

Ans. Conflow from spring on NE 1/4 of NE 1/4 Sec 5 T54 N R4 W B.M.
200 ft. from the corners of Sec 4-5-T54 N and Sec 32-33 T55 N R4 W B.M.

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

Ans. 900 ft. of Ditch 1 ft. wide at top and 1 1/2 ft. deep and 2
lateral ditches 200 and 300 ft. long respectively and 200 ft. of ditch
at point of diversion inclusive of clearing 4 acres of flow land and
6 acres slashing

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

Ans. Domestic and irrigation The south 10 acres of the
N. W. 1/4 of N. W. 1/4 of Sec 4 T54 N R4 W B.M. These lands were timber
land, cleared 4 acres in cultivation with house and small barn
6 acres in slashing and clearing in progress

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

Ans. _____

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

Ans. 1/2 of 1 second foot 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. _____

9202

Permit No.

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans. John Witterer age 33 FarmerLochide IdahoQues. 2. Are you acquainted with Frank Carl, theholder of Permit No. 9202? How long have you known him and where does he reside?Ans. 5 years Harlem Idaho FarmQues. 3. Have you read or heard read said Permit No. 9202, and are you familiar with its provisions and conditions?Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of sec 5 T54N R4W.B.M. running
in a southeastern direction starting south of the sec corner
of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ sec 4 T54N R4W.B.M. 900 ft of Ditch
1 ft wide and 2 laterals 200 and 300 ft long respectively

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. $\frac{1}{4}$ of a second foot

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

Ans. Domestic and irrigation About 4 or 5 acres
of cultivated land 6 acres of slashing and clearing
in progress

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

Ans.

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

Ans. Slipping $\frac{1}{4}$ of a second foot

9202

Permit No.

Proof of Application of Water to Beneficial Use**DEPOSITION OF WITNESS**

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

Ans.

Ques. 2. Are you acquainted with Frank Carl, theholder of Permit No. 9202? How long have you known him and where does he reside?

Ans.

Ques. 3. Have you read or heard read said Permit No. 9202, and are you familiar with its provisions and conditions?

Ans.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans.

NE 1/4 of NE 1/4 of Sec. 5 T54N R4 W.B.M. running
in a southeasterly direction starting south of the sec corner
of the NE 1/4 of NW 1/4 Sec 4 T54N R4 W.B.M.
900 ft of ditch 1 ft wide and 2 laterals 200 and 300 ft long respectively

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

Ans.

1/4 of a second foot per second ft more or less.

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 and irrigation. About 4 or 5 acres
of cultivated land 6 acres of slashing and clearing
in progress.

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

Ans.

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

Ans.

Sloping 1/4 of a second foot

9202

April 7, 1915.

Permit 9202.

Mr. John Weicksl,
Edgemere, Idaho. L.B.6.

Sir:

Replying to your letter of the 22nd ult. would say that your Permit No. 8756 is prior in time to Permit No. 9202, under which Mr. Carl is attempting to make proof, hence your right could not be interfered with by the later right. If you complete the works of diversion, according to the terms of your permit, and make your proof as required by October 12, 1915, you have a prior right to the amount called for in said permit, one second foot, or fifth miner's inches, and this right would have to be satisfied before a right under a later permit. We, therefore, have no authority for refusing to accept the proof under the later permit.

Very truly yours,

J. H. SMITH,

State Engineer.

By _____

9202

Clagstone, Idaho. Apr. 2/15.

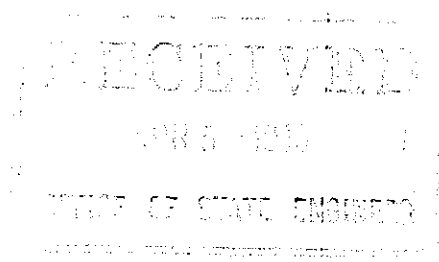
State Engineer,
Boise, Idaho.

Dear Sir,

Having been called away from home on account of illness and later the death of my father, and just getting home now, I have been unable to attend to the papers pertaining to the water right of Mr. Frank Carl. I will look after this to-morrow and mail them to you to-morrow evening.

Sorry this could not have been looked after sooner but in this case, it could not be helped.

Yours truly,
J. C. Katrig.



REPORT OF ENGINEER

1. State name of applicant and number of permit: *Frank Carl Permit No. 9202*
2. State source of water supply: *Spring located in the N.E. 1/4 of the N.E. 1/4 Sec. 5 Twp. 54, R. 4*
3. Location of point of diversion: *about 40 rods south of the N.W. corner of sec. 5 Twp. 54, R. 4*
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit:
Did not see permit
5. Describe works as they exist, giving dimensions of same as follows:
- (a) Width of conduit at bottom: *8 in.*
- (b) Width at water line: *10 in*
- (c) Depth of water: *2 in*
- (d) Grade per mile: *about 10%*
- (e) Capacity of ditch: _____ second feet.
6. State whether or not water has been turned into works of diversion and if so, to what extent:
about four acres and also for domestic purposes
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: *N.W. 1/4 of N.W. 1/4 N.E. 1/4 of N.W. 1/4*
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 :

J. C. Natvig

STATE OF IDAHO.

County of Bonner } ss.

9202

J. B. Natwig, 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 3 day of April 1916

My Commission Expires

es. Jan 1 1917.

day of April 1916
John Krarok.
Justice of the Peace Notary Public

Name of Applicant _____

2026

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

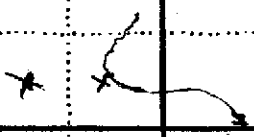
SEC.

SEC.

SEC.

4

5



STATE OF IDAHO
ENGINEERING DEPARTMENT

F. P. KING,
STATE ENGINEER

BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE

Frank Carl,
c/o A. F. White,

Laclede, Idaho.

BOISE, IDAHO,

Mar. 29, 1915.

DEAR SIR:

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

9202.
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 April 5th, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at **Laclede, before A.F. White, NE.**

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

F. P. KING,
J. E. Smith, ~~xxxxxx~~
State Engineer.

9202

Edgemere Idaho.
March. 22. 1915.
J & Harp

State Engineer 9202
Boise Idaho.

Dear Sir.,

Enclosed find work done by me, (John Ulickel) & Frank Agner, On my permit No. 8756. And so I wish to know how Mr. Frank Carl, can prove up on the same stream when he has absoutly not done a thing on it, And has sold his place and has not been living on it for two years. I say, he's only trying to prove up on this stream for the intrest of another man.

I have a letter here from the
later State Engineer, Mr. Robison,
saying that Mr. F. Carl has
lost the right on his old permit
and that his name should
be canceled. And that Mr. F. Carl
could not file on that stream
again because he did ^{not} work
on it worth while mentioning.
All he did was, while plowing
his field he run the plow
down ~~so~~ so the creek would
run a little straighter but it
wouldnt hold all the water and
so I had do it all over again.
And I must do so every spring

because the sand settles itself
and fills it up in a short time and
the water flows all over no matter
how deep I dig the ditch so I made
enough pipes to reach across
this flat and then I think it
won't bother any more but
if Mr. Carl grows up on this
stream I cannot put them in.
So I wish you would try
and see what you can do
for me. I hope to hear from
you in return mail.

Yours Truly

John Weichsel

L. B. 6. Edgemere

Idaho.

Work done on water right

Permit No. 8756.

By John Weichel and
Frank Agner.

Hand Work.

Oct, 28, 1912. full day.

" 29. " " "

" 30. " " "

" 31. " " "

Nov. 1. " " "

" 2. " " "

" 3. " Sunday. no work.

" 4. " full day.

" 5. " " "

" 6. " " "

" 7. " " "

Nov. 8, 1912.	full day
" 9. 1912.	" "
" 10. " Sunday	no work.
" 11. "	full day.
" 12. "	" "
" 13. "	" "
" 14. "	" "
" 15. "	" "
" 16. "	" "
" 17. " Sunday	no work.
" 18. "	full day.
" 19. "	" "
Total 20 day. (Hand work) 1912.	
Team work for —	1912.
Oct. 31st	$\frac{1}{2}$ day.

Hand work for 1913.

March. 27. 1913 full day

" 28. " " "

" 29. " " "

" 30. " Sunday. no work.

" 31. " 1/2 day.

Total. (Hand work) for 1913.

Team work for 1913.

March. 25. 1913 full day.

" 26. " 3/4 day.

Total (Team Work) 1913, 1 3/4 days

Hand Work for			1914.
March.	23,	1914	full day.
"	24,	"	" "
"	25.	"	" "
"	26	"	" "
"	27	"	" "
"	28	"	" "
"	29	"	Sunday no work.
"	30	"	full day.
"	31	"	" "
April 1.	"		" "

Total (Hand Work) by John Weichsel
and Frank Agner.

1912	20 da.
1913	4 "
1914	9 "
Total	33

Total (Team Work) by John Wickel.

1912,	$\frac{1}{2}$	"	"	"
1913,	$1\frac{3}{4}$	"	"	"
Total	$2\frac{1}{4}$ days.	"	"	"

Hand Work.	33 days.
Team Work.	$2\frac{1}{4}$ days.

Office of the State Engineer

Notar, Idaho, Mar. 9, 1902

Mr. J. C. Natvig,
Clagstone, Idaho.

DEAR SIR:

Mr. Frank Carl, residing at Harlem
County of _____, State of Idaho, has requested that
you make examination required under Permit No. 9202. Will you
therefore, arrange with the holder of said Permit to make such examination as will
enable you to answer the questions on the enclosed blank? Also, make a sketch on
the enclosed blank plat showing source of supply, point of diversion, route of ditch
and place of use. You should, also, arrange with the holder of said Permit for the
payment of your fee for your services, and such proper expenses as you will incur in
making this examination and report.

Please advise me promptly of receipt of this communication, and whether or not
you will be able to make the examination and report as required.

Very truly yours,

J. H. SMITH, ~~A. E. ROBINSON~~

State Engineer.

9202

Permit 9202 • Wm

Harben • Ida 3

Mr. Herbert Wing
Boise, Ida

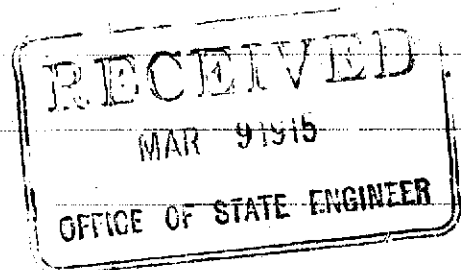
Dear Sir,

In reply to your favor of the 7th of February will say that I have appointed, Mr. J. C. Hatvig of Clagstone, Idaho, to make the examination and make report on this proof please send him the necessary blanks.

Awaiting your further instructions I am

Yours very truly

Frank Carr



9202

March 8, 1915.

Re proof-Permit 9202.

F. M. Holyneaux, Lawyer,
Sandpoint, Idaho.

Sir:

Replying to your letter relative to proof to be made by Frank Carl would say that, inasmuch as a prior right on the waters of a stream must be satisfied before a subsequent right, I see no reason why Mr. Weichel should be so concerned over the proof to be made under the above numbered permit. Under separate cover I am today sending you a copy of the Land & Irrigation laws upon page 124 of which you will find the law relating to protesting against a permit. You will note that the protestant must hold a permit of later date.

I have been unable to find the copy of the letter stating that the works had not been completed under the above permit, and am inclined to think that the letter referred to an earlier permit held by Mr. Carl, Permit No. 4752. If you will kindly send us the date of the letter we will be able to trace it.

Very truly yours,

Herbert Wing,

Acting State Engineer.

SCLIL

By _____

9202

Drawn by Will
Rev. 1915
1915

NOTICE FOR PUBLICATION.—Notice of Proof of Application of Water to Beneficial Use. Notice is hereby given that at 8 a. m. on the 5th of April 1915, at Laclede, county of Bonneville, state of Idaho, before A. F. [illegible], notary public, proof will be submitted of the application to beneficial use of $\frac{1}{4}$ of 1 cubic foot per second of the waters of overflow from spring, in accordance with the terms and conditions of permit No. 9202, heretofore issued by the state engineer of the state of Idaho.

1. The name and postoffice address of the person holding said permit are Frank Carl, Harlem, Idaho.
2. The use to which said water has been applied is irrigation and domestic use.
3. The amount applied to beneficial use is $\frac{1}{4}$ of 1 sec. ft.
4. The place where said water is used is nw $\frac{1}{4}$ of nw $\frac{1}{4}$, sec. 4, twp. 54 n., r. 4 w. B. M., n containing the east 10 acres.
5. The right to take the water from such works is based upon permit No. 9202.
6. The source of supply from which such water is diverted is overflow from spring on se $\frac{1}{4}$ of se $\frac{1}{4}$, sec. 5, twp. 55 n., r. 4 w. B. M.
7. The date of the priority which said user is prepared to establish is January 24, 1913.

HERBERT WING,
Acting State Engineer.

9202

H. M. MolyneuxLAWYER
SANDPOINT, IDAHO

March First 1915.

State Engineer ,
Boise Idaho.

Dear Sir.

John Weichel is the holder of permit for water right No. 8756.

Corrected application received by your office, Sept 12, 1912.

Frank Carl holder of a permit on the same stream, himself then owning the North 1/2 nw. 1/4 of Section 4. Tp. 54. R. 4. W. While Mr. Weichel's land is the S. 1/2 of the same quarter section. Mr. Carl under a former permit has now advertised for proof in the Pend d'Oriell Review of Sandpoint Idaho for this water right. The fact is that Carl has never done the work required and Mr Weichel holds a letter from your office stating that Carl has failed to make proof within the time required by law and that his right could be cancelled by contest. The present desire of Mr Weichel is to get the present status of the right of Carl so that he can enter protest to the proof of Carl and get in with his evidence, as Mr Weichel has done all of the work required by law and has pipes ready to finish the work.

Please write me at once in behalf of Mr. Weichel stating the present status of both water rights as Mr Weichel will have to act before the time that the proof will come for hearing, the time for last publication is Mar 19, (inclosed please find publication notice.)

time for hearing Apr 5 before which Mr. Carl has failed to enter evidence
Kindly suggest the right manner to get the evidence of Mr Weichel

in as Carl has absolutely failed to do his part as required by law.

A prompt answer will greatly oblige Yours Truly.

H. M. Molyneux

(P. O.)

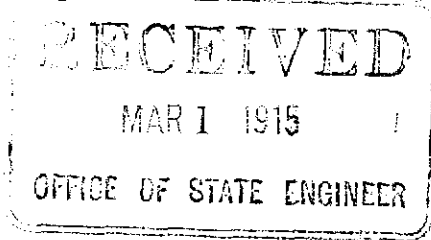
(Date)

Ludpoint, Idaho
Feb 26, 1915 -

State Engineer, Boise.

Dear Sir:

I have your letter of Feb 23 enclosing Notice of Proof of Beneficial Use of Water under Permit No. 9202 which will be published as you request, beginning with our issue of February 26, 1915 -



Wm Hallumback

9202

February 24, 1915.

Permit 9202.

Mr. Frank Carl,
Harlem, Idaho.

Sir:

We are today sending notice for publication to the Bend d'Oreille Review, at Sandpoint. Deposition blanks will be mailed to me A. F. White, at LaCleda, later.

It will also be necessary for us to have the report of some competent person and, if you will send the name of some one whom you desire to make the examination and report on this proof, the necessary blanks will be sent him.

Very truly yours,

Herbert Wing,

Acting State Engineer.

By _____

9202

Harlem Ida 2-17-15

Permit 9202

Mr. Herbert Wing
Acting State Engineer
Boise Ida

RECEIVED
FEB 20 1915
OFFICE OF STATE ENGINEER

Dear Sir

Your favor of the 10th of Dec. at hand and note
I have made an error in setting the date for Dec 8th
for making proof as you have set April 5th this
would be correct there being no notary public or other
officer at Harlem I have chosen Mr. A. F. White
at Laclede Idaho to do this work you will notice on
former legal papers that he does this work for me
Trusting that this will meet your approval

Thanking you for past favors

Very respectfully

9202

Frank Carl

Harlem Ida 2-17-05

Permit 9202

Mr. Herbert Hing
Acting State Engineer -
Boise Ida

Dear Sir

Your favor of the 10th of Feb. at hand and note
I have made an error in setting the date for Feb 8th
for making proof as you have set April 5th this
would be correct there being no notary public or other
officer at Harlem I have chosen Mr. A. F. White
at Laclede Idaho to do this work you will notice on
former legal papers that he does this work for me
Trusting that this will meet your approval

Thanking you for past favors

Very respectfully

9202

Yours truly
Frank C. G.

February 10, 1915.

Permit 9202.

Mr. Frank Carl,
Harlem, Idaho.

Sir:

In checking your notices for final proof I note that you have set February 8th as date for making proof. As the notice must be published four full weeks prior to the date of making the proof, I have set April 5th as the date for same. You should also send the name of the notary public, or other officer, at Harlem, before whom you are going to make your proof. This information must be given before the notice can be published.

Very truly yours,

Herbert Wing,

Acting State Engineer.

By _____

9202

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) 8th day of Feb 1915
(P. O.) Harlem Idaho

To the State Engineer,
Boise, Idaho.

Dear Sir:

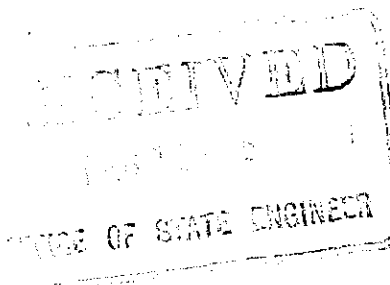
You are hereby authorized to have the attached notice published at my expense in the
Pend d'Oreille Review, of Sandpoint Idaho, published in the
county in which the works are situated.

Frank Carl

(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.



9232

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 9 a. m. on the 8th 5th day of Feb. April, 1915,
 at Harlem, Laclede, County of Bonner, State of Idaho,
 before ~~Application of Water to Beneficial use~~ A. T. Wink, proof will be submitted
 of the application to beneficial use of 1/4 of 1 cubic foot per second of the waters of
Overflow from Spring, in accordance with the terms and conditions of Permit No. 9202
 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.....

Frank Carl, Harlem Idaho

2. The use to which said water has been applied is Domestic and Irrigation on the

N.W. 1/4 of the N.W. 1/4 Sec 4 Tp. 54 N. R 4 W. B. M. Known as Lot 4 Sect 4

3. The amount applied to beneficial use is 1/4 of 1 cubic foot

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

N.W. 1/4 of the N.W. 1/4 Sect 4 Township 54 North, Range 4 W. B. M.
containing the east 10 acres.

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

and laterals

6. The right to take the water from such works is based upon Permit No. 13665 9202

7. The source of supply from which such water is diverted is Overflow from Spring on

SE 1/4 of the SE. of Sec 5 Tp. 55 N. R 4 W B M 300 ft from corner Sec 4

8. The date of the priority which said user is prepared to establish is 11th day of April 1915

Jan. 24 - 1913.

Herbert Wing,

~~XXXXXXXX~~
 Acting State Engineer.

State of Idaho

ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

**Frank Carl,
Harlem, Idaho.**

January 7, 1915.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your permit No. **9202** which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

HERBERT WING

Acting

~~F. P. KING~~

State Engineer.

9202

April 15, 1914.

Permit 9202

Frank Carl,
Harlem, Idaho.

Sir:

Am enclosing you herewith certificate of
completion of works issued under above permit,
together with receipt for fee.

Very truly yours,

F. P. KING,

State Engineer.

CCW-R6360

By _____

9202

Permit No. 9207

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bonner } ss.Frank Carl, 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. 13665 and that his postoffice address is Harlem State of Idaho

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by April 5th, 1914

Third: That the use for which said water is intended is Irrigation and domestic

Fourth: 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: clearing, draining and making ditches
(Reservoir, dam, ditch, flume, pipe or otherwise.)
and laterals

II. Dimensions of work: —

(a) Height of dam — feet, length of dam at top — feet, length of dam at bottom — feet. Material used in construction —

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

(b) Capacity of reservoir — acre feet.

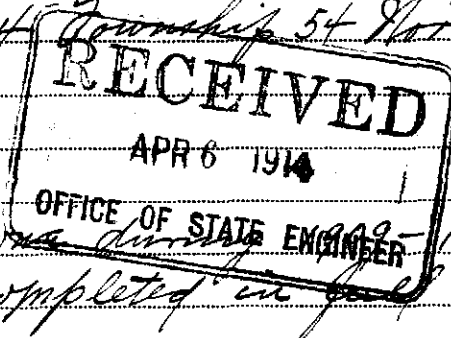
(c) Size of headgate: Width — feet, height — feet.

(d) Conduit Ditch width at bottom 1 feet, width at water line 1 1/2 feet, depth of water 7 in feet; diameter of pipe — inches; average grade per mile is 20 feet. Length of conduit is 900 ft miles.

Fifth. That said works are capable of conducting to the place of intended use About
12 1/2 second feet of water.

Sixth. That water appropriated under said permit is available for 10 acres of land described as follows:

N.W. 1/4 of the NW 1/4 Sec 4 Township 54 North
Range 4 West B.M.



Seventh. Remarks: That Work was done during 1912-1913-1914 and is now completed in full

Frank Carl
Sign here.

Subscribed and sworn to before me this 3rd day of April, 1914

My commission expires Jan 1, 1918 Arthur J. White
Notary Public.

State of Idaho
ENGINEERING DEPARTMENT
BOISE

F. P. KING,
STATE ENGINEER

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Frank Carl,
Harlem, Idaho.

Boise, Idaho, Jan. 1, 1914.

Dear Sir:

Under the terms of your permit No. 9202, you are required to complete your diversion works on or before April 5, 1914. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

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

Yours truly,

F. P. KING,

State Engineer

9202

STATE OF IDAHO
ENGINEERING DEPARTMENT
BOISE

A. E. ROBINSON,
STATE ENGINEER

Permit No. 9202,
Frank Carl,
Harlem, Idaho.
Dear Sir:

BOISE, IDAHO. April 5, 1913.

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

~~A. E. ROBINSON,~~
~~XXXXXX~~
F.P.KING, *State Engineer.*

9202

Name of Applicant *Frank*

